

SANTA CLARA COUNTY  
NORTH WEST SPECIAL EDUCATION LOCAL PLAN AREA

**PROGRAM TRANSFER POLICY**

According to Education Code Section 56207, special education programs may b



### Transfer Guidelines

Prior to transferring special education programs from one LEA to another, the receiving LEA will implement the plan described in the preceding section. The plan will address the following (reference E.C. Section 56207)

1. Pupil needs
2. The availability of a full continuum of services to affected pupils
3. The functional continuation of the current IEPs of all affected pupils
4. The provision of services in the least restrictive environment from which affected pupils can benefit
5. The maintenance of all appropriate services
6. The assurance that there will be compliance with all federal and state laws and regulations and special education local plan areas policies
7. The means through which parents and staff were represented in the planning process.

### Funding

SELPA member districts will be informed in a timely manner of any fiscal implications of the resulting program transfer.

### Facilities

Transfer of facilities, when appropriate, will be negotiated on a case-by-case basis by the sending and receiving LEA.

### Materials and Equipment

Materials and equipment will remain with the sending LEA unless otherwise agreed upon by the sending and receiving LEA. Any material or equipment purchased with Low Incidence funds is the property of the CDE and will remain with the student.

### Student Records

When the transfer of a program is completed the sending and receiving LEA will develop a plan for the transfer of all student records to the receiving LEA.

### Disputes

Whenever there is a dispute within the SELPA over the transfer of special education programs as described above, the involved LEA will follow the dispute resolution procedures described in the governance section of the SELPA local Plan.

### Certificated/Classified Employee Transfers

Employee's rights when transferred, terminated, or reassigned as a result of a program transfer reorganization

#### A. Procedures

When a program is being transferred from one LEA to another, the receiving LEA will observe the following procedures:



Approved by Executive Council

SELPA I:	5/19/2005	5/22/08
SELPA II:	5/27/2005	5/23/08
SELPA III:	6/16/2005	5/22/08
SELPA IV:	5/26/2005	5/19/08
SELPA VII:	5/26/2005	5/19/08

