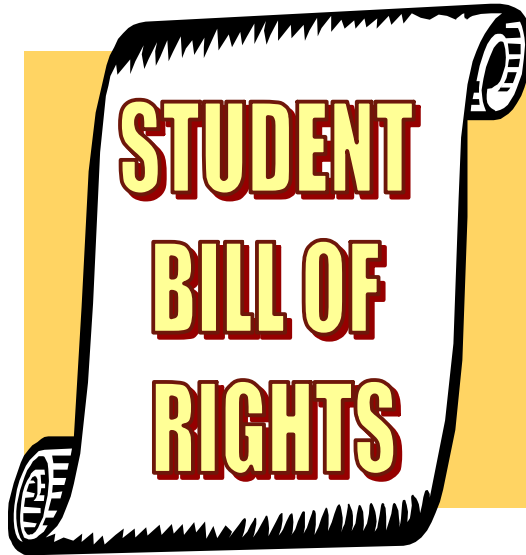


# **Appendix D**

## **Student Bill of Rights**



As a student with a disability, you have certain rights based on both Federal and State Laws. This document will help you understand your rights related to getting an education and other key issues. You should always speak to your teacher, school case manager, and parent first if you need further information or are having a problem advocating for any of the rights listed here. If you need additional help, this document lists the addresses and phone numbers of agencies to contact.

**As a high school student who is eligible to receive special education services, you have the right to:**

- ✓ a free appropriate public education through age 21 or high school graduation, whichever comes first.
- ✓ have transition services included in your IEP beginning at age 14. Transition services are activities/strategies that prepare you for a successful adult life.
- ✓ attend and participate in your entire IEP meeting beginning at age 14, or younger if transition services are being discussed.
- ✓ be informed before your 17<sup>th</sup> birthday that all parental rights under New Mexico special education law will transfer to you when you reach 18.
- ✓ be educated with peers who are not disabled, as much as possible.

*(Federal Individuals with Disabilities Education Act and  
New Mexico Special Education Regulations)*

If you need more information or have a problem advocating for any of these rights, first speak to your teacher, school case manager, school counselor and parent. If you need additional help, you (or your parent) have the right to ask for mediation and if needed an impartial due process hearing. Ask your school case manager for a copy of the booklet "Parental Rights in Special Education." Details about these procedures and the forms you will need are in that booklet. A request for mediation should be mailed to the Director of Special Education in your school district. If you need help with transition or special education, you can talk with your special education teacher, case manager, or the Director of Special Education for your school district.

**If you have a disability that prevents you from participating fully in regular school programs but you are not eligible for special education services, you have the right to:**

- ✓ **have equal access to the educational programs, activities, and services that are available to students without disabilities.**
- ✓ **receive adaptations that are designed to provide equal access to school programs, activities, and services without changing the basic content or standards.**
- ✓ **have the school identify the individual needs that result from your disability and take them into account in planning adaptations to provide equal access.**

*(Section 504 of the Federal Rehabilitation Act)*

If you need more information or have a problem advocating for this right, contact the United States Department of Education's regional Office for Civil Rights in Denver, Colorado at (800) 514-0301 or visit [www.ed.gov/offices/OCR/qa-complaints.html](http://www.ed.gov/offices/OCR/qa-complaints.html).

**If you have a disability that seriously hurts your ability to get or keep a job after high school, you have the right to:**

- ✓ **apply to the New Mexico Division of Vocational Rehabilitation (DVR) for help to prepare for, get, or keep a job after you leave high school.**
- ✓ **receive services from DVR if you are determined to be eligible for assistance.**

*(Federal Rehabilitation Act and State DVR Regulations)*

You can apply for DVR services up to two full years before you leave high school. For most students, the application should be submitted in the fall of the student's junior year. You (and others) can submit an application to DVR by contacting the DVR office in your area. Ask your case manager for the address of your local DVR office and the name of the DVR counselor assigned to your school.

After you submit an application, a local DVR counselor should contact you and schedule an intake interview within 14 days from the date DVR received your application.

If you have a problem with applying for or receiving DVR services, ask to speak with a DVR supervisor or office manager. If you need further assistance, contact the DVR main office in Santa Fe, New Mexico at (505) 954-8500.

## **As a high school student with a disability, you have the right to:**

- ✓ **participate in your school district's guidance and counseling program to facilitate post-school planning.**
- ✓ **be offered opportunities by your school district to more actively experience career exploration by participating in structured learning experiences (paid or unpaid work experiences, volunteer activities, participation in an apprenticeship program, community service, co-curricular or extra-curricular activities).**

*(State Board of Education Standards for Excellence)*

If you need more information or have a problem advocating for your rights, contact a transition specialist for your school. If you need further assistance, contact the Transition Director for the Special Education Office of the New Mexico State Department of Education at (505) 827-6541.

*Adapted with permission from the New Jersey Department of Education,  
Office of Special Education Programs*

# SUMMARY of MY RIGHTS and RESPONSIBILITIES

I need to balance exercising my rights....



- ✓ I have the right to know what my disability is and how it affects my ability to learn, live independently, and be a part of a lifelong learning system.
- ✓ I have the right to be provided information regarding assessment, services, and my Individualized Education Program (IEP) in a language and format that I understand.
- ✓ I have the right to participate in my IEP meetings.
- ✓ When I am 18, I will have the right to accept or refuse services.
- ✓ When I am 18, I will have the right to disagree with my IEP and to receive help in writing a complaint or requesting mediation or a due process hearing.

...with accepting my responsibilities.



- ✓ I have the responsibility to ask questions, request help, or seek self-advocacy training and peer support so that I can learn more about my disability and advocate for my needs.
- ✓ I have the responsibility to ask questions until I understand.
- ✓ I have the responsibility to attend all IEP meetings and actively participate in planning for my adult life.
- ✓ I have the responsibility to invite people (i.e. friend, parent, grandparent, coach, teacher) I trust and know well.
- ✓ I have the responsibility to understand that refusing services may affect my school/work program, and that I may not get these services back.
- ✓ I have the responsibility to follow through and be cooperative with any process that I request.

*Adapted with permission from the Minnesota Department of Children, Families and Learning  
IDEA '97 TRANSITION REQUIREMENTS: A Guide*