# Chapter 6B: You Have Rights: IDEA Law ages 3-21

**Introduction:** The Individuals with Disabilities Education Act (IDEA) is a federal law that gives you and your child rights and protections in special education. One of the most important parts of IDEA is that parents are important participants in decisions about their child’s education. IDEA ensures that your child receives their education in the least restrictive environment (LRE). It ensures that you have a voice in meetings about your child and that your child gets an education to meet their needs. IDEA also provides ways for you to resolve concerns you have about your child’s education. Knowing your rights and protections under IDEA is one of the ways you can be fully engaged in your child’s education and success.

## Definitions:

**IDEA** is a federal law that gives rights and protections to parents and children with disabilities through a written plan called an Individualized Education Program (IEP). IEPs are available to eligible children from age 3 through age 21. Parents have rights under the law, including the right to participate in their child’s education and make decisions about their child’s educational services. Under IDEA, schools must provide a free appropriate public education (FAPE) to children with disabilities, and children with disabilities must learn side by side with children who do not have disabilities as much as possible (LRE).

**Least restrictive environment (LRE**) means that children with disabilities should be in the same classroom as children who do not have disabilities as much as possible. To ensure that children with disabilities are educated in the LRE, they should receive supports and services to meet their needs and help them to be in the general education classroom.

**Free appropriate public education (FAPE)** means that students with disabilities receive a public education that is at no cost to the family that meets the child’s individual needs through an individualized education program or IEP.

**Individualized education program (IEP)** is a written document that describes the program of special education instruction, supports, and services children with disabilities need to make progress on specific, measurable educational goals.

## What Families Should Expect:

* You are part of your child’s IEP team. Your participation in IEP meetings and decisions about your child’s education is a priority of the IDEA law. It is important because engaged parents help children learn, make progress, and develop positive relationships at school. Your school must find ways to make it easy for you to participate in your child’s IEP meetings, including scheduling meetings at a time and location that are easy for you, and making sure materials are provided to you in a way you can understand them. Let your team know if you need any accommodations to fully participate in your child’s IEP meetings. Accommodations can include providing written materials in your native language, making virtual meetings an option, and other ways to ensure your full understanding and participation.
* Your school should prepare you for meaningful participation in your child’s IEP meetings. The school should do this by providing you with options for dates and times for the meeting, written information about when the IEP meeting will occur, who will be at the meeting, and what will be discussed at the meeting. This information will help you to know in advance what will be discussed so that you can prepare to provide input in the discussion and decisions about your child.
* You can be the best advocate for your child if you know your rights and responsibilities in the special education process. Your school will provide you with information about [your rights](https://education.ohio.gov/Topics/Special-Education/A-Guide-to-Parent-Rights-in-Special-Education) and role in the IEP meeting. Read the information you receive so that you are fully prepared to participate in meetings. Learning to advocate for your child can take time. If you need support, you can take someone to meetings with you, including a family member, parent mentor, or advocate.

## What Families Want Their Team Members to Know:

* Please make every effort to hold IEP meetings at times that work for my schedule. You are participating in the meeting because it is your job, and you are already at the school. I may need to take time off from my job, get childcare, or find transportation to attend. It is not easy to juggle a job, caring for a child who needs extra care, and raising a family, and I can be more present and fully engaged if you accommodate my schedule.
* When you bring a lot of people to my child’s IEP meeting, it can be very intimidating. I understand that multiple people are needed to make decisions about my child’s education, but you can make the process less intimidating for me if you only bring necessary people and you make sure I am told who will be at the meeting and why they are there. Spending time on introductions before the meeting starts is helpful.
* I can read the body language of the people in the room and sometimes what I see are people who are not focused on my child or appear unengaged in the discussion. Sometimes, team members make me feel like my opinions don’t matter when they don’t take my input seriously. It would be so much easier for me to be fully engaged in the meeting process if everyone is focused on the task at hand and treats my input as valuable.

## What Team Members Want Families to Know:

* You know your child better than anyone else knows your child. We can have a better IEP meeting and make the best plan for your child if you tell us about your child and what you think will help your child learn.
* The IDEA law guides what we do as a team. It tells us how often we need to meet, how goals should be written, what kinds of things should be in the IEP, and more. It may help you to understand what we do and don’t do if you learn about the IDEA and its requirements. We will provide you with information about IDEA and we encourage you to read it.
* It is helpful to your child if we work together to make sure we are consistent in what we do at school and at home. Let us know if you are struggling with helping your child at home and ask us how we can help you with ideas and resources that you can use at home.

## Family Checklist:

* When I attend IEP meetings, am I prepared, focused, and ready to be collaborative to help my child?
* Have I spent time to learn about the IDEA law and my rights?
* Have I shared important information about my child with the team?
* Can I find ways to create relationships with team members outside of the IEP meeting process?
* Do I have ways to support my child at home that complement what the school is doing?

## Team Member Checklist:

* Are we making sure our IEP meetings are parent friendly (only inviting necessary staff, scheduling at a time convenient for the parent, spending time on introductions, limiting jargon, providing agendas)?
* Are we present and focused on the task at hand in IEP meetings?
* Do we ensure that our staff have the time and resources to fully focus on IEP meetings (providing substitute teachers, giving IEP planning time)?
* Do we really listen to what parents are saying?
* Are we monitoring our body language (arms crossed, eye rolls, sighs) and staying positive?
* Do we foster a collaborative process?

## Resources:

[Parent Center Hub: IDEA- The Individuals with Disabilities Education Act](https://www.parentcenterhub.org/idea/)

[Disability Rights Ohio: FAQ Special Education](https://www.disabilityrightsohio.org/faq-special-education)

[Disability rights Ohio: Negotiation Skills for Parents](https://www.disabilityrightsohio.org/negotiation-skills-for-parents)

[U.S. Department of Education’s Individuals with Disabilities Education Act (IDEA) website](https://sites.ed.gov/idea/?src=search)

[A Guide to Parent Rights in Special Education | Ohio Department of Education and Workforce](https://education.ohio.gov/Topics/Special-Education/A-Guide-to-Parent-Rights-in-Special-Education)

[OCECD: Parent’s Rights in the Special Education Process (English)](https://filecabinet5.eschoolview.com/7132D93C-113A-42DB-AD9B-3D42946C44E5/284434b7-f1ef-4207-9fc3-e4f37a45b832.pdf)

[OCECD: Parent’s Rights in the Special Education Process (Spanish)](https://filecabinet5.eschoolview.com/7132D93C-113A-42DB-AD9B-3D42946C44E5/5584da72-613d-43a4-8405-0d3f79077552.pdf)