



In order for children with disabilities to reach their potential, educators and parents (and often others) need to work together as partners.

In fact, the partnership is so important that there are laws designed to protect it.

This brochure outlines some of the rights of parents as partners.

Only together will we help children keep

reaching for the stars. Remember:

**The Sooner We Start, The Farther They'll Go.**



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Look what I can do



## The Rights of Children



Families  
and schools

working  
together

**The Sooner We Start,  
The Farther They'll Go**



**Look What I Can Do**

Early Intervention For Young Children With Developmental Delays

This publication is part of *Look What I Can Do*, a public awareness campaign of the Illinois Department of Human Services and the Illinois State Board of Education.

To order Public Awareness materials  
call 1-800-851-6197





**A Summary of Rights** The rights of children with disabilities are detailed in the special education rules. You can review these rules by contacting your school district's special education director. Some of these rules are summarized below.

### Notice

The school district must notify parents in writing before conducting any meeting which might lead to their child being identified as a special education student, before any evaluation of the child can take place and before any special education services are started, continued, changed or ended. Parents also have the right to know what information the school district used in making decisions about their child's placement.

### Consent

Parent consent is required before a child can be evaluated for the first time and before a child can be placed in special education for the first time.

### Evaluation Procedures

Parents have the right to have an evaluation completed within a specific period of time. There are also rights related to the information used in



the evaluation, the people involved and the procedures followed. Copies of the evaluation reports must be available to parents.

### Independent Evaluations

Parents have the right to obtain an independent evaluation at their own expense any time they believe the public evaluations are not appropriate. Under certain circumstances, the public agency may have to reimburse parents for the costs of an independent evaluation.

### Records and Confidentiality



Parents have the right to see anything in their child's educational records and to receive an explanation of the contents. Parents also have the right to determine whether anyone outside the school can see the records and to be informed before any part of the record is destroyed.

### Least Restrictive Environment

To the extent appropriate, a child with disabilities must be educated with his or her peers. A child can only be removed from the school he or she would normally attend if his or her special education requires such relocation.



Even though we try to do our best, sometimes parents believe there has been a violation of their child's rights. When that happens, parents have four options which can be used at any time.

1. It makes good sense to first seek a solution to the problem by contacting the school principal or administrator. An informal discussion with this person likely will resolve the disagreement or conflict. This person can also provide complete information on parents' rights with respect to complaints and hearings.
2. If this discussion is not possible, you can request formal mediation. Parents can exercise this option by sending a written request to the local school district superintendent.
3. Parents also have the option of filing a formal complaint by sending a letter to: Complaint Investigation, Division of Program Compliance, Illinois State Board of Education, 100 North First Street, Springfield, IL 62777. Your letter should explain the problem in detail and contain identifying information (such as the child's name, your name, address, telephone number and the name of your public school district).
4. Finally, you can write to your local school district superintendent and request a formal hearing. This is called a "Level I" due process hearing.

## Getting Into Special Education

Five basic steps are necessary to place a child/youth ages 3 to 21 in a special education program.

1<sup>st</sup>

First,  
a child is screened.  
This simply means that someone — a teacher, doctor, a parent — believes there is a reason to suspect a problem.

2<sup>nd</sup>

Second,  
a child who is suspected of having a problem is referred for evaluation.

3<sup>rd</sup>

Third,  
parent permission must be granted before an evaluation can take place.

4<sup>th</sup>

Fourth,  
an evaluation of the child is conducted.

5<sup>th</sup>

Fifth,  
meetings are held to review the evaluation, to plan a program which will benefit the child and — at least once a year — to review the child's program and make plans for the next year. Parents have a right to attend all these meetings and to disagree with the recommendations.