## Inclusion of students with disabilities on field trips

#### by John Price staff attorney

Field trips are an integral part of education. Some of the most enriching experiences for kids are when they can get outside the walls of the school building and see and learn in the outside world.

School districts must ensure that kids with disabilities are able to benefit from these experiences alongside their peers. Under Section 504 of the Rehabilitation Act of 1973, students with disabilities are entitled to equal access to all educational curriculum offered by the district. This includes field trips, which means that federal law requires districts to provide necessary accommodations and modifications that would enable students with disabilities to participate in field trips alongside their nondisabled peers.

#### The importance of planning

As is often the case when meeting the needs of students with disabilities, planning ahead in a careful way that complies with the law's procedural components is vital. Students with disabilities will often require additional supports or accommodations to participate in field trips with their peers, and having proactive discussions about what supports will be needed goes a long way to ensure access and avoid unnecessary conflicts later.

If a child has an individualized education program (IEP), the child's IEP team, which includes their parent or guardian, should meet to discuss the child's participation in the trip and identify how the district will provide for any supports or accommodations the child may need. This should take place well in advance of any field trips to enable adequate time to plan and put needed personnel and supports in place. The discussion should be more than perfunctory, particularly if there is any chance that the student will need individual supports above and beyond those provided to nondisabled students to participate in the trip. As with any IEP matter, the district must provide the parent the opportunity for meaningful participation in this discussion. The supports and accommodations identified by the team should be documented in the IEP, including identifying the staff responsible for implementing any

such services.

Other students with disabilities may not be eligible for services under the Individuals with Disabilities Education Act but may be entitled to protection under Section 504. For many such students, school districts develop a "Section 504 plan" for the student. A Section 504 plan is a written document that outlines the supports, accommodations and modifications that will be provided to that student. While these plans are not required, they are often the best way to ensure that all staff are aware of what the child needs to participate in their education, and they present an ideal place to document what supports the student will need in order to participate in field trips.

Some students may have health conditions that necessitate planning documents known as individual health plans. These are typically provided to students with conditions such as asthma, diabetes or severe allergic reactions, among other conditions, and they are sometimes used when students require more extensive service by professionals, such as school nurses. Sometimes these plans are incorporated as part of a child's IEP or Section 504



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OHIO SCHOOL BOARDS ASSOCIATION plan if they have one, but sometimes they are separate, stand-alone documents. If a child has such documents and requires those supports, it will be imperative for the district to plan for how the student will receive needed care while on a field trip.

Individual administrators should not make unilateral decisions about a child's participation in a field trip. Any decision made should be based on the specific child's individual needs and made in consultation with the professionals working with the child and the child's parent.

#### What supports are required?

The exact supports and accommodations provided will depend on the child's unique circumstances and the details of the trip. The services and accommodations provided to the child at school are often a good starting point for determining the supports they may need, though some additional modifications or accommodations might be necessary due to the logistics of the trip. Some accommodations to consider include:

• a personal aide or increased staffing

for supervision purposes;specialized debriefing for the child

on the itinerary and behavioral expectations;

• a medication plan or health plan to ensure the child receives needed medication;

• access to a nurse to provide nursing services;

• transportation that is accessible for the child's wheelchair or specialized transportation;

• a behavior plan specifically tailored to the trip.

If the field trip is going to be an overnight trip, the district needs to plan for those additional logistical concerns and assurance that the child's needs in a hotel setting are met. This might include the provision of medication, ensuring the child's room is physically accessible or behavioral supports for the child in that setting.

The district generally should not require a parent to attend the trip as a condition for the child's participation, though the school district may invite the parent to attend if they wish. The district needs to ensure that it has appropriate personnel and planning in place to enable the child to attend with or without the parent. A district should never point to cost as a reason for excluding a child with a disability from a trip.

### Health, safety and disciplinary concerns

District personnel may have legitimate concerns about the ability of some students to safely attend a field trip. If the student's participation is likely to pose a significant health and safety risk to the student or others, and there is no way to ameliorate this risk, exclusion from the activity may be appropriate.

District staff should start with the presumption that the child will attend the trip with supports in place and consider possibilities for accommodations before making any decision to exclude. U.S. Department of Education Office for Civil Rights determinations on these issues have turned on the specific facts of the circumstances. If the district is considering making decisions to restrict a child's participation due to health or safety concerns, it is prudent to consult with board counsel prior to taking action.

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