

PROCEDURAL HANDBOOK

SECTION

1

Identification and Referral

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THE LAW AND IDENTIFICATION AND REFERRAL

EC 56300. Each district, special education local plan area, or county office, shall actively and systematically seek out all individuals with exceptional needs, ages 0 through 21 years, including children not enrolled in public school programs, who reside in the district or are under the jurisdiction of a special education local plan area or a county office.

HANDLING REFERRALS

WHO CAN MAKE REFERRALS?

Public School Personnel	The Student
Parents or Guardians	Other Community Members
Public and Private Agencies	

WHO CAN RECEIVE REFERRALS?

Counselors	School Psychologists
School Secretaries	Regular Education Teachers
Resource Specialists	DIS Personnel
Special Class Teachers	Site Administrators

WHO HAS PRIMARY RESPONSIBILITY FOR REFERRALS?

Whatever the source of the referral or whomever receives the referral, its final disposition, prior to any action being taken, should be with the district designee for processing referrals.

IMPORTANT

All referrals for special education and related services shall initiate the assessment process and shall be documented. When a verbal referral is made, staff of the school district, SELPA, or county office shall offer assistance to the individual in making a request in writing, and shall assist the individual if the individual requests such assistance.

(b) All school staff referrals shall be written and include:

(1) A brief reason for the referral.

(2) Documentation of the resources of the regular education program that have been considered, modified, and when appropriate, the results of intervention. This documentation shall not delay the time-lines for completing the assessment plan or assessment. (CCR, Title 5, 3021 (a), (b)).

Authority cited: Section 56100, Education Code; Reference: Sections 56300-56303, Education Code; and 34 C.F.R. Sections 300.111 and 300.301. Notice of Receipt of Referral for Special Education Assessment (SIRAS IEP 17)

Prohibition of Mandatory Medication Use

The State educational agency shall prohibit State and local educational agency personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation under subsection (a) or (c) of section 1414 of this title, or receiving services under this chapter. (20 U.S.C. § 1412 (a) (25)

WHO SHOULD BE REFERRED

Identification procedures must be coordinated with school site referral procedures for those individuals whose needs cannot be met with modification of the regular instructional program.

IN OTHER WORDS

A pupil shall be referred for special education only after the resources of the regular program have been considered and, where appropriate utilized (EC 56303). Regular education options include modifications in the regular program necessary to accommodate differences in students' abilities to learn. Regular program resources include but are not limited to Compensatory Education Programs, Bilingual Programs, Miller-Unruh Programs, Migrant Education Programs, GATE, and Vocational Education Programs. Infant and Preschool referrals should include any modification attempted by parent/doctor and/or regular education infant/preschool programs. Modifications to the student's regular education program and consideration of general education resource options are part of the deliberations that take place through each school's Student Study Team process.

OTHER KINDS OF REFERRALS

In addition to referrals for students who have not previously been in special education, referrals may also be made for the following:

1. Additional assessment (including independent assessments)
2. State Diagnostic School evaluations
3. A requested review of the IEP because part or all of the Individualized Education Program (IEP) is not working.

IMPORTANT

It is not appropriate to refer a student for possible placement in a specific program. Referrals are for assessment only!

WHAT A GOOD REFERRAL SHOULD CONTAIN

Parental procedural safeguards and timelines make it necessary to document when a referral has been made. Referrals are required to be in writing and should contain at least the following:

1. Student's name, address, school, grade, birthdate, and teacher
2. Information on any grade in which the pupil was retained
3. Parents' names and home and work telephone numbers
4. Native language of the student (Primary Language from Home Language Survey)
5. Native language of the parent
6. Language for assessment
7. Date of referral
8. Name of the person making the referral
9. Specific areas of concern
10. A description of interventions utilized in the regular education program and a summary of the student's response to those interventions
11. Specific observed behaviors
12. Current programs and materials being used with the pupil including accommodations to assist the student in accessing the general curriculum
13. Current academic functioning
14. Known significant health problems.

IMPORTANT

The school personnel who initiate a referral are responsible for informing the parent or guardian that a referral will be made using the *Notice of Receipt of Referral for Special Education Assessment (SIRAS IEP 17)*. If a parent submits a written referral for special education or if the parent is present at a Student Study Team meeting where the referral is documented, then no *Notice of Receipt of Referral for Special Education Assessment (SIRAS IEP 17)*, is required.

WHAT FORMS SHOULD BE USED

The following forms are to be used during the identification and referral phase, but only after the resources of the regular program (including recommendations of school Student Study Team) have been considered and, where appropriate, utilized:

- IEP 17 Notice of Receipt of Referral for Special Education Assessment
 This form should be completed by the person(s) making the referral.
- NC 1: Notice of Rights and Procedural Safeguards for
 Special Education (E & S)
- NC 2: Notice of Referral (E&S)

NOTE

E = *ENGLISH* and S = *SPANISH*

Appendix A references the forms highlighted throughout this handbook. SELPA and Supplemental IEP forms can be found on our county's on-line *SIRAS Systems*, www.sirassystems.org.