

K12 ACADEMICS — REFERENCE SERIES

A Parent's **Rights** Handbook

Every family's rights in American schools — special education, privacy, language access, discipline & more — in plain English, with the deadlines that make them real.



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2026 EDITION

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Online since 2004, K12 Academics has helped millions of families, students and educators **find the right school, college, camp, business and program in their community** — a search engine, a community, and a resource in one.

WHY THIS HANDBOOK?

Families have far more rights in school than most realize ⁰ but those rights are scattered across a dozen federal laws, each with its own deadlines. This handbook gathers them in one place, with a **"how to use it"** step for every right and the key **timelines** on each page, so you can walk into any meeting knowing exactly what your child is entitled to.

NINE AREAS OF RIGHTS

Right to an Education · Special Education (IDEA) · 504 & ADA · Privacy & Records (FERPA) · English Learners · Homelessness (McKinney-Vento) · Discipline & Due Process · Anti-Discrimination · How to Advocate

Please note. This handbook is general information, not legal advice. Rights, deadlines, and procedures vary by state and situation; for a specific dispute, consult your state's Parent Training & Information Center or an education attorney.

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The Right to an Education

- **A Free Public Education**

Every child has the right to a free public K-12 education. States set compulsory-attendance ages, and public schools cannot charge tuition for the core program.

→ **Know your state's compulsory-attendance ages — typically starting 5–8 and ending 16–18.**

- **Enrollment Regardless of Status**

Under *Plyler v. Doe*, public schools must enroll all children regardless of immigration status.

→ **Schools may not require a Social Security number or proof of citizenship to enroll — you don't have to provide them.**

- **No Improper Enrollment Barriers**

Schools generally cannot delay or deny enrollment because records haven't arrived or fees are unpaid — especially for protected students.

→ **If enrollment is delayed over missing records, request it in writing and cite immediate-enrollment protections.**

KNOW THE TIMELINES

- Compulsory age: starts 5–8, ends 16–18 (varies by state)
- Enroll first — records and immunizations can follow
- Residency disputes can't block a protected student's enrollment

Special Education (IDEA)

- **Free Appropriate Public Education**

If your child has a qualifying disability, they have the right to specially designed instruction and services at no cost — the core promise of the IDEA.

→ If you suspect a disability, request an evaluation **in writing** — that starts the clock.

- **The Right to an Evaluation**

You can request a full, free evaluation at any time. The school must obtain your consent and complete it within the legal timeline.

→ The evaluation timeline begins the day you sign consent — note that date.

- **An Individualized Education Program**

Your child's services and goals are written into an IEP that you help develop as an **equal team member**.

→ You can call an IEP meeting **any time** — not only at the annual review.

Special Education (IDEA)

- **Least Restrictive Environment**

Your child should be educated alongside non-disabled peers to the maximum extent appropriate.

→ Ask specifically how your child will access general-education settings and peers.

- **Procedural Safeguards**

You're entitled to prior written notice of changes, to consent, to review records, and to formally disagree.

→ You must receive a written **Procedural Safeguards Notice** — read it and keep it.

- **An Independent Evaluation (IEE)**

If you disagree with the school's evaluation, you can request an IEE — often at public expense.

→ Request the IEE **in writing**; the school must fund it or file to defend its own.

KNOW THE TIMELINES

- Evaluation: within **60 days** of consent (or your state's timeline)
- IEP: reviewed at least **annually**; re-evaluation at least every **3 years**
- IEE: at public expense when you dispute the school's evaluation

Disability Accommodations (504 & ADA)

- **A 504 Plan**

A student with a disability that limits a major life activity is entitled to reasonable accommodations under Section 504 — even without special-education instruction.

→ Request a **504 evaluation in writing** if your child has a diagnosis affecting learning.

- **Reasonable Accommodations**

Accommodations change *how* a student accesses learning — extended time, seating, assistive tech — without lowering expectations.

→ Get every accommodation **documented** in the written 504 plan — verbal promises don't bind.

- **Freedom from Disability Discrimination**

Under Section 504 and the ADA, schools cannot exclude, deny benefits to, or discriminate against a student because of a disability.

→ If your child is excluded, you can file a complaint with the U.S. Dept of Ed **Office for Civil Rights (OCR)**.

KNOW THE TIMELINES

- 504 covers any impairment limiting a **major life activity**
- No "IEP" required — 504 is a separate, broader civil-rights protection
- Discrimination complaints: OCR, within **180 days** of the incident

Privacy & Records (FERPA)

- **The Right to See Records**

You may inspect and review your child's education records on request.

→ Request records **in writing**; the school must comply within **45 days**.

- **The Right to Request Corrections**

If a record is inaccurate or misleading, you can ask the school to amend it — and request a hearing if refused.

→ Put the correction request **in writing** and specify exactly what's wrong.

- **Consent Before Disclosure**

Schools generally need your written consent before sharing records, with limited exceptions.

→ You can ask the school for a log of who has accessed your child's records.

Privacy & Records (FERPA)

- **Directory-Information Opt-Out**

Schools may share “directory information” unless you opt out in writing.

→ Submit the opt-out **each year** when the annual FERPA notice arrives.

- **Rights Transfer at 18**

FERPA rights transfer from parent to student at 18 or upon college enrollment.

→ Plan for the shift — after 18, you need your child’s consent to access records.

KNOW THE TIMELINES

- Records access: within **45 days** of your written request
- Directory opt-out: submit yearly, on the annual notice
- Rights transfer to the student at **age 18** or college enrollment

English Learners

- **The Right to Language Support**

Under *Lau v. Nichols*, schools must help EL students overcome language barriers and access the full curriculum.

→ EL services are a **right, not optional** — ask what your child is receiving.

- **Equal Educational Opportunity**

The Equal Educational Opportunities Act requires schools to act to remove language barriers.

→ Ask which EL program model the school uses and how progress is measured.

- **Communication You Understand**

Schools must communicate essential information to parents in a language they understand.

→ Request **interpretation and translation** for meetings and key documents — it's required.

- **No Exclusion or Improper Tracking**

EL students can't be excluded from grade-level content, gifted programs, or activities.

→ Insist your child can access **gifted, AP, and electives** — EL status is not a barrier.

KNOW THE TIMELINES

- ELs must be identified soon after enrollment (often within **30 days**)
- Translation/interpretation required for essential communications
- EL status can't justify exclusion from advanced or gifted programs

Students Experiencing Homelessness

- **Immediate Enrollment**

Under the McKinney-Vento Act, a student experiencing homelessness must be enrolled **immediately** — even without records or proof of residency.

→ **Enroll now**; the school helps gather records afterward.

- **School Stability**

The student can stay in their “school of origin” when it’s in their best interest, with transportation provided.

→ **Request to keep your child in the school of origin, and ask about transportation.**

- **A Local Liaison**

Every district has a liaison whose job is to identify these students and connect families to services.

→ **Ask the front office for the district’s McKinney-Vento liaison by name.**

KNOW THE TIMELINES

- Enrollment: **immediate**, no records or residency proof required
- Transportation to the school of origin must be provided
- Every district has a homeless liaison **by law**

Discipline & Due Process

- **Notice and a Hearing**

Before a suspension, students are owed notice of the accusation and a chance to respond (*Goss v. Lopez*).

→ Ask for the specific reason in writing and a chance to tell your child's side.

- **Manifestation Determination**

For a student with a disability facing a long removal, the team must review whether the behavior was linked to the disability.

→ For a student with an IEP/504, **demand the manifestation review** before a long removal.

- **Continued Services**

Students with disabilities are generally entitled to keep receiving services during a removal beyond 10 days.

→ Confirm services continue if the removal exceeds **10 school days**.

KNOW THE TIMELINES

- Any suspension: notice + a chance to respond (due process)
- **10 school days**: the removal threshold that triggers IDEA protections
- Manifestation review: within **10 school days** of the removal decision

Protection from Discrimination

- **Title VI**

Schools receiving federal funds cannot discriminate by race, color, or national origin.

→ Report race/national-origin discrimination to the school and, if needed, to OCR.

- **Title IX**

Schools cannot discriminate by sex, must address sexual harassment, and must support pregnant/parenting students.

→ Report sex discrimination or harassment to the school's **Title IX Coordinator**.

- **Equal Access to Programs**

Protections extend across academics, activities, athletics, and facilities — not just the classroom.

→ Equal access covers **athletics and activities** — raise unequal treatment.

KNOW THE TIMELINES

- Every school must have a **Title IX Coordinator**
- Complaints: file with the school or with OCR
- Protections cover athletics, activities, and facilities too

How to Advocate

- **Put Requests in Writing**

Ask for evaluations, records, and meetings **in writing, dated**, and keep copies. Written requests start legal timelines.

→ Email creates a timestamped record — use it, and save every reply.

- **Know the Timelines**

Evaluations, IEP meetings, records access, and responses all carry legal deadlines.

→ Reference the timeline boxes in this guide — deadlines are your strongest tool.

- **Use Dispute Resolution**

If you disagree, you can request mediation, file a state complaint, or request a due-process hearing.

→ Escalate in order: **mediation → state complaint → due process**.

- **Bring Support**

You may bring an advocate, translator, or attorney to any meeting.

→ Every state has a free **Parent Training & Information Center** — find yours.

KNOW THE TIMELINES

- State complaint: usually within **1-2 years** of the issue
- Free help: your state's Parent Training & Information Center (PTI)
- You may bring an advocate or attorney to **any** meeting

KNOW MORE, DO MORE

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Every right here connects to a deeper guide. Explore special education, English learners, family rights & more — among **1,297 free guides** at our resource library.

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