

Medical and Clinical Information and the IEP

Eva M. Kubinski, MS
Special Education Team
December 13, 2023



Purpose of Today's Presentation

Provide an overview of some of the information in a new DPI Special Education Team resource:

[The Role of Medical and Clinical Information in Special Education Evaluation and IEP Development](#)



Learning Objectives

- Understand when a medical diagnosis is and is not required to identify various disability areas
- Understand what the IEP team's responsibility is when it comes to medical and clinical information shared with them
- Understanding how to use medical and clinical information, including a brief discussion of different types of plans (IEP, Section 504, individual health plans, emergency action plans)

Information in new guide

- Considering Medical and Clinical Information in the Context of Special Education
- Where Does Information from a Medical or Clinical Provider Fit Within the Special Education Process?
- Referral for a Special Education Evaluation Comprehensive Special Education
- IEP Development, Review, and Revision
- Frequently Asked Questions
- Decision-Making in Educational and Medical or Clinical Settings: A Comparison

The IDEA Evaluation Process

- #1 - Referral (request for a special education evaluation)
- #2 - Review of existing data
- #3 - Complete needed assessments, collect additional data and information
- #4 - Review results, determine if student meets criteria and need for specially designed instruction
- #5 - If found eligible for special education services under the Individuals with Disabilities Education Act (IDEA), develop an IEP and a notice of placement

What the Law Says

The Individuals with Disabilities Education Act (IDEA) requires that special education evaluations be sufficiently comprehensive to make eligibility decisions and identify the student's educational needs, whether or not commonly linked to the disability category in which the student has been classified ([34 CFR 300.304](#)).

Scenario

You've take your student to the doctor and have been informed that your student has a medical condition.

What if the doctor or clinician thinks this condition may impact your student's learning or progress in school?



Child Find and Medical Doctors or Clinicians

- A physician who reasonably believes a child has a disability must refer the child to a school district for evaluation (See Wis. Stat. 115.777).
- The referral must be in writing and include the name of the child and the reason why the physician believes the child has a disability.
- The referral should be submitted to the school district where the child is enrolled.

District Responsibility

- Upon receipt of a referral the school district **must** assemble an individualized education program (IEP) team to determine whether the child is eligible for special education and related services.
- Only the IEP team can make such determinations.



When is a medical diagnosis required to meet disability category criteria?



When is a medical diagnosis required?



For the disability categories of:

- Blind and visually impaired
- Deaf and hard of hearing
- Deafblind

How about the other disability criteria areas?

A prior diagnosis from a licensed physician is not required for the IEP team to consider autism, emotional behavioral disability, intellectual disability, orthopedic impairment, other health impairment, significant developmental delay, specific learning disability, speech and language, or traumatic brain injury.

Why isn't a medical diagnosis sufficient?

- A medical evaluation has notable differences from an educational evaluation
- Only an IEP team, completing a comprehensive special education evaluation, can determine if a student meets disability criteria and requires specially designed instruction



Additionally...

A child's need for special education is not derived from a medical diagnosis, and special education and related services cannot be "prescribed"



What is a Medical Evaluation?



- To diagnose a medical condition and determine the need for treatment to improve that condition
- Licensed professionals conduct diagnostic testing and observations in a clinical or community-based setting and make service recommendations and decisions

How is an Educational Evaluation Different?

- To gather information and make decisions about whether a student is eligible to receive special education and related services
- Includes determining if a student meets criteria for a disability category and requires specially designed instruction
- Also focuses on identifying strengths and needs of the student



What is the district's responsibility when provided with medical or clinical information?



What the law says

Federal and state law requires that IEP teams consider information provided by a student's parent(s). This information may include medical and clinical evaluations and related information.



What do IEP teams need to do?

During an evaluation the IEP team needs to review and consider information provided by the student's family



Impact on Education - Considerations

- 1) How does the student's condition affect the student's access, engagement and progress in age and grade level educational activities or make progress on IEP goals?
- 2) Does the IEP team need to include personnel with specific medical or clinical expertise to help other IEP team participants or school personnel better understand and address the effects of the student's medical condition in school?

Impact on Education continued

- 3) To what extent are school based services required from a school-based therapist, or other qualified educator?
- 4) Is consultation between a school-based therapist or other qualified educator and the student's teachers sufficient to address the student's medical or clinical condition in school settings, or for preschool age students, in natural educational environments?

Note

- When a student has a medical condition, the IEP team must consider the effects of the condition within the context of the school environment
- Not all students with medical conditions need special education services
- The IEP team should keep in mind that the need for IEP services must always be **directly connected** to an educational need (including both academic and functional needs within the school context)

Remember - at school we look for needs within an educational context

- Needs that have a substantial impact on the student's access, engagement and progress in school or, for preschool age students, natural learning environments
- A medical condition that does not have a substantial impact on educational performance may require medical or clinical intervention, but not school-based related services

Questions Parents and Family Members Can Ask Schools

- How will the medical and clinical information be used to determine if my child should be evaluated for special education or require an IEP revision?
- Does the medical or clinical information provide new or different information about my child's needs, IEP goals, or services?
- How will the IEP or other services from the school (e.g. student health plan, etc) address the concerns or recommendations from the medical or clinical evaluation?

What about other kinds of plans other than IEPs when there is a medical diagnosis?



Different Types of Plans in Education

- IEP
- Section 504 plans
- Individual health plans
- Student health plans
- Emergency action plans

Individual Education Program (IEP)

- A written document
- Developed, reviewed and revised by an IEP team
- The plan for addressing an eligible student's unique disability-related needs, including a commitment of resources
- The primary means for providing students with a free appropriate public education (FAPE)
- A legal commitment of what will be provided

Section 504 Plan

- A plan based on the anti-discrimination requirements of Section 504 of the Rehabilitation Act of 1973
- Section 504 is administered by the United States Department of Education, Office for Civil Rights
- School districts are required to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability

Section 504 continued

Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met. A legal commitment of accommodations and related services.

For more information, go to [Section 504 FAQs](#)



Individual Health Care Plans

- A nursing care plan written by the school nurse after making a nursing assessment
- Not generally shared with anyone other than the health team or other nurses
- Not a legal commitment of what will be provided to the student

Student Health Plan

- A student health plan may be used to document accommodations schools are using to manage a student's health condition
- Not a legal commitment of what will be provided to a student

Emergency Action Plan

- Provides critical information necessary to help staff and emergency responders act appropriately for a student in a variety of emergency situations
- Each student's situation must be examined individually
- Registered nurses are qualified to write nursing care plans or Individualized Healthcare Plans (IHP) for students

Potential Information in an Emergency Action Plan (EAP)?

- What might happen that would require immediate action?
- What are the precipitating factors that may trigger an event at school?
- What action is required to respond to the emergency?
- What knowledge, skill, and attitude is required of someone to act, or more importantly, to prevent the emergency in the first place?

EAP elements continued

- Is there a person available with the required ability to act?
- What are the availability, skill level, and response time of community emergency medical services?
- Who has a need to know about the potential situation?
- Who will have the responsibility to act, including "back-up" individuals?

From [School Nursing Services in Wisconsin Public Schools](#)

Plans

- Student health plans and emergency action plans are written for school staff to follow
- Individualized healthcare plans are written for School Nurses to use and documents their professional nursing care



Summary

- A medical diagnosis is only required for the disability categories of Blind Visually Impaired, Deaf Hard of Hearing and Deaf-Blind
- Information from a medical evaluation may trigger an initial IEP evaluation; alone it is not sufficient to qualify a student for Special Education
- IEP teams are required to consider the information provided by parents including medical evaluations
- Information from a medical evaluation may inform more than just an IEP

For further information about School Nursing Services

Louise Wilson, MS, BSN, RN, Licensed School Nurse, NCSN
[School Nursing and Health Services](#) Consultant
Student Services Prevention and Wellness Team
Wisconsin Department of Public Instruction
louise.wilson@dpi.wi.gov

For more information

Eva M. Kubinski, MS
School Administration Consultant
[Special Education Team](#)
Wisconsin DPI
Email: eva.kubinski@dpi.wi.gov
