

POLICY 27

JOINT PHYSICAL CUSTODY OF STUDENTS

Adopted by Superintendents' Council, 2/7/05

Revised 12/2/13

SONOMA COUNTY SELPA**JOINT PHYSICAL CUSTODY OF STUDENTS**

The following policy reflects issues regarding fiscal responsibility for students who are in a joint physical custody situation and who attend (a) a district special education program, (2) a SCOE program, and/or (3) who require special education transportation.

Enrollment in a District Special Education Program

When parents are separated/divorced and share physical custody of a student, issues may arise as to the possibility of multiple district responsibility. This issue only occurs when the two parents reside in different districts and physical custody of the student changes during the course of the school week (Monday morning through Friday morning). In such situations, it is the responsibility of the parents to determine which school district the student will attend on a full-time basis and to then enroll the student. Parents need to be aware that transportation responsibilities are limited to the boundaries of the district. Once residence and custody issues are confirmed and the student is properly enrolled, that district is the district of residence and is responsible for all services and costs. That district is also entitled to all revenue for the student.

Parents are required to inform a district when custody arrangements have changed and the student no longer resides with a parent during the course of the school week.

In the event that a parent asks for alternative transportation arrangements for their student due to a regular and ongoing change of custody during each school week, the district of residence will review the request on an individual basis. Generally no district has the obligation to transport a student outside of its boundaries unless the student is placed in another district by the resident district or in a regional program outside of the resident district.

Enrollment in a Non-District Special Education Program

When parents are separated/divorced and share physical custody of a student, issues may arise as to the possibility of multiple district responsibility. This issue only occurs when the two parents reside in different districts and physical custody of the student changes during the course of the school week (Monday morning through Friday morning). For purposes of the fee for SCOE programs, consortia and nonpublic school placements, fiscal responsibility and the revenues will be shared and distributed proportionally between the two districts based on the custody agreement.

Special Education Transportation

For purposes of fiscal responsibility for special education transportation costs for students in joint physical custody situations as described above, both districts will share proportionally in the excess costs of transportation based on the custody agreement.