



**SPECIAL EDUCATION
AND YOUR CHILD**
Know your child's rights

WHAT IS SPECIAL EDUCATION?

Special education consists of teaching, services, and support for students with disabilities to ensure that they are educated in an effective manner. Students with disabilities served by the Individuals With Disabilities Education Act (IDEA) represent approximately 12% of students enrolled in public schools nationally.

CAN MY CHILD GET SPECIAL EDUCATION SERVICES?

Special education services may be offered to students diagnosed with a disability such as:

- Autism
- Deaf-blindness
- Deafness
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment Including Blindness

HOW CAN I GET SPECIAL EDUCATION FOR MY CHILD?

A parent seeking special education services should request in writing for an evaluation to be conducted by the school district. The parent should direct this request to the school principal. The school district must complete the evaluation after a consent form is signed by the parent or provide the parent with written notice of refusal to evaluate, including an explanation for the refusal. When the evaluation is completed, a multidisciplinary team meeting will be held to discuss the results of the evaluation with the parent. If the student is found eligible, an Individualized Education Program will be developed. If the student is found ineligible, the school district must explain in writing why the student is not eligible for services.

WHAT IS AN IEP?

IEP is an acronym for Individualized Education Program. If a student qualifies for special education services, the parent and the IEP team use the evaluation to write an IEP for the student. The IEP is like a contract.

The IEP should tell the parent what the school will do to help the student learn (e.g., use a different way of teaching; make school materials simpler; change the amount or kind of information the student should learn; provide help on class work, homework or tests; give the student services like speech therapy, physical therapy or counseling; provide a person to support the student or teacher). The parent and the IEP team will write goals and objectives for what the student should learn. The IEP team must talk about the student's IEP and make any changes at least once a year. A parent may request an IEP meeting at any time during the school year.

The law places great emphasis on parent participation in the IEP team meeting. As such, it is the school's responsibility to schedule the meeting at a time and place that is convenient for all parties, and with enough notice to ensure attendance from the parent(s). The school must provide parent(s) with written notice of who will attend the IEP team meeting from the school district.

WHAT SHOULD HAPPEN AT THE IEP TEAM MEETING?

The school may provide a draft IEP at the meeting or before, but it cannot ignore parent input. Thus, the IEP cannot be completed until such parent input is considered. In formulating the IEP, the team must consider: the student's strengths; parent concerns; the results of the most recent evaluation; and the student's academic, developmental and functional needs. These issues must be discussed to determine what services and placement the student should receive.

WHERE DOES MY CHILD GO TO GET SPECIAL EDUCATION SERVICES?

Many students with disabilities can learn in their general education class with supports from their school. Under the law, students with disabilities should be in general education classes as much as they can with supports in place. Some special education students may go to a special class, like a resource room, for some or part of a day. Some students may go to a specialized class on a regular school campus. If these options are not appropriate, the student may receive services at a special school, or receive homebound services. The team will decide which placement is right for the student.

Note: Special education law says that students with disabilities should learn in the least restrictive environment. Thus, even if the student needs to be in a separate class for part of the day, he or she should learn with students who do not have disabilities as often as possible.

WHAT IF I DON'T AGREE WITH MY CHILD'S SCHOOL?

If a student is deemed ineligible for special education, the parent may not agree. If the student already receives special education services, the parent may not agree with the re-evaluation the school completed, or the program or the placement offered.

A parent may set up an IEP team meeting to talk about issues, request mediation from the State Department of Education, or request a due process hearing.

More information about due process hearings is provided at www.lacsn.org under Children's Attorneys Project, Special Education.

BASIC ADVOCACY TIPS

- Always keep copies of emails, letters, reports, or other materials received from or provided to school officials.
- Make notes of any conversations with school officials, including the date the conversation took place, and the person's name and position.
- Consider taking a friend or advocate to meetings at the student's school.
- Before attending a school meeting, prepare for it. Write a list of issues to discuss.
- Ask each person at school meetings for his or her name and position, and keep a record of that information.
- Ask the school official for a copy of the written policy, law, or regulation to which he or she is referring to, during the school meetings.
- Ask questions! Advise the school district if an interpreter is needed.
- Don't sign anything that is not understood. Parent(s) can take papers home and read them before signing.
- Information is available on the Nevada Department of Education's Web site at www.doe.nv.gov, and www.wrightslaw.com is also an excellent resource for parents.

WHERE DO I GO FOR HELP?

Legal Aid Center of Southern Nevada
725 E. Charleston Blvd., Las Vegas, NV 89104;
702-386-1070, option 5 for special education hotline
www.lacsn.org

Nevada Parents Encouraging Parents (PEP)
7211 W. Charleston Blvd., Las Vegas, NV 89117
702-388-8899 | www.nvpep.org

Nevada Disability Advocacy Law Center (NDALC)
6039 Eldora Ave., Suite C, Las Vegas, NV 89146
888-349-3843 | www.ndalc.org



Providing civil legal advice and representation to
low-income Nevadans

725 E. Charleston Blvd.
Las Vegas, Nevada 89104
702-386-1070 • 800-522-1070
TDD 702-386-1059
www.lacsn.org
Hours: Monday - Friday
8:30 a.m. – 5:00 p.m.