

Instruction

Board Policy No. 6159

Policy Adopted: March 20, 2000

Policy Reviewed: February 5, 2024

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 in the least restrictive environment with nondisabled students.

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State Code,

5 CCR 3021-3029, Identification, referral and assessment

5 CCR 3040-3043, Instructional planning and the individualized education program

5 CCR 3051-3053, Implementation of the individualized education program

5 CCR 853-853.5, State assessments; accommodations

Education Code,

Ed. Code 46392, Emergencies

Ed. Code 51225.3, High school graduation requirements

Ed. Code 56040.3, Availability of assistive technology device

Ed. Code 56055, Rights of foster parents pertaining to foster youth's education

Ed. Code 56136, Guidelines for low incidence disabilities areas

Ed. Code 56195.8, Adoption of policies

Ed. Code 56321, Notice of parental rights; consent of parents

Ed. Code 56321.5, Notice to include right to electronically record

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Ed. Code 56340.1-56347, Instructional planning and individualized education program

Ed. Code 56350-56354, IEP for visually impaired students

Ed. Code 56380, IEP reviews; notice of right to request

Ed. Code 56390-56392, Recognition for educational achievement; special education

Ed. Code 56500-56509, Procedural safeguards

Ed. Code 60640-60648.5, California Assessment of Student Performance and Progress

Fam. Code 6500-6502, Age of majority

Gov. Code 7572.5, Seriously emotionally disturbed child; expanded IEP team

W&I Code 300, Minors subject to jurisdiction

W&I Code 601, Minors habitually disobedient

W&I Code 602, Minors violating law; ward of court

Federal Code,

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

20 USC 1400-1482, Individuals with Disabilities Education Act

34 CFR 300.1-300.818, Individuals with Disabilities Education Act

Management Resources,

Attorney General Opinion, 85 Ops.Cal.Atty.Gen. 157 (2002)

California Department of Education Publications, California Practitioners' Guide for Educating English Learners with Disabilities, July 2019

California Department of Education Publications, Frequently Asked Questions: Promotion, Retention, and Grading (Students with Disabilities)

Court Decision, Endrew F. v. Douglas County School District Re-1, 137 S. Ct. 988

Court Decision, Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 327 f.3d 773

Court Decision, Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 327 f.3d 773

Court Decision, Sacramento City School District v. Rachel H. (9th Cir. 1994) 14 F.3d 1398

Court Decision, Schaffer v. Weast (2005) 125 S. Ct. 528

Court Decision, Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 317 F.3d 1072

Website, CSBA District and County Office of Education Legal Services

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

Website, California Department of Education

Cross References,

0200, Goals For The School District

0430, Comprehensive Local Plan For Special Education

0430, Comprehensive Local Plan For Special Education

0450, Comprehensive Safety Plan

0450, Comprehensive Safety Plan

0460, Local Control And Accountability Plan

0460, Local Control And Accountability Plan

0470, COVID-19 Mitigation Plan

1312.3, Uniform Complaint Procedures

1312.3, Uniform Complaint Procedures

1312.3-E(1), Uniform Complaint Procedures

1312.3-E(2), Uniform Complaint Procedures

3250, Transportation Fees

3250, Transportation Fees

3541, Transportation Routes And Services

3541.2, Transportation For Students With Disabilities

3555, Nutrition Program Compliance

3555-E(1), Nutrition Program Compliance

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5131.8, *Mobile Communication Devices*
5131.9, *Academic Honesty*
5141.22, *Infectious Diseases*
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5141.31, *Immunizations*
5141.31, *Immunizations*
5144.2, *Suspension And Expulsion/Due Process (Students With Disabilities)*
5145.6, *Parent/Guardian Notifications*
5145.6-E(1), *Parent/Guardian Notifications*
5145.71, *Title IX Sexual Harassment Complaint Procedures*
5145.71-E(1), *Title IX Sexual Harassment Complaint Procedures*
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6141, *Curriculum Development And Evaluation*
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