

## Instruction

### INDIVIDUALIZED EDUCATION PROGRAM

BP 6159

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) shall be educated in the least restrictive environment, and to the maximum extent, shall be educated 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, inclusive, who reside within the geographic boundaries of 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 schools;
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 prior to their eighteenth birthday.

(Education Code 56040; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

The Governing Board of the District expects that parents/guardians participate

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in the IEP team meetings, unless the parent/guardian notifies the district, in writing, that he/she will not attend the meeting.

(Title 34 C.F.R. Section 300.322 and Education Code Section 56341.5)

#### 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

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

##### 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

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*F.3d 1072*

*Sacramento City School District v. Rachel H. (9th 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)*

*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>*

## Policy

## PASADENA UNIFIED SCHOOL DISTRICT

**Adopted:** January 23, 1996

Pasadena, California

**Revised:** November 8, 2011; July 30, 2015; April 23, 2020; August 25, 2022