

## **Individuals with Disabilities Education Act (2004) : Six Principles**

- Zero reject
- Nondiscriminatory evaluation
- Appropriate education
- Least restrictive environment
- Procedural due process
- Parental and student participation

### **Zero Reject**

Ensures all children and youth (3 - 21), no matter how severe their disabilities, will have an appropriate education provided at public expense

Applies to:

- Educability
- Discipline

### **Discipline**

- Equal treatment
- No cessation
- Unique circumstances
- Short-term removals
- Manifestation determination
- Response to no manifestation
- Response to manifestation
- Services in interim alternative educational setting
- Weapons, drugs, and injury

### **Nondiscriminatory Evaluation: Two Purposes**

Does the student have a disability?

What kind of special education and related services does the student require?

Assessment Requirements

- Screening
- Prereferral
- Response to intervention
- Referral
- Nondiscriminatory evaluation

### **Appropriate Education: IEPs**

- Individualized education for each student with a disability
- Developed collaboratively by the same people involved in the evaluation
- Outcome oriented (include goals/objectives)
- Provide the foundation for the student's appropriate education

### **IEPs**

- Document for students 3–21
- Need to be in effect at the beginning of the school year
- Reviewed and revised at least once a year

### **IEP Team**

#### **Participants**

- Parents
- General educator
- Special educator
- School system representative
- Evaluation interpreter
- Others
- Student

### **IEP**

#### **Conference Activities**

- Prepare in advance
- Connect and get started
- Review formal evaluation and current levels of performance
- Share resources, priorities, and concerns
- Share visions and expectations
- Consider interactions of proposed students goals, placement and services
- Translate student priorities into written goals
- Determine placement, supplementary aids/services, and related services
- Address assessment modifications and special factors
- Conclude the conference

### **Least Restrictive Environment**

- Education with students who do not have disabilities
- For early childhood, IDEA favors the “natural environment”
- The rule: A presumption of inclusion

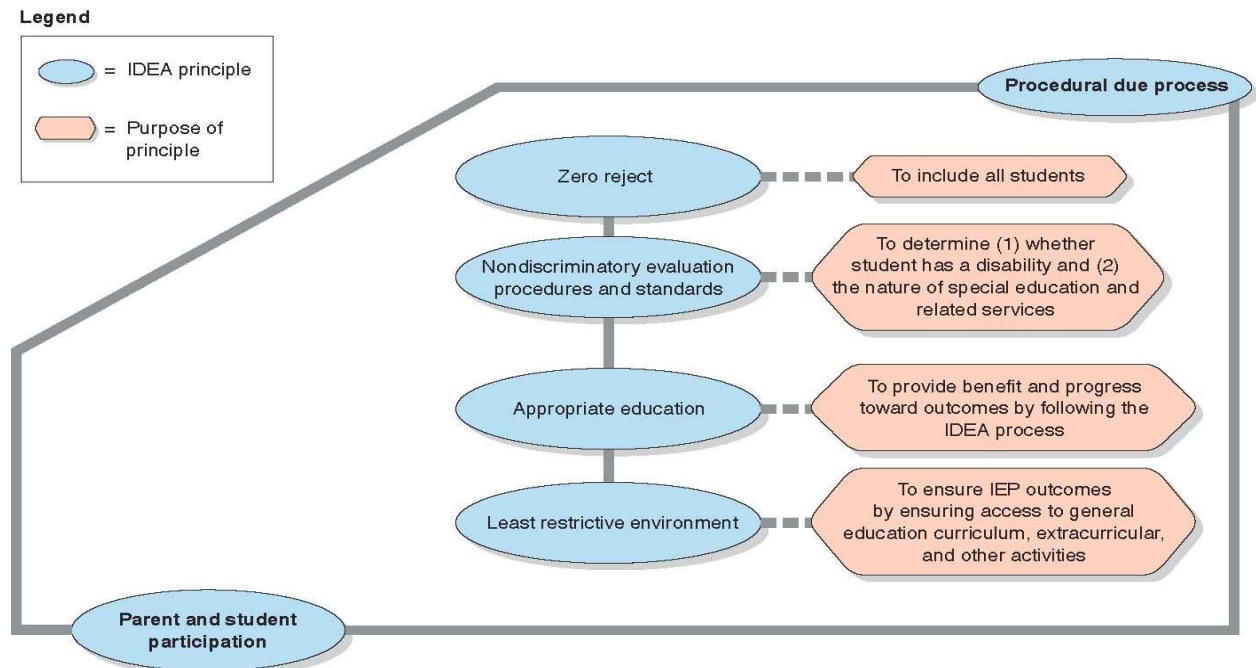
- Access to the general education curriculum
- Setting aside the presumption
- The continuum of services
- Extracurricular and nonacademic inclusion

### Procedural Due Process

- Makes schools and parents accountable to each other
- Resolution session
- Mediation
  - Not required by IDEA but strongly encouraged
- Due process hearing
  - Similar to a regular courtroom trial
  - Conducted before an impartial hearing officer
  - Parents and schools are entitled to have lawyers present

### Parent and Student Participation

- Parents are members of teams
- Parents receive notification before schools do anything about their child's education
- Parents have the right to use the three dispute-resolution techniques
- Parents have access to school records concerning student
- At age of majority IDEA rights transfer to the student



Taken from Exceptional Lives. Turnbull, Turnbull, and Wehmeyer (2010)