

Da Vinci Schools

Policies and Procedures

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Board of Trustees recognizes the need to actively seek out and evaluate students within Da Vinci Schools from kindergarten to twelfth grade who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Chief Executive Officer or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for planning, implementation, and review of the education and related services provided to such individuals (Education Code 56301).

Da Vinci School's identification procedures shall include methods of 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 Chief Executive Officer 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 Chief Executive Officer 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

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 special learning disabilities

56340-56347 Instructional planning and individualized education program

56381 Reassessment of students

56500-56509 Procedural safeguards

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

Hood v. Encinitas Union School District, (2007) 486 F.3d 1099

Approved and adopted by the Da Vinci Schools Board on January 15, 2020.