

6A-6.03311 Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities.

Each public agency, including a school district, must establish, maintain and implement procedural safeguards that meet the requirements of this rule. A public agency means local educational agencies (LEAs), educational services agencies (ESAs), nonprofit public charter schools that are not otherwise included as LEAs or ESAs and are not a school of an LEA or ESA, and any other political subdivisions of the State that are responsible for providing education to children with disabilities.

(1) through (3) No change.

(4) Mediation. The Department of Education shall provide parents of students with disabilities and personnel of public agencies, including school districts, the opportunity to resolve disputes involving any matters arising under Part B of the Individuals with Disabilities Education Act (IDEA), including matters arising prior to the filing of a due process complaint, through a mediation process. To promote the resolution of disputes, both parties should consider limiting the number of participants in a mediation session.

(a) through (h) No change.

(5) through (9) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3), 1003.57, 1003.571, 1003.5715, 1008.212 FS. Law Implemented 1003.01(3), 1003.57, 1003.571, 1003.5715, 1008.212 FS. History—New 7-13-83, Amended 12-20-83, 4-26-84, Formerly 6A-6.3311, Amended 7-17-90, 9-20-04, 12-22-08, 3-25-14, 7-14-21.