

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:

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. OMSD has 26 elementary schools and 6 middle schools. Included in the 32 schools are magnet and academy programs, each of which is uniquely designed to provide an option for students to become fully immersed in an enhanced specially designed course of study, and two alternative programs.

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:

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 SELPA Executive Director and administrators of the District. The SELPA Executive Director shall provide regular reports to the Board relating to the operation of the SELPA. 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). A flowchart of the SELPA governance structure is in Appendix A.

The District is designated as its own Administrative Unit (AU) for the SELPA. It shall be

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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:

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

A request by a charter school to participate, as a local educational agency, in the SELPA may not be treated any differently from a similar request made by a school district. In reviewing and

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approving a request by a charter school to participate as a local education agency in the SELPA, the following requirements shall apply pursuant to Education Code section 56207.5 and applicable Board Policies.

·The SELPA shall fully comply with County Office requirements under Education Code section 56140.

·The charter school shall participate in State and Federal funding for special education, and the allocation plan developed pursuant to Education Code requirements, in the same manner as the SELPA (See Education Code sections 56195.7 and 56836.05).

·The charter school shall participate in governance of the SELPA as provided in Education Code section 56207.5.

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 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 shall act in accordance with the duties and responsibilities of the CAC as set forth in Education Code section 56190. The CAC shall be composed 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.

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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 SELPA Administrative Director. 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 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:

Not applicable

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

Not applicable

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

Not applicable

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Allocation Plan. The Superintendent and Board of Trustees shall make any changes to the allocation of federal and state special education funds. The SELPA Executive Director 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 approved Special Education Funding Allocation Plan. The SELPA Executive Director 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. tht

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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.

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

2. Full EducationTJOpportunity: 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 educationTJ programs, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

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Document Title:

Document Location:

"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

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 a of 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,

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"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:

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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:



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Instructional Materials Accessibility Standard." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Reference Number: Local Plan Governance and Administration Section B

Document Title: Special Education Local Plan

Document Location: OMSD Special Education Department

Description:

The SELPA Executive Director assumes overall management responsibility for implementation of the Local Plan and reports directly to the Superintendent. The SELPA Executive Director 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.

The SELPA Executive Director:

- 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.

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- Monitors compliance with Federal and State laws and regulations.
- 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.
- Ensure 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:

Reference Number: Special Education Procedural Manual 1.A-F

Document Title: Special Education Procedural Manual

Document Location: OMSD Special Education Department

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:

Reference Number: Special Education Procedural Manual 3.G

Document Title: Special Education Procedural Manual

Document Location: OMSD Special Education Department

Procedural Safeguards 20 USC§ 1412 (a) (6)It shall be the policy of this LEA that children with disabilities and their parents shall be provided

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Description:

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:

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Document Location: OMSD Special Education Department

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 pro

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Document Location:

Education Department

Description:

In accordance with Education Codes 48207 and 48208, OMSD is 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:

Reference Number:

BP 6173.1

Document Title:

Education for Foster Youth

Document Location:

http://www.gamutonline.net/district/ontariomontclair/ , OMSD Special Education Department

Description:

SELPA Executive Director, Director II of Family & Collaborative 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:

Reference Number:

Local Plan Governance and Administration Section B
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Document Title:

Special Education Local Plan

Document Location:

OMSD Special Education Department

Description:

Both the annual budget and service plan for the District are reviewed, at least annually by the Budget Committee, Program Committee, SELPA Executive Director, Special Education Director, CAC, and Superintendent's Cabinet. In addition, the SELPA Executive Director also ensures Brown Act regulations are followed.
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12. Fiscal and logistical support of the CAC:

Reference Number:

BP 0430

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15. Assurance of full educational opportunity:

Reference Number:	BP 6159
Document Title:	Individualized Education Program
Document Location:	http://www.gamutonline.net/district/ontariomontclair/, OMSD Special Education Department
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.

Reference Number:	BP 3230
Document Title:	Federal Grant Funds
Document Location:	http://www.gamutonline.net/district/ontariomontclair/, OMSD Special Education Department
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 SELPA Executive Director 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:

Reference Number:	Program Specialist, Special Education/Board Approved July 30, 2015
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Description:

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)

Reference Number:

Not applicable

Document Title:

Not applicable

Document Location:

Not applicable

Description:

Not applicable