

**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.

*(cf. 0430 - Comprehensive Local Plan for Special Education)*  
*(cf. 6164.6 - Identification and Education Section 504)*

The Superintendent or designee shall establish a means whereby parents/guardians, teachers and others may request screening for any child they believe to have a disability that significantly interferes with his/her learning. The Superintendent or designee shall identify screening processes to determine when an individual's academic, behavioral or other difficulties may be related to disabilities and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment.

For assessment purposes, staff shall use appropriate tests to identify specific information about the student's abilities in skill areas. In addition, staff shall use multiple measures, including direct observation, to study the effect of interventions or modifications to the regular instructional program. Staff also may consider the student's personal history, development and adaptive behavior.

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 district's procedures for initiating a referral for assessment to identify individuals who need special education services.

*(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. 5145.6 - Notifications Required by Law)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*  
*(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)*  
*(cf. 6162.5 - Student Assessment)*  
*(cf. 6162.52 - High School Exit Examination)*

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

### Legal Reference:

#### EDUCATION CODE

44265.5 Professional preparation for teachers 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 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 to 5  
56445 Transition to grade school, reassessment  
56500-56509 Procedural safeguards

#### GOVERNMENT CODE

95000-95030 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

### Management Resources:

#### FEDERAL REGISTER

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

#### WEB SITES

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>

Policy  
adopted: May 9, 1990  
revised: May 8, 1997

**MURRIETA VALLEY USD**  
Murrieta, California