

## Families and the Individuals with Disabilities Education Act (IDEA)

*In IDEA 2004, Congress stressed:*

“strengthening the role and responsibility of parents and ensuring that families of such children have **meaningful opportunities to participate in the education of their children at school and at home.**” 20 U.S.C. § 1400(c)(5)(B)

### *Procedural Safeguards*

- Each SEA must ensure that each public agency establishes, maintains, and implements procedural safeguards. 20 U.S.C. §§ 1412(a)(6), 1415(a).

#### **Sample Procedural Safeguards**

- Parents receive a complete explanation of all the procedural safeguards available under IDEA and the procedures in the state for presenting complaints. 34 C.F.R. § 300.504.
- Parents receive *prior written notice* on matters relating to the identification, evaluation, or placement of their child, and the provision of free appropriate public education (FAPE) to their child. 20 U.S.C. § 1415(b)(6); 34 C.F.R. § 300.503.

### *IEP Teams*

- The AU must ensure that the IEP Team for each child with a disability includes the parents. 20 U.S.C. § 1414(d)(1)(B); 34 C.F.R. § 300.321.

#### **Sample IEP Team Responsibilities**

- Parents are essential members in the team process.
- Parents must provide input into evaluations.
- Parents have the right to participate in all decisions, including the right to disagree.

### *An Historical Shift*

- The current system places emphasis on procedural compliance, consistent with the IDEA’s heavy emphasis on the procedural requirements for the development and implementation of special education programs.
- In recent years, however, federal and state education agencies have broadened that focus to look to student learning outcomes and achievement, in addition to procedural compliance.

### *Results-Driven Accountability (RDA)*

- The Office of Special Education Programs’ (OSEP’s) vision for Results-Driven Accountability (RDA) is that OSEP will target its work and investments to best support States in improving results for infants, toddlers, children and youth with disabilities.
  - Core Principal #2: The RDA system is transparent and understandable to States and the general public, **especially individuals with disabilities and their families.**
  - Core Principal #7: The RDA system is responsive to the needs and expectations of the **ultimate consumers (i.e., children and youth with disabilities and their families)** as they identify them. (U.S. D.E. O.S.E.P., n.d.)

**The Special Education Process is Ongoing and Connected Partnering Focused on Student Learning**

- **Child Find**
  - Review Data and Interventions Between Home and School
- **Initial Evaluation**
  - Jointly Review Existing Data and Identify Plan which includes Information from Families
- **Determination of Eligibility**
  - Jointly Review Criteria and Make Decision
- **IEP Development**
  - Jointly Develop Measurable Goals, Progress Monitoring and Service Delivery Plans (Including Possible Parent Training and Counseling as a Related Service)
- **IEP Implementation**
  - Together Follow-Up
  - Communicate Two-Way
  - Monitor Progress, Adjust and Revise as Necessary
  - Coordinate, Generalize, and Expand Learning Between Home and School
- **IEP Reviews**
  - Together Review Data and Revise, Assess so as to Continually Focus on Progress and What Works