

Ocular Immunology and Uveitis Foundation

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ACCESSING SERVICES IN THE SCHOOL

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WHAT IS AN ENTITLEMENT

When considering school supports for your child with uveitis, it is important to know what is an entitlement, that is, what is the school required to provide under the law.

Is my child, diagnosed with uveitis, eligible for special supports in school as an entitlement?

Because uveitis is a chronic debilitating illness that affects vision, your child is eligible for consideration for services under IDEA, the special education law or under section 504 of the Rehabilitation Act (interpreted through the Americans with Disabilities Act, ADA).

SUPPORTS AVAILABLE FOR SCHOOL AGED CHILDREN

How do I obtain services in the school?

Talk to your child's teacher, principal, or guidance counselor to start the special education process. Some systems require that you contact the special education coordinator. Your child's teacher can tell you the process that your school uses.

What does the school have to do?

Once the school receives a written request from you, they must initiate the special education process.

You have to establish eligibility by documentation of impairment (health or visual). This can be through a letter from your physician.

Eligibility can be under the categories of:

1. Other health impairment: having limited strength, vitality or alertness including a heightened sense of alertness to environmental stimuli that results in limited alertness with respect to the educational environment that is due to chronic Or acute health problems and adversely affects the child's educational performance or
2. Visual impairment including blindness: an impairment in vision that, even with correction, adversely affects a child's educational performance. The terms include both partial sight and blindness. US 34 § CFR 300.7
3. Testing is done to show that the impairment is interfering with school performance. Testing is provided free of charge by the school or you can bring in your own private educational assessments.

What if my child's condition does not interfere with school performance?

All children with a special education disability must be considered for eligibility under section 504 of the Rehabilitation Act even if the impairment does not impact school performance. Children may also be eligible for consideration even if they do not have a special education diagnosis.

1. Section 504 has a broader definition for disability:
2. Having a mental or physical impairment that substantially limits one or more major life activities: caring for self, walking, seeing, speaking, learning, performing manual tasks, hearing, breathing, and working.

What happens next?

The school team will meet with the family to develop an *Individual Education Plan* (IEP). The IEP outlines your child's strengths and weaknesses, the academic goals and objectives that your child needs help to achieve, the personnel required to help the child make progress and any accommodations that the child may need to support participation in school.

The IEP is a legal document, enforceable by law, that is enacted with your consent.

If your child is eligible under Section 504 rather than special education, a *Section 504 Accommodation Plan* is written. This document states how your child's impairment interferes with school performance or access and states the reasonable accommodations that will enable school participation. This is also a legal document enacted with your consent.

What kind of support can we ask for?

You can ask for any reasonable supports that will enable your child to have a successful school experience. Examples include:

1. Specialized services such as therapeutic intervention or consultation by an educational specialist, vision specialist, or occupational therapist.
2. Nursing, but not physician, support such as dispensing of medication. This must be provided by qualified personnel.
3. Accommodations such as providing changes in the length or type of assignment. Examples include: frequent visual breaks, extended deadlines, shortened assignments or alternate modalities such as using dictation or books on tape.
4. Assistive technology, special paper, slant boards, lighting, computer hardware, software, or adaptations.
5. Preferential seating, having personal copies of visual materials in a form that the student can access such as enlarged print.
6. Having permission and a place to go if the student needs to lie down during the day.
7. If student must miss school on a regular basis, alternate assignments can be given so that the child does not fall behind.
8. Children can not be excluded from activities due to their condition. The school must provide reasonable supports to enable the child to participate in all activities including field trips.
9. If child is out for an extended period, more than 3 weeks, for medical reasons alternate learning experiences must be provided.
10. Similar accommodations for state standardized testing.

Do I have to pay for these services?

No, all services are provided by the school at no cost to you by law.

What if the school does not agree to my child's eligibility or need for services?

You can go into mediation or file a grievance with the state special education regulatory board.

What about services for siblings?

There are no government sponsored entitlements to support the needs of siblings in school.

What if my child is in private school or is home schooled?

If your child's school does not receive federal funds, they are not required to provide accommodations under section 504. Your child may be eligible for special education services (e.g. vision specialist or assistive technology) from your local public school.

SUPPORTS AVAILABLE FOR PRESCHOOLERS

Can children under kindergarten age receive services?

Yes, children aged 3 to 5 are eligible for special education or section 504 supports under the same law as school-aged children.

How are these services different?

Each state has different criteria for their interpretation of eligibility and how services are administered for children aged 3 to 5. Children are eligible for consideration due to their medical diagnosis under other health impairment or visual impairment. They can receive services if they are shown to have a delay or if the impairment is interfering with or has the potential to interfere with preschool performance. The focus is on supporting pre-school participation or prevention of delays.

Where are services provided?

Services are usually provided in the child's preschool, in the public school, or in another public location determined by the school and the family.

How do I find out about these services?

Contact your local public school.

SUPPORTS AVAILABLE IN EARLY INTERVENTION

Can children under age three receive services?

Yes, visual impairments can put child at risk for developmental delay. All children with a chronic illness such as uveitis or a visual impairment are eligible for referral to early intervention. Some states automatically include children with visual impairments in early intervention programs.

The purpose of early intervention services is to support the family and facilitate the child's development. Services includes family support, child interventions, and assistive technology.

What happens after the referral?

Your child will receive evaluations in the areas of cognitive, physical, communication, social or emotional, and adaptive (self care) development.

1. If you child is found to have delays or be at risk for delays, an individual family service plan (IFSP) will be developed with you.
2. The IFSP will indicate what services are needed to help your child and will include family support. The early intervention program is also required to consider the child's assistive technology needs.
3. Where are services provided?
4. Services may be provided at your home, the child's pre-school, or in other places where young children are found (e.g. parks, library).

Can anyone can ask for a referral and get a free evaluation?

Yes, family members, physicians, or other professionals can refer your child for early intervention services.

What does this service cost?

Early intervention services are free to families, including assistive technology devices, although your insurance may be billed.

How do I find out about early intervention services where I live?

Call you local Early Intervention Program. Services are administered through different agencies in different states such as the department of education or the department of public health. Check with your local government or your state website.

SUPPORTS AVAILABLE IN COLLEGE

What happens in college?

Students are no longer eligible for services under special education but can get reasonable accommodations under the Americans with Disabilities Act (ADA).

What do reasonable accommodations mean?

The student meets with university officials to negotiate for supports that would enable a successful college experience. Students can negotiate with their instructors to get extended time on tests to allow for breaks or extensions on assignments if needed. They can receive access to note takers, assistive technology (e.g. special computer screens or programs), or other help accessing visual material. Students can also negotiate for appropriate spaces to accommodate visual needs such alternate dormitory rooms or classrooms. If students experience episodic difficulties, they can have plans put in place so they would not be penalized for having to miss class or assignments.

How do we access these services?

The student must provide documentation to the college accommodations office or office of equal opportunity. Usually a letter from the physician indicating that the medical condition interferes with academic function or school access will suffice. The documentation must indicate the type of accommodations that are required for the student to have equal access to all school activities both academic and extracurricular as well as all environments. The accommodations office will indicate the procedures that the individual college uses.

What do the services cost?

Student must obtain documentation for the need for accommodations through their own funding. The college will cover the cost of the accommodations. These services will be free to the student.

Will my child be penalized for using these services?

No, the accommodations are not included in the student's transcripts. The specifics of the student's status are kept confidential in the accommodations office. Appropriate faculty and staff are only informed of the accommodations that they are required to provide. The student can not be excluded from academic or related choices based upon the need for accommodations.

REFERENCES AND ADDITIONAL READING

1. Anderson, W. Chitwood, S., & Hayden, D. (1997). Negotiating the Special Education Maze: A Guide for Parents and Teachers. Bethesda, MD: Woodbine House. ISBN# 0-933149-72-7. (800) 43-7323
2. Crane, P., Cuthbertson, D., Ferrell, K. A., & Scherb, H. Equals in Partnership: Basic Rights for Families of Children with Blindness or Visual Impairment. Watertown, MA.: National Association for Parents of the Visually Impaired. (617) 972-7441 or (800) 562-6265
3. Gordon, M. & Keiser, S. (Eds). (2000). Accommodations in Higher Education Under the Americans with Disabilities Act (ADA): A No-Nonsense Guide for Clinicians, Educators, Administrators, and Lawyers. New York: Guilford Press. ISBN# 1-57230-323-9. (800) 365-7006.
4. Holbrook, M. C. (1996). Children with Visual Impairments: A Parents' Guide. Bethesda, MD: Woodbine House. ISBN# 0-933149-36-0. (800) 843-7323.
5. Siegal, L. M. (2000). The Complete IEP Guide: How to Advocate for Your Special Ed Child (2nd Edition). Berkeley, CA: NOLO ISBN# 0-87337-607-2. (800) 728-3555 or www.NOLO.com

Reprinted August 2005