

PROCEDURAL SAFEGUARDS AND COMPLAINTS

Procedural Safeguards

The District shall follow all procedural safeguards for students and parents/ guardians as set forth in law. Parents/guardians 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.

(cf. 5145.6 - Notifications Required by Law)

The Superintendent or designee shall represent the District in any due process hearings conducted with regard to District students.

Complaints

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

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference: (see next page)

PROCEDURAL SAFEGUARDS AND COMPLAINTS (continued)

Legal Reference: (see next page)

EDUCATION CODE

56000 Education for individuals with exceptional needs

56001 Provision of the special education programs

56020-56033 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56440-56447.1 Staff development

56300-56381 Identification and referral, assessment, instructional planning, implementation, and review

56440- 56449 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

3000-3082 Regulations governing special education (in general), especially

3021-3028 Identification, referral, and assessment

3040-3043 Instructional planning and individualized education program

3051-3054 Implementation (Program components)

3080 Application of section 4600-4671

3082 Due process hearing procedures

4600-4671 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400 et seq. Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

701 et seq. Rehabilitation Act of 1973

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

300.500-300.514 Due process procedures for parents and children