

Individuals with Disabilities Education Act 2004 Final Regulations

Presentation Outline
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Section I General Overview

1. Identify the following terms:

- a. IDEA _____
- b. NCLB _____
- c. SPP _____
- d. APR _____
- e. HQ _____
- f. AYP _____
- g. RtI _____
- h. EI _____
- i. PLAAFP _____
- j. SPDG _____
- k. SEA _____
- l. LA _____
- m. LEA _____
- n. RS _____
- o. Subpart C _____

2. The new IDEA is P.L. _____ - _____.

3. The final regulations take effect on _____, 2006.

4. IDEA 2004 and regulations are effective through _____.

5. **Structure of Regulations**

Title—Part 300 Assistance to States for the Education of Children with Disabilities

Subpart A _____

Subpart B _____

Subpart C _____

**Subpart D _____

**Subpart E _____

Subpart F—Monitoring, Enforcement, Confidentiality

Subpart G—Use of Funds

Subpart H—Preschool Grants

6. Along with final regulations, the U.S. Department of Education published their model special education forms, including

a. _____

b. _____

c. _____

7. All LEA Directors should study _____ of the regulations dealing with Local Educational Agency eligibility.

Section II Definitions

1. *Other Health Impairment* now includes _____'s syndrome (300.8(g)).
2. *Local education agencies* include the term _____ schools (300.2(b)(1)(ii)) and 300.7). They have the same obligations as other LEAs.
3. *Consent* and agree have different meanings. Consent has a higher standard and requires _____ and _____ consent. Agreement refers to an “_____” and need not be in writing (300.9).
4. *Core academic subjects* include English, reading or language arts, _____, science, _____ languages, civics and government, economics, _____, _____, and geography (300.10).
5. *Highly Qualified*—A State may develop a separate _____ for special education teachers (300.18(e)(1)).

6. There is no “_____” for a parent based solely on the fact that a teacher is not *highly qualified* (300.18(f)).
7. Students with disabilities who have been _____ or _____ must still be taught by *highly qualified teachers* (300.18 and 300.101).
8. The term *parent* no longer refers to as natural; instead, the term _____ applies (300.30).
9. There is now a hierarchy for the term *parent* (300.30(b)(2)).
Judicial decree → _____ or _____ foster parent → guardian → an individual acting in place (relative) and _____ parent.
10. *Related services* do not include a medical device that is _____.
Schools are required to ensure that the external components are functioning properly (300.34(b)(1)).
11. *Scientifically based research* has the same meaning as in the _____ (300.25).
12. *Early intervention services* are for _____ to _____ year old students. *Early intervening services* are available to _____ to _____ students who are not receiving special education (300.226).
13. *Early intervening services* are not available for _____ (300.226).
14. _____ aids and _____ apply to extracurricular and nonacademic subjects (300.42).
15. *Child Find*—All children with disabilities who are homeless, wards of the State, or attending _____ and who are in need of special education are _____, _____, and evaluated (300.111).

Section III Eligibility and Evaluation

1. The initial evaluation must be completed within _____ days of receiving _____ for evaluation (300.301(c)(1)).

2. Name the two sources of referral for an initial evaluation:
 - a. _____
 - b. _____
3. The 60-day timeline does not apply if the parent _____
to produce the child for evaluation or _____ the child in another public school
(300.301(d)(1–2)).
4. _____ for instructional purposes is not evaluation (300.302).
5. **True or False**—The regulations do not alter the definition of specific learning disability
(300.307).
6. Instead of a reevaluation, for students who graduate with a regular diploma or exceed the age
ceiling, the school district is required to provide a _____ of the student’s
_____ and _____
(300.305(e)(3)).
7. List the three factors that would disqualify a child from having a disability (300.306(b)).
 - a. _____
 - b. _____
 - c. _____
8. _____ to _____ is only one component of the process to identify a
child with a _____ (300.307).
9. School districts can still use the _____ to identify learning
disabilities (300.307).
10. Failing a _____ may be one factor in an evaluation for SLD
(300.309).
11. The evaluation must include a statement that the child was given _____
_____ in regular education settings developed by _____
(300.310).
12. The final regulations add _____ skills to grade level
standards (300.309(1)(V)).
13. _____ is required to conduct a classroom observation
(300.310).

14. Eligibility for SLD must include a statement that the child participated in a process that evaluates the child's response to _____
(300.311(7)).

Section IV Individualized Education Programs

1. The IDEA regulations extend the definition of supplemental aids and services to _____
_____ and _____ settings to enable children with disabilities to be educated with
nondisabled children to the maximum extent appropriate (300.42).
2. **True or False**—Physical Education (PE) must be made available to every child receiving
FAPE (300.108).
3. **Commentary**—There is nothing in the act requiring IEP members to _____ the
IEP (300.324).
4. **True or False**—**Commentary**—If the school district develops a draft IEP prior to the IEP
meeting, a copy must be made available to the parent (300.322(b)).
5. All IEPs must have the following seven components (300.320(a)):
 - a. Present levels of _____ and _____

 - b. Measurable annual goals including _____ and _____

 - c. _____ toward meeting annual goals
 - d. Statement of special education and _____
 - e. Statement of non-participation with _____
 - f. Accommodations during _____
 - g. Projected date for beginning services and anticipated _____,
_____, and _____ of services
6. IEP Team Membership (300.321)
 - a. Parents of child
 - b. Not less than one _____
 - c. Not less than one _____
 - d. _____ representative

- e. An individual who can _____ the instructional implications of the evaluation results
 - f. Other _____, such as related service staff
 - g. The _____, when appropriate
7. **True or False**—Regarding the IEP attendance of the child, the child must attend if the IEP Team is addressing postsecondary goals (300.321(7)(b)(1)).
 8. If the child does not attend the IEP Team meeting, the school must take steps to ensure the child’s _____ and _____ are addressed (300.321(7)(b)(2)).
 9. The IDEA regulations increase the emphasis on parent participation at IEP meetings, including the use of _____ or _____ calls (300.322(c)).
 10. A meeting to develop the IEP for a child is conducted within _____ days of the determination of eligibility (300.323(c)).
 11. A copy of the IEP is accessible to each _____ teacher, special education teacher, or any other service provider responsible for the implementation of the IEP (300.323(d)(1)).
 12. Each service provider responsible for the implementation of the IEP is informed of
 - a. _____
 - b. _____
 (300.323(d)(2)(i–ii))
 13. What are the two responsibilities of the general education teacher in developing or revising the IEP (300.324(a)(3)(i–ii))?
 - a. _____
 - b. _____
 14. An IEP can be revised without an IEP Team meeting if a _____ is provided to the parent and they _____ in _____ not to hold a meeting (300.324(a)(6)).

Section V Least Restrictive Environment

1. A removal of more than ___ consecutive days is a change of placement. A series of removals that add up to more than 10 days will be a change of placement only if the removals “_____ a _____” (300.536).

Section VI Discipline

1. Students with disabilities who have been suspended or expelled must be taught by _____ teachers (300.18 and 300.156).
2. Parents who refuse special education services cannot later claim _____ of IDEA in connection with _____ (300.300).
3. If a student is removed from school after 10 days, the student must continue to participate in the _____ (300.530(d)).
4. What are the next three steps if there is a manifestation?
 - a. _____
 - b. _____
 - c. _____
5. What are the next three steps if it is not a manifestation?
 - a. _____
 - b. _____
 - c. _____
6. The Department of Education has made a distinction between _____ and locations for students who are removed for discipline reasons (300.530(d)).
7. The _____ should analyze the child’s behavior across settings and time (300.530(e)).
8. A behavior intervention plan (BIP) is required if the behavior was a _____. If the behavior is not a manifestation, no _____ is required (300.530(d)(1)(ii)).

Section VII Procedural Safeguards

1. A parent is entitled to only _____ IEE each time the school conducts an evaluation (300.502(a)(5)).
2. The parent rights brochure is given to the parents _____ time each year (300.504).
3. A parent may elect to receive notices by _____ mail if the school makes the option available (300.505).
4. The parent has _____ years to file for a DPH from the date of the alleged violation (300.507(a)).
5. Within ____ days of receiving notice of a parent's DPH and prior to a DPH, the school must convene a _____ (300.510).
6. The _____ and _____ may agree not to hold a resolution session (300.510(a)(3)(ii)).
7. The SEA must ensure a surrogate parent is appointed not more than _____ days after a need is established (300.519).

Section VIII LEA Responsibilities

1. The LEA must have consistent _____ and _____ with the SEA (300.201).
2. Special education federal funds should be used to pay _____ for providing special education services (300.202(a)(2)).
3. Federal funds must be used to _____ State, local, and other federal funds, not to _____ those funds (300.202(a)(3)).
4. Define "maintenance of effort" (300.203):

5. List the five exceptions to maintenance of fiscal effort (300.204):
 - a. _____
 - b. _____
 - c. _____

- d. _____
- e. _____
6. The school district can use federal Part B funds to carry out a _____
_____ Under Title I (300.206).
7. The school district must provide _____ activities to ensure a
qualified staff (300.207).
8. There are four areas that allow the permissive use of Part B funds under 300.208:
- a. Services and aids that also benefit _____
 - b. Early _____ Services
 - c. _____ special education and related
services
 - d. _____ Case management.
9. Charter schools are considered _____ and have the same
obligations to provide FAPE (300.209).
10. No later than December 3, 2006, the school district must choose to coordinate with the
_____ Access Center (300.210).
11. The school district must provide _____ and _____ to the SEA for
reporting purposes (300.211).
12. The school district must provide information to the _____ regarding
their eligibility (300.212).
13. The school district must ensure the linkage of records pertaining to the _____
children with disabilities (300.213).
14. Each school district must have on file with the SEA their _____ and
procedures (300.220).
15. The SEA must notify the school district and provide an opportunity for _____
if they are not eligible for Part B funding (300.221 and 300.222).
16. The SEA may require an LEA to establish _____ with another LEA if the SEA
determines the LEA will not be eligible (300.223 and 300.224).
17. List the conditions for using not more than 15 percent of Part B for early intervening services
(300.226):
- _____

18. What is the difference between “early intervening” and “early intervention”?
