



The purpose of this brochure

is to help families plan for their children's health care needs at school and to learn what role public schools have in addressing health-related needs of children with disabilities, chronic illnesses or other conditions.

Here are some suggestions

to help you develop a plan that will meet the unique health needs of your child while he or she attends school.

- Use a team approach involving your child's doctor(s) and school personnel, especially the school nurse and teacher.
- Consider that it may be appropriate for your child to take the lead in managing health needs at school. If not, then establish who is responsible.
- Make sure the team has sufficient understanding about your child's condition. Work with your child's doctor to get them good information.
- Keep good records and communicate regularly with your child and the school.
- Know your rights. Family Voices and other organizations can help you find out about federal and state laws that may apply to your child.

• •Where to find more information:

American Academy of Pediatrics
School Health Resources Web Page
www.schoolhealth.org

Ctr. for Health & Health Care in Schools
(phone: 202-466-3396)
www.healthinschools.org

Families & Advocates Partnership
for Education (toll-free: 1-888-248-2842)
www.fape.org

Nat'l Assembly on School-Based Health Care
(phone: 202-638-5872) www.nasbhc.org

National Association of School Nurses
(phone: 207-883-2117) www.nasn.org

Email: familyvoices@spannj.org

**1-800-654-SPAN (7726)
extension 110**

**Family Voices - NJ
c/o Statewide Parent Advocacy
Network**

**35 Halsey St., 4th Floor
Newark, NJ 07102**

FAMILY VOICES

3411 Candelaria N.E., Suite M
Albuquerque, NM 87107
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Phone: 505-872-4774
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Email: kidshealth@familyvoices.org
www.familyvoices.org

FAMILY VOICES

Meeting Your Child's Health Care and Related Needs at School

*A Guide for
Families
of Children with
Special Health Care Needs*



Children Have Rights at School

All children have rights related to public education in the United States. Your child may qualify for additional legal protections under one or more federal laws, if his or her disability or health condition affects learning or the ability to participate in school programs. These federal laws include:

- The IDEA, or Individuals with Disabilities Education Act, which provides early intervention, special education and related services to eligible children from birth to adult.
- Section 504 of the Rehabilitation Act of 1973, which protects qualified individuals from discrimination based on their disability.
- The ADA or Americans with Disabilities Act, which also prohibits discrimination based on disability.

The question of whether a particular condition is considered a disability under IDEA, Section 504, or the ADA is determined on an individual basis. The answer could mean that your child may receive supportive services, special accommodations or modifications to the regular school program.

Contact your local school district or the state education agency to find out if your child qualifies for IDEA, Section 504 or the ADA provisions.



More About IDEA and 504

Children with health conditions who do not meet IDEA eligibility may qualify to have a written 504 plan that addresses the student's special health needs at school.

A formal evaluation is required to determine if your child can get IDEA services and protections. Children to age three receive early intervention (Part C) services according to a written Individualized Family Services Plan (IFSP) that the parent helps develop.

Children age three and older receive special education or related services based on an Individualized Education Program or IEP that is developed by a team at school including the parent.

The IDEA defines "related services" as "transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, psychological services, physical and occupational therapy... counseling services, orientation and mobility services, and medical services for diagnostic or evaluation purposes."

A 1999 Supreme Court decision, known as *Garrett F.*, determined that schools must provide IDEA-eligible children with any nursing services required by the child during the school day. The ruling helped reinforce the law's intent to educate children with disabilities alongside their typical peers whenever possible.

The school system can ask a student's family to allow family health insurance to pay for health-related services at school, but families do not have to use their insurance for these purposes.

A related issue concerns IDEA covered children who are enrolled in the state Medicaid program. By federal law, IDEA pays last for services that a child needs that may be covered by Medicaid.

A child's mental, physical, or health condition can be such that it becomes difficult or impossible to attend school. Children who are homebound or in a hospital or care facility still have the right to receive appropriate education or related services.

Confidentiality Rights

The Family Educational Rights and Privacy Act or FERPA is a federal law that assures privacy and limits access to student records for all students.



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