



## Transfer of Responsibility

### Background

On June 4, 2003, SELPA Superintendents' Council approved a Transfer of Responsibility policy. The policy went into effect as of the 2004/5 school year and specified that:

*Financial responsibility in non-unified districts will remain with the elementary district until the end of the fiscal year in which the student has turned 14.8. Example: for any student who turns 14.8 on or before June 30<sup>th</sup> of any fiscal year, financial responsibility will shift to the high school as of July 1 of the next fiscal year, regardless of the grade placement or setting. Typical examples would be the ungraded SH classes, ED NPS placements, IEP team placement decisions, and state school placements.*

### Update

The California Department of Education now requires that all students be assigned a grade level. Consequently, this policy is no longer relevant and needs to be revisited. Further, the current policy could be interpreted to mean that students who have matriculated to high school classrooms/programs may continue to be the responsibility of the elementary school district until they meet the age requirements.

### Recommendation

The SELPA recommends that SELPA Superintendents' Council approve the removal of the Transfer of Responsibility policy effective July 1, 2019. For non-unified districts, students in grades K-8 who are placed in regional program classrooms, nonpublic schools, and state special schools will be the financial responsibility of the elementary district, while students placed in grades 9-12+ will be the financial responsibility of the high school district, unless California Education Code or Federal Regulations place financial responsibility on another entity.

**Question:** Who is responsible for ESY at the end of the 8<sup>th</sup> grade year?

**Answer:** Per Ed Code section 5 CCR § 3043, the term "extended year" as used in this section means the period of time between the close of one academic year and the beginning of the succeeding academic year. ESY, by definition, is an extension of the 8<sup>th</sup> grade year. Accordingly, elementary school districts maintain full responsibility for students through ESY in the 8<sup>th</sup> grade year.