

This information is a summary of federal and state laws on your rights as the parent of a child with a disability. You are entitled to a complete copy of your rights under the Individuals with Disabilities Education Act (IDEA).



Procedural Safeguards: Know Your Rights

Your School District Information

**Your Inclusion Support
Facilitator**

Your Child's IEP Information

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The **Individuals with Disabilities Education Act (IDEA)** is a four-part piece of American legislation that ensures students with a disability are provided with **Free Appropriate Public Education (FAPE)** that is tailored to their individual needs. Under IDEA, parents have the right to:



Participate

Parents have the right to refer their child for special education services, to participate in the development of the **Individualized Education Program (IEP)** and to be informed of all program options and alternatives, both public and nonpublic. Assessments must be provided by the school district and **Special Education Local Plan Area (SELPA)** and eligible children must receive an education program specially designed to meet their unique learning needs at no cost to you. This is called **Free and Appropriate Public Education** or **FAPE**.

The FAPE offer must provide placement in an environment as similar as possible to one attended by general education peers without disabilities. This is called the **Least Restrictive Environment** or **LRE**. No placement is forever. As your child's learning needs change, placement should also change.

Provide Informed Consent

Parents must provide written consent before their child is assessed or provided with any special education services. Parental consent must also be provided before any change in special education services may occur. The school district must ensure that parents understand every part of the IEP team meeting. This includes arranging for an interpreter for parents with deafness or those whose native language is other than English. Parents also may refuse to consent to an assessment or the placement of their child in special education.



Access Educational Records

Parents have a right to inspect, review, and obtain copies of their child's educational records. This includes, but is not limited to, IEPs and assessment reports.

Participate in Due Process

Due process is a legal term that refers to a series of steps that can be taken to protect the rights of you and your child. For example, if you disagree with the district decision or actions, you may make a written request to the Special Education Director of your school district to resolve the issue. You can also request for your child to be receive an **Independent Educational Evaluation (IEE)** at public expense. If parents disagree with the district regarding their child's special education placement or a suggested change in placement, the law requires the student to "stay put" in the current program until the dispute is resolved.

California School District Timeline for Assessment and IEP

This timeline is California state law

The school district has **15** school days to prepare and provide and plan once a parent requests an assessment.

The parent will sign and return the plan within **15** school days.

Once the signed plan is received, the school district has **60** school days to assess the child and complete an IEP meeting.

The entire process should take no longer than 90 working school days.

Additional Resources

This is a summary of procedural safeguards under federal and state laws (*20 USC Section 1412(d)*; *34 CFR 300.504*; *EC sections 56301(d)(2)*, *56321*, and *56341.1(g)(1)*). Special Education Rights of Parents and Children, a more extensive description of these rights, is available from the California Department of Education, Special Education Division.