

PROCEDURAL SAFEGUARDS: NON-DISCRIMINATION ON THE BASIS OF HANDICAP/DISABILITY

(Download policy)

Category: Priority/Required By Law

The school district will ensure that all students with a handicap or disability are provided all necessary procedural safeguards as are required by law. Such procedural safeguards are found in pertinent federal and state laws and regulations. In addition, all staff, students, parents and other interested persons are directed to the New Hampshire Department of Education Procedural Safeguards Handbook.

NHSBA Note, September 2016: Significant changes and amendments are made to this Sample Policy following NHSBA consultation with the NHDOE Special Education Department and other special education practioners. The NHDOE has updated and revised its Procedural Safeguard Handbook, effective February 2016. Since such safeguards are required to be followed by all school districts, recitation of those safeguards via school board policy is unnecessarily repetitive and duplicative. Rather, a statement directing interested persons to the NHDOE's Procedural Safeguards is within the school board's policy-making role.

Legal References:

*NH Department of Education Administrative Rules, Ed 1120, Procedural Safeguards
34 C.F.R. Part 104, Nondiscrimination on the Basis of Handicap
Section 504 of The Rehabilitation Act of 1973*

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