

SANTA BARBARA COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

Alternative Dispute Resolution—SELPA and SELPA Member Disputes and Resolution (AR 2003)

One of the roles of the SELPA's JPA Board is to decide disputes that may arise between the SELPA and its member LEAs and/or between member LEAs in the interpretation and/or implementation of the SELPA's local plan, Joint Powers Agreement, SELPA policies and administrative regulations, etc. This dispute resolution process shall apply to all SELPA business unless a business document specifically excludes it from this administrative regulation. (e.g. The SELPA's agreement with Regional Center for provision of services to children between the ages of 0 and 3.) This administrative regulation does not apply to disputes between member LEAs regarding non-SELPA-related business.

Level 1: Any disputes shall be resolved informally between the SELPA and member LEAs and/or between member LEAs via discussions between the involved parties.

Level 2: If Level 1 is unsuccessful, the SELPA Executive Director will act as mediator to attempt to facilitate a resolution of the dispute.

Level 3: If the matter cannot be resolved through Level 1 and Level 2, the SELPA or an LEA representative may request that the issue be agendized for consideration by a committee comprised of the special education administrators or business officials from member LEAs, depending upon whether the subject of the dispute is primarily of a programmatic or fiscal nature.

Level 4: If the matter cannot be resolved at Levels 1 through 3, then SELPA Executive Director shall ask that the matter shall be agendized for review and action by the JPA Board. Parties to the dispute shall provide a letter to the Chair of the JPA Board at least ten (10) calendar days in advance of the scheduled JPA Board meeting. This letter shall include a description of the dispute as well as the facts and position of the party submitting the letter. At the scheduled meeting, in open session, each involved party shall be afforded the opportunity to speak to the JPA Board in the presence of the other party(ies) and each party shall respond to questions asked by the JPA Board. The JPA Board may then deliberate in closed session to determine a decision, including remedies, on the dispute. The decision will be reported out in open session.

The JPA Board's decision shall be based upon at least a 7 out of 9 JPA Board member majority vote of the members of the JPA Board. The JPA Board's decision shall be final and binding; there shall be no right to appeal the decision of the JPA Board.

Any LEA that does not comply with the JPA Board's final and binding decision shall have a penalty levied against them by the JPA Board which shall be determined in closed session by a 7 out of 9 JPA Board member majority vote of the JPA Board, which will then be reported out in open session. There shall be no right to appeal this consequence of failure to comply with the final and binding decision of the JPA Board.

In Level 4, all members of the JPA Board may remain seated on the JPA Board even if the JPA Board member's LEA is involved in the dispute. Because all members of the SELPA have a vested interest in the outcome of these disputes, all members of the JPA Board have a potential or real conflict of interest. Thus, the vote on disputes before the JPA Board requires only a 7 out of 9 JPA Board member majority vote.

Resolution/Decision in Writing

At each level, the resolution/decision reached shall be reduced to writing and a copy shall be provided to the involved parties and the SELPA Executive Director.

APPROVED: April 13, 2026