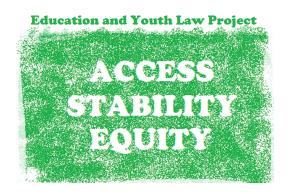
Can schools suspend or expel students with disabilities?

Yes, but...

- Students with disabilities <u>cannot</u> be suspended or expelled for more than **10 days** in a row or in a school year, <u>unless</u> the school:
 - ⇒ Reevaluates the student
 - ⇒ Conducts a hearing to figure out if the behavior is related to the disability
- If a student with disabilities is suspended, request better 504 and specialized services!
- Contact Vermont Family
 Network, Vermont Federation of
 Families for Children's Mental
 Health, or Vermont Legal Aid

English Language Learners

 If your ELL student may have a disability <u>and</u> there is no English progress made after one year, request verbal <u>and</u> non-verbal tests that consider language differences



A Project of: Vermont Legal Aid The Vermont Poverty Law Fellowship

Help and Additional Information

- VT Family Network
 1-800-800-4005
 vermontfamilynetwork.org
- VT Federation of Families 1-800-639-6071 vffcmh.org
- VT Agency of Education 1-802-828-5114 education.vermont.gov

For information, advice, or to seek representation, call Vermont Legal Aid or visit our website:

1-800-889-2047

www.vtlawhelp.org

EDUCATION FOR STUDENTS WITH DISABILITIES



VERMONT STUDENTS AND FAMILIES HAVE RIGHTS!



What is Special Education?

- Specialized instruction and related services that help students with disabilities access an equal education
- Every school-age child has a legal right to an equal education



How does a student qualify for special education?

- Student has a disability under Vermont educational rules
- 2. Disability has adverse effect on educational performance
- 3. Evaluation team believes there is a need for special education

These are complicated issues! Ask for help!

Parents have the <u>right</u> to:

- Request evaluations for Special Education and receive the school's response within 15 days
- Participate in IEP meetings and have their opinions considered
- Bring any person with knowledge of the child or the child's disability, advocates, and lawyers to IEP meetings
- Review and receive copies of their child's educational records
- Consent to or refuse/revoke consent for specialized services
- Receive <u>prior written notice</u> when school wants to change child's placement or refuses a parent request to take a specific action
- Ask for an <u>independent evaluation</u>, paid for by the school, when there is disagreement over the school's evaluation results
- Disagree with part or all of the Special Program and appeal decisions that parents dispute

My Child Does Not Qualify

- If a student is denied special instruction based on a school's evaluation, parents can request an independent evaluation
- If the student has a disability, but is not eligible for special education, you may request
 Section 504 accommodations



Section 504

- Federal law that requires schools to make education accessible for students with disabilities
- **Examples:** Providing aides, adjusting testing time limits, changing class locations