

**Instruction**

**Procedural Safeguards and Complaints**

Procedural Safeguards:

In order to protect the rights of students with disabilities and their parents/guardians, 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.

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 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:

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

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

3000-3089 Regulations governing special education (in general), especially

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:

794 Section 504 of the Rehabilitation Act

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