



Quick Guide to Parents Rights and Responsibilities in Special Education

Parents of children who receive or may be eligible for special education services have rights under both the **Wyoming Chapter 7 Special Education Rules and the Individuals with Disabilities Education Act (IDEA)**. An important part of these laws provides parents with the right to participate in their children's education. This document will give an overview of laws affecting the provision of special education to assist you in understanding your rights and responsibilities in the special education process. The school district must give you a full copy of the [**Notice of Procedural Safeguards**](#), annually. It is a more detailed explanation of your rights and supersedes this document. With this knowledge, you can prepare to take an active role in your child's education.



Decision Making

You must be given opportunities to participate in any decision-making meeting regarding your child's disability, evaluation, re-evaluations, placement of your child, and his/her IEP and its contents. Also, the public agency must schedule IEP Team meetings at a mutually agreed on time and place. If needed, the school district will provide a translator or interpreter. If you have concerns about your child's program, you should first talk to your child's teachers or other school personnel who work with your child. Talking with members of the team early on can often prevent problems later.



Notice

You have a right to know why the school district is proposing or refusing specific actions, supports, or services. This explanation is called [**prior written notice \(PWN\)**](#). This notice must be given to you in a language you understand in a reasonable amount of time before the school district takes action or refuses to take action. Schools must provide written notice when the parent proposes a change to their child's IEP, whether it agrees or disagrees with the parent's proposed change.



Evaluation

You have the right to ask your school to evaluate your child to see if your child has an IDEA eligible disability and needs special education services. Your school district has up to 60 calendar days to conduct an initial evaluation. The 60-day timeline begins when the school district receives your signed consent.



Reevaluation

The school district must reevaluate your child once every three years according to procedures outlined in the IDEA and Chapter 7 Special Education Rules, unless you and the public agency agree that a reevaluation is unnecessary.



IEE

If you disagree with the school's special education evaluation, you may request an [**independent educational evaluation \(IEE\)**](#). This means your child will be tested by a professional evaluator, not employed by the school district, at public expense. Contact the school district to find out the procedures for accessing this right. Upon request, the school district must provide you a list of independent evaluators and consider the results of an independent evaluator.



Location

Your child should receive education in the [**least restrictive environment \(LRE\)**](#). This means that children with disabilities, including preschoolers, will be educated appropriately in a regular education environment and with their non-disabled peers. If they didn't have a disability, the school they would attend should be considered first. Children are only removed from being educated with typical peers if it is determined, based on data, that they cannot be appropriately served in the regular education environment even with the use of supports and services. A regular early childhood education classroom must include at least 50 percent of children who do not have disabilities.



Services

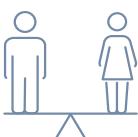
One important part of IDEA requires public schools to provide a [**free appropriate public education \(FAPE\)**](#). Free means that special education services are provided at no cost to the parents.

Appropriate means that your child's program must provide services based on your child's unique needs in order to receive an educational benefit. This benefit comes through access to and progression in the general education curriculum for all children. In addition, your child has a right to progress toward their individual goals through access to the same activities, classrooms, and settings as children who do not have disabilities.



Discipline

Following certain procedures, schools may remove a student to an [**interim alternative educational setting \(IAES\)**](#) for not more than 45 school days when maintaining the current placement is substantially likely to result in injury to the child or others. The school district may not remove a special education student from their current educational placement due to discipline for a violation of the student code of conduct for more than 10 days (within one school year, does not need to be consecutive) without holding a [**manifestation determination review \(MDR\)**](#) meeting. An MDR meeting is held to determine if the inappropriate behavior was a manifestation of the child's disability or if the conduct in question was the direct result of the public agency's failure to implement the IEP.



Dispute Resolution

You have the right to share information and express your opinion at any team meeting or anytime you feel it would help your child's education. Open, mutual communication between you and the other members of your child's team is encouraged to provide an appropriate program for your child. You have the right to disagree with your school regarding special education services. Agencies such as PIC, Uplift, and the WDE Special Education Programs Division can assist parents with their dispute resolution options: complaint investigation, mediation, and due process.

KEYS



BABY STEPS



RESOURCE LIST



WPIC WEBSITE

