

INDIVIDUALIZED EDUCATION PROGRAM

The Governing Board desires to provide full educational opportunities to all students with disabilities. Students with disabilities shall receive a free appropriate public education (FAPE) and, to the maximum extent possible, shall be educated the least restrictive environment with nondisabled students

- (cf. 0430 – Comprehensive Local Plan for Special Education)*
- (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 of Individuals for Special Education)*
- (cf. 6164.6 – Identification and Education under Section 504)*

For each student with disabilities, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The Superintendent or designee shall develop administrative regulations regarding the membership of the (IEP) team the team’s responsibility to develop and regularly review the IEP, the contents of the IEP and the development, review and revision processes.

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including: (Education Code 56040; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

1. Students who have been suspended or expelled from school
2. Students who are placed by the district in a nonpublic, nonsectarian school
3. Individuals age 18-21 years who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement

Legal Reference:

- EDUCATION CODE
- 46392 Emergencies*
- 51225.3 Requirements for high school graduation and diploma*
- 56040.3 Assistive technology*
- 56055 Rights of foster parents pertaining to foster child's education*
- 56136 Guidelines for low incidence disabilities areas*
- 56055 Rights of foster parents pertaining to foster child's education*
- 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*
- 56350-56354 IEP for visually impaired students*
- 56380 IEP reviews; notice of right to request*
- 56390-56392 Certificate of completion, special education*

INDIVIDUALIZED EDUCATION PROGRAM (continued)

Legal Resource (continued):

56500-56508 *Procedural safeguards*
60640-60649 *Standardized Testing and Reporting Program*
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*
CODE OF REGULATIONS, TITLE 5
852-853 *Standardized Testing and Reporting Program, accommodations for students with disabilities*
3021-3029 *Identification, referral and assessment*
3040-3043 *Instructional planning and the individualized education program*
3051-3053 *Implementation of 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 DECISION
Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 627 F.3d 773
Schaffer v. Weast (2005) 125 S. Ct. 528
Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 2003 US.App. LEXIS 1395
Sacramento City School District v. Rachel H, 14 F.3d 1398 (9th Cir. 1994)
Andrew F. v. Douglas County School District Re-1, 137 S. Ct. 988

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Frequently Asked Questions: Promotion, Retention, and Grading (Students with Disabilities)
California Practitioners' Guide for Educating English Learners with Disabilities, July 2019
WEB SITES
CDE: <http://www.cde.ca.gov>
US Department of Education, Office of Special Education and Rehabilitative Services: <http://www.ed.gov/offices/OSERS/osep>
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