

# A

## Procedural Safeguards

### **Section A Forms**

Notice of Procedural Safeguards – AWSSC website



## Notice of Procedural Safeguards

The Adams Wells Special Services Cooperative ensures that students with disabilities and their parents are afforded procedural safeguards with respect to the provision of a free and appropriate public education (FAPE).

The written procedural safeguards are a standard notice that is provided by the Indiana Department of Education. On the Adams Wells Special Services Cooperative website, it is provided in English, Spanish, and German. If needed, it will be interpreted in other languages or modes of communication.

A copy of the **Notice of Procedural Safeguards** will be given to parents one time each school year AND upon the following:

- a) Initial referral or parental request for evaluation
- b) Receipt of the filing of the first complaint during a school year
- c) Receipt of the filing of the first due process hearing request during a school year
- d) The date the school decides to take disciplinary action that constitutes a change of placement, including removal to an interim alternative education setting for weapons, drugs, or serious bodily injury
- e) Request by the parent

The written **Notice of Procedural Safeguards** contains a full explanation of:

1. The parent's right to receive written notices before the school proposes to initiate or change or refuses to initiate or change the identification, evaluation, special education placement, or anything related to providing FAPE of the student.
2. The parent must provide written consent for the following:
  - a) Seeking an initial evaluation
  - b) The initiation of services
  - c) Seeking a reevaluation, unless parent fails to respond to reasonable attempts
  - d) Accessing the student's public benefits or insurance programs
  - e) The release of educational records to officials providing or paying for transition services
  - f) The exchange of education records between the school district of legal settlement and the public school where the private school is located
  - g) To excuse a CCC member from participating in all or part of a case conference
3. The parent has a right to the following:
  - a) Participate in the case conference
  - b) Request a case conference
  - c) Request a copy of the initial educational evaluation report prior to the case conference
  - d) Request that someone meet with the parent who can explain the results of the evaluation prior to the case conference
  - e) Request a reevaluation
  - f) Obtain an independent education evaluation.

4. The parent also has access to his/her child's educational record, can inspect and review the record with respect to the identification, evaluation, educational placement, and provision of FAPE. If parents believe that information in the educational record is inaccurate or misleading or that it violates the child's privacy or other rights, the parent may ask the school to amend the record.
5. The transfer of rights to the student at the age of 18 occurs unless a guardian or an educational representative has been appointed for the student.
6. Parents may, at times, have differing opinions with school staff regarding their child's education. Concerns can be shared with the building administrator and/or the director of special services at Adams Wells Special Services Cooperative, (260) 824-5880. If issues remain unresolved, the parent has the right to file a complaint with the Department of Education, ask for mediation, and ask for a due process hearing.
7. Parent or students eighteen (18) years of age or older can revoke (withdraw) their consent in writing at any time and withdraw their child from special education services. This includes all special instruction, related services, accommodations, adaptations, modifications, and anything else provided in the student's IEP or Service Plan.

Once the school or AWSSC has received parent's written revocation request, an AWSSC administrator will meet with the parents or eligible student to ensure they are fully informed of the implications and consequences of this action.

NOTE: A copy of Notice of Procedural Safeguards can be obtained from your child's school, the Adams Wells Special Services Cooperative website at [awssc.k12.in.us](http://awssc.k12.in.us), and on the Indiana Department of Education website at [www.doe.in.gov](http://www.doe.in.gov).