



Understanding Your Rights

The Individuals with Disabilities Education Act (IDEA) mandates parents' involvement in their child's education. Parents serve a vital role in the decision-making process, and it is important to have an understanding of your Parental Rights. This list is not all-inclusive. Please refer to the [Regulations Governing Special Education Programs for Children with Disabilities](#) in Virginia for additional information.

You have the right to:

- Advocate for your child without fear of retaliation.
- Receive advance notice/invitation to meetings.
- Have meetings at a mutually agreed upon date, time, and location.
- Audio record eligibility, Individualized Education Plan (IEP), and manifestation determination meetings.
- Request to video record meetings. (If there are concerns, ask to review the school division's policy on video recording.)
- Discuss your concerns and have your input considered during meetings.
- Bring and have reviewed any type of documentation.
- Bring individuals, who at your discretion have knowledge or expertise concerning your child and can provide you with supports, and have them assist you during meetings.
- Receive a copy of procedural safeguards document once per year and any time upon request.
- Receive an independent educational evaluation (IEE) when you disagree with the results of a school-based evaluation, at no cost to you.

What is Prior Written Notice?

Prior Written Notice must be provided to you whenever the school division proposes or refuses any action related to the following:

- Identification
- Evaluation
- Educational Placement
- Provision of a Free Appropriate Public Education (FAPE)

Prior Written Notice must contain the following information:

- Description of the action proposed or refused by the school division
- Explanation of the school division's proposal or refusal to take action
- Description of other options considered and the reasons for their rejection
- Description of the evaluation, assessment, record, or report used as a basis for the action
- Description of other relevant factors
- Statement regarding procedural safeguards protections
- Sources for assistance