

# Students with Special Health Care Needs

Lexington County School District One's goal is to help each student succeed in school. Some students have health needs that must be taken care of during the school day. Many health care services can be provided to students at school, which helps students stay in school.

Sections 59-63-80 and 59-63-90 of the 1976 Code of Laws of South Carolina, amended May 26, 2005, require school districts to let parents/legal guardians know about the rights that students with special health care needs may have if they qualify for services related to Section 504 of the Rehabilitation Act of 1973 (Section 504), the Individuals with Disabilities Education Act and/or medical homebound regulations. The law also requires individual health care plans for students with special health care needs.

## Individual Health Care Plans

Section 59-63-80 of the Code of Laws of South Carolina requires school districts to adopt a policy that students with special health care needs have individual health care plans. The law also requires school districts to adopt a policy for authorizing a student to self-monitor and self-administer medication as prescribed by the student's health care provider unless there is sufficient evidence that unsupervised self-monitoring or self-medicating would seriously jeopardize the safety of the student or others. The requirement regarding self-monitoring and self-administration of medication does not mean that all students must self-monitor and/or self-administer their medications, but gives that option to students who meet the requirements of their school district's policy and whose parents want them to self-monitor or self-administer medication.

Individual health care plans are plans written by a registered nurse for meeting the health monitoring and care needs of a specific student during the school day or at school-sponsored functions. The nurse works with the student and the student's parent/guardian, health care providers and teachers to write an individual health care plan that will meet the student's special health care needs. Individual health care plans should be written for students who have health conditions who are medically fragile, require complicated or lengthy health procedures during the school day, who require several contacts with the nurse or health assistant during the school day, who have conditions that may require emergency care, who have medications or treatments ordered for greater than 14 consecutive days, or who have been granted permission to self-medicate and/or self-monitor in accordance with the local school board's policy.

For more information about individual health care plans, talk with your child's school nurse or the district's Nursing and Health Services Director Amy Wood.

## Section 504 of the Rehabilitation Act of 1973

Section 504 protects the rights of individuals with disabilities that substantially limit one or more major life activities to take part in programs and services supported by federal funds.

Schools that get federal funding must provide a free and appropriate public education in the least restrictive environment to students with physical and mental health impairments who qualify under Section 504. A team of individuals who know about the student's needs decides if a student is eligible for services under Section 504. The team usually includes a parent/guardian, the student (if able), a teacher, a principal, a school nurse, a school counselor, a school psychologist and other school staff. If the student is eligible, the team then develops an individual accommodation plan. The purpose of the individual accommodation plan is to ensure that students with disabilities have educational opportunities equal to those provided to students who do not have disabilities. Section 504 is administered through the United States Department of Education Office for Civil Rights.

You can find more information about Section 504 on the internet at <http://www.ed.gov/print/about/offices/list/ocr/504faq.html>, by calling the Office for Civil Rights at 1-800-421-3481 or by contacting the Lexington District One 504 Coordinator Ann O’Cain (803-821-1000) or by email at [AOcain@lexington1.net](mailto:AOcain@lexington1.net).

### **Individuals with Disabilities Education Act**

IDEA provides eligible students with disabilities, who are determined to need special education and related services to benefit from their educational programs, the legal right to receive a free and appropriate public education in the least restrictive environment. Students ages 3 through 21 years may be eligible for services under IDEA if they need special education and related services to learn. Using the criteria in the State Board of Education Regulation 42-243.1, a multidisciplinary team, including the parents/legal guardians, decides if a student is eligible and identifies the health services, if any, that are necessary to enable the student to attend school, and to participate fully and safely in educational activities. The team then develops an individualized education program for the student. A diagnosed illness or special health care need alone will not qualify a student for eligibility under IDEA.

You can find more information about special education services in South Carolina on the South Carolina Department of Education website at <http://ed.sc.gov/districts-schools/special-education-services/>.

### **Medical Homebound Regulations**

Medical homebound instruction is a service that is available both for students with disabilities and nondisabled students who cannot attend school for a medical reason, even if transportation were furnished. A physician must certify that such a medical condition exists and must complete the medical homebound form that the local school district provides. The superintendent or his/her designee must then decide whether to approve the student’s participation in a program for medical homebound instruction. In making a decision about medical homebound instruction, schools should consider the severity of the student’s illness or injury, the length of time that the student will be out of school, the possibility that the student’s health care needs might be met at school, and the impact that a long period away from school will have on the student’s academic success. You can find more information about medical homebound services on the South Carolina Department of Education’s website at <http://ed.sc.gov/scdoe/assets/File/MedicalHomeboundInstruction2013.pdf>.

If you think that your student has a special health care need, please contact the nurse at the school your student attends.

### **Notice of Destruction of Educational Special Education Records**

Special education records for each child with a disability are maintained by Lexington County School District One until such are no longer needed in order to provide educational services to the child.

This notice is to inform you that the special education records for your child will be destroyed after five (5) years following program completion, graduation from high school or exit from the district, unless the student (or the student’s parent/guardian) has taken possession of the records prior to that time.