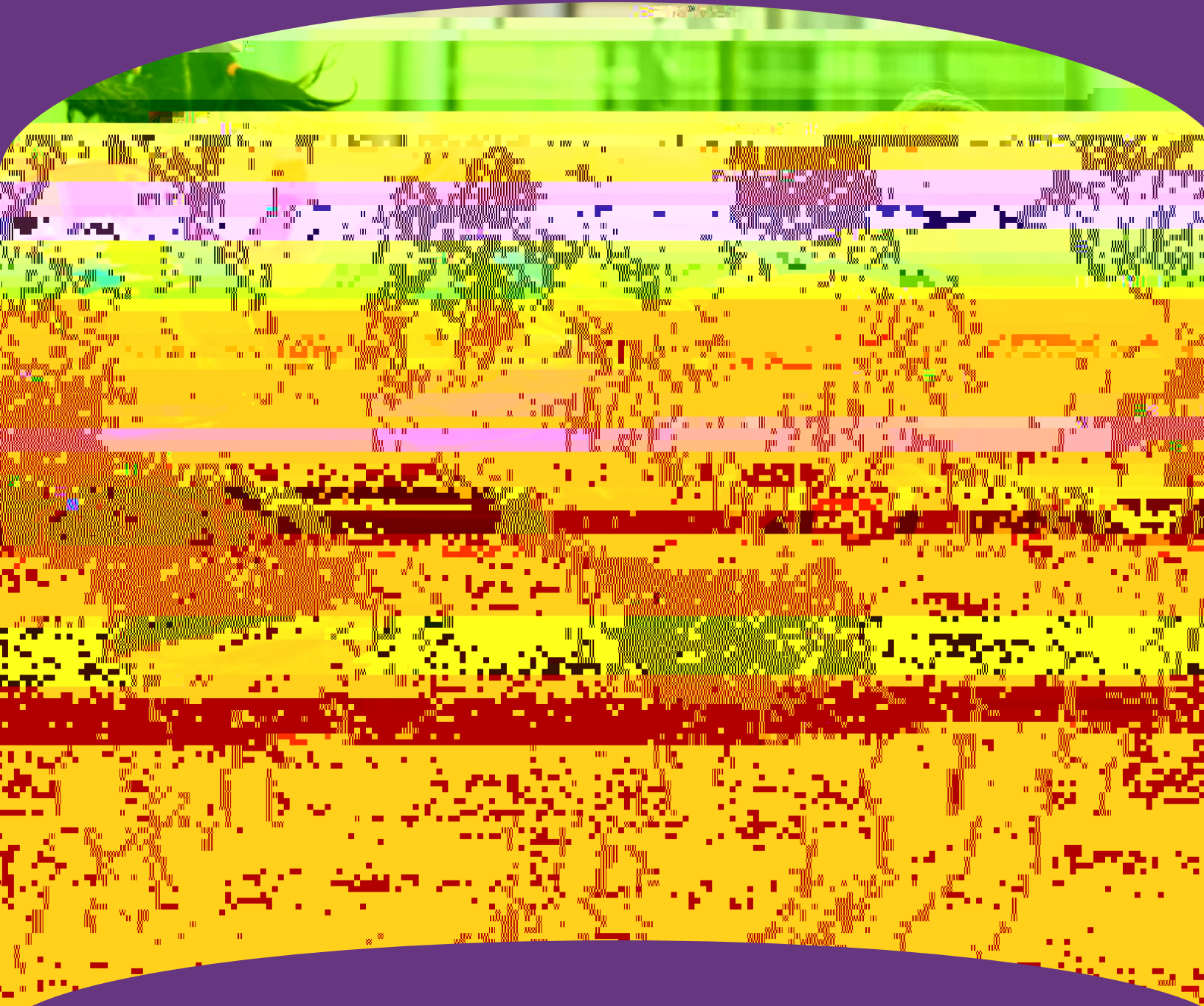


# Notice of Procedural

September 2022





The Individuals with Disabilities Education Act ( ), as amended in 2004, requires schools to provide parents of a child with a disability with a notice containing a full explanation of the procedural safeguards available under IDEA and its implementing regulations. This document, produced by the Texas Education Agency ( ), is intended to meet this notice requirement and help parents of children with disabilities understand their rights under IDEA.

## Procedural Safeguards in Special Education

Under IDEA, the term \_\_\_\_\_ means a biological parent, an adoptive parent, a foster parent who meets state requirements, a guardian, an individual acting in the place of a biological or adoptive parent including a grandparent, stepparent, or other relative with whom the child lives, an individual who is legally responsible for the child's welfare, or a surrogate parent.

The term \_\_\_\_\_ when used with someone who has limited English proficiency means the language normally used by that person.

For more information, visit [Children and Youth Experiencing Homelessness \(Link: bit.ly/39v6KzG\)](https://www.tea.texas.gov/children-youth-experiencing-homelessness).

To be eligible to serve as a surrogate parent, you must not be an employee of the TEA, the school, or any agency that is involved in the education or care of the child, and you must not have any interest that conflicts with the interest of the child. A person appointed as a surrogate parent must have adequate knowledge and skills, be willing to serve, exercise independent judgment in pursuing the child's interest, ensure that the child's due process rights are not violated, visit the child and the school, review the child's education records, consult with any person involved in the child's education, attend ARD committee meetings, and complete a training program. The person appointed by a school to act as a surrogate parent must complete the training program before the child's next scheduled ARD committee meeting but not later than the 90th day after the date of initial appointment as a surrogate parent.

Not



If a hearing officer orders an IEE as part of a due process hearing, the school must pay for it.

## Procedures When Disciplining Children with Disabilities

---

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

To the extent that they also take such action for children without disabilities, school personnel may, for not more than 10 school days in a







officer, or until the expiration of the time period of removal as provided for and described under the heading Authority of School Personnel, whichever occurs first.

If your child has not yet been determined eligible for special education and related services and violates a code of student conduct, but the school had







## Special Education Information

---

If you need information about special education issues, you may call the Special Education Information Center at 1-855-SPEDTEX (1-855-773-3839). If you call this number and leave a message, someone will return your call during normal business hours. Individuals who are deaf or hard of hearing may call the SPEDTEX number using Relay Texas at 7-1-1.

## Resolving Disagreements

---

There may be times when you disagree with the actions taken



statement that the public agency has violated a special education requirement, the facts upon which the statement is based, and your signature and contact information. If the complaint concerns a specific child, the complaint m











Nothing in IDEA limits the rights, procedures, and remedies  
availa

However, the court may not reduce fees if it finds that the school or the state unreasonably delayed the final resolution of the action or proceeding or there was a violation under the procedural safeguards provisions of IDEA Part B.





## Contact Information

---

If you have any