

**ADVOCATING FOR
CHILDREN WITH
DISABILITIES**

**LAUREN FETSKO, DO
PEDIATRIC REHABILITATION**



Tyler Feder/Ten Speed Press

CASE



- 7 year old male, John comes to your clinic to establish care over the summer.
- He experienced a spontaneous intraventricular hemorrhage end of the school year related to a right sided brain arteriovenous malformation (AVM). He underwent urgent craniectomy and resection of the AVM. He did a course of inpatient rehab. He was discharged home after school was out for the year.
- Since then, family has moved to Madison.
- He is not currently in any therapy.

JOHN'S CURRENT FUNCTION

- John can walk short distances with a left ankle foot orthosis (AFO). He is unable to climb stairs. He tires easily with activity, and family has been using a transport wheelchair at times to get him from place to place in the community.
- John has left sided weakness and has difficulty using his hands for bimanual tasks. He is right handed, but does have difficulty writing related to his left sided weakness.
- He is having difficulty with intermittent bladder and bowel incontinence and is using diapers due to these accidents. He can tell when he needs to use the restroom at times. He also needs help with clothing when toileting.
- John does have difficulties with short term memory, and sometimes has difficulty finding the words needed to express himself. He takes more time to think through tasks or when he is reading.
- John's left arm and leg have been very tight since his accident.




JOHN'S PARENTS HAVE SOME QUESTIONS


- They have concerns with starting school and finding supports in the area. What can you do to reassure John's family about the upcoming school year?
- What other ways can you support John's recovery and transition to school?
- What other members can be part of his care team?



SOME LAWS RELATED TO EDUCATION

- Individuals with Disabilities Act (IDEA) – passed in 1975, overseen by the U.S. Department of Education
 - Authorizes early intervention services for infants and toddlers with disabilities and developmental delay
 - Special education and related services for school aged children with disabilities
 - Other key components to IDEA
 - Free and appropriate education (FAPE)
 - Identification and evaluation
 - Individualized education programs
 - Least restrictive environment
 - Due process safeguards
 - Parent and student participation and shared-decision making
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SOME LAWS RELATED TO EDUCATION

- Section 504 of the Rehabilitation Act of 1973
 - Prohibits discrimination against a person of any age with a disability, in any federally funded program or activity.
 - Includes all levels of education, including colleges and universities
 - Requires the provision of an FAPE in the least restrictive environment for all children with disabilities attending public schools
 - Requires reasonable accommodations for younger children in child care settings, older youth in college, or for other public accommodations
 - Extends to any private school that accepts any federal funds
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	Individualized Education Plan (IEP)	504 Plan
Related Law	From IDEA	From Rehabilitation Act
Qualification	One of 13 listed disabilities which affect educational performance	A physical or mental impairment that substantially limits ≥ 1 of the major life activities of such individual and interferes with education.
Age group covered	3-21	All ages, extends to college
Documentation	Requires formal plan	No written plan required
Governing Body	Department of Education	Office for Civil Rights
Examples of accommodations	Transportation, therapies, psychology, therapeutic recreation, social work, counseling	Extra time, alternative formats, reduced volume, technology/aide use

DISABILITY CATEGORIES INCLUDED IN IEP

Autism	Blind and Visually Impaired	Deaf and Hard of Hearing	Deafblind	Emotional Behavioral Disability
Intellectual Disability	Orthopedically Impaired	Other Health Impairment	Significant Developmental Delay	Specific Learning Disability
	Speech or Language Impairment	Traumatic Brain injury	Multiple Disabilities	

HOW TO REQUEST AN IEP

- The parent or guardian of the student, reaches out to the school to request an evaluation from the local school district
- The school district will evaluate the student and determine the needs of the child: evaluate for accommodations, modifications and supports
- Within 30 days after being determined eligible, the IEP team must meet to create an IEP for the child
- School will then schedule an IEP meeting with the family and writes the IEP
- The IEP is implemented and reviewed annually
- Every 3 years the child will be reevaluated to determine if they continue to qualify for IEP services



SO WHAT ABOUT JOHN?

- Since John has difficulty with his mobility, tasks he would need to do in class, speech and other concerns he would likely benefit from an Individualized Education Plan (IEP).
- You discuss with the family that they should request an evaluation for John for an IEP.
- While you are at it, you refer him to a pediatric rehabilitation specialist who can provide additional resources to support John in his daily life. 😊

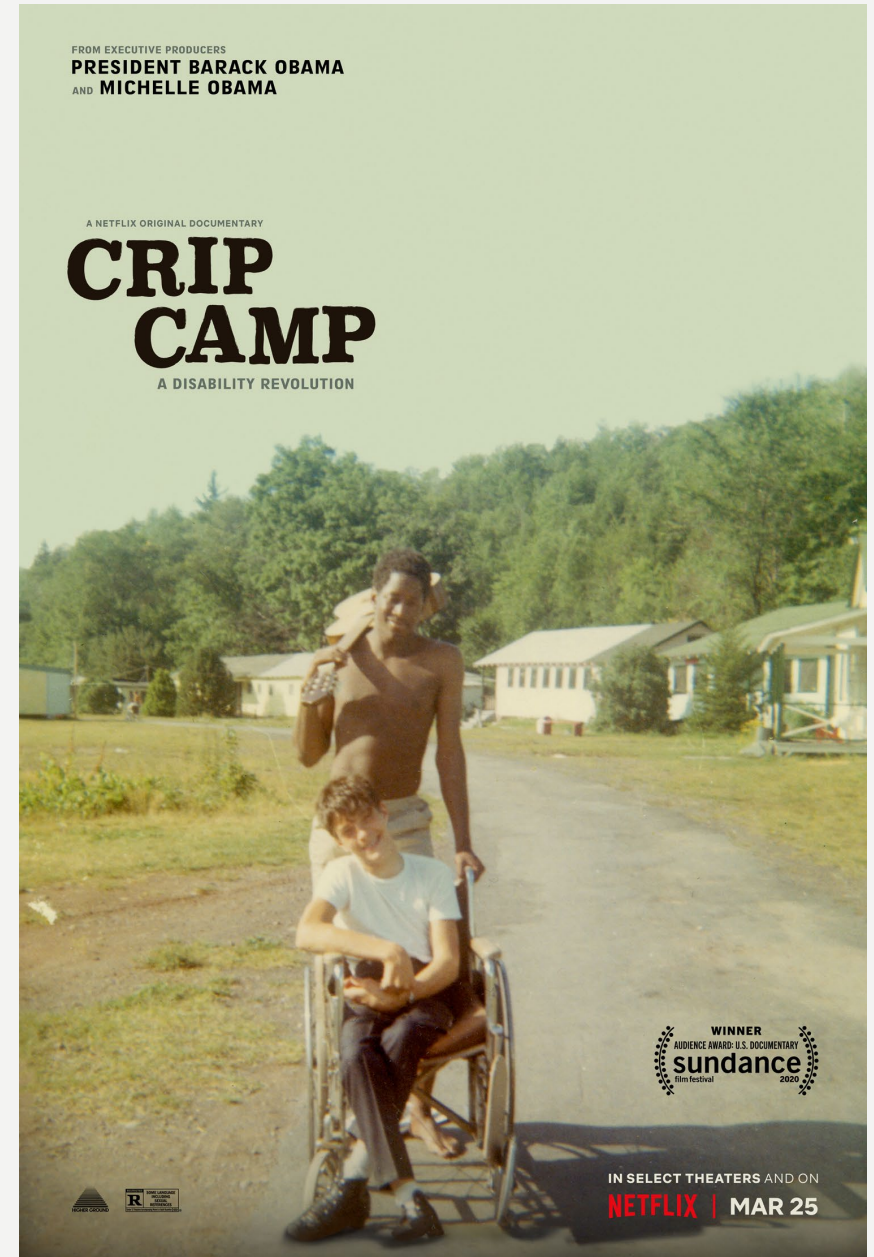


RESOURCES/REFERENCES

- Resource for families: Healthychildren.org <https://www.healthychildren.org/English/health-issues/conditions/developmental-disabilities/Pages/Individualized-Education-Program.aspx>
- Southern Regional Center: <https://cyshcn.waisman.wisc.edu/school-and-special-education/>
- A Guide to the Individualized Education Program, U.S. Department of Education
 - <https://www2.ed.gov/parents/needs/speced/iepguide/index.html>
- AAP Resources
 - **School-aged Children Who Are Not Progressing Academically: Considerations for Pediatricians,** <https://publications.aap.org/pediatrics/article/144/4/e20192520/38485/School-aged-Children-Who-Are-Not-Progressing>
 - **The Individuals With Disabilities Education Act (IDEA) for Children With Special Educational Needs** <https://publications.aap.org/pediatrics/article/136/6/e1650/33895/The-Individuals-With-Disabilities-Education-Act>
 - **Providing a Primary Care Medical Home for Children and Youth With Cerebral Palsy** <https://publications.aap.org/pediatrics/article/150/6/e2022060055/190094/Providing-a-Primary-Care-Medical-Home-for-Children>

OTHER REFERENCES

- U.S. Department of Education:
<https://sites.ed.gov/idea/regs/b/a/300.8>



QUESTIONS?

