

# Glenn County Special Education Local Plan Area

## SELPA Administrative Regulation

### PROGRAM TRANSFERS

#### Definition

A change in program status is considered a program transfer when the proposed change results in a change in LEA of service and the movement of students from one service provider to another.

Examples of program transfers include, but are not limited to the following:

1. The transfer of an intact, identifiable class which results in the creation of a teaching position by the receiving program operator and a reduction of a teaching position by the sending program operator.
2. The transfer of students from several classes combined to form an intact, identifiable class or full inclusion caseload which results in the creation of a teaching position by the receiving program operator and a reduction of a teaching position by the sending program operator.
3. The transfer of students served by a related service provider e.g. speech therapist which results in the creation of a certificated position by the receiving program operator and a reduction of a certificated position by the sending program operator.

In cases where it is unclear whether a change constitutes a program transfer, the decision will be made by the Governance Committee.

A program transfer process is not required when students who are served in a program operated by a LEA other than the district of residence, are returned to their district of residence via the IEP process.

#### Request Procedures

The requesting LEA (sending or receiving LEA) shall submit a letter of intent to the affected LEA(s), the Governance Committee and the SELPA Director. The letter of intent shall, at a minimum, identify the sending and receiving LEAs, the programs/services, including FTE, to be transferred and the date the transfer is to take effect.

#### Timelines

The letter of intent shall be submitted at least one year and one day prior to the year when the transfer(s) is to take effect. The timeline may be waived by unanimous agreement of the Governance Committee.

Upon receipt of the letter of intent, the SELPA Director shall place the request on the agenda for the first available Governance Committee meeting.

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#### Transfer Plan

Prior to the transfer of any special education programs, the requesting LEA shall submit a plan and timeline to the Governance Committee for their approval. The plan shall address, at a minimum, each of the following areas:

- How the proposed transfer will affect the students being transferred and, in the case of a partial transfer, the students remaining in the current program
- Pupil needs and continuation of the current individualized education program
- The availability of a full continuum of placements and services for all affected students and the provision of services in the least restrictive environment
- The maintenance of all appropriate support services i.e., psychologists, program specialists, administration, etc.
- The involvement and participation of parents of all affected students and staff in the planning process, including a schedule of public meetings for parents and meetings for affected staff including general education teachers and administrators, where appropriate.

If the proposed transfer involves a change in personnel or site of service, the plan shall include a detailed description of those changes and how any possible negative effect on students will be addressed. The plan shall also include written assurance that the LEA will comply with all federal and state laws and regulations and special education local plan area policies.

#### Staff Employment Rights

In the event of a program transfer, certificated and classified staff affected by the transfer shall have employment rights as described in EC 44903.7 and EC 45120.2. In cases where students who are served in a program operated by a LEA other than the district of residence are returned to their district of residence via the IEP process and the movement of students results in a reduction in certificated and, or classified positions in the sending district and an increase in certificated and, or classified positions in the receiving district, the affected employees shall have employment rights as described above.

#### Dispute Resolution

If either the sending or receiving LEA disagrees with a proposed program transfer, the matter may be submitted to the SELPA Director to be resolved through the dispute resolution process described in the local plan.