

Tahoe Truckee 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 ~~and (FAPE) and, to the maximum extent possible, shall be placed~~ educated in the least restrictive environment ~~which meets their needs to the extent provided by law~~ with nondisabled students.

(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 Chief Learning Officer or designee shall develop administrative regulations regarding the ~~appointment~~ membership of the ~~individualized education program (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.

~~To the extent permitted by federal law, a foster parent~~ The district shall have the same rights ~~relative~~ make FAPE available to his/her foster child's IEP as a parent/guardian. ~~individuals with disabilities ages 3-21 who reside in the district, including:~~ (Education Code ~~56055~~ 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

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 Standardized Testing and Reporting Program~~California Assessment of Student Performance and Progress

~~60850 High school exit examination, students with disabilities~~

~~60852.3 High school exit examination, exemption for the class of 2006~~

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 Standardized Testing and Reporting Program~~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, (9th Circuit, 2010) 627 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
ATTORNEY GENERAL OPINIONS
85 Ops.Cal.Atty.Gen. 157 (2002)

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 TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT

adopted: January 23, 2013 Truckee, California

revised: _____