This pamphlet describes rights deriving from state regulations that govern public and private special education schools in Massachusetts. These rights are in addition to other rights regarding school exclusion that a student has, such as rights deriving from the IDEA and state school discipline law.

**What are a student’s rights regarding the termination of services at public or private special education schools?**

There may be no termination of a student, even in emergency circumstances, until the enrolling public school district is informed and assumes responsibility for the student (i.e. finds an alternative placement).

The public school district can ask the special education school to delay termination for up to two weeks to convene team meeting.

**What are a student’s rights regarding suspension at public or private special education schools?**

Once a student is suspended for 3 consecutive school days or 5 non-consecutive school days in a school year, the school, parents, and public school district “shall explore together all possible program modifications within the school in an attempt to prevent total suspension” from the program.

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1 603 CMR 28.09(12)(b).
2 603 CMR 28.09(12)(b).
3 603 CMR 18.05(6)(d).