

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 (7) No changes

(8) Transfer of Parental Rights at the Age of Majority.

(a) through (c) No change.

(d) At least one (1) year before the student reaches age eighteen (18), the public agency must provide information and instruction to the student and his or her parent on self-determination and the legal rights and responsibilities regarding the educational decisions that transfer to the student upon attaining the age of eighteen (18). The information and instruction must include a written notice that the rights afforded to parents under Part B of the Individuals with Disabilities Education Act transfer to the student at age eighteen (18) except in specified circumstances referenced in paragraph (8)(a) of this rule, a description of the rights that transfer to the student, and the ways in which the parent may continue to participate in educational decisions, including:

1. through 4. No change.

5. Supported decisionmaking agreements as provided in s. 709.2209, F.S.

(e) through (f) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3), 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.212 FS. Law Implemented 1003.01(3), 1003.57, 1003.571, 1003.5715, 1003.5716, 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, 6-14-22, 8-22-23 11-21-23.