



# **ABCs of IDEA**

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**2015 PROJECT DIRECTORS MEETING**

**U.S. DEPARTMENT OF EDUCATION, CHARTER SCHOOL PROGRAM**

# **The Individuals with Disabilities Education Act (IDEA)**

THE BASICS

# IDEA – THE BASICS

## STATUTE, REGULATIONS, AND POLICY

- Enacted in 1975 and last reauthorized in 2004
- Purpose –
  - To ensure that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living
  - To ensure that the rights of children with disabilities and their parents are protected
  - To assist State, localities, educational services agencies, and Federal agencies to provide for the education of all children with disabilities
  - To assist States in implementing an Early Intervention program for infants and toddlers with disabilities and their families
  - To provide technical assistance and tools to parents and educators needed to improve educational results
  - To assess the efforts to educate children with disabilities

# IDEA – THE BASICS

## STATUTE, REGULATIONS, AND POLICY

- Statute
  - Accessed at [idea.ed.gov](http://idea.ed.gov)
  - Public Law 108-446; 20 U.S.C. 1400
  - Three main parts:
    - Part B – Grants to States (Ages 3-21)
    - Part C – Grants for Infants and Families (Birth to 3)
    - Part D – Technical Assistance and Dissemination
  - Regulations
    - Accessed at [idea.ed.gov](http://idea.ed.gov)
    - 34 CFR Parts 300 and 303
      - Part B – 34 CFR §300.1 through 300.818
      - Part C – 34 CFR §303.1 through 303.734
    - Policy
      - Accessed at [OSEP Memos, Dear Colleague Letters and Policy Letters](#)

# IDEA – THE BASICS

## PRINCIPLES

- Infants and toddlers with disabilities receive early intervention services in the natural environment
- Children with disabilities ages 3-21 are entitled to a free appropriate public education in the least restrictive environment

# **The Individuals with Disabilities Education Act (IDEA)**

**HOW DOES IDEA APPLY TO CHARTER SCHOOLS?**

# IDEA – CHARTER SCHOOLS

## WHAT IS A PUBLIC CHARTER SCHOOL FOR THE PURPOSES OF IDEA?

- IDEA applies to public charter schools that meet the definition of “charter school” as used in section 5210(1) of the Elementary and Secondary Education Act (34 CFR §§300.2(b)(1)(ii) and 300.7)

### Two Types of Public Charter Schools -

- Public charter schools that are public schools of the local educational agency (LEA) that receives funding under IDEA (34 CFR §300.209(b))
- Public charter schools that are their own LEA and receive a Part B subgrant (34 CFR §§300.209(c) and 300.705)

# IDEA – CHARTER SCHOOLS

## RESPONSIBILITIES AS A PUBLIC SCHOOL OF AN LEA

- The LEA must –
  - Serve children with disabilities in the charter school in the same manner that it would serve other children with disabilities in the LEA
  - Provide IDEA funds to the charter school
  - Ensure that IDEA is fully implemented

34 CFR §300.209(b)

# IDEA – CHARTER SCHOOLS

## RESPONSIBILITIES AS A PUBLIC CHARTER SCHOOL THAT IS ITS OWN LEA

- The charter school must –
  - Ensure that IDEA is fully implemented

34 CFR §300.209(c)

# **The Individuals with Disabilities Education Act (IDEA)**

**IDEA FUNDS AVAILABLE TO PUBLIC CHARTER SCHOOLS**

# IDEA – CHARTER SCHOOL FUNDING

## APPROPRIATIONS, ALLOCATIONS, AND AWARDS

- Congress appropriates IDEA funds on an annual basis
  - IDEA Part B section 611: Ages 3-21
  - IDEA Part B section 619: Ages 3-5
  - IDEA Part C section 633: Ages 0-3

### 611 and 619 Funds

- ED allocates the IDEA funds to eligible recipients (States) using a statutory formula
- States make sub-awards to LEAs that meet specific conditions

# IDEA – CHARTER SCHOOL FUNDING

## PUBLIC SCHOOL OF AN LEA VS. LEA

Public School of an LEA	LEA
Receives Part B funding on the same basis as the LEA provides funds to the LEA's other public schools, including proportional distribution based on relative enrollment of children with disabilities	Receives a Part B subgrant from the State in the same manner the State distributes its Part B subgrants to its other LEAs
Receives Part B funding at the same time as the LEA distributes other Federal funds to the LEA's other public schools, consistent with the State's charter school law	
34 CFR §300.209(b)(1)(ii)	34 CFR §§300.209(c) and 300.705

**QUESTIONS**



FOR MORE INFORMATION –

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