

Instruction

Identification and Evaluation of Individuals for Special Education

The Board of Education 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.

The Superintendent or designee shall establish a comprehensive child find system that includes procedures for the identification, screening, referral, assessment, 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 systematic methods for utilizing referrals from parents/guardians, teachers, agencies, appropriate professionals, and other members of the public, 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)

Legal Reference: Education Code, Sections 44265.5; 56000-56885; 56195.8; 56300-56304; 56320-56331; 56333-56338; 56340-56347; 56381; 56425-56432; 56441.11; 56445; 56500-56509  
Government Code, Sections 95000-95029.5  
Code of Regulations, Title 5, Sections 3021-3029; 3030-3031  
United States Code, Title 20, Sections 1232g; 1412; 1415  
Code of Federal Regulations, Title 34, Sections 104.35; 104.36; 300.1-300.818; 300.301-300.306  
Court Decisions:  
Hood v. Encinitas Union School District, (2007) 486F.3d 1099

Policy Adopted: 06/27/1966

Policy Amended: 04/24/1984; 07/02/1985; 10/15/2002; 08/15/2017; 11/16/2021

(Formerly BP 6410)