Major Provisions of IDEA

1. A Free and Appropriate Public Education (FAPE)
   a) IDEA is based on the value that every student can learn.
   b) Accordingly, all students with disabilities are entitled to a free and appropriate public education designed to meet their unique needs and at no cost to the parents.
   c) The IDEA provisions related to FAPE are based on the Fourteenth Amendment guaranteeing equal protection of the law.
   d) The “some educational benefit” standard requires states to provide a beneficial, not ideal, education to students with disabilities.

2. Nondiscriminatory and Multidisciplinary Assessment
   a) The labeling and placement of students with disabilities in educational programs requires the use of nondiscriminatory and multidisciplinary assessment. This includes:
      i) Testing students in their native or primary language.
      ii) Using valid tests and evaluation procedures that are selected and administered to prevent cultural or racial discrimination.
      iii) Validation of the assessment tools for the purpose for which they are being used.
      iv) Utilizing several pieces of information collected by a multidisciplinary team.

3. Parental Safeguards and Involvement
   a) Parental safeguards and involvement in the educational process including:
      i) Consent for testing and placement.
      ii) Request an independent educational evaluation
      iii) Request an evaluation at public expense if the parent disagrees with the evaluation.
      iv) Participate on the committee that considers the evaluation of, placement of, and programming for the child.
      v) To inspect and review educational records and challenge information if needed.
      vi) To request a copy of information from the child’s educational record.
      vii) To request a hearing concerning the school’s proposal or refusal to initiate or change the identification, evaluation, or placement, or the provision of FAPE.
   b) The intent of these safeguards is twofold: first, to create opportunities for parents to be more involved in decisions regarding their child’s education; and second, to protect the student and family from decisions that could adversely affect their lives.
   c) Some professionals and parents have argued that IDEA’s goal of collaborative relationships has never been fully realized.

4. The Individualized Education Program (IEP)
   a) The IEP is the vehicle for delivering FAPE to every eligible student with a disability.
   b) The 1997 amendments require that the team responsible for developing the IEP include the student’s parents, at least one special education teacher, at least one regular
(general) education teachers if the student is or may be participating in the regular (general) education environment, and a representative of the local education agency who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities. This individual must also be knowledgeable about the general curriculum and the availability of resources.
c) The IEP team must also include a person who can interpret the instructional implications of evaluation results.
d) IDEA requires that an IEP must include:
   i) The student’s present level of performance including how the disability affects involvement with the general education curriculum.
   ii) Measurable annual goals including benchmarks or short-term instructional objectives that are related to the general curriculum.
   iii) Special education, related services, and supplementary aids or services to be provided.
   iv) A statement of any individual modification in the administration of State or district-wide assessments.
   v) Projected dates for beginning and ending services.
   vi) A statement of how the child’s progress toward the annual goals will be measured and how the child’s parents will be regularly informed.

5. Education in the Least Restrictive Environment (LRE)
   a) All children have the right to learn in the least restrictive environment (LRE) consistent with their academic, social, and physical needs.
   b) The law mandated that children with disabilities receive their education with non-disabled peers to the maximum extent appropriate.
   c) A continuum of placements must be available, ranging from general education classroom placement with additional support to educational services through a homebound or hospital instructional program.
Characteristics of Effective Special Education

1. **Individualization** - student centered approach to instructional decision making
   a) General education is most often oriented to undifferentiated large group instruction while special education is designed to meet the unique needs of every student.
   b) Individually referenced approaches need continual planning and adjustment in response to the students support needs.
      i) Teachers must have multiple ways to adapt curriculum, modify instructional approaches, and motivate their students to learn.
      ii) General and special educators must acquire the core of knowledge and skills that facilitate teaching all students, and be able to work collaboratively in meeting the instructional needs of students with disabilities.

2. **Intensive Instruction** - frequent instructional experiences of significant duration
   a) Intensive instruction involves:
      i) actively engaging students in their learning by requiring high rates of appropriate responses to material presented
      ii) matching instruction to ability and skill level
      iii) providing instructional cues and prompts to support learning then fade when appropriate
      iv) providing detailed feedback that is directly focused on the task the student is expected to complete.

3. **The Explicit Teaching of Academic, Adaptive, and Functional Life Skills**
   a) In addition to needing individualized and intensive instruction, student with disabilities require more teacher directed and structured approaches to learning
   b) The teaching of explicit skills to students with disabilities includes instruction in core academic areas, adaptive skills, and functional life skills.
   c) Many core areas require a developmental approach to instruction.
   d) Not all children are able to learn the core academic skills on the school’s timeline. The degree to which the school recognizes and accommodates individual diversity is known as adaptive fit.
   e) Functional life skills approach is based on the premise that functional life skills (daily living, personal social development, communication skills, recreation and leisure activities, and employment skills) will not be learned without formal instruction.