



SPECIAL EDUCATION RIGHTS

FEBRUARY 25, 2026

Education Rights of Undocumented Students

Can all children go to public school?

Yes. Every child in the United States has the legal right to go to public elementary and high school. Their immigration status or their parents' status do not matter.

Can parents be involved in school?

Yes. Parents have the right to go to school events, meetings, and activities and be involved in their child's education, regardless of immigration status.

Is student information protected at school?

Yes. Schools are very limited in what information they can share with anyone about students. Schools cannot threaten to share a student's or family member's immigration status.

Can schools ask about immigration status?

No. Illinois and federal law say ALL students have the right to free public education through 12th grade or until the school year when they turn 22. Schools cannot say you need a Social Security number or ask about immigration status when enrolling a student.

Can families who do not speak English ask for an interpreter?

Yes. Families have the right to free interpretation and translation services for meetings about their child's education.

Can undocumented students be evaluated and get special education services?

Yes. All students in Illinois have the right to be evaluated for special education services. If testing finds them eligible, students with disabilities can get a 504 plan or IEP regardless of legal status.

Can undocumented students with IEP's receive transition services?

Yes. All students with IEPs in Illinois have a right to transition services beginning at age 14 ½ years old through 12th grade or until the school year when they turn 22.

Have More Questions?

Call our Special Education Rights Parent Helpline.

1-866-KIDS-046 (1-866-543-7046)

SpecialEd@equipforequality.org

www.equipforequality.org/helpline

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