Instruction
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The County Superintendent and County Board recognize the need to actively seek out and evaluate students 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 County Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, 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 County Superintendent’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 County 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 County 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)

Adopted: undated
Amended: 11/19/2020

Legal Reference
Education Code
44265.5 Professional preparation for teachers of impaired students
56000-56885 Special education programs, especially:
56195.8 Adoption of policies
56300-56304 Identification of individuals with disabilities
56320-56331 Assessment
56333-56338 Eligibility criteria for specific learning disabilities
56340-56347 Instructional planning and individualized education program
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
95000-95029.5 California Early Intervention Services Act
SUPERINTENDENT AND BOARD POLICY           NO.    6164.4
FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION

Code of Regulations, Title 5
3021-3029 Identification, referral and assessment
3030-3031 Eligibility criteria

United States Code, Title 20
1232g Family Educational Rights and Privacy Act 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, especially:
300.301-300.306 Evaluations and reevaluations

Court Decisions

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

Websites
California Department of Education, Special Education:  http://www.cde.ca.gov/sp/se
U.S. Department of Education, Office of Special Education Programs: http://www.ed.gov/about/offices/list/osers/osep

6164.4, 11/2010; Doc# 123577