



KNOW YOUR RIGHTS  
PUBLIC EDUCATION

# ABOUT ME



Hi! I'm Chelsea Rivas, Chair of the Advocacy Committee for LPA. I also serve on the Board of Directors for Disability Rights Arizona and as the president of the Valley of the Sun LPA Chapter in the Phoenix, Arizona metro area.

My husband and I are average height and we have three average height children. Our 16-year old son Kai has Diastrophic Dysplasia.

When Kai started public school I noticed he was treated differently from other students because of his disability so I started teaching myself about his rights under the ADA, which eventually led to a law degree and job in Congress where I continue to advocate for the rights of disabled individuals.

# WHAT WE'LL COVER

- 01 Three federal laws that protect the rights of disabled students
- 02 Words and phrases to understand
- 03 K-12 (childhood) vs College (adulthood)

- 04 Tips for effective advocacy
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# THREE FEDERAL LAWS THAT PROTECT THE RIGHTS OF DISABLED STUDENTS



## **Rehabilitation Act (RA Section 504) - civil rights**

Section 504 prohibits discrimination on the basis of disability in programs that receive federal funding.

## **Americans with Disabilities Act (ADA) - civil rights**

The ADA prohibits discrimination on the basis of disability in public life, including state and local government.

## **Individuals with Disabilities Education Act (IDEA) - special education**

IDEA requires that public schools provide a free, appropriate public education (FAPE) to all students in the least restrictive environment.

# WORDS AND PHRASES TO UNDERSTAND

## **FREE APPROPRIATE PUBLIC EDUCATION (FAPE)**

FAPE is an acronym that stands for “free, appropriate public education.” Under federal law, public schools are required to provide disabled children an education comparable to non-disabled children, at no cost to the student or parents. ([Read more here](#))

## **LEAST RESTRICTIVE ENVIRONMENT (LRE)**

least restrictive environment (LRE) is a special education term that prohibits schools from arbitrarily segregating disabled students from non-disabled students. LRE requires public schools to educate students with disabilities in regular classrooms with their nondisabled peers, in their neighborhood schools (the schools they would attend if not disabled), to the maximum extent appropriate. ([Read more here](#))

## **504, 504 PLAN, 504 ACCOMMODATIONS**

504 refers to section of federal law that prohibits disability-based discrimination. A “504 plan” is a legal document that parents/students create with the school that outlines specific accommodations. Its purpose is to ensure the disabled student has access comparable to what non-disabled students have. ([Read more here](#))

## **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

To qualify for an Individualized Education Program (IEP), a student must have a specific disability as defined in law and must need special education services. An IEP must be developed by an IEP team and in place for each student with a disability identified under IDEA. The plan includes measurable learning goals, accommodations and/or modifications, how progress will be measured, and related services, as applicable. ([Read more here](#))

# K-12 (CHILDHOOD) VS COLLEGE (ADULTHOOD)

## **K-12**

- Parents are the primary decision makers regarding accommodations
- The school is generally more proactive in making sure 504 accommodations are in place and enforced
- Special education supports and services are available to students at no cost

## **COLLEGE**

- The student is the primary decision maker regarding accommodations
- If a parent wants access to the student's records or if the parent wants to advocate on the student's behalf, the student must give their permission
- Although professors are notified of 504 accommodations, the burden is generally on the student to remind the professor and advocate for themselves to make sure the accommodations are in place and enforced
- Tutoring may be available

## **BOTH**

- Disability-based discrimination is prohibited and against federal law
- 504 accommodations are available
- Clear communication with your school is important

# TIPS FOR EFFECTIVE ADVOCACY:

## **Advocacy power words:**

- Reasonable
- Appropriate
- Because

Example: “[Accommodation] is reasonable and appropriate because [list reasons].”

## **Paper trail, paper trail, paper trail**

- “Based on our conversation, my understanding is...”
- Voice memos or tools like Otter AI (check your state’s laws before recording)

## WHERE TO GET HELP:

- Your state's Protection & Advocacy Agency
  - Find your P&A here: <https://www.ndrn.org/about/ndrn-member-agencies/>
- Your state's education agency
  - Google [state] education agency or [state] education department
- U.S. Department of Education Office for Civil Rights (OCR)
  - <https://www.ed.gov/about/ed-offices/ocr>
- LPA Advocacy Committee





QUESTIONS?