Kevin

Coffee, Snacks and Some Help from Legal Advocacy

Sandy of Encinitas, California, needed some help on behalf of her son Kevin, a seventh grader. Kevin, who has type 1 diabetes, had a 504 Plan in elementary school, but it didn’t carry over to his new school. He needed a new 504 Plan to ensure that he would be treated fairly, stay medically safe and have the same access to education as his peers in middle school.

In October 2015, Sandy met with the counselor and a few of Kevin’s teachers at the school. They denied Kevin a 504 Plan because his grades were “too good” and said that a 504 Plan was only needed for students with learning problems. Instead, they set up an individualized health plan (IHP) for Kevin. But Sandy knew that an IHP would not fully protect him.

Why did it matter which plan was set up for Kevin?

An IHP is an agreement that outlines medical care for students with special health care needs. But a 504 Plan includes extra protections for people with disabilities. Diabetes is considered a disability under federal law. 504 Plans also ensure that students with disabilities receive the accommodations that they need at school, as well as equal access to school-related activities like field trips and extracurriculars.

Sandy contacted the American Diabetes Association® for help.

One of the Association’s Legal Advocates confirmed that Kevin was protected under federal law. He gave Sandy resources to help, including a sample letter that outlined the rights of students with diabetes. Sandy felt that the school’s administrators did not fully understand the laws that protect students with diabetes. She used the sample letter, added information about Kevin and sent it to the school principal. If the letter didn’t work, Sandy was prepared to file a complaint with the school district’s superintendent. But the school agreed to another meeting.

Sandy took some helpful suggestions in preparing for this meeting.

Kevin would be attending this school for two years and then move on to high school within the same district, so she wanted to establish a good relationship with the administrators. To encourage friendly and constructive conversation, Sandy brought coffee and snacks. To help her feel confident, she also took along another parent who had more experience with the issue and understood the laws about school and diabetes.

The Result?

A 504 Plan was set up for Kevin that will cover him through high school. Sandy is glad that she fought for Kevin’s rights and knows that her efforts will also help other students with diabetes down the road. “A lot of people were helped. Thanks to the American Diabetes Association, the resources they provided and the other parents who encouraged me. The help from the Association’s legal advocacy program was vital, and having that help at no charge was amazing. As a side note, we just sent a small donation to the Association as a thank you.”

The American Diabetes Association’s Safe at School® Campaign Helps Children Who Have Diabetes

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