

Public Laws Regarding Special Education

Adapted from: www.deafeducation4parents.com (website no longer in operation)

PL 94-142, 1975 Individuals with Disabilities Education Act (IDEA)

PL 94-142 states that every child is eligible to receive a free and appropriate public education (**FAPE**) in the least restrictive environment (**LRE**).

Part B of IDEA: Ages 3 to 22. PL 94-142 established the means for nondiscriminatory testing and an annual Individual Education Plan (**IEP**). The IEP must cover the student's current progress, list educational objectives and a means for implementing and evaluating progress on these objectives.

Part C of IDEA: Birth to age 3. The **IFSP** stands for the Individual Family Service Plan. The IFSP is a family centered, legal document. This is a plan for services that may be provided to children identified with special needs including deaf and hard of hearing children. This plan focuses on what services a family needs for themselves and their deaf child. Services may include home visits, services from a home or center-based program, sign classes for parents and caregivers, services from a Teacher of the Deaf, Deaf Mentors, ASL Specialists, Speech Pathologists, Audiologists, Psychologists, and other Health Professionals, as needed.

When the child reaches the age of two years, six months, until the child is three years old, the IFSP includes a Transition Plan. The purpose of the transition plan is to examine preschool educational options for the child.

IEP stands for the Individualized Education Program. Children from age three (3) to twenty-two (22) have an IEP written and reviewed annually. The IEP is a child centered, legal document regarding the educational needs of the child. Services that may be considered for the child include: placement options, additional resource services (speech/language therapy, adaptive physical education, educational interpreters, audiological services, etc.). Any person involved with providing services may be part of the IEP team, **THIS INCLUDES PARENTS**. Every year, the IEP team meets and reviews the progress over the past year, sets new educational goals and discusses any other relevant issues related to the child's education. Every three years, there is a **Triennial Review** to evaluate the child's progress and review placement options and qualification (whether the child still qualifies for or requires services) issues related to the program.

504 Plans: Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, are civil rights laws that prohibit discrimination and ensure that children with disabilities have equal access to an education. A 504 plan spells out the accommodations and modifications a student needs to perform at the same level as their peers. The 504 Plan has fewer procedural safeguards than IDEA.

More information can be found at: The National Dissemination Center for Children with Disabilities (NICHCY)

“This guidance document from the Office for Civil Rights (OCR) in the U.S. Department of Education clarifies the requirements of Section 504 of the Rehabilitation Act of 1973 in the area of public elementary and secondary education. Section 504 requires a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability.”

Frequently Asked Questions about Section 504 and the Education of Children with Disabilities: <http://www2.ed.gov/about/offices/list/ocr/504faq.html>