

Understanding Special Education Eligibility and Evaluation in Illinois



A Guide for Parents and Caregivers
Family Matters Parent Training and Information Center

Introduction to Special Education

- Special Education is a federally protected right under **IDEA**.
- Illinois implements IDEA through **ISBE**.
- Supports students with disabilities in accessing **FAPE**.

Why so many acronyms?

Learning Objectives

- Identify 3 key steps in the Illinois special education eligibility and evaluation process.
- Distinguish the core difference between a medical diagnosis and educational eligibility.
- List the 14 IDEA disability categories.
- Recognize 4 common evaluation barriers and solutions.
- Understand 2 key questions to ask about **IEE** options.

Initial Concerns & Referral Process

- Anyone can raise concerns: parents, teachers, doctors.
- Referrals must be in writing.
- School must respond within 14 school days.

We will share an example request later in presentation

Request for Evaluation Letter

- Date of the Letter**

Include the exact date to establish a timeline.

- Child's Full Name and School Information**

Include your child's grade, teacher, and school name.

- Statement of Concern and Request for Evaluation**

Clearly state that you are requesting a **comprehensive special education evaluation** under IDEA.

- Description of Areas of Concern**

Provide brief examples of academic, behavioral, or developmental difficulties.

- Request for Specific Areas to Be Evaluated**

(e.g., reading, attention, speech/language, motor skills, emotional/social behavior)

- Parent Contact Information**

Include your phone number, email, and preferred method of contact.

- Signature and Printed Name of Parent/Guardian**

- Statement of Willingness to Provide Consent**

Indicate that you are prepared to give written consent and expect a school response within **14 school days** (per Illinois regulations).

Timeline of the Evaluation Process

- 14 school days: School responds to referral.
- 60 school days: Complete evaluation after consent.
- 30 calendar days: Hold IEP meeting if eligible.

The 14 Eligibility Categories (IDEA)

- Autism, Deaf-Blindness, Deafness, Developmental Delay (through age 9),
- Emotional Disability, Hearing Impairment, Intellectual Disability,
- Multiple Disabilities, Orthopedic Impairment, OHI, SLD,
- Speech or Language Impairment, TBI, Visual Impairment.

Can you qualify for an IEP in more than one category?

What is an Evaluation?

- Must assess all areas of suspected disability.
- Covers academics, speech, motor, social-emotional skills.
- Conducted by multidisciplinary team.

Question to ask:

**What data or tools will be used to
evaluate my child?**

Parental Consent is Critical

- Evaluation can't begin without written permission.
- Parents can ask questions before signing.
- Consent can be withdrawn at any time.

Note: An evaluation is different than a screening.
An educational evaluation requires parent/guardian consent.

Question to ask:

Will observations in the classroom or input from me as a parent be part of the evaluation?

Common Barriers to Evaluation

- Cultural/linguistic misinterpretation.
- Attributing struggles to behavior or motivation.
- Delays in referral or inconsistent communication.
- End of school year - school request to defer to next year.

Question to ask:

How is input from my child included in the evaluation process (especially for older students)?

Difference Between Medical Diagnosis & Educational Evaluation

- Medical: By doctors, focuses on symptoms.
- Educational: By school team, focuses on impact on learning.
- Medical diagnosis doesn't guarantee school services.

**Does this mean you should not share
information from your child's doctor with the
school team?**

The Eligibility Meeting

- Team includes parents, teachers, psychologist, admin.
- Decision is based on data, assessments.
- Must determine both disability and educational need.

Disagreeing with the Evaluation Results

Scenario Overview:

The Johnson family recently had their 8-year-old son, Sam, evaluated for special education services after concerns were raised about his reading difficulties and challenges staying focused in class. The school conducted academic and cognitive testing and held an eligibility meeting. The team concluded that Sam **does not qualify for special education** under the **Specific Learning Disability (SLD)** or **Other Health Impairment (OHI)** categories, stating that his academic performance was “within the average range.”

However, Sam’s parents disagree. At home, they observe frequent frustration with homework, difficulty with basic reading comprehension, and signs of inattention that impact daily functioning. They also shared a pediatric ADHD diagnosis during the evaluation process, which the school team acknowledged but stated did not demonstrate a significant impact on school performance *according to their data*.

What should Sam’s parents consider and what steps can they take?

Key Considerations

1. Understand the Evaluation Results:

1. Review the school's evaluation report in detail. Look for what areas were assessed, who conducted the evaluations, and how conclusions were drawn.
2. Note any discrepancies between home observations and school data.

2. Educational vs Medical Criteria:

1. Understand that a **medical diagnosis** (like ADHD) does not automatically mean **educational eligibility** for services.
2. The school must determine that the condition **adversely affects educational performance**.

3. Request Clarification and Written Explanation:

1. The family has the right to request a clear, written explanation of why their child was found ineligible.
2. They should ask to see raw scores and cutoffs used in the decision.

4. Review Procedural Safeguards:

1. These are the family's legal rights under IDEA, including the right to request an **Independent Educational Evaluation (IEE)**.

Next Steps

Next Steps for the Johnson Family:

1.Request an IEE at Public Expense:

1. Malik's parents can formally request an Independent Educational Evaluation if they disagree with the school's findings.
2. The school must either agree to pay for the IEE or initiate a due process hearing to defend its evaluation.

2.Document Their Concerns:

1. Keep written notes detailing Malik's behaviors and struggles at home.
2. Collect work samples that show patterns of difficulty.

3.Consider Additional Supports in the Meantime:

1. Ask the school about general education interventions, a 504 Plan, or Response to Intervention (RTI) strategies while awaiting the IEE.

What If My Child Is Found Ineligible?

- Ask for a written explanation.
- Consider a 504 Plan.
- Request an IEE if you disagree.
- Use dispute resolution options.
 - <https://cadreworks.org/cadre-continuum>

Request a copy of the evaluation reports and the eligibility determination summary.

Independent Educational Evaluation (IEE)

- IEE = Independent Educational Evaluation.
- Parents can request if they disagree with school's evaluation.
- School pays for IEE or files due process to refuse.

IEE in Illinois—What Parents Need to Know

- Parent chooses evaluator (within district criteria).
- School must respond without unnecessary delay.
- IEE results must be considered.

Reevaluation

You can request a **reevaluation** if:

- New concerns arise.
- There are changes in your child's performance or behavior.
- You believe the initial evaluation was incomplete or inaccurate.
- IDEA allows a **reevaluation once a year** (or more often if both the school and parent agree).

504 Plan?

Even if a child does not qualify under IDEA, they may be eligible for a **Section 504 Plan**, which provides accommodations and supports for students with disabilities who do not require specialized instruction but need help accessing their education.

Ask the school:

- “Can we meet to discuss a 504 Plan?”
- “What accommodations might support my child’s needs?”

Examples of 504 supports include:

- Preferential seating
- Extended test time
- Behavior supports
- Assistive technology
- Modified homework assignments

Questions Parents Should Ask

- What concerns are observed?
- What assessments will be used?
- Who will conduct them?
- How can I help at home AND how will you gather feedback about child's needs in the home environment related to learning?

Parent Rights Under IDEA

- Access to records.
- Prior written notice.
- Consent and refusal rights.
- Due process protections.

Parent Center Hub, Parental Rights Under IDEA:

<https://www.parentcenterhub.org/parental-rights/>

Resolving Disagreements

- Talk with staff.
- There is great value in maintaining positive, respectful relationships.
- Consider Prior Written Notice.
- Facilitated IEP.
- Mediation.
- Due process hearing.
- File a state complaint.

<https://www.isbe.net/Documents/Comparison-Chart.pdf#search=dispute%20resolution>

Resources for Families

- Family Matters PTIC: <https://www.fmptic.org>
- Family Resource Center on Disabilities: www.frcd.org
- Illinois Guardianship & Advocacy Commission Special Education Division
- Illinois Assistive Technology Program
- Equip for Equality Special Education Clinic
- ISBE Special Education: <https://www.isbe.net/Pages/Special-Education.aspx>
- Parent Center Hub: <https://www.parentcenterhub.org>

Summary & Key Takeaways

- Eligibility = disability + educational need.
- Evaluations must be timely, thorough, inclusive.
- Parents have rights every step of the way.
- Asking the right question is critical.

Questions and Follow-Up

- Thank you for attending!
- Questions? Contact info@fmptic.org
- Office hours and 1:1 consults available.

References:

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1400 et seq. 34 CFR §300.301–300.311: Evaluations and Eligibility

Illinois State Board of Education. (2024). Parents of Students with Disabilities: Educational Rights and Responsibilities.

National Center for Learning Disabilities. (2020). Evaluations and Eligibility: Parent Guide.

Center for Parent Information and Resources:
<https://www.parentcenterhub.org>