



## Special education series

### Know your Rights:

## Special Education and Assistive Technology (AT)



Computers and software, speaker phones, large print, and closed captioning are all examples of AT that we use every day. For students with disabilities these and many other devices can be useful tools in every aspect of life. In addition to providing mobility or aiding communication, AT can help students learn more easily as well as increase independence. With the help of AT, students with disabilities can more fully participate in school and at other activities such as sporting or social events.

**What is?... An Assistive Technology Device** is any item, or piece of equipment, whether acquired commercially or off the shelf, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities. An **Assistive Technology Service** is any service that directly assists an individual with a disability in the selection, acquisition, or use of an AT device.

## Can AT be a part of my child's special education and related services?

Yes! If a student needs AT as part of their special education, the school must provide:

- **Evaluation** of the technology needs of the child
- **Purchasing**, leasing, or otherwise getting the assistive technology devices for the child to use
- **Selecting**, designing, fitting, customizing, applying, maintaining, repairing, or replacing AT devices
- **Training and technical assistance for the child or child's family**
- **Coordinating other therapies or services** with AT devices, such as existing education or rehabilitation plans
- **Training and technical assistance for professionals** such as educators, rehabilitation personnel, or other service providers involved in the major life functions of the child
- Medical devices that are surgically implanted are **not** included, but ensuring the devices are functioning properly is.

## When should AT be included in my child's IEP?

The special education team must consider whether your child needs AT when the IEP is developed, or at other times when you or another member of the team requests it. The use of AT will be most successful if both you and your child's needs and preferences are considered as part of the process. If the answer is YES to any of these questions, then your school district IS required to provide that AT device and/or service for your child:

- Is the provision of an AT device/service required in order for your child to receive an appropriate education and related services?
- Is an AT device/service necessary for your child to be educated within the least restrictive environment?
- Will the AT device or service allow your child to have equal access to school programs and services, including extracurricular activities/sports?



## Can the AT the school has purchased be used at home or in other settings?

Yes, if the team decides that AT device should be used in those other settings in order for your child to receive an appropriate education.

**Disability Rights Center - NH**  
64 North Main Street  
Suite 2, 3rd Floor  
Concord, NH 03301  
1-800-834-1721  
[www.drcnh.org](http://www.drcnh.org)

**This brochure is not meant to be legal advice. For specific legal advice, you should talk to a lawyer.**

## How should I begin the process of getting my child the AT he/she needs?

Parents or teachers can request an evaluation in order to determine if a student can benefit from AT. The IEP Team evaluates the student's functional capabilities and whether or not they could be increased, maintained, or improved through the use of an AT device. The evaluation should be done in the student's customary environment (the classroom/home/playground). Hearing, vision, communication, and motor abilities should also be included in the assessment. If a parent disagrees with the evaluation obtained by the district, and the district does not show that the evaluation was appropriate, a parent has the right to an independent AT evaluation.

## What if my child has a 504 plan?

Students with disabilities who need special assistance, such as AT, but do not meet criteria under the IDEA, can still receive AT with a 504 plan. If your child needs an AT device, or training to use the device, in order to fully participate or have access to all programs and activities offered by the school, the school is responsible for providing the device and/or training for free. The school is also responsible for repairs and maintenance of the device. In addition, under 504, parents with disabilities can also receive AT to ensure that they are able to participate fully in the student's education. Some examples of AT that would be provided under 504 include:

- Classroom hearing assistive device for a student with a hearing impairment
- Use of a computer with a keyboarding program or educational software for written assignments for a student with ADHD
- Important educational records or notices in alternative form, such as Braille, for parents with disabilities
- Use of closed caption decoder while viewing videos
- Use of computer for student with a mobility impairment to access the library



## Who pays for the AT devices and services?

If the AT is part of your child's special education or 504 plan, the school district is responsible for the costs. Other possible funding sources for AT devices and services may include Medicaid, Vocational Rehabilitation (VR), the area agency for developmental services, or your private insurance.

**Learn More at : <http://drcnh.org/IssueAreas/AssistiveTech.html>**