



Private school students with disabilities have certain legal rights under the [Americans with Disabilities Act \(ADA\)](#) and [Section 504 of the Rehabilitation Act of 1973](#), which require schools to provide accommodations and ensure equal access to education. However, their rights are not as extensive as those of students in public schools, especially regarding the [Individuals with Disabilities Education Act \(IDEA\)](#). Private schools are also not obligated to provide the same level of special education services as public schools.

Key Rights and Obligations:

- **[Section 504:](#)**

This law prohibits discrimination based on disability and requires private schools to provide reasonable accommodations to students with disabilities.

- **[ADA:](#)**

Specifically, Title III of the ADA applies to private schools, prohibiting discrimination and requiring reasonable modifications to ensure equal access to educational opportunities.

- **[IDEA:](#)**

While IDEA does not explicitly cover private school students in the same way as public school students, it does require public school districts to identify and evaluate students with disabilities in private schools.

- **[Accommodations:](#)**

Private schools must provide accommodations, which may include modifications to the learning environment, changes in testing procedures, or assistive technology, to ensure students with disabilities have equal access to their education.

- **[Child Find:](#)**

Public school districts are responsible for identifying, locating, and evaluating students with disabilities in private schools.

- **[Instructional School Plan \(ISP\):](#)**

Public school districts may develop an ISP for students with disabilities in private schools to address their specific needs and determine the types of services they will receive.



Important Considerations:

- **Limited Services:**

Private schools are not obligated to provide the same level of special education services as public schools.

- **Public School District Responsibility:**

Public school districts have a responsibility to provide certain services to students with disabilities in private schools, but this is often limited by funding and resources.

- **Parent Responsibility:**

Parents of students with disabilities in private schools may need to advocate for their child's needs and seek accommodations under Section 504 and the ADA.

- **School Choice:**

Parents may also consider the option of attending public schools for their children with disabilities if they believe the public school can better meet their child's needs.

- **Florida Specifics:**

Florida has specific regulations and funding mechanisms related to special education in private schools, including the [Family Empowerment Scholarship for Unique Abilities \(FES-UA\)](#).

- **Discrimination:**

Private schools are not required to accept students with disabilities and may choose to deny admission based on a student's disability.

In summary, while private school students with disabilities have certain legal protections, their rights and the level of services they receive are often less extensive than those of students in public schools. Parents need to be aware of their rights and obligations and advocate for their child's needs to ensure they receive an appropriate education.