

# OVERVIEW OF IDEA

An overview of the  
Individuals With  
Disability Act

## BRIEF HISTORY OF IDEA

- 1975 Congress enacted the Education for all Handicapped Children Act – ancestor to the Individual Disability Education Act (IDEA)
- Federal grant money allotted to each state to educate children with disabilities with the condition that states would comply with goals and procedures set forth in the legislation

## HISTORY CONT.

- The last amendments were enacted in 2004 and effective in July of 2004.
- Foundation of legislation remains the same:
  - Ensuring access to a Free Appropriate Public Education (FAPE)
  - Ensuring the child's and their parents rights are protected
  - Assistance to states, educational service agencies, localities, and Federal agencies to provide for the education

# IDENTIFICATION

- Often referred to as “child find”
- Statewide system includes at least the following:
  - Public awareness program with preparation and dissemination by the lead agencies
  - Information provided to parents regarding the availability of early intervention services under Part C (DDS)

## INDIVIDUAL FAMILY SERVICE PLAN (IFSP)

- Assessment of strengths and needs of the child and the identification of appropriate services
- A family directed assessment of the resources, priorities, and concerns of the family
- A written IFSP developed by a team

# REFERRAL

- Collect information that might be interfering with the child learning
- Referral may be made by any individual with pertinent information about the child
- Referral may be made any time and should be in writing, dated, and copied for parent file
  - Attn.: director of public agency or principal and copy the letter to the special educational supervisor

## REFERRAL CONT.

- Upon receipt of the referral request, the school notifies the parent within seven days
- Referral conference must be held within 21 days from the date of the referral request
- Referral conference must be attended by a minimum of three persons: principal or designee, the teacher directly involved with the education of the student, and the parent

# REFERRAL OUTCOMES

- Further testing/evaluation is necessary to determine eligibility
- Not eligible for IDEA however may be eligible for other educational services
- Child determined not eligible for IDEA

# EVALUATION

- To determine a possible disability which adversely affects educational performance and possible needs for special designed instruction
- Evaluation must be completed 60 calendar days of the referral conference decision notification to the parents

# EVALUATIONS CONT.

- Appropriate evaluation inclusion:
  - Information from the school
  - Information from the home
  - Information from significant community sources
- Types of evaluations:
  - Comprehensive
  - Specialized
  - Initial
  - Independent
  - Specific Learning
  - Re-evaluations

# RESPONSE TO INTERVENTION

- Identification of child who struggles educationally and to ensure that child receives the appropriate instruction or intervention for success
- Universal or school – wide screening
- Progress monitoring
- Tiered instruction

## RESPONSE TO INTERVENTION CONT.

- High-quality, research-based instruction and interventions
- Prevention of academic/behavior problem
- Determination of eligibility as a student with specific learning disability
- Important information for parents
  - Parents have legal right to request an evaluation
  - Requests can be made any time and regardless of where your child is in the RTI process

# INDIVIDUALIZED EDUCATION PLAN

- Contract containing a written statement of the educational programs designed to meet the individual needs of the child
  - Set reasonable learning goals
  - Services that the public agency will provide
- TEAM
  - Parents, child (when appropriate), educational teacher, principal/designee, and others

# RELATED SERVICES

- Occupation therapy, Physical therapy, Speech Language therapy
- Transportation
- Assistive technology
- Supportive services
- Others

# LEAST RESTRICTIVE ENVIRONMENT

- Placement
  - Based upon the child's IEP
  - Based upon parents consent
  - Reviewed annually
- Students with disabilities educated with their peers without limitations
- Continuum of alternative placements

# TRANSITION

- Age sixteen
- Appropriate agencies involvement
- Students involvement
- Identifying students goals for independence

# DUE PROCESS

- Disagreement
- Mediation
  - Forms completed and submitted
  - Requested by parent(s) or school
- File complaint
  - Forms completed and submitted
- Fair hearing

# ACCREDITATION

- The ABCs of RTI
  - National Research Center of Learning Disabilities  
[www.nrchld.org](http://www.nrchld.org)/785-864-4780
- Federal Register
  - Volume 71, No.156, August14,2006
- Disability Rights Center
  - [www.arkdisabilityrights.org](http://www.arkdisabilityrights.org)/1-800-482-1174
- NICHCY
  - [www.nichcy.org](http://www.nichcy.org)/1-800-695-0285