

## LOCAL PLAN

### Section B: Governance and Administration

### SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

SELPA Ontario-Montclair School District

Fiscal Year 2023-24

## 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: [*EC 56195.1(d)*; *EC 56195.1(a)(1)*; *EC 56211*; *EC 56212*]

The Ontario-Montclair School District, founded in 1884, serves a 26 square mile area which covers most of the city of Ontario, Montclair, portions of Upland, and unincorporated areas of San Bernardino County.

The District is the third largest elementary district in the State. Ontario-Montclair School District is an elementary school district and services students in grades PreK-8, serving approximately 18,988 students. OMSD has 27 elementary schools and 6 middle schools.

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: [*EC 56195.1(b)(1)-(3)(c)*; *EC 56205(a)(12)*]

The Ontario-Montclair School District is a single-district SELPA, the Board is the sole policymaking entity for the SELPA. Approval of the Local Plan, adoption of the budget and District policies and employment of SELPA personnel occur at regularly scheduled, public meetings of the governing board. The oversight and operations of the SELPA will be shared by the Assistant Superintendent, SELPA & Equity and administrators of the District. The Assistant Superintendent, SELPA & Equity shall provide regular reports to the Board relating to the operation of the SELPA, as needed. Board Meetings are held on a monthly and bi-monthly schedule throughout the year. The SELPA shall include all school sites located within the District, and will serve all eligible individuals with exceptional needs residing within the boundaries of the District, or attending its programs under other authorization, through grade eight (8).

The District is designated as its own Administrative Unit (AU) for the SELPA. It shall be responsible for administrative functions including, but not limited to, the following:

- Receipt and distribution of special education funds to District accounts for the operation of special education programs and services.

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- Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- The employment of necessary staff to support SELPA functions.

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: [EC 56195.7(i)(j)(1)(2)]

The Board is the governing body of the District and the SELPA. The members of the Board are elected public officials. The policy-making responsibilities of Board pertaining to the SELPA include, but are not limited to, the following:

- Hold public hearings for the local plan, the annual budget plan, and annual service plan.
- Approve the Local Plan.
- Approve the annual budget and service plans.
- Approve contractual agreements for the Ontario-Montclair School District SELPA which meet the requirements of EC 56200, and herein referred to as the Local Plan.
- Adopt District policies relating to special education.
- Set priorities for the Local Plan.
- Appoint members of the Community Advisory Committee.
- Appoint members of the Program Committee.
- Appoint members of the Budget Committee.
- Ensure compliance with all elements of the Local Plan.

### Responsible Local Agency

As a single district SELPA, the District is the Responsible Local Agency (RLA). The Board is the governing board of the RLA. The responsibilities of the RLA include the following:

- Receipt and allocation of regionalized services, funds, and the provision of administrative support.
- Employment and evaluation of the SELPA staff using District-adopted employment and evaluation procedures. It shall be the responsibility of the Superintendent to evaluate the

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Assistant Superintendent, SELPA & Equity.

·Implement policies and procedures for special education programs and services provided in the SELPA, according to the Local Plan and the Board's direction. Such policies and procedures shall include, but not be limited to, all areas specified in applicable sections of the Education Code and the following Federal Laws:

·Part C to Part B Transition: (20 USC § 1412 (a)(9)). It shall be the policy of this LEA that children participating in early intervention programs (Individuals with Disabilities Education Act [IDEA], Part C), and who will participate in preschool programs, experience a smooth and effective transition to those preschool programs in a manner consistent with 20 U.S.C. § 1437 (a)(9). The transition process shall begin prior to the child's third birthday.

·Access to Instructional Materials: (20 USC § 1412 (a)(23)). 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.

·Prohibition on Mandatory Medicine: (20 USC § 1412 (a)(25)). 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.

Upon the recommendation of the Superintendent, the Board, as the governing board of the RLA, is responsible for approval of the annual service and budget plans. The development of the annual service and budget plans shall coincide with the District budget process.

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: [EC 56195.1(c); EC 56205(a)(12)(D)(i); EC 56195.5]

The Local Plan shall be reviewed whenever new legislation, regulations, and/or guidelines, or major changes in funding or services indicate the need for possible modification of the Local Plan. Each fiscal year, the District must notify the CDE, impacted special education local plan areas, and participating county offices of its intent, if any, to elect an alternative option from those specified in the Education Code section 56195.1, at least one (1) fiscal year prior to the proposed effective date of the implementation of the alternative plan. Amendments to the Local Plan may be proposed by the SELPA and shall be approved and permanent upon subsequent approval by the local governing board, upon review by the County Office and subsequent approval of the State Superintendent. Nothing in this section shall modify the requirements of Education Code section 56205 requiring an annual budget and annual service plan. Changes or amendments to the permanent portion of the Local Plan may be considered during the annual service and budget plan process. Amendments approved in this manner would become permanent upon subsequent approval by the local governing board and the State Board of

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Education."

County shall ensure that the local plan is in alignment with local control accountability plans adopted for the school district and county board of education.

5. Does the SELPA have policies and procedures that allow for the participation of charter schools in the local plan? [EC 56207.5]

☒ Yes

☐ No

If No, explain why the SELPA does not have the policy and procedures.

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: [EC 56194(a)(b)(d); EC 56195.9(a)]

The CAC shall be composed of parents of individuals with disabilities enrolled in public or private schools, parents of other students 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 disabilities. The CAC shall consist of not less than six (6) members and no more than twenty-four (24) members. At least the majority of the CAC shall be composed of parents of students enrolled in District schools, and at least a majority of such parents shall be parents of individuals with disabilities. The CAC should have no less than five scheduled meetings per year. The CAC shall act in an advisory capacity. The recommendations of the CAC shall be directed to the Assistant Superintendent, SELPA & Equity. The responsibility for action on any recommendations shall rest with the Board. The Assistant Superintendent, SELPA & Equity shall provide each CAC member with a copy of the currently-approved Local Plan. The Assistant Superintendent, SELPA & Equity shall also provide each CAC member with a copy of any proposed amendments or revisions to the currently-approved Local Plan.

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: [EC 56205(a)(12)(E); EC 56205(b)(7)]

The Local Plan shall be reviewed whenever new legislation, regulations, and/or guidelines, or major changes in funding or services indicate the need for possible modification of the Local Plan.

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A Local Plan committee has been created and is composed of a CAC members as well as other represented groups. The Local Plan committee will meet at least four times annually. The Assistant Superintendent, SELPA & Equity shall provide each CAC member with a copy of the currently-approved Local Plan. The Assistant Superintendent, SELPA & Equity shall also provide each CAC member with a copy of any proposed amendments or revisions to the currently-approved Local Plan. Upon the completion of the draft, the Local Plan will be provided to the CAC.

The CAC shall act in an advisory capacity. The CAC shall review any proposed changes or amendments to the local plan at least 30 days prior to being submitted to the Board for approval. The recommendations of the CAC shall be directed to the Assistant Superintendent, SELPA & Equity. The responsibility for action on any recommendations shall rest with the Board.

The description of the governance and administration of the Local Plan and the policymaking process shall be consistent with subdivision (f) of Section 56001, subdivision (a) of Section 56195.3 and Section 56195.9, and shall reflect a schedule of regular consultations regarding policy and budget development with representatives of special education and regular education teachers and administrators selected by the groups they represent and parent members of the community advisory committee established pursuant to Article 7 (commencing with Section 56190) of Chapter 2. The Local Plan, including the approval process of the Annual Service Plan and Annual Budget Plan and any modifications to them, shall be developed and update cooperatively by a committee of representatives of special and regular teachers and administrators, and representatives of charter schools selected by the groups they represent and with participation by parent members of the community advisory committee, or parents selected by the community advisory committee to ensure adequate and effective participation and communication.

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: [EC 56836.01(a)(b); EC 56205(a)(12)(D)(ii); EC 56195(b)(3); EC 56030]

Ontario-Montclair School District is a single district SELPA, therefore the District is the Responsible Local Agency (RLA)/Administrative Unit (AU). The Board is the governing board of the RLA. The responsibilities of the RLA/AU include the following:

- Receipt and allocation of regionalized services, funds, and the provision of administrative support.
- Employment and evaluation of the SELPA staff using District-adopted employment and evaluation procedures. It shall be the responsibility of the Superintendent to evaluate the

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Assistant Superintendent, SELPA & Equity.

- Implement policies and procedures for special education programs and services provided in the SELPA, according to the Local Plan and the Board's direction. Such policies and procedures shall include, but not be limited to, all areas specified in applicable sections of the Education Code.
- Upon the recommendation of the Superintendent, the Board, as the governing board of the RLA/AU, is responsible for approval of the annual service and budget plans. The development of the annual service and budget plans shall coincide with the District budget process.

Any disputes regarding the distribution of funding, the responsibilities for service provisions, and/or governance activities as outlined in section 3 of the regional policy making process can be submitted to the attention of the SELPA Assistant Superintendent SELPA & Equity. If the dispute remains unresolved, the dispute will be forwarded to the Superintendent or their designee for further consideration.

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: [EC 56195.7. EC 56195.1(b)(c)]

The District contracts with nonpublic, nonsectarian schools (NPS) and nonpublic, nonsectarian agencies (NPA) certified by the CDE, via the appropriate certification process. The SELPA has the authority to visit, observe, monitor and report on the educational program provided by any NPS/NPA under contract with the District or involved in a potential placement with the District. Any request for a waiver shall be considered and approved at the discretion of the Assistant Superintendent, SELPA & Equity. The SELPA shall consider the needs of the individual student and the recommendations of the IEP team when entering into agreements with nonpublic, nonsectarian schools or agencies. The Special Education Department shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs, towards the goals identified in each student's IEP.

The SELPA will submit NPS Master Contracts to the Board for approval. Each Master Contract is modeled after the State Master Contract and Service Agreement which contains requirements to allow the SELPA to monitor the placement and services of students in certified nonpublic, nonsectarian schools. The school shall have at least an annual IEP meeting that will facilitate the evaluation of the placement and services to ensure implementation of the IEP.

The Master Contract provided by the SELPA contains language requiring reporting from the certified nonpublic, nonsectarian school regarding IEP progress as frequently as required by



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the District. At each annual IEP meeting, which shall include a representative of the SELPA, the certified nonpublic, nonsectarian school shall provide documentation as to the student's progress towards annual goals and objectives. The annual data provided by the certified nonpublic, nonsectarian schools shall be authentic curriculum-based measurements, in accordance with state-adopted grade level standards. The SELPA's contract with a nonpublic, nonsectarian school shall evaluate the placement of its student(s) in such schools on an annual basis as part of the annual IEP review to determine if dual enrollment or return to district program is appropriate. The SELPA shall collaboratively review with the nonpublic, nonsectarian school the evaluations conducted by the school to ensure that they were appropriate and valid for measuring student progress. The SELPA may choose to administer additional assessments as necessary, with parental consent, to determine whether the student is making appropriate educational progress.

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process: [EC 56205(a)(12)(D)(i)]

Not applicable

- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan: [EC 56205(a)(12)(D)(i)]

Not applicable

- c. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan: [EC 56205(a)(12)(D)(i)]

Not applicable

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: [EC 56205(a)(12)(D)(ii)(I)]

The RLA/AU authorized agent shall be responsible for hiring, the supervision, evaluation, and discipline of the Assistant Superintendent, SELPA & Equity. Such disciplinary practices shall be in accordance with district adopted board policy and administrative regulation. The Superintendent shall also monitor and determine the effectiveness of the duties of the



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Assistant Superintendent, SELPA & Equity as outlined below.

Assistant Superintendent, SELPA & Equity

The Assistant Superintendent, SELPA & Equity serves under the supervision of the Superintendent, and is

responsible for the provision of administrative support to include:

- Prepare the regional special education plan and State, Federal and local reports as required.
- Monitor compliance with Federal and State laws and regulations.
- Prepare and submit any and all State waiver requests that are needed to allow for the provision of appropriate programs and services to students with disabilities residing within the SELPA.
- Coordinate services to students with disabilities and to other local public agencies through the development of procedural handbooks, negotiation of agreements, understandings, and ongoing dialogue.
- Develop and implement a plan for providing staff development opportunities to staff, parents, the Community Advisory Committee, and others.
- Collect, process and report program, personnel and fiscal data related to the State evaluation of special education as specified in accordance with State and Federal laws and regulations.
- Employment and evaluation of the SELPA Staff.

b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA: [EC 56205(a)(12)(D) (ii)(II); EC 56195.7(i)]

Method of distribution of federal and state funds (Education Code 56205(a)(12)(D)(ii), 56205 (b) (1) and 56195 (h)) All federal and state special education funds shall be allocated to the SELPA for distribution to local education agencies according to an approved Special Education Funding Allocation Plan. The Superintendent and Board of Trustees shall make any changes to the allocation of federal and state special education funds. The Assistant Superintendent, SELPA & Equity is responsible to ensure that the funds are distributed in accordance with the funding allocation plan.

Responsibilities for distribution of federal and state funds (Education Code 56195, 56195.1 (b) (3)) The governing board of the local education in the SELPA have agreed that students with disabilities will be provided with appropriate special education services. The Superintendent and Board of Trustees has been designated the authority to determine the distribution of all federal and state special education funds in order for local education agencies to carry out their responsibilities. The SELPA shall be responsible for the distribution of the funds according to an

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approved Special Education Funding Allocation Plan. The Assistant Superintendent, SELPA & Equity is responsible to ensure that the funds are distributed in accordance with the funding allocation plan. The fiscal Consultant shall develop the Annual Budget Plan for review and recommendation by the SELPA to the Superintendent's Council for approval. A public meeting shall be held annually to provide the Community Advisory Committee and members of the public the opportunity to review the Annual Budget Plan and Annual Services Plan and provide input to the Superintendents' Council. Upon approval by the Superintendent's Council, these documents shall be submitted to the California Department of Education.

c. The operation of special education programs: [EC 56205(a)(12)(D)(ii)(III)]

**PROGRAM COMMITTEE**

There shall be a Program Committee. The SELPA shall be responsible for establishing and maintaining a Program Committee in accordance with the Local Plan and the Bylaws of the Program Committee.

The Program Committee's duties shall include:

- Review information provided at the monthly State SELPA meetings.
- Discuss and review any necessary changes in development or implementation of special education services based upon information from State SELPA meetings, district programming based on student needs, new legislation, regulations, and/or guidelines.
- Discuss and review any necessary changes in SELPA and/or District policies and procedures.
- Make recommendations for services and programming to the Assistant Superintendent, SELPA & Equity.
- Prepare the initial draft of each annual service plan.

In addition, the Director of Special Education will make recommendations to the Assistant Superintendent, SELPA & Equity and Superintendent regarding the number, type, and location of special education classes, programs and services based upon (a) the service limits and proportions established by the State, and (b) the number of students with special education needs. The SELPA will ensure that special day class programs are geographically distributed within the District so that students may be placed in an appropriate special day class and assure equal access of all students to special education programs and services that will provide each student with an appropriate education as required by law.

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- d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs: [EC 56205(a)(12)(D)(ii)(IV)]

#### BUDGET COMMITTEE

There shall be a Budget Committee. The SELPA shall be responsible for establishing and maintaining a Budget Committee in accordance with the Local Plan and the Bylaws of the Budget Committee.

The Budget Committee's duties shall include:

- Review and discuss the Annual Budget Plan prior to the required public hearing and approval by the Board.
- As necessary, review, monitor, and recommend revisions to the Annual Budget Plan during the fiscal year.
- Receive and/or provide updates on local, regional, state, and federal special education financial or budgetary matters.
- Discuss and review the financial implications of potential significant changes to District Special Education programs or other District programs that may financially impact the SELPA.
- Discuss and review the financial implications to the SELPA of potential significant changes planned or implemented by other SELPAs and/or other school districts.
- Discuss and review any necessary changes in SELPA and/or District budget policies and procedures and make recommendations to the Assistant Superintendent, SELPA & Equity.

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: [EC 56206]

Low incidence funds provided by the State allow for the purchase of specialized books, materials, and equipment, which are necessary due to the adverse educational impact of a low incidence disability on access to instruction and learning. Low incidence funding is intended to

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supplement and not supplant other available funding for books and materials. "Low incidence disability" means a severe disabling condition with an expected incidence rate of less than one (1) percent of the total statewide enrollment in kindergarten through grade twelve (12). For purposes of this definition, severe disabling conditions are hearing impairments, vision impairments, and severe orthopedic impairments, or any combination thereof. The SELPA is responsible for ensuring that each student who has been identified as a student with a "low incidence" disability, receives the required instructional support as indicated on the IEP. The Assistant Superintendent, SELPA & Equity is responsible for ensuring that all eligibility requirements are met prior to approving any expenditure of these funds.

## 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 (If applicable. Leave blank if not applicable); the document title; and the physical location where the policy can be found.

### 1. Free Appropriate Public Education: 20 *USC* Section 1412(a)(1); *EC* 56205(a)(1)

Policy/Procedure Number: Document Title: Document Location: http://www.gamutonline.net/district/ontariomontclair/,

"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:

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☒ Yes ☐ No

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**2. Full Educational Opportunity: 20 USC Section 1412(a)(2); EC 56205(a)(2)**

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/,

"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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**3. Child Find: 20 USC Section 1412(a)(3); EC 56205(a)(3)**

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/, Private Schools residing in Ontario-Montclair School District Boundaries"/>

"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

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**4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP): 20 USC Section 1412(a)(4); EC 56205(a)(4)**

Policy/Procedure Number:

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Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/,

"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); *EC* 56205(a)(5)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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 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

### 6. Procedural Safeguards: 20 *USC* Section 1412(a)(6); *EC* 56205(a)(6)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

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"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

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### 7. Evaluation: 20 USC Section 1412(a)(7); EC 56205(a)(7)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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

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### 8. Confidentiality: 20 USC Section 1412(a)(8); EC 56205(a)(8)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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

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### 9. Part C to Part B Transition: 20 USC Section 1412(a)(9); EC 56205(a)(9)

Policy/Procedure Number:



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Document Title:

Document Location: https://www.omsd.net/"/>

"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); EC 56205(a)(10)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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

### 11. Local Compliance Assurances: 20 USC Section 1412(a)(11); EC 56205(a)(11)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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,

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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

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**12. Interagency: 20 USC Section 1412(a)(12); EC 56205(a)(12)(D)(iii)**

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

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

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**13. Governance: 20 USC Section 1412(a)(13); EC 56205(a)(12)**

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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; EC 56205(a)(13)**

Policy/Procedure Number:

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Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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

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### 15. Performance Goals and Indicators: 20 USC Section 1412(a)(15); EC 56205(a)(14)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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 ☐ No

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### 16. Participation in Assessments: 20 USC Section 1412(a)(16); EC 56205(a)(15)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

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

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☒ Yes ☐ No

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**17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17); EC 56205(a)(16)**

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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

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**18. Maintenance of Effort: 20 USC Section 1412(a)(18); EC 56205(a)(17)**

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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); EC 56205(a)(18)**

Policy/Procedure Number:

Policy/Procedure Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

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"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); EC 56205(a)(19)

Policy/Procedure Number:

Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

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

☒ Yes ☐ No

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### 21. Access to Instructional Materials: 20 USC Section 1412(a)(23); EC 56205(a)(20)

Policy/Procedure Number:

Document Title:

Document Location: https://www.omsd.net/"/>

"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); EC 56205(a)(21)

Policy/Procedure Number:

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Document Title:

Document Location: http://www.gamutonline.net/district/ontariomontclair/"/>

"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); EC 56205(a)(22)

Policy/Procedure Number:

Document Title:

Document Location: https://www.omsd.net/"/>

"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

### 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 respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the document title and the location (e.g., SELPA office) for each function:"

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

Document Title:

Document Location: https://www.omsd.net/domain/512"/>

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Description:

management responsibility for implementation of the Local Plan and reports directly to the Superintendent. The Assistant Superintendent, SELPA & Equity develops the annual budget and service plan, allocates resources, monitors the use of state, federal and local funds for special education programs. Serves as liaison to public and private agencies, serves as the liaison to the Community Advisory Committee, monitors compliance of state and federal law.

Assistant Superintendent, SELPA & Equity :

- Provides coordination for due process, nonpublic school placements and staff development.
- Coordinates the administration and implementation of the Local Plan and develops a calendar of meetings.
- Develops and provides forms, manuals and handbooks.
- Coordinates Community Advisory Committee activities, including the development of an annual calendar.
- Coordinates Program Committee activities, including the development of an annual calendar.
- Coordinates Budget Committee activities, including the development of an annual calendar.
- Coordinates the development and implementation of the SELPA program and student outcomes, and the annual accountability procedures. The SELPA shall comply with the CDE CALPADS requirements. The SELPA shall maintain a Management Information System.
- Prepares the regional special education plan and State, Federal and local reports as required.
- Monitors compliance with Federal and State laws and regulations.



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- Coordinates services to students with disabilities and to other local public agencies through the development of procedural handbooks, negotiation of agreements, understandings, and ongoing dialogue.
- Ensures provision of services to students with disabilities in charter schools and other alternative programs.
- Oversees the implementation of interagency agreements and memoranda of understanding related to the SELPA.
- Maintains and modifies, as necessary, a Management Information System to be utilized in the referral, assessment, program planning, placement and evaluation of special education students.

### 2. Coordinated system of identification and assessment:

Document Title:

Child Find

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/Page/3346>

Description:

Child Find 20 USC § 1412 (a) (3)It shall be the policy of the 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 attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located and evaluated, a practical method is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.

### 3. Coordinated system of procedural safeguards:

Document Title:

Notice Of Procedural Safeguards

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/Page/3344>

Procedural Safeguards 20 USC§ 1412 (a) (6)It shall be the policy of this

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LEA that children with disabilities and their parents shall be provided with safeguards, throughout the identification, evaluation, placement process, and the provision of a free appropriate public education to the child. Procedural safeguards are provided at each IEP meeting, with any complaint, meeting notice and PWN." Procedural safeguards are also sent to parents of the district as part of the annual notification.

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

Document Title:

Staff Development

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

Description:

The Learning & Teaching Division (inclusive of the Special Education Department) and Human Resources will collaborate and coordinate staff development and trainings for general education and special education staff regarding the identification, instructional support, behavior needs, strategies on inclusive practices and understanding disabilities. The Special Education Department also works with the Community Advisory Committee (CAC) to provide community training to parents.

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

Document Title:

Curriculum Development and Evaluation

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

Description:

Assistant Superintendent, SELPA & Equity, Director of Special Education, Special Education Director IIs, and Program Specialists work with Learning & Teaching Directors to coordinate instructional practices to ensure that instructional materials, assessments, supplemental materials are aligned to the core curriculum and accessible to all students.

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

Document Title:

Special Education Local Plan

OMSD Special Education Department (Located within the OMSD

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Document Location:

Description:

The Superintendent/Designee of the school district shall review proposed policies, review the efficiency and effectiveness of resource allocations such as personnel, facilities, and equipment, ensure compliance with state and federal requirements, review planning documents and annual reports related to present and future services and programs of the Local Plan.

7. Coordinated system of data collection and management:

Document Title:

Document Location: https://www.omsd.net/OMSD-SELPA"/>

Description:

Assistant Superintendent, SELPA & Equity shall coordinate with District Data Warehouse Coordinator, the Director II of Research & Assessment, and the Assistant Superintendent of Learning & Teaching regarding the District system of data collection management of the State accountability for special education.

8. Coordination of interagency agreements:

Document Title:

Document Location: https://www.omsd.net/OMSD-SELPA"/>

Description:

Assistant Superintendent, SELPA & Equity and Chief Business Official will serve as the liaison to the Regional Center, California Children's Services, Administrator to West End SELPA, and other public and private agencies to coordinate services for students with exceptional needs.

9. Coordination of services to medical facilities:

Document Title:

Document Location: https://www.omsd.net/OMSD-SELPA"/>

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Description:

responsible for providing a student with a temporary disability who is in a hospital or other residential health facility within our boundaries, home and hospital instruction. The parent or guardian is responsible for notifying the district of the student's admission in a qualifying hospital. The district shall begin to provide individualized instruction no later than 5 working days after the positive determination has been made. OMSD Special Education Department has provided guidelines to the hospital administration to serve as a notification to parents of their rights.

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

Document Title:

Education for Foster Youth

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMS-SELPA>

Description:

Assistant Superintendent, SELPA & Equity, Director of Health & Wellness Services, Special Education Director, Director IIs, Program Specialists work with Child Welfare and Attendance to ensure services are provided to students who reside within the District boundaries that are in foster care or licensed children's institutes.

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

Document Title:

Special Education Local Plan

Document Location:

OMSD Special Education Department (Located within the OMSD District Office)

Description:

Both the annual budget and service plan for the District are reviewed, at least annually by the Budget Committee, Program Committee, Assistant Superintendent, SELPA & Equity, Special Education Director, CAC, and Superintendent's Cabinet. In addition, the Assistant Superintendent, SELPA & Equity also ensures Brown Act regulations are followed.

### 12. Fiscal and logistical support of the CAC:

Document Title:

Comprehensive Local Plan for Special Education

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMS-SELPA>

Assistant Superintendent, SELPA & Equity coordinates the logistics and

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provides financial support for CAC meetings, activities and trainings annually by providing personnel, interpreters and child care when coordinated between the Assistant Superintendent, SELPA & Equity and the CAC Executive Board. The Assistant Superintendent, SELPA & Equity also secures a location for meetings, ensures Brown Act regulations are followed, and provides parent training.

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

Document Title:

Transportation for Students with Disabilities

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

Description:

The Special Education Department coordinates with the District Transportation Department and its vendors in providing transportation services for individuals with exceptional needs.

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

Document Title:

Individualized Education Program

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

Description:

Transition services (designed with a results oriented process focused on improving academic functional achievement of the student) must be addressed in the IEP of the student not later than in the year in which he/she turns 16 years of age. The goal of transition services is planned movement from secondary education to adult life that provides opportunities which maximize economic and social independence in the least restrictive environment for individuals with exceptional needs. Planning for transition from school to postsecondary environments should begin in the school system well before the student leaves the system. (30 EC 56460)

### 15. Assurance of full educational opportunity:

Document Title:

Individualized Education Program

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

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Description:

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.

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.

Document Title:

Federal Grant Funds

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

Description:

The Governing Board recognizes the district's responsibility to maintain fiscal integrity and transparency in the use of all funds awarded through federal grants. The district shall comply with all requirements detailed in any grant agreement with an awarding agency and with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR 200.0-200.521 and any stricter state laws and district policy. The Assistant Superintendent, SELPA & Equity in collaboration with the Coordinator of Fiscal Services will submit quarterly reports to CDE on the expenditures of state and federal funds.

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

Document Title:

Program Specialist, Special Education Job Description

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/Page/2199>

Description:

Program Specialists coordinate all aspects of specialized programming in the local plan area. Duties include supporting the respective school sites with student/classroom observations, consultations, and evaluation of effective programming. In addition, program specialists conduct professional development in their specialized areas: designated instruction, behavior strategies/management, and program development. Maintain and communicate knowledge of current laws and

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regulations pertaining to individuals with exceptional needs, and may be assigned to assist in the preparation of complaints, mediation, and due process materials.

### Special Education Local Plan Area Services

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

Document Title: BP AR 5148.3

Document Location: OMSD Special Education Department (Located within the OMSD District Office), <http://www.gamutonline.net/district/ontariomontclair/>

Description: The Infant/Toddler Early Start Program delivers services to eligible infants-toddlers through a variety of options. Early intervention services are provided in natural environments including home and community settings in which children without disabilities participate. (34 CFR 303.12 (b)) Based on the child's assessed developmental needs and the families concerns and priorities as determined by each child's Individualized Family Service Plan (IFSP) team. Home-based services are offered once or twice a week for children from birth through two (2) years of age as specified by the IFSP Team. Children are referred for assessment from Early Start Program (the infant toddler program) either through Inland Regional Center or through Easter Seals. Additionally, children are referred for assessment by their parent, physicians, social workers, private preschools, State Preschools, Head Start, or Child Development Centers. Referrals for assessment must be processed with an assessment plan, procedural safeguards and a prior written notice to the parent for signed permission within 15 days of receipt of the referral.

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:

Document Title: Early Dispute Resolution (EDR) Handbook

Document Location: OMSD Special Education Department (Located within the OMSD District Office), Each School Site, and <https://www.omsd.net/Page/153>

The OMSD SELPA has adopted an EDR Process offered to parents, in order to help resolve concerns and/or disagreements between parents and staff in a collaborative manner in hopes to reach a positive



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Description: resolution. This is an option for parents to express concerns regarding special education. Parents will be provided the forms for completion and assistance will be provided as needed. Refer to OMSD Special Education Early Dispute Resolution Handbook for further information.

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:

Document Title: Interagency Agreement

Document Location: OMSD Special Education Department (Located within the OMSD District Office), Business Office (Located within the OMSD District Office), and any agency or LCI contracted with OMSD.

Description: The District has several Interagency agreements and each agreement specifies the dispute resolution process . In general, OMSD attempts to resolve disputes at the lowest administrative level possible. If resolution is not reached, each agreement details the resolution process depending on which Interagency entity is involved.

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:

Document Title: Comprehensive Local Plan for Special Education

Document Location: OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

Description: Each site has a Student Success Team (SST) to provide interventions and monitor progress in an RTI model. The Governing Board desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the District, including children who have been suspended or expelled or placed by the District in a nonpublic, nonsectarian school. Pupils shall be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized (Education Code Section 56303).

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

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individualized education program are being met. The description shall include a method for evaluating whether the student is making appropriate educational progress:

Document Title:

Nonpublic, Nonsectarian School and Agency Services for Special Education

Document Location:

OMSD Special Education Department (Located within the OMSD District Office), <https://www.omsd.net/OMSD-SELPA>

Description:

Before the district places a student with a disability in, or refers a student to, a non-public, nonsectarian school, the district, shall initiate and conduct a meeting to develop an individualized education program. The IEP Team shall review the continuum of placements and determine the most appropriate placement based on the child's individual needs. If a team determines an NPS is the most appropriate placement, an ISA is drafted in accordance with the services outlined in the IEP. A district representative and the IEP team shall monitor each student's educational progress and implementation of the IEP. The IEP team will meet to discuss student's educational progress while at the non-public school and determine next steps to student's educational program. The district shall regularly monitor placements to determine if a student is a candidate for dual enrollment or return to a district comprehensive program.

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:

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*)

Document Title:

Not applicable

Document Location:

Not applicable

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Description: