

### **SPECIAL EDUCATION:**

The California Education Code (Section 56031) defines special education as:

- Specially designed instruction to meet the unique needs of individuals with exceptional needs, whose educational needs cannot be met with modification of the general instruction program; and
- Related services that help individuals with special needs to benefit from specially designed instruction. Special education is an integral part of the total public education system.
- Other features of special education are:
  - It is provided in a way that promotes maximum interaction between students with and without disabilities in a manner which is appropriate to the needs of both
  - Services are provided at no cost to parents
  - It provides a full range of program options to meet the educational and service requirements of individuals with exceptional needs in the least restrictive environment (LRE). The LRE is generally the setting that is most similar to those attended by general education students.

### **CHILD FIND SYSTEM**

The Orcutt Union School District 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. A student shall be referred for special education instruction and services only after the resources of the general education program have been considered and used where appropriate.

When the District receives a parent request for assessment, the District will ask the parent to submit a written request for assessment. Upon receipt of a parent's request for assessment, the District has 15 calendar days to determine if it will conduct the assessment.

To establish if there is evidence of a suspected disability, the District may request a meeting with the student's parents and teacher or ask for referral information forms to be completed. Once the District has reviewed the referral information, it will send a written notification to the parents indicating whether it will proceed to evaluate the student or it will not evaluate based on lack of evidence of a suspected disability.

If the District denies the parent's request to evaluate, it will send a Prior Written Notice (PWN), that documents the reasons for the decision, inform the parent of his/her right to appeal the denial, and provide the parent with a copy of the District's *Parental and Adult Students' Rights and Procedural Safeguards for Special Education*.

If the District grants the parent's request to evaluate, it will send an assessment plan that describes the proposed evaluation. If the parent agrees to the proposed assessment plan, the parent should return the signed assessment plan to the District within 15 days. Upon receipt of the signed assessment plan, the District must complete the evaluation and convene an Individualized Education Program (IEP) meeting within 60 calendar days.

The IEP team includes the parent/guardian or his/her representative. At the IEP meeting, it will be determined whether or not the student is a student with disabilities, as defined in the *Education Code 56026*, and shall discuss evaluation, the recommendations, and the reasons for the recommendations. The District must complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine his/her educational needs, and develop an IEP within 60 calendar days of receiving informed parent/guardian consent for the evaluation. *34 CFR 300.15, 34 CFR 300.300(a), 34 CFR 300.301(c)(1), 34 CFR 300.304, 34 CFR 300.305, 34 CFR 300.306(a)(2), 34 CFR 300.504(a)(1)*