



SAFEGUARD ACCESS TO SPECIAL EDUCATION SERVICES FOR CHILDREN WITH HEADACHE DISORDERS

Despite their prevalence and impact on school performance, migraine and other disabling headache disorders are not listed among the qualifying diseases in section 1401(3)(A) of the IDEA Act, nor in the applicable regulations. However, the statutory and regulatory language is clear: the list of qualifying conditions is non-exhaustive and other conditions may qualify if they are chronic or acute, cause limited strength, vitality or alertness, and adversely impacts a child's education performance.

Still, the omission of headache disorders from the statutory and regulatory language has created confusion amongst school districts. Some districts have explicitly excluded children with these disabling health impairments that impact their school performance from the special education services they need and deserve due to both a misunderstanding of the law and the severity of their headache disorders. By way of example, a child with chronic migraine was denied benefits under IDEA by his Pennsylvania school district which asserted that while "migraines constitute a health issue, they do not affect cognitive skills necessitating adaptation of the normal curriculum." [1]

Eligibility for an IEP for a student experiencing migraine or headache disorders should not be dependent upon that child happening to live within the boundaries of a sympathetic school district or judicial jurisdiction.



ADHA ASK:

Lead and/or Co-Sign a Letter to the Department of Education requesting the Office of Special Education and Rehabilitative Services issue a formal guidance memorandum affirming the potential eligibility of children with migraine and other severe headache disorders under the "Other Health Impairments" category of the IDEA Act statutes and regulations should their health conditions adversely impact their educational performance in school.

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School districts have an obligation to look at the way in which a chronic or acute health condition, such as chronic migraine or other severe headache disorder, impact the child's educational performance.

- Migraine and headache disorders are complex neurological conditions that can adversely impact school performance.[2] They can begin at an early age.
- By way of example, one of the most disabling conditions is chronic migraine, with 15 or more episodes per month. In fact, the World Health Organization has said that a day with severe migraine can be as disabling as quadriplegia.[3]
- As many as 1 million children in Pre-K through Grade 12 public schools may have chronic migraine who might benefit from services to be covered by the IDEA Act. The number of eligible children with headache disorders may be even higher when taking into account other primary and secondary headache disorders.
- Impairments associated with migraine and other severe headache disorders are not limited to headache and pain. Cognitive, language, and mood dysfunction; severe sensitivity to light, noise, or odors; fatigue, dysequilibrium, nausea or vomiting, and autonomic symptoms can occur. Significant cognitive impairments such as aphasia (a loss of an ability to speak and/or understand language), brain fog, memory and attention deficits can be common and immensely impact alertness and school performance. Other possible and disabling symptoms include paralysis and a loss of motor control, as well as, loss of consciousness, and vision impairment, including vision loss.
- School-aged children with chronic migraine report "frequent school absences, poorer school performance, and lower quality of life than youth with other chronic conditions." [4][5]



Sources

- [1] S.P. v. Fairview Sch. Dist., Civil Action No. 13-96E (W.D. Pa. Sep. 30, 2014)
- [2] Youssef PE, Mack KJ. Episodic and chronic migraine in children. *Dev Med Child Neurol*. 2020;62:34-41. <https://doi.org/10.1111/dmcn.14338>
- [3] Weatherall MW. Drug therapy in headache. *Clin Med (Lond)*. 2015 Jun;15(3):273-9. doi: 10.7861/clinmedicine.15-3-273. PMID: 26031979; PMCID: PMC4953113.
- [4] Turner SB, Szperka CL, Hershey AD, Law EF, Palermo TM, Groenewald CB. Association of headache with school functioning among children and adolescents in the United States. *JAMA Pediatr*. 2021;175(5):522-524. doi:10.1001/jamapediatrics.2020.5680
- [5] Gu, L., Wang, Y. & Shu, H. Association between migraine and cognitive impairment. *J Headache Pain* 23, 88 (2022). <https://doi.org/10.1186/s10194-022-01462-4>