

# A Quick Overview of Your Procedural Safeguards

Parents and guardians of children who receive special education have certain rights and protections guaranteed by the Individuals with Disabilities Education Act (IDEA). These rights include:

## **Prior Written Notice (PWN)**

Is given to you from the school district before any action, change, evaluation or denial of services is taken with your child.

## **Informed Parent Consent**

You must be fully informed of all information relevant to the education of your child. Your written consent is voluntary and may be revoked at any time.

## **Revocation of Consent**

Sometimes parents decide that they no longer want their child to receive special education and related services but the safeguards of special education will no longer be in place to protect your child.

## **Access to all Education Records**

You have the right to inspect, review, and receive copies of all educational records in regard to identification, evaluation, and education placement of your child.

## **Evaluation Procedures**

You have the right to a full and individual evaluation of your child's educational needs prior to initial placement in special education. Your child must be reevaluated at least every three (3) years.

## **Discipline**

Students on IEP's are subject to school discipline guidelines and consequences. However, if a student has an alternate behavior consequence addressed in their IEP that consequence would be implemented instead of the normal school consequence. If a student is removed from their current school setting, parent must be notified the same day. Students that have been suspended for a total of 10 days will have a manifestation determination meeting to determine if the specific behavior is related to the student's disability or if the school has failed to implement the IEP. If a student inflicts severe bodily harm on another person, brings drugs or a weapon to school, the school can place the student in an alternate educational placement (IEAS) for up to 45 days to meet educational needs.

## **Independent Education Evaluation (IEE)**

You have the right to request an independent educational evaluation, at public expense, if you disagree with the educational evaluation provided by the school district.

## **Private School Placement by Parents**

Children with disabilities voluntarily placed by their parents in private elementary and secondary schools must be provided an opportunity to participate in special education services.

## **Surrogate Parents**

The school district appoints a surrogate parent when the parents of the child are not known.

## **Dispute resolution**

Every attempt should be made to resolve differences with the local school district as soon as they arise. If they cannot be resolved, you may request mediation or a due process hearing. (Mediation or due process may be requested by parents OR the school district).

Materials for this handout were adapted from "Keys for Confident and Effective Parent Participation in Special Ed Process." Wyoming Parent Information Center, 2015.