

# BOARD POLICY

Placentia-Yorba Linda Unified School District

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Instruction

6159.2 - BP

## PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

The board recognizes its responsibility to protect the rights of students with disabilities and their parents/guardians in accordance with the procedural safeguards set forth in state and federal law. Parents/guardians shall receive written notice of their rights in accordance with law, board policy, and administrative regulation. As such, district staff shall follow all procedural safeguards as set forth in law throughout the identification, evaluation, placement process, and provision of a free appropriate public education to the child.

District staff shall provide parents/guardians with written notification 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.

Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the district's board policy on Uniform Complaint Procedures.

### LEGAL REFERENCES:

<u>Education Code</u>	56000	Education for Individuals with exceptional needs
	56001	Provision of the special education program
	56020 - 56035	Definitions
	56195.7	Written agreements
	56195.8	Adoption of policies for programs and services
	56300 – 56385	Identification and referral, assessment, instructional planning, implementation, and review
	56440 - 56447.1	Programs for individuals between the ages of three and five years
	56500 - 56509	Procedural safeguards, including due process right
	56600 - 56606	Evaluation, audits and information
<u>Code of Regulations, Title 5</u>	3000 - 3100	Regulations governing special education

	4600 - 4671	Uniform Complaint Procedures
<u>United States Code, Title 20</u>	1232g	Family Educational Rights and Privacy Act
	1400 - 1482	Individuals with Disabilities Education Act
<u>United States Code, Title 29</u>	794	Section 504 of the Rehabilitation Act
<u>United States Code, Title 42</u>	11434	Homeless Assistance
<u>Code of Federal Regulations, Title 34</u>	99.10 - 99.22	Inspection, review and procedures for amending education records
	104.36	Procedural Safeguards
	300.1-300.818	Assistance to states for the education of students with disabilities
	300.500 300.520	Due process procedures for parents and children

ADDITIONAL RESOURCES:

FEDERAL REGISTER

Final Regulations, December 1, 2008, Vol. 73, No. 231, pages 73006-73029

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osers/osep>

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Policy revised: 03/08/16 (Replaces 6171.4, Procedural Safeguards for Special Education)