

This sheet is designed to help you understand your rights and the rights of your child in the special education process under the Individuals with Disabilities Education Act (IDEA). It summarizes several key points, but it does not describe *all* of your rights under the law. Please read the full Notice of Procedural Safeguards. It is on the Early Stages website (earlystagesdc.org). If you would like to receive a full copy in the mail or via email, please call the Early Stages Center at (202) 698-8037. We will be happy to provide it to you.

1. **The Local Education Agency (LEA)—in our case, D.C. Public Schools—must provide a free and appropriate public education (FAPE) to all children.** To achieve this, a child with a disability may require specialized instruction (changing how something is taught) and/or related services (e.g., providing speech therapy). These are written in the child's Individualized Education Program (IEP).
2. **A student with a disability must be educated as much as possible in the same environment as a student without disabilities.** This is called the least restrictive environment (LRE).
3. An evaluation determines whether your child is eligible for special education and/or related services. **You have the right to be involved in meetings about identification, evaluation, and educational placement of your child.** The LEA must inform you when it plans to take action about these things. This is called Prior Written Notice (page 7).
4. **Your informed, written consent is required before the LEA can begin an evaluation and again before specialized instruction and/or related services can be provided. Your consent is voluntary and may be taken back at any time,** even for something you previously agreed to do. If you take back your consent, it must be done in writing, dated and signed (pages 9-10).
5. **You may ask for an independent educational evaluation (IEE) at public expense** if you disagree with the evaluations completed by the LEA (page 11).
6. **You may file a due process complaint** if you disagree with the LEA about (1) whether your child needs special education or related services, (2) your child's evaluation, (3) the site where your child will receive services, or (4) your child's access to FAPE in general (page 19).
7. **You have the right to receive copies of your child's school records.** If you believe that information in the record is wrong, you have the right to ask the school to change it (pages 13-14).

When a child with disabilities violates a school's code of conduct

If a child's behavior is related to an identified disability, the child may not be removed from the educational setting for more than ten school days. This protection begins as soon as a child begins the evaluation process, even though the child has not yet been identified as having a disability. There are other protections for children and there are also exceptions. If you are concerned about your child's behavior and how a school may respond, review this section carefully (page 29-34).