

Chapter 14: Information on the Rights of Students with Significant Health Conditions

- (14.1) My child has a serious illness or condition, or is recovering from an accident or surgery, that will keep him from attending school for a short time. Can he receive any special services to help him stay current with his education?
- (14.2) Do the Americans with Disabilities Act (ADA) and the Rehabilitation Act (Section 504) also protect my child if she has a condition that is temporary, episodic or in remission?
- (14.3) Who is responsible for providing individual instruction to my child while he is at home or is temporarily hospitalized?
- (14.4) How can I ensure that my child, who is hospitalized in another school district, receives his needed educational services during his hospitalization?
- (14.5) If my child is not eligible for special education or Section 504, how much individual instruction will he receive?
- (14.6) If my child is eligible for Section 504 or special education, who determines how much instruction and services are provided at home or in the hospital?
- (14.7) Who qualifies for special education under the “other health impairment (OHI)” category?
- (14.8) What if the district acknowledges my child’s health condition, but says that he does not really need specialized instruction or that he has above-average academic abilities and, therefore, is not eligible for special education?
- (14.9) What is a “home instruction” placement for a student who qualifies

for special education?

- (14.10) If my child will require accommodations or other support services once he returns to school after a long absence, must the district develop a plan in advance to provide support, services or accommodations?
- (14.11) If my child becomes eligible for special education because of his health condition, will this affect his ability to go to college?
- (14.12) Because of absences or learning problems associated with his condition or treatment, the district says my child should be enrolled in basic general education courses and that it has no duty to provide accommodations in his honors or advanced placement (AP) classes. Is this true?
- (14.13) If my child receives instruction at home, can the district require that a parent be present during periods of instruction?
- (14.14) Will I have to purchase any necessary equipment, like a computer or other technology, if my child receives home instruction?
- (14.15) If my child has a communicable disease, can the district refuse to provide a home instructor or prohibit him from attending school on the basis of a risk to staff or other children?
- (14.16) My child needs to take his medication while at school. What assistance must the school provide to make sure this happens?
- (14.17) Can my child administer medications to himself without the involvement of district staff?
- (14.18) In addition to medication administration, is a special education student entitled to complex nursing or other health care services while at school at district expense?
- (14.19) In addition to medication administration, what other health care services must be provided to a student who has a Section 504 plan?

- (14.20) If my child is a special education student, when can “specialized physical health care services” be provided by someone other than a nurse?
- (14.21) Can the school district require that I pay for my child’s nursing services or use Medi-Cal in order for him to attend school?
- (14.22) Can the district insist that I use our family’s private insurance to pay for health care services that my child needs during the school day?
- (14.23) What must a school district tell you when it asks for consent to use your child’s Medi-Cal benefits or private health insurance to pay for a special education related service?
- (14.24) If I consent to the district using my child’s Medi-Cal or private insurance to pay for a special education related service, can I revoke consent?
- (14.25) If the district’s only nurse is stationed at a certain school site, must my child be bused to that school?
- (14.26) Can the school district agree to provide my child with a person to perform needed health care services only during school hours, but not for after-school activities or while being transported?
- (14.27) If the person who provides my child’s health care services is absent, does my child have to miss a day of school?
- (14.28) My child needs access to a marijuana-based product for medical reasons. Can she have it at school?
- (14.29) In addition to instruction and related services, are there other specialized services available for a child who has an IEP due to a chronic illness or an acute health problems?