

IDENTIFICATION AND EVALUATION OF INDIVIDUAL FOR SPECIAL EDUCATION

The County Board of Education recognizes the need to actively seek and evaluate, from birth to age 21 children with disabilities, who and within the jurisdiction of the Santa Cruz County Office of Education (COE) in order to provide them with appropriate educational opportunities in accordance with state and federal laws.

The County Superintendent of Schools or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and a 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 COE'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)

*Legal Reference:*EDUCATION CODE*44265.5 Professional preparation for teachers of impaired students**46000-56885 Special education programs, especially:**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*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*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*Hood v. Encinitas Union School District (2007) 486 F.3d 1099*