

## Terms to Know

**FAPE:** Free Appropriate Public Education – This means all students are entitled to a free appropriate public education regardless of a disability. Special education & related services must be provided without charge, must meet state educational standards at all levels, and must be provided for in the student’s IEP.

**LRE:** Least Restrictive Environment – The setting most appropriate to the individual’s needs. The placement of a student with disabilities in special classes or separate schools, or the removal from the regular education environment, even with the use of supplementary aids & services, will occur only when the severity or nature of the student’s disability prevents achieving satisfactory education in a regular education environment.

**IEP:** Individualized Education Program – must include present levels of performance, individual needs, disability, annual goals, short term objectives (if qualified), recommended program, class size, 12-month programming, participation in regular education, date of initiation, date of review, special equipment and/or devices, test modifications, and transition components.

**CSE:** Committee on Special Education – is a multi-disciplinary team made up of the parents, regular education teacher, special education teacher, representative of the local education agency, individual who can interpret implications of evaluation results, discretionary “others” who may have pertinent knowledge/expertise, and the student when appropriate. NY State also requires a school psychologist and a parent member.

**CPSE:** Committee on Preschool Education – is basically the same as the CSE. NY State also requires a professional involved in the evaluation, a professional from the municipality, & a professional from the Early Intervention Program if appropriate.

## Resources

Catskill Center for Independence  
P.O. Box 1247, Oneonta, NY 13820  
607-432-8000 (Voice/TTY)  
607-432-6907 (Fax)  
E-mail: [ccfi@ccfi.us](mailto:ccfi@ccfi.us)  
[www.ccfi.us](http://www.ccfi.us)

The University of the State of New York  
The State Education Department  
89 Washington Avenue  
Albany, NY 12243  
518-474-3852  
[www.nysed.gov](http://www.nysed.gov)

NYS Education Department  
VESID Special Education  
Quality Assurance  
Room 1623 One Commerce Plaza  
Albany, NY 12234  
518-486-6366  
[www.vesid.nysed.gov](http://www.vesid.nysed.gov)

Office of Special Education & Rehabilitative Services  
U.S. Department of Education  
400 Maryland Ave., S.W.  
Washington, DC 20202-7100  
Phone: (202) 245-7468  
[www.ed.gov](http://www.ed.gov)

The National Information Center for  
Children and Youth with Disabilities  
P.O. Box 1492  
Washington, D.C. 20013-1492  
(800) 695-0285 (Voice/TTY)  
[www.nichcy.org](http://www.nichcy.org)

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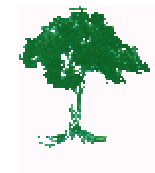
HEY . . .

What’s the

IDEA?



**Every Day Is Independence Day!**



PO Box 1247  
Oneonta, NY 13820  
607-432-8000 V&TTY  
[www.ccfi.us](http://www.ccfi.us)  
[ccfi@ccfi.us](mailto:ccfi@ccfi.us)

## What is the IDEA?

~ IDEA (Individuals with Disabilities Education Act) started in 1975 when congress passed the Education for all Handicapped Children Act. The law was changed to IDEA, expanded, & reauthorized in 1990, and reauthorized again in 1997 and 2004.

~ The basic focus of IDEA is to improve educational achievement and to ensure success for students with disabilities in general educational curriculums. It establishes requirements for the allocation of federal funds to states for education & services to children.

~ The law now has four main parts: general provisions & definitions, school age & preschool age programs, infant & toddler programs, and discretionary programs.

## Who is covered?

~ IDEA protects the educational rights of infants and toddlers 0-2 years and children 3-21 years, having one or more disabilities. Disability determination is specific and categorical – falling into one or more of thirteen categories:

Autistic	Deaf
Hard of Hearing	Deaf-Blindness
Mental Retardation	Learning Disabled
Other Health Impaired	Speech Impaired
Traumatic Brain Injury	Visually Impaired
Emotionally Disturbed	Multiple Disabled
Orthopedically Impaired	

## What IDEA requires!

1) **Free Appropriate Public Education (FAPE)** for children of all ages with disabilities in the **least restrictive environment** that is appropriate to their individual needs.

2) **Individualized Education Program (IEP)** procedures including the development of a **Committee on Special Education (CSE)**, provisions for annual reviews and triennial reviews, and the required written notification of parents/guardians.

3) **Inclusion of Transitional Services** in the child's education and in writing in the IEP.

4) Provisions of mediation disputes.

5) Provisions for addressing discipline and behavioral issues, as well as safeguards.

6) The location & identification of all children with disabilities within each school district's jurisdiction.

7) An equal opportunity for children with disabilities to participate in non-academic programs.

8) Confidentiality and protection of special education student records and conformance with The Family Education Rights & Privacy Act of 1974.

## Complaints & Mediation

~ Parents/guardians who have a complaint are provided steps for Due Process under IDEA. Complaints regarding school districts and/or educational & related services are handled through a series of steps – usually exhausting administrative remedies first before proceeding on to state and federal levels.

~ **Special Education Mediation** is the process of trying to settle a dispute with the school district at the most local level first. It is a volunteer process which must be offered to all parents as a way of working out disagreements with the recommended CSE/CPSE for lack of provision of education and/or services. The local Board of Education chooses an independent mediator to help reach an agreement, at no cost to the complainant.

~ An **Impartial Hearing** is the next step if local mediation is not satisfactory. This is a legal process by which the local Board of Education chooses an impartial hearing officer to make a decision on the complaint.

~ The next step in the **NYS Education Department** (See resources).

~ The **United States Department of Education** (see resources) is the final stop for settling a complaint.