

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**Instruction**
INDIVIDUALIZED EDUCATION PROGRAM

The County Superintendent and County Board desire to provide full educational opportunities to all students with disabilities. Students with disabilities shall receive a free appropriate public education (FAPE) and, to the maximum extent possible, shall be educated in the least restrictive environment with nondisabled students.

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 County 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.

Adopted: 11/19/2020

Legal ReferenceEducation 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

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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 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

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

Websites

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>