



SPECIAL EDUCATION RIGHTS: ILLINOIS EDITION



Is Your Child in the Right Kind of Classroom or School?

This fact sheet answers:

- What Does Least Restrictive Environment Mean?
- How Do I Know If My Child's Placement Is Right?
- How Is My Child's Placement Decided?
- And More

What Are My Child's Special Education Legal Rights?

Special education law says your child must be in classes with his typically developing classmates as much as he can be, as long as he is learning. This is called his “**Least Restrictive Environment**” (LRE). Your child's classroom or school, sometimes called his “placement,” should be in his LRE.

What Are Examples of LRE?

Here are two case examples that show how LRE works:

Jayden has a learning disability and ADHD. He is in 5th grade but reads on a 1st grade level. For years, he has been taken out of his classroom to work one-on-one with his special education teacher. Jayden's reading hasn't gotten better in 4 years. Jayden's LRE could be in a different school that has a special reading program.

Rosa has autism. She was put in a classroom with students with autism. Rosa had a lot more friends in her old classroom. Rosa tells her mom she is bored and school is too easy. Rosa's LRE could be spending more time in the general education classroom, so she is challenged and with her friends.

What Are Different Placement Options?

School districts offer many options, including:

Push-in help:

As the least restrictive option, this is the starting place for special education. Your child is with his typical classmates all day. Therapists and special education teachers give your child extra help in his classroom.

Pull-out help:

Therapists and special education teachers “pull out” your child from his class to give him extra help. This can be good if your child is behind grade level or needs a special kind of program or classroom for some subjects.

Special education classrooms:

If your child needs a smaller classroom for most of the day, he can be in a special education classroom in a neighborhood school or in a “cluster” or “co-op” program at another school. Your child can still be with his typical classmates in some classes.

Schools for only students with disabilities:

School districts can pay for your child to go to public or private schools where only children with disabilities attend. This is a very restrictive placement. Your child will not be with non-disabled classmates.

Residential schools:

In a small number of cases, an IEP team may decide that your child's disability is so severe that he needs to live at school.

Home/hospital placement:

Your child's disability or medical needs can make it so that he must be taught at home or in the hospital. This is usually short-term.



How Is My Child's Placement Decided?

Your child's placement should be discussed at every IEP meeting. **It is a team decision.** When deciding what kind of classroom or school your child should be in, the team should talk about:

- How far behind your child's academic skills are.
- His behaviors and social skills.
- His ability to pay attention and learn.

How Do I Know If My Child's Placement Is Right?

Your child's IEP, including his classroom and school setting, is supposed to help him learn and make appropriate progress.

To see if your child's IEP is doing what it is supposed to, you should:

- Review your child's grades, test scores, and evaluations.
- Talk to your child's teachers.
- Talk to your child's outside therapists and doctors.
- Go see your child in school to see how he is doing.

If your child is not making progress, he may need to be taught in a different kind of placement or setting.

What If My Child Is Never With Typical Classmates?

If your child does not spend time in school with children who do not have disabilities, you can argue his placement is too restrictive. Talk with the IEP team about how this is hurting your child and how he would benefit from more time with typical peers.

What If My Child Needs a Special School?

You will have to get the IEP team to agree that your child needs this restrictive setting. If the team agrees, it should help you find the right school for your child.

A school district is more likely to agree to send your child to a different school if it is an ISBE (Illinois State Board of Education) approved school. To find private schools that are approved in your county for your child's disability, go to: www.hbug.k12.il.us and click on "Resources." Then click on "Private Facility Search." On the right side of the page, enter your county and your child's disability. For type of program, select private, in-state, and day school.

This will give you a list of schools that ISBE has approved for your district. This does not mean the school is a good fit for your child; it may or may not be. Read about each school to see which ones will be the best fit for your child. You can also ask schools for a tour.

How Can I Get the Team to Change a Placement?

To get the team to agree to change your child's placement, you should:

- See Equip for Equality's, "**How to Be a Strong Voice for Your Child's Special Education Needs**" fact sheet for tips and strategies to help your child.
- Research what kind of classroom and school your child needs.
- Write an email asking for an IEP meeting to discuss your child's placement.
- Give the IEP team a letter saying why you think your child's placement is not right.
- Have your child's doctor or outside therapists write a letter supporting you.
- If the team will not change your child's placement, write a letter to the school saying why you disagree with this decision.
- See Equip for Equality's "**What to Do When You Disagree with the School**" fact sheet for your next steps.

What If the School Changes My Child's Placement and I Don't Agree?

Your child's IEP team can change his placement against your wishes. **If this happens, you will need to request mediation or file for due process within ten days of the IEP meeting.** When doing this, ask for "**stay-put.**" This will keep your child's old placement in place while you work with the school to fix the problem.

See Equip for Equality's "**What to Do When You Disagree with the School**" fact sheet for more information. ■



Equip for Equality
20 North Michigan Avenue
Suite 300
Chicago, IL 60602

www.equipforequality.org
1-800-537-2632
1-800-610-2779 (TTY)

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