

DEPARTMENT OF EDUCATION

34 CFR part 300

RIN 1820-AB40

Assistance to States for the Education of Children With Disabilities

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Final regulations; correction.

SUMMARY: On March 12, 1999, final regulations were published for the Assistance to States for the Education of Children with Disabilities program at 64 FR 12406-12674. Appendix B to the regulations, entitled "Index for IDEA—Part B Regulations," has been revised as described in the Supplementary Information that follows.

DATES: These regulations are effective June 24, 1999.

FOR FURTHER INFORMATION CONTACT: Thomas B. Irvin or JoLeta Reynolds (202) 205-5507. Individuals who use a telecommunication device for the deaf (TDD) may call (202) 205-5465.

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotope, or computer diskette) on request to Katie Mimcey, Director of the Alternate Formats Center. Telephone: (202) 205-8113.

SUPPLEMENTARY INFORMATION: On March 12, 1999 (64 FR 12406), the Secretary published final regulations for the Assistance to States for the Education of Children with Disabilities program. Appendix B to those regulations, entitled "Index for IDEA—Part B Regulations," was included as a technical assistance document to enable readers to locate quickly (by section number and paragraph) the specific

requirements related to key topics in the regulations.

The index included in this publication has been revised to: (1) Make needed corrections to certain regulatory citations; (2) change the format of the document in order to enhance its readability; and (3) make other technical changes.

Paperwork Reduction Act of 1995

These regulations do not contain any information collection requirements.

Regulatory Flexibility Act Certification

The Secretary certifies that this regulatory document will not have significant economic impact on a substantial number of small entities. The document includes only technical changes to Appendix B of the final Part B regulations that were published in the **Federal Register** on March 12, 1999.

Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR Part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Assessment of Educational Impact

We have determined that these regulations do not require transmission of information that any other agency or authority of the United States gathers or makes available.

Electronic Access to This Document

You may view this document, as well as all other Department of Education

documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at either of the following sites:

<http://gcs.ed.gov/fedreg.htm>
<http://www.ed.gov/news.html>

To use the PDF you must have Adobe Acrobat Reader Program with Search, which is available free at either of the previous sites. If you have questions about using the PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, D.C., area at (202) 512-1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at:

<http://www.access.gpo.gov/nara/index.html>

(Catalog of Federal Domestic Assistance Number: 84.027 Assistance to States for the Education of Children with Disabilities.)

List of Subjects in 34 CFR part 300

Administrative practice and procedure, Education of individuals with disabilities, Elementary and secondary education, Equal educational opportunity, Grant programs—education, Privacy, Private schools, Reporting and recordkeeping requirements.

Dated: June 21, 1999.

Richard W. Riley,
Secretary of Education.

In the final rule published on March 12, 1999 (64 FR 12406), make the following correction. Beginning on page 12481, correct Appendix B to Part 300 to read as follows:

BILLING CODE 4000-01-U

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

Topic	Section
A-AD	
ACCESS (TO)	
--Access rights (confidentiality—right to inspect and review education records)	300.562
• See also "Opportunity to examine records"	300.501(a)(1)
--Assistive technology devices in child's home	300.308(b)
--Education records (prior notice requirement)	300.504(b)(4)
--General curriculum (ensure access to)	300.26(b)(3)(ii)
--List of employees who may have access to records	300.572(d)
--Parent's private insurance proceeds	300.142(f)
--Policies and procedures	300.284
--Record of access (confidentiality)	300.563
ACCESSIBILITY STANDARDS (Construction)—Comply with:	
--Americans with Disabilities Guidelines for Buildings and Facilities	300.756(b)(1)
--Uniform Federal Accessibility Standards	300.756(b)(2)
ACCOMMODATIONS	
--In assessments	300.138(a)
--Specific accommodations (IEP—teachers informed of)	300.342(b)
ACCOUNTABILITY	
--Coordinated services system (accountability for results)	300.244(b)(1)
--IEP—accountability	300.350(b)
ACT (definition)	300.4
ADD (Attention deficit disorder)	300.7(c)(9)(i)
--ADHD (Attention deficit hyperactivity disorder)	300.7(c)(9)(i)
ADDITIONAL DISCLOSURE OF INFORMATION REQUIREMENT	300.509(b)(1)
ADULT CORRECTIONAL FACILITIES (see "Correctional facilities")	—
ADULT PRISONS (students with disabilities in) (A-F)	
--Divided State agency responsibility	300.587(e)
--FAPE requirements	
• Exception to FAPE	300.311
• Modifications of IEP or placement	300.311(c)
• Requirements that do not apply	300.311(b)

AD-AM	
ADULT PRISONS (students with disabilities) (G-Z)	
--Governor	300.600(d)
--IEP (special rules)	300.347(d)
--Public agency responsibility	300.600(d)
--State advisory panel function (advise on)	300.652(b)
ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE (see "Child with a disability," §300.7(c)(1), (3), (4), (5), (6), and (8)-(13))	
	—
ADVISORY BOARD (Secretary of the Interior)	300.262
ADVISORY PANEL (see "State advisory panel")	—
AGGREGATED DATA	300.139(b)(1)
ALLOCATION(S)	
--Former Chapter 1 State agencies	300.713
--Outlying areas (see §§300.717-300.720)	—
--Secretary of Interior (payments to—see §§300.715-300.716)	—
--To LEAs	300.712
--To States (see §300.703 and §§300.706-300.710)	—
ALLOWABLE COSTS (by SEA for State administration)	300.621
ALTERATION OF FACILITIES	300.756
ALTERNATE ASSESSMENTS	
--Conducted (not later than July 1, 2000)	300.138(b)
--Guidelines for	300.138(b)(3)
--Reports (number of children in and performance on)	300.138(b)(1)
--State or LEA develops	300.139(a)
	300.138(b)(2)
ALTERNATIVE EDUCATIONAL SETTING (see "Interim setting")	—
ALTERNATIVE PLACEMENTS (LRE-continuum)	
--State eligibility requirement	300.551
	300.130(a)
ALTERNATIVE PROGRAMMING for children expelled; in correctional facilities; State schools; and charter schools (Subgrants to LEAs for capacity building)	
	300.622(a)
ALTERNATIVE STRATEGIES to meet transition objectives	300.348(a)
AMENDMENTS	
--To State policies and procedures	300.112
--To LEA policies and procedures	300.182

AM-AS	
ANNUAL GOALS (IEPs)	
--FAPE for children suspended or expelled	300.121(d)(3)
--IEP accountability	300.350
--IEP content:	
• How progress toward goals will be measured	300.347(a)(7)
• Special education and related services	300.347(a)(3)(i)
• Statement of measurable annual goals	300.347(a)(2)
--Review and revision of IEP	300.343(c)
--Review of existing evaluation data	300.533(a)(2)(iv)
ANNUAL REPORT	
--Advisory board on education of Indian children	300.266
• Report to the Secretary	300.266(b)
--State advisory panel report to the SEA	300.653(b)
ANNUAL REPORT OF CHILDREN SERVED (see §§300.750-300.754)	—
APPLICABILITY OF THIS PART to State, local, and private agencies	300.2
APPLICATION	
--For initial admission to special education (pendency)	300.514(b)
--Freely-associated States	300.719(c)
--School-based improvement plan	300.247(e)
--Term defined in EDGAR (34 CFR 77.1)	300.30
APPROPRIATE ACCOMMODATIONS (in assessments)	300.138(a)
APPROPRIATE PROFESSIONAL REQUIREMENTS in the State (definition --Personnel standards)	300.136(a)(1)
ASSESSMENT(S)	
--Assessment plan (discipline)	300.520(b)(1)(i)
--Functional behavioral assessment	300.520(b)(1)
--In evaluation (see §300.532(b), (c)(2), (j) and §300.533(a)(1)(ii), (d)(1)(ii), (d)(2))	—
--Of leisure function (in "recreation")	300.24(b)(10)(i)
ASSESSMENT --STATE AND DISTRICT-WIDE	
--Accommodations in	300.138(a)
--Alternate assessments	300.138(b)
--Basic requirement	300.138
--LEA information on assessments (for SEA)	300.240
--Modification in administration of	300.138(a)
• IEP content	300.347(a)(5)(i)
--Performance of children on	300.139(a)(2)
• Performance indicators	300.137(b)
--Reports relating to	300.139
--See "Reports"	—

AS-BE	
ASSISTIVE TECHNOLOGY (AT)	
—Definition (AT devices and services—see §§300.5-300.6)	—
—IEP team (consideration of special factors)	300.346(a)(2)(v)
—Requirement	
• Ensure availability of	300.308(a)
• Use of AT in child's home	300.308(b)
ASTHMA	300.7(c)(9)(i)
ATTENTION DEFICIT DISORDER (ADD)	300.7(c)(9)(i)
ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD)	300.7(c)(9)(i)
ATTORNEY'S FEES	300.513
AUDIOLOGY	300.24(b)(1)
AUTHORITY	
—Foster parent (parent's authority extinguished)	300.20(b)(1)
—Of hearing officer (discipline)	300.521
—Of LEA (school-based improvement plan (see §§300.245(b) and 300.247)	—
—Of school personnel (discipline)	300.520
—Parental authority to inspect and review records	300.562(c)
—State complaint procedures	300.660(b)
—Waiver request (signed by person with authority)	300.589(c)(2)
AUTISM	300.7(c)(1)
AVERAGE PER PUPIL EXPENDITURE (definition)	300.702
AWARD (term defined in EDGAR—34 CFR 77.1)	300.30
BASE PAYMENTS (to LEAs)	300.712(b)(1)
BASE YEAR (State allocation—permanent formula)	300.706
BASIS OF KNOWLEDGE (Protection for children not yet eligible—see §300.527(b)-(d))	—
BEHAVIORAL ASSESSMENT	300.520(b)(1)
BEHAVIORAL INTERVENTION(S)	
—Assist in developing (see §300.24(b)(9)(vi), 13(v))	—
—Behavioral intervention plan (see §300.520(b)(1)(i), (2), (c)(1))	—
—Enhance abilities of teachers to use	300.382(f)
—IEP team (consider)	300.346(a)(2)(i)
—Regular education teacher (determination of)	300.346(d)
—Suspension and expulsion rates	300.146(b)
BEHAVIOR NOT A MANIFESTATION OF DISABILITY	300.524

BE-CH	
BENCHMARKS OR SHORT-TERM OBJECTIVES (see §§300.347(a)(2) and 300.350(a)(2), (b))	—
BENEFITS TO NONDISABLED (permissive use of funds)	300.235(a)(1)
BIA (see Bureau of Indian Affairs)	—
BLIND(NESS)—under "visual impairment"	
—Definition	300.7(e)(13)
—IEP team (consideration of special factors)	300.346(b)(2)(iv)
BRAILLE (see §§300.19(b) and 300.346 (a)(2)(iii))	—
BUREAU OF INDIAN AFFAIRS (BIA)	
—In definition of "LEA"	300.18(b)(3)
—See "Secretary of the Interior" (see §§300.263(b), (d); 300.265(a), (b)(1); and 300.716(c)) ..	—
BUSINESS DAY	
—Definition	300.9(b)
—Discipline	
• Authority of hearing officer	300.520(b)
• Expedited due process hearings	300.528(a)(1)
—Private school (parent notice before placement)	300.403(d)(1)(ii)
—Procedural safeguards (hearing rights)	
• Disclose evaluations before hearings	300.509(b)(1)
• Prohibit introduction of evidence	300.509(a)(3)
—See "Timelines"	—
BY-PASS (Private school children with disabilities (see §§300.480-300.486))	—
CALENDAR DAY	300.9(a)
—See "Day"	—
CAPACITY BUILDING AND IMPROVEMENT	300.622
CERTIFICATION	
—Annual Report of children served	300.752
—In CSPD (see §§300.381(b) and 300.382(a))	—
—In definition of "qualified personnel"	300.23
—In personnel standards (see §300.136(a)(2), 4, (b)(1)(ii), (c))	—
CHANGE OF PLACEMENT FO DISCIPLINARY REMOVALS	300.519
CHAPTER 1 STATE AGENCIES (former)—Grants to	300.713
—See "State agencies"	—
CHARTER SCHOOLS (A-H)	
—Applicability of this part to	300.2(b)(2)
—Children with disabilities in	300.312
—Exception (joint establishment of eligibility)	300.190(b)

CH-CHI	
CHARTER SCHOOLS (I-Z)	
—In definition of "LEA"	300.18(b)(2)
—In definition of "public agency"	300.22
—Subgrants to LEAs for capacity building (for)	300.622(a)
—Treatment of (and their students)	300.241
CHIEF EXECUTIVE OFFICER (CEO)	
—Adult prisons (assigned by Governor)	300.600(d)
—Methods of ensuring services (see §300.142(a), (c)(3))	—
CHILD COUNT	
—Annual Report of children served (see §§300.750-300.754)	—
—Certification	300.752
—Chapter 1 children	300.713
—Criteria for	300.753
—Dates for count	300.751(a)(2)
—Indian children (see §§300.715(c) and 300.716(f))	—
—Private school children (see §§300.453(b) and 300.710)	—
—Procedures for counting children served	300.754
—Recovery of funds (erroneously classified children)	300.145
CHILD FIND	
—Basic requirement	300.125
—Children advancing from grade to grade	300.125(a)(2)(ii)
—Children birth through age 2 when SEA and lead agency for Part C are different	300.125(c)
—Confidentiality of child find data	300.125(e)
—Documents relating to	300.125(b)
—FAPE and child find	300.300(a)(2)
—Highly mobile children	300.125(a)(2)(i)
—Homeless children	300.125(a)(2)(i)
—Indian children aged 3-5	300.716(d)
—Migrant children	300.125(a)(2)(i)
—Private school children	300.451
• See also §§300.125(a) and 300.453(c)	—
—Protections for children not yet eligible	300.527(b)(4)
—Secretaries of Interior and Health and Human Services (memorandum of agreement)	300.260(h)(2)
CHILD WITH A DISABILITY (definition)	
—Children experiencing developmental delays	300.7
• Requirement	300.7(b)
• See "Developmental Delay(s)"	300.313
—Children who need only a related service	—
—Individual disability terms (defined)	300.7(a)(2)
• Adversely affects educational performance (see §300.7(c)(1), (3), (4), (5), (6), and (8)-(13))	300.7(c)
•	—
CHILDREN ADVANCING—GRADE TO GRADE (child find)	
—FAPE	300.125(a)(2)(ii)
—FAPE	300.121(e)

CHI-COM	
CHILDREN EXPERIENCING DEVELOPMENTAL DELAYS (see "Developmental Delay(s)")	—
CHILDREN'S RIGHTS (confidentiality)	300.574
CHILD'S STATUS DURING PROCEEDINGS (pendency; stay put)	300.514
—Discipline (see §§300.524(c) and 300.526(b), (c))	—
—See "Pendency"	—
CIVIL ACTION—PROCEEDINGS	300.512
—Finality of review decision	300.510(d)
—Mediation	300.506(b)(6)
—Procedural safeguards notice	300.504(b)(12)
—See "Courts"	—
CODE OF CONDUCT	
—Manifestation determination review	300.523(a)
—Protections for children not yet eligible	300.527(a)
COLLECTIVE BARGAINING AGREEMENT (in exception to maintenance of effort)	300.232(a)(2)(ii)
COMBINED REPORTS (aggregation-disaggregation of data)	300.139(b)
COMMINGLING—PROHIBITION AGAINST	300.152
COMMUNITY-BASED WAIVERS (public insurance)	300.142(e)(3)(i)
COMPLAINT(S)—DUE PROCESS	
—Attorneys' fees	300.513(c)(4)(iv)
—Civil action	300.512(a)
—Pendency (see §300.514(a) and (b))	—
—Private school children (Complaints)	300.457
COMPLAINT(S)—STATE COMPLAINT PROCEDURES	
—Adoption of State complaint procedures	300.660
• See §§300.660-300.662	—
—Complaint investigations (SEA allocation for)	300.370(a)(2)
—Filing a complaint	300.662
—Minimum State complaint procedures	300.661
—Private schools (State complaints)	300.457(c)
—Procedural safeguards notice	300.504(b)
—Provision for services under a by-pass	300.481(d)
—Waiver of nonsupplanting requirement (see §300.589(c)(2)(ii)(C), (3))	—
COMPLIANCE—COMPLY (A-F)	
—Child find requirements	300.125(c)(3)
—Department procedures (if failure to comply)	300.587(a)(2)
—FAPE requirement	300.300(a)(2)

COM-CON	
COMPLIANCE—COMPLY (G-Z)	
--General supervision—SEA	300.141(b)
--LEA and State agency compliance	300.197
--LRE (State funding mechanism)	300.130(b)(2)
--Modifications of policies (required by Secretary)	300.112(b)
• Required by SEA	300.182(b)
--Monitoring (see "Monitor; Monitoring Activities")	—
--Physical education	300.307(d)
--Private school placement by parents (exception)	300.403(e)
--Private school placements by public agencies	
• IEP requirement	300.349(c)
• SEA (monitor compliance)	300.402
--Public participation (policies consistent with §§300.280-300.284)	300.148
--SEA responsibility if LEA does not apply for funds	300.360(b)(2)(i)
--State funding mechanism (LRE)	300.130(b)(2)
COMPREHENSIVE EVALUATION	300.532(h)
COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)	
--Adequate supply of qualified personnel	300.381
--Analysis of professional development needs	300.381
--Basic requirements (see §§300.380-300.382)	—
--Improvement strategies	300.382
--Joint training of parents and personnel	300.382(j)
--LEA and State agency implementation of	300.221
--Recruit, prepare and retain personnel	300.382(h)
--State eligibility requirement	300.135
--State improvement plan (re sec.653 of the Act)	300.135(a)(2)
CONDITION OF ASSISTANCE	
--LEA and State agency eligibility	300.180
--State eligibility	300.110
CONFIDENTIALITY (A-G)	
--Access rights	300.562
--Basic requirements (see §§300.560-300.577)	—
--Children's rights	300.574
--Consent	300.571
--Definition (of "destruction," "education records," and "participating agency")	300.560
--Department use of personally identifiable information	300.577
--Destruction (definition)	300.560(a)
• Of information	300.573
--Disciplinary information	300.576
--Education records (definition)	300.560(b)
--Enforcement	300.575
--Family Educational Rights and Privacy Act	
• Children's rights	300.574(b)
• Disciplinary records	300.529(b)(2)
• In definition of "education records"	300.560(b)
• Notice to parents	300.561(a)(4)
--Fees	300.566

CON-CONT**CONFIDENTIALITY (H-Z)**

--Hearing procedures (confidentiality)	300.570
--List of types and location of information	300.565
--Notice to parents	300.561
--Opportunity for a hearing	300.568
--Parental authority to inspect and review records	300.562
--Record of access	300.563
--Records on more than one child	300.564
--Result of hearing	300.569
--Safeguards	300.572
--See "Personally identifiable"	—
--State eligibility requirement	300.127

CONSENT

--Basic requirement	300.505
--Confidentiality (records to non-agency officials)	300.571
--Definition	300.500(b)(1)
--IEP vs. IFSP	300.342(c)
--Initial evaluations or reevaluations	300.505(a)(1)(i)
--Initial provision of services	300.505(a)(1)(ii)
--Not required before reviewing existing data	300.505(b)
--Private insurance (accessing—inform consent)	300.142(f)(1)
--Reevaluations	300.501(a)(1)(i)
--Release of information from education records	300.571(b)
--State Medicaid agency (disclosing records to)	300.142(e)(3)(ii)(I)
--Using information for purposes other than Part B	300.571(a)(2)

CONSIDERATION OF SPECIAL FACTORS (IEP team)	300.346(a)(2)
---	---------------

CONSISTENCY WITH STATE POLICIES—LEA	300.220
---	---------

CONSTRUCTION

--Accessibility standards	300.756
--Exception to maintenance of effort (Termination of costly expenditures for construction) ..	300.232(d)
--Private schools (no funds may be used for)	300.462(e)

CONSTRUCTION CLAUSES

--Child find (nothing requires classifying children by disability)	300.125(d)
--Civil action (exhaust administrative remedies under Part B before filing a civil action)	300.512(d)
--IEP accountability (nothing limits a parent's right to ask for revisions to IEP)	300.350(c)
--IEP-Development of (nothing requires information in more than one component)	300.346(e)
--Relation to other Federal programs (States not permitted to reduce medical assistance)	300.601
--State Medicaid agency (nothing alters requirements imposed under Titles XIX or XXI)	300.142(i)

CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (re rate of Inflation—see §§300.602(b)(2); 300.620(a)(1); 300.622; and 300.623(b))	—
---	---

CONTENT OF IEP	300.347
----------------------	---------

CONTINUUM OF ALTERNATIVE PLACEMENTS	300.551
--State eligibility requirement	300.130(a)

CONT-COU	
CONTRACT (term defined in EDGAR—34 CFR 77.1)	300.30
CONTROLLED SUBSTANCE (definition)	300.520(d)(1)
COORDINATED SERVICES SYSTEM	300.244
COORDINATION OF SERVICES	
—Coordinated services system	300.244
• Use of LEA funds for	300.235(a)(2)
• Use of SEA allocations for	300.370(a)(7)
—Methods of ensuring services	300.142(a)(4)
—Secretary of the Interior	300.260(h)(1)
• Advisory board (services coordination within BIA)	300.265(b)(1)
• Payments for children aged 3-5	300.716
• Plan for coordination of services	300.263
—See "Interagency agreements;" "Interagency coordination"	—
—State advisory panel (advise SEA on)	300.652.(a)(5)
CO-PAY OR DEDUCTIBLE (public insurance)	300.142(e)(2)(i)
CORRECTIONAL FACILITIES	
—Applicability of this part to	300.2(b)(1)(iv)
—Exception to FAPE (students in adult facilities)	300.122(a)(2)
• Documentation (State law)	300.122(b)(2)
—See also "Adult prisons"	—
—State advisory panel (representatives on)	300.651(a)(10)
—State juvenile-adult correctional facilities	300.2(b)(1)(iv)
—Subgrants to LEAs for capacity building (for)	300.622(a)
—Transfer of rights to students in	300.517(a)(2)
CORRECTIVE ACTION (PLAN)	
—Monitoring activities	300.556(b)(2)
—State advisory panel (advise SEA on)	300.652(a)(5)
—State complaint procedures (how to remediate denial of services)	300.660(b)(1)
• Corrective actions to achieve compliance	300.661(b)(2)(iii)
COUNSELING SERVICES (definition)	300.24(b)(2)
COUNT (see "child count")	—
COURT(S) (A-I)	
—Attorneys fees (see §300.513(a), (d)(3), (f), and (f)(4))	—
—Civil action (see §300.512(a), (b), and (c))	—
—Court order	
• Exception to FAPE for certain ages (see §§300.122(a)(1), (b)(1)(ii), 300.300 (b)(1), and (5)(ii))	—
• FAPE (required information)	300.121(b)

COU-DA	
COURTS (J-Z)	
--Judicial review	
• Bypass	300.487
• Department procedures	300.586
--New interpretation of Act by courts—requiring	
• Modifications of LEA policies	300.182(b)(2)
• Modifications of State policy	300.112(b)(2)
--Reimbursement for private school placement	300.403(b)
CRIME (see "Reporting a crime," §300.529(a) and (b))	—
CRITERIA	
--Autism	300.7(c)(1)(ii)
--Child count	300.753
--Child eligibility (determinant factor)	300.534(b)(2)
--Common certification	300.382(a)
--Confidentiality	300.127(b)
--IEP team (public agency representatives)	300.344(d)
--Independent educational evaluation (see §§300.502(a)(2), (b), (c)(1), and (e))	—
--School-based improvement plan (see §§300.247 and 300.250)	—
--Specific learning disability	300.541
--Surrogate parents	300.515(c)
--Transition services (agency responsibilities for)	300.348(b)
CSPD (see "Comprehensive system of personnel development")	—
CURRENT PLACEMENT (discipline)	
--Authority of Hearing Officer (see 300.521(a), (b), and (c))	—
--Placement during appeals (current placement)	300.526(b)
• Expedited hearing	300.526(c)
DATA	
--Aggregated	300.139(b)(1)
--Allocation of remaining funds to LEAs (best data)	300.712(b)(3)(iii)
--Average per pupil expenditure (definition)	300.702(a)(1)
--Bypass (provision of services under)	300.481(b)(2)
--Confidentiality of child find data	300.125(e)
--Determination of needed evaluation data	300.533
--Disaggregated data	300.139(b)(2)
--Evaluation data	300.533
• Procedures for determining eligibility	300.535(a)
--LRE (placements—meaning of evaluation data)	300.552(a)(1)
--Parental consent (not required for reviewing existing evaluation data)	300.505(a)(3)(ii)
--Procedures for determining eligibility/placement	300.535(a)
--Secretary of the Interior	300.260(g)
--State advisory council (advise SEA on)	300.652(a)(3)
--Suspension and expulsion rates	300.146(a)

DA-DEF	
DAY	
--Attorneys' fees (10 days)	300.513(c)(2)(i)
--Business day (Definition)	300.9(b)
• See "Business day"	—
--Bypass (see §§300.482(b)(2), 300.485(b), and 300.487)	—
--Calendar day	300.9(a)
--Complaint procedures (State—60 days)	300.661(a)
--Confidentiality (Access rights—45 days)	300.562(a)
--Definition of "Day, business day, and school"	300.9
--Department hearing procedures (30 days)	300.581(b)(3)
--Discipline (see "Timelines-discipline")	—
--Due process hearings and reviews	
• Expedited hearings (discipline)	
—Decision in 45 days with no extensions	300.528(b)(1)
—See "Timelines-Discipline"	—
• Hearings (45 days)	300.511(a)
• Reviews (30 days)	300.511(b)
--Hearing rights (see "Business days;" "Timelines")	—
--IEP (Initial meeting—30-day timeline)	300.343(b)
--Impartial review (30 days)	300.511(b)
--Public participation (30-day comment period)	300.282(b)
--School day (Definition)	300.9(c)
--See "School day;" "Timelines"	—
--State complaint procedures (60 days)	300.661(a)
--State eligibility (Department hearing procedures—30 days)	300.581(b)(3)
 DECREASE IN ENROLLMENT (exception to LEA maintenance of effort)	 300.232(b)
 DECREASE IN FUNDS (to States)	 300.709
 DEDUCTIBLE OR CO-PAY (public insurance)	 300.142(e)(2)(i)
DEFINITIONS (A)	
--Act	300.4
--Application (term defined in EDGAR at 34 CFR 77.1)	—
--Appropriate professional requirements in the State	300.136(a)(1)
--Assistive technology device	300.5
--Assistive technology service	300.6
--At no cost	300.26(b)(1)
--Audiology	300.24(b)(1)
--Autism	300.7(c)(1)
--Average per-pupil expenditure in public elementary and secondary schools in the United States	300.702
--Award (term defined in EDGAR—34 CFR 77.1)	300.30

DEF	
DEFINITIONS (B-C)	
--Base year	300.706(b)(1)
--Business day	300.9(b)
--Child with a disability	300.7
--Children with disabilities who have been suspended or expelled from school	300.121(d)(1)
--Consent	300.500(b)(1)
--Contract (term defined in EDGAR at 34 CFR 77.1)	300.30
--Controlled substance	300.520(d)(1)
--Counseling services	300.24(b)(2)
DEFINITIONS (D)	
--Day; business day; school day	300.9
--Deaf-blindness	300.7(c)(2)
--Deafness	300.7(c)(3)
--Department (term defined in EDGAR—34 CFR 77.1)	300.30
--Destruction (of information)	300.560
--Development delays	300.7(b)
--Direct services	300.370(b)(1)
DEFINITIONS (E)	
--Early identification and assessment	300.24(b)(3)
--EDGAR (Education Department General Administrative Regulations—List of terms defined in)	300.30
--Educational records	300.560
--Educational service agency	300.10
--Elementary school (term in EDGAR—34 CFR 77.1)	300.30
--Emotional disturbance	300.7(c)(4)
--Equipment	300.11
--Evaluation	300.500(b)(2)
--Excess costs	300.184(b)
--Extended school year services	300.309(b)
DEFINITIONS (F-H)	
--Fiscal year (term defined in EDGAR at 34 CFR 77.1)	300.30
--Free appropriate public education	300.13
--Freely associated States	300.722
--Hearing impairment	300.7(c)(5)
--Highest requirements in the State applicable to a specific profession or discipline	300.136(a)(2)
DEFINITIONS (I-L)	
--Illegal drug	300.520(d)(2)
--Include	300.14
--Independent educational evaluation	300.503(a)(3)(i)
--Indian	300.264(a)
--Indian tribe	300.264(b)
--Individualized education program (IEP)	300.340(a)
--Individualized family service plan	300.17

DEF	
DEFINITIONS (M-O)	
--Medical services	300.24(b)(4)
--Mental retardation	300.7(c)(6)
--Multiple disabilities	300.7(c)(7)
--Native language	300.19
--Occupational therapy	300.24(b)(5)
--Orientation and mobility services	300.24(b)(6)
--Orthopedic impairment	300.7(c)(8)
--Other health impairment	300.7(c)(9)
--Outlying area	300.718
DEFINITIONS (P-R)	
--Parent	300.20
--Parent counseling and training	300.24(b)(7)
--Parent training and information center (defined in sec. 602(21) of Act; term used in §§300.506(d)(1)(i) (mediation, and 300.589 (waiver of nonsupplanting requirement)) . . .	—
--Participating agency (as used in "confidentiality")	300.560(c)
--Participating agency (as used in IEP requirements Re "transition services")	300.340(b)
--Party or parties	300.583(a)
--Personally identifiable	300.500(b)(3)
--Physical education	300.26(b)(2)
--Physical therapy	300.24(b)(8)
--Private school children with disabilities	300.450
--Profession or discipline	300.136(a)(3)
--Psychological services	300.24(b)(9)
--Public agency	300.22
--Public expense	300.502(a)(3)(ii)
--Qualified personnel	300.23
--Recreation	300.24(b)(10)
--Rehabilitation counseling services	300.24(b)(11)
--Related services	300.24
--Revoke consent at any time	300.500(b)(1)
DEFINITIONS (S)	
--School day	300.9(c)
--School health services	300.24(b)(12)
--Secondary school	300.25
--Social work services in schools	300.24(b)(13)
--Special education	300.26
--Specially designed instruction	300.26(b)(3)
--Specific learning disability	300.7(c)(10)
--Speech-language pathology services	300.24(b)(14)
--Speech or language impairment	300.7(b)(11)
--State	300.27
--State (special definition)	300.700
--State-approved or recognized certification, licensing, registration, or other comparable requirements	300.136(a)(4)
--Substantial evidence	300.521(e)
--Supplementary aids and services	300.28
--Support services	300.370(b)(2)

DEF-DI	
DEFINITIONS (T-Z)	
--Transition services	300.29
--Transportation	300.24(b)(15)
--Traumatic brain injury	300.7(c)(12)
--Travel training	300.26(b)(4)
--Visual impairment, including blindness	300.7(c)(13)
--Vocational education	300.26(b)(5)
--Weapon	300.520(d)(3)
DEPARTMENTS OF DEFENSE, EDUCATION, AND INTERIOR (Criteria for counting children)	300.753(b)
DEPARTMENT OF LABOR, BUREAU OF STATISTICS (re rate of Inflation—see §§300.602(b)(2), 300.620(a)(1), 300.622, and 300.623(b))	—
DEPARTMENT (U.S. Department of Education)	
--Definition (in EDGAR—34 CFR 77.1)	300.30
--Enforcement-hearing procedures (see §§300.580-300.589)	—
--Monitoring (re Secretary of the Interior)	300.261(i)
--Personally identifiable information (use of)	300.577
--See also §§300.3(c), 300.260(i) 300.486(c), and 300.753(b)	—
DESTRUCTION OF INFORMATION	300.573
--Definition	300.560(a)
DETERMINANT FACTOR for eligibility determination	
--Lack of instruction in reading or math	300.534(b)(1)(i)
--Limited English proficiency	300.534(b)
DEVELOPMENTAL DELAY(S)	
--Common State definition (under Parts B and C)	300.313(c)
--In definition of "child with a disability"	300.7(b)
--Requirements for using "developmental delay"	300.313(a)
--Using specified disability categories	300.313(b)
DEVELOPMENT, REVIEW, AND REVISION OF IEP	300.346
DIABETES	300.7(c)(9)(i)
DIVIDED STATE AGENCY RESPONSIBILITY (ADULT PRISONS)	300.587(e)
DIRECT SERVICES (A-H)	
--Additional information if SEA provides	300.147
--Alternative programming—for children expelled, in correctional facilities, State schools, and charter schools (subgrants to LEAs for capacity building)	300.622(a)
--By SEA (use of LEA allocations for)	300.360
• Nature and location of services	300.361
--Definition	300.370(b)(1)
--Direct and support services	300.370(a)(1)

DI-DIS	
DIRECT SERVICES (I-Z)	
--impartiality of mediator	300.506(c)(1)(i)(B)
--SEA (Additional information)	300.147
--Use of LEA allocations for	300.360
DISABILITY—ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE	
(see §300.5(c)(1)-(13))	—
DISAGGREGATED DATA—reports on performance	300.139(b)(2)
--Timelines for disaggregation	300.139(b)
DISCIPLINE (A-H)	
--Alternative educational setting (see §§300.520(a), 300.521, 300.522, 300.522(b)(2), and 300.526)	—
--Behavior not a manifestation of disability	300.524
--Behavioral interventions—intervention plan (see §300.520(b)(1), (1)(iii), and (2))	—
--Change of placements for disciplinary removals	300.519
--Child's status during due process hearings	300.524(c)
--Determination of setting	300.522
--Disciplinary information	300.575
--Expedited due process hearings	300.528
• Requested by school personnel	300.525(c)
--Functional behavioral assessment	300.520(b)(1)
• Assessment plan (develop)	300.520(b)(1)(i)
--Hearing officer (authority of)	300.521
--(See also §§300.525(b)(1), (2), 300.526(a), (b)(2), and 300.528(a)(2))	—
DISCIPLINE (I-Z)	
--IEP team (and other qualified personnel (see §§300.520(a)(2), 300.522(a)(2), and 300.523(b)-(d))	—
--Interim alternative educational setting (see §§300.520(a)(1), (2), 300.521, (d), 300.522, (b)(2), 300.525(b)(2), and 300.526(a), (b), and (c))	—
--Manifestation determination	300.523
--Parent appeal	300.525
--Placement during appeals	300.526
--Protections for children not yet eligible	300.527
--Referrals to and action by law enforcement and judicial authorities	300.529
--School personnel (authority of)	300.520
--See "Timelines-Discipline"	—
DISCLOSURE	
--Additional disclosure of information requirement	300.509(b)
--Consent required before disclosing:	
• Education records to State Medicaid agency	300.142(e)(3)(ii)(I)
• Personal information to non-agency officials	300.571(a)(1)
--Of evaluation results before hearings	300.509(b)(1)
• In procedural safeguards notice	300.504(a)(10)
--Of performance results	300.139(a)(2)(ii)
--Policies on disclosing information to third parties	300.561(a)(3)
--Prohibit evidence not disclosed before hearing	300.509(a)(3)
--Reports on assessments (not "child-identifiable")	300.139(a)(2)(ii)

DIS-ED	
DISPROPORTIONALITY	300.755
DISPUTES	
--Dispute resolution (subgrants to LEAs)	300.622(e)
--Interagency disputes (methods of ensuring services)	
• Ensure services during pendency of dispute	300.142(a)
• Procedures for resolving	300.142(a)(3)
--Mediation (see §300.506(a), (b)(4), (b)(5), and (d)(1)(i))	—
DIVORCE-SEPARATION (authority to review records)	300.562(c)
DROPOUT RATES (performance indicators)	300.137(b)
DUE PROCESS HEARING(S) AND REVIEWS	
--Agency responsible for conducting hearing	300.507(b)
--Appeal of decisions; impartial review	300.510(b)
--Attorneys' fees	300.513
--Basic requirements (see §§300.507-300.514)	—
--Child's status during proceedings (pendency)	300.514
• Parent request for hearing (discipline)	300.524(c)
--Civil action	300.512
--Evaluations disclosed at least 5 business days before hearing	300.509(b)
--Expedited due process hearings (discipline)	300.528
• See also §§300.521, 300.525(a)(2), and 300.526(c)	—
--Finality of decision; appeal; and impartial review	300.510(d)
--Findings of fact and decisions	300.509(a)(5)
• To State advisory panel	300.509(d)
--Hearing rights	300.509
--Impartial hearing officer	300.508
• See "Hearing officer(s)"	—
--Parent notice to public agency	300.507(c)
• Model form to assist parents	300.507(c)(4)
• Right to hearing even if notice not given	300.507(c)(4)
--Parent request for hearing (discipline)	300.524(c)
--Parental rights at hearings	300.509(c)
--Pendency (stay put)	300.514
--Prohibit evidence not introduced 5 business days before hearing	300.509(a)(3)
--Record of hearing	300.509(a)(4)
--See "Civil action;" "Courts;" "Procedural safeguards;" and "Timelines"	—
--Timelines and convenience of hearings—reviews	300.511
EARLY IDENTIFICATION AND ASSESSMENT (definition)	300.24(b)(3)
EDGAR (Education Department General Administrative Regulations)	300.30
EDUCATIONAL PLACEMENTS (LRE)	300.552

ED-EN	
EDUCATIONAL SERVICE AGENCY (ESA)	
--Definition	300.10
--In definition of "LEA"	300.18(b)(1)
--Joint establishment of eligibility (Re-ESAs)	300.192(b)
• Additional requirements (Re-LRE)	300.192(c)
EDUCATION RECORDS (definition)	300.560(b)
ELEMENTARY AND SECONDARY EDUCATION ACT	
--Coordinated services system	300.244(c)
--Excess cost requirement	300.184(a)(1)(ii)
--Former Chapter 1 State agencies	300.713
--Schoolwide programs	300.234(a)
ELEMENTARY SCHOOL (term in EDGAR—34 CFR 77.1)	300.30
ELIGIBILITY (CHILD-STUDENT)	
--Children with specific learning disabilities (documentation of eligibility determination)	300.543(a)
--Determinant factor for	300.534(b)(1)
--Determination of eligibility	300.534
--Developmental delay (non-use of term by LEA for)	300.313(a)(4)
--Documentation of eligibility (to parent)	300.534(a)(2)
--Graduation with regular diploma—termination of	300.534(c)(2)
--Lack of instruction in reading or math	300.534(b)(1)(i)
--Limited English proficiency	300.534(b)
--Procedures for determining a child's eligibility (see §§300.126 and 300.530-300.543)	—
--Public insurance (Risk loss of eligibility for home-based waivers)	300.142(e)(2)(iv)(D)
--Reading or math (lack of instruction in—as determination factor)	300.534(b)
--Students with disabilities in adult prisons	300.311(b)(2)
--Termination of eligibility	300.232(c)
--Transfer of rights (special rule)	300.517(b)
ELIGIBILITY (PUBLIC AGENCIES)	
--Hearings related to (see "Hearings—Hearing procedures")	—
--LEA eligibility (see "LEA")	—
• See joint establishment of (see §§300.190; and 300.192)	—
--State agency eligibility	300.194
• See "State agencies"	—
--State (see "State eligibility")	—
--Secretary of the Interior (see 300.260-300.267)	—
EMOTIONAL DISTURBANCE (definition)	300.7(c)(4)
ENFORCEMENT	
--Confidentiality (State policies and procedures)	300.575
--Department procedures (see §300.587, (b)(2), (3), (d), (d)(2), and (e))	—
--Referral to law enforcement authorities	300.529
--Regulations that apply (34 CFR Part 81 General Education Provisions Act— Enforcement)	300.3(e)
--State policies and procedures (confidentiality)	300.575

EN-EX	
ENTRY LEVEL REQUIREMENTS (PERSONNEL STANDARDS)	300.136(a)(1)
EPILEPSY	300.7(c)(9)(i)
EQUIPMENT	
--Acquisition of	300.756
--Definition	300.10
ERRONEOUSLY CLASSIFIED CHILDREN (Recovery of funds)	300.145
EVALUATION	
--Assessments in (see §§300.32(b), (c)(2), (j), 300.533(a)(1)(ii), (d)(i)(ii), and (d)(2))	—
--Basic requirements (see §§300.320-300.321, and 300.530-300.536)	—
--Comprehensive (identify all special education needs)	300.532(h)
--Definition of	300.500(b)(2)
--Evaluation procedures	300.532
--Evaluation report to parents	300.533(a)
--Existing evaluation data (review of)	300.533(a)
--Graduation (evaluation not required for)	300.534(c)(2)
--Independent educational evaluation (IEE)	300.502
--Initial evaluation (see §§300.320 and 300.531)	—
--Parent right to evaluation at public expense	300.502(b)
--Reevaluation (see §§300.521 and 300.536)	—
--Report (of evaluation) to parents	300.534(a)(2)
--Review of existing evaluation data	300.533(a)
EXCEPTION	
--Charter schools exception (joint eligibility)	300.190(b)
--For prior State policies and procedures	300.111
--To FAPE	
• For age ranges 3-5 and 18-21	300.300(b)
• For certain ages	300.122
• For graduating with a regular diploma	300.122(a)(3)
• For students in adult prisons	300.311(a)
—Students incarcerated	300.122(a)(2)
--To maintenance of effort	300.232
EXCESS COSTS	300.184
--Definition	300.184(b)
--Joint establishment of eligibility	300.185(b)
--LEA requirement	300.230(b)
--Limitation on use of Part B funds	300.184(c)
--Meeting the excess cost requirement	300.185
EXISTING EVALUATION DATA (review of)	300.533(a)

EX-FA	
EXPEDITED DUE PROCESS HEARINGS	300.528
--Authority of hearing officer	300.521
--LEA request for (re concerns of school personnel)	300.526(c)
--Parent appeal (hearing requested by parents)	300.525(a)(2)
--Request by school personnel	300.526(c)
EXPULSION (See "suspension and expulsion")	--
EXTENDED SCHOOL YEAR (ESY) SERVICES	300.309
--Definition	300.309(b)
EXTRACURRICULAR	
--IEP content	300.347(a)(3)(ii)
--Nonacademic services	300.306
--Nonacademic settings	300.553
FACILITIES	
--Alteration of	300.756
--Children in correctional facilities	300.622(a)
--Children in private schools or facilities (see §§300.402(c), 300.450, 300.460, and 300.462(e))	--
--Construction or alteration of	300.756
--Correctional facilities	300.622(a)
--Physical education (in separate facilities)	300.307(d)
--Private schools and facilities	300.2(c)
--State and local correctional facilities	300.2(a)(1)(iv)
--Termination of expenses for construction of	300.232(d)
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)	
--See "Confidentiality"	--
FAPE (A-N)	
--Basic requirement (see §§300.121 and 300.300)	--
--Child find and FAPE	300.300(a)(2)
--Definition	300.13
--Exception to FAPE for certain ages	300.122
• Children aged 3, 4, 5, 18, 19, 20, or 21	300.122(a)(1)
--See also exception for age ranges 3-5 and 18-21	300.300(b)
• For students graduating with a regular diploma	300.121(a)(3)
• For students in adult prisons	300.122(a)(2)
--See also §300.311(a)	--
--For children:	
• Advancing from grade to grade	300.121(e)
• Beginning at age 3	300.121(c)
• On Indian reservations	300.300(c)
• Suspended or expelled from school	300.121(d)
--See also §300.121(a)	--
--General requirement (see §§300.121 and 300.300)	--
--Methods and payments	300.301

FA-FU	
FAPE (P-Z)	
--Private school children with disabilities	
• Placed by parents when FAPE is at issue	300.403
• Placed in or referred by public agencies (see §§300.400-300.402)	—
--Provision of FAPE	300.300
--Reallocation of LEA funds (re FAPE—adequate)	300.714
--Services (and placement) for FAPE:	
• Address all of child's special education-related services	300.300(a)(3)(i)
• Based on unique needs (not disability)	300.300(a)(3)(ii)
--State eligibility condition	300.121
FAX (FACSIMILE TRANSMISSION)	
--Department procedures (re State eligibility --see §300.585(a), (b)(3), and (c)-(e))	—
--See also §300.486(a), (b)(3), and (c)-(e)	—
FERPA (see Family Educational Rights and Privacy Act)	—
FILING A CLAIM (PRIVATE INSURANCE)	300.142(e)(2)(iii)
FILING A COMPLAINT (STATE COMPLAINT PROCEDURES)	300.662
FILING REQUIREMENTS	
--By-pass (re private school children)	300.486
--Department procedures (re State eligibility)	300.585
FINALITY OF DECISION	300.510
FINANCIAL COSTS (definition)	300.142(e)(2)
FORMULA	
--Allocations to LEAs	300.712
--Allocations to States (see §§300.703; 300.706-300.710)	—
--Private school children	300.453(a)
--SEA set-aside funds—distributed by	300.370(c)
--See also §§300.156(a)(3), 300.185(a)(2), 300.370(c), 300.703(b), and 300.706	—
FOSTER PARENT	300.20(b)
FREELY ASSOCIATED STATES AND OUTLYING AREAS	300.717
FULL EDUCATIONAL OPPORTUNITY GOAL (see §§300.123-300.124)	—
FUNCTIONAL BEHAVIORAL ASSESSMENT	300.520(b)(1)
FUNDING MECHANISM—LRE	300.130(b)
FUNDS (see "Use of Funds")	—

GE-HE	
GENERAL CURRICULUM	
—Discipline (continue participating in)	300.522(b)(1)
—Evaluation procedures	
• Be involved in and progress in	300.532(b)(2)(i)
• Review of existing evaluation data	300.533(a)(2)(iv)
—IEPs	
• Measurable annual goals	300.347(a)(2)(i)
• Present levels of educational performance	300.347(a)(1)(i)
• Review and revision of IEPs	300.343(c)(2)(i)
• Special education and related services	300.347(a)(3)(ii)
—IEP Team	300.344(a)(4)(ii)
—LRE (placements)	300.552(e)
—Specially designed instruction (Definition)	300.26(b)(3)(ii)
GENERAL SUPERVISION (SEA responsibility for)	300.141
GOALS	
—Annual goals (In IEP—see "Annual goals")	—
—Performance goals and indicators	300.137
• Use of State-level funds to meet	300.370(a)(6)
—School-based improvement plan (see §§300.246(c) and 300.248)	—
GOVERNOR (adult prison)	300.600(d)
—See also "Chief executive officer"	—
GRADUATION	
—Evaluation not required for	300.534(c)
—Exception to FAPE	300.122(a)(3)
—Graduation rates as performance indicators	300.137(b)
—Written prior notice required	300.122(a)(3)(iii)
GRANDPARENT OR STEPPARENT (definition of "parent")	300.20(a)(3)
GRANTS	
—Grants to States	300.701
• Maximum amount	300.701(b)
• Purpose of	300.701(a)
—See "Subgrants"	—
GUARDIAN (in definition of "parent")	300.20(a)(2)
GUARDIANSHIP, SEPARATION, AND DIVORCE (RE PARENT'S AUTHORITY TO REVIEW RECORDS)	300.562(c)
HEALTH AND HUMAN SERVICES (Secretary of)	300.260(b)(1)
HEARING AIDS—proper functioning of	300.303
HEARING IMPAIRMENT (see §§300.7(a), (c)(2), (3), (5), (10)(ii), and 300.24(b)(1)(i))	—

HE-HY	
HEARING OFFICER(S)	
--Additional disclosure of information requirement	300.509(b)(2)
--Attorneys' fees	300.513(a)(2)(i)(c)
--Authority of (discipline)	300.521
--Bypass (private school children with disabilities)	300.486(d)
--Change of placement	
• Hearing officer decision agrees with parents	300.514(c)
• Hearing officer may order	300.521
--Discipline (see §§300.521, (b)(1), 300.525(b), 300.526(a), (c)(2), and 300.528(a)(2))	—
--Expedited due process hearing (discipline)	300.528(a)(2)
--Impartial hearing officer	300.508
--Parent appeal (discipline—see §300.525(b))	—
--Placement during appeals (see §300.526(a), (c)(2))	—
--Private school placement when FAPE is at issue	300.403(c)
--Recruitment and training of	300.370(b)(2)
--Reimbursement for private placements by parents	300.403(c)
--Requests for evaluations by	300.502(d)
HEARING RIGHTS	300.509
HEARING—HEARINGS PROCEDURES	
--Due process (see "Due process hearings")	—
--Public hearings on policies and procedures	300.148(a)
(See also §§300.280-300.284)	—
--State and local eligibility	
• LEA eligibility	300.144
• Notification in case of LEA ineligibility	300.196
• State eligibility (Notice and hearing—see §§300.113(b); 300.581-300.587)	—
HEART CONDITION	300.7(c)(9)(i)
HEIGHTENED ALERTNESS TO ENVIRONMENTAL STIMULI	300.7(c)(9)
HEMOPHILLIA	300.(c)(9)(i)
HIGHEST REQUIREMENT IN THE STATE applicable to a specific profession or discipline	300.136(a)(2)
HIGHLY MOBILE CHILDREN (e.g., homeless and migrant children)	300.125(a)(1)(ii)
HOMELESS CHILDREN	300.125(a)(1)(ii)
HYPERACTIVITY (attention deficit hyperactivity disorder)	300.7(c)(9)(i)

I-IL	
IEE (see "Independent education evaluation")	—
IEP	
—Accountability	300.350
—Agency responsibilities for transition services	300.348
—Basic requirements (see §§300.340-300.350)	—
—Consideration of special factors	300.346(a)(2)
—Content of IEPs	300.347
—Definition	300.340(a)
—Development, review and revision of	300.346
—IEP meeting	300.343
—IEP or IFSP for children aged 3 through 5	300.342(c)
—IEP team	300.344
—Modifications of IEP or placement (FAPE for students in adult prisons)	300.311(c)
—Parent participation	300.345
—Participating agency (definition)	300.340(b)
—Private school placements by public agencies	30.349
—Regular education teacher (see "IEP team")	—
—Responsibility of SEA and other public agencies	300.141
—Review and revision of IEPs	300.343(c)
—SEA responsibility for	300.341
—State eligibility requirement	300.128
—Transition services	300.347(b)
—When IEPs must be in effect	300.342
IEP TEAM	300.344
—Alternative educational setting (determine)	300.522(a)(2)
—Assistive technology (see §§300.308(b), 300.346(a)(2)(v))	—
—Behavioral interventions (consider)	300.346(a)(2)
—Consideration of special factors	300.346(a)(2)
• Assistive technology	300.346(a)(2)(v)
• Behavioral interventions	300.346(a)(2)(i)
• Braille needs	300.346(a)(2)(iii)
• Communication needs (deafness and other needs)	300.346(a)(2)(iv)
• Limited English proficiency	300.346(a)(2)(ii)
—Determination of knowledge or special expertise	300.344(c)
—Discipline procedures (see §§300.520(a)(2), 300.522(a)(2), and 300.523(b)-(d))	—
—Manifestation determination	300.523
—Other individuals who have knowledge or special expertise (at parent/agency discretion) ..	300.344(a)(6)
—Regular education teacher (see §§300.344(a)(2) and 300.346(d))	—
IFSP (INDIVIDUALIZED FAMILY SERVICE PLAN)	
—Definition	300.16
—IFSP vs. IEP	300.342(c)
—Transition from Part C	300.132(b)
ILLEGAL DRUG (Definition—discipline)	300.520(d)(2)

IM-IN	
IMPARTIAL DUE PROCESS HEARING	300.507
--See "Due process hearings"	—
IMPARTIAL HEARING OFFICER	300.508
IMPARTIALITY OF MEDIATOR	300.506(c)
IMPROVEMENT STRATEGIES (CSPD)	300.382
INCIDENTAL FEES (in definition of "at no cost")	300.26(b)(1)
INCLUDE (definition)	300.13
INCREASE IN FUNDS (to States)	300.703
INDEPENDENT EDUCATIONAL EVALUATION (IEE)	300.502
--Agency criteria (see §§300.502(a)(2), (b), (c)(1), (e))	—
--Definition	300.502(a)(3)(i)
--Parent-initiated evaluations	300.502(c)
--Parent right to	300.502(b)
--Procedural safeguards notice	300.504(b)(1)
--Public expense (definition under IEE)	300.502(a)(3)(ii)
INDIAN; INDIAN CHILDREN	
--Child find for Indian children aged 3-5	300.716(d)
--Definitions of "Indian" and "Indian Tribe"	300.264
--FAPE to children on Indian reservations	300.300(c)
--Payments to Secretary of the Interior for	
• Education of Indian children	300.715
• Education and services for children aged 3-5	300.716
--Plan for coordination of services	300.263
INDICATORS (see "Performance goals and indicators")	—
INDIVIDUALIZED EDUCATION PROGRAM (see "IEP")	—
INDIVIDUALIZED FAMILY SERVICE PLAN (see "IFSP")	—
INFORMED CONSENT (accessing private insurance)	300.142(f)(1)
--See "Consent"	—
INITIAL EVALUATION	
--Consent before conducting	300.505(a)(1)(i)
• Not construed as consent for initial placement	300.505(a)(2)
--See §300.20, 300.531	—

IN-J	
INSTITUTIONS OF HIGHER EDUCATION	
—CSPD (improvement strategies)	300.382(c)
—Definition (see sec. 602(14) of the Act)	—
INSURANCE	
—Community-based waivers	300.142(e)(3)(i)
—Financial costs (definition)	300.142(e)(2)
—Medicaid	300.142(e)(3)
—Out of pocket expense	300.142(e)(2)(i)
—Private insurance	300.142(f)
—Public insurance	300.142(e)
—Risk of loss of eligibility	300.142(e)(3)(i)
INTERAGENCY AGREEMENTS	
—Child find (SEA and Part C lead agency)	300.125(c)(3)
—CSPD (Collaborative agreements with other States)	300.382(d)
—FAPE methods and payments (joint agreements)	300.301(a)
—LRE (Children in public/private institutions)	300.554
—Methods of insuring services (see §300.142(a), (b)(2), (c)(2))	—
—SEA responsibility for all education programs	300.600(b)
—Secretary of Interior—with HHS Secretary	300.260(h)
• Cooperative agreements (BIA and other agencies)	300.265(d)
—Subgrants to LEAs for capacity building (for)	300.62(d)
INTERAGENCY COORDINATION (see "Coordination of services;" "Interagency agreements")	—
INTERAGENCY DISPUTES	300.142(a)(3)
INTERAGENCY FINANCING STRATEGIES	300.244(b)(3)
INTERAGENCY RESPONSIBILITIES (TRANSITION SERVICES)	300.347(b)
INTERIM ALTERNATIVE EDUCATIONAL SETTING (see §§300.520(a)(1), (2), 300.522, (b)(2), 300.525(b)(2), and 300.526(a), (b), (c))	—
INTERIM FORMULA (allocations to States)	300.703(b)
JOINT ESTABLISHMENT OF ELIGIBILITY (LEAs)	300.190
—See also §§300.185(b) and 300.192	—
JOINT TRAINING OF PARENTS AND PERSONNEL	300.382(j)

J-L	
JUDICIAL	
--Authorities (referral to)	300.529
--Finding of unreasonableness	300.403(d)(3)
--Proceeding (during pendency)	300.514(a)
--Review (By-pass)	300.487
--Review (of Secretary's final action)	300.586
--See also:	
• Civil action (§§30.504(b)(12), 506(b)(6), 300.510(d), 300.512)	—
--See also:	
• Court(s) §§300.112(b)(2), 300.122(a)(1), (b)(1)(ii), 300.182(b)(2), 300.125(b)(1), 300.300(b)(1), (5)(ii), 300.403(c), 300.487, 300.512, 300.513, and 300.586)	—
JUVENILE-ADULT CORRECTIONS FACILITIES (see §§300.2(b)(1)(iv), 300.517(a)(2), 300.651(a)(10))	—
--See "Correctional facilities"	—
LAW ENFORCEMENT AND JUDICIAL AUTHORITIES (referral to)	300.529
LEA (LOCAL EDUCATIONAL AGENCY) (A-C)	
--Allocations to LEAs	300.712
• Reallocation of LEA funds	300.714
--Alternate assessments	300.138(b)
--Amendments to LEA policies	300.182
--Capacity-building and improvement (see §§300.622-300.624)	—
• Use of SEA allocations for	300.370(a)(8)
--Charter schools and LEAs (see "Charter schools")	—
--Child count	
• Private school children	300.453(b)
• Procedures for counting all children served	300.754
--Child find	
• For private school children	300.451
• Indian children aged 3-5	300.716(d)
--Conditions and terms of reimbursement	300.142(a)(2)
--Consistency of LEA policies with State policies	300.220
LEA (D-E)	
--Definition of	300.17
--Developmental delay (use of term by LEA)	300.313
--Discipline (see §§300.520(b)(1), 300.523(a), 300.526(c), 300.527(a), (b), (d))	—
--Eligibility conditions (LEAs)	
• General (see §§300.180-300.185)	—
• Specific (see §§300.220-300.250)	—
--Enforcement (by the Secretary)	300.587(a)(2)
--Exception for prior LEA policies	300.181
--Excess cost requirement (see §§300.184-300.185; 300.230(b))	—
--Expenditures for private school children	300.453

L	
LEA (F-L)	
--Former Chapter 1 State agencies	300.713(a)(2)
--Good faith effort re qualified staff	300.136(g)
--Hearings (Re LEA eligibility)	300.144
--Ineligibility (notification by SEA)	300.196
• Public notice by LEA	300.196(b)
--Infants and toddlers (transition planning)	300.132(c)
--Information for SEAs (on assessments goals)	300.240
--Input on how State allocates funds for priorities	300.156(a)(2)
--Interagency disputes	300.142(a)(3)
--Joint establishment of eligibility (see §§300.190-300.192)	—
--LEA and State agency compliance	300.197
• SEA notification in case of ineligibility	300.196
LEA (M-P)	
--Maintenance of effort/Exception (see §§300.231-300.232)	—
--Methods of ensuring services (see §300.142(a)(1)-(3), (b)(2))	—
--Modifications to policies by LEA	300.182(a)
--Noncompliance (SEA reduction of payments)	300.197(a)
--Participation in assessments	300.138(b)
--Payments to Indian children	—
--Personnel shortages (Use of SEA funds to meet)	300.370(a)(4)
--Personnel standards (good faith effort)	300.136(g)
--Private school children (see §§300.451, 300.453, 300.454(b), (c), 300.455(b), 300.456(b)(1)(ii), (2), 300.457-300.461)	—
--Public agency (in definition of)	300.22
LEA (R-S)	
--Reallocation of LEA funds	300.714
--Reduction in payments from SEA	300.197(a)
--Reimbursement from other agencies for services (see §300.142(a)(2), (3), (b)(2))	—
--SEA (allocations—subgrants to LEAs)	300.370(a)(8)
--State-level nonsupplanting	300.153(a)
--Subgrants to LEAs	300.711
• For capacity-building and improvement (see §§300.370(a)(8), 300.622-300.624)	—
--Suspension and expulsion rates (see §300.146(a)(1), and (b))	—
LEA (T-Z)	
--Technician assistance to LEAs (with SEA funds)	300.621
--Timely provision of services	300.142(b)(2)
--Transition planning conferences (Part C to B)	300.132(c)
--Use of LEA allocations for direct services	300.360
--Use of Part B funds for coordinated services system (not more than 5% of LEA's grant)	300.244(a)
--Use of SEA allocations	—
• For capacity-building	300.370(a)(8)
• To assist in meeting personnel shortages	300.370(a)(4)

L-M	
LEAD POISONING	300.370(a)(8)
LEAST RESTRICTIVE ENVIRONMENT (LRE)	
--Children in public or private institutions	300.554
--Continuum of alternative placements	300.551
--Educational service agencies (additional requirement)	300.193(c)
--Monitoring activities	300.556
--Nonacademic settings	300.553
--State eligibility requirement	300.130
--Technical assistance and training	300.555
LEISURE EDUCATION	300.24(b)(10)(iv)
LEP (see "Limited English proficiency")	—
LEUKEMIA	300.7(c)(9)(i)
LIMITATION ON USE OF PART B FUNDS (excess costs)	300.184(c)
LIMITED ENGLISH PROFICIENCY (LEP)	
--Assessing a LEP child (Evaluation procedures)	300.532(a)(2)
--In development, review and revision of IEP	300.346(a)(2)(ii)
--In "native language" (definition)	300.18
--Not a determinant factor for eligibility	300.534(b)
LOCAL EDUCATIONAL AGENCY (see "LEA")	
LOCATION-NATURE OF SERVICES (DIRECT SERVICES-SEA)	300.361
LRE (See "Least restrictive environment")	—
MAINTENANCE OF EFFORT	
--LEA	300.231
• Exception to	300.232
--State	300.154
• Waiver	300.589
MAINTENANCE OF STATE FINANCIAL SUPPORT	300.154
MALADJUSTED, SOCIALLY	300.7(c)(4)(ii)
MANIFESTATION DETERMINATION	300.523
--Behavior not manifestation of disability	300.524
--Conduct of review	300.523(c)
--Decision	300.523(d)
--Deficiencies in IEP	300.523(f)
--Hearing officer (review of decision)	300.535(b)(2)
--Individuals to carry out	300.523(b)
--Parent appeal	300.525(a)
--Review by IEP team (other qualified personnel)	300.523(b)
(see also §300.523(c), (d))	—

M	
MEDIATION	
--Cost of	300.506(b)(3)
--Establishment	300.506(a)
--Mediators	
• Impartiality of	300.506(c)
• List of	300.506(b)(2)(i)
• Qualified and impartial	300.506(b)(1)(iii)
• Random selection of	300.506(b)(2)(ii)
--Meeting to encourage	300.506(d)
--Parent refusal of consent	300.505(b)
--Procedural safeguards notice	300.504(b)(9)
--Public agency (inform parents of)	300.507(a)(2)
--Use of SEA allocations to establish	300.370(a)(3)
--Voluntary	300.506(b)(1)(i)
--Written mediation agreement	300.506(b)(5)
MEDICAID	
--Children covered by public insurance (see §300.142(e)(1), (e)(2)(i), (i))	—
--Coordinated services system (e.g., Medicaid)	300.244(b)(2)
--Financial responsibility of each public agency	300.142(a)(1)
--Medicaid reimbursement	300.142(b)(1)(ii)
--Methods of ensuring services (see §300.142(a)(1), (b)(1)(ii), (e)(1), (2)(i), (h)(2))	—
--Non-disclosure of personally identifiable information without consent	300.142(e)(3)(ii)(I)
--Proceeds from public or private insurance	300.142(h)(2)
--Public agency may use Medicaid	300.142(e)
--State Medicaid agency (see §300.142(a)(1), (e)(2)(i))	—
--Title XIX of the Social Security Act (Medicaid—see §§300.142(i), 300.244(b)(2), and 300.601)	—
MEDICAL	
--Educationally relevant medical findings, if any (criteria re a specific learning disability) ...	300.543(a)(5)
--Medical services	
• Definition	300.24(b)(4)
• For diagnostic or evaluation purposes	300.24(a)
--Memorandum of agreement (Interior-HHS medical)	300.260(h)(2)
--Non-medical (residential placement)	300.302
--Referral for medical attention	
• Audiology	300.24(b)(1)
• Speech-language pathology services	300.24(b)(14)
--Relationship of Part B to other Federal programs	300.601
MEETING(S)	
--Definition	300.501(b)(2)
--IEP (see §§300.342(b)(2), 300.343, 300.349(b))	—
--Parent participation in (see §300.501(a)(2), (b))	—
--Services plans for private school children	300.454(c)
--State advisory panel (see §300.653(c)-(f))	—
--To encourage mediation	300.506(d)

M-N	
MENTAL RETARDATION (definition)	300.7(c)(6)
METHODS OF ENSURING SERVICES	300.142
MIGRANT CHILDREN (CHILD FIND— HIGHLY MOBILE CHILDREN)	30.125(a)(1)(ii)
MINIMUM STATE COMPLAINT PROCEDURES	300.661
MODIFICATIONS IN ADMINISTRATION OF ASSESSMENTS	300.138(a)
—IEP content	300.347(a)(5)(i)
MONITOR; MONITORING ACTIVITIES	
—Allowable costs for monitoring	300.621(a)(2)
—Child find (SEA monitoring)	300.125(b)(3)
—IEPs	300.128(b)(2)
—LRE (SEA monitoring activities)	300.556
—Private school children—SEA monitoring	300.402(a)
—Secretary of the Interior (see §300.260(a), (i))	—
—State advisory panel—functions (Advise SEA in developing corrective action plans)	300.652(a)(4)
—Use of SEA allocations for monitoring	300.370(a)(2)
—Waiver (State's procedures for monitoring)	300.589(c)(2)(ii)(B)
• Summary of monitoring Reports	300.589(c)(3)
MULTIPLE DISABILITIES (definition)	300.7(c)(7)
NATIVE LANGUAGE	
—Definition	300.19
—Definition of "Consent"	30.500(b)(1)
—Evaluation procedures (Tests in native language)	300.532(a)(2)
—Parent involvement in placement decisions	300.501(c)(5)
—Parent participation in IEPs (Use of interpreters)	300.345(e)
—Prior notice	
• Notice in native language	300.503(c)(1)(ii)
• Notice translated orally	300.503(c)(2)(i)
• Steps if not a written language	300.503(c)(2)
NATURE-LOCATION OF SERVICES (DIRECT SERVICES-SEA)	300.361
NEPHRITIS	300.7(c)(9)(i)
NONACADEMIC	
—Activities —participate in (IEP content)	300.347(a)(3)(ii)
—Services and extracurricular activities (equal opportunity to participate in)	300.305
—Settings	300.553
NONAPPLICABILITY of requirement that prohibits commingling and supplanting of funds	300.372
NONCOMMINGLING	300.152

N	
NONDISABLED STUDENTS	
—Definition of "at no cost" (incidental fees)	300.26(b)(1)
—Disciplinary information	300.576(a)
—Exception to FAPE for age ranges 3-5 and 18-21 (see §300.300(b)(2), (5)(i))	—
—Excess cost requirement	300.184(c)(2)
—General curriculum (same as for nondisabled—see §300.347(a)(1)(i), (2)(i))	—
—IEP content (see §300.347(a)(1)(i), (2)(i), (3)(iii), (4), (7)(ii))	—
—LRE (General requirement)	300.550(b)(1)
• Nonacademic settings	300.553
• Placement	300.552(c)
—Program options	300.305
—Regular physical education	300.307(b)
—Reports relating to assessments	300.139
—Services and aids that also benefit	300.235(a)(1)
—Supplementary aids and services (definition—"to be educated with nondisabled")	300.28
—Suspension and expulsion rates	300.146
 NON-DISCLOSURE of personally identifiable information without consent	 300.142(e)(3)(ii)(I)
NONEDUCATIONAL PUBLIC AGENCY	
—Methods of ensuring services—see §300.42(a), (a)(2), (b), and (b)(1)(ii)	—
—Obligation of	300.142(b)
• May not disqualify eligible Medicaid service because provided in a school context	300.142(b)(1)(ii)
—Reimbursement for services by	300.142(b)(2)
 NONMEDICAL CARE (RESIDENTIAL PLACEMENT)	 300.302
 NONPROFIT (term defined in EDGAR at 34 CFR 77.1)	 300.30
NONSUPPLANTING	
—Excess cost requirement (Re children 3-5 and 18-21)	300.184(c)(2)
—LEA nonsupplanting	300.230(c)
—Nonapplicability to State-level activities	300.372
—State-level nonsupplanting	300.153
—Waiver of requirement	300.589
NOTICE	
—Parent notice to public agency	
• Before removing child from public school	300.403(d)(1)(ii)
• In request for a hearing	300.507(c)
—Prior notice by public agency	300.503
—Procedural safeguards notice	300.504
—Requirement (LEA and State agency compliance)	300.197
—To parents (Confidentiality)	
• Children on whom information is maintained	300.561(a)(2)
• Policies-procedures Re-disclosure, etc.	300.561(a)(3)

Q-P	
OCCUPATIONAL THERAPY SERVICES (definition)	300.24(b)(5)
OPPORTUNITY TO EXAMINE RECORDS	300.501
ORIENTATION AND MOBILITY SERVICES	300.24(b)(6)
ORTHOPEDIC IMPAIRMENT (definition)	300.7(c)(8)
OTHER HEALTH IMPAIRMENT (definition)	300.7(c)(9)
OTHER INDIVIDUALS ON IEP TEAM	300.344(a)(6)
OUTLYING AREA(S) (AND FREELY ASSOCIATED STATES)	300.717
--Definition	300.718
OUT-OF-POCKET EXPENSE (PUBLIC INSURANCE)	300.142(e)(2)(i)
PARAPROFESSIONALS	
--Prepare professionals, paraprofessionals (CSPD)	300.382(b)
--Use of (personnel standards)	300.136(f)
PARENT (definition)	300.20
PARENTAL CONSENT (see "consent")	—
PARENTALLY-ENROLLED CHILDREN IN PRIVATE SCHOOLS	
--See "Private school children-enrolled by parents"	—
--When FAPE is at issue	300.403
PARENT(S) RIGHTS AND PROTECTIONS (A-J)	
--Access rights (confidentially—right to inspect and review education records)	300.562
--Appeal (manifestation determination)	300.525
--Consent (see "consent")	—
--Counseling and training	300.24(b)(7)
--Definition	300.20
--Foster parent	300.20(b)
--Grandparent or stepparent	300.20(a)(3)
--Guardian	300.20(a)(2)
--IEE (parent-initiated evaluations)	300.502(c)
--IEP meetings (participation in)	300.345
• Copy of child's IEP	300.345(f)
• Informed of child's progress	300.347(a)(7)
• Option to invite other individuals	300.344(a)(6)
• Team member	300.344(a)(1)
--Informed consent on accessing private insurance	300.142(f)(1)
--Involvement in placement decisions	300.501(c)
--Joint training of parents and personnel	300.382(j)

P-PE	
PARENT(S) RIGHTS AND PROTECTIONS (M-Z)	
—Meetings (participation in)	300.501(b)
—Notice to public agency	
• Before removing child from public school	300.403(d)(1)(ii)
• In request for a hearing	300.507(c)
—Opportunity to examine records	300.501(a)
—Placement decisions (involvement in)	300.501(c)
—Request for hearing (discipline)	300.524(c)
—Right to an IEE	300.502(b)
—Right to inspect and review education records	300.562
—Training (see §§300.24(b)(7), 300.382(j))	--
PARTICIPATING AGENCY (Confidentiality)	
—Definition	300.560(c)
—Requirements (see §§300.562, 30.563, 300.565, 300.566, 300.567, and 300.572)	—
PARTICIPATING AGENCY (IEP requirements)	
—Definition	300.340(b)
—Transition services	300.348
PARTICIPATION IN ASSESSMENTS	
—See "Assessments"	300.138
PENDENCY	
—Child's status during due process proceedings (stay put)	300.514
—Discipline procedures (see §§300.524(c), 300.526(b)(c))	—
• Manifestation determination (applicability of §300.514 during due process proceedings)	300.524(c)
• Placement during appeals (see §300.526(b), (c))	—
—Current placement	300.526(b)
—Expedited hearing	300.526(c)
—Notice of Department enforcement proceedings	300.587(c)(3)
PERFORMANCE GOALS AND INDICATORS	
—Use of SEA funds for activities to meet goals	300.137
	300.370(a)(6)
PERFORMANCE OF CHILDREN ON ASSESSMENTS	
—Reports of children relating to assessments	300.137(b)
—See "Assessments"	300.139
	—
PERMANENT FORMULA (ALLOCATIONS TO STATES)	
	300.706
PERMANENT RECORD (CONFIDENTIALITY)	
	300.573(b)
PERMISSIVE USE OF FUNDS (LEAS)	
—Coordinated services system	300.235
—Nonapplicability of certain provisions	300.235(a)(2)
—Services that also benefit nondisabled children	300.235(b)
	300.25(a)(1)

PE-PL	
PERSONALLY IDENTIFIABLE (PI) INFORMATION	
--Confidentiality of (State eligibility requirement)	300.127
--Consent (confidentiality requirement)	300.571(a)
--Definition	300.500(b)(3)
--Department use of information	300.577
--Destruction of information	
• Definition	300.560
• Requirement	300.573
--Hearing decisions to advisory panel and public	300.509(d)
--Medicaid agency (Non-disclosure without consent)	300.42(e)(3)(ii)(I)
--Notice to parents (Confidentiality)	
• Children on whom PI information is maintained	300.561(a)(2)
• Policies and procedures Re-disclosure, etc.	300.561(a)(3)
--Participating agency (definition)	300.560
--Safeguards (confidentiality requirement)	300.572
PERSONNEL	
--Personnel shortages (Use of SEA allocations to meet)	300.370(a)(4)
--Personnel Standards	300.136
--Qualified personnel (definition)	300.23
--Recruit and hire appropriately and adequately trained personnel	300.136(g)
--Recruit, prepare, and retain (CSPD)	300.382(h)
PHYSICAL EDUCATION	
--Definition	300.24(b)(2)
--Requirement	300.307
PHYSICAL THERAPY (definition)	300.24(b)(8)
PLACEMENT(S)	
--Alternative placements (LRE—see §§300.130(a) and 300.551)	—
--Continuum of alternative placements	300.551
• State eligibility requirement	300.130(a)
--Current educational placement	
• Remain in (see §§300.514(a), 300.527(d)(2)(ii))	—
• Removal from (see §§300.121(c)(1), 300.519, (b)(1), 300.520(a)(1), (c), 300.522(b)(2), 300.523(a), and 300.527(d)(2)(ii))	—
--During appeals (discipline)	300.526
--Last educational placement before incarceration (see §§300.122(a)(2) and 300.311(a))	—
--LRE (see §§300.130(a), 300.551, and 300.552))	—
--Modification of	300.311(c)
--Parent involvement in placement decisions (see §§300.501(c)(1), (3), (5))	—
--Placement during appeals (discipline)	300.526
--See "Interim Alternative Educational Setting"	—

PO-PRI	
POLICY—POLICIES AND PROCEDURES	
—Amendments to (see §§300.113, 300.182)	—
—Condition of assistance (see §§300.110, 300.180)	—
—Consistency with State policies	300.220
—Exception for prior policies on file	
• With the SEA	300.181
• With the Secretary	300.111
—FAPE policy	300.121(a)
—Joint establishment of eligibility (requirements)	300.192
—LEA and State agency conditions (required policies—see §§300.220-300.250)	—
—Modifications of	
• LEA or State agency policies	300.182
• State policies	300.113
—Public participation related to state policies (see §§300.280-300.284)	—
—Secretary of the Interior (see §§300.260(f), 300.265(b)(3))	—
—State eligibility—required policies, procedures, information (see §§300.121-300.156)	—
PREPONDERANCE OF EVIDENCE (SUBSTANTIAL EVIDENCE)	300.521(e)
PRIOR KNOWLEDGE (DISCIPLINE-BASIS OF KNOWLEDGE)	300.527(b)
PRIOR NOTICE	
—By public agency	300.503
—Parent notice to public agency	300.507(c)
—Procedural safeguards notice	300.504
PRISONS (see "Adult prisons")	—
PRIVATE INSURANCE	300.142(f)
PRIVATE SCHOOL CHILDREN—ENROLLED BY PARENTS	
—Additional services permissible	300.453(d)
—Basic requirement—services	300.452
—By-pass (see §§300.480-300.486)	—
—Child count (see §§300.451; 300.453(b); 300.710)	—
—Child find for (see §§300.125(a)(1); 300.451)	—
—Complaints (due process)	300.457
—Definition of "private school children"	300.450
—Expenditures (for services)	300.453
—Funds not to benefit	300.459
—Property, equipment, etc.	300.462
—Religious schools (see §§300.451(a), 300.454(c), 300.456(a))	—
—Services plan for (see §§300.452(b), 300.454(c), (c)(1), 300.455(b), (b)(2), 300.457(a))	—
—Separate classes prohibited	300.458
—State eligibility requirement	300.133
—Transportation of	300.456(b)
—Use of private school personnel	300.461
—Use of public school personnel	300.460
—When FAPE is at issue	300.403

PRI-PRO**PRIVATE SCHOOL CHILDREN—PLACED BY PUBLIC AGENCIES**

--Applicability of this part to private schools	300.2(c)
--Monitoring compliance by SEA	300.402(a)
--SEA responsibility for special education	300.401
--SEA responsibility for State standards	300.402(b)
• Provide opportunity for private school input	300.402(c)

PROCEDURAL SAFEGUARDS—DUE PROCESS PROCEDURES (A-G)

--Additional disclosure of information requirement	300.509(b)
--Agency responsible for conducting hearing	300.507(b)
--Appeal of hearing decisions; impartial review	300.510(b)
• SEA responsibility for review	300.510(b)(2)
--Attorneys' fees	300.513
--Basic requirements (see §§300.500-300.529)	—
--Child's status during proceedings	300.514
--Civil action	300.512
--Consent (definition)	300.500(b)(1)
--Evaluation(s) (definition)	300.500(b)(2)
• Disclosed—5 business days before hearing	300.509(b)
--Expedited due process hearings (discipline)	300.528
• See also §§300.521, 300.525(a)(2), 300.526(c)	—
--Finality of decision; appeal; impartial review	300.510
--Findings and decision to advisory board	300.509(d)

PROCEDURAL SAFEGUARDS—DUE PROCESS PROCEDURES (H-O)

--Hearing officer requests for evaluations	300.153
--Hearing rights	300.509
• Additional disclosure of information	300.509(b)
--Impartial due process hearing	300.507
--Impartial hearing officer	300.508
--Impartiality of mediator	300.506(c)
--Independent educational evaluation	300.502
• Definition	300.502(a)(3)(i)
--Jurisdiction of courts	300.512(c)
--Mediation	300.506
--Meeting to encourage mediation	300.506(d)
--Opportunity to examine records	300.501(a)

PROCEDURAL SAFEGUARDS—DUE PROCESS PROCEDURES (PA)

--Parental consent	300.505
--Parent initiated evaluations	300.502(c)
--Parent involvement in placement decisions	300.501(c)
--Parent notice to public agency	300.507(c)
• Model form to assist parents	300.507(c)(3)
• Right to due process hearing	300.507(c)(4)
--Parent participation in meetings	300.501(b)
--Parental rights at hearings	300.509(c)
--Parent right to evaluation at public expense	300.502(b)
• Public expense (definition)	300.502(a)(3)(ii)

PRO-PU	
PROCEDURAL SAFEGUARDS—DUE PROCESS PROCEDURES (PE-Z)	
—Pendency	300.514
—Personally identifiable (definition)	300.500(b)(3)
—Prior notice by public agency	300.503
—Procedural safeguards notice	300.504
—Prohibit evidence—5 business days before hearing	300.509(a)(3)
—Record of hearing	300.509(a)(4)
—SEA implementation of	300.143
—See "Civil action;" "Courts;" "Hearing officer(s);" "Timelines"	—
—Surrogate parents	300.515
—Timelines and convenience of hearings	300.511
—Transfer of parental rights at age of majority	300.517
PROCEDURAL SAFEGUARDS NOTICE	300.504
PROCEEDS FROM PUBLIC OR PRIVATE INSURANCE	300.142(h)
PROFESSIONAL DEVELOPMENT	
—Analysis of state and local needs for	300.381
—Programs (develop capacity to support)	300.382(c)
PROFESSION OR DISCIPLINE (definition)	300.136(a)(3)
PROGRAM MODIFICATIONS OR SUPPORTS (IEP content)	300.347(a)(3)
—Each teacher informed of	300.342(b)
PROJECT (term defined in EDGAR at 34 CFR 77.1)	300.30
PROTECTIONS FOR CHILDREN NOT YET ELIGIBLE (discussion)	300.527
PSYCHOLOGICAL SERVICES (definition)	300.24(b)(9)
PUBLIC AGENCY (definition)	300.22
PUBLIC AGENCY (RESPONSIBILITIES) (A-D)	
—Adult prisons	300.600(d)
—Applicability of regulations (see §300.2(b)(2), (c))	—
—Assistive technology	300.308
—Child find for private school children	300.451
—Children covered by public and private insurance (see §300.142(e)(1), (3)(i), (ii), (f)(1), (2), (ii), (g), (2), (h)(2))	—
—Comprehensive evaluation	300.532(h)
—Confidentiality (see §§300.573(a), 300.574(c))	—
—Discipline (see §§300.521(a), (c), 300.523(f), 300.524(b), (c))	—
—Due process procedures for parents and children (see §§300.143, 300.500(a), 300.501(b), (c), 300.502, 300.503, 300.505(c)–(e), 300.506(a), (d), 300.507, 300.508(c), 300.509(d), 300.510(b)(1), 300.511(a), 300.515, and 300.517(a)(1)(i))	—

PU-Q**PUBLIC AGENCY (RESPONSIBILITIES) (E-O)**

—Evaluations and reevaluations (see §§300.531, 300.532, 300.533(c), (d), 300.534(a)(2), (c)(1), 300.535(a), and 300.536)	—
—Extended school year services	300.309
—FAPE (Exception for age ranges 3-5; 18-21—see §§300.300(b)(2), (3), (4))	—
—FAPE for children suspended or expelled (see §300.121(d)(3), (4))	—
—Full educational opportunity goal	300.304
—Hearing aids (proper functioning of)	300.303
—Incarcerated students	300.600(d)
—IEPs (see §§300.341(a)(2), 300.342(a), (c)(2), 300.343(a)-(c), 300.344(a), (b), (d), 300.345, 300.349, 300.350(a), (b))	—
—Initial evaluations (see §§300.320(a) and 300.531)	—
—LRE (see §§300.550(b), 300.551(a), 300.552, 300.553, 300.556))	—
—Nonacademic services	300.506

PUBLIC AGENCY (RESPONSIBILITIES) (P-Z)

—Physical education (see §300.307(c) and (d))	—
—Prior notice by public agency	300.503
—Private school children (see §§300.2(c), 300.403, 300.451, and 300.462))	—
—Program options	300.305
—Reevaluations (see §§300.321 and 300.536)	—
—Special physical education	300.307(c)
—Specially designed instruction (definition)	300.26(d)(3)(ii)
—State advisory panel functions (advise public agency responsible for adult prisons)	300.652(b)

PUBLIC CHARTER SCHOOLS (see "Charter schools")

—

PUBLIC EXPENSE (Definition under IEE)

300.502(a)(3)

PUBLIC HEARINGS ON STATE POLICIES (see §§300.148(a) and 300.280-300.284)

—

PUBLIC INFORMATION (LEA)

300.242

PUBLIC INSURANCE

300.142(e)

PUBLIC NOTICE

—Enforcement	300.587(c)(3)
—LEA and State agency compliance	300.197(b)

PUBLIC OR PRIVATE INSURANCE (PROCEEDS FROM)

300.142(h)

PUBLIC PARTICIPATION (see §§300.280-300.284)

—

PURPOSES (of this Part 300)

300.1

QUALIFIED PERSONNEL

—Adequate supply of	300.381
—Definition	300.23
—Ensure adequate supply of (CSPD—State eligibility requirement)	300.135(a)(1)
—Related services definitions (see §300.24(b)(1), (2), (5), (6), (8), (11), and (12))	—

RA-REF	
RATE OF INFLATION (in the Consumer Price Index for All Urban Consumers— see §§300.602(b)(2), 300.620(a)(1), 300.622, and 300.623(b))	—
REALLOCATION OF LEA FUNDS (re FAPE—adequate)	300.714
RECORDS	
--Access rights (parents' right to inspect)	300.562
--Civil action (court shall receive records)	300.512(b)(1)
--Conducting IEP meetings without parents (records of attempts to convince parents)	300.345(d)
--Confidentiality (see §§300.560(b), 300.562-300.569, 300.571, 300.574, 300.576(a), (c))	—
--Consent to release records	300.500(b)(1)(ii)
--Disciplinary records	
• Determination that behavior not manifestation	300.524(b)
• Disciplinary information (see §300.576(a), (c))	—
• Referral to and action by law enforcement and judicial authorities	300.529(b)
--Education records (definition)	300.560(b)
--Opportunity to examine records	300.501
--Public insurance (educational records may not be disclosed to State Medicaid agency)	300.142(e)(2)(i)
--Procedural safeguards notice (access to educational records)	300.504(b)(4)
--Record of access	
RECOVERY OF FUNDS —erroneously classified children	300.145
RECREATION (definition)	300.24(b)(10)
RECRUIT AND HIRE APPROPRIATELY AND ADEQUATELY TRAINED PERSONNEL	300.136(g)
RECRUIT, PREPARE, AND RETAIN PERSONNEL (CSPD)	300.382(h)
REDUCTION OF FUNDS FOR FAILURE TO MAINTAIN SUPPORT	300.154(b)
REEVALUATION	
--Parental consent before conducting	300.505(a)(1)
• Failure to respond to request for	300.505(c)
• Not required for reviewing existing data	300.505(a)(3)(i)
• Refusal to consent	300.505(b)
--Procedural safeguards notice to parents upon reevaluation	300.504(a)(3)
--Review of existing reevaluation data (see §300.533(a), (a)(2)(i), (iii))	—
--Revision of IEP (to address reevaluation)	300.543(c)(2)(ii)
--See §§300.321 and 300.536	—
REFERRAL (A-L)	
--Discipline	
• Referral to and actions by law enforcement and judicial authorities	300.529
• Protections for children not yet eligible (special education referral system)	300.527(b)(4)
--Enforcement (referral for)	300.587(d)
--Indian children (payments for services—make referrals for)	300.716(d)(2)

REF-REL	
REFERRAL (M-Z)	
--Medical attention (Referral for)	
• "Audiology"	300.24(b)(1)(ii)
• "Speech-language pathology services"	300.24(b)(14)(iii)
--Nonacademic services (referral to agencies re assistance to individuals with disabilities)	300.306(b)
--Prior notice (re not initial referral for evaluation)	300.503(b)(6)
--Private school placements where FAPE is at issue (reimbursement re referral by public agency or a court or hearing officer)	300.403
--Procedural safeguards notice (upon initial referral for evaluation)	300.504(a)(1)
--Protections for children not yet eligible (special education referral system)	300.527(b)(4)
--Referral to and actions by law enforcement and judicial authorities	300.529
--Special education referral system (discipline)	300.527(b)(4)
REGULAR EDUCATION TEACHER	
--IEP team member	300.344(a)(2)
--Participate in IEP development	300.346(d)
• Behavior interventions	300.346(d)(1)
• Supplementary aids and services	300.346(d)(2)
REGULATIONS	
--Applicable regulations (Secretary of the Interior)	300.267
--Applicability of this part to State, local, and private agencies	300.2
--EDGAR regulations	300.30
--Regulations that apply to Part B program	300.3
REHABILITATION	
--Assistive technology services (see §300.6(d), (f))	300.6
--Rehabilitation Act of 1973 (see §§300.24(b)(11), 300.244(b)(2), 300.512(d))	—
--Rehabilitation counseling (see §300.24(a), (b)(11))	—
• Vocational rehabilitation (VR) programs	300.24(b)(11)
--State vocational rehabilitation agency (IEP—Transition services)	300.348(b)
--Transition services (IEP—State vocational rehabilitation agency)	300.348(b)
REHABILITATION COUNSELING	300.24(b)(11)
REIMBURSEMENT	
--Methods of ensuring services (see §§300.142(a)(2), (3), (b)(1)(ii), (2), (h)(2))	—
--Private school placement if FAPE is at issue	
• Exception	300.403(e)
• Limitation on reimbursement	300.403(d)
• Reimbursement for private school placement	300.403(c)
--Reimbursement by non-educational public agency	300.142(b)(2)
--State complaint procedures (remedies for denial of appropriate services)	300.660(b)
RELATED SERVICES (definition)	300.24
--Related services providers	
• Observations of (re existing evaluation data)	300.533(a)(1)(iii)
• See also §300.247(c)(2)(iv)	—

REL-SC	
RELATION OF PART B TO OTHER FEDERAL PROGRAMS	300.601
RELIGIOUS SCHOOLS	
--Child find for private school children	300.451(a)
--Services plan for each child served	300.454(c)
--Services provided on-site	300.456(a)
REMEDIES FOR DENIAL OF APPROPRIATE SERVICES	300.660(b)
REPORTS	
--Annual report of children served	300.750
• See also §§30.751-300.75	—
--Annual report to SEA by State advisory council	300.653(b)
--Annual report to Secretary of Interior by advisory board on Indian children	300.266
• Report to Secretary by Secretary of Interior	300.266(b)
--Biennial report (Indian tribes)	300.716(e)
--Child count (annual report of children served)	300.750
--Combined reports (on assessments)	300.139(b)
--Evaluation reports to parents	300.534(a)(2)
--Monitoring compliance of publicly-placed children in private schools (e.g., written reports)	300.402(a)
--Monitoring reports (Waiver of nonsupplanting requirement)	300.589(c)(3)
--Performed goals (two-year progress reports)	300.137(c)
--Reports relating to assessments	300.139
--Secretary's report to States re amount of funds States may retain	300.602(b)
--Two-year progress reports (Performance goals)	300.137(c)
REPORT CARDS	300.347(a)(7)(ii)
REPORTING A CRIME to law enforcement and judicial authorities	300.529
RESIDENTIAL PLACEMENTS	300.302
REVOKE CONSENT AT ANY TIME (in definition of "Consent")	300.500(b)(1)(iii)
RHEUMATIC FEVER	300.7(c)(9)(i)
RISK OF LOSS OF ELIGIBILITY FOR INSURANCE	300.142(e)(2)(iv)
RISK OF HARM—in child's current placement	300.521
SCHOOL-BASED IMPROVEMENT PLAN (see §§300.245-300.250)	—
SCHOOL DAY	
--Definition	300.9(c)
--In FAPE for children expelled	300.121(d)
--In Discipline procedures (see §§300.519(a), (b), 300.520(a)(1), (c), 300.522(b)(2), 300.523(a), (a)(2))	—
--See also "Timelines-Discipline"	—

SC-SE	
SCHOOL HEALTH SERVICES	300.24(b)(12)
SCHOOL PERSONNEL	
—Content of IEP	300.347(a)(3)
—Development, review and revision of IEP	300.346(d)(2)
—Discipline	
• Authority of school personnel	300.520
• Authority of hearing officer	300.521(d)
• FAPE for children suspended or expelled	300.121(d)(2)
• Placement during appeals	300.526(b)
—Expedited hearing	300.526(c)
—Subgrants to LEAs for capacity-building (co-operative problem-solving between parents and)	300.622(e)
—Use of private school personnel	300.461
—Use of public school personnel	300.460
SCHOOLWIDE PROGRAMS	300.234
SEA ALLOCATIONS—Use of	300.370
SEA RESPONSIBILITY	
—For all education programs	300.600
—For each private school child designated to receive services	300.452(b)
—For general supervision	300.141
—For IEPs	300.341
—For impartial review	300.510(b)(2)
—If an LEA does not apply for Part B funds	300.360(b)
SECONDARY SCHOOL (definition)	300.23
SECRETARY	
—Approval of a State's eligibility	300.113
—Definition (in EDGAR—34 CFR 77.1)	300.30
—Determination that a State is eligible	300.580
—Notice and hearing before determining that a State is not eligible	300.581
—Notice of eligibility to a State	300.580
—Under EDGAR terms	300.30
—Waiver of nonsupplanting requirement	300.589
SECRETARY OF THE INTERIOR	
—Advisory board (Establishment)	300.265
• Annual report by advisory board	300.266
—Biennial report (by tribe or tribal organization)	300.716(d)
—Eligibility (see §§300.260-300.267)	—
—Payments for	
• Children aged 3 through 5	300.716
—Child find and screening	300.716(d)
• Education of Indian Children	300.715
—Plan for coordination of services	300.263(b)

SE-SP	
SEPARATION—DIVORCE (AUTHORITY TO REVIEW RECORDS)	300.562(c)
SERVICES PLAN for private school children (see §§300.552(b), 300.554(c), (c)(1), 300.455(b), (b)(2), 300.457(a))	—
SERVICES THAT ALSO BENEFIT NONDISABLED CHILDREN	300.235(a)
SHORTAGE OF PERSONNEL—POLICY TO ADDRESS	300.136(g)
SHORT TERM OBJECTIVES OR BENCHMARKS (see §§300.347(a)(2), 300.350(a)(2), and (b))	—
SHOULD HAVE KNOWN (Discipline—protections for children not yet eligible)	300.527
SICKLE CELL ANEMIA	300.7(c)(9)(i)
SOCIAL WORK SERVICES IN SCHOOLS (definition)	300.22(b)(13)
SOCIALLY MALADJUSTED	300.7(c)(4)(ii)
SPECIAL CONSIDERATIONS (IEP TEAM)	300.346(a)(2)
SPECIAL EDUCATION	
--Definition	300.26
--Special education referral system (discipline)	300.527(b)(4)
SPECIAL EDUCATION PERSONNEL (CSPD—prepare with content knowledge)	300.382
SPECIAL EDUCATION PROVIDER	300.344(a)(3)
SPECIAL EDUCATION TEACHER(S)	
--Authority of hearing officer (consult with)	300.521(d)
--FAPE for children suspended or expelled	300.121(d)(2)
--IEP accessible to	300.342(b)(2)
--On IEP team	300.344(a)(3)
SPECIAL RULE	
--For use of base-year amount	300.706(b)(2)
--Methods of ensuring services	300.142(c)
--State advisory panel (parent members)	300.651(b)
SPECIFIC LEARNING DISABILITY	
--Definition	300.7(c)(10)
--Evaluation requirements (see §§300.340-300.343)	—
--Written report	300.543
SPEECH-LANGUAGE PATHOLOGY SERVICES (definition)	300.24(b)(14)
SPEECH OR LANGUAGE IMPAIRMENT (definition)	300.7(c)(11)

STA	
STATE	
--Definition	300.28
--Special definition for grants	300.700
STATE ADMINISTRATION (use of funds for)	300.620
--Allowable costs	300.621
--Amount (5% or 500,000, whichever is greater)	300.620(a)(1)
STATE ADVISORY PANEL	300.650
--Due process hearings (findings and decisions to State advisory panel)	300.509(d)
--Establishment	300.650
--Existing panel	300.650(c)
--Functions	300.652
--Membership	300.651
--Procedures	300.653
--Waiver of nonsupplant requirement (evidence that the State consulted with)	300.589(c)(4)
STATE AGENCIES	
--Applicability of Part B to other State agencies	300.2(b)(1)(iii)
--Compliance (LEA and State agency)	300.197
--Eligibility (LEA and State agency)	
• General conditions (see §§300.180-300.197)	—
• Specific conditions (see §§300.220-300.250)	—
--Enforcement (SEA shall make no further payment to)	300.589(c)
--Former Chapter 1 State agencies (grants to)	300.713
--IEPs (responsibility for)	300.341(b)(2)
--LEA and State agency compliance	300.197
--LEA and State agency eligibility (see §§300.180-300.182, etc.)	—
--Notification of LEA or State agency in case of ineligibility	300.196
--Personnel standards (rules of all State agencies)	300.136(e)
--State advisory council (membership)	300.651(a)(7)
--State agency eligibility	300.194
--State Medicaid agency (see §300.142(a)(1), (e)(2)(i))	—
--Subgrants to LEAs (and to State agencies)	300.711
STATE-APPROVED OR RECOGNIZED CERTIFICATION, licensing, registration or other comparable requirement (Definition)	300.136(a)(4)
STATE COMPLAINT PROCEDURES (see §§ 300.600-300.622)	—
--See "Complaints—State complaint procedures"	—
STATE DISCRETION in awarding subgrants	300.624
STATE ELIGIBILITY (A-F)	
--Approval by the Secretary	300.113
--Condition of assistance	300.10
--Department procedures (see §§300.113(b); 300.581-300.587)	—
--Determination of eligibility (by the Secretary)	300.580

STA-STU	
STATE ELIGIBILITY (G-Z)	
--General conditions (see §§300.110-300.113)	--
--Notice and hearing before determining that a State is not eligible (see §§300.113(b); and 300.581-300.587)	--
--Public hearings (public participation) before adopting State policies (see §§300.280-300.284)	--
--Specific conditions (see §§300.121-300.156)	--
--Timetable for submitting policies to Secretary	300.281(b)(5)
STATE IMPROVEMENT GRANT (CSPD)	300.380(b)
--State improvement plan (re sec. 653 of the Act)	300.135(a)(2)
STATE INTERAGENCY COORDINATING COUNCILS (Part C)	300.265(a)
STATE JUVENILE AND ADULT CORRECTIONAL FACILITIES	300.2(b)(1)(iv)
--See also "correctional facilities;" "Adult prisons"	--
STATE-LEVEL ACTIVITIES (with Part B funds)	300.602
--Amount for	300.602(a)
• See "Use of funds by States-SEAs"	--
--Amount for State administration (20% of State set-aside or \$500,000, whichever is greater) .	300.602(a)(1)
STATE-LEVEL NONSUPPLANTING	300.153
--Waiver	300.153(b)
--Waiver procedures	300.589
STATE MAINTENANCE OF EFFORT	300.154
STATE MEDICAID AGENCY	
--Methods of ensuring services (see §300.142(a)(1), (2))	--
--See also "Medicaid"	--
STATE SCHOOLS	
--Applicability of this part to schools for children with deafness or blindness	300.2(b)(1)(iii)
--State-operated or State-supported schools	300.622(a)
STATE VOCATIONAL REHABILITATION AGENCY (see "Rehabilitation")	--
STATISTICALLY SOUND (reporting on performance of children on alternate assessments)	300.139(a)(2)(ii)
STAY-PUT (child's status during proceedings)	300.514
--See "Pendency"	--
STUDENTS WITH DISABILITIES IN ADULT PRISONS	
--See "Adult prisons"	--

SU	
SUBGRANT(S)	
--Definition (in EDGAR—34 CFR 77.1)	300.30
--Private school children (see §300.453(a)(1), (2))	—
--State agency eligibility	300.194
--To LEAs	300.711
SUBGRANTS TO LEAS FOR CAPACITY BUILDING AND IMPROVEMENT (see §§300.370(a)(8) and 300.622-300.624)	—
SUBSTANTIAL EVIDENCE (discipline-hearing officer)	300.521(a)
--Definition	300.521(e)
SUBSTANTIAL LIKELIHOOD OF INJURY (discipline)	300.521(a)
--FAPE for children suspended or expelled	300.121(d)(3)
SUPPLEMENTARY AIDS AND SERVICES	
--Assistive technology	300.308(a)(3)
--Authority of hearing officer (risk of harm)	300.521(c)
--Definition	300.28
--IEP content	300.347(a)(3)
--In "assistive technology"	300.308
--LRE requirements	300.550(b)(2)
--Manifestation determination review	300.523(c)(2)(i)
--Method of ensuring services	300.142(b)
--Requirement re regular education teacher (IEP)	300.346(d)(2)
--Services that also benefit nondisabled children	300.235(a)(1)
SUPPLEMENT-NOT SUPPLANT	
--LEA requirement	300.230
--State level nonsupplanting	300.153
--See "Nonsupplanting"	—
SUPPORT SERVICES (definition)	300.370(b)(2)
SURROGATE PARENTS	
--In definition of "parent"	300.20(a)(4)
--Procedural safeguards	300.515
--Recruitment and training of (use of SEA funds)	300.370(b)(2)
SUSPENSION (EXPULSION)	
--Alternative programming for children expelled (Subgrants to LEAs for capacity building)	300.622(a)
--FAPE for children suspended or expelled	300.121(d)
--See also §300.121(a) and (b)(2)(ii)	—
--Provision of FAPE	300.300(a)(1)
--Suspension and expulsion rates	300.146(a)
--Suspension-expulsion without services	300.527(d)(2)(ii)

TE-TI	
TEACHERS	
—See "Regular education teacher"	—
—See "Special education teacher"	—
TECHNICALLY SOUND INSTRUMENTS (evaluation)	300.532
TERMINATION OF AGENCY OBLIGATION TO PROVIDE SPECIAL EDUCATION TO A PARTICULAR CHILD	300.232(c)
THERAPEUTIC RECREATION	300.24(b)(10)(ii)
TIMELINES (A-C)	
—Access rights (Confidentiality—45 "days")	300.562(a)
—Allocations to States (interim formula calculation, as of December 1, or last Friday in October)	300.703(b)
—Attorneys' fees (settlement offers made more than 10 "days" before hearing—see §300.513(c)(2)(i)(A), (B))	—
—By-pass for private school children (see §§300.482(b)(2), 300.485(b), and 300.487)	—
—Child count dates (December 1 or the last Friday of October—see §§300.453(b)(2), 300.713, and 300.751)	—
—Complaint procedures (State—60 "days")	300.661(a)
—Confidentiality (access rights—45 "days")	300.562(a)
TIMELINES (D-G)	
—Department hearing procedures on State eligibility (see §§300.581(b)(4), 300.583(b), 300.584(d), (e), (g), and (j), and 300.586)	
—Discipline (see "Timelines-discipline," below)	—
—Due Process Hearings and Reviews	
• Expedited hearings (Discipline)	
—Decision within 45 "days" no exceptions or extensions	300.528
—State may require exchange of information no less than 2 "business days" before hearing	300.528(a)(1)
• Hearings (Decision not later than 45 "days")	300.511(a)
• Reviews (Decision not later than 30 "days")	300.511(b)
TIMELINES (H-O)	
—Hearing procedures (State eligibility—30 "days")	300.581(b)(3)
—Hearing Rights	
• Disclosure of evaluations (at least 5 "business days" before hearing)	300.509(b)
• Prohibit introduction of evidence not disclosed (at least 5 "business days" before hearing)	300.509(a)(3)
—IEP (Initial meeting—30 "day" timeline)	300.343(b)
—Impartial review (30 "days")	300.511(b)
TIMELINES (P-Z)	
—Parent notice before private placement (at least 10 "business days [including any holidays]" prior to the removal)	300.403(d)(1)(ii)
—Public participation (30-day comment period)	300.282(b)
—State advisory council report to the SEA (by July 1 of each year)	300.653(b)
—State complaint procedures (60 "days")	300.661(a)
—State eligibility—Department hearing procedures (see §§300.581(b)(4), 300.583(b), 300.584(d), (e), (g), and (j), and 300.586)	—
—Timelines and convenience of hearings and reviews	300.511

TI-TR**TIMELINES—DISCIPLINE (A-C)**

- Authority of hearing officer (may order change of placement for not more than 45 "days") 300.521
- Authority of school personnel—may order:
 - Change of placement for not more than 45 "days" for weapons or drugs 300.520(a)(2)
 - Removal of a child for not more than 10 "school days" 300.520(a)(1)
- Change of placement for disciplinary removals:
 - Of more than 10 consecutive "school days" 300.519(a)
 - That cumulate to more than 10 "school days" 300.519(b)
- Change of placement for disciplinary removals:
 - Of more than 10 consecutive "school days" 300.519(a)
 - That cumulate to more than 10 "school days" 300.519(b)

TIMELINES—DISCIPLINE (D-L)

- Development of assessment plan by IEP team (before or not later than 10 "business days") 300.520(b)
- Expedited due process hearings
 - Conducted in no less than 2 "business days" 300.528(a)(1)
 - Decision in 45 "days"—with no exceptions or extensions 300.528(b)(1)
- Hearing officer (order change of placement for not more than 45 "days")

TIMELINES—DISCIPLINE (M-Z)

- Manifestation determination review (conducted in no case later than 10 "school days" after date of decision to remove a child under §§300.520(a)(2) or 300.521 or 300.519) 300.523(a)(2)
- Placement during appeals—not longer than 45 "days" 300.526(c)(3)
- Removals for not more than:
 - 10 "school days" (by school personnel) 300.520(a)
 - 45 "days" (to interim alternative education setting):
 - By a hearing officer (for substantial likelihood of injury to child or others) 300.521(b)
 - By school personnel (for weapons or drugs) 300.520(b)

TIMETABLES—Full educational opportunity goals (FEOG) 300.124**TRAINING**

- Assistive technology services (see §300.6(e), (f)) —
- Joint training of parents and personnel 300.382(j)
- Parent counseling and training 300.24(b)(7)
- Personnel standards
 - Policies and procedures (establish a specified training standard) 300.136(b)(3)
 - Policy to address shortage of personnel 300.136(g)(2)
 - Steps for retraining or hiring personnel 300.136(c)
- Travel training (see §300.26(a)(2)(ii), (b)(4)) —

TRANSFER OF RIGHTS 300.517

- IEP requirement 300.347(c)
- Special rule (if student is incompetent) 300.517(b)
- To students in correctional institutions. 300.517(a)(2)

TR-U	
TRANSITION FROM PART C TO PART B	300.132
TRANSITION SERVICES (NEEDS)	
--Agency responsibilities for	300.348
--Alternative strategies	300.348(a)
--Definition	300.29
--IEP requirement (Statement of)	
• Transition service needs (age 14 or younger)	300.347(b)(1)
• Needed transition services (age 16 or younger)	300.347(b)(2)
--State rehabilitation agency	300.348(b)
TRANSMISSION OF RECORDS TO LAW ENFORCEMENT AND JUDICIAL AUTHORITIES	300.529(b)
TRANSPORTATION	
--Definition	300.24(b)(15)
(See also §300.24(a))	—
--Nonacademic services	300.306(b)
--Of private school children	300.456(b)
TRAUMATIC BRAIN INJURY (definition)	300.7(c)(12)
TRAVEL TRAINING (definition)	300.26(b)(4)
--See also §300.26(a)(2)(ii), (b)(4)	—
TREATMENT OF CHARTER SCHOOLS AND THEIR STUDENTS	300.241
TREATMENT OF FEDERAL FUNDS IN CERTAIN YEARS	300.233
USE OF AMOUNTS (LEA)	300.230
USE OF FUNDS—by LEAs	
--Coordinated services system (see §§300.235(a)(2) and 300.244)	—
--For services and aids that also benefit nondisabled children	300.235(a)(1)
--For use in accordance with Part B	300.71
--School-based improvement plan (see §§300.245-300.250)	—
--School-wide programs (to carry out)	300.234
USE OF FUNDS—SEAs (A-B)	
--Allowable costs	300.621
--Administering Part B	300.620(a)
--Administering Part C (if SEA and Lead agency equal same)	300.620(b)
--Administration of State activities under Part B	300.621(a)(1)
--Administrative costs of monitoring and complaint investigations	300.370(a)(2)
--Annual description of use of Part B funds	300.156
--Approval, supervision, monitoring, and evaluation of effectiveness of local programs and projects	300.621(a)(2)
--Assist LEAs in meeting personnel shortages	300.370(a)(4)

U-V	
USE OF FUNDS BY STATES—SEAs (C-R)	
—Complaint investigations	300.370(1)(2)
—Coordination of activities with other programs	300.620(a)
—Direct and support services	300.370
• Definitions	300.370(b)
—Evaluation of effectiveness of local programs	300.621(a)(2)
—Leadership services for program supervision and management of special education activities	300.621(a)(4)
—Mediation process	300.370(a)(3)
—Monitoring (see §§300.370(a)(2), 300.621(a)(2))	—
—Other State leadership activities and consultative services	300.621(a)(5)
—Personnel development and training	300.370(a)(1)
—Planning of programs and projects	300.621(a)
USE OF FUNDS BY STATES—SEAs (S-Z)	
—State administration	300.620
• Amount for (20% of State set-aside or \$500,000)	300.620(a)(1)
—State advisory panel (for reasonable and necessary expenses for meetings and duties)	300.653(f)
—State improvement plan	300.370(a)(5)
—Statewide coordinated services system	300.370(a)(7)
—Support and direct services	300.370(a)(1)
• Definitions	300.370(b)
—Technical assistance	
• To LEAs (re Part B requirements)	300.621(a)(3)
• To other programs that provide services	300.620(a)
USE OF FUNDS—for former Chapter 1 State agencies	300.713
USE OF FUNDS—SECRETARY OF INTERIOR (see §§300.715-300.716)	—
—By Indian tribes:	
• For child find for children aged 3-5	300.716(d)
• For coordination of assistance for services	300.716(a)
—For administration by	300.262(a)
USE OF SEA ALLOCATIONS	300.370
—Nonapplicability of requirements that prohibit commingling and supplanting of funds	300.372
VISUAL IMPAIRMENT INCLUDING BLINDNESS (definition)	300.7(c)(13)
VOCATIONAL EDUCATION	
—Definition	300.26(b)(5)
—In definition of "special education"	300.26(a)(2)(iii)
—Program options	300.305
—Transition services	300.347(b)(1)
VOCATIONAL REHABILITATION (see "Rehabilitation")	—
VOLUNTARY DEPARTURE of personnel (Exception to LEA maintenance of effort)	300.232(a)

W-X-Y-Z**WAIVER(S)**

—For exceptional and uncontrollable circumstances (State maintenance of effort)	300.154(c)
—"In whole or in part" (see §§300.153(b), 300.589(e))	—
—Public insurance (risk of loss of eligibility for home and community-based waivers)	300.142(e)(2)(iv)
—State-level nonsupplanting	300.153(b)
—State maintenance of effort	300.154(c)
—State-level nonsupplanting	300.154(c)
—State's procedures for monitoring	300.589(c)(2)(ii)(B)
—Waiver procedures	300.589

WARD OF THE STATE

—See definition of "parent"	300.20(a)(2)
—See "surrogate parents"	300.515(a)(3)

WEAPON (definition)	300.520(d)(3)
----------------------------------	----------------------

WHEN IEPS MUST BE IN EFFECT	300.342
--	----------------

WITHHOLDING (enforcement)	300.587
--	----------------