DESTINY STEPS OF GREATNESS

Understanding Your Child's Educational Rights

A Texas Parent's Guide to Evaluations, IEPs, Section 504 and ARD Meetings

Every child deserves the opportunity to learn and thrive. You do not need to know every education law to be an effective advocate. You can start by asking questions, documenting concerns, and working with your child's school.

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Educational information only. This guide is not legal advice or a substitute for individualized professional guidance.

1 | Start here: You have a voice

If your child is having difficulty with communication, learning, attention, behavior, or everyday school activities, you can ask the school what supports are available. A diagnosis is not always required to request an evaluation. Parents are important members of the team.

Key terms in plain language

- Child Find: Public agencies have duties to identify, locate and evaluate children who may have disabilities and need special education, including some children who are not enrolled in public school.
- IDEA: The federal Individuals with Disabilities Education Act establishes rights and processes for eligible children with disabilities.
- FAPE: A free appropriate public education, available to eligible students under IDEA and Section 504, though the requirements differ.
- IEP: An Individualized Education Program is a written plan for an eligible student receiving special education and related services.
- ARD committee: In Texas, the Admission, Review and Dismissal committee develops and reviews an eligible student's IEP. Parents are members of this committee.
- Section 504: A civil rights law that can require accommodations and services for qualifying students with disabilities, even when they do not qualify under IDEA.

> Important: An IEP and a Section 504 plan are not interchangeable. Eligibility, services and procedures are different. Ask the school to explain which process applies to your child.

2 | Which system should I contact?

- Birth through age 2: Contact Texas Early Childhood Intervention (ECI) for developmental concerns. ECI serves eligible infants and toddlers and their families.
- Ages 3–5: Contact your local public school district to ask about a special education evaluation, even if your child is not enrolled in public school.
- School age: Contact the school principal, special education department, or district evaluation staff to request an evaluation.

3 | How to request an evaluation

Describe your concerns in writing and state clearly that you are requesting a full individual and initial evaluation for special education services under IDEA. Send the request to the district's special education director or appropriate school administrator. Keep a dated copy and any delivery confirmation.

In Texas, when a parent submits a written request for an initial special education evaluation to the district's special education director or a district administrative employee, the district generally must respond within 15 school days by either seeking parental consent to evaluate or giving prior written notice explaining its refusal. Other evaluation timelines and exceptions may apply. Ask for the district's current procedural safeguards.

A school may provide general education interventions, but it should not use those interventions to improperly delay an evaluation when one is warranted.

What to include in your request

- Your child's name, date of birth, school and grade (if applicable).
- Specific examples of what you have noticed, with dates if possible.
- The areas you want evaluated: communication, learning, attention, behavior, motor skills, social-emotional development or other concerns.
- A request for written next steps and a copy of the procedural safeguards.

What happens next?

If the district proposes an evaluation, it must obtain required informed parental consent before evaluating. The team reviews information from multiple sources and decides whether your child meets eligibility requirements and needs special education. If eligible, the ARD committee develops an IEP. If the district refuses to evaluate, ask for its written explanation and available dispute-resolution options.

> Parent tip: Keep a simple folder containing emails, report cards, teacher notes, evaluations, meeting notices, and copies of anything you sign.

4 | Sample written request for an evaluation

Copy, personalize, and send this letter. Keep the date and a copy for your records.

Date: _____
To: Special Education Director / School Administrator
School district: _____

Subject: Request for Full Individual and Initial Evaluation

Dear _____,

I am the parent/guardian of _____, date of birth _____, who attends _____ (if applicable).

I am writing to request a full individual and initial evaluation under the Individuals with Disabilities Education Act (IDEA) to determine whether my child is eligible for special education and related services.

My concerns include: _____
_____
_____

I have noticed these concerns at home, in childcare, or at school: _____
_____

Please provide a written response explaining the next steps, any required consent forms, and a copy of the Notice of Procedural Safeguards. I am available to discuss my concerns and share relevant information.

Thank you for your attention and partnership.

Sincerely,

_____
Parent/guardian name
Phone/email: _____

If your child is under 3, contact ECI rather than relying on this school-district letter.

5 | Understanding your child’s IEP and ARD meeting

An IEP is individualized. It describes your child’s current performance, measurable annual goals, special education and related services, and how progress will be measured and reported. It also addresses participation with peers and other required matters.

Questions to ask at the meeting

- What are my child’s strengths, interests and current needs?
- What evaluation results support the team’s recommendations?
- How will the goals be measured, and when will I receive progress reports?
- What accommodations, services and supports will be provided, by whom and how often?
- How will the school respond to behavior that interferes with learning?
- How will my child participate with classmates without disabilities?
- What should I do if I believe the plan is not working?

Section 504: Another possible path

Some children need accommodations or services to access school but do not meet IDEA eligibility requirements. Ask the district about its Section 504 evaluation process. Examples of possible accommodations include accessible materials, adjustments to testing conditions, or other individualized supports. A 504 plan should be based on the student’s documented needs, not a generic checklist.

Your participation matters

Ask for explanations in plain language. You can share your observations, request an interpreter when needed, and ask for copies of relevant documents. If you disagree, tell the team what concerns you and request information about procedural safeguards and dispute-resolution options.

6 | Printable ARD meeting preparation checklist

Child: _____ School: _____

Meeting date: _____ Contact: _____

☐ I wrote down my child’s strengths and interests.

☐ I listed my top three concerns and examples.

☐ I reviewed the meeting notice and available evaluation reports.

☐ I gathered work samples, progress reports and relevant notes.

☐ I prepared questions about goals, services and progress monitoring.

☐ I know whom to contact if I need an interpreter or accessibility support.

☐ I will ask for copies of the final paperwork and note follow-up dates.

My three most important questions

1. _____

2. _____

3. _____

Notes and next steps

_____

_____

_____

_____

_____

After the meeting: Write down what was agreed upon, who will do what, and when you expect an update. Keep a copy of the finalized IEP or other plan.

7 | Trusted resources for Texas families

Texas Education Agency (TEA) - Special Education:
tea.texas.gov/academics/special-student-populations/special-education

SPEDTex: spedtex.org - Texas special education information and parent support.

Texas Early Childhood Intervention (ECI):
hhs.texas.gov/services/disability/early-childhood-intervention-services - support for eligible children birth through age 2.

Texas Parent to Parent: txp2p.org - parent education, peer support and resources.

Disability Rights Texas: disabilityrightstx.org - information and advocacy concerning disability rights.

U.S. Department of Education, IDEA: sites.ed.gov/idea - federal law and guidance.

A note to parents

You do not have to have every answer before asking for help. Start with your observations, ask questions, and keep showing up for your child. Your perspective matters, and informed partnerships can make a meaningful difference.

Destiny Steps of Greatness
Empowering Families. Supporting Educators. Changing Futures.

This publication provides general educational information and resource navigation. It does not provide legal representation, medical diagnoses or clinical services. Laws, timelines and procedures may change; verify current requirements with the school district and relevant agencies.