

Know Your Children's Rights When It Comes to Education

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The 2020-2021 school year will be unlike any other. As we prepared this article, parents were growing anxious about what their children's education would be like in September, and an official ruling from the state was still forthcoming. Regardless of whether a school is virtual, in-person or some blend, parents want to know their children are protected and prepared for anything. Knowing your rights puts you at an advantage.

The outcome being discussed is a blended learning approach, in which students will be taught in school part-time and remotely the other days of the week. This may or may not work for your situation, but what are the choices?

No two families are the same. Children have different needs, and remote learning, in any form, may be a struggle depending on age, skill, access to technology, parents' availability, etc. Some parents fear sending their kids into a physical building because they are concerned about the possible health risks. Other parents don't want their children to wear masks or experience school with new health protocols that would be challenging for small children to follow.

Parents of children with special needs have additional concerns, as they rely on the schools to provide services they cannot replicate at home. In U.S. schools, there are more than 7 million children who have an Individualized Education Program (IEP). Covid-19 hasn't changed the fact that children with disabilities have the right to a Free Appropriate Public Education. If a school district decides that all students must be taught via remote, blended learning or back in the classroom, it must have a plan for special-education services.



Schools will also need to plan how children can get accommodations if learning is online or at home. This includes assistive technology tools, occupational therapy or other supports. Betsy DeVos, U.S. Secretary of Education, has instructed school districts that federal law should not be used to prevent them from offering online learning to students with disabilities. Yet the end of the 2020 school year resulted in several lawsuits throughout the country where parents found their children's IEPs were not followed or modified during the pandemic. ♦



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