

Instruction

Individualized Education Program

The Board of Education 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.

Legal Reference: Education Code, Sections 46392; 51225.3; 56040.3; 56055; 56136; 56195.8; 56321; 56321.5; 56340.1-56347; 56350-56354; 56380; 56390-56392; 56500-56509; 60640-60649
Family Code, Sections 6500-6502
Government Code, Sections 7572.5
Welfare and Institutions Code, Sections 300; 601; 602
Code of Regulations, Title 5, Sections 853-853.5; 3021-3029; 3040-3043; 3051-3053
United States Code, Title 20, Sections 1232g; 1400-1482
Code of Federal Regulations, Title 34, Sections 300.1-300.818
Court Decisions:
Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 327 f.3d 773
Schaffer v. Weast (2005) 125 S. Ct. 528

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

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

Andrew F. v. Douglas County School District Re-1, 137 S. Ct. 988
Attorney General Opinions: 85 Ops.Cal.Atty.Gen. 157 (2002)

Policy Adopted: 02/18/2014

Policy Amended: 02/16/2021