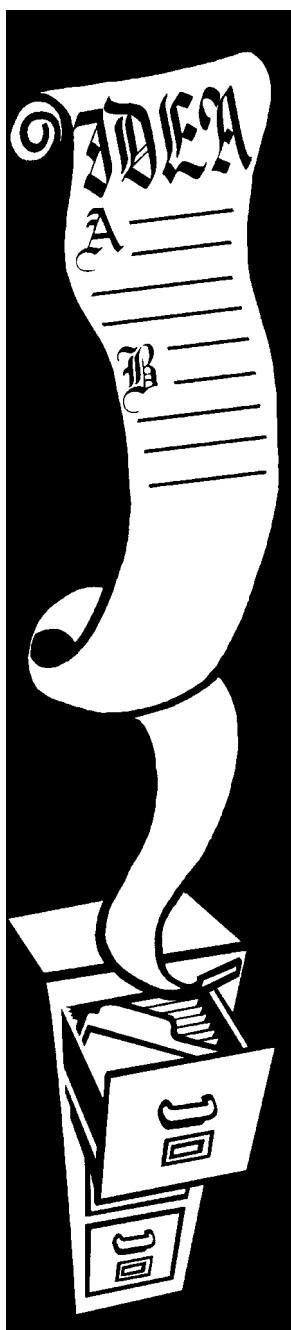


# IDEA 1997 Fact Sheet



The *Individuals with Disabilities Education Act Amendments of 1997 (IDEA-97)* contain important provisions which parents, educators, and advocates can use to make sure that students with disabilities benefit from school reform efforts. IDEA now requires that students with disabilities participate in the general curriculum. In most school districts, the general curriculum directly reflects the standards established by the state or district's education reform initiatives. Therefore, the same high standards created through education reform must apply to students with disabilities. The IDEA provisions listed below underscore that school districts are now responsible and accountable for involvement and progress in the general curriculum and high achievement of all students with disabilities.

## **Evaluations/ Re-evaluations**

Special education evaluations and re-evaluations must include information about the special education, related services, and strategies necessary for a student with a disability to participate

and progress in the *general curriculum*. Evaluations must address the special education services necessary for a student with disabilities to meet the high standards established by most states through education reform initiatives.

## **Individualized Education Program (IEP) Contents**

IDEA requires that each student's IEP contain the following components related to participation in the general curriculum and education reform:

- IEPs must describe how the student's disability affects involvement and progress in the general curriculum.
- IEPs must list goals, benchmarks, and/or objectives that will enable the student to be involved and progress in the general curriculum.
- IEPs must list the special education, related services, and supplementary aids and services the student needs to ensure the student's involvement and progress in the general curriculum and participation in extra-curricular and nonacademic services and activities.



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- ✓ IEPs must list the program modifications and supports for school personnel (teachers, aides, etc.) that will be provided for the student to ensure the student's involvement and progress in the general curriculum and participation in extra-curricular and nonacademic services and activities.
- ✓ IEPs must specifically explain the extent, if any, to which a child will not participate with nondisabled children in the regular class, including all academic, non-academic, and extra-curricular activities.
- ✓ IEPs must describe the location where special education and the services and modifications described in the student's IEP will be provided to the student, including special education, related services, and supplementary aids and services, to encourage provision of services within the regular classroom.
- ✓ IEPs must describe any modifications or accommodations necessary for the child to participate in general state or districtwide assessments.

**✓ IEP Team Members**

IEP teams must now include the members listed below. The participation of the regular education teacher and school staff who know about the general curriculum will help to make sure that children with disabilities are included in education reform.

- ✓ The parents
- ✓ A representative of the local educational agency (LEA) who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; is knowledgeable about the general curriculum; and is knowledgeable

about the availability of resources of the local educational agency<sup>6</sup>

- ✓ A person who is qualified to interpret how the child's evaluation results can be used to guide and improve instruction (can be a member of the team)
- ✓ At least one of the child's regular education teachers, if the child is or may be participating in the regular education environment
- ✓ At least one of the child's special education teachers
- ✓ At the discretion of the parents or school district, other people who have knowledge or special expertise regarding the child
- ✓ The child, whenever appropriate.

**✓ Education for All Children—  
No Cessation of Services**

Schools should raise their expectations and improve achievement of all students, including students with disabilities who had previously been excluded from school due to suspensions or expulsions. Under IDEA, children with disabilities who have been suspended or expelled from school must receive a free, appropriate public education during the period of disciplinary removal from school, as well as when they return to school.

**✓ Progress Reports**

Schools must provide parents of children with disabilities with progress reports which describe the child's progress in meeting general curriculum goals and IEP goals and objectives. Parents must receive these reports at least as often as parents of nondisabled children receive progress reports.

<sup>6</sup> Local educational agency (LEA) usually refers to the local school district.

## ✓ Regular Education Environment

IDEA-97 continues to include the strong preference for children with disabilities to be educated in regular classrooms with their age peers who are not disabled, with appropriate supplementary aids and services. Such inclusion will facilitate full participation in education reform efforts.

- ✓ The IDEA amendments presume that the first placement option considered for each disabled child is the regular classroom, with appropriate supplementary aids and services. IEPs must explain the extent to which a child will not participate in regular classes with their non-disabled peers for any amount of time.
- ✓ IDEA requires schools to give educators the training and help they need to allow children with disabilities to participate in regular education classrooms and to achieve general curriculum goals. IEPs must state the program modifications and supports required for school personnel to meet the child's needs.
- ✓ States are not allowed to develop funding formulas that result in placements of children with disabilities that violate the least restrictive environment requirements of IDEA.

## ✓ Role of Regular Education Teachers

Congress amended IDEA to require that regular education teachers participate in decision making to help ensure the appropriate involvement and progress of children with disabilities in the general curriculum. The law now requires that at least one regular education teacher of the child must be a member of the child's IEP team if the child is, or may be, participating in the regular

education environment. The law was amended in three different sections to make sure that regular education teachers are active participants in the review and revision of an IEP. IDEA specifically requires their participation in decisions about services, supports, and positive behavioral support plans necessary for the child to make progress in the *general curriculum*.

## ✓ Special Considerations

IDEA lists a number of special factors that IEP teams must consider to ensure that all children improve their academic achievement and progress in the general curriculum:

- ✓ ***For a child whose behavior impedes his or her learning or that of others***, the IEP team must consider, as appropriate, strategies, including positive behavioral interventions, strategies, and supports, to address that behavior.
- ✓ ***For a child with limited English proficiency***, the IEP team must consider language needs that relate to the IEP.
- ✓ ***For a child who is blind or visually impaired***, the IEP team must provide for instruction in Braille and the use of Braille (unless determined not to be appropriate after thorough evaluation).
- ✓ ***For a child who is deaf or hard of hearing***, the IEP team must consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel, including direct instruction in the child's language and communication mode.
- ✓ ***For all children with disabilities***, IEP teams must consider whether the child requires assistive technology devices and services.

**✓ IEP Reviews**

During annual IEP reviews, IEP teams must address a child's lack of expected progress in the general curriculum and lack of expected progress toward achieving annual goals. This requirement helps to ensure that IEP teams periodically address a child's participation in the general curriculum throughout the child's educational career.

**✓ State or Districtwide Assessments**

All children with disabilities must participate in general state and districtwide assessment programs. IEP teams must make individual determinations of the accommodations that a student needs in order to be included in assessments. Some students will participate in the assessment "as is" (without accommodations), some students will require accommodations, and a relatively small percentage of students may require an alternate assessment to participate. The assessment requirement ensures that the education of students with disabilities is guided by the state and local standards established through education reform for all students.

**✓ Performance Goals**

States must set goals for the performance of students with disabilities that are consistent, to the maximum extent appropriate, with any goals and standards the state has set for all students. Goals and standards established

through education reform must be applicable to students with disabilities.

**✓ Accountability**

IDEA requires states and school districts to gather and publicize information that parents can use to hold schools accountable for the academic achievement of children with disabilities. States must set "performance indicators" to show whether a school or school district has successfully educated children with disabilities. The "performance indicators" must, at a minimum, address drop-out rates and graduation rates of students with disabilities, and the performance of students with disabilities on state and districtwide assessments.

**✓ State Improvement Grants**

The IDEA amendments create new state improvement grants for the purpose of addressing changes in state policies and procedures to help children with disabilities meet state performance goals and improve educational results.

**✓ Charter Schools**

In many states, charter schools have been created as a part of education reform efforts. IDEA regulations state that students with disabilities attending public charter schools have the same rights as children attending other public schools.

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Information in this **Fact Sheet** is based on the *PEER Information Brief*, "IDEA 1997: Improving the Education of Students with Disabilities in an Era of Education Reform" by Janet R. Vohs and Julia K. Landau, J.D.

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