

**TULARE COUNTY/DISTRICT SELPA POLICY # 9520**

**SPECIAL EDUCATION -- SERVICES – MISC. LP**      **Adopted: 12/6/00**  
**Revised: 5/13/2020**

**Transfer of Special Education Students**

The Tulare County/District SELPA is committed to ensuring that students transferring in and out of the member school districts do not experience a delay in their supports and services resulting from the transfer.

**Transfers of Students from outside the Tulare County SELPA**

If a student has an IEP and transfers into the district from a district not operating under the Tulare County SELPA within the same academic year, the District shall provide the student with an interim program that constitutes a FAPE, including services comparable to those described in the previously approved IEP. The interim program shall be developed in consultation with the parents, and shall remain in effect for a period not to exceed 30 days.

On or before the 30<sup>th</sup> day of the student's attendance, the District shall convene an IEP team meeting to either adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

**Transfers from District to District within the Same SELPA**

If the student has an IEP and transfers into a member school district from another member school district within the same academic year, the new district shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the

District agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For these students, the new District may, but is not required to, convene an IEP team meeting to existing approved IEP.

#### Transfers from District to District from Outside of State

If the student has an IEP and transfers from an educational agency outside the state into a member school district within the same academic year, the District shall provide the student with a FAPE, including services comparable to those described in the previously approved IEP, in consultation with the parents, until the District conducts an assessment, if determined to be necessary, and develops a new IEP that is consistent with state and federal law.

In order to facilitate the transition of the individual with exceptional needs, the new school or school district in which the student enrolls shall take reasonable steps to promptly obtain the student's records, including the IEP and supporting documents and any other records related to the provision of special education and related services to the student.

The previous school in which the student was enrolled shall take reasonable steps to promptly respond to the records request from the new school.

#### Transfers from District to District in a Different SELPA/Residential Placement Payment

Whenever a student was placed and residing in a residential nonpublic, nonsectarian school prior to transferring to a school district in another SELPA, and this placement is not eligible for funding pursuant to Education Code 56836.165, the SELPA that contains the school district that made the residential, nonpublic, nonsectarian school placement is responsible for the funding of the placement, including related services, for the remainder of the school year. An extended year session is included in the school year in which the session ends.

**References:**

EC 56325