

IDEA is still law: A parent's guide to protecting special education rights in 2025

Your Child's Rights Under IDEA

-  The right to a **Free Appropriate Public Education** (FAPE).
-  The right to an **Individualized Education Program** (IEP).
-  The right to evaluation and services at **no cost** to the family.
-  The right to **participate** in school activities with appropriate supports.
-  The right to **due process** if services are denied or delayed.
-  No school or state can **opt out** of IDEA just because the federal office is short-staffed. Compliance is still mandatory.



Why This Matters Now

OSEP (Office of Special Education Programs) typically audits states and enforces compliance when parents or advocates report systemic failures.

Without that federal oversight, states are responsible for checking on themselves. This means parents **may** face longer delays, ignored complaints, or quiet service cuts.

An IEP without oversight is like a contract with no one to enforce it.



What Families Can Do at the State Level

Contact Your State Department

Contact your state department of education. Ask who handles IDEA Part B complaints, how to submit them, and the response timelines. Review your state's Procedural Safeguards Notice as your legal roadmap.

File State Complaints Effectively

Complaints must be written, with specific facts (dates, missed services, IEP excerpts). The state must investigate within 60 days. Example language: "On [date], my child's IEP required [service]. This service was not provided on [dates]. I request a state investigation under IDEA for failure to implement the IEP."



Request Mediation or Due Process

Mediation is provided through your state's Department of Education, not the school district. It is free, voluntary, and faster. Due process hearings are formal and legally binding; families can bring an advocate or attorney.

Engage Your Local School Board

Attend meetings, ask how your district will ensure compliance without federal oversight, and request updates on staffing and special education monitoring.

Work with Advocacy Organizations

Reach out to Parent Training & Information Centers (PTIs), Protection & Advocacy (P&A;) agencies, The ARC, COPAA, or local disability rights nonprofits for help.



Keep Thorough Documentation

Maintain a folder with IEPs, emails, progress reports, meeting notes, and records of missed services. Documentation is key for future enforcement or appeals.

State and Local Advocacy

Join forces with parents, teachers, and advocates. Contact your state's special education director, request transparency, and organize families to demand accountability.

Call Your State & Federal Lawmakers

Tell them you're a parent of a child with disabilities and want assurance that your state will uphold IDEA enforcement despite federal cuts.



Additional Resources:

Parent Center Hub:

<https://www.parentcenterhub.org/find-your-center>

Protection & Advocacy System:

<https://www.ndrn.org/>

Wrightslaw

<https://www.wrightslaw.com/>

Council of Parent Attorneys & Advocates (COPAA)

<https://www.copaa.org/>

Little Lobbyists

<https://littlelobbyists.org>

