

**INDIVIDUALIZED EDUCATION PROGRAM**

The Board of Education desires to provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a free appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law.

- (cf. 0430 - Comprehensive Local Plan for Special Education)*
- (cf. 1312.3 - Uniform Complaint Procedures)*
- (cf. 3541.2 - Transportation for Students with Disabilities)*
- (cf. 4112.23 - Special Education Staff)*
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*
- (cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*
- (cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*
- (cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)*
- (cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)*
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*
- (cf. 6164.6 - Identification and Education Under Section 504)*

The Superintendent or designee shall develop administrative regulations regarding the appointment of the individualized education program (IEP) team, the contents of the IEP, and the development, review, and revision of the IEP.

To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055)

*Legal Reference:*

EDUCATION CODE

- 51225.3 Requirements for high school graduation and diploma*
- 56055 Rights of foster parents pertaining to foster child's education*
- 56136 Guidelines for low incidence disabilities areas*
- 56195.8 Adoption of policies*
- 56321 Development or revision of IEP*
- 56321.5 Notice to include right to electronically record*
- 56340.1-56347 Instructional planning and individualized education program*
- 56350-56352 IEP for visually impaired students*
- 56380 IEP reviews; notice of right to request*
- 56390-56392 Certificate of completion, special education*
- 56500-56509 Procedural safeguards*
- 60640-60649 California Assessment of Student Performance and Progress*

FAMILY CODE

- 6500-6502 Age of majority*

GOVERNMENT CODE

- 7572.5 Seriously emotionally disturbed child, expanded IEP team*

WELFARE AND INSTITUTIONS CODE

- 300 Children subject to jurisdiction*
- 601 Minors habitually disobedient*
- 602 Minors violating law defined as crime*

**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

CODE OF REGULATIONS, TITLE 5

853-853.5 *State assessments, accommodations*

3021-3029 *Identification, referral and assessment*

3040-3043 *Instructional planning and the individualized education program*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400-1482 *Individuals with Disabilities Education Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 *Individuals with Disabilities Education Act*

COURT DECISIONS

Marshall v. Monrovia Unified School District, (9<sup>th</sup> Circuit, 2010) 627 F.3d 773

Schaffer v. Weast (2005) 125 S. Ct. 528

Shapiro v. Paradise Valley Unified School District, No. 69 (9<sup>th</sup> Circuit, 2003) 317 F.3d 1072

Sacramento City School District v. Rachel H. (9<sup>th</sup> Cir. 1994) 14 F.3d 1398

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 157 (2002)

*Management Resources:*

FEDERAL REGISTER

*Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845*

WEB SITES

*California Department of Education: <http://www.cde.ca.gov>*

*U.S. Department of Education, Office of Special Education and Rehabilitative Services:*

*<http://www.ed.gov/about/offices/list/osers/osep>*

Policy  
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**SAN DIEGO UNIFIED SCHOOL DISTRICT**  
San Diego, California