

## Individualized Education Program

BP 6159(a)

### Instruction

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

### 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
- 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

**Instruction**

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

**ATTORNEY GENERAL OPINIONS**

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

**COURT DECISIONS**

Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 327 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

Andrew f. v. Douglas County School District Re-1, 137 s. ct. 988

**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>

