

# La Canada USD

## Board Policy

### Individualized Education Program

BP 6159

#### Instruction

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

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

*(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. 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 appointment of the individualized education program 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 of the IEP 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

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

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)

### 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-~~56352~~ 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

~~1215.5-1218 High School Exit Examination, accommodations for students with disabilities~~

3021-3029 Identification, referral and assessment

3040-3043 Instructional planning and the individualized education program

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, (9<sup>th</sup> Circuit, 2010) 627 F.3d 773

Schaffer v. Weast (2005) 125 S. Ct. 528

Shapiro v. Paradise Valley Unified School District, No. 69 (9<sup>th</sup> Circuit, 2003) 317 F.3d 1072

Sacramento City School District v. Rachel H. (9<sup>th</sup> 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)

**INDIVIDUALIZED EDUCATION PROGRAM** (continued)

*Management Resources:*

**FEDERAL REGISTER**

*Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845*

**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/osep/>*

Policy

adopted: ~~July 15, 2003~~

LA CAÑADA UNIFIED SCHOOL DISTRICT

La Canada Flintridge, California