



CLIENT NEWS BRIEF

March 2011

Number 10

STATE BOARD OPENS UP NEW OPPORTUNITIES FOR CHARTER SCHOOL MEMBERSHIP IN SELPAs

As part of an effort to expand the options for charter school participation in special education local plan areas (SELPAs), the State Board of Education (SBE) recently approved an agreement between the Los Angeles Unified School District (LAUSD) and its local charter schools that grants LAUSD's charter schools more money and more control over the funding and delivery of special education services to eligible charter school students.

The agreement follows on the heels of the SBE's 2010 approval of a significant expansion in SELPA membership options available to charter schools. As a result of the SBE's decision, charter schools may now apply for membership in a "within county SELPA," an "outside county SELPA," or a "state/regionalized SELPA." At the same time it approved these new SELPA membership models, the SBE also removed the "pilot" status from four SELPAs operating trial programs designed to determine the viability of allowing charter schools to enroll in SELPAs outside of their geographic region.

LAUSD's decision to offer its own charter schools more control over special education funding and programs was further spurred on by the California Department of Education's (CDE) approval of applications from 21 LAUSD charter schools for membership in the El Dorado County SELPA, the largest of the four SELPAs enrolling charter schools from outside a single geographic area. In July 2010, another 70 charter schools submitted written notice of their intent to leave the LAUSD SELPA in July 2011 and join an "out-of-district" SELPA.

Given the significant departure of charter schools from LAUSD and the imminent exodus of even more, LAUSD reorganized its own SELPA in an effort to offer charter schools sufficient incentives to remain with the LAUSD SELPA. The reorganization retains the single-district status of LAUSD's SELPA, but creates two options for charter school participation. Under the first option, charter schools choosing to provide special education services independently will turn over approximately 20% of their state and federal funding to cover administrative oversight costs. For charter schools choosing the second option, LAUSD will continue to provide all special education services, and state and federal funding for those charter schools will flow directly to the LAUSD SELPA.

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Although LAUSD's new arrangement is the first of its kind in the state, the SBE's moves to diversify the types of SELPAs to which a charter school can belong has created the opportunity for charter schools throughout the state to leave their local SELPAs and join out-of-district SELPAs. Lozano Smith is continuing to monitor the extent to which school districts are being affected by these new opportunities and will provide updates as they occur.

If you have questions about SELPA membership for charter schools, or questions regarding special education or charter school issues generally, please do not hesitate to contact one of our [eight offices](#) located statewide or consult our [website](#).

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