

**Saint Helens  
School District 502**

Code: **IGBAG**  
Adopted: 9/8/03  
Readopted: 1/22/08  
Orig. Code(s): IGBAG

**Special Education - Procedural Safeguards\*\***

The district provides written notice to the parent of a student or eligible student, within a reasonable period of time, when the district proposes to initiate or change, or refuses to initiate or change, the identification, evaluation or educational placement of the student, or the provision of a free appropriate public education.

Parents of students with disabilities may request a due process hearing if the district refuses to initiate or change the identification, evaluation or educational placement of the student or to provide a free appropriate public education to the student.

The superintendent will develop administrative regulations which detail the procedures to be used for these hearings, all of which must comply with federal and state procedural safeguards.

During the pendency of any administrative or judicial proceeding concerning the identification, evaluation or educational placement of a student or the provision of a free appropriate public education, unless the district and parents of the student agree otherwise, the student involved must remain in his/her present educational placement. In the case of an application for initial admission to school, the student, with the consent of the parents, shall be placed in a program provided or selected by the district until the completion of all proceedings.

The placement may be changed to an interim alternative education setting, for up to 45 days, due to a weapon, illegal drug or controlled substance incident or due to the substantial likelihood of injurious behavior.

END OF POLICY

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**Legal Reference(s):**

[ORS 343.155](#)  
[ORS 343.165](#)  
[ORS 343.177](#)  
[ORS 343.181](#)

[OAR 581-015-2000](#)  
[OAR 581-015-2030](#)  
[OAR 581-015-2090](#)  
[OAR 581-015-2095](#)  
[OAR 581-015-2190](#)  
[OAR 581-015-2195](#)  
[OAR 581-015-2305](#)

[OAR 581-015-2310](#)  
[OAR 581-015-2325](#)  
[OAR 581-015-2330](#)  
[OAR 581-015-2345](#)  
[OAR 581-015-2360](#)  
[OAR 581-015-2385](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.500 - 300.505, 300.515, 300.517 (2006).  
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300 (2008).

**Cross Reference(s):**

JGDA/JGEA - Discipline of Disabled Students