

Policy 6164.4: Identification And Evaluation Of Individuals For Special Education

Status: ADOPTED

Original Adopted Date: 03/01/2007 | **Last Revised Date:** 08/01/2026 | **Last Reviewed Date:** 08/01/2026

CSBA NOTE: If the Special Education Local Plan Area (SELPA) in which the district participates maintains a policy on this topic, then the following policy and administrative regulation may be deleted and/or modified for consistency with the SELPA's procedures. It is recommended that districts that delete and/or modify this policy consult CSBA's District and County Office of Education Legal Services or district legal counsel as appropriate.

Education Code 56300 and 34 CFR 300.111 require each district, SELPA, or county office of education (COE) to actively seek out all residents from birth to age 21 who have disabilities as defined by Education Code 56026. Additionally, the district, SELPA, or COE is required to include a "child find" process to identify children with disabilities placed by their parents/guardians in private schools. For more information regarding the obligations under state and federal law to locate, identify, evaluate, and provide equitable services to children voluntarily enrolled by their parents/guardians in private schools located within the district, see BP/AR 6164.41 - Children with Disabilities Enrolled by Their Parents in Private Schools.

Pursuant to Education Code 56320.1, identification, evaluation, assessment, and instructional planning procedures for children younger than age 3 are required to conform with Education Code 56425-56432 and the California Early Intervention Services Act (Government Code 95000-95029). Pursuant to Government Code 95014, the California Department of Education (CDE) and local education agencies are responsible for providing early intervention services to infants and toddlers who have visual, hearing, or severe orthopedic impairments. The Department of Developmental Services and its regional centers are required to provide services to all other eligible children in this age group. Additionally, Government Code 95014 requires regional centers and local education agencies to coordinate family service plans for infants and toddlers and their families. Education Code 56441.11 sets forth eligibility criteria for preschool children ages 3-5.

CDE's, "Proposed Tools and Process for the Early Identification of Developmental Delays and Learning Disabilities," provides tools and a process for the early identification of children between 2-6 years of age who are at risk for developmental delays or learning disabilities.

The Governing Board recognizes the need to actively seek out and evaluate district residents from birth to 21 years of age who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

CSBA NOTE: Education Code 56301 mandates that districts, SELPAs, or county offices have policies and procedures for a continuous "child find" system which addresses the relationships among identification, screening, referral, evaluation, planning, implementation, review, and triennial assessment.

Pursuant to Education Code 56302.5, the term "assessment" as used in state law has the same meaning as "evaluation" provided in 20 USC 1414, the federal Individuals with Disabilities Education Act (IDEA), and accompanying federal regulations. The following policy and administrative regulation use the terms interchangeably.

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

The district's identification procedures shall include systematic methods for utilizing referrals from parents/guardians, teachers, agencies, appropriate professionals, and other members of the public, 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)

CSBA NOTE: Education Code 56301 mandates policy ensuring the following notification. See the accompanying administrative regulation for specific notification requirements. Additionally, pursuant to Education Code 56301, as amended by SB 373 (Ch. 579, Statutes of 2025), students are required to be given a copy of their rights and procedural safeguards in accordance with 20 USC 1415 and 34 CFR 300.504.

The Superintendent or designee shall notify parents/guardians and students, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to an assessment of the student. Additionally, the Superintendent or designee shall notify parents/guardians and students of procedures for initiating a referral for assessment to identify individuals for special education services.

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The Superintendent 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 the planning, implementation, and review of the education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include methods for 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 Superintendent 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 Superintendent 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)

(Education Code 56301)
