

# The Individual Health Plan IEP and 504



- **Family Driven**
- **Non-Profit 501(c)3**

## We do NOT:

Act As Attorneys

## We DO:

- ♥ Provide Support
- ♥ Provide Information
- ♥ Help Identify Options

**Students with disabilities receive appropriate educational services that may include services as a result of three primary laws.**

## **IDEIA**

### **Educational Benefit**

**Children who  
qualify under at  
least one of the  
13 IDEIA  
categories**

## **504**

### **Equal Access if Federally Funded**

**All children  
who meet 504  
definition of  
disability,  
including those  
who qualify  
under IDEIA**

## **ADA**

### **Equal Access Regardless of Funding**

**All individuals  
who meet ADA  
definition of  
disability  
regardless of  
age**

## Section 504

**“No otherwise qualified individual with disabilities in the United States... shall, solely by reason of his/her disability, be excluded from the participation in, be denied benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance.”**

# Section 504 of the Rehabilitation Act of 1973

## Civil Right Law:

- **Section 504 prohibits discrimination on the basis of disability**
- **Applies to any agency receiving federal funds**
- **Funded by General Revenue dollars**

## **504 Definition of Disability**

- **Impairment that limits one major life activity**
- **Record/History of disability**
- **Perceived as a disability**



# Free Appropriate Public Education

**Section 504 defines FAPE as:**

**“Regular or special education and related aids and services that... are designed to meet individual educational needs of handicapped persons **as adequately** as the needs of non-handicapped persons are met.”**

# The Key Provisions of 504

- Free Appropriate Public Education (FAPE)
- Identification
- Appropriate Evaluation
- Written Education Plan
- Supplemental Aids and Services
  - Individual Health Plan (IHP) or Emergency Action Plan (EAP) (when necessary)
- Least Restrictive Environment
- Procedural Safeguards



## IDEIA Definition of Disability

- Must meet criteria of one or more disability categories – “Labels”
- Must **need** specially designed instruction & related services

# Free Appropriate Public Education

**IDEIA defines FAPE as:**

**“Special education and related services... provided at public expense, under public supervision and direction and without charge... in conformity with the individualized education program...”**

# What is An Individual Health Plan?

- A formal written agreement
- Developed in partnership with:
  - School Staff
  - Student
  - Parents
  - Medical Professional

# The Individual Health Plan (IHP)

- Essential to achieve educational equality
  - Ensures equal access
- The student does not have to be classified as eligible for special education, but must:
  - Have a medical documentation of need
  - Impede on the child's access to education

# A Good IHP

- Contains
  - Information
  - Guidelines and
  - Standards
- Avoids
  - Unnecessary risks and restrictions
  - Stigma
  - Illness and absence



# Examples of health related needs that may require an IHP

- Asthma
- ADD/ADHD
- Serious Allergies
- Medication needs
- Chronic conditions
- Physical disabilities
- Catheterization
- Toileting assistance

# Emergency Action Plan (EAP)

- When would you need one?
  - When the health condition has the potential to progress into a medical emergency or crisis.
- Who determines need?
  - School Nurse
  - Parent or Student
  - Medical Professional

# Incidences where an EAP may be needed

- Peanut allergies
  - Asthma
  - Epilepsy
- Insulin dependent diabetes
- Mental illness “melt downs”

# Developing an EAP

- Three main components
  - Must be comprehensive
  - Must have a coordinated set of services
  - Must be communicated to all parties involved

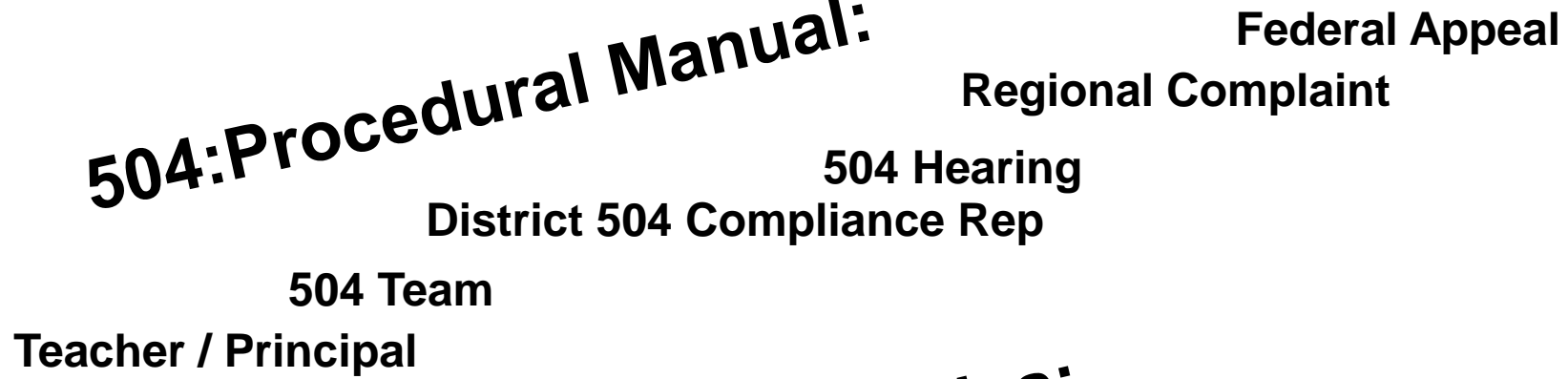
## Parental Participation

- Parents have information about their child that is important to share
- It is not required – a 504 meeting can take place without the parents present

**Parental Participation  
is not required**

# Steps to Conflict Resolution

## 504: Procedural Manual:



## IDEIA: SP&P & State Rules:



# Thank you!

**For more information please contact:**

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