

C. Notice is sent to the parents, guardians or adult students (in their primary language) a reasonable time (5 school days) before proposing or refusing to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student.

1. All notices include:

- a. a description of the action proposed or refused
- b. an explanation of why the action is proposed or refused
- c. a description of all procedures, tests, records, or reports used as a basis for proposal or refusal
- d. a list of all other options explored and why they were refused
- e. a description of any other factors relevant to proposal or refusal
- f. administration designee contact information for any further explanation needed
- g. the statement of protection under the procedural safeguards and the means to a copy of the procedural safeguards

2. In addition, the notice of admission review and dismissal meeting includes:

- a. date, time, place of meeting
- b. who will be in attendance at the meeting
- c. the opportunity for the parent to reschedule the meeting
- d. a statement that any educational or related service not proposed may be discussed at the parents request
- e. indicate the purpose is the consideration of transition services
- f. indicate that the student (of any age) is invited

II. SURROGATE PARENTS

A. Need - A child's need for a surrogate parent is recognized if:

1. no parent can be identified or
2. the whereabouts of a parent are unknown (after reasonable efforts) or
3. the student is a ward of the state
4. a foster parent may meet the qualification as a parent or be appointed as a surrogate parent, if the foster parent has no other conflicts of interest; when acting as a surrogate parent, they must complete training as any other candidate for surrogate parent would

B. Appointment requirements - Once the need is established the surrogate parent is appointed after:

1. completing an application in which personal and employment references are checked thoroughly
2. completing the Surrogate Parent Training (if the application is approved)

C. Training - Training topics may include:

1. the ARD process and the Individual Education Plan,
2. parent rights and responsibilities,
3. FAPE and FERPA,
4. eligibility and handicapping conditions.

D. Surrogate list - A list of trained and approved surrogate parents is kept in the special education office.

III. DUE PROCESS HEARINGS

A. Hearing initiated - A hearing may be initiated by the parent, adult student or school to challenge a proposal:

1. to change the identification of the student
2. to initiate the evaluation of the student
3. to initiate or change the delivery of educational services to the student
4. to initiate or change the eligibility and provision of special education and related services
5. to question the appropriateness of an evaluation by the parent and request an Independent Educational Evaluation at public expense
6. to refuse to initiate or change any of the above

B. Request for hearing - A written request will be filed with the TEA and the school representative, or the parent if filed by the school. The school makes a copy of the TEA form available to the parent if needed, as well as instructions for required information. All procedures as set forth as TEA for requests for hearings will be followed, and the school is available to assist the parent or adult student by providing that necessary information if the parent requests assistance.