

CHAPTER 33—EDUCATION OF INDIVIDUALS WITH DISABILITIES

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
1400. Short title; findings; purposes.
1401. Definitions.
1402. Office of Special Education Programs.
1403. Abrogation of State sovereign immunity.
1404. Acquisition of equipment; construction or alteration of facilities.
1405. Employment of individuals with disabilities.
1406. Requirements for prescribing regulations.
1407. State administration.
1408. Paperwork reduction.
1409. Freely associated States.

SUBCHAPTER II—ASSISTANCE FOR EDUCATION OF ALL CHILDREN WITH DISABILITIES

1411. Authorization; allotment; use of funds; authorization of appropriations.
1412. State eligibility.
1413. Local educational agency eligibility.
1414. Evaluations, eligibility determinations, individualized education programs, and educational placements.
1415. Procedural safeguards.
1416. Monitoring, technical assistance, and enforcement.
1417. Administration.
1418. Program information.
1419. Preschool grants.

SUBCHAPTER III—INFANTS AND TODDLERS WITH DISABILITIES

1431. Findings and policy.
1432. Definitions.
1433. General authority.
1434. Eligibility.
1435. Requirements for statewide system.
1436. Individualized family service plan.
1437. State application and assurances.
1438. Uses of funds.
1439. Procedural safeguards.
1440. Payor of last resort.
1441. State interagency coordinating council.
1442. Federal administration.
1443. Allocation of funds.
1444. Authorization of appropriations.

SUBCHAPTER IV—NATIONAL ACTIVITIES TO IMPROVE EDUCATION OF CHILDREN WITH DISABILITIES

1450. Findings.

PART A—STATE PERSONNEL DEVELOPMENT GRANTS

1451. Purpose; definition of personnel; program authority.
1452. Eligibility and collaborative process.
1453. Applications.
1454. Use of funds.
1455. Authorization of appropriations.

PART B—PERSONNEL PREPARATION, TECHNICAL ASSISTANCE, MODEL DEMONSTRATION PROJECTS, AND DISSEMINATION OF INFORMATION

1461. Purpose; definition of eligible entity.
1462. Personnel development to improve services and results for children with disabilities.
1463. Technical assistance, demonstration projects, dissemination of information, and implementation of scientifically based research.
1464. Studies and evaluations.
1465. Interim alternative educational settings, behavioral supports, and systemic school interventions.
1466. Authorization of appropriations.

PART C—SUPPORTS TO IMPROVE RESULTS FOR CHILDREN WITH DISABILITIES

1470. Purposes.

- Sec.
1471. Parent training and information centers.
1472. Community parent resource centers.
1473. Technical assistance for parent training and information centers.
1474. Technology development, demonstration, and utilization; media services; and instructional materials.
1475. Authorization of appropriations.

PART D—GENERAL PROVISIONS

1481. Comprehensive plan for parts B and C.
1482. Administrative provisions.

CODIFICATION

The Individuals with Disabilities Education Act, comprising this chapter, was originally enacted as title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, known as the Education of the Handicapped Act, and amended by Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 93-380, Aug. 21, 1974, 88 Stat. 484; Pub. L. 94-142, Nov. 29, 1975, 89 Stat. 773; Pub. L. 95-49, June 17, 1977, 91 Stat. 230; Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143; Pub. L. 96-270, June 14, 1980, 94 Stat. 487; Pub. L. 98-199, Dec. 2, 1983, 97 Stat. 1357; Pub. L. 99-159, Nov. 22, 1985, 99 Stat. 887; Pub. L. 99-362, July 9, 1986, 100 Stat. 769; Pub. L. 99-372, Aug. 5, 1986, 100 Stat. 796; Pub. L. 99-457, Oct. 8, 1986, 100 Stat. 1145; Pub. L. 100-630, Nov. 7, 1988, 102 Stat. 3289; Pub. L. 101-476, Oct. 30, 1990, 104 Stat. 1103; Pub. L. 102-73, July 25, 1991, 105 Stat. 333; Pub. L. 102-119, Oct. 7, 1991, 105 Stat. 587; Pub. L. 102-421, Oct. 16, 1992, 106 Stat. 2151; Pub. L. 102-569, Oct. 29, 1992, 106 Stat. 4344; Pub. L. 103-73, Aug. 11, 1993, 107 Stat. 718; Pub. L. 103-218, Mar. 9, 1994, 108 Stat. 50; Pub. L. 103-382, Oct. 20, 1994, 108 Stat. 3518; Pub. L. 105-17, June 4, 1997, 111 Stat. 37; Pub. L. 105-244, Oct. 7, 1998, 112 Stat. 1581; Pub. L. 106-25, Apr. 29, 1999, 113 Stat. 41; Pub. L. 106-402, Oct. 30, 2000, 114 Stat. 1677; Pub. L. 107-110, Jan. 8, 2002, 115 Stat. 1425; Pub. L. 108-173, Dec. 8, 2003, 117 Stat. 2066. Title VI is shown herein, however, as having been added by Pub. L. 108-446, title I, §101, Dec. 3, 2004, 118 Stat. 2647, without reference to those intervening amendments because of the extensive revision of title VI by Pub. L. 108-446.

SUBCHAPTER I—GENERAL PROVISIONS

§ 1400. Short title; findings; purposes

(a) Short title

This chapter may be cited as the “Individuals with Disabilities Education Act”.

(b) Omitted

(c) Findings

Congress finds the following:

(1) Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

(2) Before the date of enactment of the Education for All Handicapped Children Act of 1975 (Public Law 94-142), the educational needs of millions of children with disabilities were not being fully met because—

(A) the children did not receive appropriate educational services;

(B) the children were excluded entirely from the public school system and from being educated with their peers;

(C) undiagnosed disabilities prevented the children from having a successful educational experience; or