BI-LO Charities Children's Cancer Center

Children with Cancer—School-related Laws and Legal Terms

The Laws

There are two laws that are important for children who are diagnosed with chronic illnesses (such as cancer, sickle cell disease or other blood disorders). The first is the Individuals with Disabilities Education (Improvement) Act (IDEA or IDEIA), which requires every school district to identify, evaluate and serve children with special education needs.

Children who are eligible for services under IDEA will have an Individual Education Plan (IEP) at school. The IEP is a legal contract that spells out the educational and related services to be provided to the child.

The other law is the Rehabilitation Act of 1973, Section 504. This law is meant to protect people with disabilities from discrimination and allow for needed accommodations or modifications. Any agency (school) that receives federal money must accommodate people with disabilities.

Section 504 addresses the need for access to services. A child in a wheelchair may have a 504 plan that outlines accommodations for movement in the classroom. Children who are eligible for services under IDEA also have the protection of Section 504.

IDEA/IDEIA: Individuals with Disabilities Education (Improvement) Act

IDEA is the federal law that provides for all children to have an appropriate education. The law was enacted in 1975, reauthorized in 1997 and updated in 2004 to more closely match the No Child Left Behind Act.

The law requires every school district to identify, evaluate and serve children with special education needs. The law covers children between the ages of 3 and 22.

A child must meet the federally defined criteria for one of 13 categories to qualify for special education or related services. Children with cancer usually qualify under the "other health impairment" category. Children suffering from late effects of cancer treatment sometimes qualify under different categories, depending on the difficulty experienced by the child.

OHI: Other Health Impairment

The OHI designation refers to a condition that causes limited strength, vitality or alertness affecting the child's performance in the educational environment. The condition must have an adverse effect on the child's educational performance to qualify for services. Children with cancer generally are eligible for special education services under the OHI designation.

Special Education

Special education is specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability and prepare the student for further education, employment and independent living.

IEP: Individualized Education Plan

This term refers to a plan developed by the school district and parents to help meet the unique educational needs of a child with a handicapping condition.

Related Services

Related services are transportation and any developmental, corrective or supportive services that are identified on the child's IEP and are necessary for the child to benefit from educational services. Examples of related services are door-to-door transportation, speech and hearing services, occupational therapy, and school nursing services.

FAPE: Free and Appropriate Public Education

Special education and related services are to be provided in conformity with the Individual Education Plan (IEP) and without any charge to the parent.

MFE: Multi-factored Evaluation

An MFE evaluation is a process conducted by a team of professionals, after written consent from the parents. The team may include teachers, psychologists, parents, therapists or other professionals. After evaluation, the team will meet to discuss the child's eligibility for special education services.

Homebound Services

When a child has a handicapping condition that prevents him or her from attending a regular or special education program, even with the aid of special transportation, individualized special education services (homebound services) are provided to the child. One hour of instruction is provided for each day of school missed.