

**Individuals with Disabilities Education Act (IDEA) Procedural Safeguards**

<b>Topic</b>	<b>Federal Law</b>	<b>Federal Regulation</b>	<b>State Law</b>	<b>State Regulation (COMAR)</b>	<b>Division Resources</b>
Placement of children by parents when FAPE is at issue.	20 U.S.C. 1412(a)(10)(C)	300.148	Md. Education Code Ann. § 8-413	13A.05.01.16C	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 15</li> </ul>
Adoption of State Complaint Procedures	20 U.S.C. 1221e-3	300.151	Md. Education Code Ann. § 8-413	13A.05.01.15A	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 18; <i>IDEA Dispute Resolution Processes Comparison Chart</i>, pg 27</li> <li>• <i>State Complaint Form</i></li> <li>• <i>Special Education State Complaint Resolution Procedures</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education State Complaints</i></li> </ul>
Minimum State Complaint Procedures	20 U.S.C. 1221e-3	300.152	Md. Education Code Ann. § 8-404	13A.05.01.15A	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 18-19</li> <li>• <i>Special Education State Complaint Resolution Procedures</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education State Complaints</i></li> </ul>

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Filing a Complaint	20 U.S.C. 1221e-3	300.153	Md. Education Code Ann. § 8-404	13A.05.01.15A	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 18; IDEA Dispute Resolution Processes Comparison Chart, pg 27</li> <li>• <i>State Complaint Form</i></li> <li>• <i>Special Education State Complaint Resolution Procedures</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education State Complaints</i></li> </ul>
Parental Consent	20 U.S.C. 1414(a)(1)(D) and 1414(c)	300.300	Md. Education Code Ann. § 8-404	13A.05.01.13	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 3-6</li> <li>• <i>Understanding the Evaluation, Eligibility, and Individualized Education Program Process in Maryland</i>, pg 13-14</li> </ul>
Opportunity to Examine Records	20 U.S.C. 1414(e), 1415(b)(1)	300.501(a)	Md. Education Code Ann. § 8-404	13A.05.01.11E	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 8-11p</li> </ul>
Independent Educational Evaluation	20 U.S.C. 1415(b)(1) and (d)(2)(A)	300.502	Md. Education Code Ann. § 8-404	13A.05.01.14	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 7-8</li> </ul>

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Prior Written Notice and Content of Notice	20 U.S.C. 1415(b)(3) and (4), 1415(c)(1), 1414(b)(1)	300.503	Md. Education Code Ann. § 8-404	13A.05.01.12	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 2</li> </ul>
Procedural Safeguards Notice	20 U.S.C. 1415(d)	300.504	Md. Education Code Ann. § 8-404	13A.05.01.11A	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 1</li> </ul>
Electronic Mail	20 U.S.C. 1415(n)	300.505	Md. Education Code Ann. § 8-405	13A.05.01.11A(5)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>,pg 2</li> </ul>
Mediation	20 U.S.C. 1415(e)	300.506	Md. Education Code Ann. § 8-413	13A.05.01.15B	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 17-18; IDEA Dispute Resolution Processes Comparison Chart, pg 27</li> <li>• <i>Request for Mediation and Due Process Complaint Form</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education Mediation</i></li> </ul>

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Filing a Due Process Complaint	20 U.S.C. 1415(b)(6)	300.507	Md. Education Code Ann. § 8-413	13A.05.01.15C	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 20; IDEA Dispute Resolution Processes Comparison Chart, pg 27</li> <li>• <i>Request for Mediation and Due Process Complaint Form</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education Due Process</i></li> </ul>
Due Process Complaint	20 U.S.C. 1415(b)(7), 1415(c)(2)	300.508	Md. Education Code Ann. § 8-413	13A.05.01.15C	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 20-21; IDEA Dispute Resolution Processes Comparison Chart, pg 27</li> <li>• <i>Request for Mediation and Due Process Complaint Form</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education Due Process</i></li> </ul>

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Resolution Process	20 U.S.C. 1415(f)(1)(B)	300.510	Md. Education Code Ann. § 8-413	13A.05.01.15C(11)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice, pg 22; IDEA Dispute Resolution Processes Comparison Chart, pg 27</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education Due Process</i></li> </ul>
Impartial Due Process Hearing	20 U.S.C. 1415(f)(1)(A), 1415(f)(3)(A)–(D)	300.511	State Government Article, Title 10, Subtitle 2; Md. Education Code Ann. §§ 8-407 and 8-413	28.02.01 13A.05.01.15C(12)-(13)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice, pg 23; IDEA Dispute Resolution Processes Comparison Chart, pg 27</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education Due Process</i></li> </ul>
Hearing Rights	20 U.S.C. 1415(f)(2), 1415(h)	300.512	Md. Education Code Ann. § 8-413	13A.05.01.15C	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice, pg 24</i></li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education Due Process</i></li> </ul>

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Hearing Decisions	20 U.S.C. 1415(f)(3)(E) and (F), 1415(h)(4), 1415(o)	300.513	Md. Education Code Ann. § 8-413	13A.05.01.15C(13)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 24; <i>IDEA Dispute Resolution Processes Comparison Chart</i>, pg 27</li> <li>• <i>A Parent’s Guide to Frequently Asked Questions about Special Education Due Process</i></li> </ul>
Finality of decision; Appeal; Impartial review	20 U.S.C. 1415(g) and (h)(4), 1415(i)(1)(A), 1415(i)(2)	300.514	Md. Education Code Ann. § 8-413	13A.05.01.15C(20)-(24)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 25</li> </ul>
Timelines and Convenience of Hearings and Reviews.	20 U.S.C. 1415(f)(1)(B)(ii), 1415(g), 1415(i)(1)	300.515	Md. Education Code Ann. § 8-413	13A.05.01.15C(14)-(15)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 25</li> </ul>
Civil Action	20 U.S.C. 1415(i)(2) and (3)(A), 1415(l)	300.516	Md. Education Code Ann. § 8-413	13A.05.01.15C(20)-(21)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 25</li> </ul>
Attorneys’ Fees	20 U.S.C. 1415(i)(3)(B)–(G)	300.517	Md. Education Code Ann. § 8-413	13A.05.01.15C(22)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 26</li> </ul>
Child’s Status During Proceedings	20 U.S.C. 1415(j)	300.518	Md. Education Code Ann. § 8-413	13A.05.01.15C(19)	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 21-22</li> </ul>

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Transfer of Parental Rights at Age of Majority.	20 U.S.C. 1415(m)	300.520	Md. Education Code Ann. § 8-412.1		<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 16</li> </ul>
Discipline Procedures	20 U.S.C. 1415(k)(1) and (7) 20 U.S.C. 1415(k)(2) 20 U.S.C. 1415(k)(3) and (4)(B), 1415(f)(1)(A) 20 U.S.C. 1415(k)(4)(A) 20 U.S.C. 1415(k)(5) 20 U.S.C. 1415(k)(6) 20 U.S.C. 1415(k)	300.530 – 300.536	Md. Education Code Ann. § 7-305(g)	13A.08.03	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 12-15</li> </ul>
Confidentiality of Information	20 U.S.C. 1417(c) 20 U.S.C. 1221e-3, 1412(a)(8), 1417(c)	300.610 – 300.625	Md. Education Code Ann. § 8-404	13A.08.02 13A.05.01.11E and F	<ul style="list-style-type: none"> <li>• <i>Parental Rights – Maryland Procedural Safeguards Notice</i>, pg 8-11</li> </ul>