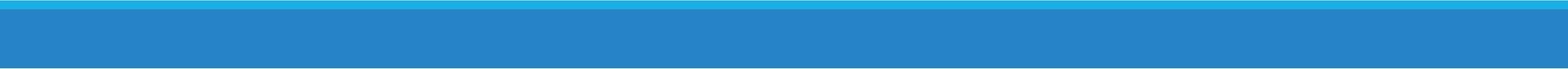


Kohler Bombers: One teacher's perspective

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Key terms to know along the way

Office of Civil Rights (OCR)

Americans with Disabilities Act of 1990 (ADA)

Section 504 of the Rehabilitation Act of 1973

- 504 Plan

Individuals with Disabilities Education Improvement Act (IDEIA)

Individual Health Plan (IHP)

Individual Education Plan (IEP)

Family and Medical Leave Act (FMLA)

Family Education Rights and Privacy Act (FERPA)



Is your child protected while at school?

What is your parent/child (student) plan?

Have you talked with your student's Endocrinologist about a school plan?

Have you met with the district nurse?

- Does the district nurse rotate in your student's school?
- Who staffs your student's health room?

Have you met your student's guidance counselor?

If the school year is in progress, have you met with your student's teacher?

Isn't my student protected under the law?

- Which law(s) apply to my student while in school?

What is an Individual Health Plan (IHP)?

It is a plan of action, intended to promote communication between parents (caregivers) and your student's school for the management and care of diabetes managed during the school day.

Is developed in response to the healthcare needs of you student that affect or have the potential to affect academic performance and attendance in school.

Requires the participation of the school (district) nurse

Includes: health goals for your student with written outcomes that highlight how to manage your student's diabetes with specific direction from your student's endocrinologist

What's in an IHP?

Written plan of care for individual students who have health-related issues resulting in the development of Individualized Healthcare Plans (IHPs).

An IHP fulfills school administrative requirements and clinical healthcare providers by including the following: management of health condition in an effort to promote learning, facilitating communication, coordination, and continuity of care between teachers and medical providers.

In the case of a Type One student, your endocrinologist will author the health protocol for the school nurse to implement and follow at his direction.

There are students that need specialized services which require an IHP. These may include an emergency care plan (ECP), a field trip plan and a plan for the coach.

Writing an IHP is based on nursing care needed for your student. It has nothing to do with educational entitlement. E.g. special education or Section 504 of the Rehabilitation Act of 1973.

An IHP is a stand alone document that can be attached to your child's IEP or 504 Plan, depending on which plan is in place for your student .

What is an Individual Education Plan (IEP)?

An Individual Education Plan (IEP) falls under the Individuals with Disabilities Education Act and is focuses on providing educational services to students 3-18 years of age. Students eligible for an IEP account for a small subgroup of students with disabilities.

As a rule, students requiring an IEP need significant remediation and assistance to make it through the school day. These students typically work in a specially designated classroom allowing them to work on their own level, at their own speed.

Federal law requires schools to measure and document the academic growth of students that have an IEP.

<https://www.verywell.com/how-does-a-504-plan-differ-from-an-iep-3104707>

What's in an IEP?

The IDEIA requires the following:

Student's current level of academic achievement and functional performance, describing how the student is performing in school and the disability affects the student's participation/progress in the basic curriculum

Annual milestones created for the student; what can the student achieve over the course of the academic year and how it can be measured

Student's special education needs, including supplementary aids and services as well as changes to the program utilizing appropriate school personnel

What percentage of the school day the student will be separated from nondisabled children, or, refrain from participation in extracurricular or other nonacademic activities

Student's ability to participate in State and District-wide assessments, including but not limited to any test modifications

When services and modifications will be implemented, intervals at which they will be provided, where they will be implemented, and duration of the service need

Measurement markers of the student's progress based on the annual milestones (have they been met?)

What is a 504 Plan?

Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met.

Section 504 states that: "No otherwise qualified individual with a disability in the United States, as defined in section 706(8) of this title, shall, solely by reason of her or his 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..." [29 U.S.C. §794(a), 34 C.F.R. §104.4(a)].

Federal law definition: "An individual with a disability means any person who: (i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment" [34 C.F.R. §104.3(j)(1)].

<http://www.greatschools.org/gk/articles/section-504-2/>

Who enforces a 504 Plan?

The Office for Civil Rights (OCR) purpose is to eliminate discrimination against students with disabilities based on disability. OCR addresses complaints and/or questions involving elementary or secondary education where Section 504 of the Rehabilitation Act of 1973, is in place. The OCR assists in identifying students who are protected by Section 504 to ensure these students are provided with an appropriate education.

Section 504 is a federal law enacted to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his 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"

<https://www2.ed.gov/about/offices/list/ocr/504faq.html>

How does a 504 Plan protect my student?

According to the OCR, “the school district must also have reason to believe that the child is in need of services under Section 504 due to a disability” (OCR Memorandum, April 29, 1993). Therefore, a school district does not have to refer or evaluate a child under Section 504 solely upon parental demand. The key to a referral is whether the school district staff suspects that the child is suffering from a mental or physical impairment that substantially limits a major life activity and is in need of either regular education with supplementary services or special education and related services [letter to Mentink, 19 IDELR 1127 (OCR) 1993]. If a parent requests a referral for evaluation, and the school district refuses, the school district must provide the parent with notice of their procedural rights under Section 504.

Districts must provide equal opportunity in areas such as counseling, physical education and/or athletics, transportation, health services, recreational activities, and special interest groups or clubs.

<http://www.greatschools.org/gk/articles/section-504-2/>

What is the difference between an IEP and a 504 Plan?

A 504 plan references Section 504 of the Rehabilitation Act of 1973, in an attempt to remove barriers allowing students with disabilities to participate freely in both public elementary and public secondary education.

Section 504 mandates that public school districts offer a "free appropriate public education" (FAPE) to any eligible student with a disability. It does not matter how severe the disability is or what the nature of the disability is.

Only certain classifications of disability are eligible for an IEP. Students that do not meet the classification(s) but still need assistance to fully participate in school would be considered for a 504 plan.

You can and should have a 504 Plan if you have an IEP.

T1D in the Classroom

Do students with diabetes ever pretend to feel low or high to get out of the classroom assignment or activity that they don't like? What should the teacher do?

- Ask to speak to the student's parents
- Teachers may not deny the student's request for water or test his blood sugar

A student with diabetes must be given access to emergency glucose to treat a low blood sugar on demand. Conversely, a student with diabetes must also be allowed to correct a high blood sugar on demand. He must be also be allowed access to water and the restroom as warranted.

Teachers and other school personnel must allow kids with diabetes to eat snacks as needed.

Physical education teachers and sports coaches must keep a supply of emergency glucose on hand to treat a low blood sugar. All diabetes supplies, including food and drink are provided by the parent.

T1D out for a Field Trip

Schools must plan for field trips including bus transportation prior to the event. Federal law states that students with diabetes must be allowed to eat an additional meal/snack on the bus if necessary. Adult caregivers must work with the school (district) nurse or trained school personnel to provide special instructions and needs of the student during the planned event.

Schools must provide before and after school care for your student. It requires advanced planning. Blood sugar checks, before and after-school snacks, changes in physical activity, and insulin injections all require accommodation in any school-sponsored activity.

Accommodations for caring for your student before, during, and after school, are typically identified in the student's IHP, IEP and Section 504 Plans.

Checklist for extracurricular activity(s) or sport(s)

1. Coach or Teacher must have a copy of your student's IHP, Section 504 Plan, Emergency Action Plan, and/or Healthcare Plan
2. Blood glucose monitor, lancing device and test strips
3. Fast-acting source of sugar (carbohydrate)
 - Fruit juice, glucose gel, glucose tablets...
4. Bag lunch or snack
 - Emergency food pack
5. Injection/insulin pump supplies and insulin in a storage to prevent the insulin from spoiling
 - High heat

T1D in Extracurricular School Activities

Your student's school is required to provide him with care at sports, drama, art, music or other activities that take place before or after school.

Your student's school must provide your student with care during extracurricular activities. This includes: helping with insulin injection(s) and blood sugar checks when your students needs assistance while engaged in such activities.

Your student must be allowed access to his diabetes supplies. He must be allowed to check blood sugar, eat a snack, drink water, and use the restroom as necessary. Trained school personnel must be available before, during and after school to administer emergency glucagon if your student is in distress.

<http://www.diabetes.org/living-with-diabetes/parents-and-kids/diabetes-care-at-school/special-considerations/field-trips-and-school-activities.html#sthash.4bFqHp9O.dpuf>

T1D in Afterschool School Sports

Section 504 applies to both interscholastic as well as intramural athletics. Your student's school cannot exclude him because he has diabetes.

State Laws, Regulations and Policies for Caring for Diabetes while at School

Federal law provides for your student, giving him the right to receive care for diabetes, to be safe and participate in school activities – just like any student.

Schools must provide the following:

- Train staff to monitor blood glucose levels, deliver insulin, and inject glucagon
- Train staff to care for diabetes during field trips, extracurricular events (clubs, sports, etc.) and all school-sponsored activities
- Allow student to manage their diabetes autonomously while at school

Schools must not:

- Demand family members take care of you student's diabetes during the school day
- Transport students out of one school to a different school in an effort to care for diabetes
- Prohibit students with diabetes from participating in sports, attending field trips, and joining in on school-sponsored activities

Advocate for your Student

