

Santa Barbara School Districts

Administrative Regulation

AR 0430

Mission, Goals, and Plans

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

Free and appropriate public 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, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for children between the ages of 3 through 21; and are provided in conformity with the student's individualized education program (IEP) that meets 34 CFR 300.320-300.324.

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 300.17, 300.101, 300.104)

(cf. 6159 - Individualized Education Program)

(cf. 6159.2 – Nonpublic, Nonsectarian School and Agency Services for Special Education)

Least restrictive environment means that, to the maximum extent appropriate, students with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled, including the provision of nonacademic and extracurricular services and activities. (34 CFR 300.107, 300.114, 300.117).

Special education means specially designed instruction, provided at no cost to the parent/guardian, to meet the unique needs of individuals with disabilities whose educational needs cannot be met with modification of the regular instruction program. It also includes related services, provided at no cost to the parent/guardian, that may be needed to assist these individuals to benefit from specially designed instruction. Special education provides a full continuum of program options, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education, to meet the educational and service needs of individuals with disabilities in the least restrictive environment. (Education Code 56031)

Specially designed instruction means adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standard within the district that apply to all students. (34 CFR 300.39)

Surrogate parent means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34 CFR 300.519; Education Code 56050)

(cf. 6159.4 - Appointment of Surrogate Parent for Special Education)

Elements of the Local Plan

The special education local plan shall include, but not be limited to the following:

1. assurances that policies, procedures and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a) and 20 USC 1413(a)(1); (Education Code 56205)
2. an annual budget plan and annual service plan adopted at a public hearing held by the SELPA; (Education Code 56205)
3. a description of programs for early childhood special education from birth through five years of age; (Education Code 56205)
4. a description of the method by which members of the public, including parents/guards of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205; (Education Code 56205)
5. a description of a dispute resolution process; (Education Code 56205)
6. verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205; (Education Code 56205)
7. a description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303; (Education Code 56205)
8. a description of the process being utilized oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met; (Education Code 56205)
9. a description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment. (Education Code 56206)

The local plan, annual budget plan and annual service plan shall be written in language that is understandable to the general public. (Education Code 56205)

Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code 56195.1 and 56195.7. (Education Code 56195.8)

(cf. 6164.4 - Identification of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

Regulation: SANTA BARBARA SCHOOL DISTRICTS

Approved: February 20, 2007 Santa Barbara, California