

## **IDEA Updates**

The Individuals with Disabilities Education Act has undergone several changes since it first was passed into law and was known as the Education for All Handicapped Children Act or Public Law 94-142, in 1975. This law originated mainly to insure that students with disabilities receive an appropriate public education.

The reauthorization of IDEA 2004 states that the purpose of the law is to:

1. ensure that all children with disabilities have access to a free appropriate public education that emphasizes special education and related services that are designed to meet their unique needs and that prepare them for further education, employment and independent living;
2. ensure that the rights of children with disabilities and parents of such children are protected;
3. assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities;
4. to assist States in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
5. ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and
6. assess and ensure the effectiveness of efforts to educate children with disabilities.

Highlights of key changes in the law include:

### **Additional procedures for identifying children with specific learning disabilities**

The changes from seek to facilitate more appropriate and timely identification of children with learning disabilities so that they can benefit from research-based interventions that have been shown to produce better achievement and behavioral outcomes. Every state must develop specific criteria, to determine whether a child has a specific learning disability and, as a result of that disability, requires special education. Specific emphasis must be given to the child's responses to scientific research-based interventions or RTI. All school districts within a state must use the criteria developed by the state. Determination of the existence of a specific learning disability is done by the child's parents and a team of qualified professions.

### **Highly qualified special education teachers**

Special education teachers who teach core academic subjects (as defined by the No Child Left Behind Act) to students with disabilities must be "highly qualified" in special education and also be highly qualified in the academic subjects they teach.

The final regulations clarify that teachers in private schools – including private school teachers hired or contracted by school districts to provide services to children placed in private schools by their parents - do not need to meet the "highly qualified" requirements of IDEA.

### **Individualized Education Programs (IEPs)**

IDEA 2004 established new provisions that allow members of the IEP team to be excused from attending IEP meetings under certain circumstances especially if their contribution to the IEP is not a necessary part of the process. IDEA 2004 included a new provision requiring the special education and related services, supplemental aids and services outlined on a student's IEP need to be based on research and to be practical.

Final regulations require that "each teacher and provider is informed of his or her specific responsibilities related to implementing the child's IEP; and the specific appropriate accommodations and supports that must be provided for the child in accordance with the IEP."

For detailed updates on the reauthorized law please visit:

<http://www1.usu.edu/mprc/infoserv/modules/files/IDEA2004overviewNational.pdf>