Charter SELPA Local Plan

Desert/Mountain Charter Special Education Local Plan Area

(May 2017)

TABLE OF CONTENTS

- I. Certification of Participation, Compatibility & Compliance Assurances
- **II.** Assurance Statement
- **III. Governance & Administration**
 - a. Agreement for Participation
- **IV.** Literacy Policy
- V. Policies/Administrative Regulations
 - a. List of Desert/Mountain Charter SELPA Policies & Administrative Regulations
- VI. Attachments
 - a. List of Participating Local Education Agencies (LEAs) in the Desert/Mountain Charter SELPA

Section I: Certification of Participation, Compatibility & Compliance Assurances
Refer to California Department of Education, Special Education Division
Certification of Participation, Compatibility & Compliance SED-LP-1 Form

Certification of Participation, Compatibility, and Compliance Assurances

1. Designate the Spec [] Single District	[] District/County				
SELPA Code 3651	SELPA Name Desert/Mountain Charter SELPA Application Date				
SELPA Address 17800 Highway 18		SELPA City Apple Valley	SELPA Zip Code 92307		
SELPA Director Name (Print) Jenae Holtz		Director Telephone Number (760) 955-3556	Director E-mail Jenae.holtz@cahelp.org		
	urances by the Designat ble Local Agency/Admir				
Designated RLA/AU Name San Bernardino County Super	rintendent of Schools				
RLA/AU Address 601 North E Street		RLA/AU City San Bernardino	RLA/AU Zip Code 92410		
Name of RLA/AU Superintendent Ted Alejandre		Superintendent Phone Number (909) 386-2406	Superintendent E-mail Ted.alejandre@sbcss.net		
Date of Governing Board Approx September 8, 2017	val				
administration of special education programs; and that the agency(ies) herein represented will meet all applicable requirements state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 <i>United States Code</i> (<i>U.S.C.</i>) 1400 et seq, and implementing regulations under 34 <i>Code of Federal Regulation</i> Parts 300 and 303, 29 <i>U.S.C.</i> 705 (20) and 794–794b, the Federal Rehabilitation Act of 1973 as amended, the provisions of the California <i>Education Code</i> (<i>EC</i>) Part 30, and Chapter 3 Division 1 of Title V of the <i>California Code of Regulations</i> . Signature of RLA/AU Superintendent Date					
			1/29/17		
3. Certification of Compatibility by the County Superintendent of Schools Name of County Office of Education (COE) San Bernardino County Superintendent of Schools					
COE Address 601 North E Street		COE City San Bernardino	COE Zip Code 92410		
Name of COE Superintendent Ted Alejandre		Superintendent Phone Number (909) 386-2406	Superintendent E-mail Ted.Alejandre@sbcss.net		
Pursuant to EC Section 56140, including those enrolled in alterropportunity schools and classes	I certify that this plan ensures that native education programs, includired, community day schools operated court schools, will have access to	ng but not limited to, alternative so I by school districts, community so	hools, charter schools, hools operated by the county		
Signature of County Superintendent or Authorized Representative		Date (1/29/17			
4. Certification of the Community Advisory Committee					
(Complete Form SED-LP-2)					
For Department of Education Use Only					
Recommended for Approval by to Date:	the Superintendent of Public Instru By:	icuon:	Approval Date:		

California Department of Education Form SED-LP-2 (Revised 3/2016)

Special Education Division

Certification of Participation, Compatibility, and Compliance Assurances

Community Advisory Committee Certification					
CAC Compliance Verification	Yes	No			
The Community Advisory Committee (CAC) has advised the policy and administrative agency during the development of the Local Plan pursuant to California <i>Education Code</i> (<i>EC</i>) Section 56194.	V				
To ensure adequate and effective participation and communication pursuant to <i>EC</i> 56195.9, parent members of the CAC, or parents selected by the CAC, participated in the development and update of the Local Plan for special education.					
The plan has been reviewed by the CAC, and the committee had at least 30 days to conduct this review, prior to submission of the Local Plan to the Superintendent pursuant to <i>EC</i> 56205(b)(6).					
The CAC has reviewed any revisions made to the Local Plan as a result of recommendations or requirements from the California Department of Education.	~				
Certifying Signature					
Name of Chairperson (print) ORISTINA DURAN	Phone (760 221-5	048			
Signature of CAC Chairperson Lustine June	5-// -/	7			

If you checked [✓] "No" for any of the above certifications, you may submit specific information, in writing, as to why you did not certify that the special education local plan area (SELPA) met the requirement. (Attach a separate sheet, if necessary.) The Department will take this into consideration in its review of this Local Plan application.

Figure 2 - CDE Certification of Participation, Compatibility, and Compliance Assurances - Community Advisory Committee

JENAE HOLTZ, CEO SPECIAL EDUCATION LOCAL PLAN AREA LOCAL EDUCATION AGENCY (LEA) ASSURANCE STATEMENT

1. FREE APPROPRIATE PUBLIC EDUCATION, 20 U.S.C. § 1412(a)(1)

It shall be the policy of this LEA that a free appropriate public education is available to all children residing in the LEA including those that are out of geographic boundaries between the ages of three through 21 inclusive, including students with disabilities who have been suspended or expelled from school. The Charter SELPA will have a policy in place that assures compliance for the out of geographic region charter schools.

2. FULL EDUCATIONAL OPPORTUNITY, 20 U.S.C. § 1412(a)(2)

It shall be the policy of this LEA that all students with disabilities have access to educational programs, nonacademic programs, and services available to nondisabled students.

3. CHILD FIND, 20 U.S.C. § 1412(a)(3)

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 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. The Charter SELPA will assure that there is a process in place for the out of geographic region charter schools to be in compliance with this requirement.

4. INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP), 20 U.S.C. § 1412(a)(4)

It shall be the policy of this LEA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability who requires special education and related services in order to

benefit from his/her individualized education program. It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions. The Charter SELPA will have in place a means of reporting this information for the individual charter schools in the same manner as the other member LEAs.

5. LEAST RESTRICTIVE ENVIRONMENT, 20 U.S.C. § 1412(a)(5)

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 class, separate schooling, or other removal of a student with disabilities from the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in general classes with the use of supplemental aids and services cannot be achieved satisfactorily.

6. PROCEDURAL SAFEGUARDS, 20 U.S.C. § 1412(a)(6)

It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process. The Charter SELPA will monitor the compliance for the out of geographic region charter schools.

7. EVALUATION, 20 U.S.C. § 1412(a)(7)

It shall be the policy of this LEA that a reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate.

8. CONFIDENTIALITY, 20 U.S.C. § 1412(a)(8)

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 (FERPA). The Charter SELPA will monitor the compliance for out of geographic region charter schools.

9. PART C TRANSITION, 20 U.S.C. § 1412(a)(9)

It shall be the policy of this LEA that a transition process for a child who is participating in Early Intervention Programs (IDEA, Part C) with an IFSP is begun prior to a toddler's third birthday. The transition process shall be smooth, timely, and effective for the child and family. The Charter SELPA will assure that there is a process in place to comply with this requirement for all out of geographic region charter schools.

10. PRIVATE SCHOOLS, 20 U.S.C. § 1412(a)(10)

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 schools by their parents. The Charter SELPA will assure that all out of geographic region charter schools will have a policy in place that complies with this requirement.

11. LOCAL COMPLIANCE ASSURANCES, 20 U.S.C. § 1412(a)(11)

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 with meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act (IDEA), the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California Education Code, part 30.

12. INTERAGENCY, 20 U.S.C. § 1412(a)(12)

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 FAPE are provided, including the continuation of services during an interagency dispute resolution process.

13. GOVERNANCE, 20 U.S.C. § 1412(a)(13)

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 Educational Agency.

14. PERSONNEL QUALIFICATIONS, 20 U.S.C. § 1412(a)(14)

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, including 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.

15. PERFORMANCE GOALS, 20 U.S.C. § 1412(a)(15)

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.

16. PARTICIPATION IN ASSESSMENTS, 20 U.S.C. § 1412(a)(16)

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

17. SUPPLEMENTATION OF STATE/FEDERAL FUNDS, 20 U.S.C. § 1412(a)(17)

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; will be used to supplement and not to supplant state, local, and other federal funds.

18. MAINTENANCE OF EFFORT, 20 U.S.C. § 1412(a)(18)

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 law and regulations.

19. PUBLIC PARTICIPATION, 20 U.S.C. § 1412(a)(19)

It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

20. RULE OF CONSTRUCTION, 20 U.S.C. § 1412(a)(20)

(Federal requirement for State Education Agency only)

21. STATE ADVISORY PANEL, 20 U.S.C. § 1412(a)(21)

(Federal requirement for State Education Agency only)

22. SUSPENSION/EXPULSION, 20 U.S.C. § 1412(a)(22)

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 revised.

23. ACCESS TO INSTRUCTIONAL MATERIALS, 20 U.S.C. § 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 Standards.

24. OVERIDENTIFICATION AND DISPROPORTIONALITY, 20 U.S.C § 1412(a)(24)

It shall be the policy of this LEA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

25. PROHIBITION ON MANDATORY MEDICINE, 20 U.S.C. § 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 Substance Act as a condition of attending school or receiving a special education assessment and/or services.

26. DISTRIBUTION OF FUNDS, 20 U.S.C. § 1411(e), (f)(1-3)

(Federal requirement for State Education Agency only)

27. DATA, 20 U.S.C. § 1418(a-d)

It shall be the policy of this LEA to provide data or information to the CDE that may be required by regulations.

28. READING LITERACY, STATE BOARD REQUIREMENT, 2/99

It shall be the policy of this LEA that in order to improve the educational results for students with disabilities, SELPA Local Plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative.

29. CHARTER SCHOOLS, CALIFORNIA EDUCATION CODE § 56207.5(a-c)

It shall be the policy of this LEA that a request by a charter school to participate as a LEA in a special education local plan area may not be treated differently from a similar request made by a school district.

In accordance with federal and state laws and regulations, the Charter SELPA certifies that this plan has been 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 herein represented will meet all applicable requirements of state and federal laws, regulations and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., and implementing regulations under 34 C.F.R., Parts 300 and 303, 29 U.S.C. § 794, 705(20), 794-794b, the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California Education Code, Part 30 and Chapter 3, Division 1 of Title V of the California Code of Regulations.

Be it further resolved, the LEA Superintendent shall administer local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance.

Furthermore, the LEA Superintendent ensures that policies and procedures covered by this assurance statement are on file at the LEA at the SELPA office.

Adopted this	day of	, 20	
Signed:			

Ted Alejandre County Superintendent of Schools

I. PURPOSE

The Desert/Mountain Charter Special Education Local Plan Area (Charter SELPA) is composed of participating local education agency charter schools (LEAs) and is the governance structure responsible for the implementation of the provisions of the Local Plan. By participating in the Charter SELPA, each LEA agrees to carry out the duties and responsibilities assigned to it, or which may be designated at a later date through agreement of the participating LEAs within the Local Plan. The LEA members of the Charter SELPA have agreed to participate in the California Association of Health and Education Linked Professions, aJoint Powers Authority (CAHELP JPA). The Governance Council of the CAHELP JPA has the responsibility for designating a responsible local agency or alternative administrative entity from among participating LEAs of the CAHELP JPA to perform functions essential to the coordination and implementation of the Local Plan.

The function of the Special Education Local Plan Area and participating LEAs is to provide a quality educational program appropriate to the needs of each eligible child with a disability who is enrolled in an LEA of the Charter SELPA. Participating LEAs may enter into additional contractual arrangements to meet the requirements of applicable federal and state law (Education Code § 56195.1).

All such programs are operated in a cost effective manner consistent with the funding provisions of Education Code § 56700 et seq., the Individuals with Disabilities Education Act (IDEA), all other laws and policies, and the procedures of the Charter SELPA.

The CAHELP JPA, through the Governance Council, is the governing body of the Charter SELPA. The CAHELP JPA Governance Council may consider changes or amendments to the permanent portion of the Local Plan at any time. The CAHELP JPA Governance Council may adopt amendments to the permanent portion of the Local Plan on an interim basis, which is not to exceed one school year. Amendments approved in this manner shall become permanent upon subsequent approval by the Charter Executive Council, all LEA governing boards, and the California State Board of Education.

II. CHANGES IN THE GOVERNANCE STRUCTURE

Any changes in the governance structure of the Charter SELPA, including the dividing of the SELPA into more than one operating entity, changing the designation of and/or responsibilities of the Responsible Local Agency (RLA), are subject to specific provisions of Education Code §§ 56140, 56195 et seq., 56195.7 et seq., and 56205 et seq.

1. Any local agency which is currently designated as a LEA participating in the Charter SELPA may elect to pursue an alternative option from those specified in Education Code § 56195.1, by notifying the appropriate County Superintendent at least one year prior to the date the alternative plan would become effective (Education Code § 56195.3(b)).

- 2. Approval of a proposed alternative plan by the appropriate County Superintendent may be based on the capacity of the LEA charter(s) to ensure that special education programs and services are provided to all children with disabilities (Education Code § 56140(b)).
- 3. If an alternative plan is disapproved by a County Superintendent, the County Office shall return the plan with comments and recommendations to the LEA charter(s). The charter or charters participating in the alternative plan may appeal the decisions to the Superintendent of Public Instruction (Education Code § 56140(b)(2)).
- 4. Disagreements among the participating agencies of the Charter SELPA are attempted to be resolved within the standard operating procedures and committee structure. If not resolved at a lower committee level, the issue would come to the CAHELP JPA Governance Council for discussion and resolution.

III. DISPUTE RESOLUTION (EDUCATION CODE SECTION 56205(b)(a)

In the event of a disagreement regarding the distribution of funding, responsibility for service provision and any other governance activities specified within the Local Plan, it is the intent of the CAHELP JPA Governance Council that issues be resolved at the lowest level possible in the governance structure outlined in the Local Plan. The CAHELP JPA Governance Council is considered to be the board of last resort. This policy is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

If a LEA, including those that are out of geographic boundaries, disagrees with a decision or practice of another agency or the Charter SELPA Office, that LEA charter(s) has a responsibility to discuss and attempt resolution of the disagreement with the party or parties directly involved. The parties involved will present the issues to their respective Superintendent/CEO or designee, who will attempt to resolve the matter. Either party may request the direct assistance of the CAHELP CEO or his/her designee, or the services of a neutral mediator from outside the Charter SELPA. In the event the issue cannot be resolved either party may request review by the Charter Special Education Steering Committee or Charter Executive Council, as appropriate. If the issue cannot be resolved with the recommendation of the Charter Special Education Steering Committee or Charter Executive Council, either party may request that the issue be placed on the agenda of the CAHELP JPA Governance Council for a hearing on the issues and ultimate resolution. The decision of the CAHELP JPA Governance Council shall be final.

IV. GOVERNANCE STRUCTURE OF THE PLAN

Education Code § 56200 (c)(2) requires that the Local Plan "specify the responsibilities of each participating county office and district governing board in the policy-making process, the responsibilities of the Superintendent of each participating district and county in the implementation of the Local Plan, and the responsibilities of district and county

administrators of special education in coordinating the administration of the plan." In accordance with this provision, the Charter SELPA has developed the following governance structure, policy development, and approval process.

The governing board for each Charter LEA and the County Superintendent of Schools approves the Agreement for Participation and the Local Plan for Special Education. As described within those documents, the Boards of Directors of the Charter LEAs delegate the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the Charter SELPA.

A. Responsibilities of each Governing Board in the Policy-making Process and Procedures for Carrying out the Responsibility

The governing board for each Charter LEA and the County Superintendent of Schools approves the Agreement for Participation and the Local Plan for Special Education. As described within those documents, the Boards of Directors of the charter schools delegate the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the Charter SELPA.

B. Responsibilities of Chief Executive Officers (CEOs) – CAHELP JPA Governance Structure

The CAHELP JPA Governance Council is comprised of the Superintendent/Chief Executive Officer (CEO) representing each of the LEA members of the Desert/Mountain SELPA, and two (2) CEO representatives from the Charter SELPA. A CEO representing multiple LEAs shall count as a signle member of the Governance Council. Each member of the Governance Council shall have one vote. Each member of the Governance Council may designate in writing an alternate representative, including but not limited to, another member of the Governance Council ("proxy"), if the Superintendent/CEO or CEO is unable to attend a meeting, which designated alternate representative or designee shall have the full authority of the designating Superintendent/CEO or CEO for the purpose of decision-making. Such designation must be received by the CEO prior to the commencement of a scheduled meeting of the Governance Council, and shall be good only for that meeting. One-third of the members, represented in person or by proxy, shall constitute a quorum at a meeting of members. The number of members of the Governance Council, terms of office, and the appointment of other advisory bodies or committees, shall be governed by the Bylaws.

Efforts will be made to ensure the committee has representation in a variety of areas, e.g., various geographical areas of the Charter SELPA, single charter, large charter, small charter, original founding members, or new members.

The Governance Council is empowered to establish or to participate in the establishment of a system for determining the responsibility of member agencies for the education of each child with a disability and to designate an administrative entity

to perform such regionalized functions as the receipt and distribution of all SELPA funds and provisions of administrative support, and coordination of the implementation of the Local Plan for the education of children with disabilities, and to undertake such ancillary and related programs as determined by the Governance Council. The Governance Council shall determine all policy matters for the CAHELP IPA.

The CAHELP JPA Governance Council is responsible for:

- 1. Approval of policy for special education programs and services that relate to the Charter SELPA;
- 2. Approval of requests to the risk pool, as appropriate;
- 3. Addressing specific needs of individual Charter LEAs as the need arises;
- 4. Organizing the subcommittees as necessary to meet special needs of the Charter SELPA; and
- 5. Receiving and reviewing input from the Community Advisory Committee (CAC).

Minutes of the CAHELP JPA Governance Council meetings are transmitted to the full membership of the CAHELP JPA, including the separate governing bodies of the Desert/Mountain SELPA and Charter SELPA. In addition, financial issues regarding special education and other issues which should be considered by the CAHELP JPA Governance Council shall be placed on the agenda for discussion and/or action at the scheduled meetings.

Policies governing the Charter SELPA shall be adopted by the CAHELP JPA Governance Council and are included as part of the Local Plan. Input may be received from parents, staff, public, and nonpublic agencies and members of the public at large. Individuals wishing an opportunity to address the CAHELP JPA Governance Council on a particular agenda item or have the Board consider a topic are invited to complete a Request to Address the CAHELP JPA Governance Council form.

The CAHELP JPA Governance Council shall review the Charter SELPA Local Plan and recommend modifications as necessary. The CAHELP CEO Charter SELPA Executive Council, and the Charter Special Education Steering Committee shall assist the CAHELP JPA Governance Council with these reviews.

The CAHELP JPA Governance Council may initiate and carry on an activity, or may otherwise act in any manner which is not inconsistent with or preempted by law, and which is not in conflict with the purposes for which the CAHELP JPA is established.

The CAHELP JPA Governance Council shall have responsibility for overall management and direction of the Local Plan development, implementation, and operation. CAHELP JPA Governance Council members shall be involved in the budget review and approval process for the Local Plan. The County Superintendent of Schools as the current RLA, subject to change at the direction of the CAHELP JPA Governance Council, shall have responsibility for employing the number and type of SELPA staff to meet the program and service requirements necessary for the implementation of the Charter SELPA Local Plan as determined by the CAHELP JPA Governance Council.

C. Charter CEO Executive Officer's Council

The Charter Executive Council is comprised of a representative from each Charter LEA in the Charter SELPA at the CEO level. Organizations that operate more than one Charter LEA have a single representative for all Charter LEAs. Each CEO has one vote for the Charter LEA he/she represents. The Charter Executive Council makes recommendations to the CAHELP JPA Governance Council on fiscal and policy matters. This group meets regularly to direct and supervise the implementation of the Local Plan.

D. Rationale for a Charter SELPA

Charter schools are required to provide special education programs and services for students who attend their schools. Charter schools must be members of a SELPA. The State Board of Education allows for charter schools to participate as a LEA in an out of geographic area SELPA. The State Board of Education also recognizes the need for Charter SELPAs in various regions throughout California.

The Charter SELPA effectively and efficiently supports the membership of Charter LEAs and their implementation of appropriate and compliant special education services. This Local Plan addresses the required elements needed to support the Charter LEAs.

1. Charter School Admission Criteria:

It is the intent of the Charter SELPA to provide options for charter schools in terms of SELPA membership. While it is always preferable for a charter school to participate with their geographic SELPA, the Charter SELPA has been developed to allow for a viable alternative for SELPA membership. Therefore, there are specific criteria which must be met in order for a charter school to be considered for membership in the Charter SELPA.

a. Charter schools must give a one-year notice of intent to leave their current SELPA. Schools must also notify the California Department of Education (CDE), Special Education Division;

- b. During the one-year notice period, the charter school must work collaboratively with its geographic SELPA and the Charter SELPA to mitigate the differences in order to determine if remaining in the geographic SELPA is a viable alternative. These attempts may be directly facilitated by Charter SELPA administrative staff;
- c. The reason for the charter school to leave their geographic SELPA must not primarily be a fiscal decision. The primary reasons must be a desire for increased access to appropriate special education services and a desire to implement quality programs for students with disabilities; and
- d. The Charter SELPA firmly believes in adherence to State Standards for all students. Therefore, charter schools wishing to join this SELPA must ensure that State Standards are strictly followed in their programs. Charter SELPA members will be subject to the same self-review and monitoring process as the Charter SELPA in general.

2. Admission to the Charter SELPA:

- a. <u>Process</u>: Charter schools will follow the Education Code requirements when submitting applications for review to the Charter SELPA Review Committee. The Charter SELPA Review Committee is comprised of:
 - Charter SELPA Administrator;
 - A representative selected by the Charter SELPA Executive Council; and
 - A representative of the Charter SELPA Executive Council selected by the Charter SELPA Administrator.
- b. <u>Criteria for Admission</u>: The Charter SELPA Review Committee will develop criteria by which each application will be reviewed and rated. The criteria will include legal requirements and key indicators that ensure that the charter school can implement the legal requirements within the Local Plan and provide a quality educational program for all children.

E. Full Continuum of Services

Both state and federal law provide that students with disabilities are entitled to a free appropriate public education (FAPE) that includes special education and related services to meet their unique needs in the least restrictive environment (LRE). Each Charter SELPA member must ensure that all children served under their jurisdiction who have disabilities, regardless of the severity of their disability, and who are in

need of special education and related services, are identified, located, evaluated, and served. Therefore, a full continuum of services are available within the Charter SELPA.

Members of the Charter SELPA are expected to be somewhat diverse geographically. Given this fact, the Local Plan provides funding per the Charter SELPA Fiscal Allocation Plan to the charter schools so that they may appropriately provide for all students with special education needs attending their schools. This obligation can be met in several ways, which may include:

- 1. Hiring appropriately credentialed special education staff to provide necessary services;
- 2. Contracting with its geographic SELPA to provide the necessary services; or
- 3. Contracting with a private entity to provide all necessary personnel to appropriately implement IEPs.

These methods of providing necessary services may be used by a single school in the Charter SELPA, or several schools within the Charter SELPA could join together to provide the services.

F. Evaluation

Education Code § 56600 was written, in part, to ensure that SELPAs participate with all state efforts to provide for ongoing comprehensive evaluation of special education programs in order to refine and improve programs, policies, regulations, guidelines, and procedures on a continuing basis, and to assess the overall merits of these efforts.

The Charter SELPA annually submits all information required by the CDE, Special Education Division, in this effort, including statistical data, program information, and fiscal information related to the programs and services for children with disabilities in the Charter SELPA.

The Charter SELPA administration is responsible for collecting all data required by the CDE related to special education budgets and services, and reports them annually.

Charter SELPA staff supports all members of the Charter SELPA in the collection of data related to compliance, due process procedures, availability of services, key performance indicators, etc., as needed.

G. Data Collection and Development of Management Information Systems

The CDE requires of each SELPA the collection of specified data in such a manner as to be aligned with the CASEMIS – California Management Information System.

The Charter SELPA has adopted and implemented a data collection and storage system that provides for the management and reporting of required data for state and federal systems. The Charter SELPA continues to work with the CDE's CASEMIS to collect and report all required data related to special education student, fiscal and program services, and to provide other pertinent information necessary for the operation of the Charter SELPA.

The Charter SELPA staff supports all the Charter LEA members in the Charter SELPA in their collection and reporting of required data.

The Charter SELPA staff strives to support a system, which is responsible to the data needs of the Charter LEA members.

The Charter SELPA staff implements a continuous improvement model of data collection.

H. Provision of Ongoing Review of Programs

The state has in place a system for review of the special education programs in the districts. It is the responsibility of the Charter SELPA to support the delivery of effective programs and services in its districts, to support a continuum of appropriate service options, to improve the quality of the programs offered, and to monitor them and participate in review processes, including the Annual Performance Reports and other required state measures. The Charter SELPA will also monitor compliance with the procedural safeguards, complaint processes, mediation, and due process procedures.

The Charter SELPA endeavors first to provide adequate information, resources, and support to all Charter LEA members, so that they may deliver compliant, quality services. Further, the Charter SELPA staff, under the direction of the CAHELP JPA Governance Council, Charter Executive Council, and in conjunction with CAC, participates in all state review processes and any local review processes to ensure that appropriate and necessary services are offered for all children with disabilities and to support continuous improvement of those services.

The Charter SELPA ensures that adequate information related to all areas of compliance is available to all Charter LEA members.

The Charter SELPA ensures the availability of a full continuum of options, supplemental aids and services, and regionalized programs, for all children with disabilities, including low incidence, severe, and non-severe.

I. Process for Allocating Program Specialist Service throughout the Region

The Charter SELPA currently employs program specialist(s). In addition, in accordance with Education Code § 56780, all coordination responsibilities for

program specialist services as outlined, are fully supported through the governance structure of the Charter SELPA. This includes the administrative staff, program specialist services, Charter Special Education Steering Committee, Charter Executive Council, and the CAHELP JPA Governance Council.

Under the direction of the CAHELP CEO, the duties of program specialists are those specified in Education Code § 56368, and the Local Plan:

- 1. Assist special education service providers, Education Specialists, and Designated Instruction and Service instructors in the planning and implementation of IEPs for students with disabilities;
- 2. In conjunction with the CAHELP CEO, review and monitor compliance and program effectiveness;
- 3. Provide and conduct school staff development, program development, and innovation or special methods and approaches;
- 4. Provide coordination, consultation, and program development in areas to which the program specialist is assigned;
- 5. Assure that students have full educational opportunity, regardless of the LEA in the Charter SELPA;
- 6. Participate in IEPs at the request of LEA or parent; and
- 7. Assist LEAs with nonpublic, nonsectarian and state school placements when requested.

Safeguards for the assurance of appropriate use of regionalized funds are the responsibility of the CAHELP CEO and as approved by the governance structure. Program Specialists are employed by the RLA and supervised by the CAHELP CEO.

V. AGREEMENT FOR PARTICIPATION

The Desert/Mountain Charter Special Education Local Plan Area (SELPA) as authorized by the California State Board of Education assists California charter schools that have successfully completed the SELPA membership process and have signed this Agreement for Participation (Agreement) which are deemed Local Education Agencies pursuant to Education Code § 47641, in meeting their obligations to provide special education and related services (each term as defined in Title 20 of the United States Code § 1401 and the applicable rules, regulations, and interpretive guidance issued thereunder and collectively referred to as Services) to applying or enrolled students actually or potentially entitled to Services under applicable state and federal laws and regulations (Students). Charter SELPA membership also ensures compliance with the LEA member's obligations under Education Code § 56195, et. seq.

It is the goal of the Desert/Mountain Charter SELPA that all Students with exceptional needs within the Charter SELPA receive appropriate special education programs. It is the intent of the Charter SELPA that special education programs be coordinated and operated in accordance with the governance structure.

The respective Charter Schools who are signatories hereto, the Office of the San Bernardino County Superintendent of Schools, and the Desert/Mountain Charter SELPA, mutually agree as follows:

A. DEFINITIONS

LEA: As described in Education Code § 56026.3., a Local Education Agency is a school district, a county office of education, a nonprofit charter school participating as a member of a special education local plan area, or a special education local plan area.

RLA: As described in Education Code § 56030, a Responsible Local Agency is a school district or county office of education designated in the Local Plan as the administrative entity the duties of which shall include, but are not limited to, receiving and distributing regionalized service funds, providing administrative support, and coordinating the implementation of the Local Plan.

Federal regulations use the term "Administrative Unit" or "AU". For purposes of this agreement, the Office of the San Bernardino County Superintendent of Schools (SBCSS) shall be the RLA or AU for the Charter SELPA, subject to change at the discretion of the CAHELP JPA Governance Council.

CA HELP JPA Governance Council: This is group is comprised of the Superintendent/Chief Executive Officer (CEO) representing each of the LEA members of the Desert/Mountain SELPA, and two (2) CEO representatives from the Charter SSELPA. A CEO representing multiple LEAs shall count as a single member of the Governance Council. Each member of the Governance Council shall have one vote. Each member of the Governance Council may designate in writing an alternate representative, including but not limited to, another member of the Governance Council ("proxy"), if the Superintendent/CEO or CEO is unable to attend a meeting, which designated alternate representative or designee shall have the full authority of the designating Superintendent/CEO or CEO for the purpose of decision-making. Such designation must be received by the CEO prior to the commencement of a scheduled meeting of the Governance Council, and shall be good only for that meeting. One-third of the members, represented in person or by proxy, shall constitute a quorum at a meeting of members.

Efforts will be made to ensure the committee has representation in a variety of areas, e.g., various geographical areas of the Charter SELPA, single charter, large charter, small charter, original founding members, or new members.

<u>Charter Executive Council</u>: The Charter Executive Council is comprised of a representative from each Charter LEA in the Charter SELPA at the CEO level. Organizations that operate more than one Charter LEA have a single representative for all Charter LEAs. Each CEO has one vote for the Charter LEA he/she represents. The Charter Executive Council makes recommendations to the CAHELP JPA Governance Council on fiscal and policy matters.

Charter Special Education Steering Committee: This Steering Committee serves in an advisory capacity to the Charter SELPA Administrator. Each Charter School is entitled to select one representative for this committee – either a teacher or an administrator. Representatives commit to a full year of service, which would include meeting regularly for the purpose of advising the Charter SELPA Administrator and receiving and disseminating direct program/instructional information.

Special Education Community Advisory Committee (CAC): Each Charter LEA shall select a representative to participate in the Special Education Community Advisory Committee to serve staggered terms in accordance with Education Code § 56191 for a period of at least two years. Selected parents will be the parent of a child with a disability. CAC representative must be approved by the Charter SELPA governing board. The CAC will advise the Charter SELPA charter schools ("Local Plan") as well as provide local parent training options in accordance with the duties, responsibilities, and requirements of Education Code §§ 56190-56194.

Because of the geographic diversity within the Charter SELPA, meetings will be conducted using available technology.

<u>Individualized Education Program (IEP)</u>: A plan that describes the child's current abilities, sets annual goals, and describes the education services needed to implement their goals in accordance with Education Code § 56032. Charter LEAs will use the IEP documents in Web IEP for this plan.

IEP Team: A group of team members as defined in Education Code § 56341, who meet for the purpose of determining eligibility for special education and developing, reviewing, or revising a child's IEP and recommendations for special education services.

B. LEA MEMBER RESPONSIBILITIES AND DUTIES

Each Charter LEA member agrees that it is subject to the following nondelegable responsibilities and duties under this Agreement, all adopted Charter SELPA policies and procedures, the Local Plan, and governing federal and state laws and regulations (collectively, LEA Member Obligations), compliance with which is a condition precedent to membership, and continuing membership, in the Charter SELPA.

The Charter LEA member as a participant in the Local Plan shall perform the following and be exclusively responsible for all costs, charges, claims, and demands arising out

of, or related to, its own students and its respective programs operated by the Charter LEA member:

- 1. Adhere to the Local Plan and policies and procedures as adopted by the CA HELP JPA Governance Council;
- 2. Select, compensate, and determine the duties of the special education teachers, paraeducators, and other personnel as required to conduct the program specified in the Local Plan, and in compliance with state and federal mandates; charter schools may contract for these services;
- 3. Conduct and/or contract those programs operated by the Charter LEA Member in conformance with the Local Plan and the state and federal mandates;
- 4. Organize and administer the activities of the IEP teams, including the selection of Charter LEA member staff and who will serve as members of the IEP team in conformance with the Education Code § 56341 and in compliance with the Local Plan;
- 5. Organize and maintain the activities of the Resource Specialist Program in conformance with Education Code § 56362; Designated Instruction and Services in conformance with Education Code § 56363; and Special Classes and Centers in conformance with Education Code §§ 56364.1 and 56364.2; and in compliance with the Local Plan;
- 6. Provide facilities as required to house the programs conducted by the Charter LEA member;
- 7. Provide for the acquisition and distribution of the supplies and equipment for the programs conducted by the Charter LEA member;
- 8. Provide and/or arrange for such transportation services as may be required to provide the special education programs specified that are conducted by the Charter LEA member;
- 9. Cooperate in the development of curricula for classes and the development of program objectives with the AU. Cooperate in the evaluation of the programs as specified in the Local Plan, with the AU;
- 10. Cooperate in the development of the procedures and methods for communicating with the parents and/or legal guardians of individuals served in conformance with the provisions of the Local Plan, with the AU;

- 11. Provide for the documentation and reporting of assessment procedures used for the placement of individuals and the security thereof. Provide for the continuous review of placements and assessment procedures employed to insure their effectiveness and applicability, and insure the continued implementation and compliance with eligibility criteria;
- 12. Provide for the integration of individuals educated under this Agreement into the general education school programs and provide for evaluating the results of such integration according to specifications of the Local Plan;
- 13. Conduct the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the Local Plan;
- 14. Prepare and submit all required reports, including reports on student enrollment, program expenditures, and program evaluation;
- 15. Designate a person to represent the Charter LEA member on the Charter Special Education Steering Committee to monitor the implementation of the Local Plan and make necessary recommendations for changes and/or modifications;
- 16. Designate a representative for the Charter LEA member to serve on the Charter Special Education Community Advisory Committee, in accordance with Education Code §§ 56192-56193 and pursuant to the procedures established in the Local Plan;
- 17. Designate the Charter LEA member Superintendent/CEO or designee to represent the Charter LEA member on the CAHELP JPA Governance Council to supervise and direct the implementation of the Local Plan;
- 18. Receive special education funding from Charter SELPA in accordance with the allocation and budget plan;
- 19. It is understood that except as otherwise specifically agreed upon, from time to time, the RLA shall have no responsibility for the operation of any direct education program service of any kind;
- 20. Provide the RLA with the Charter LEA member's annual audit report, as conducted according to Education Code § 47605(b)(5)(l). Annual submission shall be made no later than January 31st. Charter LEA member further agrees to forward to the RLA copies of State Controller's Office communications regarding audit report corrective actions and a corrected audit report, if applicable. Should a Charter LEA

member be the subject of a Fiscal Crisis Management Assistant Tteam (FCMT) report or other agency review that indicates concern with the inappropriate use of funds, financial insolvency concerns, or programmatic or operational concerns, the Charter LEA member shall provide written notification to the RLA and the Charter SELPA Administrator.

A Charter LEA member contracting for external services, consistent with definitions included herein, shall do so only with a duly licensed and authorized entity or individual. The contract for services executed by the Charter LEA member and the external consultant or contractor shall include a clause stating the contractor or consultant agrees to defend and indemnify the Charter LEA member, Charter SELPA, RLA, and other indemnified parties in response to any claim arising from the contractor's or consultant's actual or alleged failure to provide services in conformity with these obligations. To access special education funding, the Charter LEA member must contract with CDE-certified nonpublic agencies/schools (NPA/S). With respect to external services and/or student placements, the Charter LEA member shall affirmatively monitor, assess, and to the extent necessary, intervene or manage such external placements or services in conformity to ensure that the Charter LEA member's obligations to the student are still being met.

C. AU/RLA DUTIES AND RESPONSIBILITIES

Pursuant to the provisions of Education Code § 56030 et seq., the RLA/AU, LEA, or county office of education designated in the Local Plan as the administrative entity the duties of which shall include, but are not limited to, receiving, and distributing Regionalized Services funds, providing administrative support, and coordinating the implementation of the Local Plan. In addition, the RLA/AU shall perform such services and functions that may include, but are not limited to, the following:

- 1. Act as agent for charters participating in the Local Plan as specified in the Local Plan. Receive, compile, and submit required enrollment reports and compute all special education apportionments as authorized under Education Code § 56836 et seq. Receive data from each Charter LEA member to compile and submit budgets for the programs and monitor the fiscal aspects of the programs conducted. Receive the special education apportionments of Regionalized Services as authorized under Education Code § 56836.02;
- 2. Coordinate with Charter LEA members in the development and implementation of a systematic method for referring and placing children with disabilities who reside in the Charter SELPA, including the methods and procedures for communication with parents and/or legal guardians of

children with disabilities according to the procedures in the Local Plan;

- 3. Assist Charter LEA members in assessing data and reviewing interventions prior to a referral to assess for special education. Review implementation of standards-based curriculum and provide for continuous evaluation of special education programs in accordance with the Local Plan;
- 4. Coordinate the organization and maintenance of the Charter Special Education Community Advisory Committee as part of the responsibility of the AU to coordinate the implementation of the Local Plan pursuant to Education Code § 56030. Provide for the attendance of designated members of the AU's staff at all regularly scheduled Charter Special Education Community Advisory Committee meetings;
- 5. Coordinate community resources with those provided by the Charter LEA members and the AU, including providing such contractual agreements as may be required;
- 6. Organize and maintain the Charter Special Education Steering Committee to monitor the operations of the Local Plan and make recommendations for necessary revisions, including, but not limited to:
 - a) Monitoring the application eligibility criteria throughout the Local Plan area;
 - b) Coordinating the implementation of the transportation for special education students;
 - c) Coordinating the system of data collection, management, and evaluation;
 - d) Coordinating personnel development and curriculum development for special education, including alternative dispute resolution;
 - e) Coordinating the identification, referral, assessment, instructional planning, and review procedures, including communication with parents and/or legal guardians regarding rights and responsibilities for special education;
 - f) Developing interagency referral and placement procedures; and
 - g) Evaluating the effectiveness of special education programs.
- 7. Support the CAHELP JPA Governance Council by attendance and participation of the County Superintendent and/or designee at meetings;

- 8. Provide for regular inservice training for AU and Charter LEA member staff responsible for the operation and conduct of the Local Plan. Regular inservice training may also be provided to CAC representatives;
- 9. Provide the method and the forms to enable Charter LEA members to report to the AU on student enrollment and program expenditures. Establish and maintain a student information system;
- 10. Provide reasonable assistance to the Charter LEA member upon request from the Charter LEA member administration, or individual cases, including, but not limited to:
 - a) Complaint issues;
 - b) Hearing issues; and
 - c) Identification of appropriate programs for specific pupils.
- 11. Perform other services reasonable and necessary to the administration and coordination of the Local Plan:
- 12. Receive special education funding and distribute funds in accordance with the Charter SELPA fiscal allocation and budget plan; and
- 13. Schedule a public hearing for purposes of adopting the Annual Service Plan and Annual Budget Plan.

Notwithstanding the participation in SELPA dispute resolution procedures, the county office of education has the responsibility to coordinate all local plans to ensure that all individuals residing within the county, including those enrolled in programs including, but not limited to charter schools, have appropriate access to special education programs and related services. In instances where a charter school serves children residing in a county that is different from the county of the LEA that authorizes the charter, the county office of education where the LEA that authorized the charter is located, is responsible for ensuring that those charter school children have appropriate access to special education programs and related services.

D. PROVISIONS OF THE AGREEMENT

- 1. Consistent with this Agreement each Charter LEA member shall have full and exclusive authority and responsibility for classifying employment positions within their respective Charter LEA member.
- 2. No Charter LEA Member may enter into any agreement, Memorandum of Understanding (MOU), or other undertaking that would bind or limit

independent decision-making on the same or similar matters by any other Charter LEA member.

- 3. The managerial prerogatives of any participating Charter LEA member shall not be infringed upon by any other participating Charter LEA member except upon mutual consent of an affected Charter LEA member(s), or unless as otherwise set forth by this Agreement.
- 4. Any Charter LEA Member may terminate its Charter SELPA membership at the end of the fiscal year next occurring after having provided 12 months' prior written notice as follows:
 - a. Prior initial written notice of intended termination to the RLA of at least one year, and
 - b. Final written notice of termination to the RLA no more than six months after the Charter LEA member's initial notice of intended termination.

The RLA County Superintendent of Schools may terminate any Charter LEA member's membership at the end of the fiscal year next occurring after having provided 12 months prior written notice as follows:

- a. Prior initial written notice of intended termination to the Charter LEA member of at least one year, and
- b. Final written notice of termination to the Charter LEA member no more than six months after the RLA's initial notice of intended termination.
- 5. Funding received by a Charter LEA member is subject to the elements of the allocation plan. The allocation plan is updated on an annual basis and approved by CAHELP JPA Governance Council. Funding is subject to administrative fees, set-aside provisions, differentiated funding in year one and year two, and the potential recapture provisions if funds are not spent. These details are outlined in the allocation plan.
- 6. The Charter LEA members and the AU shall continue to manage and operate programs in their respective Charter LEAs in accordance with Education Code § 56172.
- 7. The Charter Executive Council shall have the responsibility and right to monitor and correct any special education matter that affects the special education local plan area. AU staff shall be responsible for coordinating and informing the governance structure on any such matter.

- 8. The Charter LEA members and the AU will maintain responsibility for program administration for the service they provide. All administrative requirements that govern the unit will be in effect regarding special education services. The Superintendent and/or Administrators of Special Education in each Charter LEA member and in the AU will be responsible for the daily operation of their respective programs.
- 9. The student program placement is and shall remain the responsibility of the respective Charter LEA member. Student admission and transfer shall be determined in accordance with the Charter LEA, Charter SELPA and CAHELP JPA Governance Council policies and procedures established in accordance with the identification, assessment, instructional planning, and placement set forth in the Local Plan. Nothing contained herein shall be interpreted as providing automatic transfer rights to parents or students. The charter enrolling any student shall have the exclusive right to approve placement in any other agency. Each Charter LEA of service shall have the right to determine if such Charter LEA is able to provide a free appropriate public education for the student.
- 10. Supervision and other incidents of employment of special education staff will be the responsibility of the Charter LEA member or AU. Each Charter LEA member and the RLA shall have full exclusive and independent control over the development, change, implementation, and application of all evaluation procedures of their respective LEA Member or in the RLA as the case may be. All Charter LEA members shall have the full exclusive authority to recruit, interview, and hire special education staff as needed by such Charter LEA member to provide continuity and service to their special education students.
- 11. The Charter Executive Council shall review and make allocation plan recommendations. The allocation plan defines the distribution of state and federal funds within the Charter SELPA for the costs of providing special education programs. The CAHELP JPA Governance Council shall approve all changes. There is a legal requirement for a public hearing and adoption of an annual service and budget plan. This shall be done annually by the CAHELP JPA Governance Council. This Charter SELPA will not have any property tax allocations.

E. WARRANTIES AND REPRESENTATIONS

As a condition of membership, each Charter LEA member warrants and represents that at no time during such Charter LEA member's membership in the Charter SELPA shall any such Charter LEA member, directly or indirectly, provide special education funding for the benefit of a for-profit entity. All funding provided through the Charter SELPA shall be treated as a restricted funding source to be expended only for special

education or special education services. Nothing contained herein shall be interpreted as prohibiting any Charter LEA member from expending funds for nonpublic agency or nonpublic school purposes for the benefit of children served. There shall not be a conflict of interest between the Charter LEA member and the Charter Management Organization (CMO).

F. STANDARD OF CONDUCT

Each Charter LEA member, at all times, shall conduct itself in such a manner as to act in the best interests of all other Charter SELPA members. Charter LEA members shall not engage in any activity or enterprise which would tend to injure or expose the Charter SELPA or any of its members to any significant risk of injury or any kind. No Charter LEA Member shall undertake to independently act on behalf of the Charter SELPA or any of its members without express written authorization of the Charter SELPA.

G. RESERVATION OF RIGHTS

The RLA shall not be responsible for any Charter LEA member or Charter SELPA obligations or duties of any kind or nature except as explicitly set forth in this Agreement.

H. INDEMNIFICATION AND HOLD HARMLESS

To the fullest extent allowed by law, each Charter LEA member agrees to defend, indemnify, and hold harmless the Charter SELPA and other Charter SELPA LEA members, the Office of the San Bernardino County Superintendent of Schools, and each of their respective directors, officers, agents, employees, and volunteers (the Indemnified Parties), from any claim or, demand, damages, losses or expenses (including, without limitation, reasonable attorney fees) that arise in any manner from an actual or alleged failure by a Charter LEA member to fulfill one or more of the Charter LEA member's obligations except to the extent that such suit arises from the RLA's negligence.

Further, the Charter SELPA shall be responsible for holding harmless and indemnifying the RLA for any costs of any kind or nature arising out of, or related to, this Agreement other than as specifically contemplated herein, except to the extent that such cost arises from the RLA's negligence.

I. FULL DISCLOSURE

Except as otherwise prohibited by law, upon request by the Charter SELPA or any of its members, a Charter SELPA member shall provide any requested information, documents, writings, or information of any sort requested without delay.

READING LITERACY

The Charter SELPA and participating Charter LEA members are committed to the improvement of educational results for all students including those who require special education. The Charter SELPA shall ensure that special education students will actively participate in the California Reading Initiative to the maximum extend appropriate and in the least restrictive environment. In order to support this initiative, the Charter SELPA shall provide and/or facilitate staff development opportunities for special education instruction staff (as evidenced by annual professional development calendars) in at least the following areas of literacy:

- Information about current literacy and learning research;
- State-adopted curriculum standards and frameworks;
- Research-based instructional strategies for teaching reading to a wide range of diverse learners in order to improve literacy and increase participation of students with disabilities in statewide assessments.

Full access shall be afforded to students with disabilities to all required core curriculum including state-adopted core curriculum textbooks and supplementary textbooks, as well as instructional materials and support in order for students with disabilities to attain higher standards in reading.

The Reading Literacy policy applies to all Charter LEA members, including those that are out of geographic boundaries.

The Charter SELPA has adopted Policies and Administrative Regulations as outlined on the list on page 33. The policies set forth in full within this document are included to fulfill Local Plan document requirements.

A. List of Desert/Mountain Charter SELPA Policies and Administrative Regulations

- Chapter 1: Identification & Referral
- Chapter 2: Assessment & Evaluation
- Chapter 3: Instructional Planning & the Individualized Education Program (IEP)
- Chapter 4: Procedural Safeguards
- Chapter 5: Confidentiality & Student Records
- Chapter 6: Transition Services
- Chapter 7: Participation in Assessments
- Chapter 8: Suspension & Expulsion
- Chapter 9: Behavioral Interventions & Supports for Students with Disabilities
- Chapter 10: Charter SELPA Fiscal Allocation Plan
- Chapter 11: Admission of LEAs into the Charter SELPA
- Chapter 12: Low incidence Funding
- Chapter 13: Nonpublic Agency Nonpublic School Services
- Chapter 14: Independent Educational Evaluation
- Chapter 15: Extended School Year (ESY)
- Chapter 16: Civil Rights Protection and 504 Accommodations
- Chapter 17: Public Participation
- Chapter 18: Overidentification and Disproportionality
- Chapter 19: Personnel Qualifications
- Chapter 20: Eligibility Criteria
- Chapter 21: Conflict of Interest
- Chapter 22: Supports and Services
- Chapter 23: Provision of Healthcare Services

PARTICIPATING LOCAL EDUCATION AGENCIES (LEAs)

- Allegiance STEAM Academy Thrive
- Aveson Global Leadership Academy
- Aveson School of Leaders
- Ballington Academy for the Arts and Sciences
- Desert Trails Preparatory Academy
- Elite Academic Academy Lucerne
- Elite Academic Academy Adult Work Force Investment
- Encore High School, Riverside
- Encore Junior/Senior High School
- Julia Lee Performing Arts Academy
- LaVerne Elementary Preparatory Academy
- OCS South
- Odyssey Charter School
- Pasadena Rosebud Academy
- Pathways to College
- Taylion High Desert Academy