

The Individuals with Disabilities Education Act (IDEA) and Transition

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What is the *Individuals with Disabilities Education Act*?

The Individuals with Disabilities Education Act (IDEA) is a federal law in the United States that ensures students with disabilities have access to a free and appropriate public education. IDEA was first enacted in 1975 and has been amended several times, most recently in 2004.

The key principles of IDEA include:

- **Free and Appropriate Public Education (FAPE):** IDEA guarantees that eligible students with disabilities are entitled to a free education tailored to their individual needs. The education should be provided in the least restrictive environment (LRE) possible, meaning that students should be educated alongside their non-disabled peers to the maximum extent appropriate.
- **Individualized Education Program (IEP):** IDEA requires the development of an Individualized Education Program for each student with a disability. The IEP is a written plan that outlines the student's specific educational goals, services, and accommodations needed to support their learning.
- **Appropriate Evaluation:** Schools must conduct comprehensive evaluations to determine if a student has a disability and if they require special education and related services. The evaluations must be nondiscriminatory and provide a complete picture of the student's strengths and needs.

- **Parental Participation:** IDEA emphasizes the importance of parental involvement in the education process. Parents have the right to be involved in developing their child's IEP, making decisions about their child's education, and resolving disputes with the school.
- **Procedural Safeguards:** IDEA establishes procedural safeguards to protect the rights of students with disabilities and their parents. These safeguards include the right to due process, confidentiality of records, and the opportunity to resolve disputes through mediation or administrative hearings.

IDEA covers a wide range of disabilities, including but not limited to learning disabilities, intellectual disabilities, emotional disturbances, speech or language impairments, autism, and physical disabilities. The law applies to children from birth to age 26 or until they graduate from high school, whichever comes first.

What are the transition provisions of IDEA?

The transition provisions of the Individuals with Disabilities Education Act (IDEA) are designed to support students with disabilities as they prepare to move from school to post-school life. These provisions ensure that students receive appropriate planning and services to facilitate a successful transition into adulthood. Here are some key aspects of the transition provisions:

- **Transition Services:** IDEA requires schools to provide transition services as part of the individualized education program (IEP) for students with disabilities who are 16 years of age or older (or younger if deemed appropriate by the IEP team). Transition services are designed to help students with disabilities achieve their post-secondary goals, such as further education, employment, and independent living. The IEP must include specific goals, services, and activities related to the student's transition needs.
- **Transition Planning:** Schools must initiate transition planning for students of transition age. Transition planning involves the collaborative effort of the student, parents or guardians, school personnel, and other relevant stakeholders. The process includes transition assessments that identify the student's strengths, interests, and preferences. This assessment data is used to identify post-secondary goals and develop a plan to achieve those goals.
- **Transition as Part of the Individualized Education Program (IEP):** As part of the transition planning process for transition age students, schools must include transition goals and services within the IEP for students with disabilities. The IEP outlines the specific steps, activities, and services that will support the student's transition goals. It may include vocational assessments, career exploration, job training, independent living skills instruction, and community-based experiences.

- **Transfer of Rights:** IDEA requires schools to inform students and parents of the transfer of rights that will occur when the student reaches the age of majority. The age of majority varies from state to state. At that point, the individual with a disability becomes the decision-maker regarding their educational services and planning, unless they have been legally determined unable to make those decisions. The school must provide notice and explain the transfer of rights in advance to ensure a smooth transition.
- **Collaboration with Outside Agencies:** IDEA encourages collaboration between schools and outside agencies, such as vocational rehabilitation services, employment agencies, and community organizations, to support students with disabilities during the transition process. Schools may coordinate services and share relevant information to facilitate a seamless transition from school to post-school activities.

The transition provisions of IDEA recognize the importance of preparing students with disabilities for life after high school. By focusing on individualized planning, goal-setting, and coordination of services, these provisions aim to enhance the students' opportunities for post-secondary success and independent living.



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