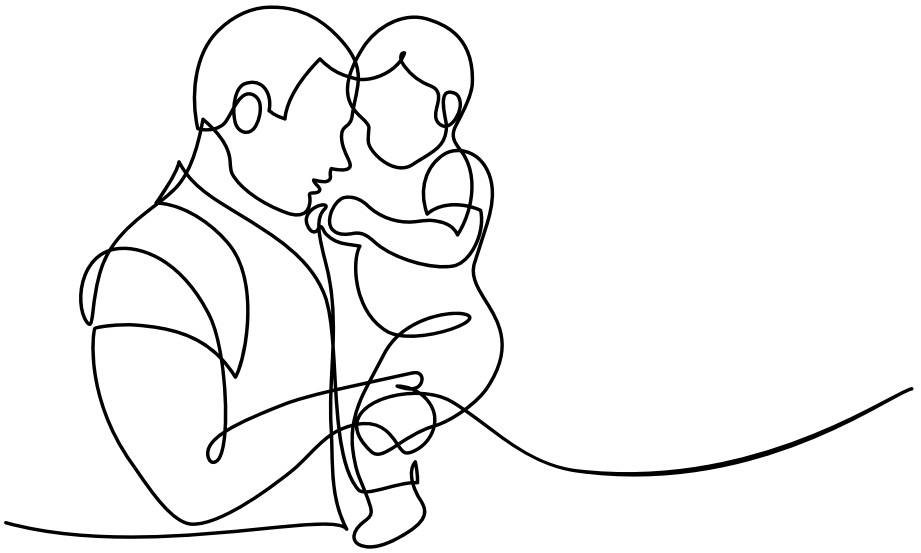


# The Procedural Safeguards Notice: *A Summary*



## Parental Rights MARYLAND PROCEDURAL SAFEGUARDS NOTICE

*Infants and Toddlers Early Intervention  
Preschool Special Education  
and  
Special Education*

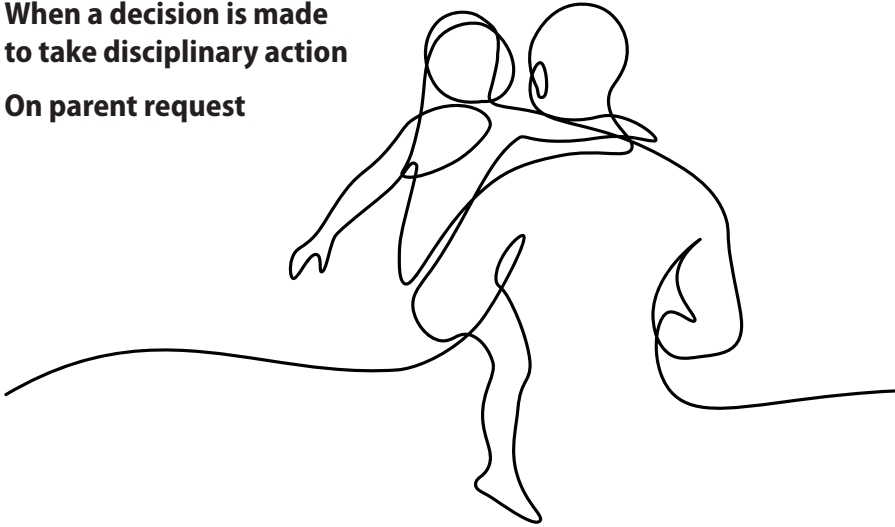


Required by law to be provided annually, and during other specific special education processes, the Procedural Safeguards Notice includes an explanation of parental rights in an understandable manner.

The complete book can be found at:  
[www.aacps.org/proceduralsafeguards](http://www.aacps.org/proceduralsafeguards)

# Parents have rights. They should receive notice of them...

- Annually
- On initial referral
- On receipt of the first written State complaint in a school year
- On receipt of the first due process complaint in a school year
- When a decision is made to take disciplinary action
- On parent request



## Parents also have the right to...

...receive information in their native language.

Maryland law requires that a student's IEP or IFSP be translated into the parent's native language if the native language is spoken by more than one percent of the population in the school system.

The procedural safeguards booklet is available in many different languages.

...receive information about the school's decisions about their child's educational program with prior written notice.

Parents must have notice a reasonable time before the school proposes or refuses to initiate or change the identification, evaluation, educational program, placement, or services their child receives.

...consent or revoke consent for many special education processes.

Parental consent is required to:

- Conduct individual assessments
- Initiate special education services
- Have their child participate in an alternate educational framework
- Include the use of restraint on their child's IEP or behavior intervention plan

Any of these actions or prior consent may also be revoked by the parent.

... request an Independent Educational Evaluation (IEE).

If a parent is in disagreement with the results of the evaluation process, they may request that the school system fund an independent educational evaluation. The school system is required to either agree to fund the assessment or to request a due process hearing to defend their assessment.

In Maryland, parents may be entitled to ask for an IEE if the school system does not respond to a parental request for assessment in a timely manner.

...expect the confidentiality of their child's records (FERPA).

Parents have the right to review their child's educational record and request that it be corrected if they feel it is incorrect. Parental consent is required before any personally identifiable information is released, absent very few situations.

...expect that their children will have disciplinary protections.

The IDEA affords students specific procedures and protections if the school takes certain disciplinary actions. These protections apply to students who are already eligible for services, students who are in the special education process but who are not yet eligible, and for students who the school should have known may be eligible.



# Parents also have the right to...

...access formal dispute resolution processes if they disagree with their child's educational program.

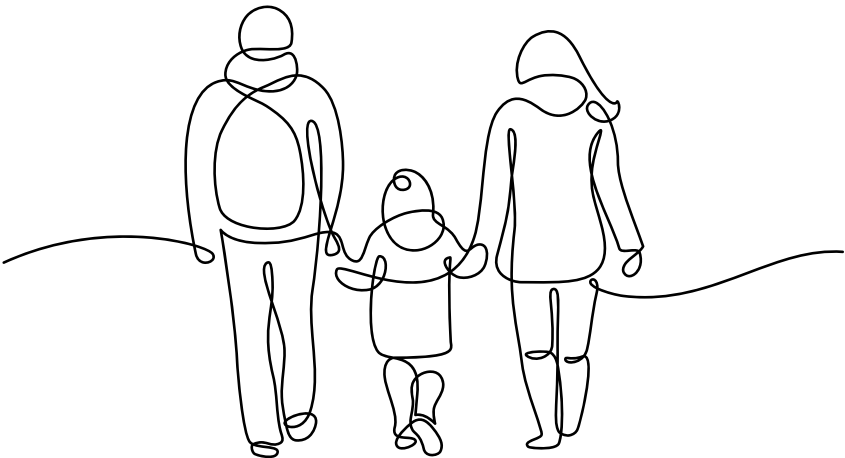
Parents are afforded an intricate set of rights to mediation, due process, state and federal complaint processes if they are in disagreement with IEP team decisions, or if they feel their child has been discriminated against based on their disability.

...unilaterally place their child in a private school, but not to expect the school system to fund that placement.

Parents can place their child in a private school if they disagree with the services and/or placement recommended or provided by the IEP team, however, they cannot automatically expect that the school district will fund their placement. Parents may access dispute resolution processes to resolve their complaints.

...retain the right to make special education decisions for their child.

In Maryland, special education decision making rights do not automatically transfer to the child when they reach the age of majority. Special education decision making rights are retained by the parents.



For more information and/or questions, please contact the  
**Special Education Compliance Office**  
**410.222.5423**