



# Your Rights as a Parent

Maine Special Education Regulations, Chapter 101, governs the provision of "equal educational opportunities/free appropriate public education in the least restrictive educational alternative to all students with disabilities...". Knowing your rights as a parent of a child with special needs, being involved, and being informed, can help you be the best advocate for your child.

## **EVALUATION -- YOU HAVE THE RIGHT:**

- to a full, free, and individual evaluation of your child's educational needs for purposes of determining if your child qualifies as a student with a disability;
- to have your child evaluated in all areas of suspected disability or disabilities;
- to have your child re-evaluated at least once every three years if conditions warrant or if you request an evaluation;
- to a copy of the evaluation report, an explanation of the evaluation results, and their significance to your child's educational program prior to the PET meeting at which the evaluation will be discussed;
- to give written consent each time the school wishes to evaluate your child; and
- to revoke parental consent for evaluation at any time.

## **THE PET (PUPIL EVALUATION TEAM) -- YOU HAVE THE RIGHT:**

- to receive prior written notice of PET meetings at least seven (7) days before the meeting;
- to have these meetings scheduled at a time and place mutually agreed upon by the parents and the school;
- to actively participate in the development or revision of your child's IEP (Individualized Education Program);
- to state your opinion and to make recommendations for special education services;
- to refer your child to the PET at any time for evaluation and determination of eligibility of special education services;
- to provide written consent before your child's initial IEP is implemented;

- to invite additional PET participants at your discretion;
- to receive a copy of the PET minutes within 21 school days of the date of the meeting;
- to request a PET meeting at any time to discuss changes to or concerns about your child's IEP; and
- to have a statement of transition service needs included in the IEP no later than age 14 (or younger if determined appropriate by the PET), and to have a statement of needed transition services included at age 16 (or younger if determined appropriate by the PET).

**WRITTEN NOTIFICATION -- YOU HAVE THE RIGHT:**

- to receive prior written notice of any proposal or refusal to initiate or change the identification, evaluation, educational program, placement or the provision of a free appropriate public education to your child; and
- to be notified in the language commonly used in your home.

**RECORDS -- YOU HAVE THE RIGHT:**

- to inspect and review any educational records relating to your child and to receive a copy of these records;
- to have an authorized representative inspect and review the records; and
- to a list of record locations and types of records collected, maintained, and used by the school.

**MEDIATION, COMPLAINT & DUE PROCESS -- YOU HAVE THE RIGHT:**

- to request dispute resolution through complaint, mediation, or a due process hearing if you disagree with your child's evaluation, identification, placement, or the provision of a free appropriate public education;
- to be represented by an individual of your choosing; and
- to appeal the due process hearing decision if you do not agree.

This fact sheet contains just some of your rights. For more information on this or other topics related to the needs of children with disabilities, call or write Maine Parent Federation, P.O. Box 2067, Augusta, Maine 04338, 1-800-870-7746 (In-State Only), 207-623-2144 or email MPF at [parentconnect@mpf.org](mailto:parentconnect@mpf.org).

This fact sheet is paid for through grants from the Federal Department of Education and the State of Maine Department of Education, utilizing funds under the Individuals with Disabilities Education Act.