

Does Your Child Need A “504 Plan” or an “IEP”?

By Doreen Rousseau, MS

As a parent of three children, two of whom have severe hemophilia, I never really considered the need for an accommodation (504) or individual education plan (IEP) for my sons. They had not experienced any difficulties when they went to school, and they are both fine students. Now, as a school psychologist, I have a working knowledge of what these special plans can do for a child, and I view things differently.

When my first son entered school, I educated his teachers and nurse every year. We were very fortunate that the school nurse had some knowledge of hemophilia and had even attended a local camp supporting children with hemophilia. So, educating staff and having my sons' medical needs met were never issues.

More recently, our school district has done some re-districting which resulted in my youngest son having to attend a new elementary school. When I shared his medical diagnosis, the principal requested a “504 accommodation plan”. My eldest son entered the high school this year, where gym classes are deemed more physical, and he was denied participation in some activities. I was also not getting the response I wanted for classroom accommodations, which he has had since middle school, so this led me to request a 504 accommodation plan at the high school level.

There is basic information parents need to know regarding the needs of their children in the school environment.

The first is that any need that a student has is better supported with a legal document. When medical and/or educational issues require special accommodations, these legal documents take the form of either a 504-Accommodation Plan (504), or an Individualized Education Plan (IEP). These documents are derived from federal legislation and all states have them. The method in which they are used, or determined necessary, vary from state to state, and school district by school district. Information requiring the processes and procedures in your child's district can be obtained from your State Education Department or your local school district. In school districts, call the Special Education Department or the School Psychologist and ask for parts 200 and 201 relating to the education of students with disabilities. These parts contain the procedures for IEP's. A similar request can be made for the 504 procedures.

IEP's are typically given to students who meet the requirements for receiving special education service; they have a learning disability, and emotional disturbance, exhibit traits of mental retardation or have other health impairments, etc. that hinder their ability to learn. The federal government supports these services by reimbursing the school for their provision.

504's are given to students who don't qualify for special education services, but have needs that require some accommodation to place them on a “level playing field” with other students. These services are not federally funded and come directly out of the school's budget. Some schools will go the route of an IEP for financial reasons.

If your child is experiencing difficulties with the learning process (acquiring the information taught), then an IEP is the avenue you should consider. For example, a child with a bleeding disorder who has sustained brain hemorrhaging or perhaps

bleeding that has affected their vision, etc. would want to pursue an IEP. This process would require an “educational-psychological assessment”, which typically includes cognitive and achievement testing.

If your child has needs more along the physical route: a home tutor, wheelchair, splints, immobilization, additional set of books at home to prevent back and shoulder bleeds or restricted gym activities, etc. then a 504 accommodation plan with do nicely, and an educational-psychological assessment is not required.

There are advantages to having one of these documents in place:

- They are binding and legal documents and will be upheld in a court of law
- The information contained in them must be carried through
- As your child progresses through the school system, this document will help inform all teachers and staff of his or her special needs
- This document must be reviewed once each year, and parents must be invited to participate in the review
- Older students are asked to participate in the development of their own plan

Both 504's and IEP's are recognized at the college level if your child has been determined to have a “disability” (cognitive or physical). Some states recognize “hemophilia” automatically as a physical disability. 504 plans, as the public school writes them, may pose problems on this level because the public school is required by law to provide a Free Appropriate Education (FAE) and colleges are not. This should not stop you, or your child, from pushing to obtain the modifications needed for success in college.

All parents are encouraged to be knowledgeable regarding their (parent and student) rights before a need arises. Unless parents ask, these two avenues of assistance may at times be overlooked by school staff. It is also important to recognize that each child is unique, and that what works for one won't necessarily work for another, hence the term “individual”. More importantly, you must work with the school to educate them. Hemophilia is rare, and most schools will not have any prior experience dealing with the issues it brings until your child enters the district. Don't forget to seek help from your hemophilia treatment center. What you do today will certainly pave the way for your child to have what all parents want for them: a happy and successful school experience.

Remember, advocacy must begin at home. No one cares as much about the physical and mental well-being of your child but you. If you don't take the steps to educate yourself on what can be done, you run the risk of an unhappy school experience. YOU are your child's best advocate.

-From HRA's *Other Factors*, Fall 2002

**Example of an Actual 504 Plan
Recommendation**

Name: XXXXX DOB: 01/09/06 Grade: 2nd
School: XXXXX Date of Meeting: 09/11/02
Date of Review: 09/11/02

1. Describe the nature of the concern: XXXXX is a student with a medical diagnosis of Severe Hemophilia A (VIII). Hemophilia is a bleeding disorder, which affects a person's clotting ability, and usually effects tissue, muscles, joints, and internal organs. Students with severe hemophilia often are subject to limited motor ability during bleeding episodes, which may result in the need for crutches, wheelchairs, splints, and slings. Some severe bleeding episodes may result in bed rest or hospitalization. Bleeding episodes may affect XXXXX attendance and performance in both class and gym. XXXXX has "target" areas: toe joints, right elbow, and (most severe) nose bleeds.

2. Describe the basis for determination of handicap: Diagnosis of Severe Hemophilia A (Factor VIII).

3. Describe how handicap affects a major life area: Bleeding episodes may cause an unusual amount of absences, a need for physical accommodation, or adaptive physical education.

4. Describe the reasonable accommodations necessary to provide a free appropriate education (FAE):

- a. XXXXX should be given an opportunity to make up missed work (It is expected that XXXXX will make up all missed work.)
- b. XXXXX may require adaptations to school environment based on bleeding episode (crutches, wheelchair, splints, slings).
- c. XXXXX should be allowed to participate in all regular Physical Education programs, unless indicated otherwise. If XXXXX is unable to participate physically, he should be involved by coaching, score keeping, or as referee.
- d. XXXXX grades should not reflect late work or absences due to bleeding episodes, either in the classroom, or in physical education classes.
- e. All rooms should carry rubber gloves and a bleach and water solution.
- f. Home tutor as needed – due to bleeds that require bed rest.

Participants: (name and title) XXXX, Parent XXXX, School Psychologist XXXX, Principal XXXX, Teacher

I have read the accommodation plan and am aware of my due process rights to appeal this plan if I am not satisfied.

Parent Signature

Date

CC: Psychologist Building Principal Classroom Teacher Guidance