

Seven Principles of P.L. 105-17 (IDEA)* (Reauthorization of PL 94-142)

Principle of Zero-Reject/Child Find. A school system can no longer exclude a student with a disability from a public education because of the specific nature or degree of his/her disability, e.g., physical, emotional, mental. All individuals who have been excluded in the past and are within state compulsory school age limits must be located and provided with appropriate educational services. All states are required to implement child find procedures to locate unserved children and to inform parents or guardians of available programs.

Principle of Non-discriminatory Testing. Students who are being considered for specialized services must be evaluated by a multidisciplinary team including at least one teacher or specialist with knowledge in the area of the specific disability, e.g., physical therapy, resource consulting. Tests or assessment instruments must be administered in the child's native language or other mode of communication, e.g., manual signs, communication boards. Furthermore, testing instruments must be validated for the specific purpose for which they are used and tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient. In addition, no single test can be used as the sole criterion for determining placement into a special education program. Additional methods of evaluation particularly for individuals with severe disabilities would include observations of the student in his/her natural environment, i.e. at home, in the classroom or playground, to better assess current skill levels.

Principle of Individual Education Programs (IEP). For each student with a disability, a written statement must be developed and implemented which includes a) a statement of the student's present level of educational performance, b) a statement of annual goals including short-term instructional objectives, c) a statement of specific education and related services to be provided to the student and the extent to which the student will be able to participate in regular educational programs, d) the projected dates for initiation of services and the anticipated duration of services, and e) appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.

Principle of Least Restrictive Environment. To the maximum extent appropriate, students with disabilities, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled. Special classes, separate schooling, or other segregation of children with disabilities from the regular educational environment can occur only when the nature or severity of the disability is such that education in regular classes or facilities with the use of supplementary aides and services cannot be achieved satisfactorily. In addition, a continuum of alternative placements must be available to meet the needs of children with disabilities for special education and related services, i.e. instruction in regular classes, resource consulting, special classes, special schools, home instruction.

Principle of Procedural Due Process. Parents of children with disabilities must be given prior notice of a pre-placement evaluation and for the initial placement of a student in a program providing special education and related services. The notice must include a full explanation of all procedural safeguards available to the parents, e.g., impartial due process hearings, a description of action proposed or refused, the specific reason for the action, and a description of the evaluation procedures. The notice must be written in language understandable to the general public and provided in the native language of the

parents. Written consent must be obtained from the parents before any action is taken to hold an evaluation or place the student in special education programs.

Principle of Parent Participation. Parents must receive written notice in their native language whenever an educational agency proposes to evaluate their child, identify him/her as disabled or change the educational placement. Parents are able to participate in placement and programming meetings and to have an impartial due process hearing if they are not in agreement with the decisions resulting from the above procedures. They additionally have the right to inspect and review any educational records relating to their child. To insure that these rights are upheld, the school district must: 1) obtain parental consent in writing prior to a formal evaluation, 2) insure that the multidisciplinary staff conference is held at a time and place that allows parental participation, and 3) assist parents in taking whatever steps are necessary to utilize the hearing process if they are not in agreement with the decisions reached concerning their child's educational placement.

Principle of Appropriate Education. All students with disabilities must be provided with appropriate services, personnel, and facilities necessary to meet full educational opportunities. In regard to students with severe disabilities this would include: appropriate student-teacher ratios, appropriate age ranges within classrooms, normal school day hours, interactions with non-disabled peers, adequate supportive staff, e.g., physical, occupational, and speech therapists, appropriate and adequate materials and equipment, functional curriculum content, data based instruction, and transportation services.

Reference

*The principles listed and described above were extracted from:

Individuals with Disabilities Education Improvement Act of 2004. Retrieved from
<http://www2.ed.gov/legislation/FedRegister/finrule/2006-3/081406a.pdf>