

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Governing Board recognizes the need to actively seek out and evaluate district residents from birth through age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Superintendent or designee shall establish a comprehensive child find system that includes procedures for the identification, screening, referral, assessment 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 systematic methods for utilizing referrals from parents/guardians, teachers, agencies, appropriate professionals and other members of the public, 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 for who need special education services. (Education Code 56301)

State

5CCR 3021-3029: Identification, referral and assessment

5CCR 3030-3031: Eligibility criteria

Ed. Code 44265.5: Professional preparation for teachers of impaired students

Ed. Code 56000-56885: Special education programs

Ed. Code 56195.8: Adoption of policies

Ed. Code 56300-56304: Identification of individuals with disabilities

Ed. Code 56320-56331: Assessment

Ed. Code 56333-56338: Eligibility for specific learning disabilities

Ed. Code 56340-56347: Individualized education program teams

Ed. Code 56381: Reassessment of students

Ed. Code 56425-56432: Early education for individuals with disabilities

Ed. Code 56441.11: Eligibility criteria, children ages 3-5

Ed. Code 56445: Transition to grade school; reassessment

Ed. Code 56500-56509: Procedural safeguards

Gov. Code 95000-95029.5: California Early Intervention Services Act

Federal

20 USC 1232g: Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 1412: State eligibility

20 USC 1415: Procedural safeguards

34 CFR 104.35: Evaluation and placement

34 CFR 104.36: Procedural safeguards

Instruction

BP 6164.4(b)

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34 CFR 300.1-300.818: Individuals with Disabilities Education Act

34 CFR 300.301-300.306: Evaluations and reevaluations

Management Resources

Court Decision: Hood v. Encinitas Union School District, (2007) 486 F.3d 1099

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

Website: California Department of Education, Special Education

Website: U.S. Department of Education, Office of Special Education Programs

Policy Adopted: 12/15/2021

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California