

PROGRAM TRANSFER POLICY

POLICY

A new provision in EC Section 56207(b) under AB 602 is that a program transfer may take place as of July 1 at the start of the first fiscal year after the process is initiated if the transfer is unanimously approved by SECA or individuals identified in EC Section 56205(B)(1). The operating cost forms (Exhibits B and C) approved by the AB 602 Committee will be used as a budget planning tool to determine the estimated cost of the program to be transferred and the estimated cost for the remaining program, if applicable. A plan must be developed, pursuant to EC Section 56207(A)(1-7) that addresses pupil needs, availability of a full continuum of services, maintenance of all current services provided in the student's IEP provision of services in the least restrictive environment, adherence to all federal and State laws, as well as SELPA policies, and involvement of parents and staff in the final process.

The following standards are to be met when a SELPA-member LEA takes back Regional special education programs/services.

- a. LEAs planning to take back Regional special education programs/services must notify, in writing, the Santa Cruz County Superintendent of Schools and the SECA chair no later than February 1st of the year prior to implementation. However, by mutual agreement of both the County Superintendent of Schools and SECA, notification can be made after the February deadline.
- b. Program transfers shall be on a class-by-class basis. The related services must be provided by the receiving LEA.
- c. If the LEA is running a non-regional program, the receiving LEA shall serve all resident and non-resident students in the particular class to be taken back. In other words, the LEA may not remove out-of-district students and serve only in-district students. Out-of-district students may be phased out as they graduate from the program or move.

If the LEA is running a non-regional program and pursuant to Ed Code Section 56207, the SELPA Director and Special Education Council (SEC) will review impact to the availability of the full continuum of program and service options to students within the SELPA, as well as the provision of services in the least restrictive environment from which students can benefit. Based on this information, SEC will advise SECA to any potential impacts to students.

- d. A one-year mitigation or high-cost factor shall be developed for those LEAs taking back programs that result in increased costs to the remaining SELPA-member LEAs participating in the Regional special education programs/services.

Procedures and a formula to determine the program transfer revenue, including a potential one-year mitigation or high cost factor, need to be considered and developed by the AB 602 Committee. This formula will take into consideration Section 4 (Allocation of Funds for Regional Special Education Programs/Services) of this plan.

- e. When the LEA chooses to serve its own resident students in the LEA that were previously served by a Regional program, the LEA's contribution to Regional programs is reduced by the utilization portion in Section 4 (Allocation of Funds for Regional Special Education Programs/Services) of this plan.