

POLICY 6159.9

YOLO COUNTY SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

PROCEDURAL SAFEGUARDS

POLICY:

It is the responsibility of each member Local Education Agency (LEA) of the Yolo County SELPA that children with disabilities and their parents be provided with safeguards throughout the identification, evaluation, placement process, and the provision of a free appropriate public education (FAPE) to each child.

Reference: 56205 (a), 56301 (d)(2), 56500.2, 56500.2
20 USC Section 1412 (a) (6)
20 USC Section 1415
34 CFR 300.530(h)

Superintendents' Council

Adopted: April 16, 2008

Second Reading: April 16, 2008

First Reading: February 20, 2008

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PROCEDURAL SAFEGUARDS

PROCEDURES:

Written Notification of Procedural Safeguards

A copy of the procedural safeguards shall be given to the parents, at a minimum:

- Upon initial referral or parental request for assessment;
- Upon receipt of the first state complaint in a school year;
- Upon receipt of the first due process hearing request in a school year;
- When a decision is made to make a removal that constitutes a change of placement of an individual with exceptional needs because of a violation of a code of pupil conduct;
- Upon request by a parent.

Notice to Non-English Speaking Parents

The notice of procedural safeguards shall be available in the primary language of parents whose primary language is not English, unless to do so is clearly not feasible. The written notice shall be in language easily understood by the general public. Planning for the needs of non-English speaking parents shall include access to interpreters and translators, unless to do so is clearly not feasible.

Prior Written Notice

The Local Education Agency (LEA) shall send to parents/guardians of a student with a disability a prior written notice within a reasonable time before:

1. The LEA initially refers the student for assessment;

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PROCEDURAL SAFEGUARDS (Continued)

2. The LEA proposes to initiate or change the student's identification, evaluation, educational services, or the provision of a free appropriate public education (FAPE);
3. The LEA refuses to initiate or change the identification, evaluation or educational services of the student or the provision of a free appropriate public education (FAPE);
4. The student graduates from high school with a regular diploma.

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