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# Board Cover Memorandum

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Sondra Aguilera, Chief Academic Officer  
Jennifer Blake, Executive Director, Special Education

**Meeting Date** April 14, 2021

**Subject** 2021-2024 Local Plan for the Oakland SELPA - 2021-2024 Fiscal Years

**Ask of the Board** Adoption by the Board of Education of the Local Plan for the Oakland Special Education Local Plan Area (SELPA) for the 2021-2024 School Years.

**Background** The California Department of Education requires that each Special Education Local Plan Area (SELPA) create, adopt and implement a Local Plan, Annual Budget Plan, and Annual Service plan. The Local Plan must be revised every three years, and it contains detailed information about the operations, procedures and governance structures of the SELPA. The Annual Budget Plan indicates the sources and amounts of funding that the SELPA has available to run our programs, and it details the expenditures for Special Education by category. The Annual Service Plan describes each of the Special Education and related services available within the SELPA and indicates where and how they are provided to eligible students.

**Discussion** We ask that the Board vote to adopt the proposed SELPA Local Plan so it can be implemented in the 2021-2024 school years. The plan will guide the services that students with Individual Education Programs receive within all OUSD schools and the charter schools within our SELPA network. The annual service and budget plans for 2021-22 will be presented at a later date prior to the June 30, 2021 deadline.

**Fiscal Impact** No Fiscal Impact. Will use existing Special Education funds. Funds can be withheld by the California Department of Education (CDE) if the plan is not adopted in a timely manner.

**Attachment(s)**

- Local Plan, Oakland SELPA
- Public Meeting Notice
- Presentation, Local Plan

Special Education Local Plan Area (SELPA) Local Plan

**SELPA** Oakland Unified School District

**Fiscal Year** 2021-22

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**LOCAL PLAN**

**Section B: Governance and Administration**

**SPECIAL EDUCATION LOCAL PLAN AREA**



California Department of Education

Special Education Division

January 2020

## Section B: Governance and Administration

SELPA Oakland Unified School District

Fiscal Year 2021-22

### B. Governance and Administration

California *Education Code (EC)* sections 56195 et seq. and 56205

#### Participating Local Educational Agencies

Participating local educational agencies (LEAs) included in the Special Education Local Plan Area (SELPA) local plan must be identified in Attachment I.

#### Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan:

Oakland Unified School District, hereafter referred to as OUSD, is a diverse, urban district of moderate size in the Bay Area of Northern California. As is typical of the surrounding area, as well, Oakland is culturally, linguistically, and socioeconomically diverse. The City of Oakland is home to over 425,000 people, and the District serves all residents of Oakland, along with specific areas of the neighboring cities of Berkeley and Emeryville. The geographic area of the City of Oakland stretches across almost 78 square miles, and it is the largest city and county seat for Alameda County.

Within Oakland Unified, there are approximately 35,900 students in grades TK-12 enrolled in 83 district-operated public school campuses, and there are an additional 18,000+ students enrolled in Oakland's public charter schools, three of which are supported by OUSD SELPA. In addition to services within public schools, the SELPA supports Oakland residents who require placement in nonpublic facilities, embeds within local hospitals, provides home-based instruction when required per IEPs, and facilitates a Special Education preschool and young adult program. Currently, there are over 6,700 eligible students within OUSD SELPA.

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:

Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body,

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or single LEA administration as applicable:

The Governing Body of Oakland Unified School District (OUSD) is the School Board of OUSD. 56205(a)(12) (A) 56195.1 The governing board of a district shall elect to do one of the following:

(a) If of sufficient size and scope, under standards adopted by the board, submit to the superintendent a local plan for the education of all individuals with exceptional needs residing in the district in accordance with Chapter 3 (commencing with Section 56200).

Oakland Unified School District meets the criteria of 56195.1 (a) in that its size and scope allows it to be considered its own Special Education Local Plan Agency. The OUSD SELPA submits to the superintendent, and to its governing body, a local plan for the education of all individuals with exceptional needs. The governing body of Oakland Unified School District SELPA (OUSD SELPA) is the Oakland Unified School District School Board of Education.

Responsibilities of OUSD's SELPA Board of Education:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the SELPA;
2. By approving the Local Plan, enter into an agreement with other agencies participating in the plan, for purpose and delivery of services and programs;
3. Review and approve revisions of the OUSD SELPA Local Plan for Special Education;
4. Participate in the governance of the OUSD SELPA through its designated representatives: the Chief Academic Officer and Special Education Executive Director, who have the authority to act as the Board designee to approve and amend policies as necessary;

#### GOVERNANCE, STRUCTURE, AND ADMINISTRATIVE SUPPORT

The OUSD SELPA, pursuant to section 56195 of the California Education Code, has the responsibility to adopt a plan in accordance with California Education Code 56200 to assure that special education and services for all eligible individuals with disabilities residing in the geographic area served by OUSD SELPA are delivered.



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**SELPA POLICY**

Policies governing OUSD SELPA shall be adopted by the Oakland Unified Board of Education and are included as part of the Local Plan. Prior to submission, input is received from parents and staff and may be solicited from public and nonpublic agencies and members of the public at large. The Community Advisory Committee (CAC) reviews the OUSD Local Plan and can recommend modifications, which are reviewed by the Special Education Director and/or a Special Education administrator designee.

There shall be a Local Plan Committee within the CAC that consists of at least five persons, the majority of whom must be parents of students served by the SELPA. The Local Plan Committee will receive a copy of the drafted local plan from the drafting body and will convene meetings to review its contents and make recommendations for edits before reporting a synopsis of such recommendations to the CAC at large.

OUSD is designated as the Administrative Unit (AU) for the OUSD SELPA. It shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of special education funds to its district's accounts for the operation of special education programs and services;
2. Receipt and distribution of special education funds to accounts exclusively designated for SELPA use;
3. The employment of staff to support SELPA functions;
4. Administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations.

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

The Oakland Unified SELPA Ensures that a full continuum of programs and service options are available to all students. OUSD does not use county programs instead serves students across the spectrum of disability impact.



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*OUSD has ensured that:*

1. Program options, as appropriate to the student's need, are available at local neighborhood schools;
2. The vast majority of special education programs, to the maximum extent appropriate to the student's needs, are housed on regular school campuses;
3. When factors related to an individual student's needs prevent the OUSD SELPA from directly providing a required service for a student, the service may be provided by a Nonpublic School or Residential Placement, as agreed upon by the student's IEP team.

In determining the appropriate LRE placement for students with disabilities, IEP teams follow the decision-making guidelines indicated below:

1. Determine if the student can be served in a general education classroom setting at the student's neighborhood school with supplemental aids and services that can be indicated in the IEP;
2. Determine if the student can be served by the special education services provided at the student's neighborhood school campus. The IEP shall specify the extent to which the student will not be in the general education classroom setting and activities;
3. Determine if the student can be served in a special education program within another OUSD public school campus that provides a more highly-specialized level of care;
4. Consider the LRE and discuss if a NPS placement is warranted once all options have been exhausted within the public school system.
5. Take steps to ensure that the placement of ethnically and culturally diverse students is not disproportionate **by addressing cultural factors in the IEP team process to rule out more restrictive placement that is tied to factors other than disability impact.**

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

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service options are available to all students. OUSD does not use county programs instead serves students across the spectrum of disability impact.

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1. Program options, as appropriate to the student's need, are available at local neighborhood schools;
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In determining the appropriate LRE placement for students with disabilities, IEP teams follow the decision-making guidelines indicated below:

1. Determine if the student can be served in a general education classroom setting at the student's neighborhood school with supplemental aids and services that can be indicated in the IEP;
2. Determine if the student can be served by the special education services provided at the student's neighborhood school campus. The IEP shall specify the extent to which the student will not be in the general education classroom setting and activities;
3. Determine if the student can be served in a special education program within another OUSD public school campus that provides a more highly-specialized level of care;
4. Consider the LRE and discuss if a NPS placement is warranted once all options have been exhausted within the public school system.
5. Take steps to ensure that the proper placement of ethnically and culturally diverse students is not disproportionate.

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5. Describe the policies and procedures of the SELPA that allow for the participation of charter schools in the local plan:

The participation of charter schools within OUSD is encapsulated within Board Policy 0420.4, which states:

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high quality education that enables them to achieve to their fullest potential.

*OUSD SELPA's Charter School Policy:*

Any charter granted by the Board shall contain adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to: fiscal accountability systems, public governance systems, and multiple measures for evaluating the educational program. Filings that request charter renewal must include, but not be limited to, a reporting of: fiscal accountability systems, public governance systems, multiple measures for evaluating the educational program, and student performance data. The District's Office of Charter Schools asks that charter schools requesting renewal prepare and submit a performance report that includes reporting of key data points and information that may not be available through other sources.

These procedures apply to all charter schools located within the Oakland Special Education Local Plan Area (SELPA) that are chartered by the District or granted a charter by the State Board of Education in which oversight responsibilities are assigned to the SELPA. The procedures support a clear relationship between charter schools and Oakland SELPA and may assist charter schools in understanding their individual and mutual responsibilities under the law. In addition, the procedures assist applicable charter schools in meeting the needs of all their enrolled and eligible students, including those with disabilities.



Consistent with their Individual Education Programs (IEPs), students attending charter schools are to be considered for special education services in the same manner as students enrolled in other public schools in accordance with the law. Charter schools within Oakland SELPA must comply with all requirements of applicable state and federal law regarding the provision of special education services. A charter school may establish criteria specific to its program that applies to all applicants. However, the charter school may not discriminate against any student in its admission criteria on the basis of disability (e.g. by reviewing IEPs in advance of determining admission, refusing enrollment for students with specific types of disabilities or need profiles, etc).

*The following factors shall be considered in determining whether a charter school is an appropriate placement for a student with a disability:*

1. The educational benefits available to the child, supplemented with appropriate aids and services, compared to the educational benefits of placement within a special education program on an OUSD public school campus;
2. The non academic benefits to the child of interaction with typically-developing peers and access to extra-curricular activities unique to the charter school;
3. Availability of a Free Appropriate Public Education (FAPE).

A request by a charter school to participate as a Local Educational Agency in OUSD SELPA will not be treated differently from a similar request made by a school district. In reviewing and approving a request by a charter school to participate as a Local Educational Agency (LEA) in OUSD SELPA, the following requirements shall apply:

- (a) The Special Education Local Plan Area complies with Section 56140.
- (b) The charter school shall participate in state and federal funding for special education and the allocation plan developed pursuant to subdivision (i) of Section 56195.7 or Section 56836.05 in the same manner as other local educational agencies of the SELPA.
- (c) The charter school shall participate in governance of the Special Education Local Plan Area in the same manner as other local educational agencies of the Special Education Local Plan Area. (EC 56207.5).



The addition of new members to the Oakland SELPA, as approved by the Board of Education, shall be followed by an amendment to the Local Plan.

Individuals with exceptional needs attending charter schools pursuant to Part 26.8 (commencing with Section 47600) shall be served in the same manner as individuals with exceptional needs are served in other public schools (EC 56145).

A child with disabilities attending the charter school shall receive special education instruction or related services, or both, in the same manner as a child with disabilities who attends another public school of that local educational agency. Oakland SELPA shall ensure that all children with disabilities enrolled in the charter school receive special education and related services in a manner that is consistent with their IEP and is in compliance with the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

The local educational agency that granted the charter shall ensure that each charter school that is deemed a public school for purposes of special education receives an equitable share of special education funding and services consisting of either, or both, of the following:

(1) State and federal funding provided to support special education instruction or related services, or both, provided or procured by the charter school that serves pupils enrolled in and attending the charter school. Notwithstanding any other provision of this chapter, a charter school may report average daily attendance to accommodate eligible pupils who require extended year services as part of an Individual Education Program.

(2) Any necessary special education services, including administrative and support services and itinerant services, that are provided by the local educational agency on behalf of pupils with disabilities enrolled in the charter school.

(3) The local educational agency that granted the charter shall ensure that each charter school that is deemed a public school for purposes of special education also contributes an equitable share of its charter school block grant

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funding to support districtwide special education instruction and services, including, but not limited to, special education instruction and services for pupils with disabilities enrolled in the charter school (EC 47646).

The local educational agency provides funds under this subchapter to those charter schools on the same basis as it provides funds to the local educational agency's other public schools, including proportional distribution based on relative enrollment of children with disabilities and at the same time as the agency distributes other Federal funds to the agency's other public schools, consistent with the California's charter school law.(20 USC 1413). Funding and provision of special education services is the responsibility of the SELPA. The establishment or renewal of a charter school may not be refused solely because the charter school might enroll students who reside in another SELPA.

Charter schools must delineate in writing the entity responsible for providing special education instruction and services. This document must reference any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. This document must affirm that the district where the student resides, if different than the chartering entity, is not responsible for providing special education services to students who are enrolled in the charter school.

The District determines the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school. The District and charter school may enter into agreements whereby the charter school agrees to pay for the excess costs associated with providing special education services to identified students, including the administration of special education programs.

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan:

The OUSD SELPA has established a Community Advisory Committee (CAC) for special education. The OUSD CAC is comprised of parents of students with disabilities enrolled in public or non-public schools within the Oakland SELPA, and currently includes students and adults with disabilities, special education providers, and other school personnel within the Oakland SELPA, along with



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persons concerned with the education of persons with disabilities. Representatives of nonpublic agencies, local community organizations, and other OUSD employees may participate, as well. The Oakland SELPA has established procedures for the operations of the CAC and the state regulations for CAC responsibilities.

The CAC convenes monthly and engages in collaborative planning of the agenda and communication to members and participants between members and Special Education Department administrators. Voting members are elected by their peers to leadership roles within the committee on an annual basis.

The CAC operates under the following provisions of the education code:

56190.

Each plan submitted under Section 56195.1 shall establish a community advisory committee. The committee shall serve only in an advisory capacity.

56191.

The members of the community advisory committee shall be appointed by, and responsible to, the governing board of each participating district or county office, or any combination thereof participating in the local plan. Appointment shall be in accordance with a locally determined selection procedure that is described in the local plan. Where appropriate, this procedure shall provide for selection of representatives of groups specified in Section 56192 by their peers. Such procedure shall provide that terms of appointment are for at least two years and are annually staggered to ensure that no more than one half of the membership serves the first year of the term in any one year.

56192.

The Community Advisory Committee shall be composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs.



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At least the majority of such committee shall be composed of parents of pupils enrolled in schools participating in the local plan, and at least a majority of such parents shall be parents of individuals with exceptional needs.

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:

In accordance with EC 56194, the Community Advisory Committee has the authority and fulfill the responsibilities that are defined for it in the local plan. The responsibilities include the following:

- (a) Advising the policy and administrative entity of the special education local plan area regarding the development, amendment, and review of the local plan. The entity shall review and consider comments from the community advisory committee.
- (b) Recommending annual priorities to be addressed by the plan.
- (c) Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
- (d) Encouraging community involvement in the development and review of the local plan.
- (e) Supporting activities on behalf of individuals with exceptional needs.
- (f) Assisting in parent awareness of the importance of regular school attendance.

The Local Plan is developed and updated cooperatively by a committee of representatives of teachers, administrators, charter school personnel, and **members** of the CAC to ensure adequate and effective participation and communication. District employees may be elected by their peers to serve on the Local Plan committee. Directors of charter schools may participate or select a representative to serve on the Local Plan committee. **After this committee update, the plan will be presented to the CAC Local Plan subcommittee before proceeding to the CAC at large, which will be provided with 30 days for feedback and recommendations prior to the plan being presented to the Board of Education.**

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The Local Plan will be reviewed every three years and whenever new legislation, guidelines or major changes in funding or services indicate the need consider modifications to the Local Plan. The process used to amend and review the Local Plan will include the cooperative involvement by the group described above.

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

OUSD is designated as the Administrative Unit (AU) for the OUSD SELPA. It shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of special education funds for the operation of special education programs and services;
2. Receipt and distribution of special education funds to accounts exclusively designated for SELPA use;
3. The employment of staff to support SELPA functions;
4. Assuring that the SELPA is in compliance with all applicable laws and regulations.

Funds allocated for special education programs shall be used for services to students with disabilities. Federal funds under Part B of IDEA may be used for the following activities:

1. For costs of special education and related services and supplementary aids and services provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP for the child;
2. To develop and implement a fully integrated and coordinated services system.

The Special Education Executive Director is responsible to monitor the appropriate use of all funds allocated for special education programs. Final determination and action regarding the appropriate use of special education funds shall be made through the Annual Budget Plan process, which includes conducting a public hearing.



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The Director, with the assistance of the Administrative Unit, will prepare all program and fiscal reports required of the SELPA by the state. The OUSD Board of Education agrees to review and approve the SELPA-wide annual service and budget plans and any subsequent modifications.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

Oakland LEA is responsible for implementing those services assigned to it and provided for in the Budget Plan. However, when OUSD is unable to provide an appropriate program for an individual student, it shall arrange for an appropriate placement, through an IEP team meeting with other agencies as required to meet the needs of the student.

Participating agencies may enter into additional contractual arrangements with OUSD to meet the requirements of applicable federal and state law. OUSD actively seeks agencies that may partner with the SELPA to ensure the provision of high-quality services in accordance with students' IEPs and facilitates the contracting process on an annual basis and when new needs arise. Each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education and services to all eligible students, including students attending charter schools where OUSD SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in OUSD programs or who require access to services not available through OUSD employees. Such cooperation ensures that a comprehensive array of services and levels of care are available to students within the SELPA.

The SELPA's contract with a nonpublic school (NPS) includes evaluation of the child's placement at least annually through an IEP team meeting. The SELPA reviews all evaluations conducted by the school to ensure that they were appropriate and valid for measuring student progress and reviews IEP drafts in advance of meetings to ensure compliance with state and federal regulations. The SELPA may choose to administer additional assessments as necessary, with parental consent, to determine whether the student is making appropriate

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educational progress, and the SELPA conducts periodic visits to all nonpublic schools for the purposes of ensuring compliance with each student's IEP and determining if students are ready to return to the LRE of a public school program.

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process:

N/A

- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan:

N/A

- c. The responsibilities of each LEA and COE for coordinating the administration of the local plan:

N/A

11. Identify the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA related to:

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:

Oakland Unified School District is a single-district SELPA and is therefore governed by OUSD's Board of Education. All SELPA staff are recruited and hired by OUSD's Talent Division in alignment with district board policies and--where applicable--contractual agreements with labor union bargaining units.

- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:

The Chief Academic Officer and Chief Financial Officer work directly with the



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**SELPA Director** to develop and finalize the budget for Special Education and the SELPA. The District utilizes a goal-based budgeting process that aligns funds to priorities for service delivery and student learning. These priorities align with the district's vision and goals, as well as the District's LCAP, with the aim to improve education outcomes for all students who have an IEP.

The budget development process entails reviewing all current site-based and central human resources, equipment and materials, determining where resources may need to be augmented or shifted on the basis of enrollment projections, and evaluating proposed expenditures to ensure equity across the system. The proposed budget is developed mid-year and needs to be approved and adopted by the Board of Education each school year.

c. The operation of special education programs:

The **SELPA Director**, Chief Academic Officer, and Special Education Department administrators ensure the operation of all SELPA special education programs in accordance with the Local Plan, federal and state guidelines with feedback and collaboration from the members of the CAC and school site personnel. Review of operations includes the monitoring and auditing of Individual Education Programs, observations of special education classrooms, solicitation and review of stakeholder feedback, and monitoring of student data.

d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

Both the annual budget and service plan for the District are reviewed, at least annually by the Finance Department, **SELPA Director**, CAC, Chief Academic Officer, and the Superintendent. All policies implemented in the single district SELPA are developed consistent with the district Administrative Procedures. Ongoing budget oversight and monitoring is conducted on a biweekly basis by a representative of the Fiscal Department, the Special Education Director, and the Chief Academic Officer.



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12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments:

Education Code Section 56836.22 provides for funds to purchase "specialized" books, materials and equipment as required under the student's individualized education program (IEP) for students with low incidence disabilities as defined in Section 56026.5 (hearing impairments, vision impairments, severe orthopedic impairments, or any combination thereof).

As a condition of receiving these funds, the SELPA must ensure that:

- (a) The appropriate books, materials and equipment are purchased;
- (b) The use of equipment is coordinated as necessary (**e.g. home use agreements, movement between placements and settings**);
- (c) The books, materials and equipment are reassigned within the SELPA once the district that originally received the equipment no longer needs them. Special supplies and equipment purchased with State funds are the property of the State and shall be available for use by individuals with exceptional needs throughout the State.

The **SELPA Director** coordinates distribution of funds for identified students with low incidence disabilities in collaboration with the Coordinator of Related Services to minimize the necessity to serve the students in isolated sites and to maximize the opportunities to serve the students in their least restrictive environment. The recommendation for the use of Low Incidence equipment is an Individual Education Plan (IEP) team determination made after comprehensive assessment has been completed.

Low incidence disability is defined as a severe disabling condition with an expected incidence rate of less than one percent of total statewide enrollment in special education. Low Incidence Disabilities are:

- Hard of Hearing (HH)
- Deafness (DEAF)
- Visual Impairment (VI)
- Orthopedic Impairment (OI)
- Deaf-Blindness (DB)

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Low incidence funds are available for use on behalf of students certified as having a low incidence primary or secondary disability through the assessment and IEP process. The allocation of low incidence funds to the SELPA is based on the prior year December 1 student count in the categories listed above. The funds are provided to the SELPA by the California Department of Education (CDE) and are accounted for separately from the total special education entitlement.

The materials and/or services acquired through Low Incidence Funding must be:

1. Required for the student to meet their Individualized Education Plan (IEP) goals and objectives;
2. Required for the student to access general education;
3. Specialized as it relates to a need or the needs of the low incidence disability;
4. Indicated in a comprehensive evaluation which is completed by staff or a provider who is credentialed/knowledgeable of the low incidence disability area(s).

OUSD SELPA seeks to maximize the ability of each student with a low incidence disability to participate in their neighborhood school or school of parent choice by guiding teams to consider accommodations, materials, and itinerant services that could support the student prior to considering a self-contained or specialized program.

### **Policies, Procedures, and Programs**

Pursuant to *EC* sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 *United States Code (USC)* and in accordance with Title 34 *Code of Federal Regulations (CFR)* Section 300.201 and has in effect policies, procedures, and programs. For each of the following 23 areas, identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers; the document title; and the physical location where the policy can be found.



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SELPA

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**1. Free Appropriate Public Education: 20 USC Section 1412(a)(1)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a free appropriate public education is available to all children with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The language of the policy is as follows: "Free and appropriate education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education; include appropriate services for children aged 3 through 21 years; and are provided in conformity with the student's individualized education program pursuant to 34 CFR 300.340-300.350. The right to FAPE extends to students who are suspended or expelled or placed by the district in nonpublic school or agency services. (34 CFR 300.13, 300.121)"

**2. Full Educational Opportunity: 20 USC Section 1412(a)(2)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all children with disabilities have access to educational programs, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

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If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The language of the policy is as follows: "Full educational opportunities means that students with disabilities have the right to full educational opportunities to meet their unique needs, including access to a variety of educational programs and services available to non-disabled students. A program specialist may be responsible for assuring that students have full educational opportunities regardless of their district of residence. (34 CFR 300.504, 300.505; Education Code 56368)

**3. Child Find: 20 USC Section 1412(a)(3)**

Policy/Procedure Number: 6164.4

Document Title: Identification of Individuals for Special Education

Document Location: <https://boepublic.ousd.org/Policies.aspx> (Paper copies for reference available at Board offices, as well)

"It shall be the policy of this LEA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, who are in need of special education and related services, are identified, located, and evaluated. A practical method has been developed and implemented to determine which children with disabilities are currently receiving needed special education and related services." The policy is adopted by the SELPA as stated:

☐ Yes    ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The policy states: "The Governing Board recognizes the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.  
(cf. 0430 - Comprehensive Local Plan for Special Education)  
(cf. 6164.6 - Identification and Education under Section 504)  
The Superintendent or designee shall develop processes to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment. (Education Code 56301)  
The Superintendent or designee shall develop a method to ensure that all eligible individuals residing within the district are currently receiving needed special education and related services. In addition, the Superintendent or designee shall consult with appropriate representatives of private school students with disabilities on how to identify, locate and evaluate these students.  
(20 USC 1412(a)(3); 34 CFR 300.451)

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The Superintendent or designee shall establish a method whereby parents/guardians, teachers, appropriate professionals and others may refer an individual for assessment for special education services. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modifications to the regular instructional program. (Education Code 56302)

For assessment purposes, staff shall use appropriate tests to identify specific information about the individual's abilities in accordance with Education Code 56320.

The Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation and review, including the district's procedures for initiating a referral for assessment to identify individuals who need special education services. (Education Code 56301)"

**4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP):  
20 USC Section 1412(a)(4)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 USC Section 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 USC Section 1414 (d). It shall be the policy of this LEA that an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

**5. Least Restrictive Environment: USC Section 1412(a)(5)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with

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disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The relevant portion of the policy is as follows: "The Governing Board desires to provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a free, appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law."

**6. Procedural Safeguards: 20 USC Section 1412(a)(6)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The policy reads: "In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law. Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate a education to the child."

**7. Evaluation: 20 USC Section 1412(a)(7)**

Policy/Procedure Number:

Document Title:

Document Location:



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"It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

"The Superintendent or designee shall develop processes to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment. (Education Code 56301)

All referrals for special education and related services from school staff shall include a brief reason for the referral and describe the regular program resources that were considered and/or modified for use with the student, and their effect. (5 CCR 3021)

A proposed assessment plan shall be developed within 15 days of referral for assessment, not counting days between the student's regular school session or terms or days of school vacation in excess of five school days from the date of receipt of the referral. Within 15 days of a referral for assessment, the student's parent/guardian shall receive a notice of parental rights and a written proposed assessment plan. The 15-day period does not include days between the student's regular school session or term or days of school vacation in excess of five school days, unless the parent/guardian agrees in writing to an extension. (Education Code 56043, 56321)

The proposed assessment plan shall meet all of the following requirements: (Education Code 56321)

1. Be in a language easily understood by the general public
2. Be provided in the primary language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of assessment to be conducted
4. State that no individualized education program (IEP) will result from the assessment without parent/guardian consent  
(cf. 6159 - Individualized Education Program)

Upon receiving the proposed assessment plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the assessment. The assessment may begin as soon as informed parental consent is given. The district shall not construe parent/guardian consent for initial assessment as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.505)

Informed parental consent means that the parent/guardian: (34 CFR 300.500)

1. Has been fully informed of all information relevant to the activity for which consent is



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sought, in his/her native language or other mode of communication

2. Understands and agrees in writing to the assessment

3. Understands that the granting of consent is voluntary on the part of the parent/guardian and may be revoked at any time

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

As part of the assessment plan, the parent/guardian shall receive written notice that: (Education Code 56329; 34 CFR 300.502)

1. Upon completion of the administration of tests and other assessment materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities as defined in Education Code 56026 and shall discuss the assessment, the educational recommendations and the reasons for these recommendations. A copy of the assessment report and the documentation of determination of eligibility shall be given to the parent/guardian. "

**8. Confidentiality: 20 USC Section 1412(a)(8)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The policy is adopted as follows: "The Governing Board believes that personal information concerning district students and their families should be kept private in accordance with law." The policy pertaining to confidentiality of records states: "The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall ensure that the district's administrative regulation and school site procedures for maintaining the confidentiality of student records are consistent with state and federal law.

The Governing Board believes all students should have an opportunity for higher education and recognizes that colleges and universities often request student discipline information from

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the District and that disclosure of such information on college applications is not required.

The Superintendent or designee shall establish and maintain administrative regulations governing the identification, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records and shall protect students and their families from invasion of privacy. The administrative regulations relating to student records (AR 5125) and the expungement of disciplinary records (AR 5144.3) shall maximize student's rights to privacy in their discipline information in the context of higher education."

### 9. Part C to Part B Transition: 20 USC Section 1412(a)(9)

Policy/Procedure Number: 6164.4

Document Title: Identification of Individuals for Special Education

Document Location: <https://boepublic.ousd.org/Policies.aspx> (Paper copies for reference available at Board offices, as well)

"It shall be the policy of this LEA that children participating in early intervention programs under the Individuals with Disabilities Education Act (IDEA), Part C, and who will participate in preschool programs, experience a smooth and effective transition to preschool programs in a manner consistent with 20 USC Section 1437(a)(9). The transition process shall begin prior to the child's third birthday."The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

### 10. Private Schools: 20 USC Section 1412(a)(10)

Policy/Procedure Number: 6159

Document Title: Individualized Education Program

Document Location: <https://boepublic.ousd.org/Policies.aspx> (Paper copies for reference available at Board offices, as well)

"It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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**11. Local Compliance Assurances: 20 USC Section 1412(a)(11)**

Policy/Procedure Number:	<input type="text" value="0430"/>
Document Title:	<input type="text" value="Comprehensive Local Plan for Special Education"/>
Document Location:	<input type="text" value="https://boepublic.ousd.org/Policies.aspx (Paper copies for reference available at Board offices, as well)"/>

"It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the IDEA; the Federal Rehabilitation Act of 1973, Section 504 of Public Law; and the provisions of the California EC, Part 30." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

<p>The policy reads: "Single-district SELPA</p> <p>In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the Board shall approve a plan to meet the needs of individuals with disabilities residing in the district.</p> <p>(cf. 1220 - Citizen Advisory Committees) (cf. 3541.2 - Transportation for Students with Disabilities) (cf. 4112.23 - Special Education Staff)</p> <p>The special education local plan area shall administer a local plan and administer the allocation of funds. (Education Code 56195)"</p>
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**12. Interagency: 20 USC Section 1412(a)(12)**

Policy/Procedure Number:	<input type="text" value="6159.2"/>
Document Title:	<input type="text" value="Nonpublic School and Agency Services for Special Education"/>
Document Location:	<input type="text" value="https://boepublic.ousd.org/Policies.aspx (Paper copies for reference available at Board offices, as well)"/>

"It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency



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coordination are in effect to ensure services required for free appropriate public education are provided, including the continuation of services during an interagency dispute resolution process." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

"The Governing Board may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.  
(cf. 0430 - Comprehensive Local Plan for Special Education)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 3541.2 - Transportation for Students with Disabilities)  
(cf. 4112.23 - Special Education Staff)  
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)  
(cf. 6159 - Individualized Education Program)  
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)  
(cf. 6164.4 - Identification of Individuals for Special Education)

When entering into agreements with nonpublic, nonsectarian schools or agencies, the Board shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP."

**13. Governance: 20 USC Section 1412(a)(13)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the local plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Education Agency." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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**14. Personnel Qualifications**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to ensure that personnel providing special education related services are appropriately and adequately prepared and trained, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The policy states: "The Governing Board desires to employ the most highly qualified and appropriate person available for each open position in order to improve student achievement and efficiency in district operations.

The Superintendent or designee shall develop selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations and recommendations from previous employers. He/she may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law."

**15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE." The policy is adopted by the SELPA as stated:

☐ Yes

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☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The policy addresses a variety of CDE-monitored plans and states: The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in improving student achievement. The Board shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the district's vision and goals.

Indicators of district progress in improving student achievement shall include, but are not limited to, the state Academic Performance Index (API) and the measures of "adequate yearly progress" (AYP) required under the federal accountability system.

The district and each district school shall demonstrate comparable improvement in academic achievement, as measured by the API, for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth, and homeless students. (Education Code 52052)

The Superintendent shall provide regular reports to the Board and the public regarding district and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of district programs and operations and as part of the development or annual update of the local control and accountability plan (LCAP).

Evaluation results may be used as a basis for revising district or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

**16. Participation in Assessments: 20 USC Section 1412(a)(16)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all students with disabilities shall participate in state and district-



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wide assessment programs described in 20 USC Subsection 6311. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments where necessary and as indicated in their respective Reps.." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

**17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA, and will be used to supplement and not to supplant state, local, and other federal funds." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The policy addresses federally-funded programs broadly and states, in part, the following: "To ensure the lawful expenditure of any federal formula or discretionary grant funds awarded to the district, the Superintendent or designee shall comply with the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance"), as contained in 2 CFR 200.0-200.521 and Appendices I-XII.

Prior to obligating or spending any federal grant funds, the Superintendent or designee shall determine whether a proposed purchase is an allowable expenditure in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the award. He/she shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

The Superintendent or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual."

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**18. Maintenance of Effort: 20 USC Section 1412(a)(18)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal laws and regulations." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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**19. Public Participation: 20 USC Section 1412(a)(19)**

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

"It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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**20. Suspension and Expulsion: 20 USC Section 1412(a)(22)**

Policy/Procedure Number:

Document Title:

Document Location:

"The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures, and practices related to the development and implementation of the IEPs will be

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revised." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

"The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. In response to serious or repeated violations of established policies and standards, it may be necessary to suspend or expel a student from regular classroom instruction.

The Board does not support a zero tolerance approach to discipline. The Board recognizes the importance of providing school-wide positive supports, using discipline strategies that keep students in school and in the classroom, and supporting students in learning to behave appropriately and solve conflicts peacefully.

Before subjecting a student to disciplinary sanctions that result in a loss of instructional time, the Superintendent or designee shall, to the extent allowed by law, first use alternative strategies as described in AR 5144 - Discipline. Except where suspension for a first offense is permitted by 48900.5, as further described in AR 5144.1, in-school and out-of-school suspension shall be imposed only when other means of correction fail to bring about proper conduct or the student's presence causes a danger to persons. (Education Code 48900.5) Expulsion is an action taken by the Board only for severe breaches of discipline by a student.

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5)"

**21. Access to Instructional Materials: 20 USC Section 1412(a)(23)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state-adopted National Instructional Materials Accessibility Standard." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No



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**22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

**23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)**

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services." The policy is adopted by the SELPA as stated:

☐ Yes ☒ No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The policy reads as follows: "The Governing Board recognizes that students may need to take prescribed medication during the school day in order to be able to attend school without jeopardizing their health.

When the district has received written statements from the student's physician and parent/guardian, designated personnel shall assist the student in taking the medication. In addition, upon written request, designated personnel may assist the student in monitoring, testing or other treatment of an existing medical condition. (Education Code 49423)

Upon written request by the parent/guardian and with the approval of the student's physician, a student with an existing medical condition that requires frequent monitoring, testing or

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treatment may be allowed to self administer this service. The student shall observe universal precautions in the handling of blood and bodily fluids."

### Administration of Regionalized Operations and Services

Pursuant to *EC* sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

1. Coordination of the SELPA and the implementation of the local plan:

Reference Number:

1

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. Oakland Unified (OUSD) is the Administrative Unit for OUSD SELPA. Within OUSD SELPA, the Executive Director of Special Education for Oakland Unified also serves the role of SELPA Director. The Executive Director's roles and responsibilities are delineated by the Superintendent or designee and approved by the Board of Education.

2. The **SELPA Director** is responsible for ongoing coordination of the SELPA and ensuring implementation of the local plan. In collaboration with members of the CAC, teachers, department administrators, and representatives from charter schools within the SELPA, the Executive Director creates the Local Plan, Annual Service Plan, and Annual Budget Plan. After their creation and review and approval by all requisite parties, the Executive Director is responsible for the implementation of the plans. This includes:



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Description:

1. Ongoing communication with stakeholders and individual LEA administrators;
  2. Facilitation of Memoranda of Understanding with partners outside of Oakland Unified to clarify the responsibilities of each party and the scope of work relative to the local plan's implementation;
  3. The hiring, training, evaluation, and assignment of duties to Special Education personnel, who will be jointly responsible for implementation of the local plan;
  4. Continuous assessment of the efficacy of plan implementation (see section VI below);
  5. Coordination support for the Community Advisory Committee.
3. Program Specialists are assigned to a group of schools, including charter partners, within the SELPA. Each Program Specialist is an experienced, credentialed Special Educator who is knowledgeable about Special Education law, the development of Individual Education Programs, instructional methodologies, and evidence-based practices to support the needs of students with disabilities. As it pertains to implementing the local plan, Program Specialists will:
1. Review the plan to understand its contents, and provide feedback during the plan development process;
  2. Engage with Special Education teachers and staff at assigned school sites to provide support and training in the implementation of the plan (see sections IV and XVII for more details);
  3. Conduct routine site visits at assigned schools to provide in-person support in the implementation of



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compliant, comprehensive Individual Education Programs.

2. Coordinated system of identification and assessment:

Reference Number:

2

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. The **SELPA Director** has designated five Special Education Coordinators who oversee the SELPA's system of identification and assessment in collaboration with the Director.

2. Child Find:

1. The Special Education Coordinators will ensure that appropriate information, training, and documents related to Child Find are made available to each school within the SELPA.

2. The Director will ensure posting of the procedures to request a Special Education evaluation within local publications (**e.g. newspapers**), at least annually, and on the district's SELPA webpage and will distribute such materials to private schools within Oakland.

3. Each previously eligible student attending a private school for whom an evaluation is coming due will receive a letter from the SELPA proposing a Special Education evaluation and will have an opportunity to consent or decline.

3. Requests for Assessment:

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Description:

1. Requests for assessment may be initiated by parents, guardians, students, or **other adults who know the child and** who suspect an area of disability that may require special education.

2. If a request is made to any SELPA, participating charter school, or OUSD staff verbally, the staff shall support the person making the request with documenting their request in writing.

3. Requests should be directed to the administrator for the school site of attendance. If a request is submitted to the Special Education/SELPA office, the Program Specialist for the site where the child attends school will ensure the request is forwarded to appropriate personnel **within 48 working hours**.

4. Students attending private schools who are Oakland residents or attending school within Oakland will have requests facilitated by Special Education Department staff directly.

5. For students attending OUSD public schools or charter schools, the Resource Specialist and School Psychologist assigned to each site is responsible for reviewing the request and preparing a response within fifteen calendar days.

6. The District (or charter employee as indicated in a MOU) will ensure assessment in all suspected areas of disability. Personnel will be appropriately credentialed and trained to administer the assessments necessary as a part of the evaluation, and materials are reviewed to ensure they are appropriate for the population and free from bias.

**7. Assessments for students who are beginning English Language Learners or who have a profile that suggests dominant use of a language other than English**



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will receive assessment in English and their primary language.

8. Upon receipt of a signed assessment plan from the parent/educational rights holder of the child, the District will have sixty (60) days to evaluate the child and convene an initial IEP meeting to review results of the assessments.

4. Triennial Evaluations:

1. The Special Education Case Manager (teacher or speech-language pathologist) for an eligible student will initiate an assessment plan not fewer than seventy-five 75 days prior to the due date for each student's triennial evaluation.

5. Program Specialists will create assessment templates, subtest selection guides, and other resources under the direction and supervision of Special Education Department administrators to assist in the completion of thorough, appropriate Special Education evaluations, and the SELPA will make such materials available to all Special Education certificated staff.

3. Coordinated system of procedural safeguards:

Reference Number: 3

Document Title: Procedural Safeguards and OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location: Safeguards available online at [ousd.org/specialeducation](https://ousd.org/specialeducation). Manual available in paper copy at SELPA offices and soft copies available to SELPA staff.

1. The SELPA has a Procedural Safeguards document available in a variety of languages in print and online format. Program Specialists will ensure all Special



Description:

Education certificated staff have access to the Safeguards and understand their contents.

1. A plain language summary of the procedural safeguards will be made available where a literacy barrier may impact parent/guardian understanding of the contents of the document.

2. A copy of the Procedural Safeguards will be provided to families at least one time per year and whenever the District proposes an evaluation or provides the family with Prior Written Notice, including an assessment plan. An explanation of the document will be provided at each child's annual IEP, as well. Additional copies can be made available at any time when requested by a parent or guardian.

3. When a family requests an Independent Education Evaluation (IEE) at public expense due to an area of disagreement with an assessment conducted by SELPA Special Education personnel, a Special Education Coordinator will review the request and determine if the SELPA will fund the request or file to defend our assessments.

1. If the SELPA decides to fund, the parent/guardian will receive a copy of the Procedures for IEEs Handbook, Procedural Safeguards, and a list of potential assessors.

2. Special Education Coordinators will ensure there is an IEP meeting held to review the findings of an IEE promptly upon its completion.

4. The SELPA Director and Special Education Coordinators are responsible for the facilitation of Alternative Dispute Resolution (ADR) sessions upon request from a parent/guardian or when the administrator feels such a process would help resolve an ongoing area of

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dispute or disagreement between the SELPA and the family. ADR shall take place as a confidential, voluntary process.

1. The **SELPA Director** will identify a Special Education Coordinator to assist the administrators of any participating charter in facilitating ADR when required.

5. For all participating LEAs, SELPA staff will maintain original student IEP records and will assist in the prompt fulfillment of records requests in accordance with established legal timelines.

6. In the event that a parent of a child within a participating LEA files for a Due Process Hearing, the SELPA staff shall assist in the hearing preparation, including **coordinating early resolution sessions and** mediation whenever possible.

4. Coordinated system of staff development and parent and guardian education:

Reference Number:

4

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. The **SELPA Director** collaborates with Coordinators to develop the scope and sequence for professional development within the SELPA. The annual plan is prepared each July and features content based on district/department goals and feedback from Special Education staff.

2. New Special Education employees within the SELPA must participate in an onboarding professional learning sequence, which includes:



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Description:

1. Using the Special Education Information System
2. Understanding the Procedural Safeguards and Special Education Law
3. The IEP Process
4. Formal and Informal Assessment Systems and Data Collection Tools
5. Tools for Successful Collaboration with Families
6. **Tools for Successful Collaboration with Support Staff**
7. Training in SELPA-Adopted Formal Assessment Batteries
8. Positive Behavior Interventions and a Function-Based Approach to Behavior Planning
9. Additional training in District-adopted curricula for OUSD employees

Online content is available, as well, including self-paced videos specific to IEP development and compliance.

3. Program Specialists will co-facilitate at least two IEP team meetings with all new Special Education teachers within the SELPA.

4. The Coordinator for Related Services and Psychological Services will ensure all personnel receive evidence-based professional learning at least monthly.

5. The **SELPA Director** will collaborate with Special Education Coordinators **and leaders from the job classes**



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that perform paraprofessional duties to prepare monthly professional development opportunities for paraprofessionals, which will include CPR training, physical care basics, prompting strategies, implementation of IEPs, a function-based approach to behavior interventions, and responding to behavioral emergencies.

The SELPA Director will collaborate with Special Education Coordinators to ensure there are opportunities for parent and family education in live and asynchronous formats. Such sessions may include, but need not be limited to sessions focused on assistive technology, parents' rights, transition and young adulthood, agency coordination and linkages, and how to provide school program alignment and support to children with disabilities within the home setting.

5. Coordinated system of curriculum development and alignment with the core curriculum:

Reference Number:

5

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. The Executive Director of Special Education (hereafter "Executive Director") is responsible for ensuring schools have appropriate curriculum for students with disabilities and ensuring its alignment with the core curriculum.

2. Mild-Moderate instructional programs shall utilize General Education core materials with supplementary/intervention curriculum aligned to Common Core State Standards, while Moderate-Extensive Support Needs programs shall be provided with modified, core replacement materials aligned to Common Core Connectors.

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Description:

3. The Executive Director will engage with leadership from the General Education curriculum office to ensure that each Special Educator has access to the site-adopted core instructional materials and to ensure Special Education curricular purchases are aligned to general materials;

4. The Executive Director will create a curricular committee to oversee the adoption, training on, and implementation of curriculum within Special Education programs. The committee will:

1. Research new adoptions as needed, ensuring that all materials considered are research-based and free from bias;

2. Oversee the inventory, ordering, and distribution of adopted materials;

3. Create a professional learning plan relative to the curricular adoptions that includes opportunities for new staff to fully understand and be prepared to use all curriculum required;

4. Prior to making a new adoption, the Department leadership will solicit feedback from Special Education teachers within the SELPA.

5. The Executive Director and Special Education Coordinators will work with site administrators to ensure adopted materials are being utilized in classrooms when appropriate. Each year, Coordinators will develop and implement fidelity monitoring plans, which may include observational walkthroughs at school sites.

6. The Coordinator for Related Services will develop professional development experiences to ensure that all related services professionals are familiar with the

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CCSS and district-adopted curricula and align their services with access to the standards.

6. Coordinated system internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system:

Reference Number:

6

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. The Executive Director, in partnership with the Chief Academic Officer and Special Education leadership body, will engage in a system to review the efficacy of the local plan in supporting the needs of students with disabilities within the SELPA. Program review activities will be ongoing and can include, but need not be limited to:

1. Observation of classroom instruction;
2. Special Education file reviews and Educational Benefit audits;
3. Review of progress on goals for focus populations within the SELPA;
4. Family and student focus groups to collect feedback and identify strengths and areas for improvement;
5. Review of District and Statewide assessment measures, student discipline and attendance data, and wellness survey data;
6. Interviews with participating charter leaders and



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Description:

in-person visits to assess efficacy of Special Education services provided at charter sites.

7. Findings from the program review activities will result in action plans that are coordinated with other California Department of Education plans (e.g. Indicator Review, Significant Disproportionality, **Data Identified Noncompliance processes**) whenever possible to ensure collaboration between teams and streamlining of work.

2. At least annually, the **SELPA Director** will collaborate with the CAC to review the local plan and complete development of the annual service plan. This will include an opportunity for members of the community to hear updates regarding the program review results, highlight areas of student growth, identify areas that require more intensive support, and for community members to provide feedback regarding implementation of the plans. **The Local Plan subcommittee shall be provided with an opportunity to review the annual service plan 30 days prior to its presentation to the committee at large to enable the body to review the service plan during a standing subcommittee meeting and provide recommendations and feedback.**

7. Coordinated system of data collection and management:

Reference Number:

7

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. **Oakland** SELPA utilizes support from specialists within the **OUSD** Research, Assessment and Data (RAD)

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Description:

department--in addition to Special Education Department personnel--to ensure a coordinated system of data collection and management.

1. RAD staff maintain dashboards that report contemporaneous data for a variety of queries, including:
  1. Enrollment and Attendance
  2. Discipline
  3. IEP Timeliness
  4. Statewide and District Test Scores
  5. Such dashboards can be disaggregated to focus specifically on students with IEPs and are utilized by a variety of stakeholders to make data-driven decisions.
2. The SELPA's Information Systems Analyst monitors our electronic records system, Special Education Information System (SEIS) on a daily basis. Monitoring includes:
  1. Opening and tracking pending referrals for special education;
  2. Monitoring pupil counts and processing transfers into and out of SELPA;
  3. Ensuring each student has a valid SSID;
  4. Correcting any CALPADS reporting errors proactively;
3. The SELPA has two-way integration between SEIS and the OUSD student information system, Aeries, to ensure there is consistency between data sets for several

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demographic areas (e.g. family names, addresses, dates of birth, etc).

4. Special Education Program Specialists work with the teachers on their assigned caseload to ensure that student-level data is collected, monitored and compiled on an ongoing basis. All case managers utilize SEIS to report data relative to individual students' IEP goals at report card periods and prior to annual or triennial IEPs. Teams may utilize such data, in combination with available district data, to determine the services and placement necessary for each student with an IEP.

5. The Information Systems Analyst ensures data is prepared and complete prior to all mandatory reporting periods, including for Winter and Spring counts, DINC, and other CDE-required activities.

8. Coordination of interagency agreements:

Reference Number:

8

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

Description:

The SELPA may need to enter into agreements with other agencies (e.g. Regional Centers, California Children's Services) to ensure that a full continuum of services and supports are available to students within the SELPA and to ensure compliant implementation of IEPs. Interagency agreements are created by the Executive Director in collaboration with OUSD's Legal Department. Each agreement shall clearly delineate the scope of work to be performed by the agency, the responsibilities of each party, and the duration of the agreement. Agreements must be reviewed annually, or as stipulated in the executed MOU. In the event that there is an area of concern or disagreement between



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agencies, the parties should seek to resolve concerns through informal collaboration before proceeding with any formalized dispute resolution process. The Executive Director will be the primary party of contact for OUSD SELPA.

9. Coordination of services to medical facilities:

Reference Number:

9

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual, MOUs Between OUSD SELPA and Oakland Children's Hospital, MOU Between OUSD SELPA and Kaiser Permanente

Document Location:

OUSD Legal Offices, 1000 Broadway, and SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

Description:

1. The Executive Director will engage with OUSD's Legal Department and OUSD's Home and Hospital Services team to create, execute and revise memoranda of understanding with medical facilities in Oakland.
2. The SELPA will provide Special Education personnel to ensure the compliant assessment, IEP plan development, and service implementation for any student within a medical facility within its jurisdiction.
3. The medical facility shall allow access to designated OUSD SELPA personnel and shall ensure the safe working conditions of OUSD SELPA's employees.
4. When necessary, Program Specialists will assist in the facilitation of IEPs to discuss Home and Hospital services for a student with an IEP who must enter a medical facility and to facilitate the transition of students from hospital settings to homes or public school placements.
5. MOUs with medical facilities will be updated and renewed annually or when circumstances warrant a revision.

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6. In the event that there is an area of concern or disagreement between agencies, the parties should seek to resolve concerns through informal collaboration before proceeding with any formalized dispute resolution process. The Executive Director will be the primary party of contact for OUSD SELPA.

10. Coordination of services to licensed children's institutions and foster family homes:

Reference Number:

10

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

**1. For foster youth within Oakland SELPA's OUSD schools:**

1. The **Special Education** Executive Director and Coordinators will ensure the **coordination** of services for students in LCIs and foster family homes, including the immediate provision of Special Education services upon enrollment in OUSD.

1. OUSD's Student Welcome Center (enrollment office) will notify the Special Education Department immediately when a student residing in a FF placement or LCI completes enrollment.

2. Special Education Coordinators will review the child's IEP and determine an appropriate interim placement within 24 hours.

**2. When a foster youth enrolls in a charter school within the SELPA, the charter school shall notify the SELPA**

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Description:

Director and ensure services are initiated within 24 hours.

3. The Special Education Coordinators will collaborate with OUSD's Foster Youth Services Liaison to ensure appropriate support for Foster Youth with disabilities and to ensure an accurate understanding of each youth's educational rights status, including notifying the appropriate foster youth liaison of the student's placement location and case manager information.

4. In the event that a foster youth under the age of majority does not have an educational rights holder at the time of enrollment or at any point during enrollment within the SELPA, the SELPA Director will work with Special Education Coordinators and the Foster Youth Liaison to locate and appoint a temporary educational rights designee.

The SELPA Director will arrange for annual training on the legal requirements associated with foster youth and students who are in transitional housing to ensure all Special Education Department staff are fully-informed of the rights of such youth and their families.

11. Preparation and transmission of required special education local plan area reports:

Reference Number:

11

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. The SELPA Director will ensure the timely preparation and transmission of required reports to the California Department of Education in the manner required by the Department, including the Special Education Local Plan, Annual Service Plan, and Annual Budget Plan. The CAC Local Plan subcommittee shall receive notice of the



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Description:

**date when plans are submitted.**

2. The administrative leaders of each participating charter LEA will engage with the Executive Director for the purpose of exchanging any data or fiscal information that may be required to prepare and complete local plan area reports.

3. When needed, the Executive Director will collaborate with other OUSD personnel (e.g. fiscal services, community schools) to ensure a complete and accurate report.

4. The OUSD SELPA Information Systems Analyst will ensure transmission of all documents related to the Local Plan, Service Plan and Budget Plan via CDE-designated channels.

12. Fiscal and logistical support of the CAC:

Reference Number:

12

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. The Executive Director, or an administrative designee when needed, will be the primary SELPA representative to provide logistical support to the CAC. As the AU, OUSD may select additional personnel (e.g. family engagement liaisons) to provide direct support to the CAC, as well.

2. The Executive Director, and additional OUSD staff as necessary, will participate in planning meetings with CAC officers and will attend each convening to represent

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Description:

the SELPA and respond to community questions and concerns.

3. The AU staff will support the development of the annual calendar and monthly agendas, ensure CAC meetings are posted in accordance with policy and legal requirements, broadcast upcoming CAC information to the community, and coordinate space and other operational logistics for the convenings.

4. The AU will make funds or equipment available for the following CAC needs:

1. Duplication of materials (e.g. copies of agendas)
2. Refreshments for participants
3. Technology necessary to facilitate meetings (e.g. projectors, screens)
4. CAC members who require technology to access meetings may be provided with a loaner computer to utilize for this purpose

13. Coordination of transportation services for individuals with exceptional needs:

Reference Number:

13

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual and OUSD Transportation Handbook

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff. Transportation Handbook available from OUSD Transportation Department offices (High St) and at [ousd.org/transportation](http://ousd.org/transportation) in the "Special Education" folder.

1. OUSD SELPA utilizes the support of the OUSD Transportation Department to facilitate the transportation of



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individuals with IEPs. The Executive Director of Transportation collaborates with the Executive Director of Special Education to ensure each student with an IEP for whom transportation is a required services receives such services.

2. The SELPA provides transportation services for students who are removed from their neighborhood school to access specialized services required per IEP or when the nature of a student's disability is such that specialized transportation to school is required to maintain student safety.

3. There are three different types of transportation available within OUSD: public transit, district-provided vehicle, and mileage reimbursement. The type of transportation required for a student is determined by the IEP team in consideration of the student's disability impact and the Least Restrictive Environment.

1. Public transit: The SELPA offers public bus passes and, for students who are of appropriate age, Paratransit passes. Transportation staff process order forms for such passes from case managers on a monthly basis, and case managers distribute passes to students as indicated in IEPs.

2. District-provided vehicle: OUSD contracts with vendors who specialize in the transport of students to provide school buses and car/van services. Families must complete the requisite forms to ensure transport staff have correct contact and address information prior to routing.

3. Mileage reimbursement: Families wishing to transport their child to and from school in their personal vehicle may be reimbursed for mileage at the OUSD-approved rate. On an annual basis, families must complete the requisite forms to enable transport staff to process their mileage



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submissions and pay them for mileage incurred.

4. In addition to ongoing, daily transportation needs, the SELPA also coordinates transportation for travel to placements for students who require Residential Treatment as a FAPE. The SELPA contracts with companies who specialize in the travel of students with complex mental health and behavioral needs for such travel.

14. Coordination of career and vocational education and transition services:

Reference Number:	14
Document Title:	OUSD SELPA Individual Education Program Practices and Procedures Manual
Document Location:	SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.
	<p>1. The Career Transition Services department works closely with the California Department of Education, through the Workability 1 grant, and the Department of Rehabilitation, through the Transition Partnership Program, to provide Transition Services and Supports to students with disabilities aged 14 and above.</p> <p>2. All students who are transition aged receive direct transition services, typically in the form of college awareness and/or career awareness. Services are aligned to each student's Individual Transition Plan, which guides their post-secondary goals, interests and needs. Services are provided by Career Transition Services case managers and Special Education teachers and are designed to:</p> <p>1. Support students in identifying their strengths, skills and interests;</p> <p>2. Aligning interests to potential career paths;</p>

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Description:

3. Supporting job skill development, including writing resumes and participating in interviews;

4. Exploring college opportunities and navigating the admissions process;

5. Identifying local employers aligned to career paths and facilitating the initial outreach process;

6. Supporting students in being self advocates and connections with agency partners.

3. Students are identified by Case Managers, parents/families, school site support staff, and Linked Learning partners to receive additional support and services through the Transition Partnership Program. Case Managers in the Career Transition Services department coordinate with teachers at school sites in Middle and High Schools to schedule workshops to provide access to Transition Instruction and support to students across the District while identifying students that are interested in and could benefit from additional and more individualized support.

4. Our programs actively collaborate with District offices, Linked Learning, to ensure that students with special needs are active participants in available Career Technical Education (CTE) programming and opportunities as they work towards continuing their education and transitioning to career and the world of work.

5. Students with disabilities are afforded opportunities to participate in district dual and concurrent enrollment programs to earn college credit while in high school, and participating students receive reasonable accommodations to facilitate their participation in such programs.

6. Our Young Adult Transition Program provides

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opportunities for students with mild/moderate disabilities aged 18-22 to access Community College programming through the Dual/ Concurrent Enrollment relationship between the Oakland Unified School District and the Peralta Community College District. Young Adult Program students are able to access classes, programs, and activities that are appropriate, of interest, and provided by the Peralta Community College District with coordinated in-program and Community College supports, Young Adult Program teacher and support staff interventions, and on-going check-ins and reviews of accessibility, success, and skill development in-line with Individualized Transition Plans.

7. Our Young Adult Transition Program also provides opportunities for students to develop their vocational skills through a variety of work experiences and opportunities. Our programming prioritizes opportunities and experiences that participate in and lead to Competitive Integrated Employment for our young adult students with disabilities. Our teachers and programs partner with local businesses and our Career Transition Services department to carve out experiences that will provide the appropriate support and learning opportunities for students to build the skills that will lead to long-term direct-hire opportunities in competitive and integrated employment settings.

15. Assurance of full educational opportunity:

Reference Number: Board Policy 6159 and SELPA Handbook, Item 15

Document Title: Individual Education Program, OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location: boepublic.ousd.org, SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. It is the policy of OUSD SELPA and the OUSD School



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Description:

Board that students with disabilities be afforded full opportunities to participate in school activities--including extracurricular and non-academic enrichment activities--alongside typically-developing peers (BP6159).

2. IEP teams must consider all school day minutes when determining a FAPE for each eligible child, including consideration of any support a child may need to fully participate in nonacademic times (e.g. lunch, recess). Accommodations or supplemental aids required will be documented in the child's IEP.

3. All field trips, experiential learning opportunities and enrichment activities at school sites must include students with IEPs. The District will ensure that accommodations are provided when necessary to facilitate the participation of students with disabilities.

4. The Coordinator for Young Adult and Transition Services will oversee the enrollment of students into Career and Technical Education and ensure students with disabilities who have an interest in a specific CTE program or educational pathway have the accommodations and adaptations required to participate therein.

16. Fiscal administration and the allocation of state and federal funds pursuant to *EC* Section 56836.01—The SELPA Administrator's responsibility for the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.

Reference Number:

16

Document Title:

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Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

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1. Funds will be utilized in accordance with Education Code section 56836.01.

2. The Annual Budget Plan will describe how funds are distributed, and the plan must be approved by the Board of Education before submission and implementation.

3. The Executive Director is responsible for the administration and allocation of funds specific to Special Education. The Executive Director will engage with the Chief Academic Officer, Chief Financial Officer, and any assigned financial representatives to ensure that the Special Education budget utilizes all funds in a manner consistent with their purpose.

1. Federal Funds: Federal Funds may be used only:

1. For the costs of special education and related services and supplementary aids and services provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more nondisabled children benefit from these services; and

2. To develop and implement a fully integrated and coordinated services system.

4. Not less than monthly, the Executive Director and fiscal representatives will convene to review the Special Education budget and recent expenditures.

5. The Executive Director will collaborate with the Chief Financial Officer or designee for the purposes of completing any required reports relative to Special Education expenditures, including the Annual Budget Plan.

6. The OUSD School Board agrees to review the Annual

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**Budget Plan and any necessary modifications thereto.**

17. Direct instructional program support that maybe provided by program specialists in accordance with *EC* Section 56368:

Reference Number:

17

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. Program Specialists shall be utilized in accordance with Education Code 56368.
2. Program Specialists employed by individual LEAs will be selected, supervised and evaluated by the LEA.
3. For most participating LEAs, Program Specialist support will be provided by the AU (OUSD). Program Specialists are supervised by Special Education Coordinators and serve the SELPA under the overall direction of the Executive Director.
4. Each Program Specialist must be an experienced Special Education Professional with either a special education credential or pupil personnel services credential. Program Specialists are required to have advanced training and knowledge pertaining to Special Education law and specialized instruction, and the development and implementation of Individual Education Programs.
5. Program Specialists may support with the following:
  1. Conduct observations of students and provide consultative support to service providers



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Description:

2. Plan and facilitate professional learning for teachers and staff
3. Support development of special education programs at assigned sites, including scheduling, curriculum distribution and training, and recommendations for specific equipment, materials or tools
4. When needed, support facilitation of IEP team meetings
5. Conduct routine classroom observations to ensure adherence to best practices for instruction and behavior
6. Make recommendations regarding the placement of students into Special Education programs
7. Provide professional learning to general education faculty
8. Monitor the compliance of IEPs and provide training and guidance if areas of correction are identified
9. Other, related duties as assigned.

**Special Education Local Plan Area Services**

1. A description of programs for early childhood special education from birth through five years of age:

Reference Number: 1

Document Title: OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location: SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff.

1. OUSD SELPA offers a full range of Special Education

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services for eligible students from birth and for all students eligible under part B for preschool through age five. We pride ourselves on implementing services and programming that are evidence-based for early learners and led by experienced, credentialed early childhood specialists.

2. Services for students under Part C focus on children with low incidence disabilities, including those who are deaf, blind, or who have orthopedic impairments. To the extent possible, services take place within the family's home environment with a heavy emphasis on parent/family engagement and consultation to model strategies to support their child. All services are provided by credentialed specialists aligned to the category of disability they support.

1. Consultation with families focuses on modeling instructional strategies providing training on the use of devices or equipment recommended for the child, making recommendations for adaptations to the home environment to support early skill development, and coordination of services across agencies.

2. An exception to the home environment instructional milieu is offered for infants and toddlers who are deaf, as interaction with other deaf children is an important component of their early communication development.

3. OUSD SELPA has an early childhood Diagnostic Assessment Center that ensures a complete, multidisciplinary evaluation for each child prior to their third birthday for students with IFSPs, or when a referral is received and a suspected area of disability is indicated.

4. OUSD SELPA maintains a full continuum of programming for preschool-aged students with IEPs, which includes:

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Description:

1. Speech-Language services: A credentialed Speech-Language Pathologist provides services specific to IEP goals at the neighborhood school of the family. Services may be direct, consultative, or a combination of both based on IEP team discussion and agreement.
2. Special Education consultation within a general education preschool classroom: A credentialed early childhood education specialist provides consultative support to a general education preschool teacher regarding the implementation of IEP goals, accommodations, and adaptations
3. Inclusive services within a general education preschool classroom: Special Education personnel provide specialized Individual and Small Group instruction for students within a mainstream preschool classroom. This level of care enables specific work toward IEP goals while allowing the student to benefit from integration with typical peers and access to general education preschool curricula.
4. Separate-setting instruction on a public campus: OUSD SELPA maintains programs for students whose disability impact requires small-group, specialized instruction for most or all of their instructional day on public campuses, allowing integration for activities such as meals, motor breaks and special events.
5. Separate-setting instruction at a Special Education preschool facility: OUSD SELPA offers separate-setting, specialized instruction at our Special Education preschool center, Burbank. Burbank features several mild-moderate and moderate-intensive programs, with instructional routines that focus on building early pragmatic and communication skills, preacademics, and behavioral intervention.



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5. In addition to services required through IFSPs and IEPs, the Special Education Early Childhood team provides monthly parent training and resource events to model best practices for families and caregivers and connect them to resources and agencies within the area, as well.

2. A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual administrator:

Reference Number:

2

Document Title:

OUSD SELPA Individual Education Program Practices and Procedures Manual

Document Location:

SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff. Contact information and methods are also posted on the Special Education Website: [ousd.org/specialeducation](https://ousd.org/specialeducation)

Description:

1. Within OUSD SELPA, there are a variety of methods that members of the public can use to raise questions or concerns, including any of the following:
  1. CAC meetings are publicized in advance of the meeting. At our CAC meetings each month, there is a dedicated time in the agenda for community concerns. Special Education Coordinators and the Executive Director are present to speak with individuals about their concerns or questions and can help parents/guardians connect directly with site staff when necessary to facilitate next steps.
  2. Contact information for the Special Education leadership team is posted on the OUSD Special Education website and available in hardcopy format at school campuses so families may reach out via phone or email to receive an individual response. Families may request an in-person meeting at any time to discuss questions or concerns, and a meeting will be scheduled within 30 calendar days.

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3. Families may visit the Special Education offices to speak with a representative.

4. Families may request an IEP team meeting with their child's case manager and ask that a representative from the Special Education Department attend.

3. A description of a dispute resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan:

Reference Number:

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SELPA offices. Soft copies are available within a cloud-based drive for all SELPA staff. Mediation and dispute resolution processes are also described within the procedural safeguards, which are posted on the Special Education website and distributed in hard copy at least annually at IEP meetings.

Description:

4. A description of the process being used to ensure a student is referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized:

Reference Number:

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1. Special Education leadership engages with site leaders and Community Schools personnel to ensure students for whom there is an area of educationally-related concern have access to interventions and support through a MTSS

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Description:

approach.

2. Each school site must have a Coordination of Services Team (COST) to which students can be referred when a stakeholder sees an area of academic or behavioral concern. COST can refer the student to the most appropriate intervention based on the concerns noted in the referral. This may include academic intervention groups, after-school supports, site-based mental health programming, or other school resources.

3. Each school site must have a Student Success Team (SST) process in place that can be utilized to discuss and agree upon adaptations to the learning environment that may be required when a student is struggling prior to considering a Special Education evaluation process. After a SST is held and adaptations or interventions are agreed upon, they should be implemented for at least six weeks and data should be collected to determine if interventions have had the desired impact on student learning.

4. While each site must have the aforementioned processes to ensure general education interventions are utilized, the OUSD SELPA will initiate Special Education evaluation for any student for whom there is a suspected area of disability. General Education interventions shall not be required prior to considering a referral for Special Education evaluation.

5. A description of the process being used to oversee and evaluate placements in nonpublic, nonsectarian schools and the method of ensuring that all requirements of each student's individualized education program are being met. The description shall include a method for evaluating whether the student is making appropriate educational progress:

Reference Number:

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Description:

1. The determination that a student requires a nonpublic school placement based on the impact of their disability shall be made by the IEP team after careful consideration of any less restrictive placement alternatives.
2. Once a student is placed in a nonpublic school setting, an OUSD SELPA case manager will be assigned to represent the SELPA and ensure compliant implementation of the student's IEP. The IEP team will meet at least annually, with meetings recommended every six months to monitor student progress and determine when the student may be able to return to the LRE.
3. The NPS case manager will work with NPS site leadership to ensure progress notes for all IEP goal areas are made available at required reporting periods. When data indicate that the child has made sufficient progress to consider a transition to a less restrictive environment, the case manager will propose an IEP team meeting to discuss.
4. The SELPA will consider strategies to support successful transition back to a public program when appropriate (or from a residential facility to a day program), including partial or dual enrollment, additional bridge services that may be needed, and mental health considerations.

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in *EC 56026(c)(4)*) who has been incarcerated in a county jail and remains eligible for special education services:

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The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (EC Section 56040)

It is the responsibility of the district of residence (DOR) to provide special education services and related services to an adult student in county jail who remains eligible for these services and wishes to receive them. The DOR is the district in which the student's parents resided when the student turned 18, unless and until the parents move to a new DOR. For conserved students, the DOR is based on the residence of the conservator. (EC Section 56041)

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1. Adults who are age 18 through 22 years, who have not graduated with a high school diploma, who at the time they turned 18 years were identified as an individual with exceptional needs and had an individualized education program (IEP) under the IDEA, are also entitled to a FAPE (hereinafter, "eligible adults"). This applies to adults incarcerated in California adult jails and prisons, as well. However, an individual aged 18 through 22 years, who, in the educational placement prior to his or her incarceration in an adult correctional facility who did not have an IEP, is not entitled to a FAPE.

2. Special considerations relative to the IEP apply to this population. This includes:

1. The requirements of items (aa) and (bb) of 20 U.S.C. § 1414(d) (1) (A) (i) (VIII) (relating to transition planning and transition services), do not apply with respect to such individuals whose eligibility under the IDEA will end, because of their age, before such individuals will be released from county jail.

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Description:

2. If an individual with a disability is convicted as an adult under State law and incarcerated in an adult county jail, the individual's IEP team may modify the individual's IEP or placement notwithstanding the least restrictive environment (LRE) requirements and IEP content if there is a bona fide security or compelling penological interest that cannot otherwise be accommodated.

3. Pursuant to a California Department of Education directive, the district of residence (DOR) will be responsible for providing special education and related services to eligible inmates in the jails operated by the Alameda County Sheriff's department, until there is a judicial, legislative, executive, or regulatory decision that impacts the directive, for each eligible inmate between the ages of 18 and 22. Alameda County Jail representatives must notify OUSD SELPA of any Oakland resident who is eligible for services who has entered their facility.

4. Upon receiving notification that an adult student who meets the criteria set forth above has been incarcerated at the Alameda County Jail and is a permanent resident of Oakland, Special Education Coordinators will review the student's most recent IEP and assign a case manager (special education teacher).

5. The Special Education teacher and any other required service providers will collaborate with representatives from the Alameda County Jail to ensure a thorough understanding of and adherence to safety and access protocols in effect within the facility.

6. In the event that there is a provision of the IEP that is not able to be implemented based upon the security protocols or procedures in place within the jail, the case manager will convene an IEP team meeting to discuss and propose modifications to the IEP.



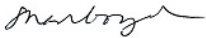
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CERTIFICATION

We, Shanthi Gonzales, President, Governing Board of the Oakland/Unified School District/ SELPA and Kyla Johnson Trammell, Secretary, Governing Board of the Oakland Unified School District/SELPA, do hereby certify that said Governing Board held and closed a Public Hearing on the 2021-22 Governing and Administration Plan of the SELPA on April 14, 2021.



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Shanthi Gonzales, President  
Governing Board



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Kyla Johnson Trammell  
Secretary, Governing Board