

# Board Policy

BP 0430

## Philosophy, Goals, Objectives and Comprehensive Plans

### Comprehensive Local Plan For Special Education

The Governing Board desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

- (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 - 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. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
- (cf. 6159.4 - Behavioral Interventions for Special Education Students)
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
- (cf. 6164.6 - Identification and Education Under Section 504)

***Note: Education Code 56195.1 requires a local plan for the education of all individuals with disabilities residing in the district. This plan may be developed in conjunction with other districts (Option 1 below) or by a single district (Option 2). ***
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The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

- (cf. 1220 - Citizen Advisory Committees)
- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 3541.2 - Transportation for Students with Disabilities)
- (cf. 4112.23 - Special Education Staff)

OPTION 1: (Districts that participate in a multidistrict SELPA)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

The Superintendent or designee shall extend the district's full cooperation to the SELPA.

The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the SELPA plan specifically authorizes the district to operate under its own policies and regulations.

Legal Reference:

EDUCATION CODE

56000-56001 Education for individuals with exceptional needs  
56020-56035 Definitions  
56040-56046 General provisions  
56048-56050 Surrogate parents  
56055 Foster parents  
56060-56063 Substitute teachers  
56170-56177 Children enrolled in private schools  
56190-56194 Community advisory committees  
56195-56195.10 Local plans  
56205-56208 Local plan requirements  
56213 Special education local plan areas with small or sparse populations  
56240-56245 Staff development  
56300-56385 Identification and referral, assessment, instructional planning  
56440-56447.1 Programs for individuals between the ages of three and five years  
56500-56508 Procedural safeguards, including due process rights  
56520-56524 Behavioral interventions  
56600-56606 Evaluation, audits and information  
56836-56836.05 Administration of local plan

GOVERNMENT CODE

7579.5 Surrogate parent, appointment, qualifications, liability  
95000-95029 California Early Intervention Services Act

WELFARE AND INSTITUTIONS CODE

361 Limitations on parental control  
726 Limitations on parental control

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records  
104.1-104.39 Section 504 of the Rehabilitation Act of 1973  
300.1-300.818 Assistance to states for the education of children with disabilities,  
including:

300.500-300.520 Due process procedures for parents and children

303.1-303.654 Early intervention program for infants and toddlers with disabilities

Management Resources:

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>

**Adopted: May 9, 2007**

**Gravenstein Union School District  
Sebastopol, California**