

**Instruction**  
**Board Policy No. 6159**  
**Policy adopted: March 20, 2000**

## **INDIVIDUALIZED EDUCATION PROGRAM**

The ~~Governing~~ Board of Trustees desires to provide full educational opportunities to all ~~alternatives that afford~~ students with disabilities. ~~full educational opportunities.~~ Students with disabilities shall receive a free, appropriate public education (FAPE) and, to the maximum extent possible, shall be educated ~~be placed~~ in the least restrictive environment with nondisabled students. ~~which meets their needs to the extent provided by law.~~

For each student with disabilities, ~~The Superintendent or designee shall develop administrative regulations regarding the appointment of the an individualized education program team (IEP), the contents of the IEP and the development, review and revision of the 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 revisions 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

~~To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055).~~

~~Students with disabilities may be placed in the least restrictive environment which meets their needs. The Governing Board provides a full range of educational alternatives to facilitate this placement so that these students may interact with students without disabilities in an understanding, cooperative and mutually respectful environment. Students may be placed outside of the regular classroom only when the student's specific needs cannot be met in that setting.~~

~~Upon the identification of a student's disabilities, the Superintendent or designee shall appoint an individualized education program (IEP) team. This team shall consider the student's needs, determine the content of his/her IEP and make placement decisions. Students and parents/ guardians shall have the right to participate in the development of the IEP.~~

~~The IEP team shall consider the educational and nonacademic benefits of placing the student in a regular class and shall determine what support services would be needed in order to maintain this placement. All placement decisions shall promote maximum social interaction between students with disabilities and their nondisabled peers, in a manner that is appropriate to the needs of each.~~

~~Each IEP shall be consistent with the curriculum and course of study pursued in the regular education program. Students with disabilities shall also receive instruction which fosters their independence and integration into the community.~~

~~Students and parents/guardians shall have the right to approve the student's placement in a special education program, and written parental consent shall be obtained before any such placement is made unless a due process hearing officer authorizes the placement. Once an IEP team has determined an appropriate placement with the parent/guardian's approval, that placement remains in effect unless the parties agree otherwise or a due process hearing officer so orders.~~

~~A special education or regular education teacher may request a review of the classroom assignment of an individual with disabilities in accordance with procedures set forth in administrative regulations.~~

~~(cf. 0430 - Comprehensive Local Plan for Special Education)~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~

~~(cf. 5144.2 - Suspension and Expulsion/Due Process (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)~~

~~Legal Reference:~~

~~EDUCATION CODE~~

~~51225.3 - Requirements for high school graduation and diploma~~

~~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~~

~~56321.5 - Notice to include right to electronically record~~

~~56340.1-56346 - Instructional planning and individualized education program~~

~~56350-56352 - IEP for visually impaired students~~

~~56380 IEP reviews; notice of right to request~~  
~~56390-56393 Certificate of completion, special education~~  
~~56500-56508 Procedural safeguards~~  
~~60640-60649 Standardized Testing and Reporting Program~~  
~~60850 High school exit examination, students with disabilities~~  
~~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~~  
~~1216-1218 High School Exit Examination, accommodations for students with disabilities~~  
~~3021-3029 Identification, referral and assessment~~  
~~3040-3043 Instructional planning and the individualized education program~~  
~~UNITED STATES CODE, TITLE 20~~  
~~1232g Family Educational Rights and Privacy Act of 1974~~  
~~1400-1487 Individuals with Disabilities Education Act~~  
~~CODE OF FEDERAL REGULATIONS, TITLE 34~~  
~~300.1-300.756 Individuals with Disabilities Education Act~~  
~~COURT DECISION~~  
~~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)~~