MEDIATION

303.431 Mediation.

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303.434 Filing a complaint.

STATES THAT CHOOSE TO ADOPT THE PART C DUE PROCESS HEARING PROCEDURES UNDER SECTION 639 OF THE ACT

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303.440 Filing a due process complaint.
303.441 Due process complaint.
303.442 Resolution process.
303.443 Impartial due process hearing.
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303.445 Hearing decisions.
303.446 Finality of decision; appeal; impartial review.
303.447 Timelines and convenience of hearings and reviews.
303.448 Civil action.
303.449 State enforcement mechanisms.

Subpart F—Use of Funds and Payor of Last Resort

GENERAL

303.500 Use of funds, payor of last resort and system of payments.

USE OF FUNDS

303.501 Permissive use of funds by the lead agency.

PAYOR OF LAST RESORT—GENERAL PROVISIONS

303.510 Payor of last resort.
303.511 Methods to ensure the provision of, and financial responsibility for, Part C services.

PAYOR OF LAST RESORT & SYSTEM OF PAYMENTS PROVISIONS—USE OF INSURANCE, BENEFITS, SYSTEMS OF PAYMENTS, AND FEES

303.520 Policies related to use of insurance to pay for Part C services.
303.521 System of payments and fees.

Appendix A to Part 303—Index for IDEA Part C Regulations

AUTHORITY: 20 U.S.C. 1431 through 1444, unless otherwise noted.

SOURCE: 76 FR 60244, Sept. 28, 2011, unless otherwise noted.
§ 303.2
(a) Develop and implement a state-wide, comprehensive, coordinated, multidisciplinary, interagency system that provides early intervention services for infants and toddlers with disabilities and their families;
(b) Facilitate the coordination of payment for early intervention services from Federal, State, local, and private sources (including public and private insurance coverage);
(c) Enhance State capacity to provide quality early intervention services and expand and improve existing early intervention services being provided to infants and toddlers with disabilities and their families;
(d) Enhance the capacity of State and local agencies and service providers to identify, evaluate, and meet the needs of all children, including historically underrepresented populations, particularly minority, low-income, inner-city, and rural children, and infants and toddlers in foster care; and
(e) Encourage States to expand opportunities for children under three years of age who would be at risk of having substantial developmental delay if they did not receive early intervention services.

(Authority: 20 U.S.C. 1400(d)(2), 1431(a)(5), 1431(b))

§ 303.3 Applicable regulations.
(a) The following regulations apply to this part:
(1) The regulations in this part 303.
(2) The Education Department General Administrative Regulations (EDGAR), including 34 CFR parts 76 (except for §76.103), 77, 79, 80, 81, 82, 84, 85, and 86.
(b) In applying the regulations cited in paragraph (a)(2) of this section, any reference to—
(1) State educational agency means the lead agency under this part; and
(2) Education records or records means early intervention records.

(Authority: 20 U.S.C. 1231(b), 1221e-3, 1431–1444)

DEFINITIONS USED IN THIS PART

§ 303.4 Act.
Act means the Individuals with Disabilities Education Act, as amended.

(Authority: 20 U.S.C. 1400(a))

§ 303.5 At-risk infant or toddler.
At-risk infant or toddler means an individual under three years of age who would be at risk of experiencing a substantial developmental delay if early intervention services were not provided to the individual. At the State’s discretion, at-risk infant or toddler may include an infant or toddler who is at risk of experiencing developmental delays because of biological or environmental factors that can be identified (including low birth weight, respiratory distress as a newborn, lack of oxygen, brain hemorrhage, infection, nutritional deprivation, a history of abuse or neglect, and being directly affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure).

(Authority: 20 U.S.C. 1422(1), 1422(5)(B)(1) and 1437(a)(6))