

INDIVIDUALIZED EDUCATION PROGRAM**BOARD POLICY**

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 in 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 and Evaluation 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

56195.8 Adoption of policies

56321 Development or revision of IEP

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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
 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

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
 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 DECISIONS

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) 317 F.3d 1072
 Sacramento City School District v. Rachel H. (9th Cir. 1994) 14 F.3d 1398
 Endrew F. v. Douglas County School District Re-1, 137 S. Ct. 988

ATTORNEY GENERAL OPINIONS

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

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

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>

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Gold Oak Union School District