

FAIR HEARING PANEL

A parent or the District may request a hearing before a Fair Hearing Panel pursuant to any decisions regarding or resulting from a pupil's identification as an individual with exceptional needs; a pupil's assessment and the implementation of an individualized education program; and the denial, placement, transfer, or termination of a pupil in a special education and related services program. The Superintendent or his designee shall convene the Fair Hearing Panel in accordance with appropriate legal procedures.

The Fair Hearing Panel shall be composed of three persons knowledgeable in the area of disability of the individual with exceptional needs and will serve as an impartial body in its deliberations so as to protect the rights of the parties involved. Each member shall be impartial, unbiased, and not an employee or agent of the school district responsible for the hearing nor an employee or agent of a private, nonsectarian school being considered for the pupil's placement.

Reasonable per diem and fee shall be determined in advance using as a guideline the Fullerton Joint Union High school District's travel allowance and certificated hourly salary rate or the normal rate of pay received by the member from the regularly employing school district or educational agency. Fees for members not regularly employed by an educational agency must receive prior approval by the superintendent or his designee.

Reference: Education Code Section 56341.3

Policy adopted: February 20, 1979