

Rights of Students with Disabilities

What are public schools required to do for children with disabilities???

- They **MUST** identify, locate, and evaluate students who need special education and related services.
- If parents believe their child needs services, they should make a request for a special education evaluation **IN WRITING**.
- Once students qualify for special education services, an Individualized Education Plan (IEP) must be developed for the student, and the school **MUST** work together with the parents and the student to develop an appropriate educational program.
- They **MUST** provide all special education and related services as determined by the IEP committee, which may include:
 - *adapted physical education
 - *physical therapy
 - *assistive technology
 - *school psychological services
 - *occupational therapy
 - *school social work services
 - *orientation and mobility services
 - *school health services
 - *special transportation
 - *speech/language pathology services
- These services **MUST** be provided in the least restrictive environment appropriate to the child's needs.

What about Discipline???

- Special education students, and those in the process of being evaluated for special education, are entitled to extra protections.
- A special education student **CANNOT** be without educational services for more than ten days per school year due to disciplinary actions.
- If a change of placement or expulsion is recommended due to behavior, the school must first conduct a Manifestation Determination Review Meeting (MDR) to determine if the behavior was related to the child's disability.
- If the behavior was related, the child's placement cannot be changed, unless the IEP team agrees.
- If the behavior was not related, the expulsion / change of placement can occur, **BUT** the student is still entitled to receive services, a re-evaluation should be performed, and the IEP team must meet and determine where and in what manner services will be provided.

If you believe your child's special education rights have been violated, contact the Advocacy Center at 1-800-960-7705 (Voice) or 1-866-935-7348 (TTY).