

Education Services Policy

I. Purpose: It is the intent of San Andreas Regional Center to ensure that the minors it serves receive the educational services to which they are entitled and need, in compliance with all state and federal laws, regulations, and court decisions.

II. Definitions:

Consumer, individual, and person served are used interchangeably in regional center policy and the Lanterman Developmental Disabilities Services Act and mean a person who has been found eligible and receives services from the regional center.

Educational services mean instruction and training provided by or on behalf of local educational agencies (LEA), school districts, special education local plan areas (SELPA), and county offices of education (COE). Such services include, but may not be limited to, any class, course, or program of training, instruction, or study; occupational or speech-language therapy; and subject- or skill-specific tutoring and are intended to provide evaluation and intervention in order to assist individuals in achieving more effective educational development.

III. Policy: The regional center shall make every effort to ensure that any and all private or public entities with an obligation to serve the individual are doing so to the maximum extent possible. This shall include service coordinator presence, whether virtually or in person, at individual education plan (IEP) meetings upon an individual's or family's request to provide advocacy and advice. In the event a dispute arises regarding the type or amount of service to be provided in the IEP agreement, the regional center shall assist the individual or family in appealing the funding educational entity's decision to the maximum extent possible by law.

The regional center shall additionally refer the individual or family to private not-for-profit advocacy centers including, but not limited to, the Office of Clients Rights Advocacy, the California Department of Education, and Legal Advocates for Children and Youth for specialized advocacy and representation.

In the event specialized advocates cannot or will not accept the individual's appeal, the regional center may assist to the best of its ability in the special education appeal process.

In the event that the special education appeal is not successful or possible, the regional center may, if it agrees with the necessity of the disputed service, engage a service provider(s) to supplement those services offered by the LEA.

IV. Purchase of Service Standard: The regional center may purchase educational services if the need is agreed-upon and only to the extent of filling the difference between the amount of need and the amount of service authorized by the generic service provider. Authorized services should be provided by a vendored entity wherever possible; in the event no vendored entity is available, the family or legally responsible person may apply to become a vendor and receive reimbursement for services up to the agreed-upon amount.

V. Exception Process: The executive director has full discretion to authorize purchases of service which are exceptions to the board-adopted purchase of service policies and standards. The Executive Director has designated that the Director and Associate Directors of Consumer Services are authorized to grant an exception in the executive director's stead; these individuals are referred to as director's designees.

The first formal discussion of a request for service takes place at the planning team meeting. If the request falls within the service policy, the request is granted.

If the request for service is not consistent with the policy, the service coordinator starts the exception review process by exploring the basis for the request. A timeline for the director's exception review is set by agreement between the individual/family and the service coordinator but the timeline may not exceed fifteen (15) days. Within that time, another planning team meeting will be convened. In the meantime, the coordinator presents the information to the manager to determine whether a director's exception may be warranted. At the scheduled planning team meeting the decision will be made. The director's designee will attend the planning team meeting if necessary. If the exception is granted, the service coordinator amends the person-centered individual program plan, notifies the individual/family, and gives a copy of the amended plan to the individual/family.

VI. Notice of Action: If the exception is not granted, the service coordinator promptly informs the consumer/family that it has not been granted, informs the consumer/family of their appeal rights, and sends a notice of action and a fair hearing form.

If a decision is made to deny, reduce, or cancel the service without the agreement of the consumer or the consumer's representative, a Notice of Action will be sent.

DDS Approved: May 3, 2022
Board Adopted: May 16, 2022