

Comprehensive Plans

Comprehensive Local Plan For Special Education

Definitions

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 to 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)

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 nondisabled 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)

Least restrictive environment means that to an appropriate extent, students with disabilities, including children in public or private instructions, shall be educated with children who are not disabled, including in nonacademic and extracurricular services and activities. (34 CFR 300.306, 300.550, 300.554).

Special education means specially designed instruction, 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 instructions, and in other settings; and instruction in physical education, to meet the educational and services needs of individuals with exceptional needs in the least restrictive environment. (Education Code 56031)

Specially designed instruction means adapting, as appropriate to the needs of an eligible child, the content, methodology or delivery of instruction. (34 CFR 300.26)

Surrogate parent means an individual assigned to act as a surrogate for the parents/guardians. The surrogate may represent an individual with exceptional needs 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 300.515; Education Code 56050)

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

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Comprehensive Local Plan For Special Education (continued)

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)(1-21) and in conformity with 20 USC 1412(a) and 20 USC 1413(a)(1). (Education Code 56205.)
2. An annual budget plan and annual services plan adopted at a public hearing held by the special education local plan area. (Education Code 56205)
3. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met.
4. 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)

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Each special education local plan area shall develop written agreements to be entered into by districts participating in the plan. (Education Code 56195.7)

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)

Regulation Approved: March 23, 1987

Regulation Revised: September 26, 2005;