

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

3000 BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

3200 BUDGET PLANNING PROCESS

3208 Closure of Regional Programs or Program and Service Transfers

1. The SBCSELPA Executive Director shall consider closure of a regional class/program by January 15th of the year preceding the potential closure when the number of students drops below sixty percent of the recommended SELPA Plan caseload. Such consideration shall be reviewed by a committee designated by the SBCSELPA Executive Director to include the regional program operator, special education administrator, affected LEA special education administrators (from both LEAs of current students served and sending LEAs in the following school year), and at least one or more parent(s) of a student served in the program. The committee shall consider the following when making recommendations regarding potential closure of a regional class/program:
 - Historical class size data for past two years
 - Projected class size for next two future years
 - Age span of students
 - Purpose and intent of the class/program
 - Other viable options that provide FAPE in LRE and most appropriate setting
 - Parent input
 - Fiscal impact of closing the class/program versus keeping it open

Recommendations from the committee shall be discussed with the special education administrators and business official from districts in SBCSELPA in order to determine it is feasible to close the regional class/program and continue to meet student IEP needs.

The SBCSELPA Executive Director shall make final recommendations for closure of regional classes/programs to the JPA Board.

2. The SBCSELPA Executive Director shall consider an LEA's request for closure of a regional class/program when such request is put in writing and forwarded to the SBCSELPA Executive Director by September 1 of the year preceding the proposed regional class/program closure. Such consideration

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shall be discussed with the district and a committee comprised of the special education administrators and business official from districts in SBCSELPA in order to determine it is feasible to close the regional class/program and continue to meet student IEP needs. The LEA and SBCSELPA Executive Director shall also ensure that there has been involvement and representation of parents of all affected students and staff (e.g., special and non-special education teachers, itinerant specialists, administrators, and classified) in the planning process. The SBCSELPA Executive Director shall make final recommendations for closure of regional classes/programs to the JPA Board.

3. The SBCSELPA Executive Director shall consider a LEA's request (sending or receiving) to transfer program(s) and service(s) (in whole or in part) when the sending or receiving agency has informed the other agency and the SELPA prior to the first day of the second fiscal year beginning after the date on which the transfer will take place unless both LEA's involved unanimously approve that the transfer take place on the first day of the first fiscal year following that date. The SBCSELPA Executive Director shall make final recommendations regarding program and service transfer requests (in whole or in part) to the JPA Board.
4. If an LEA requests (sending or receiving) to transfer program(s) and service(s) (in part or in whole) less than a year and a day prior to the proposed transfer, a written letter of request shall be made to the administrator of the current program operator and SBCSELPA Executive Director prior to a final recommendation going forth to the JPA Board. The SBCSELPA Executive Director shall receive confirmation in writing from the current program operator that they approve the requested date of transfer in part or in whole.
5. The LEA requesting program and service transfers certifies that the agency will comply with all applicable requirements of federal and state laws and regulations and special education local plan area policies, including compliance with the Individuals with Disabilities Education Act, Section 504 of Public Law, and the provisions of the California Education Code prior to the transfer. Specifically, the receiving LEA/District shall provide

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the Board a detailed program transfer plan that includes all of the following:

- Evidence student needs within the SBCSELPA can be met
 - Evidence availability of a full continuum of services to affected students has been considered

 - Evidence continuation of current IEPs of affected students has been considered
 - Evidence provision of services and least restrictive environment (LRE) for affected students has been considered
 - Evidence of maintenance of all IEP support services has been considered
 - Assurance statement that there will be compliance with all federal and state laws and regulations and SBCSELPA policies
 - Evidence parents and staff were represented in the planning process for both the sending and receiving LEA
 - Evidence of an agreed upon plan between sending and receiving LEAs for transfer of equipment
 - Proposed plan for facilities
 - Certification of the receiving LEA's governing board
6. When a reorganization (including the closure of a regional class/program or program and service transfer) of special education programs under the Local Plan results in the termination, reassignment, or transfer of an employee, certificated and classified employee rights shall be determined in accordance with applicable statutes. (See Ed. Code § 44903.7, 45120.2.)

An ad hoc committee review team may be designated by the SBCSELPA Executive Director on an as needed basis to advise her or him regarding potential regional class/program closures or program and service transfers.

This team may at the discretion and direction of the SBCSELPA Executive Director, review significant data regarding the regional class/program and/or

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make an on-site study prior to making a written recommendation to the SBCSELPA Executive Director as to its findings:

1. Projected class size based on the CALPADS Fall 1 of the past 3 years and current enrollment shall be considered in the case of a recommendation for a regional class/program closure or program and service transfers
2. Student needs
3. Exceptional circumstances such as population, sparsity and low incidence disabilities shall also be considered in order to assure the availability of the full continuum of service to affected students
4. The functional continuation of the current individualized education programs of all affected students. The team must assure that the affected students' IEPs, to include appropriate support services, can be appropriately implemented in another setting in the case of a regional class/program closure or program and service transfer
5. The provision of services in the LRE from which the affected students can benefit
6. The assurance that there will be compliance with all federal and state laws and regulations and special education local plan area policies
7. The means through which parents and staff will be represented in the planning processes
8. If it is a request to close a regional class/program or to transfer program(s) and service(s), consideration shall be given to whether

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another program operator is willing and able to assume responsibility for the program in order to assure a full continuum of service.

9. How certificated and classified personnel will be affected by the transfer.

10. Fiscal impact of regional class/program closure or program and service transfer.

Closure of a regional class/program or program and service transfers shall occur at the beginning of the next fiscal year unless the program operator(s) unanimously agree that the closure take place at a different time.

The LEA requesting program and service transfers shall notify the SBCSELPA and JPA Board by January 15th of the year prior to the closure/transfer of a program or service if they plan to rescind the request.

California Education Code Part 30, Section 56207; 45120.2; 56822; 44903.7

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