

BP 6159.1 PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Note: A parent of a child with a disability has specific rights or procedural safeguards under IDEA 2004. Alaska school districts are required to adopt the parents' rights statement developed by the Department of Education & Early Development, referred to as the *Notice of Procedural Safeguards*.

In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards 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, evaluation or educational placement of a child or the provision of a free, appropriate public education to the child.

(cf. 6150 - Individualized Education Program)

The Superintendent or designee shall represent the district in any due process hearings conducted with regard to district students and shall provide the School Board with the results of these hearings.

In addition to a due process hearing, parents/guardians shall have the right to file a complaint with the Alaska Department of Education and Early Development.

Legal Reference:

UNITED STATES CODE, TITLE 20

20 USC 1232g Family Educational Rights and Privacy Act

20 USC 1400 - 1491 Individuals with Disabilities Act

29 USC 794 UNITED STATES CODE, TITLE 29

Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

34 CFR 99.10 - 99.22 Inspection, review and procedures for amending education records

34 CFR 104.36 Procedural safeguards

34 CFR 300.500 - 300.517 Due process procedures for parents and children

ALASKA STATUTES

[14.30.180 - 14.30.350](#), *Education for Exceptional Children*

ALASKA ADMINISTRATIVE CODE

[4 AAC 52.010 - 52.990](#), *Education for Exceptional Children*

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Northwest Arctic Borough School District