

At a glance:



IDEA in New York



Is my child eligible?

Children with chronic illnesses can receive educational accommodations under the IDEA *Other Health Impairments (OHI)* category.

To receive educational accommodations under IDEA OHI, your child must:

- » Have physical or mental limitations due to the chronic illness.
- » Experience negative impacts on educational performance due to the chronic illness.



How long does the eligibility evaluation take?

Schools have **60 days** to complete your child's evaluation to determine eligibility.



Where does my child receive educational accommodations?

Your child will most likely receive educational accommodations in the regular classroom.



When will my child get an Individualized Education Plan (IEP)?

The IEP team must have a meeting and develop an IEP within **60 days** of determining your child is eligible for educational accommodations under IDEA.



Where can I get help?

ADVOCATES FOR CHILDREN OF NEW YORK—Advocates for children at risk for school-based discrimination and/or academic failure due to poverty, disability, race, ethnicity, immigrant or English Language Learner status, sexual orientation, gender identity, homelessness, or involvement in the foster care or juvenile justice systems.

212.947.9779

info@advocatesforchildren.org

www.advocatesforchildren.org



Can I participate in my child's IEP team?

Yes, parents are equal members of the IEP team and have a say in the development and implementation of the child's IEP.



PARENT NETWORK—Supports families to empower people with disabilities to reach their full potential.

716.332.4175

info@parentnetworkwny.org

www.parentnetworkwny.org

Visit www.projectpencil.com to learn more about legal protections for children with chronic illness under IDEA. The Project PENCIL materials provide general information, which is not intended to constitute legal advice or substitute for obtaining legal advice from your own counsel. Laws vary by state and are subject to change. If you need answers to specific legal questions, please seek professional legal assistance.