

GUIDELINES 21.1

Rights of Students and Parents

- Students' records must be kept confidential. According to the **Family Educational Rights and Privacy Act**, only school personnel with a legitimate educational interest may obtain a student's records without written consent from a parent.
- Parents, or an assigned surrogate when parents are unavailable, have a right to examine all relevant records of their child and to participate in every decision related to the identification, evaluation, and placement of their child.
- Parents must be included in the meetings to develop IEPs and may bring an advocate to the meetings.
- Parents must approve the plans before they go into effect for the first time.
- If they wish, parents also may obtain an independent educational evaluation.
- Parents have the right to challenge or appeal any decision related to identification, evaluation, and placement of their child, and they are protected by due process.
- Parents must receive written notices in their native language before evaluations or changes to their child's placement occur.
- When the IEP meeting involves decisions related to transition (i.e., secondary and postsecondary goals), the student must be invited to attend the meetings, because planning for the student's future must take into account his or her preferences and interests.
- School districts are not required to assess students for determining eligibility for services in postschool environments, but they are required to facilitate students' transition from school to postsecondary education or employment (Madaus & Shaw, 2006).