

GOVERNING BOARD of SAN CARLOS CHARTER LEARNING CENTER

Resolution Providing Written Assurances to the SELPA

Whereas

- San Carlos Charter Learning Center (SCCLC) is a California public charter in operation since 1994 serving pupils from grades Kindergarten through eight grade; and
- California Education Code section 47641(a) allows a charter school that meet certain requirements to be deemed a local educational agency (LEA) for the purposes of compliance with federal law and for eligibility for federal and state special education funds; and
- SCCLC's governing board approved a proposal to apply for admission to the San Mateo County SELPA on December 14, 2011;

it is therefore resolved by the governing board of SCCLC that

SCCLC acknowledges and affirms that, upon being admitted as an LEA member of the SELPA:

- a. SCCLC will send students with disabilities to programs administered by other districts in accordance with procedures for Intra-SELPA or Inter-SELPA transfers;
- b. SCCLC will provide transportation as indicated on the student's IEP;
- c. SCCLC will secure the services of an attorney for special education as is required of all SELPA member districts;
- d. SCCLC shall be responsible for all other obligations, policies and agreements as required by SELPA membership;
- e. SCCLC is assuring that it will comply with the Individuals with Disabilities Education Act (IDEA), Section 504 and the Americans with Disabilities Act (ADA) and that the facilities used by SCCLC will be ADA compliant and will not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular program;
- f. SCCLC is assuring that it will follow all applicable state and federal laws;
- g. SCCLC will utilize SELPA approved forms, and send appropriate personnel to attend Administrators Council Meetings and SELPA trainings;
- h. SCCLC understands its sole legal and fiscal responsibility to provide appropriate services to eligible students as is the case for all member districts and the charter school shall not seek defense or indemnification from the SELPA or SELPA member districts;
- i. SCCLC is expected to utilize resources from its general fund for the costs of special education and related services to the full extent necessary to meet its obligations under federal and state law and the SELPA's policy;
- j. All funds allocated to the LEAs including charter LEAs shall be expended only for special education and related services necessary to comply with federal and state law;

- k. SCCLC shall have a viable and detailed plan for facilities that will allow it to appropriately deliver the full range of special education services. SCCLC recognizes and acknowledges that, if it does not have a solid commitment for facilities at the time of consideration for SELPA membership, the SELPA Governing Board may grant a conditional approval of SELPA membership. Such conditional approval may require SCCLC to show evidence of facilities satisfactory to the SELPA Administrator within thirty (30) days prior to the commencement of school year that meet the criteria set forth in Assurance "e" above and which will otherwise allow for the appropriate delivery of special education services or the LEA status will be terminated; and
- l. The charter school LEA will assume funding responsibility for students placed in alternative educational settings due to disciplinary issues.

Approved by the Board of Directors of SCCLC on January 5, 2012

Yes votes:

No votes:

Abstentions:
