

Instruction

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Procedural Safeguards/Due Process Hearings

In order to protect the rights of students with disabilities and their parent/guardian, the District shall follow all procedural safeguards as set forth in law.

Parent/guardian shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

The Superintendent or designee shall represent the District in any due process hearings conducted with regard to District students and shall provide the Governing Board with the results of these hearings when necessary.

Complaints for Special Education

Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the District's uniform complaint procedures.

Legal Reference: (See next page)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION  
(continued)

Legal Reference: Education Code  
56000 Education for individuals with exceptional needs  
56001 Provision of the special education programs  
56020-56035 Definitions  
56195.7 Written agreements  
56195.8 Adoption of policies for programs and services  
56300-56381 Identification and referral, assessment, instructional planning, implementation, and review  
56440-56447.1 Programs for individuals between the ages of three and five years  
56500-56507 Procedural safeguards, including due process rights  
56600-56606 Evaluation, audits and information  
Code of Regulations, Title 5  
2999-3089 Regulations governing special education  
4599-4671 Uniform complaint procedures  
United States Code, Title 20  
1232g Family Educational Rights and Privacy Act  
1399-1481.1 Individuals with Disabilities Education Act  
United States Code, Title 29  
794 Section 504 of the Rehabilitation Act  
Code of Federal Regulations, Title 34  
98.9-98.22 Inspection, review and procedures for amending education records  
103.36 Procedural safeguards  
299.499-299.517 Due process procedures for parents and children