Education Rights Matter

Education Rights
Disability Law Center is a non-profit civil rights organization dedicated to enforcing and strengthening the laws that protect the opportunities, choices and legal rights of Utahns with disabilities. This includes rights in K-12 public schools. Some children with disabilities require extra assistance at school. As a parent, you have the right to request an evaluation to determine your child’s educational needs. Your child may be eligible to receive accommodations and services under a Section 504 Accommodation Plan or under an Individualized Education Program (IEP).

Section 504 plan vs. IEP: What’s the difference?

504 Accommodation Plan
If your child only needs accommodations at school, they should receive a Section 504 Plan. This plan is designed to give your child equal access to a regular education curriculum and environment. Section 504 accommodations can include things like:

• preferential seating
• assignment modifications
• additional time on tests
• behavior support
• modified recess/physical education (P.E.)
• and more…

504 Accommodation Plans can also apply to individuals with disabilities in other settings, including college and employment.

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Individualized Education Program (IEP)
If your child needs specialized instruction and accommodations, they should receive an Individualized Education Program. Individual goals will be written for your child. Special education and related services will then be provided based on those individualized goals.
Both Section 504 Plans and IEPs can be reviewed and revised as often as needed, but IEPs must be reviewed by the whole IEP team at least annually. As a parent, you have the right to be involved in this process.

(20 U.S.C §1400; 34 C.F.R. §300)

Special Education and 504 Plan Student Rights

Your special education student or 504 Plan student has the following rights (along with many others):

• The right to be educated with non-disabled peers to the maximum extent appropriate. This is called being in the “Least Restrictive Environment (LRE).”

• The right to use an assistive technology device or service, depending on the student’s educational needs.

• The right to be safe at school. There are limitations on the discipline that can be used to manage your child’s behavior, including limits on suspension.

For more help understanding your child’s rights at school, contact the Disability Law Center. We want all Utah students to receive appropriate educational services designed to meet their unique needs.
The Disability Law Center (DLC) is a private, non-profit organization, designated by the governor as Utah's Protection and Advocacy agency. The DLC believes in a society where abilities, rather than disabilities, are recognized; all people have an equal opportunity to participate; and where all people are treated with equity, dignity, and respect. We work toward our vision by enforcing and advancing the legal rights, choices, and opportunities of Utahns with disabilities. DLC services are available free of charge statewide, regardless of income, legal status, language, or place of residence.

If you have further questions, please contact us. Even though our focus is on cases that can help as many people as possible - because time and resources are limited - we at least offer information and/or referral options to everyone who contacts us. Materials are also available in alternative formats such as audio, large-print, Braille and Spanish. Call (800) 662-9080 or apply for help online, and our staff will contact you within 1-3 business days.

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