## *If your child receives or may need special services because of:*

- **Learning disabilities**
- **Developmental disabilities**
- **Attention deficit hyperactivity disorder (ADHD)**
- **Autism, brain injury**
- **Emotional disorders such as anxiety, depression, and conduct disorder**

## *The court must know:*

- **The types of special education or other services your child has received in school**
- **How the disability may affect your child's behavior**
- **Information about your child's Individualized Education Program (IEP) or Section 504 plan**

## *If your child is accused of committing a crime, you should know:*

- **That if your child has a disability and needs special services, the child has the right, depending on the needs, to receive special services. They can include:**
  - Individualized education program (IEP) or Section 504 plan
  - Help with school work
  - Medication management
  - Counseling
  - Speech and language therapy
  - Recreation services
  - Occupational or physical therapy
  - Training
- **Learning or behavior problems may be signs of an undiagnosed disability that needs further evaluation.**
- **A disability may interfere with your child's understanding of the chargesbrought against him or her; the understanding of questions from the police or an attorney; and the ability to participate in his or her own defense.**
- **Information about a child's disability helps the court choose an appropriate disability placement for that child.**

**Youth who have an IEP are entitled to services through age 21 if they have not graduated from school, regardless of whether they are in a juvenile or adult correctional placement. Youth placement may include:**

- Boot camps
- Group homes
- Youth ranches
- Detention centers
- Hospital programs
- Jail (Youth or adult)
- Residential treatment centers

### *Minnesota Law*

**When a youth with a current IEP is placed in a correctional setting, the facility's education staff must:**

- Review goals and objectives with home school district immediately
- Document the discussion
- Secure agreement from parents for special services the facility will provide for the child
- Schedule an IEP meeting immediately if parents do not agree with the services provided.

**If the IEP cannot be implemented fully, or if additional information is needed, the facility's staff must:**

- Secure agreement from parents for interim services while an additional assessment is completed
- Hold team meetings to review the current IEP or develop an interim IEP while an assessment is made to determine the appropriate program

*Only parents, legally appointed surrogate parents, or the youth age 18 or older are authorized to change services.*

## Your child may qualify for special education services while living in an out-of-home corrections setting if:

- **He or she has taken special classes because of behavior, learning, or other problems**
- **You requested testing for your child**

*Children and young adults may still qualify for special education services even if they have quit school.*

## Has your child received services in the past?

**Inform your child's attorney if you have:**

- **Attended a meeting or been notified of a meeting concerning special education services**
- **Signed any documents about special education services**

*If you have copies of notices, signed documents, or copies of letters you have written related to special education services for your child, make additional copies for the attorney.*

## PACER Center, Inc.

PACER is a parent center for families of children and young adults with disabilities: physical, mental, learning, and emotional. It is based on a parents-helping-parents philosophy.

PACER Center provides workshops, publications, and other resources to help families make decisions about education, vocational training, employment, and other services for their child or young adult with disabilities.


PACER CENTER

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Web site: *www.pacer.org*


Contact PACER for referrals to services or for more information regarding your child with disabilities in the juvenile justice system.

For additional information about the Juvenile Justice Program or PACER Center, contact Lili Garfinkel at PACER.

# What You Should Know About Special Education...

## If you are the parent of a child with a disability who is involved with the juvenile justice system