

LEARN THE LAW

Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (IDEA) is the federal law that mandates schools meet the needs of children with disabilities and provides them a Free Appropriate Public Education (FAPE) in the least restrictive environment. **IDEA was first passed in 1975 and was last updated in 2004.**

IDEA has three main parts:

IDEA Part B (ages 3-21) – This part provides legal requirements and funding to ensure that all students with disabilities, including those with learning disabilities, get the support they need in school

IDEA Part C (ages 0-2) – This part provides services and funding for infants and toddlers with disabilities from birth to age 2

IDEA Part D (National Activities) – Finally, Part D provides funding for competitive grants to support state personnel development, technical assistance, information dissemination, technology, and information and support services for parents



IDEA is the federal law that mandates schools meet the needs of children with disabilities.

Why It Matters

Students with disabilities comprise approximately 2.45 million individuals receiving services under IDEA, accounting for about 34 percent of the total approximately 7.2 million students. Additionally, IDEA allocates federal funding to assist states in delivering Free Appropriate Public Education (FAPE).

Deeper Dive



Eligibility and Identification

To qualify for services under IDEA, a child must fall into one of 13 specified disability categories, which includes having a Specific Learning Disability. Additionally, because of that disability, **the child must need special education or related services to progress in school.** If a child has a disability but doesn't need special education, they might be covered by Section 504 or the Americans with Disabilities Act.

In IDEA, "Specific Learning Disability" (SLD) is a brain-based disorder that affects an individual's ability to read, write, and do math (e.g., dyslexia, dysgraphia, and dyscalculia).

IDEA regulations require states to develop policies and procedures that follow federal requirements for evaluating an SLD. **Regardless of the method of identification chosen for an SLD, IDEA requires districts to implement a comprehensive evaluation.**



Least Restrictive Environment and Placement

Least Restrictive Environment (LRE) is a foundational principle of the law, but it's not a specific place. It means that students should be taught in the least restrictive setting while still meeting their needs. In that setting, **students can get extra help, services, adjustments, and changes to make learning easier.**

The IEP team, which includes a parent or caregiver, decides where the student should be placed. Options for placement can range from the general classroom with some support, small group or separate instruction, a special education class, to a specialized program like one in a residential or hospital setting. In 2020–21, 76% of U.S. students with specific learning disabilities with an IEP spent 80% or more of the school day in the general education setting.



Child Find and Early Intervention

According to the law, schools must find, identify, and assess all students to see if they need services under IDEA. This includes children who are experiencing homelessness, highly mobile (i.e., migrant children), or attending private schools.

States can also use up to 15 percent of their funding for "coordinated early intervening services." These services are for children who haven't been identified as needing special education but require extra academic or behavioral support in the general education setting.



Free Appropriate Public Education and the IEP

Eligible children can receive Free and Appropriate Public Education (FAPE). This is put into action through an Individualized Education Program (IEP), created by a team of school staff and the child's parents, commonly known as the IEP team. The IEP should cover several areas:

- The child's academic, developmental, and functional needs
- Yearly academic and functional goals for the child
- How the child's progress toward those goals will be measured
- The special education and related services, as well as any program changes and support, will be given

IEPs include various services depending on the child's needs, like psychological services, social work services, counseling, and parent counseling and training.

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Procedural Safeguards for Parents

IDEA ensures parents can speak up for their child's education and overall well-being. These safeguards include:

- **Notice of rights**

Parents should be told about their rights

- **Participation on the IEP team**

Parents have the right to be part of the team that creates their child's IEP

- **Access to educational records**

Parents can see their child's school records

- **Giving informed consent for an evaluation**

Parents must agree before their child is evaluated for special education services, and they also have the right to an independent evaluation

- **Due process rights**

Parents have certain rights if there are disagreements, and there are ways to resolve disputes

- **"Stay put" rights**

If there's a disagreement, the child's current IEP and placement should not change during the resolution process

Every state must have at least one Parent Training and Information Center. The main goal of these centers is to give parents helpful and timely information about special education and their rights as parents, including support in resolving disputes.



Highly Qualified Teachers

Under IDEA, every special education teacher must have at least a bachelor's degree and must be fully certified by the state as a special education teacher.



Transition Services and Exiting Special Education

In some states, transition planning is required under IDEA for students starting at age 16 (or age 14). **Each transition-aged student should be invited to IEP and transition meetings, where the team determines measurable goals for after high school and plans transition activities.**

When a student graduates from high school or "ages out" at age 21, the school has to provide a Summary of Performance (SOP). This document summarizes the student's academic and functional achievements, lists any essential changes to help them, and gives suggestions for reaching their goals after school.

Additional Resources

- [Congressional Research Service, The Individuals with Disabilities Education Act, \(IDEA\), Part B: Key Statutory and Regulatory Provisions](#)
- [Congressional Research Service, Individuals with Disabilities Education Act \(IDEA\) Funding: A Primer](#)