

# **Stockton USD**

## **Board Policy**

### **Individualized Education Program**

BP 6159

#### **Instruction**

The Governing Board desires to provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a free appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law.

(cf. 0430 - Comprehensive Local Plan for Special Education)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 3541.2 - Transportation for Students with Disabilities)  
(cf. 4112.23 - Special Education Staff)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)  
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)  
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)  
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall develop administrative regulations regarding the appointment of the individualized education program (IEP) team, the contents of the IEP, and the development, review, and revision of the IEP.

To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055)

#### **Legal Reference:**

##### **EDUCATION CODE**

51225.3 Requirements for high school graduation and diploma  
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  
56350-56352 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  
853-853.5 State assessments, accommodations  
1215.5-1218 High School Exit Examination, accommodations for students with disabilities  
3021-3029 Identification, referral and assessment  
3040-3043 Instructional planning and 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  
ATTORNEY GENERAL OPINIONS  
85 Ops.Cal.Atty.Gen. 157 (2002)  
COURT DECISIONS  
Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 327 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

#### Management Resources:

#### FEDERAL REGISTER

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

#### WEB SITES

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/osep>

(3/03 11/03) 3/06