

# 6 Principles of the Individuals with Disabilities Education Act (IDEA)

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## IDEA IS THE FEDERAL SPECIAL EDUCATION LAW

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Content The Individuals with Disabilities Education Act (IDEA) originally enacted in 1975, is our nation's federal special education law. IDEA provides protections, specialized instruction, and services and supports to students who have qualifying disabilities that affect their ability to learn and access an appropriate education in public schools. IDEA provides the right to a free and appropriate education, placement in the least restrictive environment, and parent participation. The law also has safeguards and provisions ensuring that the law is enacted and enforced. The Individuals with Disabilities Education Act (IDEA) was enacted by the federal government to ensure that all children with disabilities are provided with "equality of educational opportunity, full participation, independent living, and economic self-sufficiency." IDEA has six major principles that focus on students' rights and the responsibilities of public schools to support students with disabilities.

## FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

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IDEA guarantees that every child with a disability is entitled to a Free Appropriate Public Education (FAPE). IDEA provides special education and related services. Those services and supports should be designed to meet each child's unique needs and prepare them for future education, employment, and independent living.

IDEA provides these services to each child through an Individualized Education Program (IEP). The IEP provides specialized instruction, services and supports to ensure that each child receiving special education receives meaningful educational benefit. Each IEP should be written and implemented with high expectations for each student, demonstrate appropriate progress toward goals, and provide for successful transition into postsecondary education and independent living. Public schools and local school boards are responsible for ensuring that every child with a disability receives a FAPE.

## APPROPRIATE EVALUATION

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IDEA requires that schools conduct appropriate evaluations of students who are suspected of having a disability. An appropriate evaluation must be conducted by a team of knowledgeable and trained evaluators, must utilize sound evaluation materials and procedures, and must be administered on a non-discriminatory basis. Children should not be subjected to unnecessary assessments or testing, and evaluations must be geared toward planning for the child's education and future instruction.

## INDIVIDUALIZED EDUCATION PLAN (IEP)

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The Individualized Education Plan (IEP) ensures every child's access to a Free Appropriate Public Education. The IEP is a written document, developed by an IEP team which uses existing appropriate evaluation information to meet a student's unique educational needs. The IDEA requires certain information be



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included to plan an appropriate program for each child. This information includes a student's present levels of educational performance, annual goals and benchmarking objectives, services and supplementary aids to be received, and a detailed explanation of instances where a student is not participating in the general classroom and why. Each IEP is also required to include how each student's progress on their goals will be reported. Transition planning to adult life is also required to be addressed within an IEP. IDEA further requires that the concerns of the parent, strengths of the child, and the specific academic, developmental, and functional needs of the child are also addressed within the IEP.

## LEAST RESTRICTIVE ENVIRONMENT (LRE)

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The IDEA places a strong emphasis on placement in a general education setting. Under the IDEA, a student is guaranteed placement in the Least Restrictive Environment (LRE). This provides that each IEP team must consider and explore a number of alternatives for enabling a student to participate in the general education classroom. These supports may include accommodations, modifications, and supplementary aids and services to support the student. If the IEP team determines that a student cannot be satisfactorily educated in a general education setting, then the team must make responsible efforts to determine the LRE for that student outside of the general education classroom.

## PARENT PARTICIPATION

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The IDEA recognizes the importance of parents in the educational decision making for their child. Therefore, IDEA provides that parents are equal partners in decision making for their child's special education plan including planning, evaluation, and placements decisions. Parents are further afforded access to their child's educational records to make informed decisions. Schools are also required to provide parents with written notice regarding any educational decision making regarding their child's special education programming including evaluation, placement, and meetings. Both students and parents must be invited to IEP meetings, and the IDEA explicitly establishes a role for the parent as equal participant and decision maker. IDEA further provides that, at the age of majority (19 years old in the state of Alabama), parental rights for educational decision making are given to the student.

## PROCEDURAL SAFEGUARDS

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The IDEA establishes procedural safeguards to help parents and students enforce their rights under federal law. The primary purpose of this requirement is protect parental access to information pertaining to decision making including placement and transition planning, and have procedures in place to resolve disagreements between parents and schools.

Under the IDEA procedural safeguards, parents have a right to review all educational records pertaining to their child, receive notice prior to meetings about their child's evaluation, placement, or identification, and to obtain an Independent Educational Evaluation (IEE) for



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consideration at such meetings. If disagreements arise, parents have the right to request mediation or due process hearings with state-level education agencies, and beyond that may appeal the decision in state or federal court.

## YOUR OPINION MATTERS

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**Stakeholder opinion** is very important to our center. Please take a few moments to tell us what you think by completing a short survey about this sheet or other services of the AL-PTI.

<https://www.surveymonkey.com/r/ALPTI>



## APEC IS HERE TO HELP

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APEC's AL-PTI provides free training, information, and consultation to families, schools, and communities. Visit our training calendar for more information about learning opportunities at

[www.alabamaparentcenter.com](http://www.alabamaparentcenter.com) or call our center for personal help and consultation. The contents of this publication were developed in part under a grant from the US Department of Education, #H328M150012.

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