IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

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

(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular 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 methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, 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 who need special education services. (Education Code 56301)

(cf. 1312.3 - Uniform Complaint Procedures)
(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. 5145.6 - Parental Notifications)
(cf. 6159 - Individualized Education Program)
(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. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

Legal Reference:

EDUCATION CODE
44265.5  Professional preparation for teachers of impaired students
56000-56885  Special education programs, especially:
56195.8  Adoption of policies
Identification of individuals with disabilities
Assessment
Eligibility criteria for specific learning disabilities
Instructional planning and individualized education program
Reassessment of students
Early education for individuals with disabilities
Eligibility criteria, children ages 3-5
Transition to grade school; reassessment
Procedural safeguards
GOVERNMENT CODE
95000-95029.5 California Early Intervention Services Act
CODE OF REGULATIONS, TITLE 5
3021-3029 Identification, referral and assessment
3030-3031 Eligibility criteria
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act of 1974
1412 State eligibility
1415 Procedural safeguards
CODE OF FEDERAL REGULATIONS, TITLE 34
104.35 Evaluation and placement
104.36 Procedural safeguards
300.1-300.818 Individuals with Disabilities Education Act, especially:
300.301-300.306 Evaluations and reevaluations
COURT DECISIONS

Management Resources:
FEDERAL REGISTER
Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
WEB SITES
California Department of Education, Special Education: http://www.cde.ca.gov/sp/se
U.S. Department of Education, Office of Special Education Programs:
http://www.ed.gov/about/offices/list/osers/osep

SANTA BARBARA UNIFIED SCHOOL DISTRICT
Santa Barbara, California May 5, 2009; April 27, 2010, May 13, 2011