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Individuals with Disabilities Education Act
Special Education 100

Abstract

This essay will cover and explain what the Individuals with Disabilities Education Act (IDEA) is and all of the details that compose this act. The essay will cover the six major principles of IDEA and background information about the ideologies. The six principles of IDEA include: zero reject, nondiscriminatory evaluation, free appropriate public education (FAPE), least restrictive environment (LRE), procedural safeguards, parent participation and shared decision making. Throughout the essay, the author will describe the rights each student has through IDEA and the trials that were held to give pupils' these rights.

In the year twenty-eighteen, all children are entitled to a free, high-level public education that can fit the needs of all students, with or without disabilities. This entitlement and right that all students are granted can be made possible with the Individuals with Disabilities Education Act or IDEA (American Psychological Associate, 2010). Before IDEA was developed, many children with disabilities were not granted access to a public education that would fit their needs to make them successful in the future (Katsiyannis, Yell, Bradley, 2001; Martin, Martin, Terman, 1996; U.S. Department of Education, 2010).

W.L. Heward describes that accountability of IDEA is “directed” towards the states on how they provide an education for their students (Heward, 2013). IDEA was adopted in the year 1975 and then was amended in 2004. This act has four main purposes: to certify that all children with disabilities are provided with a free public education that will be able to offer them with special education and services to fit their needs, to protect the parents with children that have exceptionalities, to give educators and families the correct tools that will help with achievement and can guarantee “effectiveness” with efforts made to educate students with exceptionalities (IDEA, 2018). Along with the four main purposes of IDEA, there are six main principles that are important to ensure students’ and their families are able to be provided these rights. The six principles are: zero reject, nondiscriminatory evaluation, free appropriate public education (FAPE), least restrictive environment (LRE), procedural safeguards, parent participation and shared decision making.

These principles are very important in an education system. Educators and administrators have a huge role to ensure that all students are ensured their rights. All of the IDEA principles will help students become successful and give them opportunities to further their education or careers after their primary education. The first principle of IDEA, zero reject, is the simple

principle that schools must accept and educate all students with exceptionalities. The zero reject principle explains that no child with a disability may be rejected from a public education. It also describes a term called, “the child find system”, which entails that each state has a responsibility to have all children between the ages birth to twenty-one evaluated if they are suspected of having a disability (Heward, 2013).

Zero reject was involved in a popular court case, Timothy W. vs. Rochester. This case was centered on Timothy W., and the school of Rochester, New Hampshire. The school board concluded that Timothy should be hospitalized for his disabilities and was not suited for their school. However, the court ruled against the school and decided that Timothy was allowed an education. Alongside with the zero reject principle is the Education for All Handicapped Children Act, in which essentially states that schools are required to provide special education or IEP programs for students with exceptionalities (Amy M. Steketee, 2014).

Students with disabilities have a right to their public education, they also should be given a nonbiased, fair evaluation if they do in fact have a disability. This right is the second principle of IDEA, referred to as nondiscriminatory identification and evaluation. This principle ensures that any student who needs an evaluation should be not be discriminated on the bases of race, culture, or native language. This principle is a provision of IDEA that can protect the evaluation procedure (Heward, 2013).

Next, free, appropriate Public Education or FAPE is an IDEA principle that includes that all students with disabilities shall be able to receive free and appropriate public education. In this principle, the costs to ensure all students with disabilities and their families receive a free education provided by the public’s expense. An individualized education program or IEP must meet the needs for students with a disability, no matter the severity of their exceptionality

(Heward, 2013). There are many factors to create an IEP. The IEP is a measurement of the child's performance and can help teachers and parents create educational goals and achievements for them. Essentially, the FAPE is a principle that aids families with the costs to allow their children to receive a quality education and meet all their child's goals and needs.

School Committee of Town of Burlington, Mass vs. Department of Educ. Of Mass., is a court case that involves the FAPE. In 1985, the courts decided that the expense of private special education should not be on the parents of a student with an exceptionality. Instead, it required every public-school district to offer one. In another court case, *Florence Vs. Carter*, the IEP placement offered by the school was "inadequate" for the student and the district did not manage to offer FAPE (Bill Crane, 2014). Alongside FAPE, the least restrictive environment (LRE) principle provides students with disabilities to be integrated with their classmates, without exceptionalities, in their classroom as much as possible.

The LRE grants students with disabilities the right to be treated equally and receive an appropriate education with their peers. To ensure that all students with exceptionalities are taught in the least restrictive environment that will succeed to meet their needs as well as placement and service alternatives (Heward, 2013). The LRE had a huge impact on the court case, *Department of Education, the State of Hawaii vs. Katherine*. In this case, Katherine, who suffered from Cystic Fibrosis, was impacted from her school. The school neglected to allow her to be integrated with a regular classroom, and the school failed to provide her with itinerant speech therapy. The school district declared she would need "homebound" instructional teachings. In the end, the court declared that this method failed to meet the LRE principle and required that children with disabilities be placed in regular classrooms to fulfill all needs.

IDEA has set many principles to protect and preserve not only students with disabilities but their families' rights to an appropriate education. The fifth principle explains about where parents and families stand with their rights. The due process safeguards principle ensures that schools are to provide and protect the rights that children with disabilities and their parents. In doing so, the school must maintain the confidentiality of all records involving the students with the exceptionality. This principle also describes that if a parent disagrees with the evaluation performed by the school district, the parent may have an independent evaluation at the public's expense (Heward, 2013).

The due process safeguards principle also requires states to offer families disagreements on evaluations or placements through a due process hearing. During the hearings, this law includes provisions that may protect the school if a parent had any improper purpose, including harassment (Heward, 2013). *Amanda J. vs. Clark County School District* can act as an example of this principle. In this case, Amanda's parents denied her evaluation results. The IEP goals and results configured she had autism. The lower courts sided with the school district and denied the family the reimbursement for the cost of the court fee and the in-home program. After some revision, the courts eventually sided with Amanda's family. She was not given the FAPE and her family should have been compensated for their in-home therapy she received.

The final principle, parent and student participation and shared decision making basically explain that the school district and parents must work together and compose the plan of the lesson for their child with a disability. When it comes to the IEP goals, plans, and objectives, the student's input and opinions must be deliberated. The families are given the ultimate decision while collaborating with the teachers' lesson plans (Heward, 2013). This is important to involve

the parents with their children's education. IDEA's principles are all equally important to ensure an equal and appropriate education for all children with exceptionalities.

In conclusion, IDEA set in place six principles that allow students a free, equal, and quality education. The principles were implemented to protect families and guarantee tools for success. Zero reject, nondiscriminatory evaluation, free appropriate public education (FAPE), least restrictive environment (LRE), due process safeguards, and parent and student participation and shared decision making are the six principles that act to give a child with exceptionalities their rights. Once upon a time, children with disabilities and their families had to fight to earn their equal education, the fight was long and hard. In twenty-eighteen, the hard work and IDEA has been able to make all students equal and ensure all students earn their right to get an education.

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