



## SPECIAL EDUCATION RIGHTS: ILLINOIS EDITION



# How to be a Strong Voice for Your Child's Special Education Needs

This fact sheet answers:

- Does My Child Have Legal Rights in School?
- How Can I Help My Child Get What He Needs?
- What Documents Should I Keep?
- And More

## Does My Child Have Legal Rights in School?

Yes. Your child's IEP/504 Plan gives you and your child special legal rights. Your child has the right to have a "free appropriate public education" (FAPE). He should learn, be safe, be able to play, and have fun in school just like children without disabilities.

## How Can I Be a Strong Voice For My Child?

Take an active role in your child's schooling. You know your child best. If you don't understand something—ask! If something does not feel right—trust your gut! If working with the school doesn't fix things, know that you can get help from the State Board of Education, an attorney/advocate, or someone in the district.

## How Can I Help My Child?

**Talk to your child:** Ask your child what is going well and what is not going well. Ask him what he likes and doesn't like about school. Your child can come to school meetings to share this too.

**Talk with the school:** Talk to your child's school regularly. Thank the team for the good things they're doing and work together to make a plan to fix any problems. Having a good working relationship with the school will help your child.





## **Get organized and have things in writing:**

Have a file or binder of all of your child's school papers. You can use this binder to get ready for IEP/504 meetings. Your binder should have:

- Copies of your child's IEP/504 Plans.
- The school's schedule.
- IEP progress reports and report cards.
- Behavior or suspension/expulsion papers.
- Evaluations done by the school or outside of the school.
- Related Service Logs. These track when in-school therapists see your child.
- Attendance records and doctors' notes explaining why your child missed school.
- Important emails and notes from conversations with the school. Include the date, time, and who you talked to.
- Examples of your child's homework and school work.
- Pictures that show anything you are worried about.
- Letters from doctors and outside therapists.
- Your notes of things you have noticed about your child. What is going well or not well in and out of school.

If you do not have these records, you can ask for them in writing from the school. The school has 10 business days to give you these records.

**Ask for meetings:** You can ask for a meeting to discuss your child's needs or your concerns at any time. Make this request in writing and include the date. Say why you think your child needs this meeting.

**See your child in school:** If your child has an IEP, you have the right to see or observe him in school to see how the school is helping him. You can also ask an outside expert to observe your child in school.<sup>2</sup>

**Use experts:** You can use experts to improve your child's plan in many ways. An expert can observe your child in school, go to meetings, do an evaluation, and write a letter asking for changes to your child's plan.

If your child works with someone outside of school, ask that person to help. Outside experts should not ask the school to do what is "best" for your child. The law does not make the school do what is best. The law makes the school do what is needed to challenge your child so that he can learn.

**Ask for evaluations:** Children with IEPs must be re-evaluated at least every 3 years. Children with 504 Plans should be evaluated "periodically." You can ask for a new evaluation in an area your child hasn't been tested in at any time. You can also ask to move up your child's re-evaluation if you think his plan is not working. See Equip for Equality's "Getting a Plan to Help Your Child in School" fact sheet to learn about evaluations.

**Write down your disagreements:** If a meeting at the school did not go well or something is going very wrong in your child's plan, email the school explaining what you disagree with and how you want them to fix it.

**If You Can't Agree With the School:**

When you have done your best to work with the school to fix a problem through conversations, emails, and meetings, but things still aren't fixed, it may be time to think about other options.

See Equip for Equality's "What to Do When You Disagree with the School" fact sheet to learn more about handling disagreements with the school. ■



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## Have More Questions?

Call our Special Education Rights Parent Helpline.

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