

# Educational Rights and Resources

## THE LAWS

There are two laws that are important for children who have been diagnosed with cancer and are undergoing treatment. The first of those laws is the Individuals with Disabilities Education Improvement Act (IDEIA), renewed by congress in 2004. The original 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 ages 3 to 22. A child must meet the federally defined criteria for one of thirteen categories to be qualified for special education or related services. Children with cancer are usually qualified under the 'other health impaired' category. Children suffering from late effects of cancer treatment are sometimes qualified under different categories, depending on the difficulty experienced by the child.

The other law to be aware of 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 the needs of people with disabilities so they can use the service.

IDEIA is intended to address services for educational benefit. Children who are eligible for services under IDEIA will have an Individual Education Plan (IEP) at school. The IEP is a legal contract that spells out the educational and related services that are to be provided to the child. Section 504 addresses the need for access to services. A child in a wheel chair may have a 504 Plan that outlines accommodations for his movement into and around the classroom. Children who are eligible for services under IDEIA also have the protections of Section 504. However, students with a 504 plan do not have the same protection of educational rights.

## PUBLICATIONS

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- Siegel,L.M. (2005). The complete IEP guide: How to advocate for your special ed child (4th ed). Berkeley, CA: NOLO.
- WilmsHurst,L. & Brue.A.W. (2005). A parent's guide to special education. New York: American Management Association.
- Wright,P. & Wright,P. (2006). From emotions to advocacy: The special education survival guide (2nd ed). Hartfield, VA: Harbor House Law Press, Inc.

## CONTACTS

Special Education Regional Resource Centers (SERRC)  
Central Ohio SERRC 614-262-4545

The Ohio Coalition for the Education of Children with Disabilities  
1-800-231-5872 / [www.ocecd.org](http://www.ocecd.org)

Ohio Department of Education, Office of Students with Disabilities  
[www.ode.state.oh.us](http://www.ode.state.oh.us)

NICHCY: National Dissemination Center for Children with Disabilities  
1-800-695-0285 / [www.nichcy.org](http://www.nichcy.org)



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