

LOS ANGELES UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION LOCAL PLAN

CHARTER SCHOOL POLICY

The Los Angeles Unified School District (LAUSD or District) has developed a *Policy for Charter School Authorizing and Administrative Procedures for Charter School Authorizing* which establishes a framework for how charter schools can work within the context of the single SELPA District for improved student learning for both students with disabilities and their non-disabled peers.

Charter schools are mandated by state and federal law to adhere to all of the provisions of the Individuals with Disabilities Education Act (IDEA) and state special education regulations to assure that all students with disabilities are accorded a free appropriate public education (FAPE).

All charter schools must adhere to all terms and conditions of the *Chanda Smith Modified* Consent Decree (MCD) and any other court orders and/or consent decrees imposed upon the LAUSD as they pertain to special education. Charter schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school's inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

The Innovation and Charter Schools Division provides guidance to existing and future charter developers, provides information to the public, recommends policy for approval by the District Superintendent and the Board of Education, and implements the vision, mission and policy of the District with regards to charter schools. The Division of Special Education, Charter School Unit, collaborates with the Innovation and Charter School Division to ensure that each charter petition meets federal and state mandates related to special education.

The District uses rubrics as evaluation tools to determine whether or not a program meets required criteria as well as the elements of Education Code § 47605. Petition language is provided to charter school petitioners to assist them in the development of the charter school petition and is used by the District to determine whether the needs of students with disabilities are addressed by the charter school petition.

Prior to LAUSD Governing Board approval, the charter school must either execute a Memorandum of Understanding (MOU) by and between the LAUSD and the charter school regarding funding of special education services consistent with the requirements of the LAUSD Special Education Local Plan Area (SELPA) Local Plan for Special Education or provide approved legal verification of membership in another state-approved SELPA with agreement to adhere to the LAUSD'S Modified Consent Decree requirements (see MOU execution requirements below). Additional items addressed in the MOU include: charter school special education responsibilities (i.e. general requirements, transferring

students, assessments, alternative placements, least restrictive environment, staffing requirement, student discipline/inclusion), procedural safeguards/due process hearings, complaints, funding of special education services (i.e. funding model guiding principal, calculation of special education fair share contribution, payment of fair share contribution, data supporting special education expenditures, phase-in of fair share contribution), and district responsibilities relating to charter school special education program. Charter schools who are considering joining another SELPA shall provide the required notification of intent to leave the SELPA at least one year and one day prior to the anticipated exit date (EC § 56195.3 [b]).

District-authorized charter schools permitted to participate in an out-of-District SELPA will be required to execute a MOU by and between the LAUSD and the charter school (if considered a Local Educational Agency) regarding the provision of special education services. The receiving out-of-District SELPA Local Plan must be provided to the District for review and must contain a commitment to ensure that all the District-authorized charter schools assume all responsibility for the students with disabilities that enroll in the charter schools and that the receiving SELPA is accountable for oversight, monitoring, and implementing the MCD requirements. A material amendment to the petition and Board approval will be required unless the issue is addressed at the time of charter petition renewal.

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code § 56195.1 (a) and intends to continue operating as a single-District SELPA as in the current structure but will now create two school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit. The Charter-operated schools will not have a LEA status but will function in a similar role in that each charter school will be responsible for all special education issues including services, placement, due process, related services, special education classes, and special education supports. Charter schools will apply for membership in the Charter-operated Program section of the SELPA. These schools will receive support from a Special Education Director for the Charter-operated Programs.

District-operated schools will continue to receive the supports and services that they currently receive from the Division of Special Education. Charter schools not meeting the criteria for admission to the Charter-operated Program section of the SELPA will remain under the District-operated Program section of the SELPA and will have two options for membership. These schools may act as a District-operated school for the purposes of special education or may choose to provide their own programs and services and be reimbursed for these services for these services based on a percentage of their general education fund contribution.

The reorganization of the SELPA will retain a central Administrative Unit to include Due Process, Fiscal/Program Accountability, Compliance and Nonpublic Schools and Agencies. The reorganization would not create a new administrative branch of the Division of Special Education but would utilize existing resources.

An Advisory Board consisting of five members appointed by the Board of Education (three recommended by the District-operated Programs; and two recommended by the Charter-operated Programs) provides charter-operated schools with a voice in the governance of special education in LAUSD. This Advisory Board will provide input, guidance and support to the SELPA Administrator in the Administrative Unit in coordinating programs and services across both District and charter schools. The Advisory Board will also inform the Superintendent and Board of Education regarding special education issues. The Advisory Board will operate by a set of by-laws approved by the Board of Education.

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