

Why Must I Make Modifications for a Child? It Seems Unfair to Other Children by Pat Howey, Advocate

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Question: *I am a regular education teacher. I was told that I must make modifications for a child who does not have an IEP or 504 plan. Must I make modifications for this child? It does not seem fair to make modifications for one child and not the others. What does the law say?*

Pat's Answer: The law does not require you to make modifications for a child who does not have an IEP or a 504. However, teachers make modifications for children all the time. Is it "fair" to:

- Give children the opportunity to earn passing grades by allowing them to do work for extra credit?
- Help children after school because they need extra assistance?
- Give a passing grade to a child who is trying very hard but is not earning one?
- Send assignments to a child who is at home sick or in the hospital?
- Let a child turn in an assignment late because the child was absent from school for a grandparent's funeral?
- Let a child who uses a wheelchair participate in an another activity while other children must run laps?

Modifications Level the Playing Field

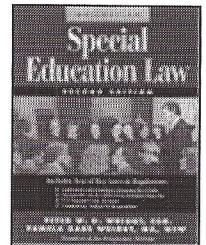
These are all very common modifications. Teachers make them every day. Are these modifications "fair?"

Isn't it true that these modifications only level the playing field for children who get a bad hand of cards? They do not provide unfair advantages. Life deals our hands from the same deck. Some of us get aces; others get deuces.

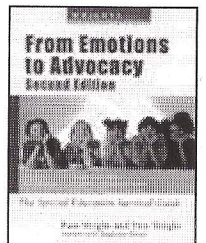
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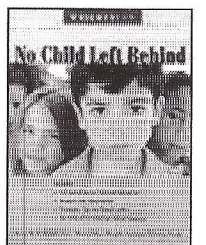


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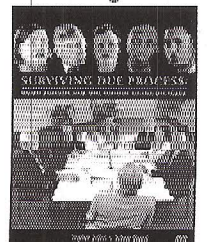
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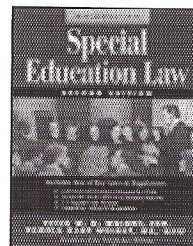
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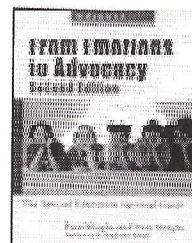
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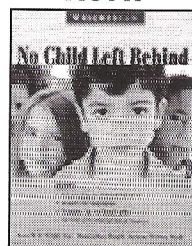


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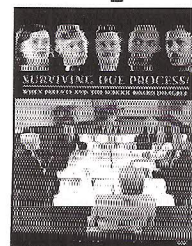
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Modifications on the Job

As adults, do we question these job modifications?

- Teachers use paraprofessionals and aides to help in the classroom.
- Executives use secretaries to help with daily duties.
- Secretaries use computers to aid in drafting letters and documents.
- Attorneys use paralegals to do research and draft documents.
- Paralegals use modern technology, i.e., the internet to conduct research.
- Doctors use nurses to perform daily care of patients.
- Nurses use modern technology to help them care for patients.

These modifications allow us to be effective and efficient. They allow us to be productive and to concentrate on our actual **work product** instead of on the work process.

In the grand scheme of things, these modifications are relatively modern items.

Not long ago, teachers and principals used to be responsible for the entire school. Attorneys used to write documents by hand. Doctors went from house to house to care for patients, without help from nurses. Secretaries used to write documents by hand.

Modifications in Everyday Life

Today, we:

- Drive to work instead of walking, or riding a horse. Cars are modifications that allow us to get to our destination quickly, comfortably, and efficiently (for the most part).
- Wear glasses that modify our vision and allow us to see

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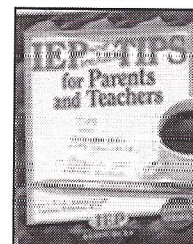
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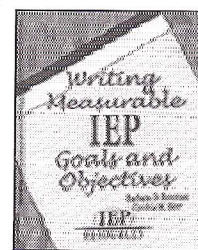
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better.

- Sew by machine, not by hand.
- Cook with stoves and ovens, not over a fireplace.

I could list many other modifications that allow us to be efficient and effective.

What Will a Child Lose if You Provide Modifications?

The real question is not whether making modifications is "fair," but what will be lost if you provide modifications to this child? What is the right thing to do for this individual child?

Will the child be able to focus on learning, instead of the condition that causes the child to need modifications?

If teachers provided the modifications children needed, we might not need laws and costly evaluations. Heck, we might not even need special education.

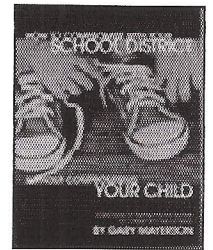
Resources on Accommodations & Modifications

Accommodations & Modifications. Some students with disabilities need accommodations or modifications to their educational program. This short article defines these terms and provides helpful suggestions for changes in textbooks and curriculum, the classroom environment, instruction and assignments, and behavior expectations. (4 pages, pdf)

Becoming a Diabetes Advocate in the School - Learn how to advocate for students with diabetes using a four-pronged approach - educate, negotiate, litigate, and legislate. Published by the American Diabetes Association (8 pages, PDF)

Child with 504 Plan Failing, School Won't Evaluate. Child has a 504 Plan; grades dropping; school will not evaluate for IEP because child does not have failing grades on report card. Parent needs a game plan.

Qs & As about IDEA, Students with Disabilities and State and District Assessments. "Family friendly" version of OSEP Memorandum about assessments; 26 questions and answers about parental permission, role of IEP team, accommodations and modifications; alternate assessments, out-of-level testing, accountability, and more.



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Who is Eligible for Protections Under Section 504 - But Not Under IDEA? Who is protected under Section 504? A student with AIDS? A student with ADD? A student with asthma?

Word Banks and Calculators: Pete Answers Questions About Accommodations and Modifications. Do teachers have to provide the accommodations and modifications listed in the IEP? Pete answers questions, offers thoughts about teaching skills v. providing accommodations and modifications, Diana Hanbury King and Helen Keller, and his "Big Gripe" about special education.

Rehabilitating Section 504 (National Council on Disability) One of a series of analyses by the National Council on Disability (NCD) about federal enforcement of civil rights laws. Rehabilitating Section 504 provides a blueprint for addressing the shortcomings that have hindered compliance and enforcement of Section 504 of the Rehabilitation Act.

About Pat Howey

Pat Howey is an advocate who has helped parents obtain special education services and resolve special education disputes.

Read more of Pat's answers to questions submitted by people *just like you* in Wrightslaw's Ask the Advocate.

As a member of the Wrightslaw Speakers Bureau, Pat Howey provides training for parents, educators, and others who want to ensure that children receive quality special education services. Learn about Wrightslaw law and advocacy training programs.

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