



# Understanding an Education Based Model

Much of the tension that occurs between parents and school districts is due to a lack of understanding about what actually qualifies a student for school-based services. For students transitioning out of early intervention programs, where the existence of a 25% delay is sufficient to make a child eligible, the transition to school-age can be confusing.

Under the Individuals with Disabilities Act (IDEA), occupational therapy and physical therapy are considered as related services. Related services are those that are deemed necessary for a child to benefit from special education. Speech-language pathology services may be delivered as a primary special education service under the disability category of Speech or Language Impairment or as a related service to students who have other disabilities such as autism, emotional disturbance, specific learning disability, etc.

Students who do not have a need for special education, but have a significant impairment due to a medical diagnosis or acquired disability may be eligible for occupational or physical therapy services under Section 504 of the Rehabilitation Act. Section 504 is a civil rights act prohibiting discrimination based on a disability. The statute ensures that an eligible student with an impairment receives reasonable accommodations necessary for the student to access school-related programs and activities. A student may be considered disabled under the definition of Section 504 if the student has, or has a record of, or is regarded as having, a mental or physical impairment which substantially limits one or more major life activities.

Intervention in the education setting is not provided to remedy dysfunction under IDEA, but instead to help the student achieve his learning and participation goals. Schools are responsible only for those services necessary for the student to benefit from his/her special education program. The existence of a developmental delay or clinical finding is not enough to qualify a student. There must be an observable, measurable educational impact.

In schools, the need for therapy is determined by the IEP Team/ARD committee (Individualized Education Program Team/Admission, Review & Dismissal committee). Parents are a part of this team, which determines the amount, frequency and duration of all related services that are deemed necessary. Discontinuation of services may occur when skills needed have been incorporated into school routines, when needed supports are in place without the addition of services or when the student is not showing anticipated progress.