



Huntington Beach Union High School District Board Policies and Administrative Regulations

BP 6164.4
Page 1 of 2

Instruction

Identification and Evaluation of Individuals for Special Education

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 system that includes procedures for the identification, screening, referral, and regular 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 methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, 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 student. 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:

CALIFORNIA CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, referral and assessment

3030-3031 Eligibility criteria

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56885 Special education programs

56195.8 Adoption of policies

56300-56304 Identification of individuals with disabilities

56320-56331 Assessment

56333-56338 Eligibility for specific learning disabilities

56340-56347 Individualized education program teams

56381 Reassessment of students

56425-56432 Early education for individuals with disabilities
56441.11 Eligibility criteria, children ages 3-5
56445 Transition to grade school; reassessment
56500-56509 Procedural safeguards

GOVERNMENT CODE

9500-95029.5 California Early Intervention Services Act

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act (FERPA) of 1974
1412 State eligibility
1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement
104.36 Procedural safeguards
300.1-300.818 Individuals with Disabilities Education Act

Management Resources:

COURT DECISIONS

Hood v. Encinitas Union School District, (2007) 486 F.3de 1099

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71. Number 156, pages 46539-46845

WEBSITES

U.S. Department of Education, Office of Special Education Programs:

<https://www2.ed.gov/about/offices/list/osers/osep/index.html>

California Department of Education, Special Education: <https://www.cde.ca.gov/sp/se/>

Adopted: 5-11-21