

IDEA—the Individuals with Disabilities Education Act

Alert! Alert!

Because NICHCY's website will only remain online until September 30, 2014, most of its rich content has moved to a new home, the **Center for Parent Information and Resources** (CPIR), where it can be kept up to date.

The new address of *IDEA—the Individuals with Disabilities Education Act* at the CPIR is:

<http://www.parentcenterhub.org/repository/idea/>



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In Spanish | En español

IDEA was originally enacted by Congress in 1975 to ensure that children with disabilities have the opportunity to receive a free appropriate public education, just like other children. The law has been revised many times over the years.

The most recent amendments were passed by Congress in December 2004, with final regulations published in August 2006 (Part B for school-aged children) and in September 2011 (Part C, for babies and toddlers). So, in one sense, the law is very new, even as it has a long, detailed, and powerful history.

NICHCY's website is full of information about IDEA. We are pleased to connect you with:

- [Summaries](#) of IDEA's requirements, which shape what school systems do;
- [IDEA itself](#)—to read IDEA's exact words, you can either download a copy of the law and its regulations, or read them here online;
- [Guidance on IDEA](#) from the Office of Special Education Programs at the U.S. Department of Education;
- [Legal analysis](#) that's appeared in law journals;
- [Training materials on IDEA](#) that you can use to fully inform yourself and others; and
- [20 indicators](#) by which the Office of Special Education Programs measures States' implementation of IDEA.

Use the links above to find the type of information you're looking for on IDEA. It's a great law! Complicated, to be sure, but well worth understanding and implementing.

Summaries of IDEA

If you're looking for summaries of what the law requires (rather than its word-for-word statute or regulations), let us point you to two other major sections of our website:

Services for babies and toddlers to the third birthday (Part C of IDEA):

<http://www.nichcy.org/babies/>

Services for school-aged children, including preschoolers (Part B of IDEA):

<http://www.nichcy.org/schoolage>

Our [A-Z Topics listing](#) is also a handy, quick way to find summaries of specific **topics** within IDEA, such as evaluation of children, parent consent, and what's included in an IEP.

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Exact Words of IDEA Itself

To read IDEA's verbatim language can be a big help in understanding why local practices in schools and early childhood settings are as they are. Here is the place to connect with that language. Use the links below to explore the actual words of our nation's special education law.

[Get a Copy of IDEA](#)

Does your desk need a full copy of IDEA or its implementing regulations? Here's where!

[Part C of IDEA: Early Intervention for Babies and Toddlers](#)

Under IDEA Part C, infants and toddlers with disabilities (birth-3) and their families receive early intervention services.

[Part B of IDEA: Services for School-Aged Children](#)

Children and youth (ages 3-22) receive special education and related services under Part B of IDEA. Find out all about this extremely critical part of the law.

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Guidance on IDEA from the U.S. Department of Education

The Office of Special Education Programs (OSEP) at the U.S. Department of Education regularly provides guidance to the field on IDEA. All are intended to clarify elements of the law and its regulations, and are an important part of understanding IDEA and how to implement it. To connect with this federal guidance, visit:

<http://nichcy.org/schools-administrators/doe>

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Legal Analysis in Law Journals

This section of NICHCY website is devoted to bringing you full-length articles on special education and disability law. Here, you'll find legal articles on IDEA, Section 504, state laws, and other topics.

<http://nichcy.org/laws/legal>

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Training Materials on IDEA

If you're a trainer or advocate who'd like to tell others about IDEA, or find materials to become fully informed yourself—including all those pesky little details—then visit NICHCY's training curriculum on IDEA 2004. It's divided into 2 parts:

Training materials for Part B (school-aged children)

Building the Legacy / Construyendo el Legado for Part B gives you 19 training modules in English and 8 in Spanish covering the major topics for school-aged children within IDEA 2004. Materials for each module include: a slideshow presentation, handouts for participants, and detailed background text, plus supplemental resources

for trainers. You can use these materials to inform yourself or to train others.

Home page for *Building the Legacy / Construyendo el Legado: A Training Curriculum on Part B of IDEA 2004*
<http://www.nichcy.org/laws/idea/legacy/>

Training materials for Part C (Babies and toddlers to the 3rd birthday)

The U.S. Department of Education has asked NICHCY to create a training curriculum based on the [final Part C regulations](#) released in September 2011. Read all about what the [full curriculum](#) will contain, when completed. We are currently hard at work on the task. To date, the first module, the [Basics of Early Intervention](#), is available. Other modules (hopefully) will follow soon!

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OSEP's Part B Indicators

The Part B indicators are one of the ways in which States measure and report their performance in educating students with disabilities. The Office of Special Education Programs (OSEP) has identified these 20 indicators to guide SEAs in their implementation of IDEA and in how they report their progress and performance to OSEP itself. This, in turn, now allows OSEP to report concrete data back to Congress and to monitor and supervise State implementation in specific areas. The indicators are:

[Indicator 1: Graduation Rates](#) |

Percent of youth with individualized education programs (IEPs) graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

[Indicator 2: Drop out Rates](#) |

Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

[Indicator 3: Participation and Performance on Statewide Assessments](#) |

Participation and performance of children with disabilities on statewide assessments.

[Indicator 4: Suspensions and Expulsions](#) |

Rates of suspension and expulsion

[Indicator 5: Participation/Time in General Education Settings \(LRE\)](#) |

Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

[Indicator 6: Preschool Children in General Education Settings \(Pre-School LRE\)](#) |

Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

[Indicator 7: Preschool Children with Improved Outcomes](#) |

Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

[Indicator 8: Parental Involvement](#) |

Percent of parents with a child receiving special education services who report that schools facilitated parent

involvement as a means of improving services and results for children with disabilities.

[Indicator 9: Disproportionate Representation in Special Education that is the Result of Inappropriate Identification](#) |

Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

[Indicator 10: Disproportionate Representation in Specific Disability Categories](#) |

Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

[Indicator 11: Timeframe Between Evaluation and Identification \(Child Find\)](#) |

Percent of children with parental consent to evaluate who were evaluated and eligibility determined within 60 days (or State established timeframe).

[Indicator 12: Transition Between Part C and Part B](#) |

Percent of children referred by Part C prior to age 3 and who are found eligible for Part B who have an IEP developed and implemented by their third birthdays.

[Indicator 13: Post School Transition Goals in IEP](#) |

Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the child to meet the post-secondary goals.

[Indicator 14: Participation in Postsecondary Settings One Year After Graduation](#) |

Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

[Indicator 15: Timely Correction of Noncompliance](#) |

General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

[Indicator 16: Resolution of Written Complaints](#) |

Percent of signed written complaints with reports issued that were resolved within the 60-day timeline, including a timeline extended for exceptional circumstances with respect to a particular complaint.

[Indicator 17: Due Process Timelines](#) |

Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

[Indicator 18: Hearing Requests Resolved by Resolution Sessions](#) |

Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

[Indicator 19: Mediations Resulting in Mediation Agreements](#) |

Percent of mediations held that resulted in mediation agreements.

[Indicator 20: Timeliness and Accuracy of State Reported Data](#) |

State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

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