



SPECIAL EDUCATION RIGHTS: ILLINOIS EDITION

## COVID-19 and People with Disabilities

# Remote Learning and Your Child's Rights

This fact sheet answers:

- Who Makes the Rules About Remote Learning?
- How Can I Protect My Child's Rights During Remote Learning?
- Where Can I Learn More About Remote Learning?
- And More

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## Who Makes the Rules About Remote Learning?

When special education laws were made, people did not think about what would happen when schools close because of a virus like COVID-19. The laws are not clear. Schools can choose how they will give special education services through remote learning, and every school district is making its own plan.

The U.S. Department of Education and the Illinois State Board of Education made a rule that if schools give remote education services to general education students, they must also give special education services. This includes following your child's IEP as much as possible during remote learning. Even if your child is at home right now, you should continue to advocate for her special education needs.



## How Can I Protect My Child's Rights During Remote Learning?

- Do NOT sign anything about your child's education rights without talking to a lawyer. If the school tells you it will stop having IEP meeting or tells you that your child will not get her IEP services during remote learning, call Equip for Equality at 1-866-543-7046.
- Keep a record of the services your child gets. If your child is not getting all of the services in her IEP, you may be able to get extra services (called compensatory education) when school starts up again. To get these extra services later, you need to show what services your child got through remote learning and why they were not as good as what is in your child's IEP. See our tips below about how to keep track of important information.
- Do NOT agree to change your child's IEP just because the school says it cannot give the services during remote learning. Agreeing to take out or reduce the services in your child's IEP right now could make it harder to get extra services later.
- Call or email your school about your child's learning needs. If your child needs help from a teacher, does not have a computer or internet, or cannot use remote learning for any other reason related to COVID-19, you should call or email the school about what your child needs. You can ask for work to be printed and mailed or for the school to give your child a computer if it is needed.

## What Should I Keep Track of When My Child Is Doing Remote Learning?

You should keep track of important information about your child during the COVID-19 pandemic. Use Equip for Equality's "**Remote Learning Tracking Form**" to help you keep track of this information. Use the form to keep track of:

**All phone calls, letters, and emails with the school.** Keep records of every time you talk to a teacher, principal, or any other staff member for any reason. Keep copies of every letter and email. If you talk on the phone or in person, take notes and keep them. Then, send a follow-up email to make a record of the conversation.

**All remote learning instructions, assignments, materials, and technology.** Also keep track of things the school should have given your child but did not. If your child needs a computer, do not wait for the school to talk to you. Call the school and ask that the school to give your child the technology she needs. You may need to go to the school to pick up the computer.

**Every problem you and your child have.** Take notes every time you cannot get resources or remote learning. Also note all behavior and other problems your child has while doing distance learning. Some examples are any time you have to print something for your child but do not have a printer, any time your child must work online but you do not have a computer or internet, or any time you could not help your child because you had to work, didn't know how to help, or the instructions were in a different language.

### **All IEP services your child is or is not getting.**

You may ask for an IEP meeting to talk about how your child will get the services listed in her IEP when she is not at school. Keep track of all the services your child gets and how they are given to her. For example, if your child gets teletherapy, note when it happened and how long it took. While schools are closed, they may not be able to give services the same way they usually do because it may be unsafe for the provider and/or your family.

**Your child's progress or regression.** Make weekly notes on how well your child is doing. This is most important in subjects that she has IEP services. For example, if your child used to be able to write a full sentence but after a week without services she no longer can, write this down. If you can show that your child is not doing well now, it will be easier to ask for extra services later.



## Where Can I Learn More About Remote Learning?

- ISBE Remote Learning Resources: [www.isbe.net/Pages/ContinueEDResources.aspx](http://www.isbe.net/Pages/ContinueEDResources.aspx)
- Educating All Learners Alliance: [www.educatingalllearners.org](http://www.educatingalllearners.org)
- CPS Enrichment Learning Resources: [www.cps.edu/Pages/EnrichmentLearningResources.aspx](http://www.cps.edu/Pages/EnrichmentLearningResources.aspx)
- CPS Getting Connected to the Internet Resource: <https://docs.google.com/document/d/1ejwEUTt56mDdcNUDQ2oLFIL-qhC3qe-lhOe5mD4gs/edit#heading=h.232apwyjm9ac>

## Where Can I Get Other Special Education Help During COVID-19?

- Legal Council for Health Justice FAQs on Special Education and COVID-19: <https://legalcouncil.org/faq-education-covid19>
- Department of Education COVID-19 Page: [www.ed.gov/coronavirus](http://www.ed.gov/coronavirus)
- Illinois State Board of Education COVID-19 Resource Page: [www.isbe.net/COVID19](http://www.isbe.net/COVID19)

Visit Equip for Equality's website for the latest updates about your rights: [www.equipforequality.org/covid-19-and-people-with-disabilities](http://www.equipforequality.org/covid-19-and-people-with-disabilities) ■



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[www.equipforequality.org](http://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](mailto:SpecialEd@equipforequality.org)  
[www.equipforequality.org/helpline](http://www.equipforequality.org/helpline)