



# DISABILITY RIGHTS CONNECTICUT

Justice. Community. Inclusion.

## CHANGE TO SPECIAL EDUCATION LAW IN CONNECTICUT

On July 10, 2020, judgment entered in the case of *A.R. v. Connecticut State Board of Education*. This means the new law in Connecticut is special education eligibility continues until a student turns 22. Disability Rights Connecticut (DRCT) represented the plaintiff in the class action lawsuit, *A.R. v. Connecticut State Board of Education*, and provides this fact sheet to share information about the Court's decision with the public. If you are looking for legal advice on how this decision affects you or your child, please contact DRCT at (860) 297-4300.

- **What was the lawsuit about?**
  - The lawsuit argued Connecticut should not end special education for students with disabilities at age 21 because the Individuals with Disabilities Education Act (IDEA), says special education can continue until students turn 22.
- **What did the Court decide?**
  - The Court decided that the State of Connecticut is obligated to extend eligibility for a free and appropriate public education (FAPE) to students with disabilities until they turn 22 and stops the state from terminating FAPE before a student with a disability turns 22.
  - The Court also decided that students whose special education was ended because they turned 21 years old are entitled to compensatory education.
- **Why is this important?**
  - This ruling is important because it offers students with disabilities additional time to receive a free appropriate public education (FAPE) and prepare for their post- secondary plans.
- **Does the Court's decision affect me?**
  - This Court decision affects you if you are a student with a disability who receives special education and/or related services, and are between the ages of 21 and 22. If you are over 22, but your special education was ended because you turned 21 between July 2014 to the present, you are also affected by this decision.
- **What should I do if I am a 21-year-old student who was exited from special education this year?**

- If you are a 21- year- old student receiving special education services and you were exited from special education because you turned 21, then you are eligible for continued special education and related services until you turn 22. You should contact your district’s special education coordinator and inform him/her that you are aware of the ruling in the A.R. case, which allows you to continue receiving special education and related services in the summer, and the upcoming school year until you reach the age of 22.
- **What should I do if I was in special education and think I may be owed compensatory education?**
  - An award for compensatory education was given to those students who were exited from special education because they turned 21 between July 16, 2014 to the present. The issue of compensatory education has been referred to a different judge to decide what it will look like and how eligible students will be told about it. Please stay tuned for more information about this. DRCT will share additional information with the public as it becomes available.

**Please contact DRCT at (860) 297-4300 (voice) | (800) 842-7303 (toll-free CT) | (860) 509-4992 (videophone) if you think you may be owed compensatory education.**