

## Residency and Responsibility Chart: Residential Placements For Individuals with Exceptional Needs Pursuant to Education Code Section 56026

Student's Residence	Parent/Guardian Residence	Student Placed in Residential Setting By:	Educational Responsibility	Responsibility for Residential and Non-Educational Costs	Legal Authority
Within District	Within or Outside of District	Referral by Student's IEP Team (Parent's District of Residence)	Parent's District of Residence (LEA)	Parent's District of Residence (LEA)	Cal. Ed. Code §§ 48200, 56363; 34 C.F.R. § 300.104; Stats.2011, c.43 (A.B. 114) § 26
Outside of District (In-state or Out-of-State Residential Placement)	Within District	Referral by Student's IEP Team (Parent's District of Residence)	Parent's District of Residence (LEA)	Parent's District of Residence (LEA)	Cal. Ed. Code §§ 48200, 56363; 34 C.F.R. § 300.104; Stats.2011, c.43 (A.B. 114) § 26
Within District (Placed in an LCI or a foster home)	Within or Outside of District	Court, Regional Center, or Public Agency (other than an Educational Agency)	SELPA where placement is located, or a District by agreement or by COE if no agreement	Placing Agency	Cal Ed. Code §§ 48204(a)(1)(A); 56155.5; 56156.4; 56159
Outside of District (Placed in an LCI or a foster home)	Within District	Court, Regional Center, or Public Agency (other than an Educational Agency)	SELPA where placement is located, or a District by agreement or by COE if no agreement	Placing Agency	Cal Ed. Code §§ 48204(a)(1)(A); 56155.5; 56156.4; 56159
Outside of District (Out-of-State RTC)	Within District	Public Agency without the involvement of the District, SELPA or COE	Placing Agency	Placing Agency	Cal. Gov. Code § 7579
Outside of District (In-State RTC)	Within District	Court, Regional Center, or Public Agency (other than an Educational Agency)	Parent's District of Residence (LEA)	Placing Agency	Cal. Ed. Code § 48200; Cal. Gov. Code § 7581
Within or Outside of District	Within or Outside of District	Parent or Legal Guardian	Parent or Legal Guardian	Parent or Legal Guardian	Cal. Ed. Code § 48200; Cal. Gov. Code § 7581
State Hospital/Health Facility For Medical Purposes Only (Within or Outside of District)	Within or Outside of District	Court, Regional Center, Public Agency (other than an Educational Agency) or Parent	District where hospital is located	Placing Agency or Parent	Cal. Gov. Code §§ 7581; 48204(a)(5); 56167
Juvenile Hall (Within or Outside of District)	Within or Outside of District	Court, Department of Probation/Corrections or Public Agency (other than an Educational Agency)	County Office of Education (Juvenile Court Schools) where Juvenile Hall is located	Placing Agency	Cal. Ed. Code §§ 48645.1; 48654.2
Adult Jail (Within or Outside of District)* *If non-conserved & qualified for special education before incarceration. If not previously qualified, then no right to FAPE.	Within or Outside of District	Court, Department of Probation/Corrections or Public Agency (other than an Educational Agency)	Last District of Residence responsible prior to age of majority <i>until</i> Parents move – then Parent's new District of Residence (LEA)	Placing Agency	Cal. Ed. Code §§ 48200; 56000(a); 56040(b); 56041(a); <i>Student v. LAUSD</i> , OAH Case No. 2009060442