

Educational Rights & School Solutions

September 10, 2015

KidsGetArthritisToo.org



Before We Begin...



Webinar Overview

- Your child's educational rights: The laws
- Being a student with JA: Symptoms, impacts and accommodations
- Plans and processes
- Being an effective advocate
- Available resources
- Questions



Meet the Panel





Sandra Mintz, RN, BSN

Nurse Care Manager in pediatric
rheumatology Children's Hospital Los Angeles
(CHLA), 13 years.



John Leanes

Retired educator and administrator – middle and high school English teacher, principal, district assistant superintendent



Nina Gregory, MA

Educator for 19 years, in the special education continuum of service

Your Child's Educational Rights



The Laws



Understanding the Laws



- What they are
- How they help
- Who they cover

Section 504 of the Rehabilitation Act

“504”

Civil rights law that protects persons with disabilities from discrimination



504

WHAT IT DOES

- Provides allowable accommodations
- Ensures equal access to education, programs, extracurricular, field trips
- Provides for specialized instruction (if needed)
- Requires a “plan” for each student



504

QUALIFICATIONS

- Physical, cognitive or other type of impairment
- Substantially limits at least one major life activity
- Needs accommodation to access building or instruction



Individuals With Disabilities Education Act

“I.D.E.A.”

Education law that ensures children with disabilities have equal opportunity to a “free and appropriate public education”

(FAPE)



I.D.E.A.

WHAT IT DOES

- Special education services
- Support services
- Special transportation
- Speech, physical and occupational therapy, health services



I.D.E.A.

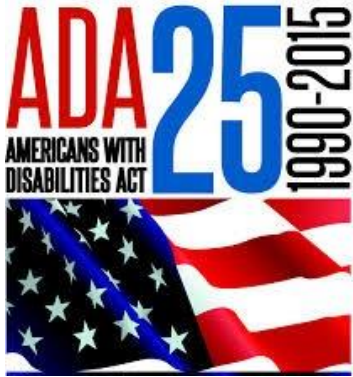
QUALIFICATION

Disability has to interfere with educational participation and performance.

Americans With Disabilities Act

“ADA”

Civil rights law that prohibits private employers and state and local governments from discriminating against persons with disabilities



ADA

WHAT IT DOES

Requires reasonable accommodations be made to allow **person** with a disability to be **fully** incorporated into the community



ADA

QUALIFICATIONS

- Physical, cognitive or other impairment
- Substantially limits at least one major life activity
 - Or have a history of impairment
 - Or be perceived as having an impairment
- Needs accommodation to participate in community life



Being a Student With JA

Symptoms, Impacts and Accommodations



It's Not Easy Being a Student With JA



10-lb.
textbooks



sore
joints



timed
essays



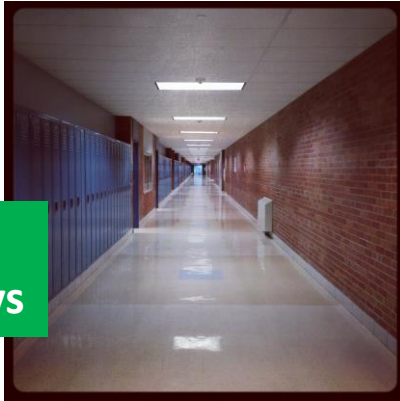
on the
bench



stairs

It's Not Easy Being a Student With JA

long hallways



falling behind

big steps



timed runs



isolation



leaving early

heavy backpacks



Symptoms: Impact

Hand Involvement



Painful, swollen wrists and fingers




- Difficulty writing notes
- Struggling to complete in class assignment
- Inability to finish exams with time limits
- Difficulty performing push ups or pull ups
- Struggle with Self Care
- Art and Music Classes



Potential Accommodations

Hand Involvement

- 
- ✓ 2 sets of textbooks
 - ✓ Extra time for in class assignments
 - ✓ Modified PE activities
 - ✓ Providing peer assistance
 - ✓ Extra time for tests
 - ✓ Assistive technology
 - ✓ Devices to help with writing

Symptoms: Impact

Upper Body Involvement



Shoulder and arm pain




- **Inability to raise hand in class**
- **Difficulty playing an instrument**
- **Cannot lift/carry back pack or books**
- **Struggles with self care**
- **Inability to reach or throw**



Accommodations

Upper Body Involvement

- 
- ✓ 2 sets of textbooks
 - ✓ Modified P.E. activities
 - ✓ Additional time to dress out
 - ✓ Modified music practice
 - ✓ Providing peer assistance
 - ✓ Extra time for assignments, tests
 - ✓ Assistive technology
 - ✓ Roller backpack

Symptoms: Impact

Lower Body Involvement


Hip, knee, ankle, foot pain

- **Difficulty with movement: walking, running, jumping, bouncing and climbing stairs**
- **Inability to get to classes on time**
- **Struggle to participate in field trips**
- **Problem sitting for long periods of time**



Accommodations

Lower Body Involvement

- 
- **Additional time between classes**
 - **Accessible locker**
 - **Access to elevator**
 - **Access to handicap ramp**
 - **Permission to stretch, move during class**
 - **Special seating placement (class, bus)**
 - **Extra time getting to, from, onto and off of bus**
 - **Getting bus transportation instead of walking**
 - **P.E. activities: modified or excused from specific ones**

Symptoms: Impact

Neck, Back Involvement



Neck and back pain and inflexibility




- **Inability to sit for long periods of time**
- **Difficulty turning head to see teacher or board**
- **Inability to lift or wear a backpack**
- **Difficulty carrying books**
- **Problem doing sit ups or pushups**



Accommodations

Neck, Back Involvement

- 
- **Location in classroom**
 - **Modified P.E. activities**
 - **Getting up and stretching during class**
 - **Cushion for seat**
 - **Elevator pass**
 - **2nd set of textbooks**
 - **Need a locker**
 - **Roller backpack**
 - **Additional instrument**

Symptoms: Impact

Morning Stiffness



Painful, limited mobility




- **Late arrival to school**
- **Medications during the day**
- **Increased difficulties during morning classes**
- **Absences (or tardy) due to the inability to get up**



Accommodations

Morning Stiffness

- 
- ✓ Grouping core classes
 - ✓ Schedule non-academic classes in morning
 - ✓ Late start for a short duration
 - ✓ Excuse absences

Symptoms: Impact

Eye Involvement: Uveitis



Eyesight impairment




- **Difficulty reading from the board**
- **Difficulty reading small print or seeing colors**
- **Light sensitivity**
- **Difficulty seeing for sports in P.E.**
- **Challenge moving around building or campus**



Accommodations

Eye Involvement

- 
- **Sunglasses and hats outdoors**
 - **Large print**
 - **Note takers**
 - **Peer assistance**
 - **Seating or positioning in class**
 - **Engagement of Braille Institute**
 - **Assistive technology**

Medical Management

Medical management on campus



- **Morning Medications**
- **Mid-day Medications**
- **As Needed medications**
- **Fluid requirements**
- **Sun sensitivity**
- **Have food or drink in class**
- **See school nurse or health assistant**

Symptom: Fatigue

Lack of focus and energy



Difficulty with class participation, comprehension, planning, organization and staying awake through the day



Parent Role



Plans and Processes



Which Plan Is Right for My Child?

504 Plan

vs.

Individualized Education Plan
(IEP)



Comparing Plans

504 Plan

- ✓ WHO: Children with disabilities based on “demonstrated need due to a medical condition.”
- ✓ PROVISIONS: May include special education services, but for a child in a wheelchair, may mean a ramp or elevator access.

IEP

- ✓ WHO: Children whose disability adversely affects educational performance and/or ability to benefit solely from general education.
- ✓ PROVISIONS: Children who require special education services

Comparing Plans

504 Plan

- ✓ EVALUATION: Less formal evaluation process [*say more?*]
- ✓ MEETINGS: No requirement for who attends.
- ✓ FORMAT: Accommodations are documented in a written plan; No specific format.

IEP

- ✓ EVALUATION: A thorough multi-factored evaluation
- ✓ MEETINGS: Requires those who have specific IEP team roles: Parent, student, administrator, general ed teacher, special ed teacher, social work, nurse, and physiologist. Others may also attend.
- ✓ FORMAT: Documents contain specific language and sections (e.g. goals, objectives).



Comparing Plans

504 Plan

- ✓ TIMELINE: None
- ✓ SAFEGUARDS: Only a few general protections
- ✓ REVIEW: Yearly re-evaluation or periodic review

IEP

- ✓ TIMELINE: Very specific and important.
- ✓ SAFEGUARDS: Specific procedural protections, including but not limited to the right to request an independent assessment at public expense;
- ✓ REVIEW: Reevaluation every 3 years.



Comparing Plans

504 Plan

✓ ESCALATION:

- 1) Requires districts to provide a grievance procedure for parents and students who have grievances regarding process or placement.
- 2) Reports of noncompliance and request for a hearing are made to the Office for Civil Rights.

IEP

- ✓ ESCALATION: Requires district to provide resolution sessions and due process hearings for guardians who have grievances regarding process or placement.



Everyone Has a Role

- Medical Team
- Parents
- School



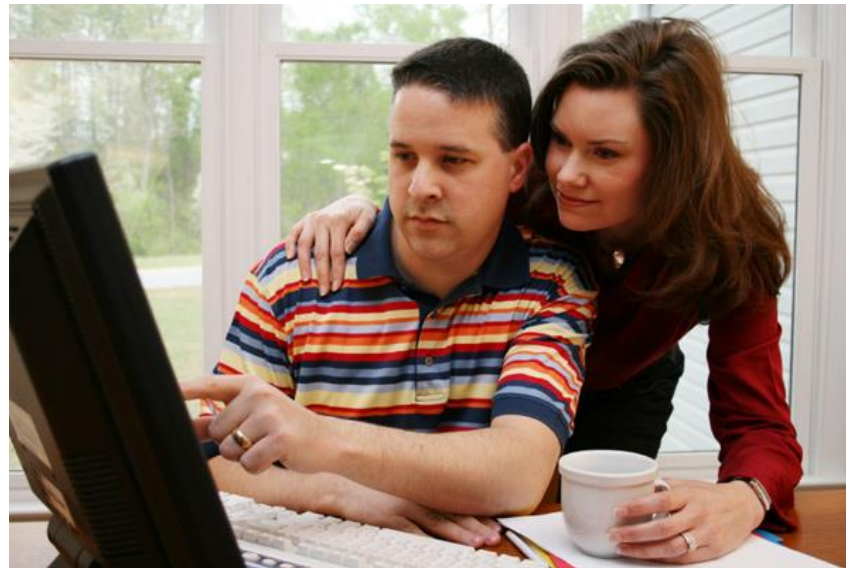
Medical Team Role

- Provide medical letter with recommendations
- Update letters annually and as needed
- Liaison with school nurse or health clerk



Parent Role

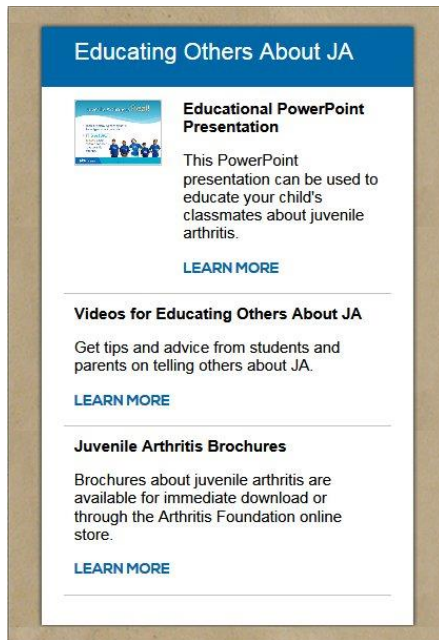
- Initiate plan by writing letter to school administration
- Request a meeting to start the process



Parent Role

Educate others about JA

KGAT.org Resources



Educating Others About JA

Educational PowerPoint Presentation

This PowerPoint presentation can be used to educate your child's classmates about juvenile arthritis.

[LEARN MORE](#)

Videos for Educating Others About JA

Get tips and advice from students and parents on telling others about JA.

[LEARN MORE](#)

Juvenile Arthritis Brochures

Brochures about juvenile arthritis are available for immediate download or through the Arthritis Foundation online store.

[LEARN MORE](#)

JA Presentation



Juvenile Arthritis is Real!

- There are many types of arthritis. Some types affect only kids.
- **IT'S A FACT!**
300,000 babies, children and teens have juvenile arthritis.

Kids **Arthritis**

Teacher's Guide to JA



arthritis.org

**Juvenile Arthritis:
A Teacher's Guide**

How you can help your student succeed

Arthritis Foundation

Parent Role

Communicate with teachers.



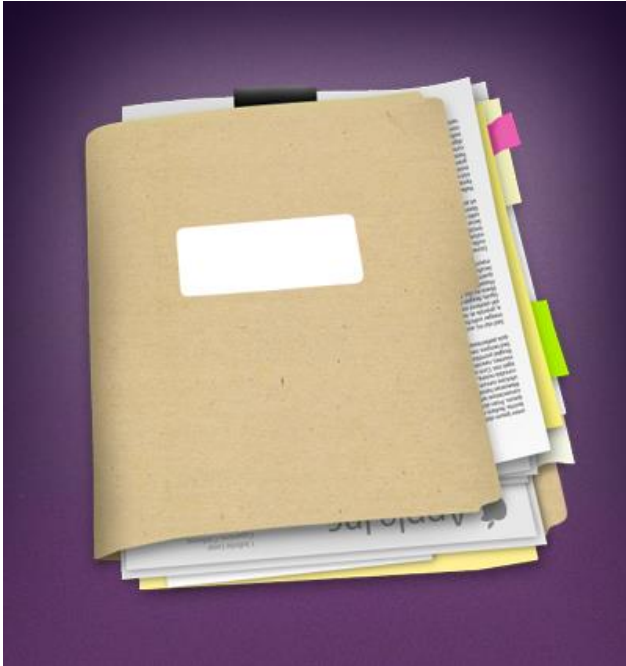
The more, the better.

School Role

- Schedule initial meeting (after parent request)
- Involve relevant parties
- Implementing accommodations



School Role



Maintain list of accommodations in student's cumulative folder ("cume folder")

As Time Goes on

- Monitoring during current school year
- Transition to next school year



Being an Effective Advocate for Your Child



Working With Teachers and Administrators



Good Advice

- Don't make demands.
- Be careful of tone.
- Get involved (PTA, room parent, committees).
- Encourage collaboration.
- Follow chain of command.



Teaching Your Child Self-Advocacy & Self-Determination Skills



Self-Advocacy Videos

Giving Your Child the Tools to be a Self Advocate at School



Getting High School and College Students to be Self-advocates

When Kids Just Want to Fit in at School



KGAT.org



Resources



Kids Get Arthritis, Too

Educational Rights Toolkit



kgat.org

- Getting Started (including videos)
- Glossary, forms, sample letters, templates
- Educating Others (PPT, video, brochures)
- Homebound: Hospital or home instruction
- Plan development, process and tips (including videos)
- *Plus links to more resources*

Questions ?



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high school English teacher, principal, district

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Thank You!
to the parents
and
to our expert panel

