

(1.22) What rights do I have in the IEP process?

You should be aware of these basic rights in the IEP process, including the rights to:

1. Receive written notice of the time, location, and purpose of the meeting, and of who will be attending the meeting early enough to ensure that you will have an opportunity to attend. The school district must also schedule the meeting at a mutually agreed-upon time and place. [34 C.F.R. Secs. 300.322 (a) & (b).] It should be noted that if the district is unable to convince you to attend a properly scheduled IEP meeting, the district may hold the meeting without you if it has kept a record of its attempts to arrange a mutually agreed on time and place. However, the district must also take steps to insure parent participation — such as through conference calls. [34 C.F.R. Sec. 300.322 (d).]
2. Attend the meeting and be accompanied by other persons (including a representative, who may be an attorney, or advocate). [20 U.S.C. Sec. 1414(d)(1)(B)(vi); 34 C.F.R. Secs. 300.321(a)(6) & (c).] Whenever appropriate, your child may also attend and participate. [20 U.S.C. Sec. 1414(d)(1)(B)(vii); 34 C.F.R. Sec. 300.321(a)(7).] For an IEP that will be in effect when your child turns 16, the IEP notice must also notify you that transition services and goals will be discussed and that the district will be inviting your child to attend the meeting. [34 C.F.R. Sec. 300.322(b)(2).]
3. Present your concerns regarding enhancing the education of your child. [20 U.S.C. Sec. 1414 (d)(3)(A)(ii); 34 C.F.R. Sec. 300.324(a)(1)(ii).]
4. Have language or sign interpreter present if needed for you to participate in the meeting. [34 C.F.R. Sec. 300.322(e).]

5. Obtain a copy of the IEP. [34 C.F.R. Sec. 300.322(f); 5 C.C.R. Sec. 3040(a).]
6. Have the IEP reviewed annually, with all the above rights applying. [20 U.S.C. Sec. 1414 (d)(4)(A); 34 C.F.R. Sec. 300.324(b).]
7. Have the IEP implemented as soon as possible following the development of the IEP, and to have a complete IEP in place at the beginning of each school year. [34 C.F.R. Secs. 300.323(a) & (c)(2); 5 C.C.R. Sec. 3040(a).]