

Summary of Changes to the Notice of Procedural Safeguards

February 2021

Based on feedback from the Office of Special Education Programs (OSEP), TEA has amended the state's Notice of Procedural Safeguards ("Notice") document. This summary provides a high-level overview of the most significant amendments to the Notice. The page numbers referenced below are those found in the revised version of the Notice.

Starting Page Number

- 2 ▶ Language was added to clarify the timeline for providing prior written notice to parents.
- 3 ▶ Language was added to provide information regarding consent override procedures for initial, special education evaluations.
- 4 ▶ Language was added to clarify requirements related to independent educational evaluations.
- 5 ▶ Language regarding discipline, manifestation determinations, disciplinary changes of placement, and expedited special education due process hearings was added to provide additional clarification. Most of the new language was taken from the federal model form of the Notice of Procedural Safeguards and incorporated in the state's Notice.
- 9 ▶ Language was added to clarify requirements related to confidentiality and parent consent prior to the disclosure of students' personally identifiable information.
- 12 ▶ Language was added to clarify the differences between the procedures for due process complaints and hearings and state special education complaints.
- 13 ▶ Language was added to clarify requirements related to the state's special education mediation process.
- 13 ▶ Language was added to clarify requirements related to the state's special education complaints process.
- 15 ▶ Language was added to clarify requirements related to the state's special education due process hearing procedures.

Global Amendments

Clarifications were added throughout the document to distinguish between state and federal special education requirements.

The phrase "special education services" was replaced with "special education and related services" throughout the document.