

## Procedural Safeguards & Parent/Guardian Notices

The following is a short summary of some of the rights of students with disabilities and their parents. Please refer to the *Procedural Safeguards for Children with Disabilities and Their Parents* booklet for an in-depth explanation.

### MEANINGFUL PARENT PARTICIPATION

- Parents have the right to participate in meetings held with respect to the identification, evaluation, and educational placement of their student and the provision of a free appropriate public education as outlined on an Individualized Education Program (IEP). School personnel may have informal meetings without parents (pgs. 8-9).
- An annual review of special education services is conducted through the IEP process, and parents are an active part of that review.
- Parents have the right to receive regular reports on their student's progress toward IEP goals at the same intervals at which the school issues report cards for all students.

### EDUCATIONAL RECORDS and CONFIDENTIALITY

- Parents may look at their student's special education record. These records are confidential and kept in a locked file apart from regular school records. These records are not disclosed without parental consent to anyone other than district staff involved with the student's education (pg. 13).
- Parents have the right to request that information in their child's records be amended if they believe it is inaccurate or misleading (pg. 14).
- When requested, copies of records will be made available to parents within a reasonable amount of time (pg. 13).

### CONSENT

- Parents must agree, in writing, before initial evaluation and placement of their child in special education (pgs. 6-7).
- Parent consent is voluntary and may be withdrawn in writing at any time (pg. 6).
- It is the USBE's policy to forward educational records of a student without parental or adult student consent or notice to officials of another school or school district in which a student seeks or intends to enroll (pg. 16).

## INDEPENDENT EDUCATIONAL EVALUATION

- Parents may request an independent evaluation of their student if they disagree with all or some portion of the assessment completed by the school team. The special education teacher can refer parents to the district special education director to discuss the request and procedures (pgs. 9-10).

## DISCIPLINE

- Students with disabilities rights, regarding discipline, align with DSD's safe school policy. Specific information is found on pages 32-37 in the *Procedural Safeguards for Children with Disabilities and Their Parents* booklet.
- Students have the right to services aimed at appropriate progress in general education and on IEP goals if removed from school for more than ten school days in response to disciplinary actions (pg. 33).

## COMPLAINT PROCESS

- DSD wants to make sure parent concerns are addressed regarding the special education program for their student. Parent concerns are addressed using the following progression:
  1. IEP team meeting
  2. Building Principal
  3. District SPED Supervisor
  4. Special Education Director
  5. District Superintendent
  6. USBE – Special Education Services (SES)
- If a concern remains unresolved, and parents feel the District has violated a requirement of IDEA and want to make a formal written complaint, that complaint must be submitted to the District Superintendent or the USBE's State Director of Special Education, who will investigate or appoint someone to investigate the complaint (pgs. 18-20).
- If the district is unable to resolve a disagreement, a mediation process will be offered. If mediation is unsuccessful, parents may request a due process hearing. This request must be in writing to the District Superintendent (pgs. 21-25).

## PRIVATE SCHOOL

- DSD is required to inform parents that a scholarship to attend private school is available for students with disabilities through the Carson Smith Scholarship Program. Information for the scholarship can be accessed on the USBE website at <https://www.schools.utah.gov/specialeducation/resources/scholarships>(pg. 3).
- Parents have a responsibility to inform the school district special education director in writing within 10 business days if they intend to remove their student from public school, place them in a private school and **intend to seek reimbursement** (pg. 38).

Note to educator: While reading this document, change “parent” to “guardian or adult student” as appropriate.