

# *Know Your Educational Rights!*



## **DID YOU KNOW?**

### ***Charter schools must follow all the same laws as public school districts***

A charter school student is protected by the same rules as a student in a school district, including rules on special education and discipline.

### ***New Jersey schools cannot require a copy of a lease or a photo driver's license at registration.***

A school must accept any proof of residency you have. If the school does not believe that your documents prove your residency, school officials must give you a written notice (letter) of their decision. If you appeal or challenge their decision within 21 days, your child must be able to register for school.

### ***If you are staying with family or friends in another town because you lost your housing, your child may be able to remain in his or her current school***

Your child may be entitled to the protections of the McKinney-Vento Act, a federal law that grants rights and protections to students who lack fixed, adequate and regular housing. Included in the law is the right to stay in the local school and receive transportation even if the family is living in another school district.

### ***Free and reduced-fee breakfast, lunch, milk, or after school snacks***

New Jersey schools offer a variety of programs that provide low-income students with meals and after-school snacks. For more information, contact your child's school district or the New Jersey Department of Agriculture, Division of Food and Nutrition, School Nutrition Programs at (609) 984-0692.

### ***Students cannot be suspended until they are in third grade***

Schools cannot suspend students in preschool through second grade. Nor can they remove a child from a program or call a parent to pick up the child because of disruptive behavior. Schools must work with you, school staff and other appropriate people to address challenging behaviors in a positive, supportive way.

### ***A school must provide educational services for any student suspended from school, even those suspended for 10 days or fewer***

Schools must provide educational services within five days of any out-of-school suspension. In most cases, a district teacher will visit the student's home or an agreed-upon location (such as the public library) to instruct the child at least three times a week for a total of 10 hours. A parent or other adult must be present during the sessions.

### ***Special education is not just for students with academic or intellectual challenges***

Some children may need special education even if they meet the academic requirements of their class. The reasons could be behavioral, social-emotional, or communication-related. If you think your child needs special education, send a letter to the school's child study team asking for a special education evaluation. Be sure to keep a copy of the evaluation. A meeting to discuss your request must be held within 20 days (including days during summer recess). If you do not agree with the school's decision, you have the right to challenge it by filing an appeal called a due process request, or by asking for mediation.

### ***A child in an Individualized Education Program may be entitled to services***

Children who have an IEP are entitled to related services. Examples of possible related services include transportation, one-on-one aides, or speech/occupational/physical therapy.

**If you have any questions about the information above or about your child's educational rights, you may contact LSNJLAW<sup>SM</sup>, Legal Services of New Jersey's statewide, toll-free legal hotline, at 1-888-LSNJ-LAW (1-888-576-5529) or online at [www.lsnjlawhotline.org](http://www.lsnjlawhotline.org). More information and resources are available on our website, [www.LSNJLAW.org](http://www.LSNJLAW.org).**