

Your child's rights to special education, supports, and services should never depend on your ability to advocate for your child. However, your knowledge about your child, special education laws, and best practices, and your ability to effectively advocate on your child's behalf, will increase the likelihood that your child will receive what they need to succeed.

As lifelong learners, we are always enhancing our advocacy skills. No matter where you are in your journey with special education, these six fundamentals will strengthen your ability to communicate with professionals and advocate on your child's behalf.

Understand Your Child's Disability and Its Impact on your Child's Learning and Development

The diagnosis of a disability (or disability classification!) does not define your child; however, it is critically important to understand: How will it impact my child's development or learning? How can I use my child's strengths to help address their disability-related needs?

To do this, network beyond the school to learn more and build alliances. Great resources and connections can include:

- Your child's pediatrician
- Local, state, or national organizations that have expertise in your child's disability
- [Parent Training and Information Centers](#) (like [Sinergia](#), [Advocates for Children](#), and [INCLUDEnyc](#) that provide information, training and resources **no cost to you!**)

Effective advocacy also requires a network of personal and professional support that you have most likely already built around you, such as:

- Community resources and leaders
- Parent networks, advocates, and leaders
- School personnel within your school community (for example, teachers, related service providers, administrators, but also other support staff like paraprofessionals)

And don't forget your child him/herself!

Know and Understand Your Legal Rights

Special education can seem daunting but don't let that scare you! You can and will do this!! Understanding how the process works, and key concepts will boost your confidence overall, especially:

- Getting Started (Initial referrals, evaluations, disability classifications, and informed consent)
- Developing the Individualized Education Program (IEP)--(your role in its development, what is included, annual goals, services, and monitoring progress)
- How to Participate in the IEP Meeting and what to do Before, During, and After

This information is intended to be educational and is not legal advice. While Sinergia and the Metropolitan Parent Center try to ensure that all resources and links on this site are up to date, we cannot be responsible for the content of other sites. Sinergia and the Metropolitan Parent Center assume no liability for the consequences of using the information hereinto advocate for your child or other children.

- Your Rights to Dispute Resolution, including Mediation, Due Process, and State Complaints (how you formally complain against or challenge your school district)
- Your right to request translation / interpretations services if you prefer to communicate in a language other than English.
- Understanding the Difference between Response to Intervention (RTI), a 504 Plan, and an IEP

Prepare for the IEP Meeting

The IEP meeting is held with you and your child's general education and special education teachers, and an administrator or representative of the district that can make commitments on behalf of the district. At least one of these team members must be able to help you understand the results of any evaluations. We encourage you to include your child with a disability in some or all of the IEP meeting starting at an early age. This will help prepare them to lead their own IEP meeting in the transition process. You can also bring a friend or advocate with you.

IEP meetings can be long and intense. Your child's success also means a great deal to you, so IEP meetings can also involve strong emotions. This makes your preparation key to being a more effective participant and advocate. Here are a few things you can do to be better prepared for your child's IEP meeting:

- Be familiar with the previous and current IEP including the results of the most recent evaluation, your child's strengths and needs, the annual goals, and the services.
- Be well rested and be sure to eat a healthy meal beforehand.
- Be organized enough to easily find documents as needed.
- Write your concerns and questions in advance.
- Bring a trusted friend or family member with you to assist you in taking notes. If you have neither, request a parent member. (Any of these require advance notice to the school.)
- If your child will be attending some or all of the meeting, be sure to discuss the meeting with them beforehand so they know what to expect. Ask them if they have anything they would like to share at the meeting and help them prepare to be an active participant.
- Copies of any documents to be reviewed in the IEP meeting should be provided to you in advance of your meeting and, if applicable, in your native language.

Prepare for Effective Communication

Effective and consistent communication throughout the special education process will bolster your advocacy efforts.

Throughout the school year, you will have numerous conversations with many professionals who can support your child, such as:

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- At the beginning of school year (meeting new teachers and support personnel)
- Parent-Teacher conferences
- Periodic reports on your child's progress towards IEP goals
- Discussions with your child's related service providers
- Interacting with IEP team members and school administrators
- Public education meetings, forums, and school functions (Community Education Council (CEC), School Leadership Team (SLT), town halls, [New York City Council](#) hearings, [Early Intervention Coordinating Council \(EICC\)](#))

On all occasions, you'll want to be clear, concise, and calm.

If you prefer interpretation in your native language to best participate in your school meetings, be sure to make the necessary request with the IEP team and ensure the school's blue card (completed during enrollment) indicates your language access needs. **It is your right.**

Lastly, familiarize yourself with the school and/or classroom's communication platforms used for meetings as well as announcements, such as [Jupiter](#), [Google Classroom](#), [ClassDojo](#), emails, and the [New York City Schools Account \(NYCSA\)](#).

A note on escalating communications: If your communications are disregarded, feel free to email and copy the correspondence to the next immediate supervisor, which may be the district level or higher; this can help expedite matters.

Maintain Good Documentation and Organization

Good documentation and organization are your friends, too. They will help you prepare and plan for your meetings with the IEP team. Records you should keep include:

- Your child's IEPs
- Evaluations performed by NYC Public Schools, such as those done by the school psychologist, independent evaluations performed and paid for by NYC Public Schools, or those done privately coordinated by you
- Student Report Cards and progress reports
- Correspondence between you and teachers, related services providers, and school administrators
- Disciplinary or behavioral-related documents
- Prior written notices
- Samples of schoolwork and/or student portfolios

Taking good notes of meetings and conversations is essential, especially for verbal communications, such as phone calls and face-to-face meetings. Make note of the date they took place and with whom, including their title. This will help later if you feel it is necessary to write a letter.

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Remember, if a statement is not in writing, there is no proof it was said. This may prove extremely helpful in the event you need to exercise your due process rights. It is a good practice to follow up any important verbal communications with a follow-up email documenting the conversation and any agreements that were reached.

Know your Rights to Dispute Resolution

Disagreeing with the IEP team can happen, but you have options! If at any time you cannot come to an agreement or obtain a resolution to an issue, consider your rights to due process through dispute resolution methods, how to access them, how they function, the timeline for each type of method, and what you can obtain in each. They include:

- Mediation
- Due Process Hearing (also called an Impartial Hearing)
- State Complaint

Mediation is a simple informal voluntary process where both you and the IEP team meet that is less complicated legally, quicker, and less costly.

Due process hearings are usually more complicated legally, lengthy, and can prove expensive. We strongly advise you to consult an attorney for this option.

Lastly, you can file a direct complaint with the New York State Education Department (NYSED). This is often very efficient and quick.

Note: If you feel your or your child's civil rights have been violated, such as being discriminated against on the basis of their disability (or other protected category such as race, ethnicity, language, gender or sexual orientation), you may also consider filing a direct complaint with the [US Department of Education's Office of Civil Rights](#).

Helpful Sinergia Webinars Available on YouTube: [Special Education: Know Your Rights, Educación Especial: Conozca sus Derechos, A Conversation about Mediation](#)

Parent Training and Information Center (PTICs), such as Sinergia's [Metropolitan Parent Center](#), exist in every state across the United States. They are funded by the US Department of Education's Office of Special Education Programs ([OSEP](#)) to work and support families of children with all disabilities from birth to 26 years of age; help families participate in their child's education and development; and partnering with professionals to improve their outcomes. To find your parent center that applies to your place of residency within the US and its territories, you can visit: <https://www.parentcenterhub.org/find-your-center/>

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