

## **San Mateo County SELPA**

### **STUDENT MOVEMENT BETWEEN DISTRICTS**

#### **POLICY**

As part of the San Mateo County SELPA's efforts to coordinate the provision of a full continuum of special education service options, and as a means of ensuring that students with disabilities receive a free and appropriate public education (FAPE) in the least restrictive environment, districts may enter into agreements whereby students can be placed in other district special education programs when the IEP team deems it appropriate. It is the intent of the San Mateo County SELPA that students with disabilities are treated in a manner equal to their non-disabled peers in the administration of special education referrals and related Inter-district Attendance Agreements.

For purposes of this policy all IEP Team referrals to out-of-district special education programs are referred to as "IEP Team Referrals", not Inter-district Transfers. Inter-district Transfer Agreements are made between districts based on parent requests. They are not considered IEP Team Referrals.

**Approved by SELPA Governing Board 10/3/00**

## STUDENT MOVEMENT BETWEEN DISTRICTS

### PROCEDURES

#### I. TYPES OF REQUESTS:

##### A. IEP Team Referrals

The resident district IEP team initiates a referral to another district for special education and related services.

The district of residence is responsible for "calculated costs" for special education and related services.

When the two districts agree that an "IEP Team Referral" is appropriate to meet the needs of the student, a "Transfer of Special Education Funds Agreement" is executed which determines the calculated costs of the special education and related services. Program standards as defined in the current SELPA Local Plan are used as the basis for determining cost. In addition the district of residence will reimburse to the district of attendance for the costs of any related services that are in excess of district staffing. The district of attendance receives the SDC revenue limit and special education ADA as special education revenue.

The calculated costs are prorated based on the number of days of enrollment. Therefore, 180 days are equal to 100% of the cost. Costs will be calculated in a uniform manner within the SELPA as defined by the SELPA Governing Board.

##### B. Inter-District Transfers

1. The parent of an identified student requests and is granted an inter-district transfer from both the student's resident district and district where the student has requested to attend.

The receiving district receives the revenue limit and the special education ADA. In addition the district of residence will reimburse to the district of attendance for the costs of any related services that are in excess of district staffing.

If an IEP team which, includes both the district of attendance and the district of residence, subsequently determines that the student needs to be placed outside the district in another district special day class, SMCOE operated special day class or any other non-district placement, then the district of residence would assume fiscal responsibility for all special education and related services costs.

2. Student attending on an Inter-district Transfer Agreement is subsequently referred for special education and determined eligible for special education and related services.

The receiving district receives the revenue limit and the special education ADA. In addition the district of residence will reimburse to the district of attendance for the costs of any related services that are in excess of district staffing.

If an IEP team which, includes both the district of attendance and the district of residence, subsequently determines that the student needs to be placed outside the district in another district special day class, SMCOE operated special day class or any other non-district placement, then the district of residence would assume fiscal responsibility for all special education and related services costs.

### **C. Non-Inter District Transfers**

1. **Allen Bill** (work related)  
Allen Bill transfers apply only to districts that have an adopted board policy that allows such transfers. If the district has a board policy allowing Allen Bill transfers it would only apply to K-8 students whose parents are employed within the boundaries of the school district and to K-8 students attending on an Allen Bill who are continuing on to high school in the same district. Since the receiving district becomes the district of residence, the receiving district incurs all costs including special education and related services. The new district of residence receives the revenue limit and the special education ADA.
2. **Tinsley Program** (Desegregation Ravenswood Elementary School District)  
The district to which the student is assigned becomes the resident district. It therefore incurs all costs including special education and related services. The new district of residence receives the revenue limit and the special education ADA.
3. **Charter Schools**  
The Charter School or its chartering agency is responsible for all costs including special education and related services for students enrolled in their school.

### **Disputes Between the Districts**

Where there is a dispute between districts regarding responsibilities and or costs, the parties may contact the SELPA for dispute resolution.

## **Responsibilities, Mediation, Due Process and Litigation**

Responsibilities for costs incurred as a result of mediation, due process, and litigation are determined by agreement from both districts. If needed, the SELPA may facilitate dispute resolution.

## **Appeal Procedures**

In accordance with the Education Code Section 46601, the school district denying a request for Inter-district Transfer Agreement advises the person requesting the permit of the right to appeal to the San Mateo County Board of Education.