

Procedural Safeguards (Abbreviated)

The following is a shortened, easier-to-read summary of the parental rights outlined by the Nebraska Department of Education. Please consult the full version of procedural safeguards for more detailed information regarding your rights.

- **Prior Written Notice**: You have the right to be notified in writing prior to any meetings, evaluations, or proposed changes to your child's educational program. You also have the right to be notified when the school refuses to conduct an evaluation or change the educational program of your child when you have initiated the request.
- **Native Language**: You have the right to have an interpreter at any meetings and to have materials provided to you in your native language upon request.
- **Parental Consent**: No initial evaluations for special education may be conducted without parental consent. Furthermore, students may not be placed into a special education program, or have their educational placement changed, without consent.
- **Independent Evaluations**: If you are in disagreement with the school's evaluation, you may request an independent evaluation at public expense.
- **Confidentiality**: Special education evaluations and other records are considered confidential and are kept separately from your child's cumulative file. These records are accessible only to staff members working directly with your child and may be released to outside agencies only with your written permission.
- **Access**: You have the right to review your child's special education records at any time. If you are in disagreement with the information on record, you may propose to change the information by taking steps outlined in the procedural safeguards.
- **Complaints**: There is a formal, legal complaint procedure outlined in the procedural safeguards if you find that you are unable to resolve your complaints directly with the school district. Filing a complaint under these guidelines is called *due process*. Another method of resolving complaints, *mediation*, may also be chosen to assist in resolving complaints. Mediation is facilitated by a party outside of the school system, and is a faster, less costly option for resolving differences than going through court proceedings.
- **Discipline**: Students who are identified for special education services may not be suspended for more than 10 school days in a given school year, have their placement changed for more than 10 days, or be expelled, without first having a *Manifestation Determination*. This procedure is put into place to ensure that the school district considers the impact of the student's disability on their behavior and has in place appropriate behavioral modifications to address the child's behavior.