

SECTION 24 K

PROGRAM COMPLIANCE MONITORING AND SUPPORT

Policies and Procedures

General Compliance Assurance:

Consistent with all assurances and IDEA grant conditions, it is the intent of the Solano SELPA to comply with all applicable State and Federal laws/regulations. This assurance, by reference, represents a locally adopted procedure intended to assure the implementation of all State and Federal laws.

Through Council of Superintendent (COS) policy and procedures the COS tries to anticipate critical policy issues that may affect district students and operations and to comply with all State and Federal Laws. However, the COS recognizes that questions may arise in the day-today operations of the SELPA that are not addressed in SELPA Local Plan policy or procedures. When resolution of such issues demands timely action, the Assistant Superintendent – SELPA shall have the authority to act on behalf of the COS in a manner consistent with applicable State and Federal laws and regulations.

If the matter involves a policy decision that is likely to be controversial, or a matter that has a significant impact on student learning or safety, the Assistant Superintendent-SELPA or designee shall notify the County Superintendent and COS Chairperson as soon as practicable after its occurrence. The COS Chairperson and or the Assistant Superintendent-SELPA shall then inform the COS members as appropriate.

The COS may schedule a review of the action at the next regular COS meeting.

If the action indicates the need for additions or revisions in Board policies, the Assistant Superintendent-SELPA or designee shall make the necessary recommendations to the COS.

The Solano County SELPA assures access to special education and services for all individuals with exceptional needs residing in the geographic area served by member districts. The Council of Superintendents, Special Education Council, and Assistant Superintendent, SELPA are responsible for monitoring the completed plan to verify that each participating Local Education Agency (LEA) carries out the duties and responsibilities assigned to it within the plan. A combination of factors must be reviewed to determine the quality of a program or service or the degree to which an agency is compliant with the intentions of the law. As the State monitors LEAs and takes action to encourage and enforce compliance, it is incumbent upon the SELPA to precede State sanction with prevention and intervention activities. Through monitoring of the practices of LEAs, the SELPA can support LEA efforts with targeted prevention activities and appropriate intervention when necessary.

These recommendations are not to be taken as an indication that the member LEAs of the Solano County SELPA are not providing quality services to children or have significant non-compliant issues. In fact, historically incidence rates for disputes and non-compliance findings are below the State average and programs and services offered have been clearly focused on student needs.

The policy is designed to identify the combination of factors that will be monitored by the LEA, SELPA, and State to ensure responsibilities are met and to direct the SELPA staff in the level of support to be provided by the SELPA.

The State has identified Key Performance Indicators (KPIs), State test scores, Coordinated Compliance Review, Quality Assurance Program, complaint outcomes, hearing outcomes, pupil count, self-review, and maintenance of effort as some of the activities that will be monitored for compliance and potential State intervention. LEAs and the SELPA will monitor these areas as well. When a combination of characteristics is present, the SELPA will provide specific support. The goal is to recognize the exemplary practices with commendations and target SELPA staff resources in support of LEAs requiring assistance, while assuring that the practices of one LEA are not detrimental to other LEAs or the SELPA as a whole.

1. Compliance Commendation

- a. No significant non-compliant findings identified
- b. Report data sources complete and provided in timely manner
- c. Dispute outcomes below Statewide levels
- d. No issues identified by the State

Δ SELPA Support

- Monitors data
- Provides general training
- Recognizes exemplary practices by sharing with other LEAs

2. Operational Non-Compliance

- a. Non-compliance issues identified
- b. Report data sources complete and provided in timely manner
- c. Dispute outcome below Statewide levels
- d. No significant issues identified by the State from self-review process

Δ SELPA Support

- Monitors data and notifies special education administrator and LEA superintendent
- Assists with development and implementation of corrective action plan or improvement plan
- Provides general training

3. Substantial Non-Compliance

- a. Corrective action plan requires SELPA involvement
- b. Data incomplete or not provided in a timely manner
- c. Dispute outcomes above the statewide levels
- d. State involved in on-site review and identification of non-compliant issues

Δ SELPA Support

- Notifies COS and LEA superintendent
- Provides technical assistance

- Assists with development and implementation of corrective action plan or improvement plan
- Provides specific training
- Delay monthly deposit of special education funding until reports, overdue after the State deadlines, are provided

4. Systemic Non-Compliance

- a. Corrective action plan with outstanding issues after 3-12 months
- b. Data incomplete or not provided in a timely manner
- c. Dispute outcomes above the statewide average and clusters of issues identified
- d. Multiple issues with performance among the lowest 15% of the State
- e. State involved in on-site corrective action plan or improvement plan

Δ SELPA Support

- Notifies COS, LEA superintendent, and Board President
- Directs district assigned SELPA program specialist to support implementation of elements of the corrective action plan to focus on technical assistance, specific training, and monitoring of outcomes
- Delay monthly deposit of special education funding until reports, overdue after the State deadlines, are provided

5. State Sanctions

- a. Corrective action plan with outstanding issues after 12 months
- b. Data incomplete or not provided in a timely manner
- c. Dispute outcomes above the Statewide average and clusters of issues identified. Orders, agreements, or corrective action not implemented.
- d. Multiple issues with performance among the lowest 15% of the State with no substantial improvement over time
- e. State involved in on-site corrective action plan or improvement plan including but not limited to assignment of an external monitor, court order, or with withholding of funds

Δ SELPA Support

- Notifies COS, LEA superintendent, Board President, and Solano County Superintendent of Schools
- Withholds funds from the specified LEA reflective of State action impacting the SELPA allocation
- Assigns SELPA program specialist to support implementation of elements of the corrective action plan to focus on technical assistance, specific training, and monitoring of outcomes
- Delay monthly deposit of special education funding until reports, overdue after the State deadlines, are provided