

Policy 6164.4 Identification and Evaluation of Individuals for Special Education

Status: ADOPTED

Original Adopted Date: 06/1994

Last Revised Date: 08/28/2024

The Governing Board 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 special 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 for special education services. (Education Code 56301)

06/1994
06/1995
10/1997
04/08/1998
11/10/1999
06/1999
03/2003
03/2006
10/18/2006
03/2007
12/12/2007
11/2008
04/08/2009
05/2011
08/28/2024

Policy Reference Disclosure

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 3021-3029
5 CCR 3030-3031
Ed. Code 44265.5
Ed. Code 56000-56885
Ed. Code 56043
Ed. Code 56195.8
Ed. Code 56300-56305
Ed. Code 56320-56330
Ed. Code 56333-56338
Ed. Code 56340-56347
Ed. Code 56381
Ed. Code 56425-56432
Ed. Code 56441.11
Ed. Code 56445
Ed. Code 56500-56509
Gov. Code 95000-95029.5

Federal

20 USC 1232g
20 USC 1400-1482
20 USC 1412
20 USC 1415
34 CFR 104.35
34 CFR 104.36
34 CFR 300.1-300.818
34 CFR 300.301-300.306
34 CFR 300.323
34 CFR 300.502

34 CFR 303.1-303.734

Management Resources

California Department of Education
Publication
Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

Federal Register

U.S. Department Of Education Publication

Description

Identification, referral and assessment
Eligibility criteria
[Professional preparation for teachers of impaired students](#)
Special education programs
[Special education; timelines](#)
[Adoption of policies](#)
[Identification of individuals with disabilities](#)
[Assessment](#)
[Eligibility for specific learning disabilities](#)
[Individualized education program teams](#)
[Reassessment of students](#)
[Early education for individuals with disabilities](#)
[Eligibility criteria; children ages 3-5](#)
[Transition to grade school; reassessment](#)
[Procedural safeguards](#)
[California Early Intervention Services Act](#)

Description

Family Educational Rights and Privacy Act (FERPA) of 1974
Individuals with Disabilities Education Act
State eligibility
Procedural safeguards
Evaluation and placement
Procedural safeguards
Individuals with Disabilities Education Act
Evaluations and reevaluations
When IEPs must be in effect
Independent educational evaluation of student with disability
Early Intervention Program for Infants and Toddlers with Disabilities

Description

California Practitioners' Guide for Educating English Learners with Disabilities, 2019
N.B. and C.B v. Hellgate Elementary School District (9th Cir. 2008) 541 F.3d 1202
Compton Unified School District v. Addison (9th Cir. 2010) 598 F.3d 1181
Timothy O. v. Paso Robles Unified School District (9th Cir. 2016) 822 F.3d 1105
M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842
Hood v. Encinitas Union School District (2007) 486 F.3d 1099
Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021

U.S. Department Of Education Publication	Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021
U.S. Department of Education Publication	A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Special Education
Website	U.S. Department of Education, Office of Special Education Programs
Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0430	Comprehensive Local Plan For Special Education
0430	Comprehensive Local Plan For Special Education
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
3541.2	Transportation For Students With Disabilities
3552	Summer Meal Program
3552	Summer Meal Program
4112.23	Special Education Staff
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6120	Response To Instruction And Intervention
6146.4	Differential Graduation And Competency Standards For Students With Disabilities
6159	Individualized Education Program
6159	Individualized Education Program
6159.1	Procedural Safeguards And Complaints For Special Education
6159.1	Procedural Safeguards And Complaints For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6164.4 BP	

6162.51	<u>State Academic Achievement Tests</u>
6163.2	<u>Animals At School</u>
6163.2	<u>Animals At School</u>
6164.41	<u>Children With Disabilities Enrolled By Their Parents In Private School</u>
6164.41	<u>Children With Disabilities Enrolled By Their Parents In Private School</u>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.2	<u>Education Of Children Of Military Families</u>
6173.2	<u>Education Of Children Of Military Families</u>
6183	<u>Home And Hospital Instruction</u>