“Lock in” Your Team: The Role of the School Nurse in Special Education

2009 National Alliance for Medicaid in Education
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Derby
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“Lock In”: To Occupy the Optimum Position on the Wave; To Maximize a Ride.
“Lock In” To Occupy the positions on the IEP Team with a School Nurse; to Maximize Student Outcomes for children in special education
Objectives

• Define school nursing role

• Outline the federal regulations and rules that apply to nursing in special education

• Provide guidelines for the school nurse to surf your way through the special education process

• List two strategies to promote the nursing role in the special education process
Definition of School Nursing

• "School nursing is a specialized practice of professional nursing that advances the well being, academic success, and life-long achievement of students. (National Association of School Nurses)"
School Nurses Role

- Intervene with actual and potential health problems
- Provide case management services for children with chronic health conditions
- Collaborate with others to promote the health and well being of students
- Provide a safety net for fragile children
- Assist with eliminating health related barriers to learning
Personnel Qualifications for Special Education and Related Service Providers (34C.F.R.300.156)

• **Maintain qualifications** to ensure that personnel are appropriately and adequately prepared and trained.

• **Personnel must have the content knowledge and skills** to serve children with disabilities.
Personnel Qualifications for Special Education and Related Service Providers (34C.F.R.300.156)

• Qualifications are consistent with any State approved or State recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline.

• State must adopt a policy that includes a requirement that measurable steps are taken to recruit, hire, train and retain highly qualified personnel to provide special education and related services.
Minnesota Licensed School Nurse
MinnRule8710.6100

- Rules of MN Board of Teaching
- Baccalaureate Degree in Nursing
- Currently Registered in Minnesota to Practice as a Registered Nurse – MN Board of Nursing
- Currently Registered as a Public Health Nurse – MN Board of Nursing
School Nursing Services definition under Special Education

- School nursing services means health services that are designed to enable a child with a disability to receive Free Appropriate Public Education (FAPE). (34 C.F.R. 300.34)

- A child who needs school nursing services in order to receive FAPE must be provided such services, as indicated in the child’s IEP. (August 14, 2006, Federal Register/Vol. 71, No. 156).
Definition of Individualized Education Program (IEP)

- Means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with Individuals with Disabilities Education Act.
Individualized Education Program (IEP) Team (34 C.F.R. 300.23)

• Means a group of individuals

• That is responsible for developing, reviewing, or revising an IEP/IFSP for a child with a disability.

• Members of the team include:
IEP Team Members (34 C.F.R. 300.321)

- Parents
- Regular education teacher*
- Special education teacher of the child*
- Representative of the public agency*
IEP Team Members (34 C.F.R. 300.321)

- Individual who can interpret the instructional implication of evaluation results*

- Other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate

- Child with a disability

- Transition services participants
IEP Team Attendance  
(34C.F.R.300.321)

- Regular education teacher*
- Special education teacher of the child*
- Representative of the public agency*
- Individual who can interpret the instructional implication of evaluation results*
Excusal of IEP Team Attendance
(34C.F.R.300.321)

• The IEP team members on the previous slide are not required to attend an IEP Team meeting, in whole or in part, if the parent of a child with a disability and the public agency agree, in writing, that the attendance of the member is not necessary because the member’s area of curriculum or related services is not being modified or discussed in the meeting.

  • Must agree in writing
Excusal of IEP Team Attendance

(34 C.F.R. 300.321)

If the IEP Team Meeting does involve a modification to or discussion of the member’s area of the curriculum or related services:

- If the parent, in writing, and the public agency consent to the excusal; and

- The member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

- Must agree in writing
- Must have input into the IEP
School Nursing Implication

• If there is an educationally relevant medical finding, or health condition, that is impacting the student in the educational setting, the school nurse, or other health care professionals, should have input into the IEP Team Meeting.
How Does the Nurse Get on the IEP Team

• Marketing strategies
  - Talk to your principal
  - Talk to your IEP Team
  - Special Education Parent Groups
  - Schedule yourself to be at IEP Team Meetings
    • Change your schedule to prioritize these meeting times

Obtain all meeting agendas
Education For All Handicapped Act of 1975 – P.L. 94-142

• All handicapped children must receive:
  – 3R’s (reading, writing, arithmetic) & self help skills
  – Least restrictive environment
  – Individualized Education Program – meet child’s unique needs
  – Procedural Protections (Due Process)
  – Federal financial support to states
  – Provided Free Appropriate Public Education (FAPE)
Legal Mandates in Special Education

- Education for All Handicapped Act of 1975 – P.L. 94-142

- Public Law 99-457 – includes Preschool Population from birth to five

- IDEA – Individuals with Disability Education Act
  - 20 U.S.C. Chapter 33
  - 34C.F.R.300


- State statutes and rules
Definition of a Child With a Disability

34C.F.R. 300.8 (a)(1)

Child with a disability means a child who has been evaluated in accordance with the Individuals with Disability Act (IDEA) as having:

- Mental retardation
- Hearing impairment
- Speech or language impairment
- Visual impairment
- Serious emotional disturbance
- Orthopedic impairment
- Autism
- Traumatic brain injury
- Other health impairment
- Specific learning disability
- Deaf-blindness
- Multiple disabilities

and who, by reason thereof, needs special education and related services.
If it is determined, through an appropriate evaluation that a child has one of the disabilities identified on the previous slide, but only needs a related service and not special education, the child is **not** a child with a disability.
School Nursing Implication

- School Nurse related service is not a standalone special education service.

- A child has to first qualify for special education under one of the disability areas.
Definition of Special Education

(34C.F.R.300.39)

- Any specialized designed instruction at no cost to the parents, to meet the unique needs of a child with a disability
  - Instruction in the classroom, home, or in hospitals, or institutions
  - Instruction in physical education
  - Speech and language pathology services
  - Travel training
  - Vocational education
Specially Designed Instruction
(34C.F.R.300.39)

• Means adapting, as appropriate to the needs of an eligible child from the child’s disability
• To ensure access of the child to the general curriculum
Where Does School Nursing Fit into This Process?
Definition of Related Service

34C.F.R.300.34

• Means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education.
Related Services include:

(34C.F.R. 300.34)

- Speech-language, and audiology
- Interpreting services
- Psychological services
- Physical and occupational therapy
- Recreation
- Counseling
- Orientation and mobility services
- Medical services (for diagnostic or evaluation purposes)
- School health services
- School nurse services
- Social work
- Parent counseling and training
School Health Services and School Nurse Services means: (34C.F.R.300.34)

- Health services that are designed to enable a child with a disability to receive Free Appropriate Public Education (FAPE) as described in the child’s IEP.
School Nurse Services (34C.F.R. 300.34)

- Services provided by a qualified school nurse

School Health Services

- Services provided by a qualified school nurse or other qualified person
School Nursing Implication

- The school nurse needs to know the IEP Process and how to document the services in the IEP.
- Generally, school nurses are familiar with documenting services in the pupil health record.
Nursing

- Nursing Process
  - Assessment/evaluation
  - Identify health conditions and needs
  - Develop care plan
  - Provide nursing interventions
  - Evaluations
    - Monitor progress

- Special Education Process
  - Assessment/evaluation
  - Identify health conditions and needs
  - Develop IEP, and may develop Individual Health Plan (IHP)
  - Provide nursing interventions
  - Evaluations
    - Monitor progress
How is Nursing Involvement Different in the Special Education Process as Compared to the Nursing Process

- The special education process must adhere to the special education regulations
- Educational jargon
- Team Effort – IEP Team
- Assist the team in interpreting the medical/health information and the educational impact
- The evaluation/assessment done assists the team in determining eligibility for special education, type of instruction and related service needed
- Evaluation Report – is a collective report
Special Education Process

- Districts have processes in place for special education referrals.

- Referred to the IEP Team
  - Parent
  - Regular Education Teacher
  - Special Education Teacher
  - Administrative designee
  - Interpreter
  - Other members knowledgeable or special expertise regarding the pupil
Evaluations (34C.F.R. 300.304)

- Team determines if the child needs an Evaluation
- Must be provided by trained and knowledgeable personnel
- Not be discriminatory on a racial or cultural basis
- Must be provided in the child’s native language or other mode of communication
Evaluations

• The child is evaluated in all areas related to the suspected disability, including, if appropriate: (34C.F.R.300.304)
  - Health
  - Vision
  - Hearing
  - Social and emotional status
  - General intelligence
  - Academic performance
  - Communicative status
  - Motor ability
When Does the School Nurse Provide an Evaluation in the Area of Health?

- Student has:
  - A chronic health condition – physical/mental
    - Care coordination and chronic disease management
  - Medications, home or school
    - Requires medication management
  - Specialized treatments
  - Sensory deficit
  - A complex health/medical history
Consent

- Need Consent from the parent/legal guardian for evaluations (34C.F.R.300.300)

- Need consent to proceed with providing special education and related services (34C.F.R.300.300)
Timelines for Completing Evaluation (34C.F.R.300.301)

- Evaluation must be conducted within 60 days of receiving parental consent for the evaluation.
Notice (34300.304)

- The school district must provide “Notice” to the parent/legal guardian regarding any tests or evaluation procedures that are going to be used.
Prior Notice (34C.F.R. 300.503)

- Notice must be given to the parents before the school district:
  - Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE;
  - Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE;
  - A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action
Prior Notice  

**Prior Notice**  

(34C.F.R. 300.503)

- Notice must be given to the parents before the school district:
  - Procedural safeguards
  - Sources for parents to contact to obtain assistance in understanding
  - Description of other options the IEP Team considered and the reasons why those options were rejected
  - Other factors
Form

Prior Written Notice

- Describe each evaluation procedure, test, record, or report the district used 34C.F.R. 300.503

- Example:
  - The school nurse will complete a health assessment to determine the impact on the student in their academic environment and will include:
    - Completion of the Assessment of Health and Physical Status, a review and interpretation of medical records, hearing and vision assessment, a review of school health records, parent or guardian interview, classroom observation, and attendance patterns.
Date: ________________

PRIOR WRITTEN NOTICE

Student Name: ________________________

School: ____________________________

Grade: ____________________________

DOB: ____________________________

Dear ________________________________:

You are receiving this notice because the District is proposing and/or refusing the following changes in your child’s identification, evaluation, educational placement, or provision of a free appropriate public education (FAPE) as follows:

Proposals
Description of the action(s) proposed by the district:

Refusals
Description of the action(s) refused by the district:

Explanation of why the district proposes to take the action:

Explanation of why the district refuses to take the action:

Description of each evaluation procedure, test, record, or report the district used as a basis for the proposed action:

Description of each evaluation procedure, test, record, or report the district used as a basis for refusing the requested action:
Date Form Given or Mailed (circle one) to Parent

Student: ___________________________  This form pertains to the prior written notice dated: ______________

Dear Parent(s): Please check one of the options below, sign and date this form, and return the original of this page. If your consent is sought for an evaluation or initial placement, the school cannot proceed without your written consent. For other proposed actions, if you do not return this page or otherwise respond in writing within 14 calendar days, the school will proceed as indicated in the attached Prior Written Notice. If you object to specific parts of a proposal the district will proceed with the parts you do not object to.

☐ I agree with the proposal, and I give permission to the school district to proceed.

☐ I do not agree with the entire proposal, and I do not give permission for the school to proceed.

☐ I agree with some proposals and object to the following (Specify your objections):

   ☐ If you object to a proposal, the school will contact you to offer a conciliation conference, mediation, facilitated IEP team meeting, or other alternative to a due process hearing. You (or the school) may request a due process hearing in order to resolve the disagreement.
Evaluations (34C.F.R. 300.305)

- Are administered by trained and knowledgeable personnel
- Are provided in the child’s native language or other mode of communication
- Can review existing data
Administered by Trained and Knowledgeable Personnel

- Each state needs to make a determination

- In Minnesota, the special education evaluation tool that is provided by the School Nurse is entitled the **Assessment of Health/Physical Status**

- The Department of Education determined, based on the federal regulations, that the evaluation by a school nurse must be completed by a Licensed School Nurse or a Certified Public Health Nurse.

(CFL Memo, April 8, 2003)
In Minnesota Standardized Tool for Evaluation of Health: Assessment of Health/Physical Status
Licensed School Nurse Assessment of Health / Physical Status

The following components are designed to be a guide that may be utilized in the process of completing an LSN assessment.

Student ___________________________ M □  F □  DOB: ____________________
School ___________________________ ID# __________________________ Grade _________
Parent / guardian _______________________________ Phone (H) (____)_____________
Address: __________________________________________ Phone (W) (____)_____________
________________________________________________ Cell/pager (____)_____________

I. Health History

Family health history
☐ Diabetes   ☐ Asthma   ☐ Genetic / Inherited diseases   ☐ Learning Disability   ☐ Thyroid
☐ Mental illness   ☐ ADHD   ☐ Other ______________________________

Comments: _________________________________________________________

Pregnancy / Labor / Delivery / Neonatal history (gestational age, complications, tobacco, alcohol, or chemical use)
________________________________________________________________________
Licensed School Nurse Assessment of Health/Physical Status

- Summarized and described in the Evaluation Report
Evaluation Report

- Written by the multidisciplinary team
- Collectively summarizes all evaluations
- Determination of Eligibility.
  - Determines, with parent, if student meets eligibility for a disability category in special education
### EVALUATION REPORT

<table>
<thead>
<tr>
<th>Date: ________________</th>
<th>EVALUATION REPORT</th>
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<tbody>
<tr>
<td><strong>Initial Evaluation</strong></td>
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<tr>
<td><strong>Re-evaluation</strong></td>
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<td>**FBA (functional</td>
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<td>behavioral assessment)**</td>
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<td><strong>Transition</strong></td>
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<tr>
<th><strong>Student Name:</strong></th>
<th><strong>School:</strong></th>
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**GENERAL REQUIREMENTS**

This evaluation report must include:

- A summary of all evaluation results (list the criteria of the suspected disability categories and whether the student met them);
- A statement of whether the student has a particular category of disability or, in the case of a re-evaluation, whether the student continues to have such a disability. This determination must be made by the team of qualified professionals and the parent(s). A place for this statement is included on this form;
- The student’s present levels of performance and educational needs that derive from the disability;
- A statement of whether the student needs special education and related services or, in the case of a re-evaluation, whether the student continues to need special education and related services;
- A statement of whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general curriculum;
- A description of the extent to which any testing or procedures varied from standard conditions; and
- Documentation of information obtained from all sources.

**ADDITIONAL REQUIREMENTS for SLD**

For children suspected of having a specific learning disability (SLD) this report must include in addition to the above or a statement of:

- The basis for making the determination of whether the student has a SLD, including an assurance that the determination was made in accordance with federal and state requirements;
- The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child’s disability.
Eligibility Determination and Evaluation Report (34C.F.R.300.311)

- Statement of educationally relevant medical findings

- The determination of the IEP Team concerning the effects of a visual, hearing, or motor disability; mental retardation; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child’s achievement level
Eligibility Determination and Evaluation Report (34C.F.R. 300.311)

- Strengths and weaknesses

- Each group member must certify in writing whether the report reflects the member’s conclusion. If it does not reflect the member’s conclusion, the group member must submit a separate statement presenting the member’s conclusions.
Evaluation Report: Disability Categories of Special Education (34C.F.R.300.8)

- Autism
- Deaf-blindness
- Deafness
- Emotional disturbance
- Hearing impairment
- Mental retardation
- Multiple disabilities
- Orthopedic impairment
- Other health impairment
- Specific learning disability
- Speech or language impairment
- Traumatic brain injury
- Visual Impairment
Evaluation Report: Examples of Educationally Medically Relevant Finds

• Link between the impact of the Health Condition on the child in the educational environment

• Writing this language on the Evaluation Report
Development of the Individualized Education Program (IEP) Plan
(34C.F.R.300.22)

- Individualized education program means a written statement for each student that is developed, reviewed, and revised
Development of the Individualized Education Program (IEP) (34C.F.R. 300.320)

• Statements of:
  - The child’s present levels of academic achievement and functional performance
  - Measurable annual goals, including academic and functional goals
  - A description of how the child’s progress toward meeting the annual goals will be measured; when periodic reports will be provided
  - For preschool children, as appropriate, how the disability affects the child’s participating in appropriate activities
Development of the Individualized Education Program (IEP) (34C.F.R. 300.320)

• A statement of:
  – Special education services
  – Related services
  – Supplementary aids and services
  – Individual appropriate accommodations

• Least Restrictive Environment – a statement of how the child will be educated and participate with other non-disabled children
Definition of Supplementary aids and services

- Means aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.
Development of the Individualized Education Program (IEP) (34C.F.R. 300.320)

- A projected date for the beginning of the services
• Transition Services
  - Beginning not later than the first IEP to be in effect when the child turns 16, or younger
  - A statement of post secondary measurable goals based on age appropriate transition assessments related to training, education, employment and where appropriate, independent living skills
  - Courses of study needed to assist the child in reaching those goals
Development of the Individualized Education Program (IEP) Plan

- Health Assessment for Transition Services
- Is the Student Able to:
  - Describe disability or chronic illness
  - Describe managing disability/illness in various settings
  - Name providers and insurance
  - Make appointments and arrange transportation
  - Be responsible for medications and treatments
  - Understand health habits, risk behaviors, pubertal changes
School Nursing Implication for Transition Area Related to Health Care and Independent Living Skills

• Understand health status

• Be aware of existence of medical records, diagnosis information, etc.

• Prepare questions for doctors, nurses, therapists

• Respond to questions from doctors, nurses, therapists

• Know medications and what they’re for
School Nursing Implication for Transition
Area Related to Health Care and
Independent Living Skills

- Get a prescription refilled
- Keep a calendar of doctor, dentist appointments
- Know height, weight, birth date
- Learn how to read a thermometer
School Nursing Implication for Transition Area Related to Health Care and Independent Living Skills

- Know health emergency telephone numbers
- Know medical coverage numbers
- Obtain sex education materials/birth control if indicated
- Discuss role in health maintenance
- Have genetic counseling if appropriate
- Discuss drugs and alcohol with family
School Nursing Implication for Transition Area Related to Health Care and Independent Living Skills

- Make contact with appropriate community advocacy organization
- Take care of own menstrual needs and keep a record of monthly periods
- This Health Care Skills checklist is used with permission from the Washington State Children with Special Health Care Needs Program.
- The complete Adolescent Autonomy Checklist was developed by the Washington State CSHCN
- [http://depts.washington.edu/healthtr/](http://depts.washington.edu/healthtr/)
Development of the Individualized Education Program (IEP) Plan

- School Nursing
  - Document on the IEP Form
    - Service Grid: Amount of Nursing Services Required, Frequency, Length of Service
    - Description of School Nursing Related Service needed
Development of the Individualized Education Program (IEP) Plan

• School Nursing Services

• For example:
  - School Nursing service is a necessary related service for medication administration and management to maintain his neurobehavioral control status and assist the student to benefit from his educational plan.
Development of the Individualized Education Program (IEP) Plan

- School Nursing Related Services Examples:

- School nursing service is a necessary related service for asthma control management and medication administration to maintain attendance patterns and attain his/her IEP goals.

- School nursing service is a necessary related service for gastrostomy tube feedings to maintain nutritional status and attendance patterns to attain his/her IEP goals.

- School nursing service is a necessary related service for medication management and administration to maintain health status and attendance patterns to attain his/her IEP goals.
Development of the Individualized Education Program (IEP)

- School nursing service is a necessary related service for medication management to maintain health status and attendance patterns to attain his/her IEP goals.

- School nursing service is a necessary related service to assess and monitor the student's health condition/status, communicate with parents and health care providers, provide health care planning, medications and treatments as needed to minimize the impact of health condition on the attainment of his/her IEP goals.

- School nursing is a necessary related service for hearing management: the nurse will perform puretone hearing thresholds, otoscopic exam and tymps (if tympanometer is available) at least 2 times per year; provide information to parent/guardian and his/her teachers about ways to create a good listening environment; teach/reinforce self advocacy skills, and act as a liaison between student, teacher, parent and health care provider.
Development of the Individualized Education Program (IEP) Plan

• IEP Goals and Objectives

• Educationally based
School Nurse

- Individualized Health Care Plans (IHPs)
- Emergency Care Plans (ECP)
- Emergency Evacuation Plan for Student with Health Conditions
Development of the Individualized Education Program (IEP) Plan

- Document any supervision, or delegation, of PCA/Paraprofessional Services
  - Activities of Daily Living
  - Redirection and Intervention for Behavior Including Monitoring and Observation
  - Health Related Tasks, or Procedures-delegated
Development of the Individualized Education Program (IEP) Plan

- Provide Progress Reports
  - Periodically, same as for students without disabilities
Development of the Individualized Education Program (IEP) Plan
(34C.F.R.300.24)

• Strengths of the child
• Concerns of the parents
• Results of the most recent evaluation
• Academic, developmental and functional needs of the child
Development of the Individualized Education Program (IEP) Plan

- **Consideration of special factors** (34C.F.R. 300.324)
  - Behavior-positive behavioral interventions and supports
  - Limited English proficiency
  - Communication needs, Braille
  - Assistive technology
Development of the Individualized Education Program (IEP) Plan

• Review periodically, but not less than annually (34C.F.R. 300.324)

  – At least annually, to address
    • Progress towards goals
    • Results of re-evaluations
    • Student needs
Development of the Individualized Education Program (IEP) Plan (34C.F.R. 300.324)

• Changes to the IEP after the annual IEP Team Meeting
  - The parent and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child’s current IEP.

• Amendments
  - Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments.

• Check with State Guidelines
Summary of School Nurse role in Special Education Process

- Member of IEP Team
- Evaluation: School Nurse Assessment of Health/Physical Status
- Interprets medical/health information that impact the student in their educational environment
- Assists IEP Team in determining special education eligibility
- Assists IEP Team in completing Evaluation Report
Summary of School Nurse role in Special Education Process

• Assists IEP Team in the Development of the IEP
• Determines if School Nursing Services are needed on the IEP
  – Documents need for school nursing services, including description of service, frequency and length of service
  – May also develop IHP, ECP, and assist in Evacuation Plans
• Annual Updates and Reviews
  – Updates health concerns and needs
“Lock In” To Occupy the Optimum Position on the Wave; To Maximize a Ride
Benefits of “Locking in the School Nurse” on the IEP Team

• Ensures that children and youth receive necessary healthcare services that contribute to their education success according to FAPE

• Support to families

• State and federal funding
  – Time Studies
  – Third Party Reimbursement

• Time on IEPs may be used as indicators for staffing
Resources

- **GPO Access**

- **School Nurse Organization of Minnesota**
  - [http://www.minnesotoschoolnurses.org/](http://www.minnesotoschoolnurses.org/)

- **National Association of School Nurses**
  - [http://www.nasn.org/](http://www.nasn.org/)