

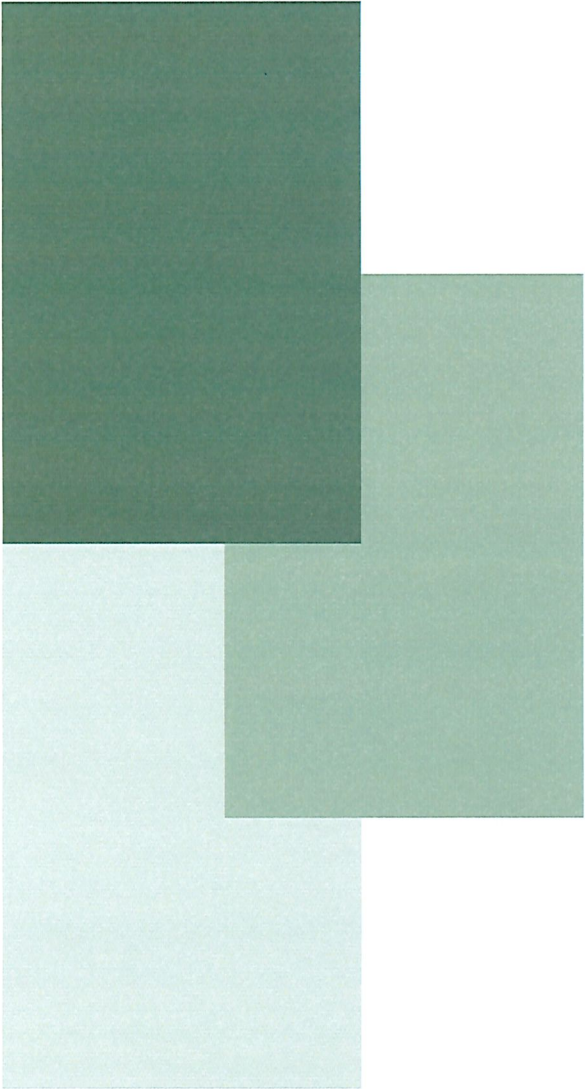

2023 WASN ANNUAL CONFERENCE

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**PART TWO:
TRIFECTA! WHAT ALL SCHOOL
NURSES SHOULD KNOW ABOUT
INDIVIDUAL HEALTH PLANS,
SECTION 504, AND IEPS.**

INDIVIDUAL HEALTH PLAN (IHP)

What is an IHP?

- A plan that provides schools with the necessary medical information about a student to identify and manage their health needs.

Who may need an IHP?

- An IHP can be developed for regular and special education students.

What does an IHP typically include?

- Assessment
- Diagnosis
- Goals
- Interventions
- Expected Outcomes

INDIVIDUAL HEALTH PLAN (IHP) CONT.

Are there any protections through an IHP?

- Unlike an IEP or a Section 504 plan, there are no state or federal protections through an IHP.

When can an IHP be used?

- An IHP can be used on its own or in conjunction with a Section 504 plan or an IEP.
 - Tip: consider whether it is beneficial to attach an IHP to an IEP or merely reference the IHP in an IEP, because an IHP may have to change more frequently than the IEP.

SECTION 504 PLAN

What is the purpose of a 504 plan?

- Typically used to address accommodations for academic success but may also be used for nonacademic reasons (i.e., extra-curricular activities).
- To provide appropriate educational services designed to meet the individual needs of a student.

What does “appropriate education” mean?

- Services could consist of education in regular classrooms (with or without supplementary aids and services), special education, and related services.

SECTION 504 PLAN CONT.

Nondiscrimination Requirement

- “No otherwise qualified individual with disabilities in the United States, as defined in Section 706(8) of this title, shall, solely by reasons of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.” 29 U.S.C. § 794(a).

Application

- “With respect to public preschool, elementary, secondary, or adult educational services, a disabled person (i) of an age during which non-disabled persons are provided such services, (ii) of any age during which it is mandatory under state law to provide such services to disabled persons, or (iii) to whom a state is required to provide a free appropriate public education under 612 of the Education of the Handicapped Act.” 34 C.F.R. § 104.3(l)(2).

SECTION 504 PLAN CONT.

Plan Eligibility

- Physical or mental impairment which
- Substantially limits (nut allergy if life-threatening, sleeping disorder, ADHD/ADD, chemical sensitivity, bipolar disorder)
- One or more major life activities (eating, thinking, sleeping, interacting with others, reading, procreation).

Note: Eligibility under Section 504 is broader than the IDEA. Students provided services under an IHP may be eligible for a Section 504 plan, but a medical diagnosis does not automatically mean a student qualifies for services under Section 504.

SECTION 504 CONT.

Medical Diagnoses

- Does a medical diagnosis of an illness automatically mean a student can receive services under Section 504?
 - No. A medical diagnosis of an illness does not automatically mean a student can receive services under Section 504. The illness must cause a substantial limitation on the student's ability to learn or another major life activity. For example, a student who has a physical or mental impairment would not be considered a student in need of services under Section 504 if the impairment does not in any way limit the student's ability to learn or other major life activity, or only results in some minor limitation in that regard.

See U.S. Department of Education, Protecting Students with Disabilities,
<https://www2.ed.gov/about/offices/list/ocr/504faq.html>

SECTION 504 CONT.

What is a nurse's role in the 504 process?

- Review the student's health record
- Interpret the student's health status
- Explain the impact of the student's impairment
 - Reminder: the impairment must substantially limit one or more major life activities.
 - Consider how the impairment affects the student's level of functioning
- Recommend health-related accommodations
- If not eligible for a 504 plan, determine if an IHP will address the student's needs.

INDIVIDUALIZED EDUCATION PLAN (IEP)

What is the purpose of an IEP?

- An IEP is designed to meet the individual learning needs of a child and to state the services a school district will provide to meet the child's needs.

What must be in an IEP?

- The IDEA requires an IEP to include the following:
 - The present levels of academic achievement and functional performance
 - Annual goals for the child to meet that can be reasonably accomplished
 - Any special education and related services that the child will need, including supplementary aids and services
 - An explanation of how progress towards annual goals will be measured
 - A description of when services will begin, when and where services will be provided, and the duration of services
 - Information regarding the length of the child's school day and the child's ability to participate in extracurricular or nonacademic activities

INDIVIDUALIZED EDUCATION PLAN (IEP) CONT.

What is a nurse's role in developing and implementing an IEP?

- A student may require nursing services as part of an IEP. A school district has an obligation to provide nursing services if they are needed to ensure that a student receives a FAPE.

Where should nursing services be documented in the IEP?

- Nursing services should be documented in the present level of performance and the related services section of an IEP. If services will include consultations with the IEP team or other school staff, that information can be included in the program modification or support section of the IEP.
- The IEP should also include information regarding the nurse's involvement in the student's educational program.



WRAP-UP AND QUESTIONS