

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6300 INSTRUCTIONAL PLANNING AND INDIVIDUALIZED EDUCATION PROGRAM

6303 Recommendation for Individualized Education Program (IEP) Team for Programs Outside Area of Responsibility (Intra-SELPA Student Placements)

When an IEP Team determines that an appropriate program for an individual student is not available within its LEA or through a regional program and an appropriate program might be available in another LEA within the Special Education Local Plan Area, the following procedures shall be followed:

1. The Special Education Administrator/Designee from the referring LEA shall contact Special Education Administrators from other LEAs to determine if they may have an appropriate program for the student.
2. If another LEA in the SELPA indicates they have a possible appropriate program for the student, the referring LEA Administrator/Designee or IEP team members shall go observe the potential program(s) in order to determine if it is appropriate for the student. They shall provide prior notice to the receiving LEA Special Education Administrator(s) of the intent to go observe the program. A parent or guardian shall not be allowed to visit the program in an outside LEA without prior consent of the receiving and notice to the referring LEA. The receiving LEA special education administrator/designee may request written documents regarding the student prior to a formal referral packet being sent.
3. If, after steps two and three above have taken place, the referring LEA determines a program in another LEA in the SELPA is appropriate for the student, the Special Education Administrator/Designee shall send a referral packet to the receiving LEA at least 10 days prior to the date of an IEP meeting to discuss possible placement in the program.. The packet shall include copies of the most recent cognitive and academic assessments, as well as copies of other applicable assessments such as OT, PT, speech, social-emotional, etc. They shall also include a narrative summary of the student's needs and a description of why a placement outside of the district is requested. The receiving LEA shall respond to the referring LEA regarding whether or not they will accept intra-SELPA transfer student within 10 working days.

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4. If the receiving LEA agrees to a potential placement of the student, the referring LEA may conduct an IEP meeting to offer the intra-SELPA placement as a possible placement. The referring LEA shall invite the receiving LEA Special Education Administrator/Designee to the IEP meeting to discuss possible placement.
5. If an intra-SELPA IEP team student placement is made, the referring LEA is responsible for full costs of inter-SELPA placed students. The receiving LEA shall bill the referring LEA actual costs associated with providing a program and related services to the student. The placement shall not be deemed as an “inter-district” transfer.
6. A MOU between the receiving and referring LEA shall be drafted to stipulate all matters related to the placement such as how costs associated with dispute resolution and due process shall be funded.
7. If there is disagreement between a referring and receiving LEA regarding a potential placement, intra-SELPA student placement services, or costs associated with such a placement, and the dispute cannot be resolved by the parties at the lowest level, the referring LEA Special Education Administrator will contact the SBCSELPA Executive Director who will schedule a meeting with the affected LEAs to attempt to mediate the disagreement. If the referring and receiving LEA administrators cannot come to an agreement about a potential student placement, final decisions regarding intra-district placements are the jurisdiction of the receiving LEA.

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