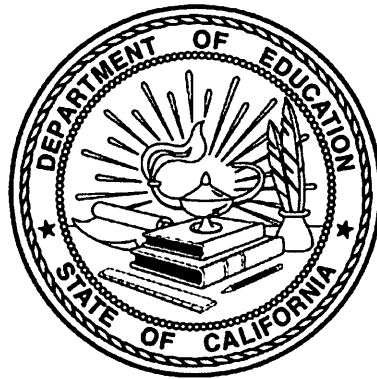


SELPA

Fiscal Year

LOCAL PLAN
Section B: Governance and Administration
SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

Section B: Governance and Administration

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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:

Napa County SELPA includes American Canyon, Napa, Yountville, St. Helena, Calistoga, Angwin, Pope Valley and unincorporated areas of Napa County. Napa County SELPA is bordered by, Sonoma County SELPA, Lake County SELPA, Vallejo Unified School District SELPA, and Solano County SELPA.

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 Governing body of the Napa County SELPA is the SELPA Executive Committee. The Executive Committee consists of a superintendent from the 5 LEAs and the Napa County Office of Education.

The voting structure is described below:

- Calistoga Joint Unified School District -1 Vote
- Howell Mountain Elementary School District - 1 Vote
- Napa County Office of Education - 1 Vote
- Napa Valley Unified School District - 5 Votes
- Pope Valley Union Elementary School District - 1 Vote
- St. Helena Unified School District - 1Vote

At least 8 votes are required for an action item to pass.

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The slate of officers of the SELPA Executive Board shall consist of a chairperson and vice-chairperson. The SELPA Executive Board has established a rotation of the LEA superintendents to serve in the role of chairperson.

The term of office shall consist of two school years, beginning on July 1 of the year elected and ending on June 30th of the second year.

The chairperson shall convene each meeting, presiding over the same, and shall prepare the agenda in conjunction with SELPA Director. The vice-chairperson shall assume all of he responsibilities of the chairperson in the absence of the chairperson.

The SELPA Executive Board shall meet at least three (3) times per year unless decided by vote of the Executive Board. When, necessary, the chairperson may call for special meetings or cancel regular meetings.

The SELPA Administrators' Committee made up of LEA special education administrators or designee serves as an advisory capacity to the SELPA Executive Board. The Community Advisory Committee (CAC) also serves in an advisory capacity to the SELPA Executive Board.

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:

The SELPA Executive Board is the governing body that approves policy and policy revisions. The SELPA Administrators' Committee reviews policies and policy revisions prior review and approval by the SELPA Executive Board.

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 Napa County Office of Education (NCOE) is the Administrative Unit for the SELPA. The SELPA office is housed at the NCOE . The County Superintendent is a member of the SELPA Executive Board.

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

A Charter school, chartered through one of governing boards of the SELPA, that operates as an LEA for special education purposes shall be represented on the SELPA Executive Board. Should this occur, the weighted voting structure of the SELPA Executive Board shall be adjusted for the new Charter School LEA. See the SELPA Website for the policy, Provision of Special Education Services to Students Voluntarily Enrolled in Charter Schools.

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 Napa County SELPA CAC is made of parents of students with disabilities from each LEA, regional center representation, ParentsCAN, special education directors and the SELPA Director. The CAC meets 7 times per year. A parent representative of the CAC may attend the SELPA Executive Board meetings. The CAC reviews any revisions to the Local Plan. CAC and ParentsCAN are invited to participate in SELPA ADR Trainings and other professional development offered by the SELPA. See CAC Parent Handbook on the SELPA Website.

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:

A Local Plan Committee made up of CAC members, ParentsCAN, special education and regular education teachers, and administrators meet to review and discuss the development and or the revision of the Local Plan. The SELPA Administrators also reviews the Local Plan prior to going to the SELPA Executive Board for approval. Upon the SELPA Executive Board approval the Local Plan is reviewed and approved by the SELPA LEA boards.

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:

The Napa County Office of Education is the RLA and AU for the SELPA. The NCOE receives and distributes funds pursuant to the SELPA approved Budget Allocation Plan. The SELPA Finance Committee made up of fiscal representatives from the LEAs, the SELPA Fiscal Analyst and SELPA Director make recommendations to the SELPA Executive Board for any

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change on the distribution of funds.

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:

The SELPA Local Plan is approved by each LEA in the Napa County SELPA. When LEA Boards sign off on the Local Plan they are agreeing to assume responsibility for the education of each student who has been identified as a student with a disability.

10. For multi-LEA local plans, specify:

a. The responsibilities of each participating COE and LEA governing board in the policymaking process:

Each LEA Board shall:

Exercise authority over, assume responsibility for and be fiscally accountable for special education programs operated by the agency;

Enter into an agreement with other LEAs participating in the plan for, purpose of delivery of regional program services and programs, upon approval of the Local Plan.

Review and approve revisions of the Napa County SELPA Local Plan for Special Education; and

Participate in the governance of the Napa County SELPA through their designated representative to SELPA Executive Board. The governing boards provide the SELPA Executive Board with the authority to act as the board designee to approve and amend policies as necessary.

Provide for the education of pupils in special education programs who reside in other districts or counties by written agreement with that district or county.

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

The superintendents of each participating LEA shall be responsible for special education programs operated by their agencies and for implementing the requirements of the Local Plan.

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

Local education agency administrators of special education or their designees are responsible for the coordination of special education services and programs within their agencies and for the implementation of the Local Plan. The administrators participate on the SELPA Administrators' Committee, which is given the authority by the SELPA Executive Board to implement policies and procedures.

- 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:

The SELPA Executive Board shall be responsible for the selection, direction, discipline and annual evaluation of the SELPA Director. The SELPA Executive Board shall be assisted in the hiring and selection process by the AU, the Napa County Office of Education. It is understood that this responsibility includes responsibility for any allegations of violations arising under the federal and state and equal employment law.

- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:

The SELPA Finance Committee meets to review and revise the allocation of federal and state funds to SELPA/RLA/AU and to LEAs within the SELPA. The recommendations are presented to the SELPA Executive Board for approval. See the section on the allocation of funds.

- c. The operation of special education programs: education programs:

Each LEA is responsible for administering and delivering special education and related

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services to students with disabilities in accordance with the SELPA Local Plan and SELPA Procedural Handbook.

d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

The SELPA Director, with the assistance of the SELPA Administrators' Committee and the Administrative Unit, shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education and related services. Final determination and action regarding the appropriate use of special education funds shall be made by the SELPA Executive Board through the Annual Budget Plan process.

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:

The Low Incidence funds are retained in the SELPA. Districts apply for the funds for students with low incidence disabilities who require such specialized equipment and materials to access their education in the LRE. The IEP team determines the need for specialized equipment and materials. The LEA sends a request to the SELPA through a Low Incidence application process. The student must have a low incidence disability as designated on an IEP. The need for such equipment must also be specified on the IEP. The SELPA Director reviews and approves or disapproves the purchase of the equipment based on the documentation provided by the district. The SELPA purchases the equipment and enters it into the inventory and sends it the district for the student who requires such equipment. The SELPA also provides funding for low incidence services based on the application process.

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; 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:

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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 Educational Opportunity: 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 educational 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:

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):

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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, 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)

Policy/Procedure Number:

Document Title:

Document Location:

"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

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the SELPA as stated:

Yes No

7. Evaluation: 20 USC Section 1412(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

"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

8. Confidentiality: 20 USC Section 1412(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

"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

9. Part C to Part B Transition: 20 USC Section 1412(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

"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

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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)

Policy/Procedure Number:

Document Title:

Document Location:

"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)

Policy/Procedure Number:

Document Title:

Document Location:

"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, 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

12. Interagency: 20 USC Section 1412(a)(12)

Policy/Procedure Number:

Document Title:

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Document Location:

"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

13. Governance: 20 USC Section 1412(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

"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

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

"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

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)

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Policy/Procedure Number:

Document Title:

Document Location:

"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

16. Participation in Assessments: 20 USC Section 1412(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

"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:

Yes No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17)

Policy/Procedure Number:

Document Title:

Document Location:

"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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If "NO," provide a brief description of the SELPA's policy related to the provision of law:

18. Maintenance of Effort: 20 USC Section 1412(a)(18)

Policy/Procedure Number:

Document Title:

Document Location:

"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

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:

Yes No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

"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

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

Yes No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23)

Policy/Procedure Number:

Document Title:

Document Location:

"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

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

Policy/Procedure Number:

Document Title:

Document Location:

"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)

Policy/Procedure Number:

Document Title:

Document Location:

"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

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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 direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

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

Reference Number:
Document Title:
Document Location:
Description:

2. Coordinated system of identification and assessment:

Reference Number:
Document Title:
Document Location:
Description:

3. Coordinated system of procedural safeguards:

Reference Number:
Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

7. Coordinated system of data collection and management:

Reference Number:
Document Title:
Document Location:
Description:

8. Coordination of interagency agreements:

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Reference Number:
Document Title:
Document Location:
Description:

9. Coordination of services to medical facilities:

Reference Number:
Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

12. Fiscal and logistical support of the CAC:

Reference Number:

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Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

15. Assurance of full educational opportunity:

Reference Number:
Document Title:
Document Location:
Description:

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:
Document Title:

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Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

Special Education Local Plan Area Services

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

Reference Number:

Document Title:

Document Location:

Description:

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:

Reference Number:

Document Title:

Document Location:

Description:

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

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provision, and the other governance activities specified within the local plan:

Reference Number:
Document Title:
Document Location:
Description:

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:

Reference Number:
Document Title:
Document Location:
Description:

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

Reference Number:
Document Title:
Document Location:
Description:

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.

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(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:	<input type="text" value="N/A"/>
Document Title:	<input type="text" value="Adults in Correctional Facility Policy"/>
Document Location:	<input type="text" value="SELPA Website"/>
Description:	<input type="text" value="A description of the process to provide services"/>