

Can a charter school refuse to take my child because he has a disability?

No. Charter schools are public schools. They can't refuse a child because of disability.

If your child has a disability that affects her ability to learn, make sure the school knows about it. Ask for a special education evaluation in writing if your child needs support or services at school because of a disability.

Can a charter school tell me to remove my child because they don't have someone who can give the services required in my child's IEP?

No. Public schools must give a child with a disability all special education or other services required by an IEP or 504 plan.

Charter schools, just like district-run schools, cannot discriminate against children with disabilities.

Can a charter school make me pay for special education or related services?

No. Children in the United States have a right to free public education. Charter schools are public schools.

The school says that they don't have the money. Is that legal?

Lack of money is not a legal defense. Schools must give a child with a disability all services or supports required.

My child with a disability has behavior problems. Can his charter school kick him out?

Just like a district-run school, a charter school must work with your child and you to see if a behavior problem is caused by or related to a disability. If your child needs services that the school is not giving, you can ask for amendment of the IEP or a change in the school's special education plan.

Discipline can, and usually should, be appealed. A school can use your child's disciplinary history to expel him. You have the right to appeal suspensions and expulsions. You also have the right to appeal placement changes and decisions by the school that the disability has nothing to do with misconduct.

If your child is being punished unfairly, and you can't work it out with the school, look for help.

Where Can I Get Help?

Families Helping Families Networks. Find your local group at www.fhfjefferson.org.

Louisiana Parent Training and Information Center website at www.laptic.org

Louisiana Developmental Disabilities Council website at: www.lddc.org

Advocacy Center for the Elderly and Disabled, a statewide free legal services program. Call 1-800-960-7705 or 1-855-861-3577 (TTY) or visit their website at: advocacycenter@advocacyla.org.

Legal Information available on <http://louisianalawhelp.org>



Charter Schools and Children
With Disabilities

FAQs for Parents

by
Southeast Louisiana Legal Services
www.slls.org

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This is not legal advice.
For legal advice or other help,
talk with a lawyer.