

How Do I Request Special Education* Services for My Child?

**Special Education is specially designed instruction to meet the unique needs of a child with a disability.*

What are my rights?

- » Children ages 3 to 21 are eligible to be tested and receive special education services.
- » Public and Charter Schools must provide special education at no cost to you if your child qualifies.
- » You have the right to ask your child's school to test your child for special education.

What do I need to do to have my child tested?

- » Ask your child's school to test your child. Put your request in writing. You can use the sample letter in this packet to make your request.
- » Date the letter and keep a copy for your records. Taking a picture using your cell phone is a good way to make a copy.

What does the school have to do?

- » Respond in writing to your letter within 30 days.
- » If the school refuses to test your child, they need to explain how you may challenge the school's refusal.
- » If the school evaluates your child, they need to develop an Evaluation Team Report (ETR).
- » Schedule a meeting to discuss the ETR with you.

What happens if my child qualifies for special education?

- » Your child will receive an Individualized Education Plan (IEP).
- » Your child should be re-evaluated every three years.
- » You have the right to ask that your child be re-evaluated sooner.
- » You have the right to ask for an IEP meeting at any time.
- » Special Education students may have special protections when facing suspension or expulsion.

What if I disagree with all or part of the IEP?

- » Write what you disagree with on the IEP.

What if my child has a disability but doesn't need an IEP?

- » Maybe your child needs an accommodation or a modification. Read our 504 Plan Information Sheet for more information.

*Advocates for Basic Legal Equality, Inc. and Legal Aid of Western Ohio, Inc. are non-profit law firms serving the civil legal needs of western Ohio's low-income individuals and families. This information is not legal advice. It is general information. It is not a substitute for talking to a lawyer about your situation. You may still need help from a lawyer. *Last updated February 2021*

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