

## Merced County SELPA

### Policy 1.6

#### PROCEDURAL SAFEGUARDS

The notice of procedural safeguards shall be written in language which is understandable to the general public. Upon parent request the procedural safeguards must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

If the native language or mode of communication of the parent is not a written language, the local education agency must ensure:

1. That the procedural safeguards are translated orally or by other means to the parent in his or her native language.
2. That the parent understands the content of the notice.
3. That there is written evidence that the requirements in the paragraph are met.

Parent must be informed of their procedural safeguards at each IEP meeting. This is done by asking the parents if they have received a copy and understand their procedural safeguards. The parent then initials the statement on the signature page of the IEP.

The procedural safeguards are provided by the SELPA office and distributed to all local education agencies. The SELPA will update the procedural safeguards on an as needed basis due to changes in the federal or state law.

Each LEA shall ensure that parents receive written notification of their procedural safeguards including their right to file a complaint or for due process hearing. A copy of the procedural safeguards shall be given to the parents, at a minimum, in the following circumstances:

1. Initial referral for evaluation for eligibility as a student with a disability;
2. Annual notification of an IEP meeting;
3. Reevaluation of the child;
4. Parent notification of manifestation determination meeting;
5. Whenever a Prior Written Notice is provided to a parent;
6. Upon receipt of a request for a due process hearing; and
7. Before a student meets the LEA board adopted graduation requirement or reaches maximum age for special education program or services.

Legal References:

**State Education Code:** 56500.1(b), 561.95.7(b), 56195.8(b) (3), 56301(d)

**Federal Reference:** 34CFR Section 300.503©, 300.504

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