

Agenda

Meeting No. 1: 2023-24



[9300 Imperial Highway, Downey, CA 90242](#)
[\(562\) 803-8338](#)

Governance Council Meeting
January 25, 2024
8:00 a.m.

LACOE Education Center, Room 107
9300 Imperial Highway
Downey, CA 90242

Zoom Meeting Participant Information
[Join Zoom Meeting Link](#)
Meeting ID: 202 850 2366
Passcode: 1951

Governance Member Remote Participation

Padmini Srinivasan	ISSAC – 1770 Tustin Avenue, Costa Mesa, CA 92627
Jose Fernandez	Irvine International Academy - 4782 Karen Ann Lane, Irvine, CA 92604
Nadia Shaiq	Isana Academies - 3580 Wilshire Blvd Suite 1130, Los Angeles, CA 90010
Josh Stock	Lashon Charter Academy - 7477 Kester Ave, Van Nuys, CA 91405
Beatriz Gutierrez	Soleil Academy – 3900 Agnes Avenue, Lynwood, CA 90262
Yelena Shapiro	Opportunities for Learning, William S Hart – 27616 Newhall Ranch Rd., Santa Clarita, CA 91355
Wendy Shmaeff	Village Charter Academy - 7357 Jordan Ave. Canoga Park, CA 91343
Anita Ravi	We the People High School - 1635 Long Beach Blvd., Long Beach, CA 90813

I. PRELIMINARY ACTIVITIES

- A. Call to Order
- B. Ordering of the Agenda
- C. Approval of the Minutes
 - 1. June 22, 2023 Governance Council Meeting

II. COMMUNICATIONS

- A. Public Comment

III. HEARINGS (none)

IV. REPORTS / STUDY TOPICS

- A. Membership Report – [2024-2025 SELPA Applications](#)
- B. SELPA Reports

V. RECOMMENDATIONS (none)

VI. CLOSING ITEMS

- A. SELPA Governance Council Calendar

VII. ADJOURNMENT



UNAPPROVED DRAFT
No. 4: 2022-2023

LOS ANGELES COUNTY CHARTER SELPA
GOVERNANCE COUNCIL MEETING

June 22, 2023

The Governance Council Meeting of the LAC Charter SELPA was held on Thursday, June 22, 2023, at 9300 Imperial Highway, Downey California 90242 and remotely through Zoom.

PRESENT:

1. Marcelo Olmos (Academia Avance)
2. Xavier Reyes (Academia Moderna)
3. Loretta Burns (Blue Ridge Academy)
4. Juan Medina (Bridges Preparatory Academy)
5. Christine Navarro-Cabero (Granite Mountain)
6. Shelby Pealer (ICEF Inglewood Charter Elementary Charter Academy)
7. James McGrath (Intellectual Virtues Academy)
8. Padmini Srinivasan (International School for Science and Culture)
9. Nadia Shaiq (Isana Achnar)
10. Maricela Ramirez (LACOE)
11. Josh Stock (Lashon Charter Academy)
12. Josh Stock (Lashon Academy City Charter)
13. Yelena Shapiro (Opportunities for Learning, William S. Hart)
14. Xavier Reyes (Prepa Tec LA MS)
15. Donna Jacobson (Russell Westbrook Why Not? High School)
16. Donna Jacobson (Russell Westbrook Why Not? Middle School)
17. Jubria Lewis (SEEDS LA)
18. Beatriz Gutierrez (Soleil Academy)
19. Wendy Shmaeff (Village Charter Academy)
20. Anita Ravi (We the People High School)

ABSENT:

1. Erin Whalen (DaVinci RISE)
2. Nick Sessions (Edward B. Cole Sr. Academy)
3. Courtney McCorkle (Heartland Charter School)
4. Jose Fernandez (Irvine International Academy)
5. Zuzy Chavez (Jardin de la Infancia)
6. Jenell Sherman (Lake View Charter School)
7. Richard Moreno (Opportunities for Learning, Duarte)
8. Brock Champion (Options for Youth, Acton)
9. Sarah Bach (Sycamore Creek Community Charter School)
10. Gabriel Ramirez (T.I.M.E. Community)

SELPA STAFF and GUESTS: Jim Anderson (LACOE); Damali Thomas (LACOE); Alyssa Martinez (LACOE); and Ricardo Mireles (Academia Avance).

I. PRELIMINARY ACTIVITIES

A. Call to Order: The meeting was called to order at 8:08 a.m. with 20 LEA members in attendance.

B. Approval of the Agenda

The agenda was amended to have the approval recommendations for the LEA SELPA applicants to immediately follow the overview and presentation of the their application.

Moved Approval: James McGrath; **Second:** Anita Ravi
Aye: 26; **Nay:** 0; **Abstention:** 0; **Motion:** Carried.

C. Approval of the Minutes

May 25, 2023 Governance Council Meeting

Moved Approval: James McGrath; **Second:** Loretta Burns
Aye: 26; **Nay:** 0; **Abstention:** 0; **Motion:** Carried.

II. COMMUNICATIONS

A. Public Comment – there was no public comment.

III. HEARINGS (none)

IV. REPORTS / STUDY TOPICS

A. Membership Report

Members discussed information relevant to SELPA applicants Mayacamas Charter Middle School and Los Angeles College Prep Academy. Following discussion and public comment, the Governance Council voted on the recommendations.

B. SELPA Reports

There was no SELPA Report information shared during the meeting as the available time was given to consideration of the SELPA applicants.

V. RECOMMENDATIONS

A. Approval of Mayacamas Charter Middle School for SELPA membership commencing July 1, 2023 for the 2023-2024 school year

Moved Approval: James McGrath; **Second:** Josh Stock
Aye: 26; **Nay:** 0; **Abstention:** 0; **Motion:** Carried.

B. Approve the denial of Los Angeles College Prep Academy for SELPA membership for the 2023-2024 school year.

Moved Approval: Josh Stock; **Second:** Donna Jacobson
Aye: 6; **Nay:** 20; **Abstention:** 0; **Motion:** Failed.

Alternate Motion: For Governance to accept the Los Angeles College Prep Academy for SELPA membership with conditions.

Moved Approval: Marcelo Olmos; **Second:** Loretta Burns

Aye: 21; **Nay:** 3; **Abstention:** 0; **Motion:** Carried.

C. Approval of the Ad Hoc Committee Chair

Rachel Villalobos from Academia Moderna Charter School and Prepa Tec Los Angeles Middle School was nominated to Chair the Ad Hoc Committee

Moved Approval: James McGrath; **Second:** Xavier Reyes

Aye: 20; **Nay:** 0; **Abstention:** 0; **Motion:** Carried.

D. Approval of SELPA Procedures

The Governance Council voted to approve six SELPA procedures including the revision of the Behavioral Interventions for Students in Special Education and five new procedures including: Prior Written Notice; General Timelines; Pre-Referral Process; Referral Process; and IEP Meetings.

Moved Approval: James McGrath; **Second:** Christina Navarro-Cabero

Aye: 20; **Nay:** 0; **Abstention:** 0; **Motion:** Carried.

VI. CLOSING ITEMS

A. SELPA Calendars

The date of the next Governance Council meeting is scheduled for October 26, 2023 was shared with the members. The other calendars including the Program Council, Community Advisory Committee and the Professional Development were highlighted.

VII. ADJOURNMENT

Meeting Adjournment

The Governance Council meeting was adjourned at 9:58 a.m.

Item IV. **REPORTS / STUDY TOPICS**

A. Membership Report – **Discussion and Information**

1. [2024-25 SELPA Applicants](#)

1. Options for Youth-Victor Valley – 10/30/23 Notice of Intent to Apply received.

2. 2023-24 LAC Charter SELPA Members (**30 Members; 16 quorum**)

1. Academia Avance
2. Academia Moderna Charter School
3. Blue Ridge Academy
4. Bridges Preparatory Academy
5. Da Vinci Rise Charter School
6. Edward B. Cole Sr. Academy
7. Granite Mountain
8. Heartland Charter School
9. ICEF Inglewood Charter Elementary
10. Intellectual Virtues Academy
11. International School for Science & Culture
12. Irvine International Academy
13. Isana Academies Achnar
14. Jardin de la Infancia
15. Los Angeles County Office of Education
16. Lashon Academy Charter
17. Lashon Academy City Charter
18. Los Angeles College Prep Academy
19. Mayacamas Charter Middle School
20. Opportunities for Learning, Duarte
21. Opportunities for Learning, William S. Hart
22. Options for Youth – Acton
23. Prepa Tec Los Angeles Middle School
24. Russell Westbrook Why Not? High School
25. Russell Westbrook Why Not? Middle School
26. SEED School of Los Angeles County
27. Soleil Academy
28. Sycamore Creek Community Charter School
29. Village Charter Academy
30. We the People High School

Item IV. **REPORTS / STUDY TOPICS**

- B. SELPA Reports – Information and Discussion
 - 1. Finance & Governance
 - a. Fiscal Updates and Reminders
 - 2024-25 Budget
 - 2023-24 P-1 Certification by February 20, 2024
 - Federal IDEA Funds
 - 2024-25 Annual Budget Plan
 - Mental Health Funds
 - b. Allocation Plan - Recommended Changes
 - c. Local Plan Governance Section B -Recommended Changes
 - d. Current Governance Documents
 - [Local Plan](#)
 - [Allocation Plan](#)
 - [Participant’s Agreements](#)
 - 2. Data, Accountability, Compliance & CDE - informational
 - a. CDE Monitoring & Reporting
 - Compliance Improvement Monitoring (CIM)
 - Small LEA Monitoring
 - b. CALPADS
 - Fall 1 amendment submission window opened December 16, 2023, and the final certification deadline is January 26, 2024.
 - 3. Ad Hoc Committee
 - a. Ad Hoc Committee Chair
 - 4. Legislative Updates – Open Discussion by Members



1/25/24 Governance Council Meeting Fiscal Updates & Reminders

2024-25 Budget

- Governor's Budget Summary released
 - 0.76% COLA
 - Projected AB602 rate per ADA \$893.40
- Budget Trailer Bill
 - Document that details all of the budget actions and proposals
 - Typically comes out in early February
 - We will wait and see if additional policy adjustments or changes are recommended

2023-24 P-1

- To be certified by February 20
- Once certified, SELPA will send out:
 - 2023-24 Sped Revenue Allocation
 - 2024-25 Sped Revenue Projections

Federal IDEA Funds

- Grant Award Notification not yet received
- Once received, SELPA will send out:
 - 2023-24 Allocation
 - Reporting template

2024-25 Annual Budget Plan

- Due to SELPA March 15, 2024
- SELPA will send out reporting template by Feb 15, 2024

Reminder: Mental Health Funds

- Beginning 2023-24 MH funds flow directly to LEA's (no longer through SELPA)
 - State Mental Health
 - Included in monthly apportionment (same process as LCFF)
 - Can be spent on students with or without an IEP
 - Federal Mental Health
 - Grant Award Notification will be sent directly to LEA
 - Must be spent on students with an IEP



Governance Council Meeting

Allocation Plan Updates

January 25, 2024



Los Angeles County
Office of Education

Allocation Plan

- LAC Charter SELPA allocates funds in accordance with this plan.
- Including how all funds in the SELPA are allocated to each LEA and how Administrative fees are allocated to the SELPA office.
- Last updated 2019-20



Core Principles:

- Stable and predictable funding
- Timely and accurate projections
- Timely and accurate distribution of allocations
- Fairness and equity
- Transparency

Basic Elements:

- Funding distribution is based on the LEA submitted data at P1 and P2
- Administrative Services Fee component for LAC Charter SELPA
- *Set Aside Pool* to protect against future instability
- Regionalized Services Program Specialist Funding
- Recapture of unspent special education funds

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 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 (f) of EC 56195.7 or EC 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 EC 56195.7, the amount computed pursuant to EC 56836.11, as adjusted pursuant to the incidence multiplier set forth in EC 56836.15, shall be apportioned by the department (California Department of Education) for each unit of average daily attendance reported pursuant to subdivision (a) of EC 56836.06.

The major portion of funding for the Charter SELPA comes from state and federal sources.
The Funding Allocation Plan is comprised of the following areas:

1. AB 602 State Funding (including COLA, if any):

Allocation of AB 602 funds is based on current year P2. Additionally, when the annual ADA certification is released by the CDE, the current year allocation will be adjusted accordingly.

A Cost of Living Adjustment (COLA) may be included in the Budget Act each year. The statewide average target rate is adjusted by the COLA and distributed on a per ADA basis to members.

2. Federal Funding:

a. The amount of funding for the Charter SELPA varies each year based on a complex formula of base amounts, plus special education student counts, plus poverty factors.

b. Distribution of federal funds will be based on prior year unduplicated P1 CASEMIS count. As a result, new Charter Schools will not receive federal funding in their first year with the LAC Charter SELPA.

c. Federal P194-142/IDEA Background

Each year the state of California receives a grant amount of IDEA/P194142 funds. The state distributes this to SELPAs on a formula that is based on a historical amount per SELPA from 1999, adjusted by two other factors, special education students (population) and free and reduced count (poverty).

In order to determine the LAC Charter SELPA base rate, 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 school entering into the Charter SELPA in year one does not receive IDEA/P194-142 funds until the next fiscal year.

3. LAC Charter SELPA Administrative Services Fee:

A percentage of the total funding is allocated to the LAC Charter SELPA for administrative services. This is a SELPA deduct prior to allocating funds to the charter schools. The fee is calculated based on AB 602 state funding sources only (with the exception of a 2.49% indirect of the federal Local Assistant Grant to LACOE). The administrative fee will be combined with the LAC Charter SELPA program specialist/regionalized

Updates discussed
in detail at Ad Hoc
meeting held
10/26/23

Updates for 2023-24

- Language - CASEMIS to CALPADS
 - Mental Health Funding
 - Funds flowing to the LEA's not the SELPA
 - Out of Home Care Funding added
 - Update LEA Unspent Federal and State Funds
-



Unspent Special Education Revenue

Unspent Special Education Revenue

Reallocation of Unspent funds for Charter LEAs:

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

The allocation of state funds for the next year will be reduced by the unspent funds from the previous year.

Prior to allocation of federal funds in the next year, the Charter LEA must submit a proposed budget for Year 2 clearly identifying how all special education funds will be spent in the next year. If the Charter LEA is unable to report expenditures of all funds in the following year, the federal grant allocation may be modified accordingly.

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 expenditures in the prior year.

Procedure will be developed to ensure an "early warning" monitoring system so there are no surprises.

Reallocation of Unspent Funds for CMOs:

The allocation plan distributes special education funding to each Charter LEA within a CMO, based on each Charter LEA's data. At the close of the fiscal year, the CMO may reallocate state and federal funds among the Charter LEAs in the CMO, within the LAC Charter SELPA. A process and procedures for the reallocation of funding will need to be developed.

Reallocation of Unspent Funds for First Year Charter LEA:

If a Charter LEA, in their first year with the LAC Charter SELPA, does not spend all of their special education funding (state), the following will apply:

1. Before federal funds are allocated in Year 2, the Charter LEA must submit a proposed budget for Year 2 clearly identifying how all special education funds will be spent in Year
2. If the Charter LEA is unable to report expenditures of all funds in Year 2, the federal grant allocation may be modified accordingly.

The allocation of state funds for Year 2 will be reduced by the unspent special education funds in Year 1. At the close of Year 2 and Year 3 operations, if the Charter LEA has expended beyond the level of state and federal funds received, the unspent Year 1 funds may be returned up to the level of expenses incurred



Unspent funds for Charter LEAs

2019-20

Reallocation of Unspent funds for Charter LEAs:

If a Charter LEA does not spend all of their allocation of state or federal funds, the following will apply:
The allocation of state funds for the next year will be reduced by the unspent funds from the previous year.
Prior to allocation of federal funds in the next year, the Charter LEA must submit a proposed budget for Year 2 clearly identifying how all special education funds will be spent in the next year. If the Charter LEA is unable to report expenditures of all funds in the following year, the federal grant allocation may be modified accordingly.

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 expenditures in the prior year.

Procedure will be developed to ensure an “early warning” monitoring system so there are no surprises.

2023-24

Unspent funds for Charter LEAs:

If a Charter LEA has unspent funds **greater than 25%** of their special education allocation, the LEA may not be eligible for federal funds the following year. The LEA must provide budget justification demonstrating need, to be included in Federal allocation calculations.

A charter may also opt out of federal funds for an unspecified period of time until needs change.



Reallocation of Unspent funds for CMOs

2019-20

Reallocation of Unspent Funds for CMOs:

The allocation plan distributes special education funding to each Charter LEA within a CMO, based on each Charter LEA's data. At the close of the fiscal year, the CMO may reallocate state and federal funds among the Charter LEAs in the CMO, within the LAC Charter SELPA. A process and procedures for the reallocation of funding will need to be developed.

No Change

2023-24

Reallocation of Unspent Funds for CMOs:

The allocation plan distributes special education funding to each Charter LEA within a CMO, based on each Charter LEA's data. At the close of the fiscal year, the CMO may reallocate state and federal funds among the Charter LEAs in the CMO, within the LAC Charter SELPA. A process and procedures for the reallocation of funding will need to be developed.



Unspent funds for First Year Charter LEAs

2019-20

Reallocation of Unspent Funds for First Year Charter LEA:

If a Charter LEA, in their first year with the LAC Charter SELPA, does not spend all of their special education funding (state), the following will apply:

1. Before federal funds are allocated in Year 2, the Charter LEA must submit a proposed budget for Year 2 clearly identifying how all special education funds will be spent in Year 2
2. If the Charter LEA is unable to report expenditures of all funds in Year 2, the federal grant allocation may be modified accordingly.

The allocation of state funds for Year 2 will be reduced by the unspent special education funds in Year 1. At the close of Year 2 and Year 3 operations, if the Charter LEA has expended beyond the level of state and federal funds received, the unspent Year 1 funds may be returned up to the level of expenses incurred

2023-24

Unspent Funds for First Year Charter LEA:

If a Charter LEA, in their first year with the LAC Charter SELPA, does not spend all of their special education funding (state), the following will apply:

1. Before federal funds are allocated in Year 2, the Charter LEA must submit a proposed budget for Year 2 clearly identifying how all special education funds will be spent in Year 2
2. If the Charter LEA is unable to report expenditures of all funds in Year 2, the federal grant allocation may be modified accordingly.



Questions / Comments

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Los Angeles County
Office of Education



Los Angeles County Charter SELPA Allocation Plan

Core Principles:

- ▶ Stable and predictable funding
- ▶ Timely and accurate projections
- ▶ Timely and accurate distribution of allocations
- ▶ Fairness and equity
- ▶ Transparency

Basic Elements:

- ▶ Funding distribution is based on the LEA submitted data at P1 and P2
- ▶ *Administrative Services Fee* component for LAC Charter SELPA
- ▶ *Set Aside Pool* to protect against future instability
- ▶ *Regionalized Services/Program Specialist Funding*
- ▶ Analyze unspent special education funds

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 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 EC 56195.7 or EC 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 EC 56195.1, the amount computed pursuant to EC 56836.11, as adjusted pursuant to the incidence multiplier set forth in EC 56836.155, shall be apportioned by the department [California Department of Education] for each unit of average daily attendance reported pursuant to subdivision (a) of EC 56836.06.

The major portion of funding for the Charter SELPA comes from state and federal sources. The Funding Allocation Plan is comprised of the following areas:

1. *AB 602 State Funding (including COLA, if any):*

Allocation of AB 602 funds is based on current year P2. Additionally, when the annual ADA certification is released by the CDE, the current year allocation will be adjusted accordingly.

A Cost of Living Adjustment (COLA) may be included in the Budget Act each year. The statewide average target rate is adjusted by the COLA and distributed on a per ADA basis to members.

2. *Federal Funding:*

a. The amount of funding for the Charter SELPA varies each year based on a complex formula of base amounts, plus special education student counts, plus poverty factors.

b. Distribution of federal funds will be based on prior year unduplicated Fall 1 CALPADS count. As a result, new Charter Schools will not receive federal funding in their first year with the LAC Charter SELPA.

c. Federal P194-142/IDEA Background

Each year the state of California receives a grant amount of IDEA/PL94142 funds. The state distributes this to SELPAs on a formula that is based on a historical amount per SELPA from 1999, adjusted by two other factors; special education students (population) and free and reduced count (poverty).

In order to determine the LAC Charter SELPA base rate, 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 school entering into the Charter SELPA in year one does not receive IDEA/PL94-142 funds until the next fiscal year.

3. *LAC Charter SELPA Administrative Services Fee:*

A percentage of the total funding is allocated to the LAC Charter SELPA for administrative services. This is a SELPA deduct prior to allocating funds to the charter schools. The fee is calculated based on AB 602 state funding sources only (with the exception of a 2.49% indirect of the federal Local Assistant Grant to LACOE). The administrative fee will be combined with the LAC Charter SELPA program specialist/regionalized services (part of AB 602) to provide SELPA services as indicated in section 5 below.

The Administrative Services Fee will be determined by the ADA target rate beginning with each new fiscal year commencing with the 2019-2020 school year.

- a. Below 10,000 ADA target rate:
 - Tier 1, Year 1 to Year 4: 6%
 - Tier 2, Year 5 to Year 9: 5%
 - Tier 3, Year 10 and beyond: 4%
- b. 10,000 ADA target rate:
 - Tier 1, Year 1 to Year 4: 6%
 - Tier 2, Year 5 and beyond: 4%
- c. 15,000 ADA target rate:
 - Tier 1, Year 1 to Year 4: 6%
 - Tier 2, Year 5 and beyond: 3%
- d. Changes to the ADA target rate would bring changes on the Administrative Services Fees in the subsequent fiscal year.
- e. Reduction in the administrative fee will follow the progression as articulated above. Should a Charter School need continued intensive support of the SELPA with the CDE compliance and performance mandates, the Governance Council may vote to hold the Administrative fees at the LEA's current rate.
- f. Should a current LEA Charter member open a new Charter School, the new Charter School, as supported by the established Charter School, would enter at the current rate of the existing member. A Charter School or group of Charter Schools applying to the SELPA would enter at the rate of their Tier of operation as indicated above.

4. *Reserve Pool:*

a. LAC Charter SELPA will maintain an Annual Reserve Contribution per LEA. The Annual Reserve Contribution is for the protection of the Charter SELPA as a whole and will not be utilized for any shared cost.

b. The Annual Reserve Contribution of 3% will be based on a percentage of the current year's AB602 entitlement per LEA.

c. The Annual Reserve Contribution will be returned to the LEA at the end of the following fiscal year.

d. Should the LEA choose to use this Annual Reserve Contribution as their own Risk Pool, the SELPA will hold the funds in reserve. To hold or access the Reserve Contribution beyond the annual requirement, the LEA must submit this request in writing.

e. The Annual Reserve Contribution is not returnable should the LEA leave the LAC Charter SELPA in Tier 1 as reflected above in section 3 *LAC Charter SELPA Administrative Services Fee*. Any LEA leaving the LAC Charter SELPA after Tier 1 will have their Annual Reserve Contribution returned if there are no outstanding financial obligations to the LAC Charter SELPA. This two-year hold is necessary to ensure that no prior year ADA adjustment by the LEA will impact the LAC Charter SELPA budget.

5. *Other Additional Funding:*

a. Program Specialist/Regionalized Services:

i. The Program Specialist/Regionalized Services dollars are allocated on the AB602 Funding Exhibit. This funding is required by education code to provide SELPA services (outlined below). LAC Charter SELPA will use these dollars (along with the administrative service fee) to pay for SELPA staffing and expenditures.

ii. 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 approved local plan:

1. Coordination of the special education local plan area and the implementation of the local plan
2. Coordinated system of identification and assessment
3. Coordinated system of procedural safeguards
4. Coordinated system of staff development and parent and guardian education
5. Coordinated system of curriculum development and alignment with the core curriculum
6. Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism
7. Coordinated system of data collection and management
8. Coordination of interagency agreements
9. Coordination of services to medical facilities
10. Coordination of services to licensed children's institutions and foster family home
11. Preparation and transmission of required special education local plan area reports
12. Fiscal and logistical support of the community advisory committee
13. Coordination of transportation services for individuals with exceptional needs
14. Coordination of career and vocational education and transition services
15. Assurance of full educational opportunity
16. Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.01
17. Direct instructional program support that may be provided by program specialists in accordance with Section 56368

- b. Low Incidence Materials and Equipment (EC 56026.5):
 - i. Low incidence disabilities funding is based on the prior year Fall 1 Pupil Count of the LAC Charter SELPA for students with specific disabilities (hearing impairments, vision impairments, and severe orthopedic impairments, or any combination thereof) times a rate determined by the CDE.
 - ii. Pursuant to education code, these funds are for specialized services, books, materials, and equipment as required under the individualized education program for each pupil with low incidence disabilities, as defined in EC 56026.5.
 - iii. The LAC Charter 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 LAC Charter SELPA once the agency that originally received the books, materials and equipment no longer needs them.
 - iv. Charter LEAs may submit to the LAC Charter SELPA a request for books, materials, and equipment for any students who qualify for these funds.
- c. Out of Home Care funds:
 - i. Allocation of the Out of Home Care funds is based on current year P2 funded ADA and will be distributed in the same manner as AB602 base funds. Additionally, when the annual ADA certification is released by the CDE, the current year allocation will be adjusted accordingly.

No Administrative Service fee to be charged or reserve held on Out of Home Care Funds.

Cash-flow Process

- a. The cash-flow model is intended to ensure that estimates of cash flow for special education are as accurate as possible. The cash will be deposited in the administrative unit's general fund and warrants will be issued and sent out to Charter LEAs in a timely fashion, within a 5 business days after the cash has been received by the LAC Charter SELPA.
- b. During the months of July through January, cash flow to the LAC Charter SELPA members will be based on the CDE Apportionment payment schedules and Charter LEAs prior year P2 ADA. This method of funding means that new Charter LEAs entering the LAC Charter SELPA will not receive any cash until the P1 Apportionment, certified in February. Any State deferrals applied to the LAC Charter SELPA will be applied to the LAC Charter SELPA members. The CDE will not flow cash to the SELPAs until the California State Budget has passed. Should there be a delay in funding from the CDE due to the State budget, there will be a delay in the cash flow to the Charter SELPA members
- c. In February, the CDE certifies the P1 Apportionment based on the current year P1 ADA. Each Charter LEA's P1 ADA will be used to calculate its estimated entitlement and distribution of cash flow for the months of February through May.
- d. In June, the CDE certifies the P2 Apportionment based on the current year P2 ADA. Each Charter LEA's P2 ADA will be used to recalculate its entitlement and the distribution of cash flow based on the CDE's deferral schedule.

e. State Funding Recertification is certified each February and June for the previous two years, the CDE will continue to certify funding based on any changes to the ADA. The certification schedule for each fiscal year is as follows:

i. July – Advance Apportionment

ii. February:

Current Year P1 Certification
Prior Year Annual Certification (Annual R1)
2nd Year prior Annual Certification (Annual R3)

iii. June:

Current Year P2 Certification
Prior Year Annual Certification (Annual R1)
2nd Year prior Annual Certification (Annual R3)

iv. As re-certifications occur, funding may change based on any ADA or rate changes. These changes in funding will be allocated to Charter LEAs in July after the P2 Apportionment Certification in June.

v. If an LEA does not report any special education students in their CASEMIS data submissions, they will not be eligible to receive any funds through LAC Charter SELPA for the appropriate period.

f. Federal Funding is usually received in February of the current year. In March an expenditure report is due to the CDE from the LAC Charter SELPA. Once the CDE receives the expenditure report a second payment of 25% of the grant award will be distributed to the LAC Charter SELPA, typically by June. A final expenditure report is due to the CDE in October and the remaining 25% amount of the grant award will be received in December. Although the final cash will not be received until December, the grant award must be fully expended by June.

Unspent Special Education Revenue

Unspent funds for Charter LEAs:

If a Charter LEA has unspent funds **greater than 25%** of their special education allocation, the LEA may not be eligible for federal funds the following year. The LEA must provide budget justification demonstrating need, to be included in Federal allocation calculations.

A charter may also opt out of federal funds for an unspecified period of time until needs change.

Reallocation of Unspent Funds for CMOs:

The allocation plan distributes special education funding to each Charter LEA within a CMO, based on each Charter LEA's data. At the close of the fiscal year, the CMO may reallocate state and federal funds among the Charter LEAs in the CMO, within the LAC Charter SELPA. A process and procedures for the reallocation of funding will need to be developed.

Unspent Funds for First Year Charter LEA:

If a Charter LEA, in their first year with the LAC Charter SELPA, does not spend all of their State special education funding, the following will apply:

1. Before federal funds are allocated in Year 2, the Charter LEA must submit a proposed budget for Year 2 clearly identifying how all special education funds will be spent in Year 2
2. If the Charter LEA is unable to report expenditures of all funds in Year 2, the federal grant allocation may be modified accordingly

Maintenance of Effort

The Maintenance of Effort (MOE) is a federal requirement that the Charter LEA spend each year at least what the Charter LEA spent last year in the area of special education (with specific allowable exceptions).

All special education funds are subject to maintenance of effort (MOE) requirement. This is stipulated in Section 1413 of Title 20 of United States Code, Title 34, Section 300.203 of the Code of Federal Regulations, and Education Code Section 56205.

The MOE requirement is that special education 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 Charter 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.

A Charter School 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:

- 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. Termination of an obligation of an agency to provide a program of special education to a particular child with a 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 free appropriate public education (FAPE) to the child has terminated
 - 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 (34 CFR 300.232)

Each Charter School member of the LAC Charter SELPA is considered an independent LEA. As an LEA, each individual Charter School must meet the MOE requirement. At the close of each fiscal year, should an individual LEA not meet the required MOE, the LEA may have their total apportionment funds adjusted for that fiscal year in order to ensure that maintenance of effort is met and they will not be eligible for special education funding the following year. Once the LEA has met the MOE, the LEA will be eligible the following fiscal year. If an LEA is able to show mitigating circumstance and demonstrate the ability to fully meet MOE the following year, they may receive an allocation of special education funds.

School Closures

Prior to releasing State and/or Federal 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 the 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

■ *CALPADS*

CALPADS reports are due to the LAC Charter SELPA administrative staff two times a year for SELPA reporting to the California Department of Education (CDE). These counts are reported by each charter to the SELPA office in order to meet CDE established timelines in December and June.

■ *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 determined by the CDE.

■ *Maintenance of Effort (MOE)*

Federal funding requires that each LEA (Charter School) 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 Charter SELPA is required to report this data to the CDE in two formats:

- Actual current year expenditures vs. actual prior year expenditures
- Budget expenditures for the next fiscal year vs. actual current year expenditures

The Maintenance of Effort reports are due to the LAC Charter SELPA administrative staff on September 15th and due to the CDE by November 15th.

■ *Excess Cost Calculation*

IDEA regulations require recipients of these funds to compute an excess cost calculation annually. IDEA funds may only be used to pay for the excess cost of providing special education and related services to children with a disability. Excess costs are the costs to educate elementary school or secondary school student with a disability that are in excess of the average annual per student cost in an LEA during the prior school year, as appropriate.

The Excess Cost Calculation is due annually to the Charter SELPA on September 15th.

Annual Budget and Service Delivery Plans

In accordance with E.C. 56195.7(h), a budget for special education and related services that shall be maintained by the special education local plan and to 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 education agency or other entity providing a program or service, the budget, at minimum, shall display the following:

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.

The number and type of certificated instructional and support personnel, including the type of class setting to which they are assigned, if appropriate.

The number of instructional aides and other qualified classified personnel.

The number of enrolled individuals with exceptional needs receiving each type of service provided. In accordance with E.C. 56205(1), an annual budget plan shall be adopted at a public hearing held by the special education 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 E.C. 56001 and 56195.9.

The annual budget plan shall identify expected expenditures for all items required by this part, which shall include, but not be limited to the following:

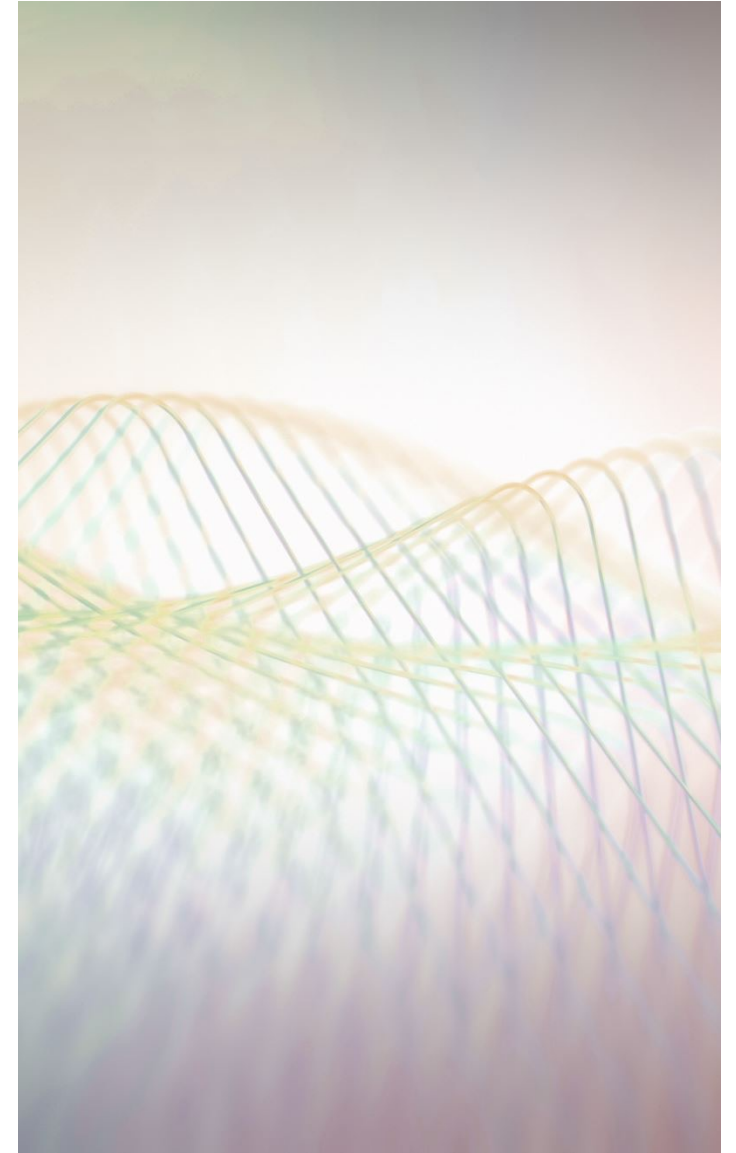
- A. Total funds received (commencing with E.C. 56836)
- B. Administrative costs of the plan.
- C. Special education services to pupils with severe disabilities and low incidence disabilities.
- D. Special education services to pupils with non-severe disabilities.
- E. Supplemental aids and services 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 specialists.
- G. The use of property taxes allocated to the special education local plan area.

SECTION B: GOVERNANCE & ADMINISTRATION

SELPA Local Plan Section B Update

Governance Meeting Section B Review

01/25/2024



LOCAL PLAN: APPROVAL & TIMELINES

Step 1: December 4th Section B DRAFT and PowerPoint Presentation Ready

Step 2: December 6th CAC Submission & Review of Section B - 30 days (Certification 4)

Step 3: December 14th LEA Participation at Program Council (Sec. A: Titles/Names) to review Section B - Governance

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Step 10: June 20th Governance Approval of New LEA Members (Local Plan Attachment Updates)

Step 11: June 30th Local Plan Submission to the CDE

SECTION B
GOVERNANCE &
ADMINISTRATION
CDE TEMPLATE
OVERVIEW

- *Special Education Local Plan Area - Local Plan Requirements* - (12 Items)
- *Policies, Procedures, and Programs* - (23 Items)
- *Administration of Regionalized Operations and Services* - (17 Items)
- *Special Education Local Plan Area Services* - (6 Items)

SPECIAL EDUCATION LOCAL PLAN AREA - LOCAL PLAN REQUIREMENTS (12 ITEMS)

1. Describe the geographic service area covered by the local plan:
2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:
3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:
4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

SPECIAL EDUCATION LOCAL PLAN AREA - LOCAL PLAN REQUIREMENTS (12 ITEMS)

5. Describe the policies and procedures of the SELPA that allow for the participation of charter schools in the local plan:
6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan:
7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:
8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

SPECIAL EDUCATION LOCAL PLAN AREA - LOCAL PLAN REQUIREMENTS (12 ITEMS)

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process:
- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan:
- c. The responsibilities of each LEA and COE for coordinating the administration of the local plan:

SPECIAL EDUCATION LOCAL PLAN AREA - LOCAL PLAN REQUIREMENTS (12 ITEMS)

11. Identify the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA related to:

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:
- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:
- c. The operation of special education programs:
- d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments:

*POLICIES,
PROCEDURES,
AND
PROGRAMS
(23 ITEMS)*



- Pursuant to EC sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 United States Code (USC) and in accordance with Title 34 Code of Federal Regulations (CFR) Section 300.201 and has in effect policies, procedures, and programs.



- For each of the following 23 areas, identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area.



- In all cases, provide the SELPA policy and procedure numbers; the document title; and the physical location where the policy can be found.

POLICIES, PROCEDURES, AND PROGRAMS

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1)
2. Full Educational Opportunity: 20 USC Section 1412(a)(2)
3. Child Find: 20 USC Section 1412(a)(3)
4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP): 20 USC Section 1412(a)(4)
5. Least Restrictive Environment: USC Section 1412(a)(5)
6. Procedural Safeguards: 20 USC Section 1412(a)(6)
7. Evaluation: 20 USC Section 1412(a)(7)
8. Confidentiality: 20 USC Section 1412(a)(8)

POLICIES, PROCEDURES, AND PROGRAMS

9. Part C to Part B Transition: 20 USC Section 1412(a)(9)
10. Private Schools: 20 USC Section 1412(a)(10)
11. Local Compliance Assurances: 20 USC Section 1412(a)(11)
12. Interagency: 20 USC Section 1412(a)(12)
13. Governance: 20 USC Section 1412(a)(13)
14. Personnel Qualifications
15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)
16. Participation in Assessments: 20 USC Section 1412(a)(16)

POLICIES, PROCEDURES, AND PROGRAMS

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17)
18. Maintenance of Effort: 20 USC Section 1412(a)(18)
19. Public Participation: 20 USC Section 1412(a)(19)
20. Suspension and Expulsion: 20 USC Section 1412(a)(22)
21. Access to Instructional Materials: 20 USC Section 1412(a)(23)
22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24)
23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)

*ADMINISTRATION OF
REGIONALIZED
OPERATIONS &
SERVICES
(17 ITEMS)*

- Pursuant to EC sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions.
- Descriptions must include:
 1. An explanation of the direct instructional support provided by program specialists; and
 2. The respective roles of the RLA/ AU, the SELPA administrator, and the individual LEAs associated with the SELPA.
- Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

ADMINISTRATION OF REGIONALIZED OPERATIONS & SERVICES

1. Coordination of the SELPA and the implementation of the local plan:
2. Coordinated system of identification and assessment:
3. Coordinated system of procedural safeguards:
4. Coordinated system of staff development and parent and guardian education:
5. Coordinated system of curriculum development and alignment with the core curriculum:
6. Coordinated system internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system:

ADMINISTRATION OF REGIONALIZED OPERATIONS & SERVICES

7. Coordinated system of data collection and management:
8. Coordination of interagency agreements:
9. Coordination of services to medical facilities:
10. Coordination of services to licensed children's institutions and foster family homes:
11. Preparation and transmission of required special education local plan area reports:
12. Fiscal and logistical support of the CAC:

ADMINISTRATION OF REGIONALIZED OPERATIONS & SERVICES

13. Coordination of transportation services for individuals with exceptional needs:
14. Coordination of career and vocational education and transition services:
15. Assurance of full educational opportunity:
16. Fiscal administration and the allocation of state and federal funds pursuant to EC Section 56836.01—The SELPA Administrator's responsibility for the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.
17. Direct instructional program support that maybe provided by program specialists in accordance with EC Section 56368:

*SPECIAL
EDUCATION
LOCAL PLAN
AREA SERVICES
(6 ITEMS)*

1. A description of programs for early childhood special education from birth through five years of age:
2. A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual administrator:
3. A description of a dispute resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan:
4. A description of the process being used to ensure a student is referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized:

SPECIAL EDUCATION LOCAL PLAN AREA SERVICES

5. A description of the process being used to oversee and evaluate placements in nonpublic, nonsectarian schools and the method of ensuring that all requirements of each student's individualized education program are being met. The description shall include a method for evaluating whether the student is making appropriate educational progress:

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in EC 56026(c)(4)) who has been incarcerated in a county jail and remains eligible for special education services: The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (EC Section 56040) It is the responsibility of the district of residence (DOR) to provide special education services and related services to an adult student in county jail who remains eligible for these services and wishes to receive them. The DOR is the district in which the student's parents resided when the student turned 18, unless and until the parents move to a new DOR. For conserved students, the DOR is based on the residence of the conservator. (EC Section 56041)

*RECOMMENDED
CHANGES TO
SECTION B:
GOVERNANCE AND
ADMINISTRATION*

- **SELPA Specific Nomenclature Changes**
 - i.e. Finance Committee to Ad Hoc Committee
- **Ad Hoc Recommendations:**
 - a. **Governance Council Meetings**
 - b. **Voting – no changes**
 - c. **Requirements for New Members**
 - d. **Program Council Requirements**



GOVERNANCE COUNCIL MEETINGS

- Governance Council will occur two times per year at a minimum (revised from quarterly 4 times a year.)
- When the Governance Chair is absent, meeting chair will be given to past Chair or Ad Hoc Committee Chair.

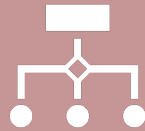
PROGRAM COUNCIL REQUIREMENTS

- Appoint LEA liaison to Mental Health, California Children's Services, **CAPTAIN**, **PENT**, Regional Centers, and other agencies, as required by interagency agreements and MOU's when appropriate.

REQUIREMENTS FOR NEW MEMBERS



All new members to the SELPA shall attend the new member orientation.



As appropriate, all new LEAs shall attend the SEIS Code Stack Conference.



All new LEAs to the SELPA, shall have at least two executed contract with an NPA for related services on or before the first day of school.

LOCAL PLAN: APPROVAL & TIMELINES

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[Governance Council Meeting](#) – January 25, 2024

Item VI. **CLOSING ITEMS**

A. SELPA Governance Council Calendar



2023-2024 Governance Council Calendar of Meetings

Meeting: 8:00am to 9:00am

Ad Hoc Meeting to Follow the End of the Governance Council Meeting

<u>MONTH</u>	<u>DATE</u>	<u>LOCATION</u>
October	26	<u>LAC SELPA Office & Virtual</u> Room: Ed Center 107 9300 Imperial Hwy., Downey, CA 90242
January	25	<u>LAC SELPA Office & Virtual</u> Room: Ed Center 107 9300 Imperial Hwy., Downey, CA 90242
March	28	<u>LAC SELPA Office & Virtual</u> Room: Ed Center 107 9300 Imperial Hwy., Downey, CA 90242
April	25	<u>LAC SELPA Office & Virtual</u> Room: Ed Center 107 9300 Imperial Hwy., Downey, CA 90242
May	23	<u>LAC SELPA Office & Virtual</u> Room: Ed Center 107 9300 Imperial Hwy., Downey, CA 90242
June	20	<u>LAC SELPA Office & Virtual</u> Room: Ed Center 107 9300 Imperial Hwy., Downey, CA 90242

Created: 5/19/23
 Approved: 5/25/23