

My Child is Struggling in School, What Can I Do?

Free Appropriate Public Education (FAPE): School districts are required to provide students with a free appropriate public education.

Individualized Education Program (IEP): An IEP is a written plan to meet the unique educational needs of a student with a disability.

Section 504 Plan (504): Students who don't have a disability necessitating an IEP may still be entitled to accommodations in the learning environment under Section 504.

What are some signs that my child might be struggling in school?

There are many signs that your child might be struggling in school. Below are a few examples to look out for:

Academic

- Difficulty passing classes
- Not completing classwork on time
 - Inconsistent grades

Emotional

- School avoidance
- Behaviors in school
- Mood changes

Physical

- Frequent trips to the nurse
- Concerns with speech
 - Illegible handwriting

How can I get my child help?

If your school district has not yet evaluated your child:

- Contact your school district's Committee on Special Education.
 - Every school district has a Committee on Special Education (CSE) for students age 5 and older and a Committee on Preschool Education (CPSE) for students between ages 3 and 5.
 - School districts must evaluate students in all areas of suspected disability at no cost to the parent.
 - The school district must complete the initial evaluation within 60 calendar days of receiving the parent's written consent for evaluation.

The information contained in this material is not legal advice. Legal advice depends upon the specific facts of each situation. Also, the law may vary from state to state, so some information from our website may not be correct for your jurisdiction. Finally, this information is not guaranteed to be up to date. The material contained on this site cannot replace the advice of competent legal counsel licensed in your state.

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What types of evaluations are there?

A school district must assess a student in all areas of suspected disability who are in need of special education and related services. Evaluations can include, but are not limited to:

- Assistive Technology Evaluation;
- Audiological Evaluation;
- Auditory Processing Evaluation;
- Functional Behavioral Assessment;
- Neuropsychological Evaluation;
- Occupational Therapy Evaluation;
- Person-Centered Plans;
- Physical Therapy Evaluation;
- Psycho-Educational Evaluation;
- Psychological Evaluation;
- Psychiatric Evaluation;
- Social History;
- Speech and Language Evaluation;
- Sign Language Fluency; and
- Vocational Assessment.

Evaluations must be conducted in a student's native language when necessary and feasible. School Districts must seek outside assistance to conduct the evaluation when necessary.

What if the school district evaluated my child but found them ineligible for any accommodations?

To be eligible for special education, the student must have a disability that, for physical, academic, or emotional reasons, affects their ability to learn.

- Each time the school district conducts an evaluation, you, as the parent, have the right to one Independent Educational Evaluation (IEE) in the same area of suspected disability.
- An IEE is an evaluation conducted by a qualified evaluator of the parent's choosing.
- An IEE is paid for by the school district, however a school district can limit IEEs by location and by price.

If the school district's evaluation resulted in the CPSE/CSE finding your child ineligible for services, you can request an IEE.

- You must state that you disagree with the evaluation, but you do not have to explain why you disagree.
- Your request should be made in writing. If you request an IEE during a CPSE/CSE meeting, make sure to send a follow-up email afterwards reiterating your request.

A School District must respond to a parent's request for an IEE by either funding the IEE or filing for due process to demonstrate that their own evaluation was appropriate.

- When a district funds the parent's request for an IEE, the district must provide:
 - Information about where the parents may, in their discretion, obtain an IEE; and
 - The district criteria for IEEs, including criteria regarding the location of the evaluation, the qualifications of the examiner, and information on the cost of IEEs.

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