

Parental Consent on IEPs

MO Disability Empowerment's 2022 Legislative Priority

A **Parental Consent** statute would require school districts to get consent from either a parent or guardian of a student with disabilities before implementing a change to a child's IEP. In Missouri, parental or guardian consent is not required for changes to be made to a student's IEP. Parents may have little to no say in the final educational placement of their child with disabilities.

What is an IEP?

An IEP is an Individualized Education Program required federally under the IDEA for students with disabilities. An IEP is developed annually by a team including the parents, teachers, administrators, and specialists. The IEP describes a student's current level of performance and creates measurable goals. It provides accommodations, modifications, related services, and specialized academic instruction. It also states where a student will receive his or her services and education. Parental participation is required in developing the IEP but in some states including MO, parents only have to give their consent to the implementation of the IEP on a student's very first IEP. Any IEP after the initial IEP does not require parental consent to be changed and implemented.

What currently happens if a parent doesn't agree with an IEP?

If a parent or guardian does not agree with the IEP, the parents can voice their concerns, but the IEP will still go into place after 10 days. In order for the IEP to not go into effect, the parents would have to file due process. Due process is an expensive, long process usually involving lawyers for both parties.

"I want to have the final decision when the district is trying to place my child in a restrictive education setting. I'm the parent. Shouldn't it be my choice?"

Mother of child with an IEP

How would the requirement for parental consent strengthen the IEP process?

Parental consent creates an incentive for school districts to better collaborate with the parents. Since parents or guardians must consent to changes in the IEP, they have equal decision making power as other members of the IEP team. When schools and families collaborate and work together as equal participants, there are much better outcomes for the child.

What other states require parental consent for changes in the IEP?

California, Delaware, Florida, Kansas, Massachusetts, Minnesota, Montana, New Hampshire, Ohio, and Virginia all have state statutes which require parental consent.

Learn more at moempower.com/parental-consent.



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