

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

In alignment with LCAP Goals 1 through 5, the Board of Education recognizes its responsibility to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)

The Superintendent or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of procedures for initiating a referral for assessment to identify individuals who need special education services. (Education Code 56301)

(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. 5145.6 - Parental Notifications)
(cf. 6159 - Individualized Education Program)
(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. 6162.51 - State Academic Achievement Tests)

Legal Reference:

EDUCATION CODE

- 44265.5 Professional preparation for teachers of impaired students*
- 56000-56885 Special education programs, especially:*
- 56195.8 Adoption of policies*
- 56300-56304 Identification of individuals with disabilities*
- 56320-56331 Assessment*
- 56333-56338 Eligibility criteria for specific learning disabilities*
- 56340-56347 Instructional planning and individualized education program*

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

56381 *Reassessment of students*
56425-56432 *Early education for individuals with disabilities*
56441.11 *Eligibility criteria, children ages 3-5*
56445 *Transition to grade school; reassessment*
56500-56509 *Procedural safeguards*
GOVERNMENT CODE
95000-95029.5 *California Early Intervention Services Act*
CODE OF REGULATIONS, TITLE 5
3021-3029 *Identification, referral and assessment*
3030-3031 *Eligibility criteria*
UNITED STATES CODE, TITLE 20
1232g *Family Educational Rights and Privacy Act of 1974*
1412 *State eligibility*
1415 *Procedural safeguards*
CODE OF FEDERAL REGULATIONS, TITLE 34
104.35 *Evaluation and placement*
104.36 *Procedural safeguards*
300.1-300.818 *Individuals with Disabilities Education Act, especially:*
300.301-300.306 *Evaluations and reevaluations*
COURT DECISIONS
Hood v. Encinitas Union School District, (2007) 486 F.3d 1099

Management Resources:

FEDERAL REGISTER
Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
WEB SITES
California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>
U.S. Department of Education, Office of Special Education Programs:
<http://www.ed.gov/about/offices/list/osers/osep>

Policy
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SAN DIEGO UNIFIED SCHOOL DISTRICT
San Diego, California