

Special Education IDEA Parent Rights - What are Special Education Parent Rights?

Special Education IDEA Parent Rights - The [Individuals with Disabilities Education Act](#), amended in 2004, includes specific rights for parents or legal guardians of children with disabilities.

A fundamental provision of these special education laws is the right of parents to participate in the educational decision-making process.

- A Free Appropriate Public Education for Your Child. Free means at no cost to you as parents. Appropriate means meeting the unique educational needs of your child.
- Request an evaluation if you think your child needs special education or related services.
- Be notified whenever the school wants to evaluate your child or change your child's educational placement, or refuses your request for an evaluation or a change in placement.
- Informed Consent. Informed consent means you understand and agree in writing to the evaluation and educational program decisions for your child. Your consent is voluntary and may be withdrawn at any time.
- Obtain an independent evaluation if you disagree with the school's evaluation.
- Request a reevaluation if you think your child's present educational placement is no longer appropriate. The school must reevaluate your child at least once every three years, but your child's educational program must be reviewed at least once during each calendar year.
- Have your child tested in the language he or she knows best. For example, if your child's primary language is Spanish, this is the language in which he or she, must be tested. Students who are deaf have the right to an interpreter during the testing.
- Review all of your child's school records. You may request copies of these records, but the school may charge you a reasonable fee for making the copies. Only you, as parents, and those persons directly involved in the education of your child will be permitted access to personal records. If you feel that some information in your child's record is inaccurate or misleading or violates the privacy or other rights of your child, you may request that the information be changed. If the school refuses your request, you have the right to request a hearing in order to challenge the questionable information in your child's records or you may file a complaint with your state education agency.
- Be fully informed by the school of all rights that are provided to you under the law.
- Participate in the development of your child's individualized education program (IEP) or individualized family service plan (IFSP), if your child is under school age. The school must make every possible effort to notify you of the IEP or IFSP meeting and then arrange it at a time and place that is convenient for both you and the school personnel.
- Participate in all IEP or IFSP team decisions, including placement.
- Request an IEP or IFSP meeting at any time during the school year.
- Be kept informed about your child's progress at least as often as parents of children who do not have disabilities.
- Have your child educated in the least restrictive environment possible. Every effort should be made to develop an educational program that provides your child with the services and supports needed in order to be taught with children who do not have disabilities.
- Voluntary mediation or a due process hearing to resolve differences with the school that can not be resolved informally. Be sure you make your request in writing, date your request, and keep a copy.

Procedural Safeguards - Parent Rights are called Procedural Safeguards for Special Education Programs.

Schools are required to advise parents or guardians of their rights in their native language, if possible, or provide interpreter services to ensure parents understand them.