



Special Information for All Educators Leadership to Support Children with Disabilities

Background Information

Special education and general education are part of the same system. On a daily basis, individuals who assume leadership roles must demonstrate that they uphold and support the legal requirements of IDEA, as well as assume responsibility for oversight and monitoring of the school program (IDEA Local Implementation by Local Administrators Partnership & National Association of Elementary School Principals, 2001). In some cases, this involves ensuring due process as it relates to requirements for individualized education program development, school climate and discipline procedures for students with disabilities, parent communication, least restrictive environment, and student participation in State and district-wide assessments. But in all cases, it is a matter of understanding how IDEA supports achievement for students with disabilities and how individuals serving in leadership roles can play a role in ensuring its implementation.

Leaders can draw support from the law in helping all students, including students with disabilities, achieve high standards. They may review school programs and practices for effectiveness and consistency with the law and provide guidance as needed for school improvement that reflects both its intent and spirit. Leaders play a central role in help guarantee that IDEA produces improved results for students with disabilities.

Connections to the Law

Leaders should be familiar with all aspects of the law. This section connects you to selected IDEA provisions that relate to how leaders may support achievement for children with disabilities.

- **How does IDEA define an IEP?**
34 C.F.R. §300.340 – Definition of an IEP.
- **What is the responsibility of the SEA and other public agencies for IEPs.**
34 C.F.R. §300.341 – Responsibility of SEA and other public agencies for IEPs.
- **When must IEPs be in effect?**
34 C.F.R. §300.342 – When IEPs must be in effect.
- **What are the requirements for initiating and conducting a meeting for the purposes of developing and reviewing, or revising IEPs?**
34 C.F.R. §300.343 – IEP meetings.
- **Who serves on the IEP team?**
34 C.F.R. §300.344 – The IEP team.
- **What is the public agency’s responsibility in ensuring parent participation in the IEP?**
34 C.F.R. §300.345 – Parent participation.
- **What must an IEP team consider when developing, reviewing, and/or revising an IEP?**
34 C.F.R. §300.346 – Development, review, and revision of an IEP.
- **What must be contained in an IEP ?**
34 C.F.R. §300.347 – Content of IEP.
- **What are an agency’s responsibilities for transition services?**
34 C.F.R. §300.348 – Agency responsibilities for transition services.
- **What is the State’s responsibility for ensuring that children with disabilities are educated in the least restrictive environment?**
34 C.F.R. §300.130 – Least restrictive environment
- **What is the public agency’s responsibility for ensuring parent involvement in placement decisions?**

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- 34 C.F.R. §300.501 – Opportunity to examine records; parent participation in meetings
- **What are the basic LRE requirements?**
34 C.F.R. §300.550 – General LRE requirements placements
 - **How are placement decisions made?**
34 C.F.R. §300.552 – Placements
 - **Does LRE apply to nonacademic settings?**
34 C.F.R. §300.553 – Nonacademic settings
 - **What are LRE requirements for children in public or private institutions?**
34 C.F.R. §300.554 – Children in public or private institutions
 - **Does the State have any responsibility for ensuring that school personnel have the necessary skills and knowledge to implement LRE requirements?**
34 C.F.R. §300.555 – Technical assistance and training activities
 - **How is LRE monitored?**
34 C.F.R. §300.556 – Monitoring activities
 - **What responsibilities do IEP teams have with regard to a child with challenging behavior?**
34 C.F.R. §300.346--Development, review, and revision of IEP
 - **Do children with disabilities who have been suspended or expelled from school have a right to a free appropriate public education?**
34 C.F.R. §300.121--Free appropriate public education (FAPE)
 - **When do removals for disciplinary purposes constitute a change in placement?**
34 C.F.R. §300.519--Change of placement for disciplinary removals
 - **When may school personnel remove a child from his or her current placement? When must services be provided?**
34 C.F.R. §300.520--Authority of school personnel
 - **What must be considered when determining if there is a relationship between the child's behavior subject to the disciplinary action?**

34 C.F.R. §300.523--Manifestation determination review

- **What happens if the IEP team determines that the behavior in question was not a manifestation of the disability?**
34 C.F.R. §300.524--Determination that behavior was not manifestation of disability
- **What if parents do not agree with the decisions regarding placement under the discipline provisions of IDEA or a manifestation determination?**
34 C.F.R. §300.525--Parent appeal
- **Where does a child receive services during appeals?**
34 C.F.R. §300.526--Placement during appeals
- **Do IDEA protections extend to a child who has not yet been determined eligible for special education and related services, who engages in challenging behavior?**
34 C.F.R. §300.527--Protections for children not yet eligible for special education services
- **Are school personnel prohibited from reporting crimes committed by children with disabilities to the appropriate law enforcement authorities?**
34 C.F.R. §300.529--Referral to and action by law enforcement and judicial authorities

Web-Based Resources

Discover IDEA Documents

- www.ideapractices.org
- www.fape.org
- www.ideapolicy.org
- www.ed.gov/offices/OSERS/OSEP/
- www.nichcy.org

Council for Exceptional Children (CEC)

- www.cec.sped.org

American Association of School Administrators (AASA)

- www.aasa.org

Council of Chief State School Officers (CCSSO)

- www.ccsso.org

National Association of Elementary School Principals (NAESP)

- www.naesp.org

National Association of Secondary School Principals (NASSP)

- www.principals.org

Project FORUM

- www.nasde.org/forum.htm

Urban Special Education Leadership Collaborative (USELC)