

Summary of Educational Rights

Requesting an Evaluation

1. Parents must request an evaluation of their child (i.e., psychological and/or educational testing) in writing.
2. The school district must provide, within 15 days of receiving the parents' request, written notice that an evaluation of the child will begin. The parents must then provide written consent to the school district to proceed with the evaluation. Note: The parents' request for an evaluation and their giving consent for that evaluation are two separate steps. The latter step is necessary for the school district to proceed with its evaluation.
3. The school district must complete its evaluation of the child within 60 days of receiving parental consent. If a particular state has a different timeline for completing evaluations, that timeline applies.
4. Based on the evaluation, the school district will determine whether the child is eligible for special education services under the categories of disability defined in the Individuals with Disabilities Education Act (IDEA).
5. The individual education plan (IEP) team must meet within 30 days of finding a child eligible for special education services. The parents should participate in this meeting. Parents must be given the opportunity to review the child's evaluation (i.e., results of testing) before this meeting.
6. If the parents disagree with the evaluation, they have the right to request an independent educational evaluation.

Attending an IEP Meeting

1. Parents may bring anyone they want to a child's IEP meeting. Some parents may wish to bring an additional family member or friend for support and to help take notes. Other parents may wish to bring an educational advocate.
2. The following should be discussed at the IEP meeting:
 - An explanation of parents/guardian's legal rights
 - Child's current level of performance, based on results of the evaluation and observations of parents and teachers
 - Measurable annual goals for the child
 - Child's placement (i.e., classroom setting) in school and necessary supports (e.g., trained aides, curriculum modification, assistive technology devices)
 - If the child is not in full-inclusion placement, opportunities for integration
3. Parents must sign the IEP before services begin. However, parents have the opportunity to think about it at home before signing. Additionally, parents may consent to parts of the IEP and dispute other parts. The services that parents consent to may begin while disputed portions of the IEP are reviewed.

Expectations After an IEP Meeting

1. Encourage parents to establish regular communication with the child's teachers, therapists, and trained aides.
2. Parents should receive quarterly progress reports from the school, documenting the child's progress toward measurable annual goals.

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