

APPENDIX E TO PART 300—INDEX FOR IDEA—PART B REGULATIONS (34 CFR PART 300)

| | |
|---|--------------------|
| ACCESS TO | |
| • Access rights (Parents) | 300.613. |
| • Assistive technology devices in child’s home | 300.105(b). |
| • Disciplinary records | 300.229. |
| • Education records (Procedural safeguards notice) | 300.504(c)(4). |
| • General curriculum (Ensure access to) | 300.39(b)(3)(ii). |
| • Instructional materials (see §§300.172, 300.210). | |
| • List of employees who may have access to records | 300.623(d). |
| • Parent’s private insurance proceeds | 300.154(e). |
| • Record of access (Confidentiality) | 300.614. |
| ACCESSIBILITY STANDARDS (Regarding construction) | |
| • Americans with Disabilities Accessibility Standards for Buildings and Facilities. | 300.718(b)(1). |
| • Uniform Federal Accessibility Standards | 300.718(b)(2). |
| ACCOMMODATIONS | |
| • In assessments | 300.320(a)(6)(i). |
| • State level activities in support of | 300.704(b)(4)(x). |
| ACT (Definition) | 300.4. |
| ADD AND ADHD (See “Attention deficit disorder” and “Attention deficit hyperactivity disorder”) | |
| ADDITIONAL DISCLOSURE OF INFORMATION REQUIREMENT. | 300.512(b). |
| ADULT CORRECTIONAL FACILITIES (See “Correctional facilities”) | |
| ADULT PRISONS (Children with disabilities in) | |
| • Divided State agency responsibility | 300.607. |
| • FAPE requirements: | |
| O Exception to FAPE | 300.102(a)(2). |
| O Modifications of IEP or placement | 300.324(d)(2). |
| O Requirements that do not apply | 300.324(d)(1). |
| • Governor | 300.149(d). |
| • Other public agency responsibility | 300.149(d). |
| ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE (See “Child with a disability,” §300.8(c)(1)(i), (c)(3), (c)(4)(i), (c)(5), (c)(6), (c)(8), (c)(9)(ii), (c)(11), (c)(12)) | |
| ADVISORY BOARD | |
| (Secretary of the Interior) | 300.714. |
| ADVISORY PANEL (See “State advisory panel”) | |
| AGE-APPROPRIATE CLASSROOM | 300.116(e). |
| ALLOCATION(S) | |
| • By-pass for private school children (see §300.191(d)). | |
| • To LEAs (see §§300.705(b), 300.816) | |
| • To Outlying areas | 300.701(a). |
| • To Secretary of the Interior | 300.707. |
| • To States (see §§300.703, 300.807 through 300.810). | |
| ALLOWABLE COSTS | |
| (By SEA for State administration) | 300.704(a). |
| ALTERATION OF FACILITIES | 300.718(b). |
| ALTERNATE ASSESSMENTS | |
| • Aligned with alternate academic achievement standards. | 300.320(a)(2)(ii). |

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- Development and provision of in accordance with ESEA. 300.704(b)(4)(x).
- Participation determined by IEP Team 300.320(a)(6)(ii).
- ALTERNATIVE PLACEMENTS (Continuum) 300.115.
- ALTERNATIVE STRATEGIES to meet transition objectives. 300.324(c)(1).
- AMENDMENTS
 - To LEA policies and procedures 300.220(b).
 - To State policies and procedures:
 - Made by State 300.176(b).
 - Required by the Secretary 300.176(c).
- ANNUAL GOALS (IEPs)
 - FAPE for children suspended or expelled (see §§ 300.101(a), 300.530(d))
 - IEP content:
 - How progress will be measured 300.320(a)(3).
 - Special education and related services 300.320(a)(4).
 - Statement of measurable annual goals 300.320(a)(2)(i).
 - Review and revision of IEP 300.324(b)(1).
 - Review of existing evaluation data 300.305(a).
- ANNUAL REPORT
 - Of children served (see §§ 300.640 through 300.646)
 - On education of Indian children 300.715.
- APPENDICES TO PART 300 (A through E)
 - Excess Costs Calculation (see Appendix A)
 - Proportionate Share Calculation (see Appendix B)
 - National Instructional Materials Accessibility Standard (NIMAS) (see Appendix C)
 - Maintenance of Effort and Early Intervening Services (see Appendix D)
 - Index for IDEA—Part B Regulations (This Appendix E)
- APPLICABILITY OF THIS PART to State, local, and private agencies. 300.2.
- APPLICATION
 - Initial admission to public school 300.518(b).
 - Initial services 300.518(c).
- ASSESSMENT(S)
 - For specific learning disability (see § 300.309(a)(2)(ii), (b)(2))
 - Functional behavioral assessment (see § 300.530(d)(1)(ii), (f)(1)(i))
 - In evaluation (see §§ 300.304(b), (c), 300.305(a)(1)(ii), (c), (d))
 - Of leisure function (in “Recreation”) 300.34(c)(11)(i).
- ASSESSMENTS—STATE and DISTRICT-WIDE
 - Alternate assessments (see § 300.320 (a)(2)(ii), (a)(6)(ii))
 - Performance indicators 300.157.
- ASSISTANCE UNDER OTHER FEDERAL PROGRAMS 300.186.
- ASSISTIVE TECHNOLOGY (AT)
 - AT devices 300.5.
 - AT services 300.6.
 - Consideration of special factors 300.324(a)(2)(v).
 - Hearing aids 300.113.
 - Requirement:
 - Ensure availability of 300.105(a).
 - Use of AT in child’s home 300.105(b).

| | |
|--|--------------------|
| • Surgically implanted medical devices (see §§300.5, 300.34(b), 300.113(b)) | |
| ASTHMA | 300.8(c)(9). |
| ATTENTION DEFICIT DISORDER (ADD) | 300.8(c)(9). |
| ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD) | 300.8(c)(9). |
| ATTORNEYS' FEES | 300.517. |
| • Award of fees | 300.517(c). |
| • Prohibition on use of funds for | 300.517(b). |
| • When court reduces fee awards | 300.517(c)(4). |
| AUDIOLOGY | 300.34(c)(1). |
| AUTHORITY (A–O) | |
| • Of guardian | 300.30(a)(3). |
| • Of hearing officer (Discipline) | 300.532(b). |
| • Of school personnel (Discipline) | 300.530. |
| • Of Secretary to monitor and enforce | 300.609. |
| AUTHORITY (P–Z) | |
| • Parental authority to inspect and review records | 300.613. |
| • State complaint procedures | 300.151(b). |
| • Waiver request (Signed by person with authority) | 300.164(c)(1). |
| AUTISM | 300.8(c)(1). |
| AVERAGE PER-PUPIL EXPENDITURE (Definition) | 300.717(d). |
| BASE PAYMENTS (to LEAs) (See §300.705(b)(1), (b)(2)) | |
| BASIS OF KNOWLEDGE: Protection for children not yet eligible. | 300.534(b). |
| BEHAVIORAL ASSESSMENT (See “Functional behavioral assessment”) | |
| BEHAVIORAL INTERVENTION(S) | 300.530(f). |
| • Assist in developing | 300.34(c)(10)(vi). |
| • Behavioral intervention plan | 300.530(f). |
| • Consideration of by IEP Team | 300.324(a)(2)(i). |
| • Not a manifestation of disability | 300.530(d). |
| • Regular education teacher (Determination of) | 300.324(a)(3). |
| • Suspension and expulsion rates | 300.170(b). |
| BENCHMARKS OR SHORT TERM OBJECTIVES | 300.320(a)(2)(ii). |
| BENEFITS TO NONDISABLED (Permissive use of funds). | 300.208(a)(1). |
| BIA (See “Bureau of Indian Affairs”) | |
| BLIND(NESS): Under “Visual impairment” | |
| • Access to instructional materials (see §§300.172, 300.210(b)(3)) | |
| • Consideration of special factors by IEP Team | 300.324(a)(2). |
| • Definition | 300.8(c)(13). |
| BRAILLE (see §§300.29(b), 300.324(a)(2)(iii)) | |
| BUREAU OF INDIAN AFFAIRS (BIA) | |
| • BIA funded schools | 300.28(c). |
| • In definition of “LEA” | 300.28(c). |
| • See also §§300.21(c), 300.713(b), (d), 300.714 | |
| • Use of funds | 300.712(d). |
| BUSINESS DAY | |
| • Definition | 300.11(b). |
| • See “Timelines,” “Timelines—Discipline” | |
| BY-PASS: Private school children with disabilities (see §§300.190 through 300.198) | |

CALENDAR DAY

- Definition 300.11(a).
- See “Timelines,” “Timelines—Discipline”

CERTIFICATION

- Annual report of children served 300.643.

CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS. 300.536.

CHARTER SCHOOLS

- Applicability of this part to 300.2(b)(1)(ii).
- Definition 300.7.
- Exception: joint establishment of eligibility 300.223(b).
- In definition of “Elementary school” 300.13.
- In definition of “LEA” 300.28(b)(2).
- In definition of “Public agency” 300.33.
- In definition of “Secondary school” 300.36.
- State-level activities regarding charter schools 300.704(b)(4)(ix).
- Treatment of charter schools and their students 300.209.

CHIEF EXECUTIVE OFFICER (CEO)

- Adult prisons (Assigned by Governor) 300.149(d).
- Methods of ensuring services (see §300.154(a), (c))

CHILD COUNT

- Annual report of children served (see §§300.640 through 300.646)
- Certification 300.643.
- Criteria for 300.644.
- Dates for count 300.641(a).
- Indian children 300.712(b).
- LEA records of private school children 300.132(c).
- Procedures for counting children served 300.645(a).

CHILD FIND

- Basic requirement 300.111(a).
- Children advancing from grade to grade 300.111(c)(1).
- Developmental delay 300.111(b).
- Highly mobile children 300.111(c)(2).
- Homeless children 300.111(a)(1)(i).
- Indian children aged 3 through 5 300.712(d)(1).
- Migrant children 300.111(c)(2).
- Private school children 300.131(b).
- Protections for children not determined eligible 300.534.
- Secretaries of the Interior and Health and Human Services (Memo of agreement). 300.708(i)(2).

CHILD WITH A DISABILITY (CWD)

- Adversely affects educational performance (see §300.8(c)(1)(i), (c)(3), (c)(4)(i), (c)(5), (c)(6), (c)(8), (c)(9)(ii), (c)(11), (c)(12), (c)(13))
- Children experiencing developmental delay(s) 300.8(b)(1).
- Children who need only a related service 300.8(a)(2).
- Definition 300.8(a)(1).
- Individual disability terms (Defined) 300.8(c).
- Requirement 300.111(b).
- See “Developmental delay(s)”

CHILD’S STATUS DURING PROCEEDINGS

- Discipline (see §§300.530(f)(2), 300.533)
- Pendency (Stay put) 300.518.

CHILDREN ADVANCING FROM GRADE TO GRADE

- Child find 300.111(c)(1).
- FAPE 300.101(c).

| | |
|---|---------------------|
| CHILDREN EXPERIENCING DEVELOPMENTAL DELAY(S) (See “Developmental delay(s)”) | |
| CHILDREN’S RIGHTS (Confidentiality) | 300.625. |
| CIVIL ACTION—PROCEEDINGS | 300.516. |
| • Finality of review decision | 300.514(d). |
| • Mediation | 300.506(b)(6)(i). |
| • Procedural safeguards notice | 300.504(c)(12). |
| • See “Court(s)” | |
| COCHLEAR IMPLANT (See “Surgically implanted medical device”). | 300.34(b). |
| CODE OF CONDUCT | |
| • Case-by-case determination | 300.530(a). |
| • Manifestation determination review | 300.530(e). |
| • Protections for children not determined eligible | 300.534(a). |
| COMMINGLING—PROHIBITION AGAINST | 300.162(b). |
| COMMUNITY-BASED WAIVERS (Public benefits or insurance). | 300.154(d)(2)(iii). |
| COMPLAINT(S): DUE PROCESS | |
| • Attorneys’ fees | 300.517(a)(1). |
| • Civil action | 300.516(a). |
| • Pendency | 300.518(a). |
| • Private school children (Complaints) | 300.140(c). |
| • See “Due process hearing(s) and reviews” | |
| COMPLAINT(S): STATE COMPLAINT PROCEDURES (A–P) | |
| • Adoption of State complaint procedures | 300.151(a). |
| • Complaint investigations (SEA allocations for) | 300.704(b)(3)(i). |
| • Filing a complaint | 300.153(a). |
| • Minimum State complaint procedures | 300.152. |
| • Private schools (State complaints) | 300.140. |
| • Procedural safeguards notice | 300.504(c). |
| • Provisions for services under by-pass | 300.191(d). |
| • Public agency failure to implement hearing decision .. | 300.152(c)(3). |
| COMPLAINT(S): STATE COMPLAINT PROCEDURES (Q–Z) | |
| • See also §§300.151 through 300.153 | |
| • Time limit | 300.152(a). |
| • Waiver of nonsupplanting requirement | 300.163(c)(2). |
| COMPLIANCE—COMPLY (A–M) | |
| • Child find requirements | 300.111(a). |
| • Department procedures (If failure to comply) | 300.604(c). |
| • FAPE requirement | 300.101(a). |
| • LEA and State agency compliance | 300.222(a). |
| • LRE (State funding mechanism) | 300.114(b). |
| • Modifications of policies: .. | |
| O Made by LEA or State agency | 300.176(b). |
| O Required by SEA | 300.220(c). |
| O Required by Secretary | 300.176(c). |
| • Monitoring (See “Monitor; Monitoring activities”); | |
| COMPLIANCE—COMPLY (N–Z) | |
| • Physical education | 300.108. |
| • Private school placement by parents | 300.148(e). |
| • Private school placements by public agencies: .. | |
| O IEP requirement | 300.325(c). |
| O SEA (Monitor compliance) | 300.147(a). |
| • Public participation requirements | 300.165. |
| • SEA responsibility if LEA does not comply | 300.227(a). |

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- State funding mechanism (LRE) 300.114(b).
- COMPREHENSIVE EVALUATION 300.304(c)(6).
- CONDITION OF ASSISTANCE
- LEA eligibility 300.200.
- State eligibility 300.100.
- CONFIDENTIALITY (A–C)
- Access rights 300.613.
- Children’s rights 300.625.
- Consent 300.622.
- CONFIDENTIALITY (D–E)
- Definitions:
- O Destruction of information 300.611(a).
- O Education records 300.611(b).
- O Participating agency 300.611(c).
- Department use of personally identifiable information 300.627.
- Disciplinary information 300.229.
- Enforcement by SEA 300.626.
- CONFIDENTIALITY (F–Z)
- Family Educational Rights and Privacy Act:
- O Children’s rights 300.625.
- O Disciplinary records 300.535(b)(2).
- O In definition of “Education records” 300.611(b).
- O Notice to parents 300.612(a)(3).
- Fees 300.617.
- Hearing procedures 300.621.
- List of types and location of information 300.616.
- Notice to parents 300.612(a).
- Opportunity for a hearing 300.619.
- Parental authority to inspect and review records 300.613(b).
- Record of access 300.614.
- Records on more than one child 300.615.
- Result of hearing 300.620.
- Safeguards 300.623.
- State eligibility requirement 300.123.
- CONSENT (A–I)
- Confidentiality (Records to non-agency officials) 300.622(a).
- Definition 300.9.
- IEP vs. IFSP 300.323(b)(2)(ii).
- Initial evaluations 300.300(a).
- Initial provision of services 300.300(b).
- CONSENT (J–Z)
- Not required:
- O Before administering a test or other evaluation to all children. 300.300(d)(1)(ii).
- O Before reviewing existing data 300.300(d)(1)(i).
- O When screening for instructional purposes 300.302.
- Private insurance (Accessing) 300.154(e)(1).
- Reasonable efforts to obtain consent:
- O For initial evaluation 300.300(a)(1)(iii).
- O For initial evaluations for wards of the State 300.300(a)(2).
- O For initial provision of services 300.300(b)(2).
- O Reasonable efforts requirements 300.300(d)(5).
- Reevaluations 300.300(c)(2).
- Release of information from education records 300.622.
- CONSIDERATION OF SPECIAL FACTORS (by IEP Team). 300.324(a)(2).
- CONSISTENCY WITH STATE POLICIES: LEA 300.201.

| | |
|---|--------------------|
| CONSTRUCTION | |
| • Accessibility standards | 300.718(b). |
| • Exception to maintenance of effort (Termination of costly expenditures for construction). | 300.204(d). |
| • Private schools (No funds may be used for) | 300.144(e). |
| CONSTRUCTION CLAUSES (A–I) | |
| • Child find (Nothing requires classifying children by disability). | 300.111(d). |
| • Civil action (Exhaust administrative remedies under Part B before filing a civil action). | 300.516(e). |
| • Early intervening services | 300.226(c). |
| • Funding mandated by State law | 300.166. |
| • Hearing: right of parent to appeal decision | 300.513(b). |
| • Highly qualified SEA or LEA staff | 300.156(e). |
| • Highly qualified teacher | 300.18(f). |
| • IEP (Inclusion of additional information beyond explicit requirements). | 300.320(d)(1). |
| • IEP (Information in more than one component not required). | 300.320(d)(2). |
| CONSTRUCTION CLAUSES (J–Z) | |
| • Prohibition on mandatory medication | 300.174(b). |
| • Referral to and action by law enforcement and judicial authorities. | 300.535(a). |
| • Secretary’s authority to monitor enforcement under GEPA. | 300.609. |
| • State Medicaid agency (Nothing alters requirements imposed under Titles XIX or XXI or other public benefits or insurance program). | 300.154(h). |
| • Transition service | 300.324(c)(2). |
| CONSUMER PRICE INDEX For All Urban Consumers (regarding rate of inflation) (See §§300.702(b), 300.704(a)(2)(ii), (b)(2), 300.812(b)(2)) | |
| CONTENT OF IEP | 300.320(a). |
| CONTINUUM OF ALTERNATIVE PLACEMENTS (See “Least restrictive environment”). | |
| CONTINUED OF IEP | 300.320(a). |
| CONTINUUM OF ALTERNATIVE PLACEMENTS (See “Least restrictive environment”). | |
| CONTROLLED SUBSTANCE (Definition) | 300.530(i)(1). |
| COORDINATION OF SERVICES | |
| • Methods of ensuring services | 300.154(a). |
| • Secretary of the Interior | 300.708(i)(1). |
| O Advisory board (Service coordination within BIA) | 300.714(b)(1). |
| O Payments for children aged 3 through 5 | 300.712(a). |
| O Plan for coordination of services | 300.713. |
| • See “Interagency agreements,” “Interagency coordination” | |
| • State advisory panel (Advise SEA on) | 300.169(e). |
| • Use of LEA funds for early intervening services | 300.208(a)(2). |
| • Use of SEA allocations for transition | 300.704(b)(4)(vi). |
| CO-PAY OR DEDUCTIBLE (Public benefits or insurance). | 300.154(d)(2)(ii). |
| CORE ACADEMIC SUBJECTS | |
| • Definition | 300.10. |
| • See “Highly qualified special education teachers” | 300.18. |
| CORRECTIONAL FACILITIES | |
| • Applicability of this part to | 300.2(b)(1)(iv). |
| • Divided State agency responsibility | 300.607. |
| • Exception to FAPE (Children in adult facilities) | 300.102(a)(2). |
| • See also “Adult prisons” | |

- State advisory panel (Representatives on) 300.168(a)(11).
- State juvenile-adult correctional facilities 300.2(b)(1)(iv).
- Transfer of rights to children in 300.520(a)(2).
- CORRECTIVE ACTION (PLAN)**
- Corrective actions to achieve compliance (see §§ 300.152(b)(2)(iii), 300.607)
- Monitoring activities 300.120(b)(2).
- Needs intervention by Secretary 300.604(b)(2)(i).
- State advisory panel (Advise SEA on) 300.169(d).
- COUNSELING SERVICES (Definition) 300.34(c)(2).**
- COUNT (See “Child count”)**
- COURT(S)**
- Attorneys’ fees 300.517.
- Civil action 300.516.
- Court order:
 - Exception to FAPE for certain ages 300.102(a)(1).
- Judicial review:
 - By-pass 300.197.
 - Department procedures 300.184.
- New interpretation of Act by courts requiring modification. 300.176(c)(2).
- Reimbursement for private school placement (see §300.148(b) through (e))
- CRIME (See “Reporting a crime”) 300.535.**
- CRITERIA (A–I)**
- Child count 300.644.
- Child eligibility (Determinant factor) 300.306(b)(1).
- IEP Team (Public agency representative) 300.321(a)(4).
- Independent educational evaluation 300.502.
- CRITERIA (J–Z)**
- Specific learning disability (see §§ 300.307, 300.309)
- Surrogate parents 300.519(d).
- CURRENT PLACEMENT (Discipline)**
- Authority of hearing officer 300.532(b).
- Placement during appeals 300.533.
- DATA (A–L)**
- Allocation of remaining funds to LEAs 300.816(d).
- Average per-pupil expenditure (Definition) 300.717(d).
- By-pass (Provision of services under) 300.191(c)(2).
- Determination of needed evaluation data 300.305(c).
- Disaggregated data 300.704(b)(4)(xi).
- Evaluation data:
 - Procedures for determining eligibility and placement. 300.306(c).
 - Review of existing data 300.305(a)(1).
- Grants to States most recent data 300.703(c)(1)(ii).
- LRE (Placements—meaning of evaluation data 300.116(a)(1).
- DATA (M–Z)**
- Parental consent (Not required for reviewing existing evaluation data). 300.300(d)(1)(i).
- State advisory council (Advise SEA on) 300.169(c).
- Suspension and expulsion rates 300.170(a).
- DAY**
- Business day (Definition) 300.11(b).
- Day (Calendar) 300.11(a).
- Discipline (See “Timelines—Discipline”)
- School day (Definition) 300.11(c).

| | |
|--|--------------------|
| • See “Timelines”. | |
| DECREASE IN ENROLLMENT (Exception to LEA maintenance of effort). | 300.204(b). |
| DECREASE IN FUNDS (To States) | 300.703(d). |
| DEDUCTIBLE OR CO-PAY (Public benefits or insurance). | 300.154(d)(2)(ii). |
| DEFINITIONS (A–D) | |
| • Act | 300.4. |
| • Assistive technology device | 300.5. |
| • Assistive technology service | 300.6. |
| • At no cost | 300.39(b)(1). |
| • Audiology | 300.34(c)(1). |
| • Autism | 300.8(c)(1). |
| • Average per-pupil expenditure in public elementary and secondary schools in the United States. | 300.717(d). |
| • Business day | 300.11(b). |
| • Charter school | 300.7. |
| • Child with a disability | 300.8(a)(1). |
| • Consent | 300.9. |
| • Controlled substance | 300.530(i)(1). |
| • Core academic subjects | 300.10. |
| • Counseling services | 300.34(c)(2). |
| • Day; business day; school day | 300.11. |
| • Deaf-blindness | 300.8(c)(2). |
| • Deafness | 300.8(c)(3). |
| • Destruction (Of information) | 300.611(a). |
| • Developmental delays(s) | 300.8(b). |
| DEFINITIONS (E–H) | |
| • Early identification and assessment | 300.34(c)(3). |
| • Education records | 300.611(b). |
| • Educational service agency | 300.12. |
| • Elementary school | 300.13. |
| • Emotional disturbance | 300.8(c)(4). |
| • Equipment | 300.14. |
| • Evaluation | 300.15. |
| • Excess costs | 300.16. |
| • Extended school year services | 300.106(b). |
| • Free appropriate public education | 300.17. |
| • Freely associated States | 300.717(a). |
| • Hearing impairment | 300.8(c)(5). |
| • Highly qualified special education teacher | 300.18(b). |
| • Homeless children | 300.19. |
| DEFINITIONS (I) | |
| • IEP Team | 300.23. |
| • Illegal drug | 300.530(i)(2). |
| • Include | 300.20. |
| • Independent educational evaluation | 300.502(a)(3)(i). |
| • Indian | 300.21(a). |
| • Indian tribe | 300.21(b). |
| • Individualized education program (IEP) | 300.22. |
| • Individualized family service plan | 300.24. |
| • Infant or toddler with a disability | 300.25. |
| • Institution of higher education | 300.26. |
| • Interpreting services | 300.34(c)(4). |
| DEFINITIONS (J–O) | |
| • Limited English proficient (LEP) | 300.27. |
| • Local educational agency (LEA) | 300.28. |
| • Medical services | 300.34(c)(5). |

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- Mental retardation 300.8(c)(6).
- Multiple disabilities 300.8(c)(7).
- Native language 300.29(a).
- Occupational therapy 300.34(c)(6).
- Orientation and mobility services 300.34(c)(7).
- Orthopedic impairment 300.8(c)(8).
- Other health impairment 300.8(c)(9).
- Outlying areas 300.717(b).

DEFINITIONS (P-R)

- Parent 300.30(a).
- Parent counseling and training 300.34(c)(8).
- Parent training and information center 300.31.
- Parentally-placed private school children with disabilities. 300.130.
- Participating agency (as used in “Confidentiality”) ... 300.611(c).
- Party or parties (Regarding procedures) 300.181(a).
- Personally identifiable 300.32.
- Physical education 300.39(b)(2).
- Physical therapy 300.34(c)(9).
- Psychological services 300.34(c)(10).
- Public agency 300.33.
- Public expense 300.502(a)(3)(ii).
- Recreation 300.34(c)(11).
- Rehabilitation counseling services 300.34(c)(12).
- Related services 300.34(a).

DEFINITIONS (S)

- School day 300.11(c).
- School health services 300.34(c)(13).
- School nurse services 300.34(c)(13).
- Scientifically based research 300.35.
- Secondary school 300.36.
- Secretary 300.38.
- Serious bodily injury 300.530(i)(3).
- Services plan 300.37.
- Social work services in schools 300.34(c)(14).
- Special education 300.39(a).
- Specially designed instruction 300.39(b)(3).
- Specific learning disability 300.8(c)(10).
- Speech-language pathology services 300.34(c)(15).
- Speech or language impairment 300.8(c)(11).
- State 300.40.
- State (Special definition) 300.717(c).
- State educational agency (SEA) 300.41.
- Supplementary aids and services 300.42.

DEFINITIONS (T-Z)

- Transition services 300.43.
- Transportation 300.34(c)(16).
- Traumatic brain injury 300.8(c)(12).
- Travel training 300.38(b)(4).
- Universal design 300.44.
- Visual impairment including blindness 300.8(c)(13).
- Vocational education 300.39(b)(5).
- Ward of the State 300.45.
- Weapon 300.530(i)(4).

DEPARTMENT OF LABOR, Bureau of Labor Statistics
(Regarding rate of inflation) (see §§300.702(b),
300.704(a)(2)(ii), (b)(2), 300.812(b)(2))

DEPARTMENT (U.S. Department of Education)

| | |
|--|---------------------|
| • Enforcement: hearing procedures (see §§ 300.178 through 300.184) | |
| • Monitoring (Regarding Secretary of the Interior) | 300.708(a). |
| • Personally identifiable information (Use of) | 300.627. |
| DESTRUCTION OF INFORMATION | 300.624(b). |
| • Definition | 300.611(a). |
| DETERMINANT FACTOR for eligibility determination | |
| • Lack of instruction in reading or math (see § 300.306(b)(1)(i), (b)(1)(ii)) | |
| • Limited English proficiency | 300.306(b)(1)(iii). |
| DEVELOPMENT, REVIEW, AND REVISION OF IEP | 300.324. |
| DEVELOPMENTAL DELAY(S) | |
| • In definition of “Child with a disability” | 300.8(b). |
| • Requirements for using “Developmental delay” | 300.111(b). |
| • State definition | 300.111(b). |
| • Using specified disability categories | 300.111(d). |
| DIABETES | 300.8(c)(9)(i). |
| DIRECT SERVICES | |
| • For children in private schools (see §§ 300.132(a); 300.133(a); 300.134(d)(1)) | |
| • Nature and location of services | 300.227(b). |
| • Payment by Secretary of the Interior | 300.712(d). |
| • SEA (Additional information) | 300.175(a). |
| • State-level activities | 300.704(b)(4)(i). |
| • Use of LEA allocations for | 300.227(a). |
| DISABILITY: ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE (See “Adversely affects educational performance”) | |
| DISAGGREGATED DATA | |
| • Assessment results for subgroup of children with disabilities. | 300.704(b)(4)(xi). |
| • For suspension and expulsion by race and ethnicity | 300.170(a). |
| DISCIPLINE (A–B) | |
| • Alternative educational setting (see §§ 300.530(d)(1), (d)(2), (d)(4), (g), 300.531, 300.533) | |
| • Appeal | 300.532(a). |
| • Behavioral interventions—intervention plan | 300.530(f). |
| DISCIPLINE (C–H) | |
| • Change of placements for disciplinary removals | 300.536. |
| • Child’s status during due process hearings | 300.518. |
| • Determination of setting | 300.531. |
| • Expedited due process hearings | 300.532(c). |
| • Functional behavioral assessment (see § 300.530(d)(1)(ii), (f)(1)(i)). | |
| • Hearing officer (authority of) (see §§ 300.532(b), 300.533). | |
| DISCIPLINE (I–Z) | |
| • IEP Team (relevant members) (see §§ 300.530(e)(1), (f), 300.531). | |
| • Interim alternative educational setting (see §§ 300.530(b), (d)(2), (g), 300.531, 300.532(b)(2)(ii), 300.533). | |
| • Manifestation determination | 300.530(e). |
| • Placement during appeals | 300.533. |
| • Protections for children not determined eligible | 300.534. |
| • Referral to and action by law enforcement and judicial authorities. | 300.535. |
| • School personnel (Authority of) | 300.530(b). |
| • See “Timelines—Discipline”. | |

DISCLOSURE

- Additional disclosure of information requirement 300.512(b).
 - Consent required before disclosing:
 - Education records to public benefits or insurance agencies. 300.154(d)(2)(iv).
 - Personal information to non-agency officials 300.622(a).
 - Notice on disclosure of evaluation results 300.504(c)(10).
 - Policies on disclosing information to 3rd parties 300.612(a)(3).
 - Prohibit evidence not disclosed 300.512(a)(3).
- DISPROPORTIONALITY 300.646.

DISPUTES

- Interagency disputes (Methods of ensuring services):
 - Ensure services during pendency of dispute 300.154(a).
 - Procedures for resolving 300.154(a)(3).
- Mediation (see also §300.532(c)(3)) 300.506.
 - Attorneys’ fees for 300.517(c)(2)(ii).
 - During discipline appeal process 300.532(c)(3).
 - During resolution process (see §300.510(b)(3), (c)(3))
 - Enforcement of agreement (see §§300.506(b)(7), 300.510(d)(2), 300.537)

DIVIDED STATE AGENCY RESPONSIBILITY (Adult prisons). 300.607.

DIVORCE—SEPARATION (Authority to review records) 300.613(c).

DROPOUT RATES (Performance indicators) 300.157(a)(3).

DUE PROCESS HEARING(S) AND REVIEWS (A–E)

- Agency responsible for conducting hearing 300.511(b).
- Appeal of decisions; impartial review 300.514(b).
- Attorneys’ fees 300.517(a).
- Basic requirements (see §§300.507 through 300.514)
- Child’s status during proceedings (Pendency) 300.518.
 - Parent request for hearing (Discipline) 300.532(a).
- Civil action 300.516(a).
- Evaluations disclosed at least 5 business days before hearing. 300.512(a)(3).
- Expedited due process hearings (Discipline) 300.532(c).

DUE PROCESS HEARING(S) AND REVIEWS (F–I)

- Failure to implement a due process hearing decision .. 300.152(c)(3).
- Finality of decision; appeal; impartial review 300.514.
- Findings of fact and decisions (see §300.512(a)(5), (c)(3)):
 - To State advisory panel (see §§300.513(d), 300.514(c))
- Hearing rights 300.512(a).
- Impartial hearing officer 300.511(c).
 - See “Hearing officer(s)”

DUE PROCESS HEARING(S) AND REVIEWS (J–Z)

- Parental rights at hearings 300.512(c).
- Party notice to other party 300.508(c).
 - Model form to assist parents 300.509.
- Party request for hearing (Discipline) 300.532(a).
- Pendency (Stay put) 300.518.
- Prohibit evidence not introduced 5 business days before hearing. 300.512(a)(3).
- Record of hearing 300.512(c)(3).
- See “Civil action—proceedings,” “Court(s)” “Procedural safeguards,” “Timelines”

| | |
|---|------------------------|
| • Timelines and convenience of hearings—reviews (see §§ 300.506(b)(5), 300.511(e), 300.516(b)) | |
| EARLY IDENTIFICATION AND ASSESSMENT (Definition). | 300.34(c)(3). |
| EARLY INTERVENING SERVICES | 300.226. |
| • Adjustment to local fiscal efforts | 300.205(d). |
| • Do not limit/create right to FAPE | 300.226(c). |
| • For children not currently identified as needing special education or related services. | 300.226(a). |
| • Permissive use of funds | 300.208(a)(2). |
| • Scientifically based literacy instruction | 300.226(b). |
| • Use of funds: | |
| O By LEA | 300.226(a). |
| O By Secretary of the Interior | 300.711. |
| EDUCATION RECORDS (Definition) | 300.611(b). |
| EDUCATIONAL PLACEMENTS (LRE) | 300.114. |
| EDUCATIONAL SERVICE AGENCY (ESA) | |
| • Definition | 300.12. |
| • In definition of “LEA” | 300.28(b)(1). |
| • Joint establishment of eligibility (Regarding ESAs) ... | 300.224(b). |
| O Additional requirements (Regarding LRE) | 300.224(c). |
| ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (ESEA) | |
| • Coordination of early intervening services | 300.226(e). |
| • Excess cost requirement | 300.202(b). |
| • Schoolwide programs | 300.206(a). |
| ELIGIBILITY (CHILD—STUDENT) (A–G) | |
| • Additional eligibility requirements (see §§ 300.121 through 300.124, 300.307 through 300.311) | |
| • Children with disabilities in adult prisons | 300.324(d). |
| • Children with specific learning disabilities (Documentation of eligibility determination). | 300.311(a). |
| • Determinant factor for | 300.306(b)(1). |
| • Determination of eligibility | 300.306. |
| • Developmental delay (Non-use of term by LEA if not adopted by State). | 300.111(b)(iv). |
| • Documentation of eligibility (To parent) | 300.306(a)(2). |
| • Graduation with regular diploma: termination (see §§ 300.102(a)(3), 300.305(e)(2)). | |
| ELIGIBILITY (CHILD—STUDENT) (H–Z) | |
| • Lack of instruction in reading or math | 300.306(b). |
| • Limited English proficiency | 300.306(b). |
| • Public benefits or insurance (Risk loss of eligibility) .. | § 300.154(d)(2) (iii). |
| • Termination of eligibility (see §§ 300.204(c), 300.305(e)(2)) | |
| • Transfer of rights (Special rule) | 300.520(b). |
| ELIGIBILITY (PUBLIC AGENCIES) | |
| • Hearings related to (See “Hearings—Hearing procedures”) | |
| • Joint establishment of (see §§ 300.202(b)(3), 300.223(a), 300.224(a)) | |
| • LEA (See “LEA eligibility”) Secretary of the Interior | 300.712(e). |
| • State (See “State eligibility”) | |
| • State agency eligibility | 300.228. |
| O See “State agencies” | |
| EMOTIONAL DISTURBANCE (Definition) | 300.8(c)(4). |
| ENFORCEMENT | |

- Department procedures (see §§ 300.600, 300.604, 300.605)
- Referral to law enforcement authorities 300.535.
- State policies and procedures:
 - Enforcement mechanisms 300.537.
 - LEA not meeting requirements 300.608.
 - Regarding confidentiality 300.626.
- EPILEPSY 300.8(c)(9)(i).
- EQUIPMENT
 - Acquisition of 300.718(a).
 - Definition 300.14.
 - Exception to maintenance of effort 300.204(d).
 - Placement in private school 300.144.
- EVALUATION (A–G)
 - Assessments in (see §§ 300.304(b), (c) 300.305(c)).
 - Basic requirements (see §§ 300.301, 300.303, 300.324)
 - Comprehensive (Identify all special education needs) .. 300.304(c)(6).
 - Definition of 300.15.
 - Evaluation procedures 300.304.
 - Evaluation report to parents 300.306(a)(2).
 - Existing evaluation data (Review of) 300.305(a)(1).
 - Graduation (Evaluation not required for) 300.305(e)(2).
- EVALUATION (H–Z)
 - Independent educational evaluation (IEE) 300.502.
 - Initial evaluation (see §§ 300.301, 300.305)
 - Observation in determining SLD 300.310.
 - Parent consent 300.300.
 - Parent right to evaluation at public expense 300.502(b).
 - Reevaluation 300.303.
- EXCEPTION
 - Charter schools exception (Joint eligibility) 300.223(b).
 - For prior local policies and procedures 300.220.
 - For prior State policies and procedures 300.176(a).
 - To FAPE:
 - For certain ages 300.102.
 - For graduating with a regular diploma 300.102(a)(3)(i).
 - For children in adult prisons (see §§ 300.102(a)(2), 300.324(d)).
 - To maintenance of effort 300.204.
 - To reimbursement for parental placement 300.148(e).
- EXCESS COSTS
 - Calculation of (see Appendix A—Excess Costs Calculation)
 - Definition 300.16.
 - Excess cost requirement 300.202(b)
 - Joint establishment of eligibility 300.202(b)(3)
 - LEA requirement 300.202(b)
 - Limitation on use of Part B funds 300.202(b)
 - Meeting the excess cost requirement 300.202(b)(2)
 - See also §§ 300.163(a), 300.175(b), 300.202(a), 300.227(a)(2)(ii)
- EXISTING EVALUATION DATA (Review of) 300.305(a)(1).
- EXPEDITED DUE PROCESS HEARINGS 300.532(c).
- Authority of hearing officer 300.532(b).
- Party appeal (Hearing requested by parents) 300.532(a).
- EXPULSION (See “Suspension and expulsion”)
- EXTENDED SCHOOL YEAR SERVICES 300.106.
- EXTRACURRICULAR

| | |
|--|--------------------|
| • IEP content | 300.320(a)(4)(ii). |
| • In supplementary aids and services | 300.42. |
| • Nonacademic services | 300.107. |
| • Nonacademic settings | 300.117. |
| FACILITIES | |
| • Alteration of | 300.718. |
| • Children in private schools or facilities (see §§300.130, 300.142(a), 300.144(b), (c), 300.147(c)) | |
| • Construction of | 300.718. |
| • Physical education (In separate facilities) | 300.108(d). |
| • Private schools and facilities | 300.2(c). |
| • See also “Correctional facilities” | |
| • Termination of expenses for construction of | 300.204(d). |
| FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) (See “Confidentiality”) | |
| FAPE (A–G) | |
| • Definition | 300.17. |
| • Documentation of exceptions | 300.102(b). |
| • Exception to FAPE: | |
| O For certain ages | 300.102(a). |
| O For children receiving early intervention services | 300.102(a)(4). |
| O For children graduating with a regular diploma ... | 300.102(a)(3). |
| O For children in adult correctional facilities | 300.102(a)(2). |
| • For children: | |
| O Advancing from grade to grade | 300.101(c). |
| O Beginning at age 3 | 300.101(b). |
| O On Indian reservations | 300.707(c). |
| O Suspended or expelled from school | 300.101(a). |
| • General requirement | 300.101(a). |
| FAPE (H–Z) | |
| • Methods and payments | 300.103. |
| • Private school children with disabilities: | |
| O Placed by parents when FAPE is at issue | 300.148. |
| O Placed in or referred by public agencies (see §§300.145 through 300.147) | |
| • Reallocation of LEA funds (FAPE adequately provided). | 300.705(c). |
| • Services (and placement) for FAPE: | |
| O Based on child’s needs (Not disability category) ... | 300.304(c)(6). |
| • State eligibility condition | 300.100. |
| FAS (Freely associated States) | 300.717(a). |
| FAX (FACSIMILE TRANSMISSION) | |
| • Department procedures (see §§300.183, 300.196(a) through (e)) | |
| FERPA (Family Educational Rights and Privacy Act) (See “Confidentiality”) | |
| FILING A CLAIM (Private insurance) | 300.154(e). |
| FILING A COMPLAINT (State complaint procedures) ... | 300.153. |
| FILING REQUIREMENTS | |
| • By-pass (Regarding private school children) | 300.196. |
| • Department procedures | 300.183. |
| • See §§300.178 through 300.186. | |
| FINALITY OF DECISION | 300.514. |
| FORMULA | |
| • Allocations to LEAs | 300.705(b). |
| • Allocations to States | 300.703. |
| • Allocation to States when by-pass is implemented | 300.191. |

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- Allocation to States regarding section 619 (see §§ 300.807, 300.810).
- Parentally-placed private school children 300.133.
- SEA set aside funds 300.704(b).
- See also § 300.171(a).
- FOSTER PARENT 300.30(a)(2).
- See also § 300.45(b).
- FREELY ASSOCIATED STATES AND OUTLYING AREAS**
- Funding for 300.701(a).
- Purpose of grants 300.700(a).
- FULL EDUCATIONAL OPPORTUNITY GOAL** 300.109.
- FUNCTIONAL BEHAVIORAL ASSESSMENT** (see § 300.530(d)(1)(ii), (f)(1)(i))
- FUNDING MECHANISM: LRE** 300.114(b).
- FUNDS** (See “Use of funds”)
- GENERAL CURRICULUM**
- Discipline (Continue participating in) 300.530(d)(1)(i).
- Evaluation procedures:
 - Be involved and progress in 300.304(b)(1)(ii).
 - Review of existing evaluation data 300.305(a)(1).
- IEPs:
 - Measurable annual goals 300.320(a)(2)(i).
 - Present levels of educational performance 300.320(a)(1).
 - Review and revision of IEPs 300.324(b)(1)(ii).
 - Special education and related services 300.320(a)(4)(ii).
- IEP Team 300.321(a)(4)(ii).
- Specially designed instruction (Definition) 300.39(b)(3).
- GOALS**
- Annual goals (See “IEP” and “Annual goals”).
- Performance goals and indicators 300.157.
 - State and local activities to meet 300.814(c).
 - Use of State-level funds to meet 300.704(b)(4)(x).
- GOVERNOR** (Adult prisons) 300.149(d).
- See also “Chief executive officer”.
- GRADUATION**
- Evaluation not required for 300.305(e)(2).
- Exception to FAPE 300.102(a)(3)(i).
- Graduation rates as performance indicators 300.157(a)(3).
- Written prior notice required 300.102(a)(3)(iii).
- GRANDPARENT OR STEPPARENT** (In definition of “Parent”). 300.30(a)(4).
- GRANTS**
- Grants to States: 300.700.
 - Maximum amount 300.700(b).
 - Purpose of 300.700(a).
- See “Subgrants”.
- GUARDIAN** (In definition of “Parent”) 300.30(a)(3).
- GUARDIANSHIP, SEPARATION, AND DIVORCE** (Regarding parent’s authority to review records). 300.613(c).
- HEALTH AND HUMAN SERVICES** (Secretary of) 300.708(i)(1).
- HEARING AIDS: Proper functioning of** 300.113(a).
- HEARING IMPAIRMENT**
- Definition 300.8(c)(5).
- Related services, audiology 300.34(c)(1).
- HEARING OFFICER(S)** (A–B)

| | |
|---|--------------------|
| • Additional disclosure of information requirement | 300.512(b). |
| • Attorneys' fees | 300.517(c)(2)(i). |
| • Authority of (Discipline) | 300.532(b). |
| O Basis of decisions | 300.513(a). |
| HEARING OFFICER(S) (C–Z) | |
| • Change of placement: | |
| O Hearing officer decision agrees with parents | 300.518(d). |
| O Hearing officer may order | 300.532(b)(2)(ii). |
| • Expedited due process hearing (Discipline) | 300.532(c). |
| • Impartial hearing officer | 300.511(c). |
| • Parent appeal (Discipline) | 300.532(a). |
| • Placement during appeals | 300.533. |
| • Private school placement when FAPE is at issue | 300.148(b). |
| • Reimbursement for private school placement by par- ents. | 300.148(c). |
| • Requests for evaluations by | 300.502(d). |
| HEARING RIGHTS | 300.512. |
| HEARINGS—HEARING PROCEDURES | |
| • Due process (See “Due process hearings”). | |
| • Public hearings on policies and procedures | 300.165(a). |
| • State and local eligibility: | |
| O LEA eligibility | 300.155. |
| O Notification in case of LEA or State ineligibility | 300.221. |
| O State eligibility (Notice and hearing) (see §§300.178, 300.179, 300.181). | |
| HEART CONDITION | 300.8(c)(9)(i). |
| HEIGHTENED ALERTNESS TO ENVIRONMENTAL STIMULI (In “Other health impairment”). | 300.8(c)(9). |
| HIGH COST FUND (LEA) | 300.704(c). |
| HIGHLY MOBILE CHILDREN (e.g., homeless and mi- grant children). | 300.111(c)(2). |
| HIGHLY QUALIFIED TEACHER (A–Q) | |
| • Alternative route to certification | 300.18(b)(2). |
| • Definition of | 300.18. |
| • Private school teachers | 300.18(h). |
| HIGHLY QUALIFIED TEACHER (R–Z) | |
| • Requirements for in general | 300.18(b). |
| • Requirements for teaching to alternate academic achievement standards. | 300.18(c). |
| • Requirements for teaching multiple subjects | 300.18(d). |
| • Personnel qualifications | 300.156(c). |
| HIGH NEED CHILD | 300.704(c)(3)(i). |
| HOMELESS CHILDREN | |
| • Child find | 300.111(a)(1)(i). |
| • Definition of | 300.19. |
| • McKinney-Vento Homeless Assistance Act (see §§300.19, 300.149(a)(3), 300.153(b)(4)(iii), 300.168(a)(5), 300.508(b)(4)). | |
| • Surrogate parents for | 300.519(a)(4). |
| HYPERACTIVITY (Attention deficit hyperactivity dis- order). | 300.8(c)(9)(i). |
| INAPPLICABILITY (Of requirements that prohibit commingling and supplanting of funds). | 300.704(d). |
| IEE (See “Independent educational evaluation”) | |
| IEP (A–I) | |
| • Agency responsibilities for transition services | 300.324(c)(1). |

- Basic requirements (see §§ 300.320 through 300.324).
- Child participation when considering transition 300.321(b)(1).
- Consideration of special factors 300.324(a)(2).
- Consolidation of IEP Team meetings 300.324(a)(5).
- Content of IEPs 300.320(a).
- Definition (see §§ 300.22, 300.320).
- Development, review, and revision of 300.324.
- IEP or IFSP for children aged 3 through 5 300.323(b).
- IEP Team 300.321.
- IEP (J-Z)
- Modifications of IEP or placement (FAPE for children in adult prisons) 300.324(d)(2)(i).
- Modify/Amend without convening meeting (see § 300.324(a)(4), (a)(6)).
- Parent participation 300.322.
- Alternative means 300.328.
- Part C coordinator involvement 300.321(f).
- Private school placements by public agencies 300.325(a)(1).
- Regular education teacher (See “IEP Team”).
- Review and revision of IEPs 300.324(b).
- SEA responsibility regarding private school 300.325(c).
- State eligibility requirement 300.112.
- Transition services 300.320(b).
- When IEPs must be in effect 300.323.
- IEP TEAM 300.321.
- Alternative educational setting (Determined by) 300.531.
- Consideration of special factors 300.324(a)(2).
- O Assistive technology 300.324(a)(2)(v).
- O Behavioral interventions 300.324(a)(2)(i).
- O Braille needs 300.324(a)(2)(iii).
- O Communication needs (Deafness and other needs) 300.324(a)(2)(iv).
- O Limited English proficiency 300.324(a)(2)(ii).
- Determination of knowledge or special expertise 300.321(c).
- Discipline procedures (see §§ 300.530(e), 300.531).
- Manifestation determination 300.530(e).
- Other individuals who have knowledge or special expertise (At parent or agency discretion). 300.321(a)(6).
- Participation by private school (public agency placement). 300.325(a).
- Regular education teacher (see §§ 300.321(a)(2), 300.324(a)(3)).
- IFSP (INDIVIDUALIZED FAMILY SERVICE PLAN)
- Definition 300.24.
- Transition from Part C 300.124.
- IFSP vs. IEP 300.323(b).
- ILLEGAL DRUG (Definition—discipline) 300.530(i)(2).
- IMPARTIAL DUE PROCESS HEARING 300.511.
- See “Due process hearings and reviews”.
- IMPARTIAL HEARING OFFICER 300.511(c).
- IMPARTIALITY OF MEDIATOR 300.506(b)(1).
- INCIDENTAL BENEFITS (Permissive use of funds) 300.208.
- INCIDENTAL FEES (In definition of “at no cost” under “Special education”). 300.39(b)(1).
- INCLUDE (Definition) 300.20.
- INDEPENDENT EDUCATIONAL EVALUATION (IEE) ... 300.502.
- Agency criteria (see § 300.502(a)(2), (b)(2)(ii), (c)(1), (e)).
- Definition 300.502(a)(3)(i).

| | |
|---|--------------------|
| • Parent-initiated evaluations | 300.502(c). |
| • Parent right to | 300.502(a)(1). |
| • Procedural safeguards notice | 300.504(c)(1). |
| • Public expense (Definition under IEE) | 300.502(a)(3)(ii). |
| • Request by hearing officers | 300.502(d). |
| • Use as evidence at hearing | 300.502(c)(2). |
| INDIAN; INDIAN CHILDREN | |
| • Child find for Indian children aged 3 through 5 | 300.712(d). |
| • Definition of “Indian” | 300.21(a). |
| • Definition of “Indian tribe” | 300.21(b). |
| • Early intervening services | 300.711. |
| • Payments and use of amounts for: | |
| O Education and services for children aged 3 through 5. | 300.712(a). |
| O Education of Indian children | 300.707. |
| • Plan for coordination of services | 300.713. |
| • Submission of information by Secretary of Interior | 300.708. |
| INDICATORS | 300.157(b). |
| • See “Performance goals and indicators”. | |
| INDIVIDUALIZED EDUCATION PROGRAM (See “IEP”) | |
| INDIVIDUALIZED FAMILY SERVICE PLAN (See “IFSP”) | |
| INFORMED CONSENT (See “Consent”) | |
| INITIAL EVALUATION | 300.301. |
| • Consent before conducting | 300.300(a)(1)(i). |
| O For ward of State | 300.300(a)(2). |
| O Not construed as consent for initial placement | 300.300(a)(1)(ii). |
| O When not required | 300.300(a)(2). |
| • Review of existing evaluation data | 300.305(a). |
| INSTITUTION OF HIGHER EDUCATION | |
| • Definition | 300.26. |
| INSTRUCTIONAL MATERIALS | |
| • Access to | 300.172. |
| • Audio-visual materials | 300.14(b). |
| • LEA purchase of | 300.210. |
| • NIMAC: | |
| O SEA coordination with | 300.172(c). |
| O SEA rights and responsibilities if not coordinating. | 300.172(b). |
| INSURANCE | |
| • Community-based waivers (see §300.154(d)(2)(iii)(D)). | |
| • Financial costs | 300.154(f)(2). |
| • Financial responsibility of LEA/SEA | 300.154(a)(1). |
| • Out-of-pocket expense | 300.154(d)(2)(ii). |
| • Private insurance | 300.154(e). |
| • Public benefits or insurance | 300.154(d). |
| • Risk of loss of eligibility (see §300.154(d)(2)(iii)(D)). | |
| INTERAGENCY AGREEMENTS | |
| • FAPE methods and payments (Joint agreements) | 300.103(a). |
| • LRE (Children in public/private institutions) | 300.114(a)(2)(i). |
| • Methods of ensuring services | 300.154(a). |
| • SEA responsibility for general supervision | 300.149. |
| • Secretary of Interior—with Health and Human Services Secretary. | 300.708(i)(1). |
| O Cooperative agreements (BIA and other agencies) | 300.712(d). |

INTERAGENCY COORDINATION (See “Coordination of services,” “Interagency agreements”)

INTERAGENCY DISPUTES 300.154(a)(3).

INTERAGENCY RESPONSIBILITIES (Transition services). 300.320(b).

INTERIM ALTERNATIVE EDUCATIONAL SETTING (See §§300.530(b), 300.531, 300.532(b)(2)(ii), 300.533)

INTERPRETING SERVICES

- As a related service 300.34(a).
- Definition 300.34(c)(4).

JOINT ESTABLISHMENT OF ELIGIBILITY (LEAs) 300.223.

- See also §§300.202(b)(3), 300.224.

JUDICIAL

- Authorities (Referral to) 300.535.
- Finding of unreasonableness 300.148(d)(3).
- Proceeding (During pendency) 300.518(a).
- Review 300.197.
- See also:
 - Civil action (see §§300.504(c)(12), 300.514(d), 300.516).
 - Court(s) (see §§300.102(a)(1), 300.184, 300.148(c), (d)(3), 300.197, 300.516(a), (c), (d), 300.517(a), (c)).

JUVENILE-ADULT CORRECTIONS FACILITIES (See “Correctional facilities”)

LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

- Referral to 300.535.

LEA (LOCAL EDUCATIONAL AGENCY) (A–C)

- Allocations to LEAs 300.705(b).
 - Reallocation of funds (If LEA is adequately providing FAPE). 300.705(c).
- Charter schools and LEAs (See “Charter schools”).
- Child count—LEAs:
 - Parentally-placed private school children with disabilities. 300.133(c).
 - Procedures for counting all children served (Annual report). 300.645.
 - See also “Child count”.
- Child find—LEAs:
 - Parentally-placed private school children with disabilities. 300.131.
 - See also “Child find”.
- Compliance (LEA and State agency) 300.222.
- Consistency of LEA policies with State policies 300.201.

LEA (D–G)

- Definition of LEA 300.28.
- Developmental delay: Use of term by LEAs (see §300.111(b)(2) through (b)(4)).
- Direct services by SEA (If LEA is unable or unwilling to serve CWDs, etc.). 300.227.
- Discipline and LEAs (See “Discipline”).
- Eligibility of LEA:
 - Condition of assistance (see §§300.200 through 300.213).
 - Exception for prior local plans. 300.220.
 - Ineligibility of LEA (Notice by SEA) 300.221.
 - SEA hearings on LEA eligibility 300.155.
- Excess cost requirement—LEA: 300.202(b).
 - Use of amounts for excess costs 300.202(a)(2).

O See also “Excess costs”.

LEA (H–L)

- Hearings relating to LEA eligibility 300.155.
- Information for SEA 300.211.
- Instructional materials (Purchase of) 300.210.
- Joint establishment of eligibility (By two or more LEAs). 300.202(b)(3).

O See also §§300.223, 300.224.

- LEA and State agency compliance 300.222.
- LEA policies (Modification of) 300.220(b).

O See “LEA eligibility,” “Eligibility of LEA”.

LEA (M–P)

- Maintenance of effort regarding LEAs (See “Maintenance of effort”).
- Methods of ensuring services—LEAs (see §300.154(a)(1) through (a)(4), (b)).
- Migratory children with disabilities (Linkage with records under ESEA) 300.213.
- Modification of policies by LEA 300.220(b).
- Noncompliance of LEA (SEA determination) 300.222(a).
- Notice requirement (On LEA) 300.222(b).
- Purchase of instructional materials 300.210.
- Personnel shortages (Use of funds to assist LEAs in meeting). 300.704(b)(4)(vii).
- Public information (By LEA) 300.212.

LEA (R–T)

- Reallocation of LEA funds (If LEA is adequately providing FAPE). 300.705(c).
- Reimbursement of LEAs by other agencies (See “Methods of ensuring services,” §300.154(a)(2) through (a)(3), (b)(2)).
- Review and revision of policies 300.170(b).
- SEA reduction in payments to LEA 300.222(a).
- SEA use of LEA allocations for direct services 300.227.
- Show cause hearing (By-pass requirement) 300.194.
- State-level nonsupplanting 300.162(c).
- Subgrants to LEAs 300.705(a).
- Suspension and expulsion rates—LEAs 300.170(a)(1).
- Transition planning conferences (Part C to B) 300.124(c).

LEA (U–Z)

- Use of amounts (by LEA) 300.202.
- O (See “Permissive use of funds”).
- Use of SEA allocations (Regarding LEAs) 300.704.
- O For capacity-building, etc. (see §300.704(b)(4)(viii)).
- O To assist in meeting personnel shortages (see §300.704(b)(4)(vii)).

LEA ELIGIBILITY (A–I)

- Adjustment to local fiscal efforts in certain fiscal years. 300.205.
- Charter schools—public:
 - O Rights of children with disabilities who attend public charter schools. 300.209(a).
 - O That are public schools of the LEA 300.209(b).
 - O That are LEAs 300.209(c).
 - O That are not an LEA or a school that is part of an LEA. 300.209(d).
 - O Treatment of charter schools and their students .. 300.209.

- See also “Charter schools”.
- Condition of assistance 300.200.
 - See §§300.201 through 300.213.
- Consistency with State policies 300.201.
- Information for SEA 300.211.
- LEA ELIGIBILITY (M–Z)
- Maintenance of effort 300.203.
 - Exception to 300.204.
- Migratory children with disabilities—records regarding. 300.213.
- Permissive use of funds 300.208.
 - Administrative case management 300.208(b).
 - Early intervening services 300.208(a)(2).
 - High cost special education and related services .. 300.208(a)(3).
 - Services and aids that also benefit nondisabled children. 300.208(a)(1).
- Personnel development 300.207.
- Records regarding migratory children with disabilities. 300.213.
- State prohibition (If LEA is unable to establish/maintain programs of FAPE). 300.205(c).
- Treatment of charter schools and their students 300.209.
- LEAD POISONING (Other health impairment) 300.8(c)(9)(i).
- LEAST RESTRICTIVE ENVIRONMENT (LRE)
- Children in public or private institutions 300.118.
- Continuum of alternative placements 300.115.
- Educational service agency (Additional requirement regarding LRE). 300.224(c).
- Monitoring activities 300.120.
- Nonacademic settings 300.117.
- Placements 300.116.
- State eligibility requirements 300.114.
- Additional requirement: State funding mechanism 300.114(b).
- Technical assistance and training 300.119.
- LEISURE EDUCATION (Recreation) 300.34(c)(11)(iv).
- LEP (See “Limited English proficient”)
- LEUKEMIA (Other health impairment) 300.8(c)(9)(i).
- LIMITED ENGLISH PROFICIENT (LEP)
- Definition of 300.27.
- Determinant factor in eligibility determination 300.306(b)(1)(iii).
- In development, review, and revision of IEP 300.324(a)(2)(ii).
- In “native language” (Definition) 300.29(a).
- Special rule—LEP not determinant factor 300.306(b)(1)(iii).
- LOCAL EDUCATIONAL AGENCY (See “LEA”)
- LRE (See “Least restrictive environment”)
- MAINTENANCE OF EFFORT (MOE–LEA) (A–R)
- Amounts in excess (Reduce level) 300.205(a).
- Exception to 300.204.
- Maintenance of effort and early intervening services (see Appendix D).
- Maintenance of effort—LEA 300.203.
- Non-reduction of (State enforcement) 300.608.
- Public benefits or insurance proceeds are not MOE 300.154(g)(2).
- See “Methods of ensuring services”.
- MAINTENANCE OF EFFORT (MOE–LEA) (S–Z)
- SEA flexibility 300.230(a).

- State enforcement (SEA must prohibit LEA from reducing MOE). 300.608.
- MAINTENANCE OF STATE FINANCIAL SUPPORT 300.163.
 - Reduction of funds for failure to maintain support 300.163(b).
 - Subsequent years (Regarding a waiver) 300.163(d).
 - Waivers: Exceptional or uncontrollable circumstances 300.163(c).
- MANIFESTATION DETERMINATION (See “Discipline”). 300.530(e).
- McKINNEY-VENTO HOMELESS ASSISTANCE ACT
 - In definition of “Homeless children” 300.19.
 - In filing a State complaint 300.153(b)(4)(iii).
 - SEA responsibility for general supervision (Regarding homeless children). 300.149(a)(3).
 - State advisory panel (Membership) 300.168(a)(5).
 - Surrogate parents (Homeless child’s rights protected 300.519(a)(4).
- MEDIATION (A–O)
 - Benefits of (Meeting to explain) 300.506(b)(2)(ii).
 - Confidential discussions 300.506(b)(6)(i).
 - Cost of (Borne by State) 300.506(b)(4).
 - Disinterested party (To meet with parents and schools 300.506(b)(2).
 - Disputes (Resolve through mediation) 300.506(a).
 - Legally binding agreement 300.506(b)(6).
 - Mediation procedures (By public agency to allow parties to resolve disputes). 300.506(a).
 - Mediators:
 - Impartiality of 300.506(c).
 - List of 300.506(b)(3)(i).
 - Qualified and impartial (see §300.506(b)(1)(iii)).
 - Meeting to explain benefits of 300.506(b)(2)(ii).
 - Not used as evidence in hearing 300.506(b)(8).
 - Not used to deny/delay right to hearing 300.506(b)(1)(ii).
 - Opportunity to meet 30.506(b)(2).
- MEDIATION (P–Z)
 - Parent training and information center 300.506(b)(2)(i).
 - Procedural safeguards notice 300.504(c)(6).
 - Random selection of mediators 300.506(b)(3)(ii).
 - Use of SEA allocations to establish 300.704(b)(3)(ii).
 - Voluntary 300.506(b)(1)(i).
 - Written mediation agreement 300.506(b)(7).
- MEDICAID
 - Children covered by public benefits or insurance 300.154(d)(1).
 - Construction (Nothing alters requirements imposed under Titles XIX or XXI). 300.154(h).
 - Financial responsibility of each non-educational public agency (e.g., State Medicaid). 300.154(a)(1).
 - LEA high cost fund (Disbursements not medical assistance under State Medicaid). 300.704(c)(8).
 - Medicaid reimbursement not disqualified because service in school context. 300.154(b)(1)(ii).
 - Methods of ensuring services (see §300.154(a)(1), (b)(1)(ii), (d), (g)(2), (h)).
 - Proceeds from public or private insurance 300.154(g)(1).
 - Public agency may use Medicaid 300.154(a)(1).
 - State Medicaid, etc., must precede financial responsibility of LEA. 300.154(a)(1).
- MEDICAL (A–L)
 - Assistance under other Federal programs 300.186.

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- Assistive technology device (Does not include a surgically implanted medical device). 300.5.
- LEA high cost fund (Disbursements not medical assistance under State Medicaid). 300.704(c)(8).
- MEDICAL (M–Q)**
- Medical services in (“Related services”):
 - Audiology (Referral for) 300.34(c)(1)(ii).
 - Definition of 300.34(c)(5).
 - For diagnostic purposes 300.34(a).
 - Speech-language pathology (Referral for) 300.34(c)(15)(iii).
- Medical supplies, etc. (Memo of agreement between HHS and Interior). 300.708(i)(2).
- Non-medical (Residential placement) 300.104.
- MEDICAL (R–Z)**
- Referral for medical services:
 - Audiology 300.34(c)(1)(ii).
 - Speech-language pathology services 300.34(c)(15)(iii).
- Related services: Exception; surgically implanted devices (“Cochlear implants”). 300.34(b).
- Routine checking of hearing aids and other devices 300.113.
- SLD: Educationally relevant medical findings, if any 300.311(a)(4).
- MEDICATION**
- Prohibition on mandatory medication 300.174.
- MEETING(S)**
- Alternative means of meeting participation 300.328.
- Consolidation of IEP Team meetings 300.324(a)(5).
- Equitable services determined (Parentally-placed private school CWDs). 300.137.
- IEP Team meetings (See “IEP”).
- Mediation (Opportunity to meet) 300.506(b)(2).
- Opportunity to examine records; participation in IEP Team meetings. 300.501.
- Parent participation in meetings (see §300.506(b)(2), (b)(4)).
- Private school placements by public agencies 300.325.
- Reviewing and revising IEPs (Private school placements). 300.325(b).
- Services plan for private school children (Meetings) ... 300.137(c)(1).
- MENTAL RETARDATION (Definition) 300.8(c)(6).**
- METHODS OF ENSURING SERVICES 300.154.**
- MIGRANT CHILDREN**
- Child find 300.111(c)(2).
- Records regarding migratory children (Linkage with ESEA). 300.213.
- MINIMUM STATE COMPLAINT PROCEDURES 300.152.**
- See “Complaints,” “State complaint procedures”.
- MONITOR; MONITORING ACTIVITIES (A–N)**
- Allowable costs for monitoring 300.704(b)(3)(i).
- Children placed in private schools by public agencies 300.147(a).
- Implementation by SEA 300.147(a).
- LRE (SEA monitoring activities) 300.120.
- Monitoring activities (LRE) 300.120.
- Monitoring—Enforcement (Subpart F) 300.600.
 - Rule of construction (Use any authority under GEPA to monitor). 300.609.
 - Secretary’s review and determination regarding State performance. 300.603(b)(1).

| | |
|--|----------------------------|
| O State exercise of general supervision | 300.600(d)(2). |
| O State use of targets and reporting | 300.602(a), (b)(1). |
| MONITOR; MONITORING ACTIVITIES (O–Z) | |
| • Outlying areas, etc. (see §300.701(a)(1)(ii)). | |
| • Private school children: SEA monitoring | 300.147(a). |
| • SEA responsibility for general supervision | 300.149(b). |
| • Secretary of the Interior | 300.708. |
| • State advisory panel functions (Advise SEA on corrective action plans). | 300.169(d). |
| • Use of SEA allocations for monitoring | 300.704(b)(3)(i). |
| • Waiver (State’s procedures for monitoring) | 300.164(c)(2)(ii)(B). |
| O Summary of monitoring reports | 300.164(c)(3). |
| MULTIPLE DISABILITIES (Definition) | 300.8(c)(7). |
| NATIONAL INSTRUCTIONAL MATERIALS ACCESS CENTER (NIMAC). | 300.172(e)(1)(ii). |
| NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY STANDARDS (NIMAS). | 300.172(e)(1)(iii). |
| • See also Appendix C. | |
| NATIVE LANGUAGE | |
| • Confidentiality (Notice to parents) | 300.612(a)(1). |
| • Definition | 300.29. |
| • Definition of “Consent” | 300.9. |
| • Evaluation procedures (Tests in native language) | 300.304(c)(1)(ii). |
| • Notice to parents: Confidentiality (In native language). | 300.612(a)(1). |
| • Prior notice: | |
| O Notice in native language | 300.503(c)(1)(ii). |
| O Notice translated orally | 300.503(c)(2)(i). |
| O Steps if not a written language | 300.503(c)(2). |
| NATURE/LOCATION OF SERVICES (Direct services by SEA). | 300.227. |
| NEPHRITIS (In “Other health impairment”) | 300.8(c)(9)(i). |
| NIMAC (See “National Instructional Materials Access Center”) | |
| NIMAS (See “National Instructional Materials Accessibility Standard”) | |
| NONACADEMIC | |
| • Activities: Participate in (IEP content) | 300.320(a)(4)(ii). |
| • Services and extracurricular activities (Equal opportunity to participate in). | 300.107(a). |
| • Settings | 300.117. |
| NONCOMMINGLING | 300.162(b). |
| NONDISABLED (Children; students) (A–P) | |
| • At no cost (In definition of “special education”) | 300.39(b)(1). |
| • Disciplinary information | 300.229(a). |
| • Excess cost requirement | 300.202(b). |
| • IEP (definition) (see §300.320(a)(1)(i), (a)(4)(iii), (a)(5)). | |
| • LRE (General requirement) | 300.114. |
| • Nonacademic settings | 300.117. |
| • Placement | 300.116. |
| • Program options | 300.110. |
| NONDISABLED (Children; students) (R–Z) | |
| • Regular physical education | 300.108(b). |
| • Services and aids that also benefit nondisabled children. | 300.208(a)(1). |
| • Special education (Definition: In definition of “at no cost”). | 300.39(b)(1). |

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- Supplementary aids and services 300.42.
- Suspension and expulsion rates 300.170(a)(2).
- NONEDUCATIONAL (Public agency)
- Medicaid service (May not be disqualified because in school context). 300.154(b)(1)(ii).
- Methods of ensuring services (see §300.154(a), (b))
- Obligation of 300.154(b).
- Reimbursement for services by 300.154(b)(2).
- NON-MEDICAL CARE (Residential placement) 300.104.
- NONSUPPLANTING
- Excess cost requirement (Regarding children aged 3 through 5 and 18 through 21). 300.202(b)(1)(ii).
- LEA nonsupplanting 300.202(b)(1)(ii).
- SEA flexibility 300.230(a).
- State-level activities (Inapplicability of certain provisions). 300.704(d).
- State-level nonsupplanting 300.162(c).
- Waiver of requirement 300.164.
- NOTICES: By parents or parties
- Attorneys' fees: When court reduces fee award regarding due process request notice. 300.517(c)(4)(iv).
- Children enrolled by parents in private schools when FAPE is at issue. 300.148(d)(1)(i).
- Due process complaint (Notice before a hearing on a complaint). 300.508(c).
- Private school placement by parents (When FAPE is at issue). 300.148(d)(1)(i).
- NOTICES: Public agency (A–M)
- By-pass (Judicial review) 300.197.
- Children's rights (Transfer of rights) 300.625(c).
- Confidentiality (Notice to parents) 300.612.
- Department procedures (Notice to States) 300.179.
- O See "Judicial review" 300.184.
- Discipline (Notification) 300.530(h).
- Exception to FAPE (Graduation) 300.102(a)(3).
- Hearings relating to LEA eligibility 300.155.
- IEP meetings (Parent participation) 300.322(b).
- Judicial review: If State dissatisfied with eligibility determination. 300.184.
- LEA and State agency compliance 300.222.
- O Notification in case of ineligibility 300.221(b).
- NOTICES: Public agency (N–P)
- Notice before a hearing on a due process complaint 300.508(c).
- Notice and hearing before State ineligible 300.179.
- Notice in understandable language 300.503(c).
- Notification of LEA in case of ineligibility 300.221(b).
- Parent participation in meetings 300.501(b)(2).
- Prior notice by public agency 300.503.
- Private school placement by parents when FAPE is at issue (Public agency notice). 300.148(d)(2).
- Procedural safeguards notice 300.504.
- Public attention 300.606.
- Public participation (Notice of hearings) 300.165(a).
- NOTICES: Public agency (Q–Z)
- Secretary of the Interior (Submission of information) 300.708(g).
- Secretary's review and determination of State performance. 300.603(b)(2).
- Transfer of parental rights 300.520(a)(1)(i).

| | |
|--|--------------------|
| • Use of electronic mail | 300.505. |
| • Withholding funds | 300.605. |
| OCCUPATIONAL THERAPY | 300.34(c)(6). |
| OPPORTUNITY TO EXAMINE RECORDS | 300.501. |
| ORIENTATION AND MOBILITY SERVICES | 300.34(c)(7). |
| ORTHOPEDIC IMPAIRMENT | 300.8(c)(8). |
| OTHER HEALTH IMPAIRMENT | 300.8(c)(9). |
| OTHER INDIVIDUALS ON IEP TEAM | 300.321(a)(6). |
| OUTLYING AREAS—FREELY ASSOCIATED STATES | |
| • Allocations to States (General) | 300.703(a). |
| • Annual description of use of funds | 300.171(c). |
| • Definitions applicable to allotments, grants and use of funds: | |
| O Freely associated States | 300.717(a). |
| O Outlying areas | 300.717(b). |
| • Definition of “State” (Includes “Outlying areas”) | 300.40. |
| • Outlying areas and freely associated States | 300.701. |
| • Purpose of grants | 300.700(a). |
| OUT-OF-POCKET EXPENSE (Public benefits or insurance). | 300.154(d)(2)(ii). |
| PARAPROFESSIONALS | |
| In “Personnel qualifications” | 300.156(b). |
| PARENT (Definition) | 300.30. |
| PARENT: RIGHTS AND PROTECTIONS (A–G) | |
| • Appeal (Manifestation determination) | 300.532. |
| • Confidentiality (Authority to inspect and review records). | 300.613(c). |
| • Consent (See “Consent”) | |
| • Counseling and training (Definition) | 300.34(c)(8). |
| • Definition of “Parent” | 300.30. |
| O Foster parent | 300.30(a)(2). |
| O Grandparent or stepparent | 300.30(a)(4). |
| O Guardian | 300.30(a)(3). |
| PARENT: RIGHTS AND PROTECTIONS (H–N) | |
| • Independent educational evaluation | 300.502. |
| O Parent-initiated evaluations | 300.502(c). |
| O Parent right to evaluation at public expense | 300.502(b). |
| • IEP and parent involvement: | |
| O Copy of child’s IEP | 300.322(f). |
| O Informed of child’s progress | 300.320(a)(3)(ii). |
| O Option to invite other individuals | 300.321(a)(6). |
| O Participation in meetings | 300.322. |
| O Team member | 300.321(a)(1). |
| • Informed consent (Accessing private insurance) | 300.154(e)(1). |
| • Involvement in placement decisions | 300.501(c). |
| • Meetings (Participation in) | 300.501(b). |
| • Notice to public agency: | |
| O Before a hearing on a due process complaint | 300.508(c). |
| O Before removing child from public school | 300.148(d)(1)(ii). |
| O Timeline for requesting a hearing | 300.511(e). |
| • Exceptions to timeline | 300.511(f). |
| O Opportunity to examine records | 300.501(a). |
| PARENT: RIGHTS AND PROTECTIONS (O–Z) | |
| • Parent counseling and training | 300.34(c)(8). |
| • Placement decisions (Involvement in) | 300.501(c). |
| • Request for hearing (Discipline) | 300.532(a). |
| • Right to an independent educational evaluation | 300.502(b). |

PARENTAL CONSENT (See “Consent”)

PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (A–E)

- Annual count of the number of 300.133(c).
- Bypass (see §§300.190 through 300.198)
- Child find for 300.131.
- Calculating proportionate amount 300.133(b).
- Compliance 300.136.
- Consultation with private schools 300.134.
- Written affirmation 300.135.
- Definition of 300.130.
- Due process complaints and State complaints 300.140.
- Equitable services determined 300.137.
 - Equitable services provided 300.138.
- Expenditures 300.133.
 - Formula 300.133(a).

PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (F–R)

- No individual right to special education and related services. 300.137(a).
- Property, equipment, and supplies 300.144.
- Proportionate share of funds 300.134(b).
 - See “Appendix B—Proportionate Share Calculation”
- Provision of equitable services 300.138(c).
- Religious schools (see §§300.131(a), 300.137(c), 300.139(a))
- Requirement that funds not benefit a private school ... 300.141.

PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (S–T)

- Separate classes prohibited 300.143.
- Services on private school premises 300.139(a).
- Services plan (Definition) 300.37.
 - For each child served under §§300.130 through 300.144. 300.137(c).
 - See also §§300.132(b), 300.138(b), 300.140(a)
- State eligibility requirement 300.129.
- Transportation (Cost of) 300.139(b)(2).

PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (U–Z)

- Use of personnel:
 - Private school personnel 300.142(b).
 - Public school personnel 300.142(a).
- Written affirmation 300.135.
- Written explanation by LEA regarding services 300.134(e).

PARTICIPATING AGENCY

- Confidentiality provisions:
 - Definition of participating agency 300.611(c).
 - See also §§300.613(c), 300.614, 300.616, 300.618, 300.623
- IEP requirements (Transition services) 300.324(c).

PENDENCY (Stay put)

- Child’s status during due process proceedings 300.518.
- Placement during appeals (Discipline) 300.533.
- Procedural safeguards notice 300.504(c)(7).

PERFORMANCE GOALS AND INDICATORS

- Assess progress toward achieving goals 300.157(c).
- Establishment of goals 300.157.
- Other State level activities 300.814(c).
- Performance goals and indicators 300.157.

| | |
|--|---------------------|
| • State monitoring and enforcement | 300.600(c). |
| • State performance plans and data collection | 300.601. |
| PERFORMANCE; PERFORMANCE PLANS (STATE) | |
| • Enforcement | 300.604. |
| • Public reporting and privacy | 300.602(b). |
| • Secretary’s review and determination regarding State performance. | 300.603. |
| • State performance plans and data collection | 300.601. |
| • State performance report | 300.602(b)(2). |
| • State use of targets and reporting | 300.602. |
| O Public reporting | 300.602(b)(1). |
| O State performance report | 300.602(b)(2). |
| PERMISSIVE USE OF FUNDS (LEAs) | |
| • Administrative case management | 300.208(b). |
| • Early intervening services | 300.208(a)(2). |
| • High cost education and related services | 300.208(a)(3). |
| • Permissive use of funds | 300.208. |
| • Services and aids that also benefit nondisabled children. | 300.208(a)(1). |
| PERSONALLY IDENTIFIABLE (PI) INFORMATION (A–H) | |
| • Confidentiality of (State eligibility requirement) | 300.123. |
| • Consent (confidentiality) | 300.622(a). |
| • Data collection (State performance plans) | 300.601(b)(3). |
| • Definition of “personally identifiable” | 300.32. |
| • Department use of information | 300.627. |
| • Destruction: | |
| O Definition of | 300.611(a). |
| O Destruction of information | 300.624. |
| • Hearing decisions to advisory panel and the public | 300.513(d). |
| PERSONALLY IDENTIFIABLE (PI) INFORMATION (I–Z) | |
| • Notice to parents (Confidentiality): | |
| O Children on whom PI information is maintained .. | 300.612(a)(2). |
| O Policies and procedures regarding disclosure to third parties, etc. | 300.612(a)(3). |
| • Participating agency (Definition) | 300.611(c). |
| • Protection of PI information | 300.642(a). |
| • See also §300.610. | |
| • Safeguards (Protect PI information) | 300.623. |
| PERSONNEL QUALIFICATIONS | 300.156. |
| PERSONNEL SHORTAGES | |
| • Use of SEA allocations to meet | 300.704(b)(4)(vii). |
| PHYSICAL EDUCATION. | |
| • Definition | 300.39(b)(2). |
| • State eligibility requirement | 300.108. |
| PHYSICAL THERAPY (Definition) | 300.34(c)(9). |
| PLACEMENT(S) (A–Co) | |
| • Adult prisons (CWDs in): | |
| O Last educational placement before incarceration | 300.102(a)(2)(i). |
| O Modifications to IEPs and placements | 300.324(d)(2). |
| • Alternative means of meeting participation (Regarding “Placement meetings”). | 300.328. |
| • Change in placement: Graduation | 300.102(a)(3)(iii). |
| • Child’s placement during pendency of any complaint .. | 300.504(c)(7). |
| O See also “Pendency” (Child’s status during proceedings). | 300.518. |

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- Children with disabilities in adult prisons: Placements regarding (see §§ 300.102(a)(2)(i), 300.324(d)(2)).
- Continuum of alternative placements (Continuum—LRE). 300.115.
- PLACEMENT(S) (Cu–L)
 - Current placement (see § 300.530(b)(2), (d))
 - Current “Educational placement:”
 - Change of placements because of disciplinary removals. 300.536.
 - Child’s status during proceedings 300.518(a).
 - Disciplinary changes in placement 300.530(c).
 - Discipline procedures and placements (see §§ 300.530 through 300.536).
 - Educational placements (Parents in any group that makes placement decisions). 300.327.
 - Graduation: A change in placement (Exception to FAPE). 300.102(a)(3)(iii).
 - Last educational placement (Before incarceration) 300.102(a)(2)(i).
 - Least restrictive environment (LRE) (see §§ 300.114 through 300.120)
 - Notification: LEA must notify parents of decision to change placement. 300.530(h).
- PLACEMENT(S) (O–Z)
 - Pendency (Child’s status during proceedings) 300.518.
- Placement of children by parents if FAPE is at issue 300.148.
- Placements (LRE) 300.116.
- Requirements for unilateral placement by parents of CWDs in private schools (In “Procedural safeguards notice”). 300.504(c)(9).
- State funding mechanism (Must not result in placements that violate LRE). 300.114(b)(1).
- POLICY: POLICIES AND PROCEDURES
 - Condition of assistance (LEA eligibility) 300.200.
 - Consistency with State policies 300.201.
 - See also §§ 300.200 through 300.213
 - Eligibility for assistance (State) 300.100.
 - Exception for prior policies on file:
 - With the SEA 300.220.
 - With the Secretary 300.176(a).
 - FAPE policy 300.101(a).
 - Joint establishment of eligibility (Requirements) 300.223.
 - Modifications of:
 - LEA or State agency policies 300.220(b).
 - Required by Secretary 300.176(c).
 - State policies (By a State) 300.176(b).
 - Public participation 300.165.
 - Secretary of the Interior 300.708.
 - Public participation 300.709.
 - Submission of information 300.708.
- PREPONDERANCE OF EVIDENCE
 - Civil action 300.516(c)(3).
- PRESCHOOL GRANTS
 - Allocations to LEAs 300.816.
 - Subgrants to LEAs 300.815.
 - Other State-level activities 300.814.
 - Provide early intervention services in accordance with Part C of the Act. 300.814(e).
 - Service coordination or case management 300.814(f).

- State administration 300.813.
- Use of funds for administration of Part C 300.813(b).
- PRIOR NOTICE**
- By public agency 300.503.
- Notice required before a hearing on a due process complaint. 300.508(c).
- Procedural safeguards notice 300.504.
- PRISONS (See “Adult prisons”)**
- PRIVATE INSURANCE**
- Children with disabilities who are covered by 300.154(e).
 - Proceeds from public benefits or insurance or private insurance. 300.154(g).
 - Use of Part B funds 300.154(f).
- PRIVATE SCHOOLS AND FACILITIES**
- Applicability of this part to State and local agencies:
 - CWDs placed in private schools by parents under §300.148. 300.2(c)(2).
 - CWDs referred to or placed in private schools by public agency. 300.2(c)(1).
- PRIVATE SCHOOL CHILDREN ENROLLED BY THEIR PARENTS**
- Placement of children by parents when FAPE is at issue. 300.148.
- See “Parentally-placed private school children with disabilities”
- PRIVATE SCHOOL PLACEMENTS BY PUBLIC AGENCIES (A–D)**
- Applicability of this part to private schools 300.2(c)(1).
- Applicable standards (SEA to disseminate to private schools involved). 300.147(b).
- PRIVATE SCHOOL PLACEMENTS BY PUBLIC AGENCIES (E–Z)**
- Implementation by SEA (Must monitor, provide standards, etc.). 300.147.
- Monitor compliance 300.147(a).
- Input by private schools (Provide for) 300.147(c).
- Responsibility of SEA 300.146.
- PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (A–C)**
- Additional disclosure of information (5 business days before hearing). 300.512(b).
- Agency responsible for conducting hearing 300.511(b).
- Appeal of hearing decisions; impartial review 300.514(b).
- Attorneys’ fees 300.517.
- Child’s status during proceedings 300.518.
- Civil action 300.516.
- Consent (Definition) 300.9.
- Court (See “Court(s)”) 300.9.
- PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (D–H)**
- Electronic mail (Parent may elect to receive notices by). 300.505.
- Evaluation (Definition) 300.15.
- Evaluations: Hearing officer requests for 300.502(d).
- Finality of decision; appeal; impartial review 300.514.
- Findings and decision to advisory panel and public 300.513(d).
- Hearing rights 300.512.

PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (I–Pa)

- Impartial due process hearing 300.511.
- Impartial hearing officer 300.511(c).
- Impartiality of mediator 300.506(c).
- Independent educational evaluation 300.502.
 - Definition 300.502(a)(3)(i).
- Jurisdiction of district courts 300.516(d).
 - See “Court(s)”
- Mediation 300.506.
 - Opportunity to meet with a disinterested party ... 300.506(b)(2).
- Model form to assist parties in filing a due process or State complaint. 300.509.
- Notice required before a hearing on a due process complaint. 300.508(c).
- Opportunity to examine records 300.501(a).
- Parental consent 300.300.
- Parent-initiated evaluations 300.502(c).
- Parent involvement in placement decisions 300.501(c).
- Parent participation in meetings 300.501(b).
- Parental rights at hearings 300.512(c).
- Parent right to evaluation at public expense 300.502(b).
 - Public expense (Definition) 300.502(a)(3)(ii).

PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (Pe–Z)

- Pendency 300.518.
- Personally identifiable (Definition) 300.32.
- Prior notice by public agency 300.503.
- Procedural safeguards notice 300.504.
- Prohibition on introduction of undisclosed evidence 5 business days before hearing. 300.512(a)(3).
- Record of hearing 300.512(a)(4).
- Resolution process 300.510.
- SEA implementation of 300.150.
- See “Civil Action Proceedings,” “Court(s),” “Hearing Officer(s),” “Timelines”
- Surrogate parents 300.519.
- Timelines and convenience of hearings 300.515.
- Transfer of parental rights at age of majority 300.520.

PROCEDURAL SAFEGUARDS NOTICE 300.504.

- Internet Web site (Notice on) 300.504(b).

PROCEEDS FROM PUBLIC BENEFITS OR INSURANCE OR PRIVATE INSURANCE. 300.154(g).

PROGRAM INCOME (Not treated as proceeds from insurance). 300.154(g.)

PROGRAM MODIFICATIONS OR SUPPORTS (IEP content). 300.320(a)(4).

PROPORTIONATE SHARE CALCULATION (See Appendix B)

PROTECTIONS FOR CHILDREN NOT DETERMINED ELIGIBLE (Discipline). 300.534.

PSYCHOLOGICAL SERVICES (Definition) 300.34(c)(10).

PUBLIC AGENCY (Definition) 300.33.

PUBLIC BENEFITS OR INSURANCE 300.154(d).

PUBLIC BENEFITS OR INSURANCE OR PRIVATE INSURANCE (Proceeds from). 300.154(g).

PUBLIC CHARTER SCHOOLS (See “Charter schools”)

| | |
|--|--------------------|
| PUBLIC EXPENSE (Definition under IEE) | 300.502(a)(3)(ii). |
| PUBLIC HEARINGS (On policies) | |
| • State eligibility | 300.165(a). |
| • Secretary of the Interior | 300.708(g). |
| PUBLIC INFORMATION (LEA) | 300.212. |
| PUBLIC NOTICE | |
| • LEA and State agency compliance | 300.222(b). |
| • Public attention (If State has received a notice under §300.603). | 300.606. |
| PURPOSES (Of this Part 300) | 300.1. |
| QUALIFIED PERSONNEL | 300.156. |
| • Related services definitions (see §300.34(c)(2), (c)(5), (c)(6), (c)(7), (c)(9), (c)(12), (c)(13)). | |
| RATE OF INFLATION (In the Consumer Price Index for All Urban Consumers) (see §§300.702(b), 300.704(a)(2)(ii), 300.704(b)(2), 300.812(b)(2)). | |
| REALLOCATION OF LEA FUNDS (If SEA determines LEA adequately providing FAPE) (see §§300.705(c), 300.817)). | |
| RECORDS (A–D) | |
| • Access rights (Parents’ right to inspect) | 300.613. |
| O Fees for records | 300.617. |
| O Records on more than one child | 300.615. |
| • Civil action (Court shall receive records) | 300.516(c)(1). |
| • Conducting IEP Team meetings without parents (Records of attempts to convince parents). | 300.322(d). |
| Confidentiality (See “Confidentiality”) | |
| • Consent to release records | 300.622(b). |
| Disciplinary records: | |
| O Determination that behavior not manifestation ... | 300.530(e). |
| O Disciplinary information | 300.229(c). |
| O Referral to and action by law enforcement and judicial authorities. | 300.535. |
| RECORDS (E–Z) | |
| • Education records (Definition) | 300.611(b). |
| • Of parentally-placed private school CWDs (LEA to SEA). | 300.132(c). |
| • Opportunity to examine records | 300.501(a). |
| • Procedural safeguards notice (Access to education records). | 300.504(c)(4). |
| • Record of access | 300.614. |
| • See also “Transfer during academic year” | |
| RECREATION (Definition) | 300.34(c)(11). |
| REDUCTION OF FUNDS FOR FAILURE TO MAINTAIN SUPPORT. | 300.163(b). |
| REEVALUATION | |
| • Frequency of occurrence | 300.303(b). |
| • Parental consent required before conducting | 300.300(c)(1). |
| O If parent fails to consent | 300.300(c)(1)(i). |
| • Parental consent not required for: | |
| O Administering a test that all children take | 300.300(d)(1)(ii). |
| O Reviewing existing data | 300.300(d)(1)(i). |
| • Parent refusal to consent | 300.300(c)(1)(ii). |
| • Review of existing evaluation data | 300.305(a). |
| • Revision of IEP (To address reevaluation) | 300.324(b)(1)(ii). |
| REFERRAL (A–M) | |
| • Discipline: | |

Off. of Spec. Educ. and Rehab. Services, Education

Pt. 300, App. E

- O Referral to and action by law enforcement and judicial authorities. 300.535.
- O Protections for children not determined eligible .. 300.534.
- Enforcement (Referral for) 300.604(b)(2)(vi).
- Indian children (Referral for services or further diagnosis). 300.712(d)(2).
- Medical attention (Referral for):
 - O Audiology 300.34(c)(1)(ii).
 - O Speech-language pathology services 300.34(c)(15)(iii).
- REFERRAL (N–Z)
- Nonacademic and extracurricular services (Referral to agencies regarding assistance to individuals with disabilities). 300.107(b).
- Prior notice (If not initial referral for evaluation) 300.503(b)(4).
- Private school placement when FAPE is at issue (Reimbursement when no referral by public agency). 300.148(c).
- Procedural safeguards notice (Upon initial referral for evaluation). 300.504(a)(1).
- Referral to and action by law enforcement and judicial authorities. 300.535.
- REGULAR EDUCATION TEACHER
- Access to IEP 300.323(d).
- IEP Team member 300.321(a)(2).
- Participate in IEP development 300.324(a)(3).
 - O Behavioral interventions 300.324(a)(3)(i).
 - O Supplementary aids and services 300.324(a)(3)(ii).
- REGULATIONS
- Applicable regulations (Secretary of the Interior) 300.716.
- Applicability of this part to State, local, and private agencies. 300.2.
- REHABILITATION
- Assistive technology service (see §300.6(d), (f))
- Rehabilitation Act of 1973 (see §§300.34(c)(12), 300.516(e))
- Rehabilitation counseling services:
 - O Definition 300.34(c)(12).
 - O In vocational rehabilitation (VR) programs 300.34(c)(12).
- Transition services (State VR agency responsibility) .. 300.324(c)(2).
- REHABILITATION COUNSELING SERVICES 300.34(c)(12).
- REIMBURSEMENT
- Methods of ensuring services (see §300.154(a)(3), (b)(1)(ii), (b)(2), (g)(2))
- Private school placement when FAPE is at issue:
 - O Limitation on reimbursement 300.148(d).
 - O Reimbursement for private school placement 300.148(c).
 - O Subject to due process procedures 300.148(b).
- Reimbursement by non-educational public agency 300.154(b)(2).
- Reimbursement by SEA to LEA 300.704(c)(7).
- RELATED SERVICES
- Definition 300.34.
- Observations by teachers and related services providers regarding existing evaluation data. 300.305(a)(1)(iii).
- RELATION OF PART B TO OTHER FEDERAL PROGRAMS. 300.186.
- RELIGIOUS SCHOOLS
- Child find for parentally-placed private school children. 300.131(a).

| | |
|--|------------------------|
| • Child find for out-of-State children | 300.131(f). |
| • Formula for LEA expenditures on | 300.133(a). |
| • See “Parentally-placed private school children with disabilities” | |
| • Services plan for each child served | 300.137(c). |
| • Services provided on-site | 300.139(a). |
| REMEDIES FOR DENIAL OF APPROPRIATE SERVICES. | 300.151(b). |
| REPORTS (A–C) | |
| • Annual report of children served | 300.640. |
| O See also §§300.641 through 300.646 | |
| • Annual report to Secretary of Interior by advisory board on Indian children. | 300.715(a). |
| • Biennial report (Indian tribes) | 300.712(e). |
| • Child count (Annual report of children served) | 300.641. |
| REPORTS (D–Z) | |
| • Evaluation reports to parents | 300.306(a)(2). |
| • Monitoring compliance of publicly placed children in private schools (<i>e.g.</i> , written reports). | 300.147(a). |
| • Monitoring reports (Waiver of nonsupplanting requirement). | 300.164(c)(3). |
| • Performance goals (Progress reports) | 300.157(c). |
| • Secretary’s report to States regarding 25% of funds | 300.812(b). |
| REPORT CARDS | 300.320(a)(3)(ii). |
| REPORTING A CRIME to law enforcement and judicial authorities. | 300.535. |
| RESIDENTIAL PLACEMENTS | 300.104. |
| REVOKE CONSENT AT ANY TIME (In definition of “Consent”). | 300.9(c)(1). |
| RHEUMATIC FEVER | 300.8(c)(9)(i). |
| RISK OF LOSS OF ELIGIBILITY FOR INSURANCE | 300.154(d)(2)(iii)(D). |
| SCHOOL DAY | |
| • Definition | 300.11(c). |
| • See “Timelines,” “Timelines—Discipline” | |
| SCHOOL HEALTH SERVICES AND SCHOOL NURSE SERVICES. | 300.34(c)(13). |
| SCHOOL PERSONNEL | |
| • Content of IEP | 300.320(a)(4). |
| • Development, review, and revision of IEP | 300.324(a)(4). |
| • Disciplinary authority | 300.530. |
| • Use of private school personnel | 300.142(b). |
| • Use of public school personnel | 300.142(a). |
| SCHOOLWIDE PROGRAMS | 300.206. |
| SEA RESPONSIBILITY | |
| • For all education programs | 300.149. |
| • For direct services | 300.227. |
| • For each parentally-placed private school child designated to receive services. | 300.132(b). |
| • For impartial review | 300.514(b)(2). |
| • Prohibition of LEA from reducing maintenance of effort. | 300.608. |
| SECRETARY | |
| • Determination that a State is eligible | 300.178. |
| • Notice and hearing before determining that a State is not eligible. | 300.179. |
| • Waiver of nonsupplanting requirement | 300.164. |

SECRETARY OF THE INTERIOR

- Advisory board establishment 300.714.
 - Annual report by advisory board 300.715.
- Biennial report (By tribe or tribal organization) 300.712(e).
- Eligibility (see §§ 300.708 through 300.716)
- Payments for:
 - Children aged 3 through 5 300.712.
 - Child find and screening 300.712(d).
- Plan for coordination of services 300.713.
- Use of funds for early intervening services 300.711.

SEPARATION—DIVORCE (Authority to review records) 300.613(c).

SERVICES PLAN for parentally-placed private school children (see §§ 300.132(b), 300.137(c) 300.138(b))

SERVICES THAT ALSO BENEFIT NONDISABLED CHILDREN. 300.208(a)(1).

SHORTAGE OF PERSONNEL (Policy to address) 300.704(b)(4)(vii).

SHORT TERM OBJECTIVES OR BENCHMARKS 300.320(a)(2)(ii).

SHOULD HAVE KNOWN (Regarding due process complaint). 300.511(e).

SHOW CAUSE HEARING 300.194.

- Decision 300.195.
- Implementation of by-pass (see §§ 300.192(b)(2), 300.193)
- Right to legal counsel 300.194(a)(3).

SICKLE CELL ANEMIA 300.8(c)(9)(i).

SLD (See “Specific Learning Disability”)

SOCIAL WORK SERVICES IN SCHOOLS (Definition) 300.34(b)(14).

SPECIAL FACTORS (IEP Team) 300.324(a)(2).

SPECIAL EDUCATION (Definition) 300.39.

SPECIAL EDUCATION PROVIDER 300.321(a)(3).

SPECIAL EDUCATION TEACHER

- IEP accessible to 300.323(d).
- On IEP Team 300.321(a)(3).
- Requirements regarding highly qualified 300.18.

SPECIAL RULE

- Adjustments to local efforts 300.205(d).
- For child’s eligibility determination 300.306(b).
- For increasing funds 300.704(e).
- Methods of ensuring services 300.154(c).
- LEA high cost fund 300.704(c).
- Regarding outlying areas and freely associated States 300.701(a)(3).
- Regarding transfer of rights 300.520(b).
- Regarding use of FY 1999 amount 300.703(b).
- State advisory panel (Parent members) 300.168(b).

SPECIFIC LEARNING DISABILITY

- Definition 300.8(c)(10).
- Evaluation requirements and report (see §§ 300.306(a), 300.307 through 300.311)
- Other alternative research-based procedures 300.307(a)(3).
- Response to scientific, research-based intervention (see §§ 300.307(a)(2), 300.309(a)(2)(i), 300.311(a)(7))
- Scientifically based research:
 - Definition 300.35.
 - Enforcement 300.604(a)(1)(ii).
- Severe discrepancy 300.307(a)(1).

SPEECH-LANGUAGE PATHOLOGY SERVICES

- Definition 300.34(b)(15).

| | |
|--|---------------------|
| • Speech or language impairment (Definition) | 300.8(c)(11). |
| STATE | |
| • Definition | 300.40. |
| • Special definition for grants | 300.717(c). |
| • Sovereign immunity | 300.177. |
| STATE ADMINISTRATION (Use of funds for) (see §§300.704(a), 300.812(a)). | |
| STATE ADVISORY PANEL | 300.167 |
| • Due process hearings (Findings and decisions to State advisory panel) (see §§300.513(d)(1), 300.514(c)(1)) | |
| • Duties | 300.169. |
| • Establishment | 300.167. |
| • Membership | 300.168. |
| • Waiver of nonsupplant requirement (State has consulted with advisory panel regarding provision of FAPE). | 300.164(c)(4). |
| STATE AGENCIES | |
| • Applicability of Part B to other State agencies | 300.2(b)(1)(iii). |
| • Compliance (LEA and State agency) | 300.222. |
| • Eligibility (LEA and State agency): | |
| O General conditions (see §§300.200 through 300.213) | |
| • Notification of LEA or State agency in case of ineligibility. | 300.221. |
| • State advisory panel (Membership) | 300.168. |
| • State agency eligibility | 300.228. |
| • State Medicaid agency | 300.154(a)(1), (h). |
| STATE COMPLAINT PROCEDURES (see §§300.151 through 300.153) | |
| • See “Complaint(s): State complaint procedures” | |
| STATE ELIGIBILITY | |
| • Condition of assistance | 300.100. |
| • Department procedures (see §§300.178 through 300.186) | |
| • Determination of eligibility (By the Secretary) | 300.178. |
| • General conditions | 300.100. |
| • Notice and hearing before determining that a State is not eligible. | 300.179. |
| • Specific conditions (see §§300.101 through 300.176) | |
| STATE JUVENILE AND ADULT CORRECTIONAL FACILITIES. | 300.2(b)(1)(iv). |
| • See also “Correctional facilities,” “Adult prisons” | |
| STATE-LEVEL ACTIVITIES (With Part B funds) | 300.704. |
| STATE-LEVEL NONSUPPLANTING | 300.162(c). |
| • Waiver by Secretary | 300.162(c)(2). |
| • Waiver of requirement | 300.164. |
| STATE MAINTENANCE OF EFFORT | 300.163. |
| SUBGRANT(S) | |
| • State agency eligibility | 300.228. |
| • To LEAs | 300.705(a). |
| STATE MEDICAID AGENCY | |
| • Methods of ensuring services | 300.154(a)(1). |
| • See also “Medicaid” | |
| STATE SCHOOLS | |
| • Applicability of this part to schools for children with deafness or blindness. | 300.2(b)(1)(iii). |
| STATE VOCATIONAL REHABILITATION AGENCY (See “Rehabilitation”) | |

STATES' SOVEREIGN IMMUNITY 300.177.

STAY-PUT (Child's status during proceedings) 300.518.

- See also "Pendency"

SUBSTANTIAL LIKELIHOOD OF INJURY (Discipline) 300.532(a).

SUPPLEMENTARY AIDS AND SERVICES

- Definition 300.42.
- IEP content 300.320(a)(4).
- In "assistive technology" 300.105(a)(3).
- LRE requirements 300.114(a)(2)(ii).
- Methods of ensuring services 300.154(b).
- Requirement regarding regular education teacher (IEP). 300.324(a)(3)(ii).
- Services that also benefit nondisabled children 300.208(a)(1).

SUPPLEMENT—NOT SUPPLANT

- LEA requirement 300.202(a)(3).
- State level nonsupplanting 300.162(c).
- See "Nonsupplanting"

SUPPORT SERVICES (see §§ 300.704(b)(4)(i), 300.814(a))

SURGICALLY IMPLANTED MEDICAL DEVICE (see §§ 300.5, 300.34(b), 300.113(b))

SURROGATE PARENTS 300.519.

- Appointed for homeless youth 300.519(f).
- In definition of "Parent" 300.30(a)(5).
- Timeline for assignment 300.519(h).

SUSPENSION (EXPULSION)

- Alternative programming for children expelled 300.704(b)(4)(ix).
- Provision of FAPE 300.101(a).
- Suspension and expulsion rates 300.170(a).
- Suspension or expulsion without services 300.534(d)(2)(ii).

TEACHERS

See "Regular education teacher"

See "Special education teacher"

TECHNICAL ASSISTANCE (Amounts to support) 300.702.

TECHNICALLY SOUND INSTRUMENTS (Evaluation) .. 300.304(b)(3).

TERMINATION OF AGENCY OBLIGATION to provide special education to a particular child (Exception to MOE). 300.204(c).

THERAPEUTIC RECREATION 300.34(b)(11)(ii).

TIMELINES (A–D)

- Access rights (Confidentiality: 45 days) 300.613(a).
- Annual report of children served (Between Oct. 1 and Dec. 1). 300.641(a).
- Annual count of parentally-placed private school children (Between Oct. 1 and Dec. 1). 300.133(c).
- Assignment of surrogate parent (Not more than 30 days). 300.519(h).
- Attorneys' fees (10 days prohibition) 300.517(c)(2)(i).
- Complaint procedures (State: 60 days) 300.152(a).
- Department hearing procedures (30 days) 300.179(b)(3).
- O See also §§ 300.181 through 300.184
- Due process hearings and reviews (see §§ 300.510(b)(2), 300.511(e), (f)):
 - O Conducted within 20 school days; decision within 10 school days. 300.532(c)(2).
 - O Decision within 45 days after expiration of 30 day period. 300.515(a).

| | |
|---|--------------------|
| O Disclose evaluations before hearings (5 business days). | 300.512(a)(3). |
| TIMELINES (E–H) | |
| • Hearing procedures (State eligibility: 30 days) | 300.179(b)(3). |
| • Hearing rights: | |
| O Disclosure of evaluations (At least 5 business days before hearing). | 300.512(b)(1). |
| O Prohibit introduction of evidence not disclosed (At least 5 business days before hearing). | 300.512(a)(3). |
| O Reviews (Decision not later than 30 days) | 300.515(b). |
| TIMELINES (I–Z) | |
| • IEP (Initial meeting: 30 days) | 300.323(c)(1). |
| • Initial evaluation (60 days) | 300.301(c)(1). |
| • Parent notice before private placement (At least 10 business days). | 300.148(d)(2). |
| • Show cause hearing | 300.194(g). |
| • Decision | 300.195(a)(1). |
| • State eligibility: Department hearing procedures (see §§ 300.179(b)(3), 300.181(b), 300.182(d), (e), (g), (k), 300.184) | |
| • Timelines and convenience of hearings and reviews | 300.515. |
| TIMELINES—DISCIPLINE (A–P) | |
| • Authority of hearing officer (May order change of placement for not more than 45 school days). | 300.532(b)(2)(ii). |
| • Authority of school personnel: | |
| O Change of placement for not more than 45 consecutive days for weapons or drugs. | 300.530(g). |
| O Removal of a child for not more than 10 school days. | 300.530(b). |
| • Change of placement for disciplinary removals: | |
| O Of more than 10 consecutive school days | 300.536(a)(1). |
| O Because series of removals total more than 10 school days. | 300.536(a)(2)(i). |
| • Due process hearing request | 300.507(a)(2). |
| • Expedited due process hearings: | |
| O Conducted within 20 days | 300.532(c)(2). |
| O Decision within 10 days | 300.532(c)(3)(i). |
| • Hearing officer (Order change of placement for not more than 45 days). | 300.532(b)(2)(ii). |
| • Manifestation determination review (Conducted in no more than 10 school days). | 300.530(e). |
| • Placement during appeals (Not longer than 45 days) ... | 300.532(b)(2)(ii). |
| TIMELINES—DISCIPLINE (Q–Z) | |
| • Removals for not more than: | |
| O 10 school days (By school personnel) | 300.530(b). |
| O 45 days (To interim alternative educational setting). | 300.532(b)(2)(ii). |
| By hearing officer (For substantial likelihood of injury to child or others). | 300.532(b)(2)(ii). |
| By school personnel (For weapons or drugs) (see § 300.530(g)(1), (g)(2)) | |
| TIMETABLE: Full educational opportunity goal (FEOG). | 300.109. |
| TRAINING | |
| • Assistive technology services (see § 300.6(e), (f)) | |
| • Confidentiality procedures (Personnel using personally identifiable information must receive training). | 300.623(c). |
| • Parent counseling and training | 300.34(b)(8). |

- Technical assistance and training for teachers and administrators. 300.119.
- Travel training (see § 300.39(a)(2)(ii), (b)(4))
- TRANSFER DURING ACADEMIC YEAR
 - Assessments coordinated between public agencies 300.304(c)(5).
 - New school district responsibilities (see § 300.323(e), (f))
 - Transmittal of records 300.323(g).
- TRANSFER OF PARENTAL RIGHTS 300.520.
 - IEP requirement 300.320(c).
 - Special rule 300.520(b).
 - To children in correctional institutions 300.520(a)(2).
- TRANSITION FROM PART C TO PART B 300.124.
- TRANSITION SERVICES (NEEDS)
 - Agency responsibilities for (see §§ 300.321(b)(3), 300.324(c)(2))
 - Alternative strategies 300.324(c)(1).
 - Child participation in IEP Team meetings 300.321(b)(1).
 - Definition 300.43.
 - IEP requirement (Statement of)
 - Transition service needs 300.320(b).
 - Needed transition services 300.43(b).
 - State rehabilitation agency 300.324(c)(2).
- TRANSMITTAL OF RECORDS TO LAW ENFORCEMENT AND JUDICIAL AUTHORITIES.
- TRANSPORTATION
 - Definition 300.34(c)(16).
 - Nonacademic services 300.107(b).
 - Of private school children 300.139(b).
- TRAUMATIC BRAIN INJURY (Definition) 300.8(c)(12).
- TRAVEL TRAINING (see § 300.39(a)(2)(ii), (b)(4))
 - Definition 300.39(b)(4).
- TREATMENT OF CHARTER SCHOOLS AND THEIR STUDENTS. 300.209.
- TREATMENT OF FEDERAL FUNDS IN CERTAIN YEARS. 300.205.
- UNIVERSAL DESIGN
 - Definition 300.44.
 - Support technology with universal design principles .. 300.704(b)(4)(v).
- USE OF AMOUNTS (LEA) 300.202.
- USE OF FUNDS BY LEAs
 - Coordinated services system 300.208(a)(2).
 - For school-wide programs 300.206.
 - For services and aids that also benefit nondisabled children. 300.208(a)(1).
 - For use in accordance with Part B 300.705.
- USE OF FUNDS BY STATES (SEAs) (A–C)
 - Administering Part B State activities 300.704(a)(1).
 - Administering Part C (If SEA is Lead Agency) 300.704(a)(4).
 - Administrative costs of monitoring and complaint investigations. 300.704(b)(3)(i).
 - Allowable costs 300.704(b)(3).
 - Amount for State administration 300.704(a)
 - Annual description of use of Part B funds 300.171.
 - Assist LEAs in meeting personnel shortages 300.704(b)(4)(vii).
 - Complaint investigations 300.704(b)(3)(i).
 - Coordination of activities with other programs 300.704(b)(1).
- USE OF FUNDS BY STATES (SEAs) (D–Z)

| | |
|---|------------------------|
| • Direct and support services | 300.704(b)(4)(i). |
| • High cost fund | 300.704(c). |
| • Mediation process | 300.704(b)(3)(ii). |
| • Monitoring | 300.704(b)(3)(i). |
| • Personnel preparation, professional development and training (see §300.704(b)(4)(i), (b)(4)(xi)). | |
| • State plan | 300.704(c)(3)(i). |
| • Statewide coordinated services system | 300.814(d). |
| • Support and direct services | 300.704(b)(4)(i). |
| • Technical assistance: | |
| O To LEAs | 300.704(b)(4)(xi). |
| O To other programs that provide services | 300.704(a)(1). |
| USE OF FUNDS BY SECRETARY OF THE INTERIOR (see §§300.707 through 300.716) | |
| • By Indian tribes: | |
| O For child find for children aged 3 through 5 | 300.712(d). |
| O For coordination of assistance for services | 300.712(a). |
| • For administrative costs | 300.710(a). |
| USE OF SEA ALLOCATIONS | 300.704. |
| • Inapplicability of requirements that prohibit commingling and supplanting of funds. | 300.704(d). |
| VISUAL IMPAIRMENT INCLUDING BLINDNESS (Definition). | 300.8(c)(13). |
| VOCATIONAL EDUCATION | |
| • Definition | 300.39(b)(5). |
| • In definition of “Special education” | 300.39(a)(2)(iii). |
| • Program options | 300.110. |
| • Transition services | 300.320(b)(1). |
| VOCATIONAL REHABILITATION (See “Rehabilitation”) | |
| VOLUNTARY DEPARTURE OF PERSONNEL (Exception to LEA maintenance of effort) | 300.204(a). |
| WAIVER(S) | |
| • For exceptional and uncontrollable circumstances (State maintenance of effort). | 300.163(c). |
| • “In whole or in part” | 300.164(e). |
| • Public benefits or insurance (Risk of loss of eligibility for home and community-based waivers). | 300.154(d)(2)(iii)(D). |
| • State-level nonsupplanting | 300.162(c). |
| • State maintenance of effort | 300.163. |
| • State’s procedures for monitoring | 300.164(c)(2)(ii)(B). |
| • Waiver procedures | 300.164. |
| WARD OF THE STATE | |
| • Appointment of surrogate parent | 300.519(c). |
| • Definition | 300.45. |
| • See definition of “Parent” | 300.30(a)(3). |
| • See “Surrogate parents” | 300.519(a)(3). |
| WEAPON (Definition) | 300.530(i)(4). |
| WHEN IEPS MUST BE IN EFFECT | 300.323. |

[71 FR 46753, Aug. 14, 2006, as amended at 72 FR 61307, Oct. 30, 2007]

PART 303—EARLY INTERVENTION PROGRAM FOR INFANTS AND TODDLERS WITH DISABILITIES

Subpart A—General

PURPOSE, ELIGIBILITY, AND OTHER GENERAL PROVISIONS

- Sec.
- 303.1 Purpose of the early intervention program for infants and toddlers with disabilities.
- 303.2 Eligible recipients of an award.
- 303.3 Activities that may be supported under this part.
- 303.4 Limitation on eligible children.
- 303.5 Applicable regulations.

DEFINITIONS

- 303.6 Act.
- 303.7 Children.
- 303.8 Council.
- 303.9 Days.
- 303.10 Developmental delay.
- 303.11 Early intervention program.
- 303.12 Early intervention services.
- 303.13 Health services.
- 303.14 IFSP.
- 303.15 Include; including.
- 303.16 Infants and toddlers with disabilities.
- 303.17 Multidisciplinary.
- 303.18 Natural environments.
- 303.19 Parent.
- 303.20 Policies.
- 303.21 Public agency.
- 303.22 Qualified.
- 303.23 Service coordination (case management).
- 303.24 State.
- 303.25 EDGAR definitions that apply.

Subpart B—State Application for a Grant

GENERAL REQUIREMENTS

- 303.100 Conditions of assistance.
- 303.101 How the Secretary disapproves a State's application or statement of assurances.

PUBLIC PARTICIPATION

- 303.110 General requirements and timelines for public participation.
- 303.111 Notice of public hearings and opportunity to comment.
- 303.112 Public hearings.
- 303.113 Reviewing public comments received.

STATEMENT OF ASSURANCES

- 303.120 General.
- 303.121 Reports and records.

- 303.122 Control of funds and property.
- 303.123 Prohibition against commingling.
- 303.124 Prohibition against supplanting.
- 303.125 Fiscal control.
- 303.126 Payor of last resort.
- 303.127 Assurance regarding expenditure of funds.
- 303.128 Traditionally underserved groups.

GENERAL REQUIREMENTS FOR A STATE APPLICATION

- 303.140 General.
- 303.141 Information about the Council.
- 303.142 Designation of lead agency.
- 303.143 Designation regarding financial responsibility.
- 303.144 Assurance regarding use of funds.
- 303.145 Description of use of funds.
- 303.146 Information about public participation.
- 303.147 Services to all geographic areas.
- 303.148 Transition to preschool programs.

COMPONENTS OF A STATEWIDE SYSTEM—APPLICATION REQUIREMENTS

- 303.160 Minimum components of a statewide system.
- 303.161 State definition of developmental delay.
- 303.162 Central directory.
- 303.163 [Reserved]
- 303.164 Public awareness program.
- 303.165 Comprehensive child find system.
- 303.166 Evaluation, assessment, and non-discriminatory procedures.
- 303.167 Individualized family service plans.
- 303.168 Comprehensive system of personnel development (CSPD).
- 303.169 Personnel standards.
- 303.170 Procedural safeguards.
- 303.171 Supervision and monitoring of programs.
- 303.172 Lead agency procedures for resolving complaints.
- 303.173 Policies and procedures related to financial matters.
- 303.174 Interagency agreements; resolution of individual disputes.
- 303.175 Policy for contracting or otherwise arranging for services.
- 303.176 Data collection.

PARTICIPATION BY THE SECRETARY OF THE INTERIOR

- 303.180 Payments to the Secretary of the Interior for Indian tribes and tribal organizations.

Subpart C—Procedures for Making Grants to States

- 303.200 Formula for State allocations.
- 303.201 Distribution of allotments from non-participating States.
- 303.202 Minimum grant that a State may receive.