Parental Rights under IDEA

Listen
Help with Listen Feature

December 2010

En español | In Spanish

The federal regulations for IDEA 2004 include a section (Subpart E) called Procedural Safeguards. These safeguards are designed to protect the rights of parents and their child with a disability and, at the same time, give families and school systems several mechanisms by which to resolve their disputes.

The most notable procedural safeguards include those listed below. **To learn more about any of these, click on the text in red, and you'll go to a separate page describing that procedural safeguard.**

_____

The right of parents to receive a complete explanation of all the procedural safeguards available under IDEA and the procedures in the state for presenting complaints

Confidentiality and the right of parents to inspect and review the educational records of their child

The right of parents to participate in meetings related to the identification, evaluation, and placement of their child, and the provision of FAPE (a free appropriate public education) to their child

The right of parents to obtain an independent educational evaluation (IEE) of their child

The right of parents to receive "prior written notice" on matters relating to the identification, evaluation, or placement of their child, and the provision of FAPE to their child

The right of parents to give or deny their consent before the school may take certain action with respect to their child

The right of parents to disagree with decisions made by the school system on those issues

The right of parents and schools to use IDEA's mechanisms for resolving disputes, including the right to appeal determinations

_____

These are not the only procedural safeguards under IDEA, but they are the most relevant to the majority of parents. Therefore, in this series of pages on IDEA's procedural safeguards, we will explore only eight …the ones mentioned above. Use the links above (the text in red) to read more about each one of these safeguards.

Back to top