

Nea Charter Special Education Plan

Nea shall comply with all applicable State and Federal Laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).

For purposes of special education, Nea intends to be its own LEA pursuant to Education Code Section 47641(a) and will join the El Dorado County Charter School SELPA. (Appendix U is a letter from Emi Johnson, current Director of the El Dorado Charter School SELPA, stating the NCLC will be admitted into the EL Dorado County Charter SELPA). Nea shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

Nea, as a participant in the El Dorado County Charter SELPA 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. 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;
- B. Conduct and/or contract those programs operated by the LEA in conformance with the Local Plan and the state and federal mandates;
- C. 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;
- D. 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;
- E. Provide facilities as required to house the programs conducted by the LEA;
- F. Provide for the acquisition and distribution of the supplies and equipment for programs conducted by the LEA;

- G. 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;
- H. Cooperate in the development of curricula for the classes and the development of program objectives with the SELPA. Cooperate in the evaluation of the programs as specified in the Local Plan, with the SELPA;
- I. 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 SELPA;
- J. 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;
- K. 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;
- L. Conduct the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the Local Plan;
- M. Prepare and submit all required reports, including reports on student enrollment, program expenditures, and program evaluation;
- N. 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;
- O. 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;
- P. Designate the LEA lead facilitator to represent the LEA on the Charter Operations Council to supervise and direct the implementation of the Plan;
- Q. Receive special education funding from El Dorado County in accordance with the Charter Consortium Allocation and Budget Plan.

ASSURANCES

Nea, as a participant in the El Dorado County Charter SELPA, makes the following assurances with regard to the special education services for students:

1. FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

It shall be the policy that a free appropriate public education is available to all children residing in the Nea between the ages of birth and 21 inclusive, including children with disabilities who have been suspended or expelled from school. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Plan (IEP) that meets the unique needs of each individual in order to benefit from his/her access to educational opportunities.

2. FULL EDUCATIONAL OPPORTUNITY

It shall be the policy of Nea that all pupils with disabilities have access to the variety of educational programs and services available to no-disabled pupils including nonacademic and extra-curricular services and activities.

3. CHILD FIND

It shall be the policy of Nea that all children with disabilities, including children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located and evaluated.

4. INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)

It shall be the policy of Nea that an Individualized Educational Program (IEP) 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.

5. LEAST RESTRICTIVE ENVIRONMENT

It shall be the policy of Nea 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 classes, separate schooling, or other removal of children with disabilities from the regular educational environment, occurs only when the nature of severity of the disability of the child is such that education in regular classes with the use of supplemental aids and services can not be achieved satisfactorily.

6. PROCEDURAL SAFEGUARDS

It shall be the policy of Nea that children with disabilities and their parents shall be provided with safeguards throughout the identification, evaluation, placement process, and the provision of a free appropriate public education to the child.

7. ANNUAL/TRIENNIAL REASSESSMENT

It shall be the policy of Nea that a review will be conducted on at least an annual basis to review the child's progress. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or make any necessary revisions.

Nea shall conduct a reassessment of each child with a disability at least once every three years, or more frequently, if conditions warrant a reassessment or if the child's parent or teacher requests a reassessment and a new Individualized Education Plan (IEP) to be developed.

8. CONFIDENTIALITY

It shall be the policy of Nea that the confidentiality of personally identifiable data information as records maintained by the LEA relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction.

9. PART C, TRANSITION

It shall be the policy of Nea that children participating in Early Intervention Programs, (IDEA, Part C) and who will participate in preschool programs (IDEA, Part B) experience a smooth and effective transition between these programs.

10. PRIVATE SCHOOLS

It shall be the policy of Nea to assure that children with disabilities voluntarily enrolled by their parents in private school shall receive special education and related services in accordance with local procedures. The required proportion of federal funds received will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.

11. COMPLIANCE ASSURANCES

It shall be the policy of Nea 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 2) that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

12.-13. GOVERNANCE

It shall be the policy of Nea to support and comply with the provisions of the governance structure and any necessary administrative support to implement the plan.

14. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)

It shall be the policy of Nea that it will support and assist the state's efforts and activities to ensure an adequate supply of qualified special education, general education, and related services personnel.

15. PERSONNEL STANDARDS

It shall be the policy of Nea to make an ongoing, good faith effort to recruit and hire appropriately and adequately trained personnel, as defined by state standards to provide special education and related services to children with disabilities. Where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable coursework necessary to meet state standards, shall be assigned.

16. PERFORMANCE GOALS & INDICATORS

It shall be the policy of Nea to comply with the requirements of the performance goals and indicators developed by the state and provide data as required by the state.

17. PARTICIPATION IN ASSESSMENTS

It shall be the policy of NCLC that students with disabilities are included in general state and district-wide assessment programs, with appropriate accommodations, where necessary. For those children with disabilities who cannot participate, alternate assessment will be conducted.

18. SUPPLEMENTATION OF STATE/FEDERAL FUNDS

It shall be the policy of Nea to include this information in the Annual Budget Plan submitted annually to the state.

19. MAINTENANCE OF EFFORT

It shall be the policy of Nea to provide assurances that funds received from Part B of the IDEA will be expanded in accordance with the applicable provisions of the IDEA; will be used to supplement state, local and other federal funds and not to supplant those funds; and will not be used to reduce the level of local funds and/or combined level of local and state funds expanded for the education of children with disabilities except as provided in federal law and regulations.

20. PUBLIC PARTICIPATION

It shall be the policy of Nea that prior to its adoption of policies and procedures, the LEA shall make the policies and procedures available to the general public, hold public hearings and provide an opportunity for comment by the general public.

21. SUSPENSION/EXPULSION

It shall be the policy of Nea that data on suspension and expulsion rates will be provided in a manner prescribed by the state.

22. PART C

It shall be the policy of Nea to submit the Part C (infant/toddler) Local Interagency Agreements to the state as part of the Annual Service Plan.

CLCS Board Approved: 3/24/09