

## **POLICY 3320.1**

### **YOLO COUNTY SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

#### **ACCESS TO THE AB 602 RESERVE**

##### **POLICY:**

Districts may access the reserve for approved criteria at a 30%-70% split, with the reserve paying the higher percentage. Expenditures cannot exceed the reserve. Should expenditures be projected to exceed the amount allocated to the reserve, they will be paid on a first come first serve basis. The efficacy of the reserve split, based on a two-year history, will be brought forward to the Program Administrators' Committee (PAC)/Chief Business Officials (CBO) PAC/CBO Joint Advisory Committee for review and recommendation to the Superintendents' Council.

Two requests for reimbursement forms, for accessing the reserve, will be provided to districts for completion. The SELPA Director will monitor all requests for concurrence with criteria. The SELPA Director will recap the reimbursement requests, which will then be reported to the PAC/CBO Joint Advisory Committee and Superintendents' Council at their respective scheduled meetings. The SELPA will approve expenditures at the last scheduled meeting of the year, no later than June 30<sup>th</sup>.

Superintendents' Council  
Adopted: November 9, 2015  
Second Reading: November 9, 2015  
First Reading: September 14, 2015

**PROCEDURE**  
**YOLO COUNTY SPECIAL EDUCATION LOCAL PLAN**  
**AREA (SELPA)**

**ACCESS TO THE AB 602 RESERVE**

**PROCEDURES:**

Reimbursement requests will be monitored and approved based on the following criteria:

**APPROVED CRITERIA:**

- Unexpected or unanticipated mid-year program growth needs (group home opens unexpectedly for students with disabilities, emergency staffing needs) or other emergency program needs deemed so by the PAC/CBO Joint Advisory Committee
- Local Education Agencies' (LEAs) Legal Fees Associated with Due Process/Mediation/Resolution Sessions:
  - Following the demonstration of participation and commitment to alternative dispute resolution process [eg: Facilitated IEPs, resolution sessions, multiple attempts to contact and resolve issues]
- Opposing Attorney Fees:
  - 30%-70% split for prevailing opposing decisions through hearing
  - 15% of the fees to be paid by the pool should the parties resolve the issues at the local level through a settlement offer
- Court Ordered/or Mediated Independent Educational Evaluations
- Discretion of the SELPA Director with justification for recommendation to the PAC/CBO Joint Advisory Committee and the Superintendents' Council

Filings based on repeated complaints associated with systemic compliance issue/s within a district will be monitored by the SELPA and submitted in report format to the District Director and Chief Business Official (CBO) for review prior to any additional reimbursement claims being submitted to the reserve related to the systemic compliance issue/s. Upon the demonstrated efforts of the district to correct the systemic compliance issue/s, reimbursement claims may continue.

**CRITERIA (USES) NOT APPROVED**

- Legal Opinions on Policies or Education Codes
- Attorney Presentations to Staff Members or Parent Group

Superintendents' Council

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