



## **POLICY 5.72 (REPEAL)**

**4-A** I recommend that the Board adopt the repeal of Policy 5.72, entitled "Special Education Procedures for Due Process."

[Contact: Russell Feldman, PX 48626.]

### **Repeal Adoption**

### **CONSENT ITEM**

- This Policy was adopted in 1979. The Board approved development of its repeal at the first reading on January 31, 2007.
- Repeal of this Policy is recommended because it will be superseded by a more up-to-date Policy on a similar subject, to be numbered 5.725 and to include provisions outlining parents' rights relating to due process hearings under State Board of Education Rule 6A-6.03311(11)(e), (f), and(g).

**POLICY 5.72 (REPEAL)**

**SPECIAL EDUCATION PROCEDURES FOR DUE PROCESS**

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3 ~~1. The parent or guardian of an exceptional student evaluated, placed, or denied~~  
4 ~~placement in a special education program shall be notified of each such evaluation,~~  
5 ~~placement or denial. Such notice shall contain a statement informing the parent or~~  
6 ~~guardian that he/she is entitled to a due process hearing on the identification,~~  
7 ~~evaluation, placement, or lack thereof.~~

8 ~~2. Due process hearings shall be conducted in accordance with the Board approved~~  
9 ~~District Procedures for Providing Special Education for Exceptional Students and~~  
10 ~~shall provide for:~~

11 ~~a. a written notice to the parent~~

12 ~~b. informing the parent of free or low cost legal or other relevant services when~~  
13 ~~requested~~

14 ~~c. identification and selection of an impartial hearing officer~~

15 ~~d. rights of any party to a hearing~~

16 ~~e. arrangements for conducting the hearing~~

17 ~~f. timelines.~~

18 AUTHORITY: 230.33(4)(m)4, FS

19 HISTORY: 2/21/79; To Be Repealed: 3/28 /2007

Legal Signoff:

The Legal Department has reviewed the proposed repeal of Policy 5.72 and finds it legally sufficient for development by the Board.

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Attorney

\_\_\_\_\_  
Date