

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.



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2026 EDITION

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WHY THIS HANDBOOK?

Families have far more rights in school than most realize — but those rights are scattered across a dozen federal laws. This handbook gathers them in one place, so you can walk into any meeting knowing what your child is entitled to.

Please note. This handbook is general information, not legal advice. Rights and timelines vary by state and situation; for a specific dispute, consult your state's parent-training center or an education attorney.

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The Right to an Education

- **A Free Public Education**

Every child in the U.S. has the right to a free public K-12 education. States set compulsory-attendance ages (commonly 6 to 16–18), and public schools cannot charge tuition for the core program.

- **Enrollment Regardless of Status**

Under *Plyler v. Doe*, public schools must enroll all children regardless of immigration status, and may not require proof of citizenship or a Social Security number to enroll.

- **No Improper Enrollment Barriers**

Schools generally cannot delay or deny enrollment because records haven't arrived yet, or condition it on unpaid fees — especially for students protected by other laws below.

Special Education (IDEA)

- **Free Appropriate Public Education (FAPE)**

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

- **The Right to an Evaluation**

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

- **An Individualized Education Program (IEP)**

Your child's services and goals are written into an IEP that you help develop. You are an **equal member** of the IEP team, not a spectator.

Special Education (IDEA)

- **Least Restrictive Environment (LRE)**

Your child should be educated alongside non-disabled peers to the maximum extent appropriate, with removal to separate settings only when necessary.

- **Procedural Safeguards**

You are entitled to prior written notice of changes, to give or withhold consent, to review records, and to formally disagree with the school's decisions.

- **An Independent Evaluation (IEE)**

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

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 if they don't need special-education instruction.

- **Reasonable Accommodations**

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

- **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.

Privacy & Records (FERPA)

- **The Right to See Records**

You may inspect and review your child's education records, and the school must respond within 45 days of your request.

- **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 they refuse.

- **Consent Before Disclosure**

Schools generally need your written consent before sharing personally identifiable records, with limited exceptions (e.g., school officials with a legitimate interest).

- **Directory-Information Opt-Out**

Schools may share "directory information" (name, grade, activities) unless you opt out in writing — watch for the annual FERPA notice.

- **Rights Transfer at 18**

FERPA rights transfer from parent to student when the student turns 18 or enrolls in college (the "eligible student").

English Learners

- **The Right to Language Support**

Under *Lau v. Nichols*, schools must take steps to help English-learner students overcome language barriers and access the full curriculum.

- **Equal Educational Opportunity**

The Equal Educational Opportunities Act (EEOA) requires schools to act to remove language barriers that impede equal participation.

- **Communication You Understand**

Schools must communicate essential information to parents in a language they can understand, including translation and interpretation when needed.

- **No Exclusion or Improper Tracking**

EL students cannot be excluded from grade-level content, gifted programs, or activities, or be placed in special education solely because of limited English.

Students Experiencing Homelessness

- **Immediate Enrollment**

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

- **School Stability**

The student can stay in their “school of origin” when it is in their best interest, and the district must provide transportation to make that possible.

- **A Local Liaison**

Every district has a McKinney-Vento liaison whose job is to identify these students and connect families to enrollment, transportation, and services.

Discipline & Due Process

- **Notice and a Hearing**

Before a suspension, students are owed basic due process — notice of the accusation and a chance to respond (*Goss v. Lopez*). Longer removals require more.

- **Manifestation Determination**

For a student with a disability facing a long removal, the team must review whether the behavior was a manifestation of the disability before proceeding.

- **Continued Services**

Students with disabilities are generally entitled to continue receiving educational services even during a disciplinary removal beyond 10 days.

Protection from Discrimination

- **Title VI**

Schools receiving federal funds cannot discriminate on the basis of race, color, or national origin.

- **Title IX**

Schools cannot discriminate on the basis of sex, and must respond to sexual harassment and assault; this also protects pregnant and parenting students.

- **Equal Access to Programs**

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

How to Advocate

- **Put Requests in Writing**

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

- **Know the Timelines**

Evaluations, IEP meetings, records access, and responses all carry legal deadlines. Knowing them is your strongest tool.

- **Use Dispute Resolution**

If you disagree, you can request mediation, file a state complaint, or request a due-process hearing — these are your rights, not favors.

- **Bring Support**

You may bring an advocate, translator, or attorney to any meeting, and invite people who know your child.

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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