

## **646 DUE PROCESS HEARING PROCEDURAL SAFEGUARDS FOR PARENTS/GUARDIANS OF HANDICAPPED CHILDREN WITH DISABILITIES**

### **I. Parent/Guardian Due Process**

Parent/guardian due process refers to the parental rights and responsibilities, according to state and federal laws, rules, and regulations, in all aspects of developing, planning, acquiring, and implementing special education and related services for students with disabilities. The District will comply with due process procedures as stated in state and federal laws, rules, and regulations.

### **II. Surrogate Parents**

- A. The duty of the district under Mn Rule. 3525.2440 includes the appointment of an individual to act as a surrogate for the parent/guardian when the parent/guardian is unknown, the student is a ward of the state or the parent/guardian requests a surrogate in writing.
- B. The District must have a procedure that includes a method for determining when a child needs a surrogate parent and for assigning a surrogate parent to the child.

### **III. Dispute Resolution**

In resolving due process disputes with parents/guardians, the District will follow the procedures stated in M.S. 125A.09, Subd. 4.

Policy 646 - Due Process Hearing Procedural Safeguards for Parents/Guardians of Handicapped Children with Disabilities

Adopted: 4/28/08

School Board  
INDEPENDENT SCHOOL DISTRICT 659  
Northfield, Minnesota

#### ***Legal References:***

Parent Involvement - 34 C.F.R. § 300.500(a); M.S. § 125A.08(a)(3); Mn Rule 3525.0700

Surrogate Parents - Mn Rule 3525.2440

Notice to Parents - 34 C.F.R. § 300.503(c)

Contents of Notice - Mn Rule 3525.3300; 34 C.F.R. § 300.503(b) (1,2,3,5,6,7)

When Notice is Required- 34 C.F.R. § 300.503(a)

Dispute Resolution - M.S. § 125A.09, subd. 4