

Instruction

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 and shall provide the Board with the results of these hearings.

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:

EDUCATION CODE

56000 Education for individuals with exceptional needs

56001 Provision of the special education programs

56020 56033 Definitions

56220 Written agreements

56195.8 Adoption of policies for programs and services

56240-56244 Staff development

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

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 Section 4671

3082 Due process hearing procedures

4600-4671 Uniform complaint procedures

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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 procedure for amending education records

300.500-300.514 Due process procedures for parents and children

Policy Adopted: May 6, 1993

WESTMINSTER SCHOOL DISTRICT
Westminster, California