

PARENTAL RIGHTS IN SPECIAL EDUCATION



According to the Procedural Safeguards, parents have the following rights in special education:

PARENTAL CONSENT

- ✓ Parental consent is required to begin an initial special education evaluation.
- ✓ Parental consent is required to begin special education services.
- ✓ Parents can refuse the district's proposal
- ✓ Parents can revoke consent for special education services

STUDENT RECORDS & DATA

- ✓ Schools maintain student privacy and confidential records
- ✓ Parent can request educational records at any time
- ✓ Parental consent is required to release educational records
- ✓ Transfer of rights to the students when they turn 18 years

DISPUTE PROCESS

- ✓ **PARENTS CAN DISAGREE WITH THE SCHOOL DISTRICT AND THEY CAN REQUEST....**
- ✓ another IEP meeting if they disagree with the district's proposal
- ✓ an Independent Educational Evaluation
- ✓ Conciliation conference with school to resolve disagreements
- ✓ **Mediation** meeting with a neutral mediator to resolve conference
- ✓ **Facilitated** IEP meeting lead by a neutral person assigned by MOE
- ✓ File a **complaint** with the Minnesota Department of Education
- ✓ **Due process hearing** with an administrative judge

DUE PROCESS DOCUMENTATION

- ✓ Parents should receive the procedural safeguards at least once every year
- ✓ Parents should receive the Prior Written Notice (PWN) describing the district's proposals
- ✓ Parents have 14 calendar days to respond to the Prior Written Notice
- ✓ There is implied consent after 14 calendar days of receiving the Prior Written Notice

FOR MORE QUESTIONS OR CONCERNS, PLEASE CONTACT:

MN Department of Education (MDE)	PACER	ARC Minnesota	Minnesota Disability Law Center
www.education.state.mn.us 651-582-8689	www.pacer.org 952-838-9000	www.thearcofminnesota.org 651-523-0823	www.mndlc.org 612-334-5970