

Special Education

New Jersey Lawyer Special Education Law

In New Jersey, by law, every child with a disability, including learning disabilities, is entitled to a free and appropriate public education. New Jersey law provides important rights to children with disabilities that are not available to regular education students. Accordingly, New Jersey school districts are required to offer children with special needs access to a full range of educational services, from support in public classrooms to residential schools that provide for full-time education and monitoring. Parents, by law, have a voice in their special needs child's education. Parents need to be fully informed of their rights and responsibilities so they can participate in developing appropriate strategies and planning for their child's education. There is a wide range of services that are available to special needs children from therapy (speech, physical and occupational) to free transportation to technology services.

Both Federal and New Jersey law provide for specific rights and procedural protections for children with disabilities. These rights and procedural protections include programs and support for:

- Autism spectrum disorders and Asperger's syndrome
- Attention Deficit and hyperactivity disorder (ADHD)
- Allergies
- Auditory processing disorder
- Behavioral disorders
- Cognitive impairment
- Developmental delays
- Diabetes
- Emotional disturbance
- Hearing impairment
- Orthopedic impairment
- Sensory integration dysfunction

- Specific learning disabilities
- Speech and language impairment
- Traumatic brain injury
- Visual impairment

Einhorn, Barbarito, Frost & Botwinick, PC advocates for the rights of special needs children so they can obtain the education they need and are entitled to receive. We provide legal advice relating to Individual Education Plans (IEPs) and accommodations, 504 plans, enforce and revise IEPs and 504 plans, attend meetings with child study teams, handle settlement negotiations with school districts, represent the child at due process hearings and throughout any litigation. With the right strategies, most education disputes can be resolved through mediation or conferences, but if needed, Einhorn, Barbarito, Frost & Botwinick, PC will vigorously fight for your child's rights through litigation.

In addition, your child has legal rights and remedies available if they are subject to inappropriate or improper discipline to address undesirable behaviors in a school. Likewise, your child is protected by laws against bullying, harassment and intimidation by other students, as well as by school staff. If your child has been a victim of such discipline or abuse by another student or a school staff member, Einhorn, Barbarito, Frost & Botwinick, PC will advise you of your legal rights, as well as vehemently advocate on behalf of your child. With any of these school-related issues, we understand the balancing act of obtaining the services your child needs and is entitled to with maintaining a working relationship with your school district.