

Notice of Procedural Safeguards Checklist

The Notice of Procedural Safeguards is required to contain a full explanation of twenty-four (24) components.

Notice of Procedural Safeguards Checklist	
	The parent's right to receive written notice before the public agency 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 to the student.
	<p>The prerequisite of written parental consent for the following:</p> <ol style="list-style-type: none"> 1. An initial evaluation. 2. A reevaluation, unless the parent fails to respond to a public agency's reasonable efforts to obtain consent. 3. Initial special education services. 4. A public agency's access to a student's public benefits or insurance programs or private insurance proceeds. 5. The release of a student's educational records to officials of participating agencies providing or paying for transition services. 6. The exchange of educational records, regarding a parentally-placed nonpublic school student, between officials of the public agency where the nonpublic school is located and the school district of legal settlement. 7. The public agency to invite a representative of any participating agency likely to be responsible for providing or paying for transition services. 8. An excusal of a case conference committee member from a case conference committee meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services.
	The parent's right to participate as a member of the case conference committee and be part of the development of the IEP.
	The parent's right to request a case conference committee meeting, if he or she believes that a required component of the IEP should be changed to ensure the provision of a free appropriate public education.
	<p>The parent's right to request one or both of the following:</p> <ol style="list-style-type: none"> 1. A copy of the initial educational evaluation report, at no cost to the parent, prior to the case conference committee meeting. 2. A meeting with an individual who can explain the results of the educational evaluation prior to the case conference committee meeting.
	A parent's right to request a reevaluation.
	<p>The parent's right to obtain an independent educational evaluation, including the following:</p> <ol style="list-style-type: none"> 1. The right to have the results of the independent educational evaluation considered by the case conference committee or the independent hearing officer in a due process hearing. 2. The circumstances under which an independent educational evaluation may be obtained at public expense. 3. The criteria that must be met when an independent educational evaluation is conducted at public expense.
	<p>The parent's rights with regard to the student's educational record, including the following:</p> <ol style="list-style-type: none"> 1. Accessing the record. 2. Inspecting and reviewing the record.

	<ol style="list-style-type: none"> 3. Challenging information in the record. 4. Amending information in the record. 5. The consent required for disclosure, use, and destruction of educational records. 6. Any fees associated with copying the record
	The transfer of rights to the student at eighteen (18) years of age unless a guardian or an educational representative has been appointed for the student.
	The availability of mediation and the mediation process.
	The right of the parent, or any interested party, to file a complaint.
	The parent's right to request a due process hearing, to challenge the public agency's proposed or refused action regarding a student with a disability.
	<p>The difference between a complaint and due process hearing request, including:</p> <ol style="list-style-type: none"> 1. the jurisdiction of each procedure, including what issues may be raised under each procedure; 2. the allowable time period in which to file a complaint or a due process hearing request; 3. the opportunity for the public agency to resolve a complaint or a parent's request for a due process hearing; 4. the filing procedures for complaints and requests for due process; and 5. the decisional timelines for complaints and due process hearings.
	The student's placement during the pendency of any due process hearing.
	Due process hearings, including requirements for disclosure of evaluation results and recommendation.
	Administrative appeal of findings of a due process hearing.
	Attorney fees, for a due process hearing.
	Civil action, including the time period in which to file a civil action.
	The requirements for a parent's unilateral placement of a student with a disability in a nonpublic school at public expense.
	The protections and procedures for students who are subject to disciplinary changes of placement, which includes manifestation determinations.
	The protections and procedures for students who are subject to placement in an interim alternative educational setting.
	The protections for students who have not been determined eligible for special education and related services.
	Reporting of crimes allegedly committed by students to appropriate authorities.
	The names and addresses of agencies and organizations, including the public agency, that provides assistance to parents in understanding special education rules and regulations.