

Instruction  
Board Policy No. 6159.1  
Policy Adopted: June 17, 2010

## PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

The Governing Board ~~desires~~ recognizes its obligation to ~~protect the rights of~~ provide a free appropriate public education (FAPE) to students with disabilities ~~in accordance with the procedural safeguards as set forth in state and federal law.~~ to uphold the rights of parents/guardians to be involved in educational decisions regarding their child. Parents/guardians of students with disabilities shall receive written notice of their rights, ~~in accordance with law, Board policy and Administrative Regulation.~~

~~(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with~~ under the federal Individuals with Disabilities))

~~(cf. 5145.6 – Parental Notifications)~~

~~(cf. 6159 – Individualized Education Program)~~

~~(cf. 6159.2 – Nonpublic Nonsectarian School and Agency Services for Special Education Students)~~

~~(cf. 6159.3 – Appointment of Surrogate Parent for Special Education Students)~~

~~(cf. 6164.4 – Identification and Evaluation Act.~~

Whenever there is a dispute between the district and the parent/guardian of ~~Individuals for Special Education~~ a student with disabilities regarding the identification, assessment, or educational placement of the student or the provision of FAPE to the student, the Superintendent or designee shall encourage the early, informal resolution of the dispute at the school level to the extent possible. The district or parent/guardian may also request mediation and/or a due process hearing in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall represent the district in any due process ~~hearings~~ hearing conducted with regard to district students and shall ~~provide~~ inform the ~~Governing Board~~ about the ~~results~~ result of the hearing.

### **Complaints for Special Education**

~~The Superintendent or designee shall address a~~

Any complaint ~~concerning compliance with state or federal law regarding special education in accordance with~~ alleging the district's uniform complaint procedures.

~~(cf. 1312.3 – Uniform Complaint Procedures)~~ noncompliance with federal or state laws or regulations related to the provision of a free appropriate public education to students with disabilities shall be filed in accordance with 5 CCR 3200-3205.

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