

**TESH: Telehealth Education for School Health  
presents:**

***The Role of the School Nurse in Special  
Education***

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**Objectives**

1. Discuss the basic right and responsibilities of IDEA: Schools, Parents and Families, State Department of Education
2. Describe the Individualized Education Plan
3. Compare IDEA and Section 504
4. Describe the role of the school nurse on the IEP team and in developing the IHP

**Rule and Regulations**

IDEA 2004  
Federal Guidance

Rule 51  
State Guidance  
Verification Process

**Child Find**

- Nebraska Child Find provides information to parents, school personnel and service providers on child development and special education from children from birth( or date of diagnosis) to age 21.
- Childfind also helps access information on right and resources to help them advocate for an appropriate education for their child.

**Verification Process- Identification**

- Student Assistance Team ( SAT) or comparable Problem Solving Team
- For a school age child a general education student assistance team or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluations
- The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education

**Verification Process- Identification**

- If the child's assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed.
- A referral shall include information from the SAT or comparable problem solving team and a listing of the members of the SAT or comparable problem solving team.

#### Verification Process- Evaluation

- Evaluation and other assessment materials used to evaluate a child:
  - Are selected and administered so as not to be discriminatory on a racial or cultural basis; and
  - Are provided and administered in the child's native language or other mode of communication and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is not feasible to provide or administer;

#### Verification Process- Evaluation

- For infants and toddlers, test and other evaluation materials and procedures are administered in the native language of the parent or other mode of communication, unless it is clearly not feasible to do so.
- Are used for purposes for which the evaluations, assessments, or measures are valid and reliable.

#### Verification Process- Determination

- A variety of assessment tools and strategies are used to gather relevant functional performance, developmental and academic achievement information about the child, including information provided by the parents and information related to enabling the child to be involved in and progress in the general education curriculum( or for a preschool child to participate in appropriate activities) that may assist in determining:
- Whether the child is a child with a disability ; and the child's educational needs and content of the child's IEP/ IFSP

#### Verification Process

- Tests are selected and administered so as best to ensure that if a test administered to a child with impaired sensory, manual or speaking skills, the test results accurately reflect the child's aptitude or achievement level or other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills ( unless those skills are the factors that the test purports to measure.)

#### Verification Process

- No single measure or evaluation tools is used as the sole criterion for determining whether the child is a child with a disability and for determining an appropriate Individualized Family Service Plan ( IFSP) or an Individualized Education Program (IEP) for the child.

#### Definition of Child with a Disability

- 003.10 *Child with a disability means a child who has been verified as per Section 006 as a child with autism, a behavior disorder, deaf-blindness, a developmental delay, a hearing impairment including deafness, a mental handicap, multiple impairments, an orthopedic impairment, an other health impairment, a specific learning disability, a speech-language impairment, a traumatic brain injury or a visual impairment including blindness, who because of this impairment needs special education and related services.*

- *If, under 92 NAC 51- 003.63, it is determined, through an appropriate evaluation under Section 006, that a child has one of the disabilities identified above, but only needs a related service and not special education, the child is not a child with a disability under this Chapter. If the related service required by the child is considered special education rather than a related service, the child would be determined to be a child with a disability.*

#### 504 Plans

- Section 504 is the part of the Vocational Rehabilitation Act of 1973 that applies to individual with disabilities. It is a law that protects the civil rights of persons with disabilities. Section 504 is a nondiscrimination law, prohibiting discrimination based solely on a person's disability. Section 504 is a possible service option for children with disabilities especially when other special education services are not required.

#### 504 Plans, cont.

- Many students eligible for Section 504 accommodations have special health care needs; conditions could include asthma, Tourettes syndrome, attention deficit disorder (ADD) heart malfunctions, communicable diseases, urinary conditions, blood disorders, chronic fatigue syndrome, school phobia, respiratory conditions, epilepsy, cancer, birth defects, or tuberculosis. Other students may be eligible for Section 504 accommodations because of a physical disability or a sensory disability such as a vision or hearing impairment.

#### 504 Plans, cont

- It must be emphasized that Section 504 falls under the management responsibility of the general education program. An appropriate education for students eligible under Section 504 usually consists of education in general classes with accommodations and programs designed to meet their unique needs. The school staff and parents need to work in collaboration to help guarantee that the student is provided with the necessary accommodations.

#### Back to IDEA and Individualized Education Plan ( IEP)

- Purpose
- Members
- Frequency
- Parents
- Health

#### Purpose

- The IEP is defined as a written statement for each child with a disability that describes that student's educational program and is developed, reviewed, and revised in accordance with IDEA. Each IEP is a vital document, for it spells out, among other things, the special education and related service each student will receive.

### IEP Basics

- The IEP model is based on the following foundations:
- The IEP is a process and product which documents that the student is receiving a Free Appropriate Public Education (FAPE) consistent with all federal and state requirements;
- The IEP reflects the student's and the family's vision for the future;
- To the maximum extent appropriate, students requiring special education services are educated with individual who do not require special education;

### IEP Basics

- IEP development is a collaborative process;
- The IEP Team develops a student's IEP based on the student's involvement and progress in the general curriculum; and
- The IEP process involves on-going process monitoring and decision- making. Decision- making is solution-focused, based on the student's needs and used to improve student results.

### Members of the IEP Team

- The parent of the child with a disability
- As least one regular education teacher of such child ( if child is or may be, participating in the regular education environment);
- At least one special education teacher or if appropriate, at least one special education provider of the child;
- A representative of the LEA

### Members of the IEP Team, cont.

- An individual who can interpret the instructional implications of evaluation results
- At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
- Whenever appropriate, the child with a disability.

### Frequency

- A review and, if necessary, a revision of this IEP is completed at least once every 12 months to ensure that the student experiences educational benefit. The IEP meeting allows the IEP team to examine the progress the student has achieved and determine the student's needs for the next year.

### Parents

- The parents of a child with a disability are equal participants along with school personnel, in developing, reviewing, and revising the IEP for their child. This is an active role in which the parents provide critical information about their child's abilities, interests, performance and history.

### Parents

- Parents also participate in the discussion about their child's need for special education and related services and supplementary aids and services, and join with the other participants in deciding how their child will be involved and progress in the general education curriculum.

### Special Education and Health Issues

- How does IDEA describe students with health issues and the health service they require?
- Other Health Impaired
- Related Services

### Other Health Impaired

- To qualify for special education services in the category or other health impairment, the child must have limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems which adversely affects the child's educational, or in the case of a child below age five, a child's developmental performance such as : asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, Tourette syndrome.

### Related Services

- Means transportation and such developmental, corrective and other supportive services are required to assist a child with a disability to benefit from special education and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also includes school health services and school nurse services, social work services in schools and parent counseling and training.

### The Role of the School Nurse on the Multidisciplinary Team

- When the team first begins to meet, one of the first questions to ask is about the availability of screening results, medication use, and other health matter already know to the school.
- The team is responsibility for identifying any conditions which, if remediated, might affect the child's need for special education services. Examples: uncontrolled asthma leading to absenteeism, falling asleep in class; domestic upheaval at home.
- The request for screening results and basic health information should be made in writing to the school nurse.

### The Role of the School Nurse on the Multidisciplinary Team

- As evaluation proceeds, the school will be responsible for demonstrating an understanding of the impact of the health condition and the needs for care during the school day.
  - Schools nurse as health professional consultant
  - School nurse role in developing the individualized health care plan
  - School nurse role in direct care
  - School nurse role in making delegation decision
  - School nurse role in determining competency of unlicensed personnel to provide care.

### The Role of the School Nurse on the Multidisciplinary Team

- Unique contributions of the school nurse
  - Develop goals for self-sufficiency and self-management
  - Understand the psycho-social and developmental impacts of a chronic health condition on the child
  - Describe in specific terms the responsibilities and expectations of school personnel in meeting the child's health care needs
  - Provide the tools and information for substitutes; adapt plans for special settings ( field trips)
  - Advocacy
  - Identification and utilization of community resources.

### Health Issues within the IEP

- A child verified for special education services who also presents with health issues requiring attention during the school day is entitled to have necessary health services encompassed with the IEP.
- IDEA assures that such health services shall be provided by qualified personnel.
  - “Qualified” refers to scope and regulations governing practice as found in state law
  - Physician attendance is outside the scope of IDEA, however, qualified nursing personnel are included.

### Health Issues within the IEP

- The determination of whether the student's health and safety needs can be met by unlicensed personnel is subject to state law and regulations governing delegation.
  - In Nebraska, only the registered Nurse is qualified to make the delegation decision.

### The Individualized Health Care Plan

- Written for a broad audience: the multidisciplinary team
- Key elements to identify in the IEP
  - Hours of care required during the school day
  - Qualified/ designated personnel
  - Location of the IHP
  - That an IHP exists and date last modified.
- The IHP
  - Is updated whenever necessary
  - Uses language appropriate for the broad audience
  - Can be “sectioned” as needed- e.g. emergency info to take on field trips

### The Role of the Department of Education

- Office of Special Education 402-471-2471
- Staff has ESU area assignments to cover ILCD ( Improving Learning for Children with Disabilities) and parent or district concerns.
- Staff also has various other areas of expertise

### Resources

- <http://www.education.ne.gov/sped/index.html>
- [http://www.education.ne.gov/legal/webrulespdf/CLEAN51\\_2010.pdf](http://www.education.ne.gov/legal/webrulespdf/CLEAN51_2010.pdf)
- <http://www.childfind.ne.gov/>
- <http://www.education.ne.gov/sped/technicalassist/IEP%20DOCUMENT.pdf>

## Resources cont.

- <http://www.education.ne.gov/sped/technicalassist/verificationguidelines.pdf>
- <http://www.cpdusu.org/projects/iotifamilies/>
- <http://idea.ed.gov> to find and read IDEA 2004
- <http://www.rfccnetwork.org/mprrc>

## Resources for IHPs

- <http://www.dhhs.ne.gov/SchoolHealth/IHPOutline50908.pdf>
- Silkworth, CK, MJ Arnold, JF Harrigan, and DS Zaiger. Individualized Health Plans for the School Nurse. Sunrise River Press: North Branch MN. 2005.
- Lewis, KD and BJ Bear. Manual of School Health, 3<sup>rd</sup> ed. Saunders-Elsevier: St. Louis. 2009.
- Your state school nurse consultant: Carol Tucker, RN [carol.tucker@nebraska.gov](mailto:carol.tucker@nebraska.gov) 402-471-1373
- School Nurse Colleagues, via listservs, websites, and conferences

## Discussion Questions:

- What are strategies the school nurse can use to become a valuable member of the special education team?
- How does the school approach planning for a child with complex medical needs if there is no school nurse?

## Thank You!

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