Concepts addressed:
Relationships with Families and Communities, and Professionalism: Professionalism: Other laws related to students’ rights and teacher responsibilities, including but not limited to IDEA, confidentiality and privacy, appropriate education of handicapped students, child abuse reporting, and assessment.

Students should refer to:

Specifically, students should review:

IDEA Legislation
   a. FAPE – Free Appropriate Public Education
   b. Rights protected
   c. LRE - Least Restrictive Environment
   d. Children ages 3 - 21 included in law (3-5 states decide how to serve)
   e. IEP – Individual Education Program
   f. Appropriate Assessments
    a. Added – mandatory services for 3-5 children
    b. Added – discretionary/demonstration funds for Birth to 3 services
    c. IFSP – Individualized Family Service Plan
III. P.L. 101-476 – Amendments to EHA
     a. Changed EHA to IDEA
     b. IDEA – Individuals with Disabilities Education Act
     c. Person First Language
    a. Terms
       i. Language & speech changed to communication
       ii. Psychosocial changed to social or emotional
       iii. Case Management changed to service coordination
    b. Natural Environment
       i. To Maximum Extent Possible
       ii. Includes Home
V. P.L. 105-17 IDEA Amendments of 1997
   a. Moved Part H to Part C (Birth to 3 year old services)
   b. Mediation Process established
c. Term – Developmental Delay becomes an eligible category
d. Discipline procedures clarified – expulsion guidelines
e. IEP & Assessment procedures –
   i. Children should be using regular curriculum and assessments whenever possible.
   ii. Regular Education Teacher required to be part of the team

VI. P.L. 108-446 IDEA Amendments of 2004
a. Four parts – A through D
b. Highly Qualified Teachers – Teaching core academics – must meet HQT definition.
c. HQT – teaching multiple core academics – must meet HOUSSE process – qualifying exam in subject matter
d. Refined services in Charter & Private Schools
e. Prevention of Over-identification System
f. Participation in State Assessments for NCLB
   i. States determine not if, but how students are assessed
   ii. Alternative assessments are appropriate
g. IEP Changes
   i. Benchmarks only when alternative assessment is used
   ii. Flexibility in meetings

VII. Americans with Disabilities Act
a. P.L. 101-336
b. Civil Rights Legislation

VIII. ADA in Five Titles
a. Title I: Employment
b. Title II: State & Local Government Services & Public Transportation
c. Title III: Public Accommodations
d. Title IV: Telecommunications
e. Title V: Miscellaneous

IX. ADA and Access to Child Care Programs
a. Title III
b. Inclusion Benefits to children who have disabilities
c. Required modifications that do not “fundamentally alter” services
d. Required ‘readily achievable” accommodations that are not an “undue burden”
   i. Centers cannot pass along the cost of services to parents of child with disability
   ii. Centers can pass along the cost of services to all parents across the center.
e. Provide auxiliary aids and services

X. ADA challenges through “Due Process”

XI. Inclusion
a. Placement within regular classrooms with modifications and accommodations.
b. Supported by legislation
c. Thought of as best practices in Early Childhood Special Education

XII. Mainstreaming
a. Predecessor of Inclusion
b. Placement within regular classrooms, yet without needed supports in place.
c. Practice from 1970’s & 80’s from the normalization movement

XIII. Least Restrictive Environment
a. Requirement for Placement
b. Continuum of Placements with most often a Regular Classroom Placement
c. Team Decision of Most Appropriate Placement
d. Placement in environment with same-aged peers
e. Placement in environment to the “maximum extent possible”
f. Supplementary Aids and Services considered before a more restrictive
   environment considered.

XIV. Section 504
a. Law that mandates equal opportunities for children with disabilities in
   preschools & schools that receive federal funds
b. Nondiscrimination in programs
c. Disability or handicapped shall not “exclude individuals for participation in,
   be denied benefits of, or be subject to discrimination under any program or
   activity receiving federal financial assistance”.

XV. Qualifying Characteristics
a. Has physical or mental impairments which substantially limits major life
   activities
b. Has record of physical or mental impairment which substantially limits major
   life activities
c. Is been regarded as having a physical or mental impairment which
   substantially limits major life activities

XVI. Major Life Activities Definition - Affected Activities
a. Self-care
b. Performing manual tasks,
c. Seeing
d. Hearing
e. Speaking
f. Breathing
g. Learning
h. Walking

XVII. Section 504 Does Not include IEP’s like IDEA
XVIII. Section 504 Does Not include procedural safeguards like IDEA

XIX. Definition of Due Process
a. Requirement of IDEA Law
b. Protects the rights of parents & participation

XX. Characteristics of Due Process
a. Informed Consent of Parents’ required before child is evaluated, labeled, or
   placed.
b. Parents who disagree with the school’s decision have to mediation, and to an
   impartial due process hearing.

XXI. Free Appropriate Public Education
a. All children have rights to free education
b. All children have rights to appropriate education

XXII. Child Abuse Reporting
a. All early childhood education professionals are required by law to report
   suspecting abuse cases and suspected neglect cases
b. All early childhood education professionals must work with child protection services and families for the best for all children.

Helpful websites include:

**IDEA Legislation**

**ADA Legislation**
ADA Information and Technical Assistance:  [http://www.usdoj.gov/crt/ada/adahom1.htm](http://www.usdoj.gov/crt/ada/adahom1.htm)

**Inclusion Legislation**
Circle of Inclusion:  [http://www.circleofinclusion.org/](http://www.circleofinclusion.org/)
Mainstreaming:  [http://ericec.org/faq/incluson.html](http://ericec.org/faq/incluson.html)
LRE Coalition:  [http://www.lrecoalition.org/](http://www.lrecoalition.org/)
Wright’s Law:  [http://www.wrightslaw.com/info/lre.index.htm](http://www.wrightslaw.com/info/lre.index.htm)