

Your Child's Rights

Your child has rights. The Idaho Federation of Families can provide education, advocacy, and training on what those rights are. Whether it is assistance with applying for SSI, helping with an IEP, or parental rights, we can help.

FACT SHEET FOR FAMILIES

ADVOCATING FOR YOUR CHILD



IYC members having fun!

GENERAL TIPS

Remember -- you are the primary decision-maker for your child. No changes in your child's placement or services should take place without your approval, except in an emergency situation.

You are a member of the team. Work with the people who work with your child. Your success as an advocate for your child depends on working with others.

Be confident about your abilities and your rights; you know your son or daughter better than anyone else.

Talk with other parents to discuss strategies, common problems, and work for solutions. You are not alone.

Read about your child's special needs. Talk with professionals and other parents to learn as much as you can. Try to have a complete understanding of your child's special education needs.

Remember your child's strengths. Try to keep things on a positive level.

Use the knowledge and skills you already have. Read about related issues, such as advocacy, communications and organizational skills, negotiations, and conflict resolution.

Keep up-to-date on state and federal laws governing education and special education. Participate in a workshop to learn your rights and your child's rights. Become familiar with the basic terminology and acronyms used in education.

KEEP RECORDS

Be willing to create a paper trail. Develop a file system to organize all your child's records, your notes, and communications including letters. Keep copies of papers given to you at school meetings.

Write down your child's accomplishments. Keep notes about your concerns, questions, and answers.

Keep notes on phone calls and visits, and keep copies of all letters and records. Keep a meeting log, noting the dates and names of people involved. It is a good idea to confirm in writing what was discussed in the phone call.

Follow up phone conversations and subsequent meetings with letters that repeat what you have agreed to.

Whenever you write a letter, make sure you explain your position, your understanding of their position, what you expect to happen and who will do it, and your timeline for a response.

Date and keep copies of your child's work. Keep copies of homework, tests, drawings, and writing samples.

BEFORE THE TEAM MEETING

Be sure to have a pre-assessment meeting. Know what assessments will be done and who will do them. Ask for other assessments if you think they are necessary.

Think about your child: What can she do? What does she contribute to your family, your community, her school? What are your dreams for her when she is in her 20s? What do you want the school to provide?

Write down your ideas and give them to the team. It is your assessment of your child.

Ask your child what he would like to learn next year, what kind of help he thinks he needs. He may be interested in something or have some good ideas.

Ask for copies of all your child's records, and review them before the team meeting. Ask for summaries of assessments before the team meeting. Read them carefully, and make notes of the things you wish to discuss, and of any questions you may have. It is your right under the law to ask for explanations in terms you understand.

AT THE IEP TEAM MEETING

You have a right to invite anyone to attend the IEP team meeting with you. Bring a friend, family member, or another parent for moral support. This person can take notes and discuss the meeting with you.

Invite professionals who know your child, such as an evaluator, psychologist, or therapist. If they can't come, ask them to contact the team chairperson and send a report.

You are also a professional. Dress appropriately, and look as professional as possible. Stand straight, shake hands firmly, and maintain eye contact as you are introduced to the other participants. If no one begins the introductions, do it yourself. Speak clearly, and maintain eye contact while you are talking.

Sit with the other team members. This shows that you are part of the decision making. If you can, sit between people with power. Try to avoid having your side and their side of the table. It sets up sides rather than focusing on the joint effort.

Arrive promptly. By being on time or a few minutes early, you will demonstrate that you consider this meeting to be important, and that you are ready to conduct business.

Make a note of those present so you can compare the names with the attendance sheet on the individual education plan (IEP).

Be as specific as possible in discussing your child's needs and abilities. Be positive. Be clear. Make positive statements, such as "I expect. I understand. My child needs." There is less chance that other people will misunderstand what you say. You will feel more confident, and be more effective.

Stick with the issue at hand -- your child's education. Don't be sidetracked by irrelevant issues, such as your past experiences or the school's lack of funds. You are discussing an individualized education to meet your child's unique needs.

Remain as friendly as possible. Separate the people from the problems. Don't deal in personalities.

Remember that understanding the other person's viewpoint is not agreeing with them, but shows that you are paying attention, are interested in what they have to say, and are willing to work with the team.

Feel free to ask questions. Ask for clarification of anything you don't understand.

Be flexible enough to accept minor revisions, but be firm about the major issues.

It may not be possible to finish all the business at hand in one session, even when things are going smoothly. It's best to reconvene the team the next day or a few days later to stay fresh, rather than rush to finish.

Feel confident enough to conclude the meeting if the situation looks hopeless. Don't waste your time. Tell the other team members that you will attend another meeting when they are ready to negotiate in good faith.

IN YOUR CHILD'S PROGRAM

Maintain close contact with your child's teacher. Some families have regular meetings, some have a daily notebook, and some have regular telephone calls. Share information and suggestions. Be supportive. Listen to the teacher's feelings and ideas, and involve him where appropriate.

If you think teachers or other team members are doing a good job, tell them. Thank teachers and other members of the team, including the principal and special education director, when they have done something you appreciate.

You've known your child for a long time. If you've discovered hints that help your child learn, share them. Offer to help teachers and others adapt materials or programs. Remember that other people such as the school bus drivers, janitors, lunchroom workers, and secretaries may know and help your child in informal ways.

Get involved in your child's school. Join the PTA, go to school plays, volunteer in the library. The more people see you, the better you will get to know each other. This sometimes makes it easier to work together for your child.

Go over your child's IEP every few months. Are the services stipulated in the IEP being provided? Are you satisfied? Is your child happy?

Talk with your child's teacher or liaison if you have any questions, or if there are any problems.

If the IEP is not working, ask for a meeting of all the people involved. If you feel it is necessary, ask for a team meeting to change the IEP. You may do this at any time.

IF PROBLEMS ARISE

If you feel the school is not following the IEP you signed, speak up. Remember -- you are advocating for your child. If you don't do it, no one will.

First, talk with your child's teacher or liaison to see if you can work out the problem. Sometimes, a problem is a simple misunderstanding, and can be resolved by asking questions or

explaining what you expect. Remember, you are a member of the team. If possible, work cooperatively with other team members to resolve problems.

If this does not work, call and/or write a letter to your ARD team chairperson, explain the problem, and ask that specific actions be taken to resolve it. Send a copy to the school principal and special education administrator. Remember to set your timelines for responses and/or action. Don't let time run away. Your child is the one losing out.

Call the team chairperson three days after you mail the letter, and ask what has been or will be done about the problem. Ask that the school establish specific steps toward resolving the problem.

If the team chairperson is not able to solve the problem, contact the special education director. Ask that quick action be taken to resolve the problem. If necessary, contact the superintendent and your school committee.

If you cannot reach an agreement with your school system, request mediation from the Department of Education. This is less formal, and not as adversarial or costly as a hearing.

If all else fails or if the problem is especially serious, request a due process hearing. While an appeals hearing may prove to be costly and time consuming, it does have the advantage of giving you and your child a chance to state your grievances before a qualified and impartial hearing administrative law judge who is required to make a clear-cut decision.

FOUND AT: <http://www.mdcoalition.org/advocating.htm>