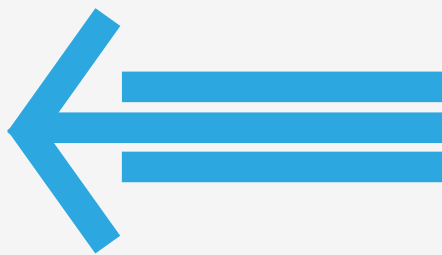




Do you know your...

PROCEDURAL SAFEGUARDS?



1

OPPORTUNITY TO
EXAMINE RECORDS
FROM LEA

(34 CFR§300.501(a)(1-2))

2

RIGHT TO PARTICIPATE
MEANINGFULLY IN ALL
MEETINGS

(34 CFR§300.501(c)(1-4))

3

ALTERNATIVE MEETING
OPTIONS TO ENSURE
PARENTAL PARTICIPATION

(34 CFR§300.501(c)(3))

4

INDEPENDENT
EDUCATION EVALUATION

(34 CFR§300.502(a)(1-3))

5

PRIOR WRITTEN
NOTICE (PWN)

(34 CFR§300.503(a)(1-2))

6

PWN IN NATIVE
LANGUAGE OF PARENT

(34 CFR§300.503(c)(1)(ii))

7

RIGHT TO RECEIVE YOUR
RIGHTS IN WRITING FROM
THE PUBLIC AGENCY

(34 CFR§300.504)

8

RIGHT TO
MEDIATION

(34 CFR§300.506)

9

RIGHT TO DUE
PROCESS

(34 CFR§300.507-508)

10

RIGHT TO CIVIL
ACTION

(34 CFR§300.516)

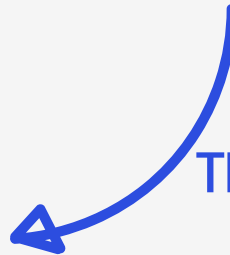
11

CHILD PLACEMENT
DURING HEARINGS

(34 CFR§300.518)

Did you also know there's a ***bonus***
right that is not listed under the
procedural safeguards?

But wait!
There's more..



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Procedural Safeguards: YOUR RIGHTS



Procedural Safeguards are the protections for children with disabilities and families provided by **IDEA (Individuals with Disabilities Education Act)**. All parents and caregivers of children with hearing loss and/or other disabilities should understand these important rights if their child needs or has:

- Evaluations or services from the Early Intervention System
- An Individualized Family Services Plan (IFSP)
- To transition from Early Intervention to their local public school district
- Evaluations or services from the local public school district
- An Individualized Education Plan (IEP)

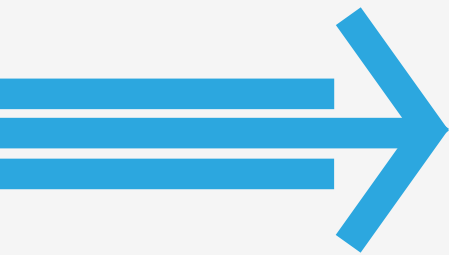
Parents/guardians/caregivers of children with hearing loss and/or other disabilities have the right to:

- Examine records related to identification, evaluation, educational placement, and provision of FAPE (Free & Appropriate Public Education) to their child with a disability. (34 CFR§300.501(a)(1-2))
- Be notified of all meetings in a timely manner so parents can participate as team members in the meetings. Parents must be given the opportunity to meaningfully participate in all meetings that the public agency conducts regarding their child. This includes any informal meeting where the purpose of the meeting is to determine placement for the child. (34 CFR§300.501(c)(1-4))
- “Be involved in placement decisions” includes provisions for parents/caregivers who cannot be physically present or attend meetings in person. The public agency for the meeting “must use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.” (34 CFR§300.501(c)(3))
- Request an Independent Educational Evaluation (IEE) that is conducted by a qualified examiner who is NOT employed by the public agency responsible for the child. An IEE can be covered by public expense. Public expense means “the public agency must pay for the full cost of evaluation or ensure that evaluation is otherwise provided at no cost to the parent/caregiver.” (34 CFR§300.502(a)(1-3))
 - *The parent/caregiver also has the right to “only one independent educational evaluation at public expense at each time the public agency conducts an evaluation with which the parent disagrees.” (34 CFR§300.502(b)(5))*
 - *The right to any parent/caregiver-initiated evaluations for their child MUST “be considered by public agency (if it meets the agency criteria) in any decision made with respect to provision of FAPE to the child”; and “may be presented by any party as evidence at a hearing on due process complaint regarding child.” (34CFR§300.502(c))*
- Be notified by the public agency, in writing, of any initiation, change or refusal of identification, evaluation, educational placement, and/or provision of FAPE to their child with a disability. (34 CFR§300.503(a)(1-2))
 - *Notice MUST be in the parent’s native language or other mode of communication used by parent “unless it is clearly not feasible to do so.” (34 CFR§300.503(c)(1)(ii))*
- Know their procedural safeguards. Public agencies (schools, early intervention systems) must provide written documentation of procedural safeguards to parents/caregivers. (34 CFR§300.504)
- Request mediation regarding their child’s provision of FAPE. (34 CFR§300.506)
- File a due process complaint relating to the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE to the child. (34 CFR§300.507-508)
- File civil action for their child with disability related to the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE. (34 CFR§300.516)
- To have their child to remain in their current educational placement while proceedings occur. (34 CFR§300.518)

BONUS RIGHT
on next page!



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The right to... **BRING PEOPLE TO THE MEETING!**

See more below for explanation!

One right that is **not** a procedural safeguard, but an **important right** for parents/caregivers to know is...



(34 CFR 300.321 (a)(6))

This is **not limited** to ONE person per meeting. You can invite whoever you want, and as many as you want, as long as it is someone who has knowledge about your child and their disability.

This includes your child's audiologist, certified LSLS-AVT specialist/speech pathologist, American Sign Language (ASL) educator, ASL interpreter, speech-language pathologist, aural rehabilitation specialist, your child's counselor, **an non-attorney special education advocate**, and so on.

The exception to this is an attorney/legal representation - If you are inviting legal representation to a meeting, you need to consult with your attorney on the processes under IDEA related to having an attorney at a meeting.

[Want an advocate for support for your next IEP/IFSP meeting?](#)
[Schedule a free meeting with us to learn more!](#)

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