

Parental Rights

Parents have due process rights when their child has an IEP. Due process refers to procedures that by law must be followed in order to ensure that all children have access to a Free and Appropriate Education (FAPE), and that parents have the opportunity to be involved in their child's education plan and understand educational decisions being made for their child.

Parents have the right to be involved.

- Parents have the right to have meetings scheduled at a time when they can attend.
- Parents have the right to have other people who have special expertise regarding their child attending meetings.
- Parents have the right to have an interpreter, if needed.

Parents have the right to be fully informed.

- Parents have the right to be notified in their preferred language of educational decisions being made for their child.
- Parents will sometimes be asked to give consent to changes or updates to their child's educational plan. To give consent, a parent should be given a written notice of the proposed updates and/or changes in their preferred language. They should also be given the opportunity to discuss the plan, if desired, before signing paperwork.
- When parents give consent, it is voluntary. Parents may withdraw consent at any time.

Parents have the right to challenge decisions.

- Parents may request a mediator to help settle any dispute between themselves and the school.
- Parents have the right to request an impartial hearing, in which a neutral hearing officer, who must be a licensed NY attorney, will review arguments and evidence from both the school and the family before making a decision regarding the outcome.
- Parents have the right to appeal a decision they do not agree with.