

Special Education Basics

What is the IDEA?

IDEA, or the Individuals with Disabilities Education Act is a federal law that requires public schools to provide children with disabilities access to a free and appropriate public education (FAPE). It also provides legal protections for children with disabilities.

What is an IEP (Individualized Education Program/Plan)?

An IEP, or Individualized Education Program, is a written document that provides an educational plan for a student with a disability. The IEP includes the child's disability, his or her present level of academic achievement, future goals, a plan on how those goals may be achieved, and the special services the district will provide. It must include specially designed instruction that will meet the child's unique needs. Parents and the school work together to create the IEP.

Once it has been determined that a child needs **special education** or **related services**, a meeting to discuss an initial IEP should occur within 30 days. An IEP must be reviewed at least once a year and revised as needed.

An IEP may include a Functional Behavioral Assessment (**FBA**) and/or a Behavioral Intervention Plan (**BIP**).

Who is eligible?

Children aged 3-21 with disabilities **and** who need special instruction are covered under the IDEA are eligible. To be eligible for special education services and supports, a child must have both a disability and a need for **specially designed instruction**.

Can children below age 3 get services?

Children from birth through age 3 are eligible to receive early intervention services. In Iowa, early intervention services are called Early ACCESS.

This link provides more information on Iowa's Early ACCESS program:

<https://educate.iowa.gov/pk-12/early-childhood/early-access>

How does federal law define a child with a disability?

Under Federal law a child with a disability means a child who has been evaluated as having:

- an intellectual disability
- a hearing impairment (including deafness)
- a speech or language impairment
- a visual impairment (including blindness)
- a serious emotional disturbance
- an orthopedic impairment

- autism
- traumatic brain injury
- other health impairment
- a specific learning disability
- deaf-blindness
- or multiple disabilities

How does Iowa evaluate students for special education eligibility?

- A group of qualified professionals and the parent determine whether the child is a child with a disability
- Under the IDEA, “evaluation” means the procedures used to determine whether a child has a disability and the child’s need for special education and related services.
- The local school district, Area Education Agencies (AEA), and the child’s family work together to complete the evaluation process.
- Eligibility is not based on a specific diagnosis. An individual with a disability who needs special education and related services is called an “eligible individual.”
 - Iowa does not use categories or labels to classify students who are eligible for special education. A diagnosis alone is not enough. The child must also need specially designed instruction or support services.
 - In Iowa, eligible children are identified by looking at different factors such as behavior, academic performance, and the ability to see and hear.
 - Test scores and grades cannot be the only factor considered in determining eligibility.
- Evaluations or reevaluations of a child are done at no cost to the parent.

The link below provides additional information about the factors considered when determining if a student has a disability:

<https://iowaideainformation.org/wp-content/uploads/2020/06/Key-Considerations-for-Determining-a-Disability.pdf>

The link below provides the Special Education Eligibility and Evaluation Standards (2019) from the Department of Education. The document explains each standard and how each standard is used. It may be used to better understand the eligibility and evaluation process.

<https://educate.iowa.gov/media/3061/download?inline=>

This link provides additional information about special education eligibility in Iowa:

<https://iowaideainformation.org/special-education/evaluations-eligibility/child-find-process-for-special-education/defining-a-disability-and-eligible-individual/>