



Migraines may require more than health plans, provide 504 supports that work

Migraines can severely disrupt a student's ability to attend and participate in school.

A recent OCR [fact sheet](#) confirms students with migraines may be entitled to protections under Section 504, including tailored accommodations that support their learning and health needs. The fact sheet states a student with migraine can be classified as a student with a disability under Section 504 if his migraine substantially limits one or more [major life activities](#). [34 CFR 104.3 \(j\)\(1\)\(i\)](#).



Teams must be able to recognize when a student with migraines qualifies for a [504 plan](#) and provide supports that enable her to access her education and make progress the same way as non-disabled students. Take note of the attorneys' advice below to learn why a 504 plan may be more appropriate than a health plan and how to craft individualized accommodations that can be implemented effectively.

Don't limit student to health plan

A [health plan](#) is not a substitute for a Section 504 plan, said Jacob S. Feldman, partner at Frazer & Feldman, LLP in Westbury, New York. According to OCR, students who have [health plans](#) would most likely also be eligible for [504 plans](#). The difference is that a 504 plan offers protections that a health plan does not provide, he said.

In *Springer (NM) Municipal Schools*, [111 LRP 65450](#) (OCR 06/17/11), OCR found the health plan the district created to address a student's pancreatitis-related dietary needs was not equivalent to a 504 plan. The health plan did not address any academic adjustments.

Understand Section 504 eligibility criteria

"Often migraines will qualify students for a 504 plan, but not automatically," said Daniel Levin, associate attorney at Frazer & Feldman, LLP. OCR's fact sheet explained that migraine diagnosis can be helpful, but it's not required as a basis for Section 504 eligibility.

The 504 team can still ask parents for medical documentation or offer to perform a medical diagnosis if documentation is not available, but it's not necessary, Levin said. "First, the team wants to start with that eligibility criteria on whether there's a mental or physical impairment that substantially limits one or more major life activities."

Gather input to create appropriate accommodations

After determining eligibility, "[y]ou have to get history in order to determine what accommodations are needed," said Feldman. Teams should gather input from the parents, treating physicians, and classroom teachers to find out how migraines impact the student, he said.

Ask questions to determine how significantly the migraine affects the student both at home and at school, and what other major life activities are impacted, Feldman said. Then, the team can begin thinking about how to accommodate the student. Teams can even ask the parents and students what accommodations they think would be appropriate, he said.

Tailor accommodations to student, not diagnosis

Not all students with migraines will have the same symptoms, Feldman said. "You don't have a formal list of accommodations just because the diagnosis or the symptoms appear to be migraine," he said, "The accommodations have to fit the child." While accommodations must be individualized to how the student's migraines uniquely impact her, they can [vary](#) and include simple things like lowering the lights or allowing the student to wear sunglasses.

An often-overlooked accommodation is allowing extra time to complete assignments that were due on the day the migraine struck, said Feldman. Levin said other accommodations may include extended time on testing, allowing use of audio books rather than textbooks, speech to text format instead of a written assignment, or breaks in a darkened room.

Describe exactly how accommodations will be implemented

When the 504 team is [developing](#) a student's plan, the specific [implementation](#) instructions for each accommodation must be described in detail, said Levin. For example, if a student has an accommodation for a break when a migraine arises, the 504 plan's implementation section needs to specify the length and frequency of those breaks.

As the student's plan may be passed down to different staff members each year, this ensures anyone providing instruction or services to the student clearly understands how to implement it, he said.

See also:

- [Know what 504 accommodations support students with sporadic disabilities](#)
- [Don't assume IHP is enough: Consider adding 504 plan](#)
- [The Section 504 Toolkit: Your Complete Referral-to-Placement Guide](#), by James F. McKethan, Ed.D.

[Riley Atwater](#) covers special education issues for LRP Publications.

September 3, 2025

Copyright 2025© LRP Publications



© LRP Publications. All Rights Reserved.