

# USING THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) TO FUND SCHOOL-BASED MENTAL HEALTH SERVICES



## WHAT IS IDEA?

The Individuals with Disabilities Education Act (IDEA) is a law that works to “ensure that all children with disabilities are able to access a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.”<sup>(1)</sup>

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If a child is found eligible for special education services under IDEA, then their school will work with parents to develop an Individualized Education Program (IEP). For more information about the process to obtain an IEP, please refer to page 2.



### FOR LOCAL EDUCATION AGENCIES

Under IDEA, public schools are required to provide to all children with disabilities “a free and appropriate public education.” Most of the services listed in an IEP are covered by Medicaid if the student is enrolled in the Medicaid program. For more information, please refer to page 3.



### FOR PROVIDERS

Health care providers play a key role, working in collaboration with families and school agencies to ensure IDEA-eligible children receive needed services. For more information and examples of roles, please refer to page 4.

**REFERENCES:** <sup>(1)</sup> US Department of Education. “About IDEA.” Individuals with Disabilities Education Act. Retrieved from: <https://sites.ed.gov/idea/about-idea/#IDEA-Purpose>



## FOR PARENTS

### *Using the Individuals with Disabilities Education Act (IDEA) to Fund School-Based Mental Health Services*

Any parent or school official (with the parent's approval) may request an evaluation if they believe a child may be eligible for special education services. After the initial request, the school has 60 days to finish the evaluation, which will determine whether the child is covered under IDEA. Public evaluations are provided at no cost to the parent (schools are not responsible for the cost of private evaluations).

If a child is found eligible, the school will work with parents to develop an Individualized Education Program (IEP). IEPs are important in specifying what support a child needs, the child's goals for the year—including academic and behavioral goals—and what services the school will provide. Progress toward the goals is measured throughout the year. If the child is also eligible for Medicaid coverage, Medicaid will cover all health care services identified as needed in the IEP.

A team of experts and individuals with a vested interest in the child's development and progress will come together to develop and document a child's IEP. The members of an IEP team may include: parents, school staff, mental health professionals, and anyone else who is knowledgeable about the student's diagnosis or works with the student.

### WHAT IS INCLUDED IN AN IEP?

- 1 The child's "Present Level of Educational Performance" (how the child is doing at the time of testing or evaluation)
- 2 Measurable annual goals, including academic and functional goals
- 3 A description of how the child's progress will be measured and reported to parents
- 4 The special education and related services that will be provided
- 5 An explanation of how much time the child will spend in an alternative setting versus the regular classroom (i.e. special classes, adapted physical education, individualized instruction)
- 6 A statement of any accommodations the child needs to participate in statewide or district wide assessments.
- 7 A statement of when, where, and how often services will be provided, including beginning and end dates

#### FOR MORE INFORMATION:

Minnesota Parent Training and Information Center. The IEP. Retrieved from: <https://www.pacer.org/cmh/learning-center/education/iep.asp>  
Center for Parent Information and Resources. All About the IEP. Retrieved from: <https://www.parentcenterhub.org/iep/>  
National Center for Learning Disabilities. IDEA Parent Guide. Retrieved from: <https://www.nclid.org/wp-content/uploads/2014/11/IDEA-Parent-Guide1.pdf>



## FOR LOCAL EDUCATION AGENCIES

*Using the Individuals with Disabilities Education Act (IDEA) to Fund School-Based Mental Health Services*

Under IDEA, public schools are required to provide to all children with disabilities “a free and appropriate public education.” Most of the services provided to students, as listed in their Individualized Education Program (IEP), are covered by Medicaid if the student is enrolled in the Medicaid program. They may be covered either under state plan authority, which describes how the state administers its Medicaid program and what services are covered, or under the federally mandated Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit.

Coverage of school-based services can vary by state. While IDEA lays out what states must cover, states also have the freedom to enact state laws to provide more protections for students or to interpret how different sections of the law can be implemented. Examples of how state laws may differ from IDEA can be found [here](#).

Students are eligible for services if they fall into one of the 13 categories of disability recognized by IDEA. A list of the categories can be found [here](#). The determination of a child’s disability status will likely take place in coordination with their parents, health care providers, and/or mental health professionals who are familiar with the student’s needs.

### WHEN IS AN IEP SERVICE COVERED BY MEDICAID?

- 1 The student is enrolled in the Medicaid program
- 2 It is listed in Section 1905(a) of the Social Security Act (which lists out covered services)
- 3 It is medically necessary, which is defined as services that are reasonable and necessary for treatment. For example, if the student has a hearing disorder, audiology services would be considered medically necessary
- 4 All federal and state regulations are followed, including those specifying provider qualifications
- 5 The services are included in the state plan or available under EPSDT

**SOURCE:** Medicaid and CHIP Payment and Access Commission (2018). “Medicaid in Schools”. Retrieved from: <https://www.macpac.gov/wp-content/uploads/2018/04/Medicaid-in-Schools.pdf>

**FOR MORE INFORMATION:**

National Center for Learning Disabilities (2008). “Understanding the Standards-based Individualized Education Program (IEP).” Retrieved from: <https://www.advocacyinstitute.org/resources/UnderstandingStandards-basedIEPs.pdf>

Shaw, S., Clayton, M., et al. (2004). “Collaborating With Physicians: A Guide for School Leaders.” *Principal Leadership Magazine* 5(1). Retrieved from: [https://www.naspcenter.org/principals/nassp\\_collab.html](https://www.naspcenter.org/principals/nassp_collab.html)

US Dept of Education. “Education and Service Providers.” *Individuals with Disabilities Education Act*. Retrieved from: <https://sites.ed.gov/idea/educators-service-providers/#PBIS>



## FOR PROVIDERS

### *Using the Individuals with Disabilities Education Act (IDEA) to Fund School-Based Mental Health Services*

Health care providers play a key role, working in collaboration with families and school agencies to ensure IDEA-eligible children receive needed services. Providers can offer their expertise in child health, sharing factual information with the educational team that will support documenting, verifying, or certifying what accommodations and services are essential for the student. This expertise is required for establishing a student's Individualized Education Program (IEP). It is important for providers to keep in mind that an IEP is not strictly a medical care plan for the student. When making recommendations, providers should consider the child's medical needs alongside their academic and behavioral needs in collaboration with school professionals.

### OPPORTUNITIES FOR PROVIDERS TO ASSIST

- ➔ Identify children in need of special education services and assist families in making evaluation referral to school
- ➔ Share relevant information with school personnel to assist with iep development
- ➔ Meet with school personnel and parents/guardians as needed regarding children with complex needs
- ➔ Advocate for resources to improve school functioning for children with special needs

#### FOR MORE INFORMATION:

Curtin, M., Willis, D., Enneking, B. (2019). "Specific Learning Disabilities: The Family Physician's Role." Am Fam Physician 100(10): 628-635. Retrieved from: <https://www.aafp.org/afp/2019/1115/p628.html>

Lipkin, PH, Okamoto, J. (2015). "The Individuals With Disabilities Education Act (IDEA) for Children With Special Educational Needs." Pediatrics 136(6), 1650-62. Retrieved from: <http://pediatrics.aappublications.org/content/136/6/e1650>

Ringer, W, Holmquist, J., Anderson, C. (2011). "Six Tips for Helping Parents Advocate for Their Child's Care." AAP Section on Developmental and Behavioral Pediatrics Newsletter, Retrieved from: <https://www.pacer.org/health/For-Medical-Professionals/pdfs/Six-Tips-For-Parents.pdf>

