

Code: **IGBAG**
Adopted: March 13, 2008

Special Education - Procedural Safeguards

The district provides written notice to the parent of a student or eligible student, within a reasonable period of time, when the district proposes to initiate or change, or refuses to initiate or change, the identification, evaluation or educational placement of the student, or the provision of a free appropriate public education.

Parents of students with disabilities may request a due process hearing if the district refuses to initiate or change the identification, evaluation or educational placement of the student or to provide a free appropriate public education to the student.

The district will follow Nevada Department of Education approved regulations which detail the procedures to be used for these hearings, all of which must comply with federal and state procedural safeguards.

During the pendency of any administrative or judicial proceeding concerning the identification, evaluation or educational placement of a student or the provision of a free appropriate public education, unless the district and parents of the student agree otherwise, the student involved must remain in his/her present educational placement. In the case of an application for initial admission to school, the student, with the consent of the parents, shall be placed in a program provided or selected by the district until the completion of all proceedings.

The placement may be changed to an interim alternative education setting, for up to 45 days, due to a weapon, illegal drug or controlled substance incident or due to the substantial likelihood of injurious behavior.

All procedures will be retained in a handbook consistent with the policies and procedures as approved by, and on file with, the Lincoln County School District.

END OF POLICY

Legal Reference(s):

Assistance to States for the Education of Children with Disabilities, 34 CFR Sections 300.500 - 300.505, 300.515 and 300.517 (2000).