

*Shasta County Special Education Local Plan Area*  
**STATE REQUIRED POLICY - Procedural Safeguards**

**STATE REQUIRED POLICY: Special Education Local Plan SRP 6**

***Approved: 10/24/2017***

**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.

Parents 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 developed by the SELPA office and approved by legal counsel, and distributed to all local education agencies through the SELPA Binder. The SELPA will update the procedural safeguards on an as needed basis due to changes in the federal or state law.

**LEGAL REFERENCES:**

EDUCATION CODE 56500.1(b) 56195.7(b), 56195.8(b)(3) 56301(d)

FEDERAL REFERENCES 34CFR Section 300.503(c) 300.504

**FEDERAL ASSURANCE ADMINISTRATIVE REGULATION: Special Education Local Plan  
FAAR 6**

**PROCEDURAL SAFEGUARD REQUIREMENTS**

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

1. One time annually
2. Initial referral
3. Parent request for assessment
4. Filing for due process
5. Upon parent request
6. In accordance with discipline procedures if removal constitute a change in placement.

The notice of procedural safeguards shall be available in the primary language of parents upon their request, unless to do so is clearly not feasible. The procedural safeguards shall also be easily understood by the general public and shall include the following:

1. The right to initiate a referral of a child for special education services.
2. The right to obtain an independent educational assessment.
3. The right to participate in the development of the IEP and to be informed of the availability of free appropriate public education and of all alternative programs, both public and nonpublic.

Planning for non-English speaking parents shall include access to interpreters and translators, unless to do so is clearly not feasible.

The SELPA will update the procedural safeguards on an as needed basis due to changes in federal or state law.

**LEGAL REFERENCES:**

EDUCATION CODE *56500.1(a)*

FEDERAL REFERENCES 34CFR Section 300.503(c) 300.504