

BHIPP BULLETIN

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EDUCATIONAL SERVICES: KNOW YOUR RIGHTS AND RESOURCES

Many children experience learning difficulties in school that may arise from physical disorders, psychiatric disorders, emotional/behavioral concerns, or learning disorders. Some areas of struggle include difficulty concentrating and learning, speech and language deficits, and problems establishing appropriate friendships or social relationships. Such students are entitled by law to obtain additional support or accommodations through public schools. Parents are encouraged to be aware of three laws in particular pertaining to educational support services for children with special needs. These laws include:

- The Individuals with Disabilities Education Act (IDEA, 1975)
- Section 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act (ADA, 1990)

Parents may also request an evaluation of their child to determine his or her needs for additional services, such as special education. The evaluation may consist of psychological and educational assessments, speech and language and/or occupational therapy assessments, and behavioral evaluations. The following steps may be helpful for parents to consider in order to begin the process of requesting a formal evaluation:

1. Share concerns with the child's teacher and request an evaluation through the school.
2. Submit all requests in writing. Always date your requests and maintain a copy for your records.
3. Maintain careful records, including observations by school staff and any communications between home and school.

After evaluations are completed and reviewed, the student's eligibility to receive accommodations will be determined. If eligible, an Individualized Education Program, or IEP will be developed. Parents are entitled and encouraged to participate in the development of the IEP, which may include provision of services such as occupational, speech and language, and physical therapy, a 1:1 classroom aide, specialized instruction, etc.

Parents may ask for a draft copy of the IEP in order to prepare for their child's IEP team meeting. IEP team meetings can occur at any time during the school year, but not less than annually. Reevaluation must occur once every 3 years, or sooner at the request of the parent.

Remember, the school's findings are not final, and parents have the right to appeal the school's conclusions and determinations. In summary, while the process of obtaining educational support services may be confusing and even intimidating, parents are encouraged to advocate for their child, and follow appropriate steps to ensure necessary services are obtained. If parents are in need of assistance navigating this process they may seek out a parent advocate in their community.

-Dr. Nicole Gloff, BHIPP Consultant

Additional References for Families:

*Facts for Families: School services for children with special needs: Know your rights
Who is eligible and how are students identified for special education services?*



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