



El Dorado County

# Charter SELPA

Allocation Plan

2009

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**El Dorado County Office of Education**

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(approved 5/27/2009 by Charter SELPA CEO Council)

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## Charter SELPA Value Statement

The El Dorado County Office of Education has joined with several charter schools in order to effectively and efficiently support the implementation of appropriate and compliant special education services in charter schools. The newly formed Charter SELPA has established the following protocol for consideration of admission:

1. The Charter SELPA is designed to assist charter schools throughout California when they are approved by the State Board of Education as a statewide benefit charter or upon appeal and do not have a defined SELPA that has accepted them.
2. The Charter SELPA is additionally designed to assist charter schools that have been unable to develop a “workable” relationship in the area of special education with their authorizer and/or SELPA and have sought relief from the Charter SELPA . A one year notice of intent to leave their current SELPA is required, unless a shorter timeline is mutually agreed to by the current SELPA serving the charter school. During the one year notice period, the Charter SELPA will work collaboratively with the geographic SELPA to attempt to mitigate the differences in order to determine if remaining in the geographic SELPA is a viable alternative.
3. An application to the Charter SELPA shall be based on a desire for increased access to appropriate special education services and a desire to implement quality programs for students with disabilities, and not primarily fiscal concerns. An application shall be submitted to the Charter SELPA , which shall respond to specific criteria addressing the key indicators that would demonstrate the charter school’s capability of implementing quality educational programs for all children following researched best practices.
4. The Charter SELPA has established a Review Committee to consider applications for admission to the SELPA. The Review Committee includes a representative of the CEO Council, the El Dorado County Superintendent/designee, and a representative of a charter school selected by the El Dorado County Superintendent. The Committee shall review all applications for submission and determine whether the charter school requesting admission to the SELPA shall be admitted. The determination regarding admission to the SELPA shall include the term approved and any conditions related to admission. The Charter SELPA has further established the following value statements that help define the underpinnings of this organization:
  1. Charter schools participating in the Charter SELPA have the ability to recruit, select, and employ their own special education staff to meet the needs of their students.
  2. The Charter SELPA prides itself in providing full disclosure of information, particularly in the area of financial data, and in facilitating full participation of the charter school LEAs in decision making through the governance structure.
  3. The creation of the Charter SELPA has a goal to provide quality value added services to participating charter school LEAs by optimizing the economy of scale for services and eliminating unnecessary redundancy. By joining together and utilizing technological communication strategies, even with a wide geographic distribution of charter school LEAs, the Charter SELPA can achieve efficiency and maximize the utilization of limited resources.
  4. The Charter SELPA is striving to be a model for an alternative methodology for delivering special education services that are compliant and meet the letter and spirit of the law for providing a free appropriate public

education. In this regard, the Charter SELPA can serve as a research and development entity and establish credibility in pursuing other means and opportunities in providing services to eligible students.

5. It is hoped that the Charter SELPA will be recognized as a successful and creditable venture and can attract additional resources in order to expand implementation of model special education programs for charter schools.
6. The Charter SELPA has an interest in delivering tools and services that respond to the needs of charter schools and allows them to more expeditiously and appropriately provide special education programs and services.
7. On a long range basis, the Charter SELPA can hopefully have a positive impact on statewide concerns in the area of special education and serve as catalyst for solving issues by bringing greater efficiency, alternative strategies, and knowledge to the public discourse.

## Timeline for Allocation Plan and other related Financial Information

Information shall be shared with CEO Council & Finance Committee. It shall also be shared in email format with designated Charter financial staff as deemed appropriate by the CEO. Policy issues may arise during the year that require modification to the allocation plan. These shall be addressed by the CEO council on an as needed basis.

January 2009	2009-10 Financial Projection based on Governor's budget proposal 2008-09 Financial Projection Updated with P-1 ADA (and adjusted to reflect anticipated P-2 ADA) <i>Review percentage of identified pupil count to total population</i>
March 2009	2009-10 Financial Projection Updated based on 2009-10 estimated ADA 2008-09 Financial Projection (no changes anticipated) 2006-07/2007-08 prior year adjustments updated with CDE certifications (Feb)
May 2009	2009-10 Financial Projection Updated based on 2009-10 estimated ADA and May Revise 2008-09 Financial Projection updated with P-2 ADA Updated estimates of projected participants for next year
July	2009-10 Financial Projection Updated based on 2009-10 estimated ADA and anticipated final Budget 2008-09 Financial Projection updated with any P-2 ADA changes 2006-07/2007-08 prior year adjustments updated with CDE certifications (June)
September	2009-10 Financial Projection Updated based on 2009-10 estimated ADA (any budget changes)
November	2009-10 Financial Projection Updated based on 2009-10 estimated ADA (any budget changes)

### Other Data:

SELPA Budget Book review      Draft started in October and finalized by January  
This document contains end of year income and expenditure reporting, maintenance of effort for actual and budget, pupil count summary data, and staffing data.

## Charter SELPA CEO Council (Operations Council)

### Meeting Times:

Minimum of Four times per year with dates to be determined (Aspire home office – Oakland, CA)

### 2008-09 CEO Council Members

Charter/CMO	Name	Title
Aspire Public Schools	Don Shalvey	CEO
Altus Institute	Mary Searcy Bixby	President/CEO
Altus Institute	Lynn Alipio	Director
Edison	Gloria Galindo	CEO/Principal
Envision	Bob Lenz	CEO
Leadership Public Schools	Louise Bay Waters	CEO
Lifeline	Paula DeGroat	Director
Livermore Valley	Tara Aderman	Principal
Micro-Enterprise Charter	Marvin L. Smith	Director
Rocketship Education	John Danner	CEO

### EDCOE Support Staff:

Vicki Barber, Ed. D. County Superintendent	Emi Johnson, SELPA Director
Terena Mendonca, Associate Superintendent	Francie Heim, Consultant
Lisa Donaldson, Business Services Assistant	

### Council Focus

The Council is made up of Executive Charter representatives.

One of the primary tasks for the group is to develop, monitor, and review the SELPA financial allocation plan. Recommendations may come to the CEO council from the Finance committee and/or Steering committee. Detailed financial data will be provided at regular intervals to the CEO council that reflect the allocation plan guidelines.

We are required by law to develop a SELPA budget document that reflects income and expenditures for all LEAs in our SELPA. This Council will take lead in annually revising and modifying the SELPA budget document to ensure the document is an accurate and helpful reflection of how our resources are allocated. This comprehensive document is released in October in draft form and anticipated to be finalized in January.

The Allocation Plan document is a compilation of all the decision making over the years relative to how financial resources are to be allocated. This written document shall be updated annually. This Council takes lead in revising this Allocation Plan document.

The CEO council is further tasked with developing a strategic plan that includes membership, regional supports and services as well as development and approval of policies and procedures to ensure the SELPA is in compliance with state and federal requirements.

Decision making is typically done by consensus. Should voting be necessary on a particular matter, each charter LEA has a vote.

**Charter SELPA Finance/Executive Committee –**

**Meeting Times:**

As needed, first meeting 3/31/09

**2008-09 Charter Member Representatives**

Charter/CMO	Name	Title
Altus Institute	Mary Searcy Bixby	President/CEO
Altus Institute	Lynn Alipio	Director
Rocketship Education	John Danner	CEO
Leadership Public School	Louise Bay Waters	CEO

**EDCOE Support Staff:**

Vicki Barber, Ed. D. County Superintendent  
Emi Johnson, SELPA Director  
Terena Mendonca, Associate Superintendent  
Francie Heim, Consultant  
Lisa Donaldson, Business Services Assistant

**Committee Focus**

The Committee has been assigned tasks to develop recommendations to fine-tune the existing Allocation Plan formulas as well as identify key philosophical underpinnings to the allocation plan.

The Allocation Plan document is updated annually. This document is revised to reflect any changes that occurred throughout the year relative to the Charter SELPA Allocation Plan and ensure that all changes are incorporated in one document. This Committee makes recommendations to the CEO Council in revising this Allocation Plan document.

The committee is also charged with identifying strategies and key messages that need to be developed as we work with legislators on charter special education issues.

## Charter SELPA Steering Committee

### Meeting Times:

7 meetings a year usually 3<sup>rd</sup> Wednesday of the month

Rotating locations – time 10:00am

09/24/08, 10/22/08, 12/17/08, 02/18/09, 03/18/09, 04/22/09, 05/20/09

### 2008-09 Committee Members:

Charter/CMO	Name	Title
Aspire Public Schools	Alice Parker	Executive Director
Altus Institute	Tim Tuter	Site Coordinator
Edison	Gloria Galindo	CEO/Principal
Envision	Sue Shalvey	Vice President, Special Education
Leadership Public School	Joe Pacheco	Director of Special Education
Lifeline	Paula DeGroat	Director
Livermore Valley	Tara Aderman	Principal
Micro-Enterprise Charter	Marvin L. Smith	Director
Rocketship Education	John Danner	CEO
Altus Institute	Ginese Quann	Program Administrator

### Support Staff:

Emi Johnson - SELPA Director

### Committee Focus

The Committee is made up of charter special education administrators and charter representatives (administrators and/or teachers). They meet on a regular basis to develop implementation strategies and for the purpose of coordinating special education programs and services throughout the Charter SELPA. The primary tasks of the group are to develop programmatic policy recommendations regarding current issues/legal issues, review recommendations developed by Charter SELPA CEO Council and provide input, disseminate information to all charter programs SELPA-wide, form task forces to study an issue, develop a policy and bring recommendations to group, ensure all timelines for reports are adhered to and provide a forum for members to bring questions, items of interest or SELPA-wide needs to a larger group.

Decision making is typically done by consensus. Should voting be necessary on a particular matter, each charter LEA has a vote.

## Membership Review Committee

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, this 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 El Dorado Charter SELPA.

First priority will be given to new Charter Schools sponsored by the State Board of Education. The Charters that are sponsored by the State Board of Education are chartered as LEAs and are not automatically a member in a SELPA. Because of their LEA status the charters must apply for membership in a SELPA and some charter schools have been unable to reach agreement with the district or SELPA in obtaining this status.

The membership committee shall be comprised of three members; El Dorado County Superintendent, one person appointed by the County Superintendent, one person appointed by the CEO Council.

### Approval Timeline

Ongoing:	Applications for 2009-10 membership available
March 1, 2009	Applications must be submitted for expansion schools of current SELPA members
March 1, 2009	Applications for new members must be submitted to the El Dorado Charter SELPA
By April 1, 2009	Review Committee meets to consider all applications received and prepare recommendations for CDE for charters to be admitted.
April, 2009	Charter SELPA will prepare Local Plan Revision and submit to CDE County Board will take action regarding Local Plan revision
May, 2009	CDE review and notification to Charter SELPA regarding acceptance CEO Council notified of Review Committee actions and CDE actions
June 1, 2009	Charters will be notified by this date as to the status of their applications
July 1, 2009	Charter membership in the El Dorado County Charter SELPA begins

## El Dorado Charter SELPA Allocation Model

The allocation plan represents CEO council discussion which began when the Charter SELPA was a subset of EDCOE SELPA in 2006-07. In 2007-08, the SELPA became a state board approved Charter SELPA and was no longer a subset of EDCOE SELPA. Overall funding parameters changed as a result of the Charter SELPA being established. Charter CEO council discussion and decision making in 2007-08 and 2008-09 have further refined the formula.

### Core Principles:

- Stability and predictability of funding is critically important
- Timely and accurate projections with no surprises
- Timely and accurate distribution of cash
- Reasonable and consistent rationale developed with a standard of fairness and equitability
- Transparency

### Basic elements:

- Funding distributed based on ADA (see details below)
- Because ADA definitions on various funding may lag a year, funding distributions to members may result in NOT all members receiving funding at the same rate. Each funding allocation will be addressed separately with this principal in mind.
- Administrative component for EDCOE (10% with a decreasing scale to 5% as the SELPA grows)
- Some type of set aside to protect against future instability
- Program specialist/regionalized service dollars remain with the SELPA for services provided
- Recapture of unspent funds
- CMO Flexibility (ability to reallocation funds within the CMO to charters)

## Detailed Description of funding

### Definition of funding (Education Code)

**EC 47644.** For each **charter school** deemed a local educational agency for the purposes of **special education**, an amount equal to the amount computed pursuant to Section 56836.08 for the **special education** local plan area in which the charter school is included shall be apportioned by the Superintendent of Public Instruction pursuant to the local allocation plan developed pursuant to subdivision (i) of Section 56195.7 or Section 56836.05, or both. **If the charter school is a participant in a local plan that only includes other charter schools pursuant to subdivision (f) of Section 56195.1, the amount computed pursuant to Section 56836.11, as adjusted pursuant to the incidence multiplier set forth in Section 56836.155, shall be apportioned by the superintendent for each unit of average daily attendance reported pursuant to subdivision (a) of Section 56836.06.**

The major portion of funding for the Charter SELPA comes from state and federal sources.

The formula for the allocation model is divided into the following areas:

1. State Funding (including COLA)
2. Federal Funding

3. EDCOE Administrative Contract Services Fee
  4. Set Aside Pool
  5. Other Additional Funding (i.e. low incidence, mental health pre-referral)
  6. Cash-flow process (State and Federal)
  7. Other issues – recommendations pending to CEO council
- 1. STATE FUNDING (INCLUDING COLA)**

**State per ADA Amount**

CDE (California Department of Education) has determined that the Charter SELPA receives the statewide average target rate of **\$465.44** per ADA (2008-09 rate). This is the state portion of the average SELPA funding rate. There is a defined federal portion of \$152.46. Charters do not receive this amount.

This is in contrast to other SELPAs who have a defined rate that includes the state and federal piece, based on their unique rate, which typically ranges from \$600 to \$900+ per ADA and varies by SELPA. It should be noted that ALL SELPAs have their growth ADA funded at the \$465.44 rate.

**ADA Defined for state funding**

For purposes of basic rate funding, ADA is defined as current year ADA. Charter SELPA does not receive the greater of current year or prior year funding as would be the case for other SELPAs.

**COLA (cost of living adjustment)**

The budget act each year may provide for a funded COLA. The statewide target rate is increased by the COLA and will be distributed on a per ADA basis to Charter SELPA members

**2. FEDERAL FUNDING**

Federal funds are received and ADDED to the state funding. This is in contrast to other SELPAs, where federal funds are treated as a deduction from the entitlement.

The amount of funding for the SELPA varies each year, based on a complex formula of base amounts, plus special education student counts, plus poverty factors. The grant amount divided by prior year K-12 ADA of the SELPA translates to approximately \$90 per ADA.

**ADA defined for federal funding. Per CEO council action in February 2009:**

Distribution of federal funds will be based on prior year ADA. As a result, new charters will not receive federal funding in their first year with the SELPA.

2009-10 federal distribution of funds will be based on Charter SELPA K-12 2008-09 P-2 ADA. As a result, new charters and growth ADA in 2009-10, will not participate in federal funds distribution until 2010-11.

This distribution does not include any new dollars from the federal stimulus act that may potentially be received by the Charter SELPA

Note: a transitional hold harmless proposal was adopted for 2008-09.

**Background on Federal PL942-142/IDEA**

Each year the state of CA receives a grant amount for IDEA/PI94142 funds. The state distributes this to SELPAs on a formula that is based on a historical amount per SELPA from 1999, adjusted for the two other factors; special education students (population) and free and reduced count (poverty)

In order to determine the Charter SELPA Base, CDE goes back to the SELPA of origin (authorizing charter entity), and removes from their BASE an equivalent Special Education Pupil Count amount, and further adjusts by population and poverty. This calculation is done one year in arrears. Therefore a charter entering into the SELPA in 2009-10, does not have their IDEA/PI94142 funds adjustment made to the SELPA until 2010-11.

**3. EDCOE ADMINISTRATIVE CONTRACT SERVICES FEE**

A percentage of total funding is allocated to EDCOE for administrative contract services. This is a SELPA deduct prior to allocating funds to the charters. The fee is calculated based on both state and federal funding sources, but only state dollars will be transferred. The fee does not apply to specific grants, such as mental health pre-referral dollars. These funds combined with SELPA program specialist/regionalized service (PS/RS) dollars provide SELPA services as defined below in the description of PS/RS services.

As prior year recertification are performed, the administrative fee shall also be recalculated.

ADA	Admin Fee
4,000	10%
8,000	9%
10,000	8%
12,000	7%
14,000	6%
16,000	5%

**4. Set Aside Pool**

El Dorado County Office of Education SELPA Charter SELPA will maintain a Set Aside Contribution per LEA. This Set Aside contribution is for the protection of the SELPA as a whole entity. The Set Aside Contribution will not be utilized for any shared costs.

Examples of issues that might arise:

- An LEA receives cash flow per P-1 ADA and the LEA’s ADA drops dramatically or the LEA closes. The LEA is advanced more cash than earned in a fiscal year. The SELPA will need the Set Aside to protect the cash flow of the remaining LEA’s until the SELPA has recovered the overpaid funds.
- An LEA leaves the SELPA (or closes). A prior year amended ADA adjustment resurfaces, resulting in a prior year adjustment. The SELPA will use the set-aside fund to protect the cash flow of the remaining LEA’s until the SELPA has recovered the overpaid funds.
- Failure to meet Maintenance of Effort (still to be discussed)

The Set Aside contribution will be tracked per LEA. The contribution calculation will be based on a percentage of the current year’s entitlement (after the EDCOE administration is deducted) based on a declining scale. The

amount set aside in the prior year will be used as a beginning balance, and then when the current year's contribution is calculated, any amount overpaid to the Set Aside will be returned with the LEA's net distribution. As such, any amount additionally due will be deducted from the LEA's net distribution.

- 1<sup>st</sup> Year = 5%
- 2<sup>nd</sup> Year = 4%
- 3<sup>rd</sup> Year = 3%
- 4<sup>th</sup> Year and subsequent years = 2%

For those charters who are deemed "high risk", as determined by the executive committee, the contributions will be calculated based upon the "high risk scale". Criteria determining "high risk" may include, but not be limited to, length of time in Charter Schools, financial stability, and declining ADA (average daily attendance) history.

- 1<sup>st</sup> Year = 10
- 2<sup>nd</sup> Year = 7.5%
- 3<sup>rd</sup> Year = 5%
- 4<sup>th</sup> Year and subsequent years = 2%

The Set Aside Contribution is not returnable should the LEA leave the SELPA in year 1, year 2 or year 3. Any LEA leaving the SELPA after 4 years will have their set aside contribution returned if there are no outstanding financial obligations to the SELPA. The funds will be held for two years after the LEA leaves the SELPA. This two year hold is necessary to ensure that no prior year ADA adjustment by the LEA will impact the SELPA funding.

## 5. Other Additional Funding

### **Program Specialist/Regionalized Services funding (PS/RS) (Education Code 56836.23 & 56836.24)**

Program Specialist/Regional Services is funded at approximately \$15 per current year SELPA K-12 ADA. This funding is required by education code to provide SELPA services (outlined below). EDCOE uses these dollars (along with the administrative contract fee) to pay for a portion of staffing that include the SELPA director and other support staff. EDCOE may also contract with consultants to assist in carrying out the PS/RS functions.

**Pursuant to Education Code (56836.23 & 56836.24)**, the SELPA shall ensure that all functions listed below are performed in accordance with the description set forth in its local plan adopted:

- (a) Coordination of the special **education** local plan area and the implementation of the local plan.
- (b) Coordinated system of identification and assessment.
- (c) Coordinated system of procedural safeguards.
- (d) Coordinated system of staff development and parent and guardian **education**.
- (e) Coordinated system of curriculum development and alignment with the core curriculum.
- (f) Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism.
- (g) Coordinated system of data collection and management.
- (h) Coordination of interagency agreements.
- (i) Coordination of services to medical facilities.
- (j) Coordination of services to licensed children's institutions and foster family homes.
- (k) Preparation and transmission of required special **education** local plan area reports.

- (l) Fiscal and logistical support of the community advisory committee.
- (m) Coordination of transportation services for individuals with exceptional needs.
- (n) Coordination of career and vocational **education** and transition services.
- (o) Assurance of full educational opportunity.
- (p) Fiscal administration and the allocation of state and federal funds pursuant to Section **56836.01**.
- (q) Direct instructional program support that may be provided by program specialists in accordance with Section 56368.

**Low Incidence Materials and Equipment (EC 56836.22)**

Low incidence disabilities funding is based on the prior year December Pupil Count of the SELPA for students with specific disabilities (hearing impairments, vision impairments, and severe orthopedic impairments, or any combination thereof) times a rate of approximately \$400.

Pursuant to education code, these funds are to specialized books, materials, and equipment as required under the individualized **education** program for each pupil with low incidence disabilities, as defined in Section 56026.5. The SELPA shall ensure that the appropriate books, materials, and equipment are purchased, that the use of the equipment is coordinated as necessary, and that the books, materials, and equipment are reassigned to local educational agencies within the special **education** local plan area once the agency that originally received the books, materials, and equipment no longer needs them. It is the intent of the Legislature that SELPAs share unused specialized books, materials, and equipment with neighboring SELPA>

LEAs may submit to the SELPA a request for books, materials and equipment and/or request reimbursement for any students who qualify for these funds.

## Cash-flow Process

The cash-flow model is intended to ensure that estimates of cash-flow for special education are as accurate as possible. Money will be deposited in the administrating unit's general fund and warrants issued out to charters in a timely fashion, within a two day time period after received b y EDCOE.

## State Funding Cash-flow

For the months of July through January, funding received from CDE is based on prior year P-2. This method of funding means new charters entering the Charter SELPA and/or growth funding will not be received until P-1 certification in February. During the months of July through January, cash-flow to the charter SELPA members will be based on the CDE apportionment payment schedules and charters estimated P-2 ADA, but not to exceed CDE funded data. See 08-09 cash-flow July to January schedule below:

**2008-09 Charter SELPA State Distribution Cash Flow projections**

a	b	c	d	e	f	g	h	i	j
District	Cashflow Based on PY ADA	July 08	Aug 08	Sept 08	Oct 08	Nov 08	Dec 08	Jan 09	Total Dist Jul to Jan
		0.00900	0.12000	0.13100	0.08000	0.08000	0.08000	0.08000	
<b>Charters in SELPA 06-07</b>									
Edison Charter Academy	186,031	1,674	22,324	24,370	14,882	14,882	14,882	14,882	\$ 107,896
APS - Millsmont Elementary Academy	154,647	1,392	18,558	21,651	12,372	12,372	12,372	12,372	\$ 91,089
APS - Summit Charter Academy	178,103	1,603	21,372	24,934	14,248	14,248	14,248	14,248	\$ 104,901
APS - University Charter School	98,841	890	11,861	13,838	7,907	7,907	7,907	7,907	\$ 58,217
Envision Academy of Arts & Technology	46,452	418	5,574	6,503	3,716	3,716	3,716	3,716	\$ 27,359
LPS - Hayward	118,304	1,065	14,196	16,563	9,464	9,464	9,464	9,464	\$ 69,680
LPS - College Park	95,143	856	11,417	13,320	7,611	7,611	7,611	7,611	\$ 56,037
LPS - Richmond	123,900	1,115	14,868	17,346	9,912	9,912	9,912	9,912	\$ 72,977
LPS - San Jose	91,270	821	10,952	12,777	7,302	7,302	7,302	7,302	\$ 53,758
<b>Charters in SELPA 07-08</b>									
Rocketship One Public School of SJ	59,601	536	7,152	8,344	4,768	4,768	4,768	4,768	\$ 35,104
APS - Trinity Elementary School	76,937	692	9,232	10,771	6,155	6,155	6,155	6,155	\$ 45,315
APS - Clarendon Elementary School	61,938	557	7,433	8,671	4,955	4,955	4,955	4,955	\$ 36,481
Envision City Arts High of SF	135,268	1,217	16,232	18,937	10,821	10,821	10,821	10,821	\$ 79,670
Envision Metro Arts High of SF	120,803	1,087	14,496	16,912	9,664	9,664	9,664	9,664	\$ 71,151
Envision Arts of Hayward (Impact)	44,900	404	5,388	6,286	3,592	3,592	3,592	3,592	\$ 26,446
Lifeline Charter**	77,048	693	9,246	10,786	6,164	6,164	6,164	6,164	\$ 45,381
<b>Charters in SELPA 08-09</b>									
Livermore Valley Charter									
Charter School of San Diego									
Audeo Charter School									
APS - Millsmont Secondary Academy									
APS - CA College Preparatory Academy									
APS - Berkley Maynard Academy									
Micro-Enterprise Charter Academy (MECA)									
<b>Totals</b>	<b>1,669,186</b>	<b>15,020</b>	<b>200,301</b>	<b>232,009</b>	<b>133,533</b>	<b>133,533</b>	<b>133,533</b>	<b>133,533</b>	<b>981,462</b>

In February, CDE publishes the P-1 certification and funding for all current year P-1 ADA will begin through CDE's apportionment payment schedule. At that time, each charter's P-1 ADA will be reviewed and using historical trends to estimate P-2 ADA. Historical trends will be based on prior year's P-1 to P-2 ratios. New charters will not have historical ADA data, so the SELPA average ratio will be used. This estimated P-2 ADA will be used for cash-flow for the months of February through May. See below for 08-09 ADA trends and February through May cash-flow:

**2008-09 P-1 to P-2 Historical Ratios**

ADA Estimates	06/07 P-1 to P-2 %	07/08 P-1 to P-2 %	2 year P-1 to P-2 ratio
Edison Charter Acedemy	98%	99%	98.5%
APS - Millsmont Academy elem	99%	99%	98.9%
APS - Summit Charter Academy	99%	100%	99.3%
APS - University Charter School	99%	100%	99.6%
Envision Academy of Arts & Technology	94%	98%	96.3%
LPS - Campbell	98%	97%	97.5%
LPS - Hayward	97%	97%	97.2%
LPS - College Park (Oakland)	96%	97%	96.3%
LPS - Richmond	92%	97%	94.4%
LPS - San Jose	95%	95%	95.2%
Rocketship One Public School of SJ		100%	97.6%
APS - Port City Elementary School (Trinity)		103%	97.6%
APS - Clarendon Elementary School		101%	97.6%
Envision City Arts High of SF		99%	97.6%
Envision Metro Arts High of SF		95%	97.6%
Envision Arts of Hayward (Impact)		98%	97.6%
Lifeline Charter		101%	97.6%
Livermore Charter			97.6%
Charter School of SD			97.6%
Audeo Charter			97.6%
APS - Millsmont Secondary Academy			97.6%
APS - CA College Preparatory Academy			97.6%
APS - Berkley Maynard Academy			97.6%
Micro-Enterprise Charter Academy			97.6%
<b>Total</b>	<b>96.8%</b>	<b>98.5%</b>	
	2yr average	97.6%	

**2008-09 P-1 AB602 ADA (P-2 Estimated)**

ADA Estimates	08/09 Estimates (9/16)	08/09 P-1 Rptd (2/10/09)	CDE P-1 Cert (2-19-09)	Estimated to P-1 Variance	2 year P-1 to P-2 ratio	Estimated P-2
Edison Charter Acedemy	451.20	433.29	433.29	-17.91	98.5%	426.60
APS - Millsmont Academy elem	212.80	208.92	208.90	-3.88	98.9%	206.52
APS - Summit Charter Academy	435.00	431.30	431.30	-3.70	99.3%	428.13
APS - University Charter School	228.00	236.83	0.00	8.83	99.6%	235.83
Envision Academy of Arts & Technology	181.00	148.74	148.74	-32.26	96.3%	143.28
LPS - Campbell	0.00	0.00	0.00	0.00	97.5%	0.00
LPS - Hayward	372.00	392.53	392.53	20.53	97.2%	381.57
LPS - College Park (Oakland)	280.10	277.15	277.15	-2.95	96.3%	266.78
LPS - Richmond	275.30	316.83	316.83	41.53	94.4%	299.16
LPS - San Jose	242.00	266.45	266.45	24.45	95.2%	253.69
Rocketship One Public School of SJ	320.00	313.57	313.57	-6.43	97.6%	306.04
APS - Port City Elementary School (Trinity)	228.00	236.77	236.77	8.77	97.6%	231.09
APS - Clarendon Elementary School	182.00	187.24	187.24	5.24	97.6%	182.75
Envision City Arts High of SF	330.00	331.49	331.49	1.49	97.6%	323.53
Envision Metro Arts High of SF	260.00	199.35	199.35	-60.65	97.6%	194.57
Envision Arts of Hayward (Impact)	200.00	234.79	234.79	34.79	97.6%	229.16
Lifeline Charter	350.00	259.34	259.34	-90.66	97.6%	253.12
Livermore Charter	885.00	853.34	853.34	-31.66	97.6%	832.86
Charter School of SD	1,600.00	1,339.86	1,339.86	-260.14	97.6%	1,307.70
Audeo Charter	350.00	238.67	238.67	-111.33	97.6%	232.94
APS - Millsmont Secondary Academy	246.28	216.98	216.98	-29.30	97.6%	211.77
APS - CA College Preparatory Academy	188.94	188.89	188.89	-0.05	97.6%	184.36
APS - Berkley Maynard Academy	367.65	375.68	375.73	8.03	97.6%	366.66
Micro-Enterprise Charter Academy	110.00	53.47	53.47	-56.53	97.6%	52.19
<b>Total</b>	<b>8,295.27</b>	<b>7,741.48</b>	<b>7,504.68</b>	<b>-553.79</b>		<b>7,550.30</b>

2008-09 Charter SELPA State Distribution Cash Flow projections

	a	k	l	m	n	o	p	q
District	Est Feb Certification	Balance	Feb 09	Mar 09	April 09	May 09	Total Dist Jul to May	
		j - i	0.16667	0.16667	0.16667	0.16667		
<b>Charters in SELPA 06-07</b>								
Edison Charter Academy	\$ 174,874	\$ 66,978	11,163	11,163	11,163	11,163	152,548	
APS - Millsmont Elementary Academy	\$ 86,128	\$ (4,961)	(827)	(827)	(827)	(827)	87,781	
APS - Summit Charter Academy	\$ 175,346	\$ 70,445	11,741	11,741	11,741	11,741	151,865	
APS - University Charter School	\$ 96,583	\$ 38,366	(58,217)	Hold until CDE certifies ADA in SELPA				
Envision Academy of Arts & Technology	\$ 58,431	\$ 31,072	5,179	5,179	5,179	5,179	48,075	
LPS - Hayward	\$ 155,455	\$ 85,775	14,296	14,296	14,296	14,296	126,864	
LPS - College Park	\$ 108,950	\$ 52,913	8,819	8,819	8,819	8,819	91,313	
LPS - Richmond	\$ 122,422	\$ 49,445	8,241	8,241	8,241	8,241	105,941	
LPS - San Jose	\$ 103,588	\$ 49,830	8,305	8,305	8,305	8,305	86,978	
<b>Charters in SELPA 07-08</b>								
Rocketship One Public School of SJ	\$ 123,258	\$ 88,154	14,692	14,692	14,692	14,692	93,872	
APS - Trinity Elementary School	\$ 94,178	\$ 48,863	8,144	8,144	8,144	8,144	77,891	
APS - Clarendon Elementary School	\$ 74,516	\$ 38,035	6,339	6,339	6,339	6,339	61,837	
Envision City Arts High of SF	\$ 132,806	\$ 53,136	8,856	8,856	8,856	8,856	115,094	
Envision Metro Arts High of SF	\$ 81,236	\$ 10,085	1,681	1,681	1,681	1,681	77,875	
Envision Arts of Hayward (Impact)	\$ 92,304	\$ 65,858	10,976	10,976	10,976	10,976	70,350	
Lifeline Charter**	\$ 102,904	\$ 57,523	9,587	9,587	9,587	9,587	83,729	
<b>Charters in SELPA 08-09</b>								
Livermore Valley Charter	\$ 325,988	\$ 325,988	54,331	54,331	54,331	54,331	217,324	
Charter School of San Diego	\$ 511,843	\$ 511,843	85,307	85,307	85,307	85,307	341,228	
Audeo Charter School	\$ 91,176	\$ 91,176	15,196	15,196	15,196	15,196	60,784	
APS - Millsmont Secondary Academy	\$ 82,888	\$ 82,888	13,815	13,815	13,815	13,815	55,260	
APS - CA College Preparatory Academy	\$ 72,159	\$ 72,159	12,027	12,027	12,027	12,027	48,108	
APS - Berkley Maynard Academy	\$ 143,513	\$ 143,513	23,919	23,919	23,919	23,919	95,676	
Micro-Enterprise Charter Academy (MECA)	\$ 20,428	\$ 20,428	3,405	3,405	3,405	3,405	13,620	
<b>Totals</b>	<b>3,030,974</b>	<b>2,049,512</b>	<b>276,975</b>	<b>335,192</b>	<b>335,192</b>	<b>335,192</b>	<b>2,264,013</b>	

CDE will publish final P-2 certification exhibits in June for funding to be received in July. At this time, P-2 ADA will be used. A new entitlement is determined and is distributed less all payments received to date. Below is the 2007-08 P-2 cash-flow

	a	k	l	m	n	o	p	q	r	s	t	u	v
Charter Name	P-1 Feb 08 Certification	Total Dist Jul to Jan	Balance	Feb 08	Mar 08	April 08	May 08	Total Dist Jul to May	Certified P-2	Balance	June 08 Balance	Checks Issued 7/24/08	
			j - i	0.33333	0.16667	0.16667	0.16667			q-p			
<b>2007-08 Charter SELPA State Distribution Cash Flow</b>													
<b>Charters in SELPA 06-07</b>													
Edison Charter Academy	\$ 187,936	\$ 105,242	\$ 82,694	27,565	13,782	13,782	13,782	174,153	186,031	11,878	11,878	11,878	11,878
APS - Millsmont Academy	\$ 156,264	\$ 62,909	\$ 93,355	31,118	15,559	15,559	15,559	140,704	154,647	13,943	13,943	13,943	13,943
APS - Summit Charter Academy	\$ 178,041	\$ 92,842	\$ 85,199	28,400	14,200	14,200	14,200	163,842	178,103	14,261	14,261	14,261	14,261
APS - University Charter School	\$ 98,664	\$ 56,621	\$ 42,043	14,014	7,007	7,007	7,007	91,656	98,841	7,185	7,185	7,185	7,185
Envision Academy of Arts & Technology	\$ 47,044	\$ 14,174	\$ 32,870	10,957	5,478	5,478	5,478	41,565	46,452	4,887	4,887	4,887	4,887
LPS - Campbell	\$ 43,657	\$ 21,720	\$ 21,937	7,312	3,656	3,656	3,656	40,000	42,558	2,558	2,558	2,558	2,558
LPS - Hayward	\$ 120,916	\$ 47,989	\$ 72,927	24,309	12,155	12,155	12,155	108,763	118,304	9,541	9,541	9,541	9,541
LPS - College Park	\$ 97,671	\$ 41,325	\$ 56,346	18,782	9,391	9,391	9,391	88,280	95,143	6,863	6,863	6,863	6,863
LPS - Richmond	\$ 127,359	\$ 90,865	\$ 36,494	12,165	6,082	6,082	6,082	121,276	123,900	2,624	2,624	2,624	2,624
LPS - San Jose	\$ 95,085	\$ 49,147	\$ 45,938	15,313	7,656	7,656	7,656	87,428	91,270	3,842	3,842	3,842	3,842
<b>Charters in SELPA 07-08</b>													
Rocketship One Public School of SJ	\$ 59,699	\$ -	\$ 59,699	19,900	9,950	9,950	9,950	49,750	59,601	9,851	9,851	9,851	9,851
APS - Trinity Elementary School	\$ -	\$ -	\$ -	0	0	0	0	0	76,937	76,937	76,937	76,937	76,937
APS - Clarendon Elementary School	\$ -	\$ -	\$ -	0	0	0	0	0	61,938	61,938	61,938	61,938	61,938
Envision City Arts High of SF	\$ 136,497	\$ -	\$ 136,497	45,499	22,750	22,750	22,750	113,749	135,268	21,519	21,519	21,519	21,519
Envision Metro Arts High of SF	\$ 127,111	\$ -	\$ 127,111	42,370	21,185	21,185	21,185	105,925	120,803	14,878	14,878	14,878	14,878
Envision Arts of Hayward	\$ 45,967	\$ -	\$ 45,967	15,322	7,661	7,661	7,661	38,305	44,900	6,595	6,595	6,595	6,595
Lifeline Charter	\$ 76,200	\$ -	\$ 76,200	25,400	12,700	12,700	12,700	63,500	77,048	13,548	13,548	13,548	13,548
<b>Totals</b>	<b>1,598,111</b>	<b>582,834</b>	<b>1,015,277</b>	<b>338,426</b>	<b>169,212</b>	<b>169,212</b>	<b>169,212</b>	<b>1,428,896</b>	<b>1,711,744</b>	<b>282,848</b>	<b>282,848</b>	<b>282,848</b>	<b>282,848</b>

### Federal Funding Cash-Flow

The SELPA usually receives 50% of the current year federal funding in February. In March an expenditure report is due to CDE from the SELPA. Once that is received 25% of the current year federal funding will be received, usually July. The final expenditure report is due to CDE in November of the following year and the remaining 25% amount will be received approximately December. See cash-flow projections for 2008-09.

#### 2008-09 Charter SELPA Federal Distribution Cash Flow

District	a	b	c	d	e
	Federal Distribution	March 09	Jul 09	Nov 09	
		50%	25%	25%	
	677,524	\$ 338,762	\$ 169,381	\$ 169,381	
<b>Charters in SELPA 06-07</b>					
Edison Charter Academy	55,187	27,593	13,797	13,797	
APS - Millsmont Elementary Academy	40,001	20,001	9,999	10,001	
APS - Summit Charter Academy	53,987	26,993	13,497	13,497	
APS - University Charter School	29,714	14,856	7,429	7,429	
Envision Academy of Arts & Technology	15,844	7,921	3,961	3,962	
LPS - Hayward	40,703	20,351	10,176	10,176	
LPS - College Park	30,836	15,417	7,709	7,710	
LPS - Richmond	36,743	18,372	9,186	9,185	
LPS - San Jose	29,165	14,583	7,291	7,291	
<b>Charters in SELPA 07-08</b>					
Rocketship One Public School of SJ	26,604	13,302	6,651	6,651	
APS - Trinity Elementary School	26,936	13,468	6,734	6,734	
APS - Clarendon Elementary School	21,536	10,768	5,384	5,384	
Envision City Arts High of SF	43,620	21,810	10,905	10,905	
Envision Metro Arts High of SF	34,693	17,347	8,673	8,673	
Envision Arts of Hayward (Impact)	19,979	9,990	4,995	4,994	
Lifeline Charter**	27,955	13,978	6,988	6,989	
<b>Charters in SELPA 08-09</b>					
Livermore Valley Charter	37,619	18,810	9,405	9,404	
Charter School of San Diego	59,068	29,534	14,767	14,767	
Audeo Charter School	10,521	5,261	2,630	2,630	
APS - Millsmont Secondary Academy	9,566	4,783	2,392	2,391	
APS - CA College Preparatory Academy	8,328	4,164	2,082	2,082	
APS - Berkley Maynard Academy	16,562	8,281	4,141	4,140	
Micro-Enterprise Charter Academy (MECA)	2,357	1,179	589	589	
<b>Totals</b>	<b>677,524</b>	<b>338,762</b>	<b>169,381</b>	<b>169,381</b>	

### Re-certification Process

Each February and June for two years, CDE will continue to certify funding based on any changes to the ADA . Below is the certification schedule for each fiscal year:

July Advance Apportionment (based on Prior Year P-2 ADA)

February – P-1 certification

June – P-2 certification

February – Annual certification

June – R-1 certification (1<sup>st</sup> re-certification)

February – R-2 certification (2<sup>nd</sup> re-certification)

June – R-3 certification (3<sup>rd</sup> re-certification)

As re-certifications occur, funding may change based on any ADA or rate changes. These changes in funding will be allocated 50% in March (after the February annual or R-2 certification) and the balance will be allocated in July (after the June R-1 or R-3 re-certification)

## NEW FUNDING NEEDING AN ALLOCATION PROCESS

The following recommendations will come forward to the CEO council for approval and then become a part of this Allocation Plan document.

### Mental Health Pre-Referral Dollar

We receive approximately \$5.20 per ADA for Mental Health Pre-Referral dollars. This is approximately \$20,000 in 2007/08, \$40,000 estimated for 2008/09 and \$48,000 for 2009/10. Funding is based on current year ADA.

#### **Recommendation:**

The SELPA Steering committee recommends the dollars be distributed on a per ADA basis. A detailed schedule will be developed for distribution of the funds. 2007-08 Charter SELPA P-2 ADA will be used for the 2007-08 distribution. 2008-09 Charter SELPA P-2 ADA will be used for the 2008-09 distribution. After CEO council action, the funds will be distributed.

Because the cash flow of this grant may vary from year to year based on CDE actions, a schedule of funding for distribution of 2009-10 mental health dollars will be developed by November 2009.

Pursuant to education code 56331, the following are the guidelines for expenditure of these funds:

**56331.** (a) A pupil who is suspected of needing mental health services may be referred to a community mental health service in accordance with Section 7576 of the Government **Code**.

(b) Prior to referring a pupil to a county mental health agency for services, the local educational agency shall follow the procedures set forth in Section 56320 and conduct an assessment in accordance with Sections 300.301 to 300.306, inclusive, of Title 34 of the **Code** of Federal Regulations. If an individual with exceptional needs is identified as potentially requiring mental health services, the local educational agency shall request the participation of the county mental health agency in the individualized **education** program.

A local educational agency shall provide any specially designed instruction required by an individualized **education** program, including related services such as counseling services, parent counseling and training, psychological services, or social work services in schools as defined in Section 300.34 of Title 34 of the **Code** of Federal Regulations. If the individualized **education** program of an individual with exceptional needs includes a functional behavioral assessment and behavior intervention plan, in accordance with Section 300.530 of Title 34 of the **Code** of Federal Regulations, the local educational agency shall provide documentation upon referral to a county mental health agency. Local educational agencies shall provide related services, by qualified personnel, unless the individualized **education** program team designates a more appropriate agency for the provision of services. Local educational agencies and community mental health services shall work collaboratively to ensure that assessments performed prior to referral are as useful as possible to the community mental health service agency in determining the need for mental health services and the level of services needed.

## **Mandated Costs – Behavior Intervention Settlement**

The CA state budget passed in February did NOT include \$65 million for 2009/10 to settle the behavioral intervention plan lawsuit. There is still a chance this could be revisited. The result for our Charter SELPA is one time funding of approximately \$10,000 and \$10.92 per ADA ongoing funding on the base state rate. Our allocation plan should address how we distribute the dollars IF this becomes a reality. We anticipate funding would be based on the current year ADA, e.g. 2009/10.

### **Recommendation for One-Time funding:**

\$10,000 to be retained at SELPA level with recommendations to come from SELPA steering committee on potential uses of these dollars.

### **Recommendation for On-going funding:**

Distribute ongoing dollars to all charters based on current year ADA using existing formula/parameters.

## **Federal Stimulus Dollars**

The Charter SELPA will receive one time federal stimulus dollars. We anticipate they will be distributed based on Charter SELPA participants in 2008-09.

### **Recommendation:**

Funds will be distributed to Charter SELPA members based on 2008-09 P-2 ADA. It is anticipated this is a one-time funding allocation.

## Unspent dollars

The Charter SELPA recognizes that Special Education funding in California is not sufficient to cover the costs of Special Education. On a statewide basis, LEAs pay for approximately 30% of the costs of special education from local sources. The Charter SELPA is not significantly different from statewide averages and overall the Charter SELPA is spending beyond the level of funding received.

However, the Charter SELPA does not wish to have unspent special education dollars held by an LEA within the Charter. We recognize there are unique circumstances. A new charter entering into the SELPA may not have the level of special education costs experienced by other LEAs as they start up operations. We also recognize that some charters, by the nature of the students they serve, may have special education costs that are not as high as statewide averages. We also recognize that a CMO operating multiple charters may have varying levels of special education costs with each charter and may have a need to redistribute special education dollars amongst the charters.

### **Recommendation for CMO Reallocation of funds:**

The allocation plan distributes funding based on each Charter LEA. At the close of the fiscal year, the CMO may reallocate state and federal funds to the LEAs within their CMO. EDCOE shall develop process and procedures for this reallocation of income. We anticipate this reallocation will occur in the months of August and September following the close of a fiscal year with final reallocation done by October 1. The procedure that is developed will include some verification of CMO authority to transfer dollars.

### **Recommendation for first year Charter LEA unspent funds**

If a charter LEA, in their first year with the Charter SELPA, does not spend their allocation of state funds, the following will apply:

- a) Prior to allocation of federal funds in year 2, the Charter LEA must submit a proposed budget for year 2 that clearly identifies how all special education funds will be spent in year 2. If the LEA is unable to show expenditure of all funds in year 2, the federal grant may be modified accordingly.
- b) The allocation of state funds for year 2 will be reduced by the unspent dollars in year 1
- c) At the close of year 2 & year 3 operations, if the LEA has expended beyond the level of state and federal funds received, the unspent year 1 dollars may be returned up to the level of expenses incurred.

### **Recommendation for all other Charter LEA unspent funds:**

If a charter LEA does not spend their allocation of state or federal funds, the following will apply:

- a) The allocation of state funds for the next year will be reduced by unspent funds from the following year.
- b) Prior to allocation of federal funds in the next year, the Charter LEA must submit a proposed budget for year 2 that clearly identifies how all special education funds will be spent in the next year. If the LEA is unable to show expenditure of all state and federal funds in the following year, the federal grant may be modified accordingly.
- c) If a Charter LEA has unspent funds for two consecutive years, their level of funding will be modified permanently. The modification shall start with a permanent reduction of federal funds to match the level of expenditure in the prior year.
- d) Procedures will be developed to ensure a "early warning" monitoring system so there are no surprises.

## Maintenance of Effort

Our allocation plan needs to address what happens when a charter school does not meet federally required Maintenance of Effort. Maintenance of Effort is a requirement that you **spend each year at least what you spent last year in the area of special education (with some exceptions).**

### Maintenance of Effort (MOE)

Funds provided under Part B of the federal Individuals with Disabilities Education Act (IDEA) are subject to a maintenance of effort (MOE) requirement. This is stipulated in Section 1413 of Title 20 of the United States Code, Title 34, Section 300.203 of the Code of Federal Regulations, and Education Code Section 56205.

The MOE requirement is that Part B IDEA funds shall not be used, except in specified situations, to reduce the level of expenditures for the education of children with disabilities made by the LEA from state and local funds or from local funds only, below the prior year's level. This test must be met on either an aggregate or a per capita basis.

If you reduce your special education budget (or expenditures) in a given year, you need to be careful to ensure that you have met the maintenance of effort requirement. This does not mean you can't reduce costs, but you must do so within the guidelines of federal maintenance of effort.

There are a series of tests to pass; e.g. fewer students, reduction due to a high cost placement going away or other similarly identified expenditures. Your SELPA must pass an overall MOE test and then your SELPA will have procedures in place to evaluate whether your LEA met MOE.

An LEA may reduce the level of expenditures below the level of those expenditures for the preceding fiscal year if the reduction is attributable to the following:

- The voluntary departure, or departure for just cause, of special education or related service personnel, who are replaced by qualified, lower-salaried staff.
- A decrease in the enrollment of children with disabilities
- The termination of the obligation of the agency to provide a program of special education to a particular child with disability that is an exceptionally costly program because the child:
  - Has left the jurisdiction of the agency;
  - Has reached the age at which the obligation of the agency to provide FAPE to the child has terminated; or
  - No longer needs the program of special education.
- The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.

(Ref: CFR Sec. 300.232)

### Recommendation:

Each Charter School member of the Charter SELPA is considered an independent LEA. That requires each individual Charter school to meet the Maintenance of Effort requirement.

At the close of a fiscal year, should an individual LEA not meet the required Maintenance of Effort, the LEA may have their federal funds adjusted for that fiscal year in order to ensure that maintenance of effort is met and they will not be eligible for federal IDEA funds the following year. Once the LEA has met the Maintenance of Effort, the LEA will be eligible the following fiscal year. If an LEA is able to show mitigating circumstances

and demonstrate the ability to fully meet MOE the following year, they may receive an allocation of federal IDEA funds.

## School Closures

We need our allocation plan to address how we handle funding for a charter that closes. Specifically, if there is funding due to the charter from state or federal funds, but received after the school has closed. We typically have a significant federal receivable that is received months after the close of the year. We have concerns regarding federal dollars sent to an entity that has closed. This is not an immediate concern, but we should have a recommendation prior to June 30, 2009. We did have a charter close (LPS-Campbell), but they booked a receivable for the federal funds and we did distribute to them.

### Recommendation

Prior to release of funds to a charter school that has closed; all of the following must apply:

#### CMO Charter School closure

- CMO Charter School has confirmed special education expenditures have exceeded income
- CMO Charter School has met the MOE requirement
- CMO Charter School has confirmed a receivable has been recorded at the end of the fiscal year
- The charter school closure occurred after the end of fiscal year
- All required data requested from the CMO Charter school has been received by the Charter SELPA

#### Non-CMO Charter School closure

- Charter school has sent documentation approved by their auditor confirming special education expenditures have exceeded income
- Charter School has met the MOE requirement
- Charter school has sent documentation approved by their auditor confirming a receivable has been recorded at the end of the fiscal year
- The charter school closure occurred after the end of the fiscal year
- All required data requested from the Charter school has been received by the Charter SELPA

## Reporting Requirements

### **Pupil Counts**

Pupil count reports are due to the Charter SELPA administrative staff two times a year for SELPA reporting to the state. These counts are reported by charter, by disability. Pupil counts are due on requested dates usually in December and June each year.

### **Personnel Data Reporting**

FTE reporting is due to the Charter SELPA administrative staff annually. This data is to be reported by charter, by teacher category. Personnel data report is due on the requested date, usually in February, so the Charter SELPA can file this report by the due date in March to the state.

### **Maintenance of Effort (MOE)**

Federal funding requires that each LEA have at least the amount of expenditures in the current year as it did in the prior year as either a total amount of expenditures or as a per pupil amount. MOE reporting is due to the Charter SELPA administrative staff annually. The SELPA is required to report this data to CDE in two formats:

1. Actual current year data vs. actual prior year data
2. Budget data for next fiscal year vs. Actual current year data

The SELPA administrative staff will request this data in September and work with each Charter SELPA member to ensure accurate reporting.

There are allowable exemptions (below are some examples):

1. Staffing reductions due to retirements or other departures and staff has been replaced by a qualified lower-salaried staff
2. A decrease in special education enrollment (per pupil expenditures would then apply)
3. Termination of an exceptionally costly program because a student has left the charter, has reached the age of obligation, or no longer needs the program.

The Maintenance of Effort data is due to the Charter SELPA administrative staff in September. The SELPA is required to report this data by October 15.

### **SELPA Budget Book**

The SELPA is required per Ed Code to publish specific data annually. We publish this data in the annual Charter SELPA Budget Book. In addition to the pupil count and personnel data reports, the Charter SELPA administration will request additional data from the charters to complete this Charter SELPA Budget Book. The data requested will include type of special education expenditures. This Charter SELPA Budget Book will be presented to the CEO Council in draft form in October and finalized by January.

E.C. 56195.7(h) A budget for special education and related services that shall be maintained by the special education local plan area and be open to the public covering the entities providing programs or services within the special education local plan area. The budget language shall be presented in a form that is understandable by the general public. For each local educational agency or other entity providing a program or service, the budget, at minimum, shall display the following:

1. Expenditures by object code and classification for the previous fiscal year and the budget by the same object code classification for the current fiscal year.
2. The number and type of certificated instructional and support personnel, including the type of class setting to which they are assigned, if appropriate.
3. The number of instructional aides and other qualified classified personnel.

The number of enrolled individuals with exceptional needs receiving each type of service provided.

E.C. 56205(1) An annual budget plan that shall be adopted at a public hearing held by the special educational local plan area. Notice of this hearing shall be posted in each school in the local plan area at least 15 days prior to the hearing. The annual budget plan may be revised during any fiscal year according to the policymaking process established pursuant to subparagraph (D) and (E) of paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and Section 56195.9. The annual budget plan shall identify expected expenditures for all items required by this part which shall include, but not limited to the following:

- A. Funds received in accordance with Chapter 7.2 (commencing with Section 56836).
- B. Administrative costs of the plan.
- C. Special Education services to pupils with severe disabilities and low incidence disabilities.
- D. Special Education services to pupils with non-severe disabilities
- E. Supplemental aids and services to meet the individual needs of pupils placed in regular education classrooms and environments.
- F. Regionalized operations and services, and direct instructional support by program specialist in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2.
- G. The use of property taxes allocated to the special educational local plan area pursuant to Section 2572.

## Appendix I

### LEA RESPONSIBILITIES AND DUTIES:

The LEA 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 pupils and its respective programs operated by the LEA:

- A. Adhere to the Local Plan, Policies and procedures as adopted by the Charter CEO Council.
- B. Select, compensate and determine the duties of the special education teachers, instructional aides, 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;
- C. Conduct and/or contract those programs operated by the LEA in conformance with the Local Plan and the state and federal mandates;
- D. Organize and administer the activities of the IEP Teams, including the selection of the LEA staff and who will serve as members of the IEP Team in conformance with the Education Code Section 56341 and in compliance with the Local Plan;
- E. Organize and maintain the activities of the Resource Specialist Program in conformance with Education Code Section 56362; the Designated Instruction and Service in conformance with Education Code Section 56363; and Special Classes and Centers in conformance with Education Code Section 56364.1 and 56364.2; and in compliance with the Local Plan;
- F. Provide facilities as required to house the programs conducted by the LEA;
- G. Provide for the acquisition and distribution of the supplies and equipment for the programs conducted by the LEA;
- H. Provide and/or arrange for such transportation services as may be required to provide the special education programs specified that are conducted by the LEA;
- I. Cooperate in the development of curricula for the 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;
- J. Cooperate in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the Local Plan with the AU;
- K. 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 the assessment procedures employed to insure their effectiveness and applicability, and insure the continued implementation and compliance with eligibility criteria;

- L. 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;
- M. Conduct the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the Local Plan;
- N. Prepare and submit all required reports, including reports on student enrollment, program expenditures, and program evaluation;
- O. Designate a person to represent the LEA on the Charter Special Education Steering Committee to monitor the implementation of the Plan and make necessary recommendations for changes and/or modifications;
- P. Designate a representative for the LEA to serve on the Special Education Community Advisory Committee, in accordance with Education Code Section 56192-56193 and pursuant to the procedures established in the Local Plan;
- Q. Designate the LEA Superintendent/CEO or School Leader by whatever name designated to represent the LEA on the Charter CEO Council to supervise and direct the implementation of the Plan;
- R. Receive special education funding from El Dorado County in accordance with the Charter SELPA SELPA's Allocation and Budget Plan.
- S. It is understood that except as otherwise may be specifically agreed from time to time the RLA shall have no responsibility for the operation of any direct educational program service of any kind.

**AU/RLA RESPONSIBILITIES AND DUTIES:**

Pursuant to the provisions of Education Code Section 56030 et seq., the AU shall receive and distribute regionalized service funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education in Charter Schools participating in the Charter SELPA SELPA. In addition, the AU shall perform such services and functions as required to accomplish the goals set forth in the plan. Such services include, but are not limited to, the following:

- A. Act as agent for Charters participating in the 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 Section 56836 et seq. Receive data from each LEA to compile and submit budgets for the programs and monitor the fiscal aspects of the program conducted. Receive the special education apportionments of Regionalized Services as authorized under Education Code Section 56836.02;
- B. Coordinate with LEAs in the development and implementation of a systematic method for referring and placing individuals with exceptional needs who reside in the Charter, including the methods and procedures for communication with the parents and/or guardians of the individuals according to procedures in the Local Plan;
- C. Coordinate the development and implementation of curriculum and program objectives and provide for continuous evaluation of the special education programs in accordance with the Local Plan;
- D. Coordinate the organization and maintenance of the Special Education Community Advisory Committee (CAC) as part of the responsibility of the AU to coordinate the implementation of the plan pursuant to

Education Code Section 56030. Provide for the attendance of designated members of the AU's staff at all regularly scheduled Special Education Community Advisory Committee meetings; Coordinate community resources with those provided by LEA and the AU, including providing such contractual agreements as may be required; 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:

1. Monitoring the application of eligibility criteria throughout the Local Plan area;
2. Coordinating the implementation of the transportation for special education pupils;
3. Coordinating the system of data collection, management, and evaluation;
4. Coordinating personnel development and curriculum development for special education, including alternative dispute resolution;
5. Coordinating the identification, referral, assessment, instructional planning, and review procedures, including the communication with parents and/or legal guardians regarding rights and responsibilities for special education;
6. Developing interagency referral and placement procedures; and,
7. Evaluating the effectiveness of special education programs.

Support the SELPA Charter CEO Council by attendance and participation of the County Superintendent and/or designees at meetings; Provide for regular inservice training for AU and LEA staff responsible for the operation and conduct of the Local Plan. Regular inservice training may also be provided to CAC representatives; provide the method and the forms to enable the LEA to report to the AU on student enrollment and program expenditures. Establish and maintain a pupil information system; Provide reasonable assistance to the LEA upon request from LEA administration, or individual cases, including but not limited to:

1. Complaint issues;
2. Hearing issues; and
3. Identification of appropriate programs for specific pupils.

Perform other services reasonable and necessary to the administration and coordination of the Plan; receive special education funding and distribute funds in accordance with the Charter SELPA SELPA Allocation and Budget Plan. Schedule a public hearing at the County Office of Education for purposes of adopting the Annual Service Plan and Budget Plan.

## Appendix II

### Charter/CMO Cross Reference 2008-09 Membership

	Charter School	Current CDS Code	CMO
1	APS - Berkley Maynard Academy	01612590109819	Aspire Public Schools
2	APS - CA College Preparatory Academy	01100170118489	Aspire Public Schools
3	APS - Millsmont Secondary Academy	01612590118224	Aspire Public Schools
4	Audeo Charter School	37 68338 3731395	Altus Institute
5	Charter School of San Diego	37 68338 3730959	Altus Institute
6	Clarendon Elementary School	09764890114884	Aspire Public Schools
7	Edison Charter Academy	38756486040935	Edison Charter Academy
8	Envision Academy of Arts & Tech	01100170112607	Envision
9	Envision Arts of Hayward (Impact)	01611920113902	Envision
10	Envision City Arts High of SF	38684780107300	Envision
11	Envision Metro Arts High of SF	38684780109769	Envision
12	Lifeline Charter	19764970115725	Lifeline Charter
13	Livermore Valley Charter	01763720107839	Livermore Valley Charter
14	LPS Campbell	Closed beginning FY 08-09	Leadership Public Schools
15	LPS College Park (Oakland)	01612590101469	Leadership Public Schools
16	LPS Hayward	01611920108670	Leadership Public Schools
17	LPS Richmond	07617960101477	Leadership Public Schools
18	LPS San Jose	43104390102905	Leadership Public Schools
19	Micro-Enterprise Charter Academy (MECA)	19765210117390	Micro-Enterprise Charter Academy (MECA)
20	Millsmont Academy	01612590108803	Aspire Public Schools
21	Port City Elementary School	09764890114876	Aspire Public Schools
22	Rocketship Mateo Sheedy Elementary	43104390113704	Rocketship Education
23	Summit Charter Academy	50710430112292	Aspire Public Schools
24	University Charter School	50712900118125	Aspire Public Schools