

Open eBook Publication Structure 1.2 package file specification (For most recent detail please see <http://www.openebook.org/oebps/oebps1.2/download/oeb12-xhtml.htm#sec2>). A NIMAS package file must be an XML-valid OeB PS 1.2 package file instance and must meet the following additional standards:

- The NIMAS Package File must include the following Dublin Core (dc:)metadata:
  - dc:Title.
  - dc:Creator (if applicable).
  - dc:Publisher.
  - dc>Date (Date of NIMAS-compliant file creation—yyyy-mm-dd).
  - dc:Format (=“NIMAS 1.0”).
  - dc:Identifier (a unique identifier for the NIMAS-compliant digital publication, e.g., print ISBN + “-NIMAS”—exact format to be determined).
  - dc:Language (one instance, or multiple in the case of a foreign language textbook, etc.).
  - dc:Rights (details to be determined).
  - dc:Source (ISBN of print version of textbook).

And the following x-metadata items:
 

- nimas-SourceEdition (the edition of the print textbook).
- nimas-SourceDate (date of publication of the print textbook).

The following metadata were proposed also as a means of facilitating recordkeeping, storage and file retrieval:

- dc:Subject (Lang Arts, Soc Studies, etc.).
- nimas-grade (specific grade level of the print textbook, e.g.; Grade 6).
- nimas gradeRange (specific grade range of the print textbook, e.g.; Grades 4–5).

An additional suggestion references the use of:

- dc:audience:educationLevel (for the grade and gradeRange identifiers, noting that Dublin Core recommends using educationLevel with an appropriate controlled vocabulary for context, and recommends the U.S. Department of Education’s Level of Education vocabulary online at <http://www.ed.gov/admin/reference/index.jsp>. Using educationLevel obviates the need for a separate field for gradeRange since dc elements can repeat more than once. A book used in more than one grade would therefore have two elements, one with value “Grade 4” and another with value “Grade 5.”

A final determination as to which of these specific metadata elements to use needs to be clarified in practice. The package manifest must list all provided files (text, images, etc.).

(Note: For purposes of continuity and to minimize errors in transformation and processing, the NIMAS-compliant digital text should be provided as a single document.)

**3. Modular Extensions**

The most current DAISY/NISO standard, formally the *ANSI/NISO Z39.86, Specifications for the Digital Talking Book* defines a comprehensive system for creating Digital Talking Books. A part of this standard is DTBook, an XML vocabulary that provides a core set of elements needed to produce most types of books. However, DTBook is not intended to be an exhaustive vocabulary for all types of books.

Guidelines for the correct approach to extend the DAISY/NISO standard have been established. Mathematics, video support, testing, workbooks, music, dictionaries, chemistry, and searching are some of the extensions that have been discussed. Visit <http://www.daisy.org/z3986/> to learn more about modular extensions.

*End*

**Appendix D to Part 300—Maintenance of Effort and Early Intervening Services**

LEAs that seek to reduce their local maintenance of effort in accordance with § 300.205(d) and use some of their Part B funds for early intervening services under § 300.226 must do so with caution because the local maintenance of effort reduction provision and the authority to use Part B funds for early intervening services are interconnected. The decisions that an LEA makes about the amount of funds that it uses for one purpose affect the amount that it may use for the other. Below are examples that illustrate how §§ 300.205(d) and 300.226(a) affect one another.

*Example 1:* In this example, the amount that is 15 percent of the LEA’s total grant (see § 300.226(a)), which is the maximum amount that the LEA may use for early intervening services (EIS), is greater than the amount that may be used for local maintenance of effort (MOE) reduction (50 percent of the increase in the LEA’s grant from the prior year’s grant) (see § 300.205(a)).

Prior Year’s Allocation .....	\$900,000.
Current Year’s Allocation .....	1,000,000.
Increase .....	100,000.
Maximum Available for MOE Reduction .....	50,000.
Maximum Available for EIS .....	150,000.

If the LEA chooses to set aside \$150,000 for EIS, it may not reduce its MOE (MOE maximum \$50,000 less \$150,000 for EIS means \$0 can be used for MOE).

If the LEA chooses to set aside \$100,000 for EIS, it may not reduce its MOE (MOE maximum \$50,000 less \$100,000 for EIS means \$0 can be used for MOE).

If the LEA chooses to set aside \$50,000 for EIS, it may not reduce its MOE (MOE maximum \$50,000 less \$50,000 for EIS means \$0 can be used for MOE).

If the LEA chooses to set aside \$30,000 for EIS, it may reduce its MOE by \$20,000 (MOE maximum \$50,000 less \$30,000 for EIS means \$20,000 can be used for MOE).

If the LEA chooses to set aside \$0 for EIS, it may reduce its MOE by \$50,000 (MOE maximum \$50,000 less \$0 for EIS means \$50,000 can be used for MOE).

*Example 2:* In this example, the amount that is 15 percent of the LEA’s total grant (see § 300.226(a)), which is the maximum amount that the LEA may use for EIS, is less than the amount that may be used for MOE reduction (50 percent of the increase in the LEA’s grant from the prior year’s grant) (see § 300.205(a)).

Prior Year’s Allocation .....	\$1,000,000.
Current Year’s Allocation .....	2,000,000.
Increase .....	1,000,000.
Maximum Available for MOE Reduction .....	500,000.
Maximum Available for EIS .....	300,000.

If the LEA chooses to use no funds for MOE, it may set aside \$300,000 for EIS (EIS maximum \$300,000 less \$0 means \$300,000 for EIS).

If the LEA chooses to use \$100,000 for MOE, it may set aside \$200,000 for EIS (EIS maximum \$300,000 less \$100,000 means \$200,000 for EIS).

If the LEA chooses to use \$150,000 for MOE, it may set aside \$150,000 for EIS (EIS maximum \$300,000 less \$150,000 means \$150,000 for EIS).

If the LEA chooses to use \$300,000 for MOE, it may not set aside anything for EIS (EIS maximum \$300,000 less \$300,000 means \$0 for EIS).

If the LEA chooses to use \$500,000 for MOE, it may not set aside anything for EIS (EIS maximum \$300,000 less \$500,000 means \$0 for EIS).

**Appendix E to Part 300—Index for IDEA—Part B Regulations (34 CFR Part 300)**

<b>ACCESS TO</b>	
• Access rights (Parents) .....	300.613.
• Assistive technology devices in child’s home .....	300.105(b).
• Disciplinary records .....	300.229.
• Education records (Procedural safeguards notice) .....	300.504(c)(4).
• General curriculum (Ensure access to) .....	300.39(b)(3)(ii).
• Instructional materials (see §§ 300.172, 300.210).	
• List of employees who may have access to records .....	300.623(d).
• Parent’s private insurance proceeds .....	300.154(e).
• Record of access (Confidentiality) .....	300.614.
<b>ACCESSIBILITY STANDARDS (Regarding construction)</b>	
• Americans with Disabilities Accessibility Standards for Buildings and Facilities .....	300.718(b)(1).
• Uniform Federal Accessibility Standards .....	300.718(b)(2).
<b>ACCOMMODATIONS</b>	
• In assessments .....	300.320(a)(6)(i).
• State level activities in support of .....	300.704(b)(4)(x).

ACT (Definition) .....	300.4.
ADD AND ADHD (See "Attention deficit disorder" and "Attention deficit hyperactivity disorder")	
ADDITIONAL DISCLOSURE OF INFORMATION REQUIREMENT .....	300.512(b).
ADULT CORRECTIONAL FACILITIES (See "Correctional facilities")	
ADULT PRISONS (Children with disabilities in)	
• Divided State agency responsibility .....	300.607.
• FAPE requirements:	
◦ Exception to FAPE .....	300.102(a)(2).
◦ Modifications of IEP or placement .....	300.324(d)(2).
◦ Requirements that do not apply .....	300.324(d)(1).
• Governor .....	300.149(d).
• Other public agency responsibility .....	300.149(d).
ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE (See "Child with a disability," § 300.8(c)(1)(i), (c)(3), (c)(4)(i), (c)(5), (c)(6), (c)(8), (c)(9)(ii), (c)(11), (c)(12))	
ADVISORY BOARD	
(Secretary of the Interior) .....	300.714.
ADVISORY PANEL (See "State advisory panel")	
AGE-APPROPRIATE CLASSROOM .....	300.116(e).
ALLOCATION(S)	
• By-pass for private school children (see § 300.191(d)).	
• To LEAs (see §§ 300.705(b), 300.816)	
• To Outlying areas .....	300.701(a).
• To Secretary of the Interior .....	300.707.
• To States (see §§ 300.703, 300.807 through 300.810).	
ALLOWABLE COSTS	
(By SEA for State administration) .....	300.704(a).
ALTERATION OF FACILITIES .....	300.718(b).
ALTERNATE ASSESSMENTS	
• Aligned with alternate achievement standards .....	300.320(a)(2)(ii).
• Development and provision of in accordance with ESEA .....	300.704(b)(4)(x).
• Participation determined by IEP Team .....	300.320(a)(6)(ii).
ALTERNATIVE PLACEMENTS (Continuum) .....	300.115.
ALTERNATIVE STRATEGIES to meet transition objectives .....	300.324(c)(1).
AMENDMENTS	
• To LEA policies and procedures .....	300.220(b).
• To State policies and procedures:	
◦ Made by State .....	300.176(b).
◦ Required by the Secretary .....	300.176(c).
ANNUAL GOALS (IEPs)	
• FAPE for children suspended or expelled (see §§ 300.101(a), 300.530(d))	
• IEP content:	
◦ How progress will be measured .....	300.320(a)(3).
◦ Special education and related services .....	300.320(a)(4).
◦ Statement of measurable annual goals .....	300.320(a)(2)(i).
• Review and revision of IEP .....	300.324(b)(1).
• Review of existing evaluation data .....	300.305(a).
ANNUAL REPORT	
Of children served (see §§ 300.640 through 300.646)	
On education of Indian children .....	300.715.
APPENDICES TO PART 300 (A through E)	
Excess Costs Calculation (see Appendix A)	
Proportionate Share Calculation (see Appendix B)	
National Instructional Materials Accessibility Standard (NIMAS) (see Appendix C)	
Maintenance of Effort and Early Intervening Services (see Appendix D)	
Index for IDEA—Part B Regulations (This Appendix E)	
APPLICABILITY OF THIS PART to State, local, and private agencies .....	300.2.
APPLICATION	
• Initial admission to public school .....	300.518(b).
• Initial services .....	300.518(c).
ASSESSMENT(S)	
• For specific learning disability (see § 300.309(a)(2)(ii), (b)(2))	
• Functional behavioral assessment (see § 300.530(d)(1)(ii), (f)(1)(i))	
• In evaluation (see §§ 300.304(b), (c), 300.305(a)(1)(ii), (c), (d))	
• Of leisure function (in "Recreation") .....	300.34(c)(11)(i).
ASSESSMENTS—STATE and DISTRICT-WIDE	
Alternate assessments (see § 300.320 (a)(2)(ii), (a)(6)(ii))	
Performance indicators .....	300.157.
ASSISTANCE UNDER OTHER FEDERAL PROGRAMS .....	300.186.
ASSISTIVE TECHNOLOGY (AT)	
• AT devices .....	300.5.
• AT services .....	300.6.

• Consideration of special factors .....	300.324(a)(2)(v).
• Hearing aids .....	300.113.
• Requirement:	
◦ Ensure availability of .....	300.105(a).
◦ Use of AT in child's home .....	300.105(b).
• Surgically implanted medical devices (see §§ 300.5, 300.34(b), 300.113(b))	
ASTHMA .....	300.8(c)(9).
ATTENTION DEFICIT DISORDER (ADD) .....	300.8(c)(9).
ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD) .....	300.8(c)(9).
ATTORNEYS' FEES .....	300.517.
• Award of fees .....	300.517(c).
• Prohibition on use of funds for .....	300.517(b).
• When court reduces fee awards .....	300.517(c)(4).
AUDIOLOGY .....	300.34(c)(1).
AUTHORITY (A–O)	
• Of guardian .....	300.30(a)(3).
• Of hearing officer (Discipline) .....	300.532(b).
• Of school personnel (Discipline) .....	300.530.
• Of Secretary to monitor and enforce .....	300.609.
AUTHORITY (P–Z)	
• Parental authority to inspect and review records .....	300.613.
• State complaint procedures .....	300.151(b).
• Waiver request (Signed by person with authority) .....	300.164(c)(1).
AUTISM .....	300.8(c)(1).
AVERAGE PER-PUPIL EXPENDITURE (Definition) .....	300.717(d).
BASE PAYMENTS (to LEAs) (See § 300.705(b)(1), (b)(2))	
BASIS OF KNOWLEDGE: Protection for children not yet eligible .....	300.534(b).
BEHAVIORAL ASSESSMENT (See “Functional behavioral assessment”)	
BEHAVIORAL INTERVENTION(S) .....	300.530(f).
• Assist in developing .....	300.34(c)(10)(vi).
• Behavioral intervention plan .....	300.530(f).
• Consideration of by IEP Team .....	300.324(a)(2)(i).
• Not a manifestation of disability .....	300.530(d).
• Regular education teacher (Determination of) .....	300.324(a)(3).
• Suspension and expulsion rates .....	300.170(b).
BENCHMARKS OR SHORT TERM OBJECTIVES .....	300.320(a)(2)(ii).
BENEFITS TO NONDISABLED (Permissive use of funds) .....	300.208(a)(1).
BIA (See “Bureau of Indian Affairs”)	
BLIND(NESS): Under “Visual impairment”	
• Access to instructional materials (see §§ 300.172, 300.210(b)(3))	
• Consideration of special factors by IEP Team .....	300.324(a)(2).
• Definition .....	300.8(c)(13).
BRaille (see §§ 300.29(b), 300.324(a)(2)(iii))	
BUREAU OF INDIAN AFFAIRS (BIA)	
• BIA funded schools .....	300.28(c).
• In definition of “LEA” .....	300.28(c).
• See also §§ 300.21(c), 300.713(b), (d), 300.714	
• Use of funds .....	300.712(d).
BUSINESS DAY	
• Definition .....	300.11(b).
• See “Timelines,” “Timelines—Discipline”	
BY-PASS: Private school children with disabilities (see §§ 300.190 through 300.198)	
CALENDAR DAY	
• Definition .....	300.11(a).
• See “Timelines,” “Timelines—Discipline”	
CERTIFICATION	
• Annual report of children served .....	300.643.
CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS .....	300.536.
CHARTER SCHOOLS	
• Applicability of this part to .....	300.2(b)(1)(ii).
• Definition .....	300.7.
• Exception: joint establishment of eligibility .....	300.223(b).
• In definition of “Elementary school” .....	300.13.
• In definition of “LEA” .....	300.28(b)(2).
• In definition of “Public agency” .....	300.33.
• In definition of “Secondary school” .....	300.36.
• State-level activities regarding charter schools .....	300.704(b)(4)(ix).
• Treatment of charter schools and their students .....	300.209.
CHIEF EXECUTIVE OFFICER (CEO)	

- Adult prisons (Assigned by Governor) ..... 300.149(d).
- Methods of ensuring services (see § 300.154(a), (c))
- CHILD COUNT
  - Annual report of children served (see §§ 300.640 through 300.646)
  - Certification ..... 300.643.
  - Criteria for ..... 300.644.
  - Dates for count ..... 300.641(a).
  - Indian children ..... 300.712(b).
  - LEA records of private school children ..... 300.132(c).
  - Procedures for counting children served ..... 300.645(a).
- CHILD FIND
  - Basic requirement ..... 300.111(a).
  - Children advancing from grade to grade ..... 300.111(c)(1).
  - Developmental delay ..... 300.111(b).
  - Highly mobile children ..... 300.111(c)(2).
  - Homeless children ..... 300.111(a)(1)(i).
  - Indian children aged 3 through 5 ..... 300.712(d)(1).
  - Migrant children ..... 300.111(c)(2).
  - Private school children ..... 300.131(b).
  - Protections for children not determined eligible ..... 300.534.
  - Secretaries of the Interior and Health and Human Services (Memo of agreement) ..... 300.708(i)(2).
- CHILD WITH A DISABILITY (CWD)
  - Adversely affects educational performance (see § 300.8(c)(1)(i), (c)(3), (c)(4)(i), (c)(5), (c)(6), (c)(8), (c)(9)(ii), (c)(11), (c)(12), (c)(13))
  - Children experiencing developmental delay(s) ..... 300.8(b)(1).
  - Children who need only a related service ..... 300.8(a)(2).
  - Definition ..... 300.8(a)(1).
  - Individual disability terms (Defined) ..... 300.8(c).
  - Requirement ..... 300.111(b).
  - See “Developmental delay(s)”
- CHILD’S STATUS DURING PROCEEDINGS
  - Discipline (see §§ 300.530(f)(2), 300.533)
  - Pendency (Stay put) ..... 300.518.
- CHILDREN ADVANCING FROM GRADE TO GRADE
  - Child find ..... 300.111(c)(1).
  - FAPE ..... 300.101(c).
- CHILDREN EXPERIENCING DEVELOPMENTAL DELAY(S) (See “Developmental delay(s)”)
  - ..... 300.625.
- CHILDREN’S RIGHTS (Confidentiality) ..... 300.625.
- CIVIL ACTION—PROCEEDINGS ..... 300.516.
  - Finality of review decision ..... 300.514(d).
  - Mediation ..... 300.506(b)(6)(i).
  - Procedural safeguards notice ..... 300.504(c)(12).
  - See “Court(s)”
- COCHLEAR IMPLANT (See “Surgically implanted medical device”) ..... 300.34(b).
- CODE OF CONDUCT
  - Case-by-case determination ..... 300.530(a).
  - Manifestation determination review ..... 300.530(e).
  - Protections for children not determined eligible ..... 300.534(a).
- COMMINGLING—PROHIBITION AGAINST ..... 300.162(b).
- COMMUNITY-BASED WAIVERS (Public benefits or insurance) ..... 300.154(d)(2)(iii).
- COMPLAINT(S): DUE PROCESS
  - Attorneys’ fees ..... 300.517(a)(1).
  - Civil action ..... 300.516(a).
  - Pendency ..... 300.518(a).
  - Private school children (Complaints) ..... 300.140(c).
  - See “Due process hearing(s) and reviews”
- COMPLAINT(S): STATE COMPLAINT PROCEDURES (A–P)
  - Adoption of State complaint procedures ..... 300.151(a).
  - Complaint investigations (SEA allocations for) ..... 300.704(b)(3)(i).
  - Filing a complaint ..... 300.153(a).
  - Minimum State complaint procedures ..... 300.152.
  - Private schools (State complaints) ..... 300.140.
  - Procedural safeguards notice ..... 300.504(c).
  - Provisions for services under by-pass ..... 300.191(d).
  - Public agency failure to implement hearing decision ..... 300.152(c)(3).
- COMPLAINT(S): STATE COMPLAINT PROCEDURES (Q–Z)
  - See also §§ 300.151 through 300.153
  - Time limit ..... 300.152(a).
  - Waiver of nonsupplanting requirement ..... 300.163(c)(2).
- COMPLIANCE—COMPLY (A–M)
  - Child find requirements ..... 300.111(a).
  - Department procedures (If failure to comply) ..... 300.604(c).
  - FAPE requirement ..... 300.101(a).

• LEA and State agency compliance .....	300.222(a).
• LRE (State funding mechanism) .....	300.114(b).
• Modifications of policies:	
○ Made by LEA or State agency .....	300.176(b).
○ Required by SEA .....	300.220(c).
○ Required by Secretary .....	300.176(c).
• Monitoring (See “Monitor; Monitoring activities”);	
COMPLIANCE—COMPLY (N–Z)	
• Physical education .....	300.108.
• Private school placement by parents .....	300.148(e).
• Private school placements by public agencies:	
○ IEP requirement .....	300.325(c).
○ SEA (Monitor compliance) .....	300.147(a).
• Public participation requirements .....	300.165.
• SEA responsibility if LEA does not comply .....	300.227(a).
• State funding mechanism (LRE) .....	300.114(b).
• COMPREHENSIVE EVALUATION .....	300.304(c)(6).
CONDITION OF ASSISTANCE	
• LEA eligibility .....	300.200.
• State eligibility .....	300.100.
CONFIDENTIALITY (A–C)	
• Access rights .....	300.613.
• Children’s rights .....	300.625.
• Consent .....	300.622.
CONFIDENTIALITY (D–E)	
Definitions:	
○ Destruction of information .....	300.611(a).
○ Education records .....	300.611(b).
○ Participating agency .....	300.611(c).
• Department use of personally identifiable information .....	300.627.
• Disciplinary information .....	300.229.
• Enforcement by SEA .....	300.626.
CONFIDENTIALITY (F–Z)	
• Family Educational Rights and Privacy Act:	
○ Children’s rights .....	300.625.
○ Disciplinary records .....	300.535(b)(2).
○ In definition of “Education records” .....	300.611(b).
○ Notice to parents .....	300.612(a)(3).
• Fees .....	300.617.
• Hearing procedures .....	300.621.
• List of types and location of information .....	300.616.
• Notice to parents .....	300.612(a).
• Opportunity for a hearing .....	300.619.
• Parental authority to inspect and review records .....	300.613(b).
• Record of access .....	300.614.
• Records on more than one child .....	300.615.
• Result of hearing .....	300.620.
• Safeguards .....	300.623.
• State eligibility requirement .....	300.123.
CONSENT (A–I)	
• Confidentiality (Records to non-agency officials) .....	300.622(a).
• Definition .....	300.9.
• IEP vs. IFSP .....	300.323(b)(2)(ii).
• Initial evaluations .....	300.300(a).
• Initial provision of services .....	300.300(b).
CONSENT (J–Z)	
• Not required:	
○ Before administering a test or other evaluation to all children .....	300.300(d)(1)(ii).
○ Before reviewing existing data .....	300.300(d)(1)(i).
○ When screening for instructional purposes .....	300.302.
• Private insurance (Accessing) .....	300.154(e)(1).
• Reasonable efforts to obtain consent:	
○ For initial evaluation .....	300.300(a)(1)(iii).
○ For initial evaluations for wards of the State .....	300.300(a)(2).
○ For initial provision of services .....	300.300(b)(2).
○ Reasonable efforts requirements .....	300.300(d)(5).
• Reevaluations .....	300.300(c)(2).
• Release of information from education records .....	300.622.
CONSIDERATION OF SPECIAL FACTORS (by IEP Team) .....	300.324(a)(2).
CONSISTENCY WITH STATE POLICIES: LEA .....	300.201.
CONSTRUCTION	
• Accessibility standards .....	300.718(b).
• Exception to maintenance of effort (Termination of costly expenditures for construction) .....	300.204(d).
• Private schools (No funds may be used for) .....	300.144(e).

CONSTRUCTION CLAUSES (A–I)

- Child find (Nothing requires classifying children by disability) ..... 300.111(d).
- Civil action (Exhaust administrative remedies under Part B before filing a civil action) ..... 300.516(e).
- Early intervening services ..... 300.226(c).
- Funding mandated by State law ..... 300.166.
- Hearing: right of parent to appeal decision ..... 300.513(b).
- Highly qualified SEA or LEA staff ..... 300.156(e).
- Highly qualified teacher ..... 300.18(f).
- IEP (Inclusion of additional information beyond explicit requirements) ..... 300.320(d)(1).
- IEP (Information in more than one component not required) ..... 300.320(d)(2).

CONSTRUCTION CLAUSES (J–Z)

- Prohibition on mandatory medication ..... 300.174(b).
- Referral to and action by law enforcement and judicial authorities ..... 300.535(a).
- Secretary’s authority to monitor enforcement under GEPA ..... 300.609.
- State Medicaid agency (Nothing alters requirements imposed under Titles XIX or XXI or other public benefits or insurance program). ..... 300.154(h).
- Transition service ..... 300.324(c)(2).

CONSUMER PRICE INDEX For All Urban Consumers (regarding rate of inflation) (See §§ 300.702(b), 300.704(a)(2)(ii), (b)(2), 300.812(b)(2))

CONTENT OF IEP ..... 300.320(a).

CONTINUUM OF ALTERNATIVE PLACEMENTS (See “Least restrictive environment”) ..... 300.115.

CONTROLLED SUBSTANCE (Definition) ..... 300.530(i)(1).

COORDINATION OF SERVICES

- Methods of ensuring services ..... 300.154(a).
- Secretary of the Interior ..... 300.708(i)(1).
  - Advisory board (Service coordination within BIA) ..... 300.714(b)(1).
  - Payments for children aged 3 through 5 ..... 300.712(a).
  - Plan for coordination of services ..... 300.713.
- See “Interagency agreements,” “Interagency coordination”
- State advisory panel (Advise SEA on) ..... 300.169(e).
- Use of LEA funds for early intervening services ..... 300.208(a)(2).
- Use of SEA allocations for transition ..... 300.704(b)(4)(vi).

CO-PAY OR DEDUCTIBLE (Public benefits or insurance) ..... 300.154(d)(2)(ii).

CORE ACADEMIC SUBJECTS

- Definition ..... 300.10.
- See “Highly qualified special education teachers” ..... 300.18.

CORRECTIONAL FACILITIES

- Applicability of this part to ..... 300.2(b)(1)(iv).
- Divided State agency responsibility ..... 300.607.
- Exception to FAPE (Children in adult facilities) ..... 300.102(a)(2).
- See also “Adult prisons”
- State advisory panel (Representatives on) ..... 300.168(a)(11).
- State juvenile-adult correctional facilities ..... 300.2(b)(1)(iv).
- Transfer of rights to children in ..... 300.520(a)(2).

CORRECTIVE ACTION (PLAN)

- Corrective actions to achieve compliance (see §§ 300.152(b)(2)(iii), 300.607)
- Monitoring activities ..... 300.120(b)(2).
- Needs intervention by Secretary ..... 300.604(b)(2)(i).
- State advisory panel (Advise SEA on) ..... 300.169(d).

COUNSELING SERVICES (Definition) ..... 300.34(c)(2).

COUNT (See “Child count”)

COURT(S)

- Attorneys’ fees ..... 300.517.
- Civil action ..... 300.516.
- Court order:
  - Exception to FAPE for certain ages ..... 300.102(a)(1).
- Judicial review:
  - By-pass ..... 300.197.
  - Department procedures ..... 300.184.
- New interpretation of Act by courts requiring modification ..... 300.176(c)(2).
- Reimbursement for private school placement (see § 300.148(b) through (e))

CRIME (See “Reporting a crime”) ..... 300.535.

CRITERIA (A–I)

- Child count ..... 300.644.
- Child eligibility (Determinant factor) ..... 300.306(b)(1).
- IEP Team (Public agency representative) ..... 300.321(a)(4).
- Independent educational evaluation ..... 300.502.

CRITERIA (J–Z)

- Specific learning disability (see §§ 300.307, 300.309)
- Surrogate parents ..... 300.519(d).

CURRENT PLACEMENT (Discipline)

- Authority of hearing officer ..... 300.532(b).
- Placement during appeals ..... 300.533.

DATA (A–L)	
• Allocation of remaining funds to LEAs .....	300.816(d).
• Average per-pupil expenditure (Definition) .....	300.717(d).
• By-pass (Provision of services under) .....	300.191(c)(2).
• Determination of needed evaluation data .....	300.305(c).
• Disaggregated data .....	300.704(b)(4)(xi).
• Evaluation data:	
○ Procedures for determining eligibility and placement .....	300.306(c).
○ Review of existing data .....	300.305(a)(1).
• Grants to States most recent data .....	300.703(c)(1)(ii).
• LRE (Placements—meaning of evaluation data) .....	300.116(a)(1).
DATA (M–Z)	
• Parental consent (Not required for reviewing existing evaluation data) .....	300.300(d)(1)(i).
• State advisory council (Advise SEA on) .....	300.169(c).
• Suspension and expulsion rates .....	300.170(a).
DAY	
• Business day (Definition) .....	300.11(b).
• Day (Calendar) .....	300.11(a).
• Discipline (See “Timelines—Discipline”)	
• School day (Definition) .....	300.11(c).
• See “Timelines”.	
DECREASE IN ENROLLMENT (Exception to LEA maintenance of effort) .....	300.204(b).
DECREASE IN FUNDS (To States) .....	300.703(d).
DEDUCTIBLE OR CO-PAY (Public benefits or insurance) .....	300.154(d)(2)(ii).
DEFINITIONS (A–D)	
• Act .....	300.4.
• Assistive technology device .....	300.5.
• Assistive technology service .....	300.6.
• At no cost .....	300.39(b)(1).
• Audiology .....	300.34(c)(1).
• Autism .....	300.8(c)(1).
• Average per-pupil expenditure in public elementary and secondary schools in the United States .....	300.717(d).
• Business day .....	300.11(b).
• Charter school .....	300.7.
• Child with a disability .....	300.8(a)(1).
• Consent .....	300.9.
• Controlled substance .....	300.530(i)(1).
• Core academic subjects .....	300.10.
• Counseling services .....	300.34(c)(2).
• Day; business day; school day .....	300.11.
• Deaf-blindness .....	300.8(c)(2).
• Deafness .....	300.8(c)(3).
• Destruction (Of information) .....	300.611(a).
• Developmental delays(s) .....	300.8(b).
DEFINITIONS (E–H)	
• Early identification and assessment .....	300.34(c)(3).
• Education records .....	300.611(b).
• Educational service agency .....	300.12.
• Elementary school .....	300.13.
• Emotional disturbance .....	300.8(c)(4).
• Equipment .....	300.14.
• Evaluation .....	300.15.
• Excess costs .....	300.16.
• Extended school year services .....	300.106(b).
• Free appropriate public education .....	300.17.
• Freely associated States .....	300.717(a).
• Hearing impairment .....	300.8(c)(5).
• Highly qualified special education teacher .....	300.18(b).
• Homeless children .....	300.19.
DEFINITIONS (I)	
• IEP Team .....	300.23.
• Illegal drug .....	300.530(i)(2).
• Include .....	300.20.
• Independent educational evaluation .....	300.502(a)(3)(i).
• Indian .....	300.21(a).
• Indian tribe .....	300.21(b).
• Individualized education program (IEP) .....	300.22.
• Individualized family service plan .....	300.24.
• Infant or toddler with a disability .....	300.25.
• Institution of higher education .....	300.26.
• Interpreting services .....	300.34(c)(4).
DEFINITIONS (J–O)	
• Limited English proficient (LEP) .....	300.27.
• Local educational agency (LEA) .....	300.28.

- Medical services ..... 300.34(c)(5).
- Mental retardation ..... 300.8(c)(6).
- Multiple disabilities ..... 300.8(c)(7).
- Native language ..... 300.29(a).
- Occupational therapy ..... 300.34(c)(6).
- Orientation and mobility services ..... 300.34(c)(7).
- Orthopedic impairment ..... 300.8(c)(8).
- Other health impairment ..... 300.8(c)(9).
- Outlying areas ..... 300.717(b).
- DEFINITIONS (P–R)
- Parent ..... 300.30(a).
- Parent counseling and training ..... 300.34(c)(8).
- Parent training and information center ..... 300.31.
- Parentally-placed private school children with disabilities ..... 300.130.
- Participating agency (as used in “Confidentiality”) ..... 300.611(c).
- Party or parties (Regarding procedures) ..... 300.181(a).
- Personally identifiable ..... 300.32.
- Physical education ..... 300.39(b)(2).
- Physical therapy ..... 300.34(c)(9).
- Psychological services ..... 300.34(c)(10).
- Public agency ..... 300.33.
- Public expense ..... 300.502(a)(3)(ii).
- Recreation ..... 300.34(c)(11).
- Rehabilitation counseling services ..... 300.34(c)(12).
- Related services ..... 300.34(a).
- DEFINITIONS (S)
- School day ..... 300.11(c).
- School health services ..... 300.34(c)(13).
- School nurse services ..... 300.34(c)(13).
- Scientifically based research ..... 300.35.
- Secondary school ..... 300.36.
- Secretary ..... 300.38.
- Serious bodily injury ..... 300.530(i)(3).
- Services plan ..... 300.37.
- Social work services in schools ..... 300.34(c)(14).
- Special education ..... 300.39(a).
- Specially designed instruction ..... 300.39(b)(3).
- Specific learning disability ..... 300.8(c)(10).
- Speech-language pathology services ..... 300.34(c)(15).
- Speech or language impairment ..... 300.8(c)(11).
- State ..... 300.40.
- State (Special definition) ..... 300.717(c).
- State educational agency (SEA) ..... 300.41.
- Supplementary aids and services ..... 300.42.
- DEFINITIONS (T–Z)
- Transition services ..... 300.43.
- Transportation ..... 300.34(c)(16).
- Traumatic brain injury ..... 300.8(c)(12).
- Travel training ..... 300.38(b)(4).
- Universal design ..... 300.44.
- Visual impairment including blindness ..... 300.8(c)(13).
- Vocational education ..... 300.39(b)(5).
- Ward of the State ..... 300.45.
- Weapon ..... 300.530(i)(4).
- DEPARTMENT OF LABOR, Bureau of Labor Statistics (Regarding rate of inflation) (see §§ 300.702(b), 300.704(a)(2)(ii), (b)(2), 300.812(b)(2))
- DEPARTMENT (U.S. Department of Education)
- Enforcement: hearing procedures (see §§ 300.178 through 300.184)
- Monitoring (Regarding Secretary of the Interior) ..... 300.708(a).
- Personally identifiable information (Use of) ..... 300.627.
- DESTRUCTION OF INFORMATION ..... 300.624(b).
- Definition ..... 300.611(a).
- DETERMINANT FACTOR for eligibility determination
- Lack of instruction in reading or math (see § 300.306(b)(1)(i), (b)(1)(ii))
- Limited English proficiency ..... 300.306(b)(1)(iii).
- DEVELOPMENT, REVIEW, AND REVISION OF IEP ..... 300.324.
- DEVELOPMENTAL DELAY(S)
- In definition of “Child with a disability” ..... 300.8(b).
- Requirements for using “Developmental delay” ..... 300.111(b).
- State definition ..... 300.111(b).
- Using specified disability categories ..... 300.111(d).
- DIABETES ..... 300.8(c)(9)(i).
- DIRECT SERVICES
- For children in private schools (see §§ 300.132(a); 300.133(a); 300.134(d)(1))



• Nature and location of services .....	300.227(b).
• Payment by Secretary of the Interior .....	300.712(d).
• SEA (Additional information) .....	300.175(a).
• State-level activities .....	300.704(b)(4)(i).
• Use of LEA allocations for .....	300.227(a).
DISABILITY: ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE (See “Adversely affects educational performance”)	
DISAGGREGATED DATA	
• Assessment results for subgroup of children with disabilities .....	300.704(b)(4)(xi).
• For suspension and expulsion by race and ethnicity .....	300.170(a).
DISCIPLINE (A–B)	
• Alternative educational setting (see §§ 300.530(d)(1), (d)(2), (d)(4), (g), 300.531, 300.533)	
• Appeal .....	300.532(a).
• Behavioral interventions—intervention plan .....	300.530(f).
DISCIPLINE (C–H)	
• Change of placements for disciplinary removals .....	300.536.
• Child’s status during due process hearings .....	300.518.
• Determination of setting .....	300.531.
• Expedited due process hearings .....	300.532(c).
• Functional behavioral assessment (see § 300.530(d)(1)(ii), (f)(1)(i)).	
• Hearing officer (authority of) (see §§ 300.532(b), 300.533).	
DISCIPLINE (I–Z)	
• IEP Team (relevant members) (see §§ 300.530(e)(1), (f), 300.531).	
• Interim alternative educational setting (see §§ 300.530(b), (d)(2), (g), 300.531, 300.532(b)(2)(ii), 300.533).	
• Manifestation determination .....	300.530(e).
• Placement during appeals .....	300.533.
• Protections for children not determined eligible .....	300.534.
• Referral to and action by law enforcement and judicial authorities .....	300.535.
• School personnel (Authority of) .....	300.530(b).
• See “Timelines—Discipline”.	
DISCLOSURE	
• Additional disclosure of information requirement .....	300.512(b).
• Consent required before disclosing:	
◦ Education records to public benefits or insurance agencies .....	300.154(d)(2)(iv).
◦ Personal information to non-agency officials .....	300.622(a).
• Notice on disclosure of evaluation results .....	300.504(c)(10).
• Policies on disclosing information to 3rd parties .....	300.612(a)(3).
• Prohibit evidence not disclosed .....	300.512(a)(3).
DISPROPORTIONALITY .....	300.646.
DISPUTES	
• Interagency disputes (Methods of ensuring services):	
◦ Ensure services during pendency of dispute .....	300.154(a).
◦ Procedures for resolving .....	300.154(a)(3).
• Mediation (see also § 300.532(c)(3)) .....	300.506.
◦ Attorneys’ fees for .....	300.517(c)(2)(ii).
◦ During discipline appeal process .....	300.532(c)(3).
◦ During resolution process (see § 300.510(b)(3), (c)(3))	
◦ Enforcement of agreement (see §§ 300.506(b)(7), 300.510(d)(2), 300.537)	
DIVIDED STATE AGENCY RESPONSIBILITY (Adult prisons) .....	300.607.
DIVORCE—SEPARATION (Authority to review records) .....	300.613(c).
DROPOUT RATES (Performance indicators) .....	300.157(a)(3).
DUE PROCESS HEARING(S) AND REVIEWS (A–E)	
• Agency responsible for conducting hearing .....	300.511(b).
• Appeal of decisions; impartial review .....	300.514(b).
• Attorneys’ fees .....	300.517(a).
• Basic requirements (see §§ 300.507 through 300.514)	
• Child’s status during proceedings (Pendency) .....	300.518.
◦ Parent request for hearing (Discipline) .....	300.532(a).
• Civil action .....	300.516(a).
• Evaluations disclosed at least 5 business days before hearing .....	300.512(a)(3).
• Expedited due process hearings (Discipline) .....	300.532(c).
DUE PROCESS HEARING(S) AND REVIEWS (F–I)	
• Failure to implement a due process hearing decision .....	300.152(c)(3).
• Finality of decision; appeal; impartial review .....	300.514.
• Findings of fact and decisions (see § 300.512(a)(5), (c)(3)):	
◦ To State advisory panel (see §§ 300.513(d), 300.514(c))	
• Hearing rights .....	300.512(a).
• Impartial hearing officer .....	300.511(c).
◦ See “Hearing officer(s)”	
DUE PROCESS HEARING(S) AND REVIEWS (J–Z)	
• Parental rights at hearings .....	300.512(c).
• Party notice to other party .....	300.508(c).
◦ Model form to assist parents .....	300.509.

- Party request for hearing (Discipline) ..... 300.532(a).
- Pendency (Stay put) ..... 300.518.
- Prohibit evidence not introduced 5 business days before hearing ..... 300.512(a)(3).
- Record of hearing ..... 300.512(c)(3).
- See “Civil action—proceedings,” “Court(s)” “Procedural safeguards,” “Timelines”
- Timelines and convenience of hearings—reviews (see §§ 300.506(b)(5), 300.511(e), 300.516(b))
- EARLY IDENTIFICATION AND ASSESSMENT (Definition) ..... 300.34(c)(3).
- EARLY INTERVENING SERVICES ..... 300.226.
- Adjustment to local fiscal efforts ..... 300.205(d).
- Do not limit/create right to FAPE ..... 300.226(c).
- For children not currently identified as needing special education or related services ..... 300.226(a).
- Permissive use of funds ..... 300.208(a)(2).
- Scientifically based literacy instruction ..... 300.226(b).
- Use of funds:
  - By LEA ..... 300.226(a).
  - By Secretary of the Interior ..... 300.711.
- EDUCATION RECORDS (Definition) ..... 300.611(b).
- EDUCATIONAL PLACEMENTS (LRE) ..... 300.114.
- EDUCATIONAL SERVICE AGENCY (ESA)
  - Definition ..... 300.12.
  - In definition of “LEA” ..... 300.28(b)(1).
  - Joint establishment of eligibility (Regarding ESAs) ..... 300.224(b).
  - Additional requirements (Regarding LRE) ..... 300.224(c).
- ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (ESEA)
  - Coordination of early intervening services ..... 300.226(e).
  - Excess cost requirement ..... 300.202(b).
  - Schoolwide programs ..... 300.206(a).
- ELIGIBILITY (CHILD—STUDENT) (A–G)
  - Additional eligibility requirements (see §§ 300.121 through 300.124, 300.307 through 300.311)
  - Children with disabilities in adult prisons ..... 300.324(d).
  - Children with specific learning disabilities (Documentation of eligibility determination) ..... 300.311(a).
  - Determinant factor for ..... 300.306(b)(1).
  - Determination of eligibility ..... 300.306.
  - Developmental delay (Non-use of term by LEA if not adopted by State) ..... 300.111(b)(iv).
  - Documentation of eligibility (To parent) ..... 300.306(a)(2).
  - Graduation with regular diploma: termination (see §§ 300.102(a)(3), 300.305(e)(2)).
- ELIGIBILITY (CHILD—STUDENT) (H–Z)
  - Lack of instruction in reading or math ..... 300.306(b).
  - Limited English proficiency ..... 300.306(b).
  - Public benefits or insurance (Risk loss of eligibility) ..... § 300.154(d)(2) (iii).
  - Termination of eligibility (see §§ 300.204(c), 300.305(e)(2))
  - Transfer of rights (Special rule) ..... 300.520(b).
- ELIGIBILITY (PUBLIC AGENCIES)
  - Hearings related to (See “Hearings—Hearing procedures”)
  - Joint establishment of (see §§ 300.202(b)(3), 300.223(a), 300.224(a))
  - LEA (See “LEA eligibility”) Secretary of the Interior ..... 300.712(e).
  - State (See “State eligibility”)
  - State agency eligibility ..... 300.228.
  - See “State agencies”
- EMOTIONAL DISTURBANCE (Definition) ..... 300.8(c)(4).
- ENFORCEMENT
  - Department procedures (see §§ 300.600, 300.604, 300.605)
  - Referral to law enforcement authorities ..... 300.535.
  - State policies and procedures:
    - Enforcement mechanisms ..... 300.537.
    - LEA not meeting requirements ..... 300.608.
    - Regarding confidentiality ..... 300.626.
- EPILEPSY ..... 300.8(c)(9)(i).
- EQUIPMENT
  - Acquisition of ..... 300.718(a).
  - Definition ..... 300.14.
  - Exception to maintenance of effort ..... 300.204(d).
  - Placement in private school ..... 300.144.
- EVALUATION (A–G)
  - Assessments in (see §§ 300.304(b), (c) 300.305(c)).
  - Basic requirements (see §§ 300.301, 300.303, 00.324)
  - Comprehensive (Identify all special education needs) ..... 300.304(c)(6).
  - Definition of ..... 300.15.
  - Evaluation procedures ..... 300.304.
  - Evaluation report to parents ..... 300.306(a)(2).
  - Existing evaluation data (Review of) ..... 300.305(a)(1).
  - Graduation (Evaluation not required for) ..... 300.305(e)(2).
- EVALUATION (H–Z)

• Independent educational evaluation (IEE) .....	300.502.
• Initial evaluation (see §§ 300.301, 300.305)	
• Observation in determining SLD .....	300.310.
• Parent consent .....	300.300.
• Parent right to evaluation at public expense .....	300.502(b).
• Reevaluation .....	300.303.
EXCEPTION	
• Charter schools exception (Joint eligibility) .....	300.223(b).
• For prior local policies and procedures .....	300.220.
• For prior State policies and procedures .....	300.176(a).
• To FAPE:	
○ For certain ages .....	300.102.
○ For graduating with a regular diploma .....	300.102(a)(3)(i).
○ For children in adult prisons (see §§ 300.102(a)(2), 300.324(d)).	
• To maintenance of effort .....	300.204.
• To reimbursement for parental placement .....	300.148(e).
EXCESS COSTS	
• Calculation of (see Appendix A—Excess Costs Calculation)	
• Definition .....	300.16.
• Excess cost requirement .....	300.202(b)
• Joint establishment of eligibility .....	300.202(b)(3)
• LEA requirement .....	300.202(b)
• Limitation on use of Part B funds .....	300.202(b)
• Meeting the excess cost requirement .....	300.202(b)(2)
• See also §§ 300.163(a), 300.175(b), 300.202(a), 300.227(a)(2)(ii)	
EXISTING EVALUATION DATA (Review of) .....	300.305(a)(1).
EXPEDITED DUE PROCESS HEARINGS .....	300.532(c).
• Authority of hearing officer .....	300.532(b).
• Party appeal (Hearing requested by parents) .....	300.532(a).
EXPULSION (See “Suspension and expulsion”)	
EXTENDED SCHOOL YEAR SERVICES .....	300.106.
EXTRACURRICULAR	
• IEP content .....	300.320(a)(4)(ii).
• In supplementary aids and services .....	300.42.
• Nonacademic services .....	300.107.
• Nonacademic settings .....	300.117.
FACILITIES	
• Alteration of .....	300.718.
• Children in private schools or facilities (see §§ 300.130, 300.142(a), 300.144(b), (c), 300.147(c))	
• Construction of .....	300.718.
• Physical education (In separate facilities) .....	300.108(d).
• Private schools and facilities .....	300.2(c).
• See also “Correctional facilities”	
• Termination of expenses for construction of .....	300.204(d).
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) (See “Confidentiality”)	
FAPE (A–G)	
• Definition .....	300.17.
• Documentation of exceptions .....	300.102(b).
• Exception to FAPE:	
○ For certain ages .....	300.102(a).
○ For children receiving early intervention services .....	300.102(a)(4).
○ For children graduating with a regular diploma .....	300.102(a)(3).
○ For children in adult correctional facilities .....	300.102(a)(2).
• For children:	
○ Advancing from grade to grade .....	300.101(c).
○ Beginning at age 3 .....	300.101(b).
○ On Indian reservations .....	300.707(c).
○ Suspended or expelled from school .....	300.101(a).
• General requirement .....	300.101(a).
FAPE (H–Z)	
• Methods and payments .....	300.103.
• Private school children with disabilities:	
○ Placed by parents when FAPE is at issue .....	300.148.
○ Placed in or referred by public agencies (see §§ 300.145 through 300.147)	
• Reallocation of LEA funds (FAPE adequately provided) .....	300.705(c).
• Services (and placement) for FAPE:	
○ Based on child’s needs (Not disability category) .....	300.304(c)(6).
• State eligibility condition .....	300.100.
FAS (Freely associated States) .....	300.717(a).
FAX (FACSIMILE TRANSMISSION)	
• Department procedures (see §§ 300.183, 300.196(a) through (e))	
FERPA (Family Educational Rights and Privacy Act) (See “Confidentiality”)	
FILING A CLAIM (Private insurance) .....	300.154(e).

FILING A COMPLAINT (State complaint procedures) .....	300.153.
FILING REQUIREMENTS	
• By-pass (Regarding private school children) .....	300.196.
• Department procedures .....	300.183.
• See §§ 300.178 through 300.186.	
FINALITY OF DECISION .....	300.514.
FORMULA	
• Allocations to LEAs .....	300.705(b).
• Allocations to States .....	300.703.
• Allocation to States when by-pass is implemented .....	300.191.
• Allocation to States regarding section 619 (see §§ 300.807, 300.810).	
• Parentally-placed private school children .....	300.133.
• SEA set aside funds .....	300.704(b).
• See also § 300.171(a).	
FOSTER PARENT .....	300.30(a)(2).
• See also § 300.45(b).	
FREELY ASSOCIATED STATES AND OUTLYING AREAS	
• Funding for .....	300.701(a).
• Purpose of grants .....	300.700(a).
FULL EDUCATIONAL OPPORTUNITY GOAL .....	300.109.
FUNCTIONAL BEHAVIORAL ASSESSMENT (see § 300.530(d)(1)(ii), (f)(1)(i))	
FUNDING MECHANISM: LRE .....	300.114(b).
FUNDS (See “Use of funds”)	
GENERAL CURRICULUM	
• Discipline (Continue participating in) .....	300.530(d)(1)(i).
• Evaluation procedures:	
○ Be involved and progress in .....	300.304(b)(1)(ii).
○ Review of existing evaluation data .....	300.305(a)(1).
• IEPs:	
○ Measurable annual goals .....	300.320(a)(2)(i).
○ Present levels of educational performance .....	300.320(a)(1).
○ Review and revision of IEPs .....	300.324(b)(1)(ii).
○ Special education and related services .....	300.320(a)(4)(ii).
• IEP Team .....	300.321(a)(4)(ii).
• Specially designed instruction (Definition) .....	300.39(b)(3).
GOALS	
Annual goals (See “IEP” and “Annual goals”).	
• Performance goals and indicators .....	300.157.
○ State and local activities to meet .....	300.814(c).
○ Use of State-level funds to meet .....	300.704(b)(4)(x).
GOVERNOR (Adult prisons) .....	300.149(d).
• See also “Chief executive officer”.	
GRADUATION	
• Evaluation not required for .....	300.305(e)(2).
• Exception to FAPE .....	300.102(a)(3)(i).
• Graduation rates as performance indicators .....	300.157(a)(3).
• Written prior notice required .....	300.102(a)(3)(iii).
GRANDPARENT OR STEPPARENT (In definition of “Parent”) .....	300.30(a)(4).
GRANTS	
• Grants to States: .....	300.700.
○ Maximum amount .....	300.700(b).
○ Purpose of .....	300.700(a).
• See “Subgrants”.	
GUARDIAN (In definition of “Parent”) .....	300.30(a)(3).
GUARDIANSHIP, SEPARATION, AND DIVORCE (Regarding parent’s authority to review records) .....	300.613(c).
HEALTH AND HUMAN SERVICES (Secretary of) .....	300.708(i)(1).
HEARING AIDS: Proper functioning of .....	300.113(a).
HEARING IMPAIRMENT	
• Definition .....	300.8(c)(5).
• Related services, audiology .....	300.34(c)(1).
HEARING OFFICER(S) (A–B)	
• Additional disclosure of information requirement .....	300.512(b).
• Attorneys’ fees .....	300.517(c)(2)(i).
• Authority of (Discipline) .....	300.532(b).
○ Basis of decisions .....	300.513(a).
HEARING OFFICER(S) (C–Z)	
• Change of placement:	
○ Hearing officer decision agrees with parents .....	300.518(d).
○ Hearing officer may order .....	300.532(b)(2)(ii).
• Expedited due process hearing (Discipline) .....	300.532(c).
• Impartial hearing officer .....	300.511(c).
• Parent appeal (Discipline) .....	300.532(a).

• Placement during appeals .....	300.533.
• Private school placement when FAPE is at issue .....	300.148(b).
• Reimbursement for private school placement by parents .....	300.148(c).
• Requests for evaluations by .....	300.502(d).
HEARING RIGHTS .....	300.512.
HEARINGS—HEARING PROCEDURES	
• Due process (See “Due process hearings”).	
• Public hearings on policies and procedures .....	300.165(a).
• State and local eligibility:	
◦ LEA eligibility .....	300.155.
◦ Notification in case of LEA or State ineligibility .....	300.221.
◦ State eligibility (Notice and hearing) (see §§ 300.178, 300.179, 300.181).	
HEART CONDITION .....	300.8(c)(9)(i).
HEIGHTENED ALERTNESS TO ENVIRONMENTAL STIMULI (In “Other health impairment”) .....	300.8(c)(9).
HIGH COST FUND (LEA) .....	300.704(c).
HIGHLY MOBILE CHILDREN (e.g., homeless and migrant children) .....	300.111(c)(2).
HIGHLY QUALIFIED TEACHER (A–Q)	
• Alternative route to certification .....	300.18(b)(2).
• Definition of .....	300.18.
• Private school teachers .....	300.18(h).
HIGHLY QUALIFIED TEACHER (R–Z)	
• Requirements for in general .....	300.18(b).
• Requirements for teaching to alternate achievement standards .....	300.18(c).
• Requirements for teaching multiple subjects .....	300.18(d).
• Personnel qualifications .....	300.156(c).
HIGH NEED CHILD .....	300.704(c)(3)(i).
HOMELESS CHILDREN	
• Child find .....	300.111(a)(1)(i).
• Definition of .....	300.19.
• McKinney-Vento Homeless Assistance Act (see §§ 300.19, 300.149(a)(3), 300.153(b)(4)(iii), 300.168(a)(5), 300.508(b)(4)).	
• Surrogate parents for .....	300.519(a)(4).
HYPERACTIVITY (Attention deficit hyperactivity disorder) .....	300.8(c)(9)(i).
INAPPLICABILITY (Of requirements that prohibit commingling and supplanting of funds) .....	300.704(d).
IEE (See “Independent educational evaluation”)	
IEP (A–I)	
• Agency responsibilities for transition services .....	300.324(c)(1).
• Basic requirements (see §§ 300.320 through 300.324).	
• Child participation when considering transition .....	300.321(b)(1).
• Consideration of special factors .....	300.324(a)(2).
• Consolidation of IEP Team meetings .....	300.324(a)(5).
• Content of IEPs .....	300.320(a).
• Definition (see §§ 300.22, 300.320).	
• Development, review, and revision of .....	300.324.
• IEP or IFSP for children aged 3 through 5 .....	300.323(b).
• IEP Team .....	300.321.
IEP (J–Z)	
• Modifications of IEP or placement (FAPE for children in adult prisons) .....	300.324(d)(2)(i).
• Modify/Amend without convening meeting (see § 300.324(a)(4), (a)(6)).	
• Parent participation .....	300.322.
• Alternative means .....	300.328.
• Part C coordinator involvement .....	300.321(f).
• Private school placements by public agencies .....	300.325(a)(1).
• Regular education teacher (See “IEP Team”).	
• Review and revision of IEPs .....	300.324(b).
• SEA responsibility regarding private school .....	300.325(c).
• State eligibility requirement .....	300.112.
• Transition services .....	300.320(b).
• When IEPs must be in effect .....	300.323.
IEP TEAM .....	
• Alternative educational setting (Determined by) .....	300.531.
• Consideration of special factors .....	300.324(a)(2).
◦ Assistive technology .....	300.324(a)(2)(v).
◦ Behavioral interventions .....	300.324(a)(2)(i).
◦ Braille needs .....	300.324(a)(2)(iii).
◦ Communication needs (Deafness and other needs) .....	300.324(a)(2)(iv).
◦ Limited English proficiency .....	300.324(a)(2)(ii).
• Determination of knowledge or special expertise .....	300.321(c).
• Discipline procedures (see §§ 300.530(e), 300.531).	
• Manifestation determination .....	300.530(e).
• Other individuals who have knowledge or special expertise (At parent or agency discretion) .....	300.321(a)(6).
• Participation by private school (public agency placement) .....	300.325(a).
• Regular education teacher (see §§ 300.321(a)(2), 300.324(a)(3)).	

IFSP (INDIVIDUALIZED FAMILY SERVICE PLAN)

- Definition ..... 300.24.
- Transition from Part C ..... 300.124.
- IFSP vs. IEP ..... 300.323(b).

ILLEGAL DRUG (Definition—discipline) ..... 300.530(i)(2).

IMPARTIAL DUE PROCESS HEARING ..... 300.511.

- See “Due process hearings and reviews”.

IMPARTIAL HEARING OFFICER ..... 300.511(c).

IMPARTIALITY OF MEDIATOR ..... 300.506(b)(1).

INCIDENTAL BENEFITS (Permissive use of funds) ..... 300.208.

INCIDENTAL FEES (In definition of “at no cost” under “Special education”) ..... 300.39(b)(1).

INCLUDE (Definition) ..... 300.20.

INDEPENDENT EDUCATIONAL EVALUATION (IEE) ..... 300.502.

- Agency criteria (see § 300.502(a)(2), (b)(2)(ii), (c)(1), (e)).
- Definition ..... 300.502(a)(3)(i).
- Parent-initiated evaluations ..... 300.502(c).
- Parent right to ..... 300.502(a)(1).
- Procedural safeguards notice ..... 300.504(c)(1).
- Public expense (Definition under IEE) ..... 300.502(a)(3)(ii).
- Request by hearing officers ..... 300.502(d).
- Use as evidence at hearing ..... 300.502(c)(2).

INDIAN; INDIAN CHILDREN

- Child find for Indian children aged 3 through 5 ..... 300.712(d).
- Definition of “Indian” ..... 300.21(a).
- Definition of “Indian tribe” ..... 300.21(b).
- Early intervening services ..... 300.711.
- Payments and use of amounts for:
  - Education and services for children aged 3 through 5 ..... 300.712(a).
  - Education of Indian children ..... 300.707.
- Plan for coordination of services ..... 300.713.
- Submission of information by Secretary of Interior ..... 300.708.

INDICATORS ..... 300.157(b).

- See “Performance goals and indicators”.

INDIVIDUALIZED EDUCATION PROGRAM (See “IEP”)

INDIVIDUALIZED FAMILY SERVICE PLAN (See “IFSP”)

INFORMED CONSENT (See “Consent”)

INITIAL EVALUATION ..... 300.301.

- Consent before conducting ..... 300.300(a)(1)(i).
- For ward of State ..... 300.300(a)(2).
- Not construed as consent for initial placement ..... 300.300(a)(1)(ii).
- When not required ..... 300.300(a)(2).
- Review of existing evaluation data ..... 300.305(a).

INSTITUTION OF HIGHER EDUCATION

- Definition ..... 300.26.

INSTRUCTIONAL MATERIALS

- Access to ..... 300.172.
- Audio-visual materials ..... 300.14(b).
- LEA purchase of ..... 300.210.
- NIMAC:
  - SEA coordination with ..... 300.172(c).
  - SEA rights and responsibilities if not coordinating ..... 300.172(b).

INSURANCE

- Community-based waivers (see § 300.154(d)(2)(iii)(D)).
- Financial costs ..... 300.154(f)(2).
- Financial responsibility of LEA/SEA ..... 300.154(a)(1).
- Out-of-pocket expense ..... 300.154(d)(2)(ii).
- Private insurance ..... 300.154(e).
- Public benefits or insurance ..... 300.154(d).
- Risk of loss of eligibility (see § 300.154(d)(2)(iii)(D)).

INTERAGENCY AGREEMENTS

- FAPE methods and payments (Joint agreements) ..... 300.103(a).
- LRE (Children in public/private institutions) ..... 300.114(a)(2)(i).
- Methods of ensuring services ..... 300.154(a).
- SEA responsibility for general supervision ..... 300.149.
- Secretary of Interior—with Health and Human Services Secretary ..... 300.708(i)(1).
- Cooperative agreements (BIA and other agencies) ..... 300.712(d).

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

INTERAGENCY DISPUTES ..... 300.154(a)(3).

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

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

INTERPRETING SERVICES

• As a related service .....	300.34(a).
• Definition .....	300.34(c)(4).
JOINT ESTABLISHMENT OF ELIGIBILITY (LEAs) .....	300.223.
• See also §§ 300.202(b)(3), 300.224.	
JUDICIAL	
• Authorities (Referral to) .....	300.535.
• Finding of unreasonableness .....	300.148(d)(3).
• Proceeding (During pendency) .....	300.518(a).
• Review .....	300.197.
• See also:	
◦ Civil action (see §§ 300.504(c)(12), 300.514(d), 300.516).	
◦ Court(s) (see §§ 300.102(a)(1), 300.184, 300.148(c), (d)(3), 300.197, 300.516(a), (c), (d), 300.517(a), (c)).	
JUVENILE-ADULT CORRECTIONS FACILITIES (See "Correctional facilities")	
LAW ENFORCEMENT AND JUDICIAL AUTHORITIES	
• Referral to .....	300.535.
LEA (LOCAL EDUCATIONAL AGENCY) (A–C)	
• Allocations to LEAs .....	300.705(b).
◦ Reallocation of funds (If LEA is adequately providing FAPE) .....	300.705(c).
• Charter schools and LEAs (See "Charter schools").	
• Child count—LEAs:	
◦ Parentally-placed private school children with disabilities .....	300.133(c).
◦ Procedures for counting all children served (Annual report) .....	300.645.
◦ See also "Child count".	
• Child find—LEAs:	
◦ Parentally-placed private school children with disabilities .....	300.131.
◦ See also "Child find".	
• Compliance (LEA and State agency) .....	300.222.
• Consistency of LEA policies with State policies .....	300.201.
LEA (D–G)	
• Definition of LEA .....	300.28.
• Developmental delay: Use of term by LEAs (see § 300.111(b)(2) through (b)(4)).	
• Direct services by SEA (If LEA is unable or unwilling to serve CWDs, etc.) .....	300.227.
• Discipline and LEAs (See "Discipline").	
• Eligibility of LEA:	
◦ Condition of assistance (see §§ 300.200 through 300.213).	
◦ Exception for prior local plans. ....	300.220.
◦ Ineligibility of LEA (Notice by SEA) .....	300.221.
◦ SEA hearings on LEA eligibility .....	300.155.
• Excess cost requirement—LEA: .....	300.202(b).
◦ Use of amounts for excess costs .....	300.202(a)(2).
◦ See also "Excess costs".	
LEA (H–L)	
• Hearings relating to LEA eligibility .....	300.155.
• Information for SEA .....	300.211.
• Instructional materials (Purchase of) .....	300.210.
• Joint establishment of eligibility (By two or more LEAs) .....	300.202(b)(3).
◦ See also §§ 300.223, 300.224.	
• LEA and State agency compliance .....	300.222.
• LEA policies (Modification of) .....	300.220(b).
◦ See "LEA eligibility," "Eligibility of LEA".	
LEA (M–P)	
• Maintenance of effort regarding LEAs (See "Maintenance of effort").	
• Methods of ensuring services—LEAs (see § 300.154(a)(1) through (a)(4), (b)).	
• Migratory children with disabilities (Linkage with records under ESEA) .....	300.213.
• Modification of policies by LEA .....	300.220(b).
• Noncompliance of LEA (SEA determination) .....	300.222(a).
• Notice requirement (On LEA) .....	300.222(b).
• Purchase of instructional materials .....	300.210.
• Personnel shortages (Use of funds to assist LEAs in meeting) .....	300.704(b)(4)(vii).
• Public information (By LEA) .....	300.212.
LEA (R–T)	
• Reallocation of LEA funds (If LEA is adequately providing FAPE) .....	300.705(c).
• Reimbursement of LEAs by other agencies (See "Methods of ensuring services," § 300.154(a)(2) through (a)(3), (b)(2)).	
• Review and revision of policies .....	300.170(b).
• SEA reduction in payments to LEA .....	300.222(a).
• SEA use of LEA allocations for direct services .....	300.227.
• Show cause hearing (By-pass requirement) .....	300.194.
• State-level nonsupplanting .....	300.162(c).
• Subgrants to LEAs .....	300.705(a).
• Suspension and expulsion rates—LEAs .....	300.170(a)(1).
• Transition planning conferences (Part C to B) .....	300.124(c).
LEA (U–Z)	
• Use of amounts (by LEA) .....	300.202.

- (See “Permissive use of funds”).
- Use of SEA allocations (Regarding LEAs) ..... 300.704.
  - For capacity-building, etc. (see § 300.704(b)(4)(viii)).
  - To assist in meeting personnel shortages (see § 300.704(b)(4)(vii)).
- LEA ELIGIBILITY (A–I)
- Adjustment to local fiscal efforts in certain fiscal years ..... 300.205.
- Charter schools—public:
  - Rights of children with disabilities who attend public charter schools ..... 300.209(a).
  - That are public schools of the LEA ..... 300.209(b).
  - That are LEAs ..... 300.209(c).
  - That are not an LEA or a school that is part of an LEA ..... 300.209(d).
  - Treatment of charter schools and their students ..... 300.209.
  - See also “Charter schools”.
- Condition of assistance ..... 300.200.
  - See §§ 300.201 through 300.213.
- Consistency with State policies ..... 300.201.
- Information for SEA ..... 300.211.
- LEA ELIGIBILITY (M–Z)
- Maintenance of effort ..... 300.203.
  - Exception to ..... 300.204.
- Migratory children with disabilities—records regarding ..... 300.213.
- Permissive use of funds ..... 300.208.
  - Administrative case management ..... 300.208(b).
  - Early intervening services ..... 300.208(a)(2).
  - High cost special education and related services ..... 300.208(a)(3).
  - Services and aids that also benefit nondisabled children ..... 300.208(a)(1).
- Personnel development ..... 300.207.
- Records regarding migratory children with disabilities ..... 300.213.
- State prohibition (If LEA is unable to establish/maintain programs of FAPE) ..... 300.205(c).
- Treatment of charter schools and their students ..... 300.209.
- LEAD POISONING (Other health impairment) ..... 300.8(c)(9)(i).
- LEAST RESTRICTIVE ENVIRONMENT (LRE)
- Children in public or private institutions ..... 300.118.
- Continuum of alternative placements ..... 300.115.
- Educational service agency (Additional requirement regarding LRE) ..... 300.224(c).
- Monitoring activities ..... 300.120.
- Nonacademic settings ..... 300.117.
- Placements ..... 300.116.
- State eligibility requirements ..... 300.114.
- Additional requirement: State funding mechanism ..... 300.114(b).
- Technical assistance and training ..... 300.119.
- LEISURE EDUCATION (Recreation) ..... 300.34(c)(11)(iv).
- LEP (See “Limited English proficient”)
- LEUKEMIA (Other health impairment) ..... 300.8(c)(9)(i).
- LIMITED ENGLISH PROFICIENT (LEP)
- Definition of ..... 300.27.
- Determinant factor in eligibility determination ..... 300.306(b)(1)(iii).
- In development, review, and revision of IEP ..... 300.324(a)(2)(ii).
- In “native language” (Definition) ..... 300.29(a).
- Special rule—LEP not determinant factor ..... 300.306(b)(1)(iii).
- LOCAL EDUCATIONAL AGENCY (See “LEA”)
- LRE (See “Least restrictive environment”)
- MAINTENANCE OF EFFORT (MOE–LEA) (A–R)
- Amounts in excess (Reduce level) ..... 300.205(a).
- Exception to ..... 300.204.
- Maintenance of effort and early intervening services (see Appendix D).
- Maintenance of effort—LEA ..... 300.203.
- Non-reduction of (State enforcement) ..... 300.608.
- Public benefits or insurance proceeds are not MOE ..... 300.154(g)(2).
  - See “Methods of ensuring services”.
- MAINTENANCE OF EFFORT (MOE–LEA) (S–Z)
- SEA flexibility ..... 300.230(a).
- State enforcement (SEA must prohibit LEA from reducing MOE) ..... 300.608.
- MAINTENANCE OF STATE FINANCIAL SUPPORT ..... 300.163.
  - Reduction of funds for failure to maintain support ..... 300.163(b).
  - Subsequent years (Regarding a waiver) ..... 300.163(d).
  - Waivers: Exceptional or uncontrollable circumstances ..... 300.163(c).
- MANIFESTATION DETERMINATION (See “Discipline”) ..... 300.530(e).
- McKINNEY-VENTO HOMELESS ASSISTANCE ACT
- In definition of “Homeless children” ..... 300.19.
- In filing a State complaint ..... 300.153(b)(4)(iii).
- SEA responsibility for general supervision (Regarding homeless children) ..... 300.149(a)(3).
- State advisory panel (Membership) ..... 300.168(a)(5).



• Surrogate parents (Homeless child's rights protected)	300.519(a)(4).
MEDIATION (A–O)	
• Benefits of (Meeting to explain)	300.506(b)(2)(ii).
• Confidential discussions	300.506(b)(6)(i).
• Cost of (Borne by State)	300.506(b)(4).
• Disinterested party (To meet with parents and schools)	300.506(b)(2).
• Disputes (Resolve through mediation)	300.506(a).
• Legally binding agreement	300.506(b)(6).
• Mediation procedures (By public agency to allow parties to resolve disputes)	300.506(a).
• Mediators:	
◦ Impartiality of	300.506(c).
◦ List of	300.506(b)(3)(i).
◦ Qualified and impartial (see § 300.506(b)(1)(iii)).	
• Meeting to explain benefits of	300.506(b)(2)(ii).
• Not used as evidence in hearing	300.506(b)(8).
• Not used to deny/delay right to hearing	300.506(b)(1)(ii).
• Opportunity to meet	30.506(b)(2).
MEDIATION (P–Z)	
• Parent training and information center	300.506(b)(2)(i).
• Procedural safeguards notice	300.504(c)(6).
• Random selection of mediators	300.506(b)(3)(ii).
• Use of SEA allocations to establish	300.704(b)(3)(ii).
• Voluntary	300.506(b)(1)(i).
• Written mediation agreement	300.506(b)(7).
MEDICAID	
• Children covered by public benefits or insurance	300.154(d)(1).
• Construction (Nothing alters requirements imposed under Titles XIX or XXI)	300.154(h).
• Financial responsibility of each non-educational public agency (e.g., State Medicaid)	300.154(a)(1).
• LEA high cost fund (Disbursements not medical assistance under State Medicaid)	300.704(c)(8).
• Medicaid reimbursement not disqualified because service in school context	300.154(b)(1)(ii).
• Methods of ensuring services (see § 300.154(a)(1), (b)(1)(ii), (d), (g)(2), (h)).	
• Proceeds from public or private insurance	300.154(g)(1).
• Public agency may use Medicaid	300.154(a)(1).
• State Medicaid, etc., must precede financial responsibility of LEA	300.154(a)(1).
MEDICAL (A–L)	
• Assistance under other Federal programs	300.186.
• Assistive technology device (Does not include a surgically implanted medical device)	300.5.
• LEA high cost fund (Disbursements not medical assistance under State Medicaid)	300.704(c)(8).
MEDICAL (M–Q)	
• Medical services in ("Related services"):	
◦ Audiology (Referral for)	300.34(c)(1)(ii).
◦ Definition of	300.34(c)(5).
◦ For diagnostic purposes	300.34(a).
◦ Speech-language pathology (Referral for)	300.34(c)(15)(iii).
• Medical supplies, etc. (Memo of agreement between HHS and Interior)	300.708(i)(2).
• Non-medical (Residential placement)	300.104.
MEDICAL (R–Z)	
• Referral for medical services:	
◦ Audiology	300.34(c)(1)(ii).
◦ Speech-language pathology services	300.34(c)(15)(iii).
• Related services: Exception; surgically implanted devices ("Cochlear implants")	300.34(b).
• Routine checking of hearing aids and other devices	300.113.
• SLD: Educationally relevant medical findings, if any	300.311(a)(4).
MEDICATION	
• Prohibition on mandatory medication	300.174.
MEETING(S)	
• Alternative means of meeting participation	300.328.
• Consolidation of IEP Team meetings	300.324(a)(5).
• Equitable services determined (Parentally-placed private school CWDs)	300.137.
• IEP Team meetings (See "IEP").	
• Mediation (Opportunity to meet)	300.506(b)(2).
• Opportunity to examine records; participation in IEP Team meetings	300.501.
• Parent participation in meetings (see § 300.506(b)(2), (b)(4)).	
• Private school placements by public agencies	300.325.
• Reviewing and revising IEPs (Private school placements)	300.325(b).
• Services plan for private school children (Meetings)	300.137(c)(1).
MENTAL RETARDATION (Definition)	300.8(c)(6).
METHODS OF ENSURING SERVICES	300.154.
MIGRANT CHILDREN	
• Child find	300.111(c)(2).
• Records regarding migratory children (Linkage with ESEA)	300.213.
MINIMUM STATE COMPLAINT PROCEDURES	300.152.
• See "Complaints," "State complaint procedures".	
MONITOR; MONITORING ACTIVITIES (A–N)	

- Allowable costs for monitoring ..... 300.704(b)(3)(i).
- Children placed in private schools by public agencies ..... 300.147(a).
- Implementation by SEA ..... 300.147(a).
- LRE (SEA monitoring activities) ..... 300.120.
- Monitoring activities (LRE) ..... 300.120.
- Monitoring—Enforcement (Subpart F) ..... 300.600.
  - Rule of construction (Use any authority under GEPA to monitor) ..... 300.609.
  - Secretary’s review and determination regarding State performance ..... 300.603(b)(1).
  - State exercise of general supervision ..... 300.600(d)(2).
  - State use of targets and reporting ..... 300.602(a), (b)(1).
- MONITOR; MONITORING ACTIVITIES (O–Z)
- Outlying areas, etc. (see § 300.701(a)(1)(ii)).
- Private school children: SEA monitoring ..... 300.147(a).
- SEA responsibility for general supervision ..... 300.149(b).
- Secretary of the Interior ..... 300.708.
- State advisory panel functions (Advise SEA on corrective action plans) ..... 300.169(d).
- Use of SEA allocations for monitoring ..... 300.704(b)(3)(i).
- Waiver (State’s procedures for monitoring) ..... 300.164(c)(2)(ii)(B).
- Summary of monitoring reports ..... 300.164(c)(3).
- MULTIPLE DISABILITIES (Definition) ..... 300.8(c)(7).
- NATIONAL INSTRUCTIONAL MATERIALS ACCESS CENTER (NIMAC) ..... 300.172(e)(1)(ii).
- NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY STANDARDS (NIMAS) ..... 300.172(e)(1)(iii).
- See also Appendix C.
- NATIVE LANGUAGE
- Confidentiality (Notice to parents) ..... 300.612(a)(1).
- Definition ..... 300.29.
- Definition of “Consent” ..... 300.9.
- Evaluation procedures (Tests in native language) ..... 300.304(c)(1)(ii).
- Notice to parents: Confidentiality (In native language) ..... 300.612(a)(1).
- Prior notice:
  - 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 by SEA) ..... 300.227.
- NEPHRITIS (In “Other health impairment”) ..... 300.8(c)(9)(i).
- NIMAC (See “National Instructional Materials Access Center”)
- NIMAS (See “National Instructional Materials Accessibility Standard”)
- NONACADEMIC
- Activities: Participate in (IEP content) ..... 300.320(a)(4)(ii).
- Services and extracurricular activities (Equal opportunity to participate in) ..... 300.107(a).
- Settings ..... 300.117.
- NONCOMMINGLING ..... 300.162(b).
- NONDISABLED (Children; students) (A–P)
- At no cost (In definition of “special education”) ..... 300.39(b)(1).
- Disciplinary information ..... 300.229(a).
- Excess cost requirement ..... 300.202(b).
- IEP (definition) (see § 300.320(a)(1)(i), (a)(4)(iii), (a)(5)).
- LRE (General requirement) ..... 300.114.
- Nonacademic settings ..... 300.117.
- Placement ..... 300.116.
- Program options ..... 300.110.
- NONDISABLED (Children; students) (R–Z)
- Regular physical education ..... 300.108(b).
- Services and aids that also benefit nondisabled children ..... 300.208(a)(1).
- Special education (Definition: In definition of “at no cost”) ..... 300.39(b)(1).
- Supplementary aids and services ..... 300.42.
- Suspension and expulsion rates ..... 300.170(a)(2).
- NONEDUCATIONAL (Public agency)
- Medicaid service (May not be disqualified because in school context) ..... 300.154(b)(1)(ii).
- Methods of ensuring services (see § 300.154(a), (b))
- Obligation of ..... 300.154(b).
- Reimbursement for services by ..... 300.154(b)(2).
- NON-MEDICAL CARE (Residential placement) ..... 300.104.
- NONSUPPLANTING
- Excess cost requirement (Regarding children aged 3 through 5 and 18 through 21) ..... 300.202(b)(1)(ii).
- LEA nonsupplanting ..... 300.202(b)(1)(ii).
- SEA flexibility ..... 300.230(a).
- State-level activities (Inapplicability of certain provisions) ..... 300.704(d).
- State-level nonsupplanting ..... 300.162(c).
- Waiver of requirement ..... 300.164.
- NOTICES: By parents or parties
- Attorneys’ fees: When court reduces fee award regarding due process request notice ..... 300.517(c)(4)(iv).

• Children enrolled by parents in private schools when FAPE is at issue .....	300.148(d)(1)(i).
• Due process complaint (Notice before a hearing on a complaint) .....	300.508(c).
• Private school placement by parents (When FAPE is at issue) .....	300.148(d)(1)(i).
NOTICES: Public agency (A–M)	
• By-pass (Judicial review) .....	300.197.
• Children’s rights (Transfer of rights) .....	300.625(c).
• Confidentiality (Notice to parents) .....	300.612.
• Department procedures (Notice to States) .....	300.179.
◦ See “Judicial review” .....	300.184.
• Discipline (Notification) .....	300.530(h).
• Exception to FAPE (Graduation) .....	300.102(a)(3).
• Hearings relating to LEA eligibility .....	300.155.
• IEP meetings (Parent participation) .....	300.322(b).
• Judicial review: If State dissatisfied with eligibility determination .....	300.184.
• LEA and State agency compliance .....	300.222.
◦ Notification in case of ineligibility .....	300.221(b).
NOTICES: Public agency (N–P)	
• Notice before a hearing on a due process complaint .....	300.508(c).
• Notice and hearing before State ineligible .....	300.179.
• Notice in understandable language .....	300.503(c).
• Notification of LEA in case of ineligibility .....	300.221(b).
• Parent participation in meetings .....	300.501(b)(2).
• Prior notice by public agency .....	300.503.
• Private school placement by parents when FAPE is at issue (Public agency notice) .....	300.148(d)(2).
• Procedural safeguards notice .....	300.504.
• Public attention .....	300.606.
• Public participation (Notice of hearings) .....	300.165(a).
NOTICES: Public agency (Q–Z)	
• Secretary of the Interior (Submission of information) .....	300.708(g).
• Secretary’s review and determination of State performance .....	300.603(b)(2).
• Transfer of parental rights .....	300.520(a)(1)(i).
• Use of electronic mail .....	300.505.
• Withholding funds .....	300.605.
OCCUPATIONAL THERAPY .....	300.34(c)(6).
OPPORTUNITY TO EXAMINE RECORDS .....	300.501.
ORIENTATION AND MOBILITY SERVICES .....	300.34(c)(7).
ORTHOPEDIC IMPAIRMENT .....	300.8(c)(8).
OTHER HEALTH IMPAIRMENT .....	300.8(c)(9).
OTHER INDIVIDUALS ON IEP TEAM .....	300.321(a)(6).
OUTLYING AREAS—FREELY ASSOCIATED STATES	
• Allocations to States (General) .....	300.703(a).
• Annual description of use of funds .....	300.171(c).
• Definitions applicable to allotments, grants and use of funds:	
◦ Freely associated States .....	300.717(a).
◦ Outlying areas .....	300.717(b).
• Definition of “State” (Includes “Outlying areas”) .....	300.40.
• Outlying areas and freely associated States .....	300.701.
• Purpose of grants .....	300.700(a).
OUT-OF-POCKET EXPENSE (Public benefits or insurance) .....	300.154(d)(2)(ii).
PARAPROFESSIONALS	
In “Personnel qualifications” .....	300.156(b).
PARENT (Definition) .....	300.30.
PARENT: RIGHTS AND PROTECTIONS (A–G)	
• Appeal (Manifestation determination) .....	300.532.
• Confidentiality (Authority to inspect and review records) .....	300.613(c).
• Consent (See “Consent”)	
• Counseling and training (Definition) .....	300.34(c)(8).
• Definition of “Parent” .....	300.30.
◦ Foster parent .....	300.30(a)(2).
◦ Grandparent or stepparent .....	300.30(a)(4).
◦ Guardian .....	300.30(a)(3).
PARENT: RIGHTS AND PROTECTIONS (H–N)	
• Independent educational evaluation .....	300.502.
◦ Parent-initiated evaluations .....	300.502(c).
◦ Parent right to evaluation at public expense .....	300.502(b).
• IEP and parent involvement:	
◦ Copy of child’s IEP .....	300.322(f).
◦ Informed of child’s progress .....	300.320(a)(3)(ii).
◦ Option to invite other individuals .....	300.321(a)(6).
◦ Participation in meetings .....	300.322.
◦ Team member .....	300.321(a)(1).
• Informed consent (Accessing private insurance) .....	300.154(e)(1).
• Involvement in placement decisions .....	300.501(c).

- Meetings (Participation in) ..... 300.501(b).
- Notice to public agency:
  - Before a hearing on a due process complaint ..... 300.508(c).
  - Before removing child from public school ..... 300.148(d)(1)(ii).
  - Timeline for requesting a hearing ..... 300.511(e).
  - Exceptions to timeline ..... 300.511(f).
  - Opportunity to examine records ..... 300.501(a).
- PARENT: RIGHTS AND PROTECTIONS (O–Z)
- Parent counseling and training ..... 300.34(c)(8).
- Placement decisions (Involvement in) ..... 300.501(c).
- Request for hearing (Discipline) ..... 300.532(a).
- Right to an independent educational evaluation ..... 300.502(b).
- PARENTAL CONSENT (See “Consent”)
- PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (A–E)
- Annual count of the number of ..... 300.133(c).
- Bypass (see §§ 300.190 through 300.198)
- Child find for ..... 300.131.
- Calculating proportionate amount ..... 300.133(b).
- Compliance ..... 300.136.
- Consultation with private schools ..... 300.134.
- Written affirmation ..... 300.135.
- Definition of ..... 300.130.
- Due process complaints and State complaints ..... 300.140.
- Equitable services determined ..... 300.137.
- Equitable services provided ..... 300.138.
- Expenditures ..... 300.133.
- Formula ..... 300.133(a).
- PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (F–R)
- No individual right to special education and related services ..... 300.137(a).
- Property, equipment, and supplies ..... 300.144.
- Proportionate share of funds ..... 300.134(b).
- See “Appendix B—Proportionate Share Calculation”
- Provision of equitable services ..... 300.138(c).
- Religious schools (see §§ 300.131(a), 300.137(c), 300.139(a))
- Requirement that funds not benefit a private school ..... 300.141.
- PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (S–T)
- Separate classes prohibited ..... 300.143.
- Services on private school premises ..... 300.139(a).
- Services plan (Definition) ..... 300.37.
- For each child served under §§ 300.130 through 300.144 ..... 300.137(c).
- See also §§ 300.132(b), 300.138(b), 300.140(a)
- State eligibility requirement ..... 300.129.
- Transportation (Cost of) ..... 300.139(b)(2).
- PARENTALLY-PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES (U–Z)
- Use of personnel:
  - Private school personnel ..... 300.142(b).
  - Public school personnel ..... 300.142(a).
- Written affirmation ..... 300.135.
- Written explanation by LEA regarding services ..... 300.134(e).
- PARTICIPATING AGENCY
- Confidentiality provisions:
  - Definition of participating agency ..... 300.611(c).
  - See also §§ 300.613(c), 300.614, 300.616, 300.618, 300.623
- IEP requirements (Transition services) ..... 300.324(c).
- PENDENCY (Stay put)
- Child’s status during due process proceedings ..... 300.518.
- Placement during appeals (Discipline) ..... 300.533.
- Procedural safeguards notice ..... 300.504(c)(7).
- PERFORMANCE GOALS AND INDICATORS
- Assess progress toward achieving goals ..... 300.157(c).
- Establishment of goals ..... 300.157.
- Other State level activities ..... 300.814(c).
- Performance goals and indicators ..... 300.157.
- State monitoring and enforcement ..... 300.600(c).
- State performance plans and data collection ..... 300.601.
- PERFORMANCE; PERFORMANCE PLANS (STATE)
- Enforcement ..... 300.604.
- Public reporting and privacy ..... 300.602(b).
- Secretary’s review and determination regarding State performance ..... 300.603.
- State performance plans and data collection ..... 300.601.
- State performance report ..... 300.602(b)(2).
- State use of targets and reporting ..... 300.602.
- Public reporting ..... 300.602(b)(1).
- State performance report ..... 300.602(b)(2).

PERMISSIVE USE OF FUNDS (LEAs)	
• Administrative case management .....	300.208(b).
• Early intervening services .....	300.208(a)(2).
• High cost education and related services .....	300.208(a)(3).
• Permissive use of funds .....	300.208.
• Services and aids that also benefit nondisabled children .....	300.208(a)(1).
PERSONALLY IDENTIFIABLE (PI) INFORMATION (A–H)	
• Confidentiality of (State eligibility requirement) .....	300.123.
• Consent (confidentiality) .....	300.622(a).
• Data collection (State performance plans) .....	300.601(b)(3).
• Definition of “personally identifiable” .....	300.32.
• Department use of information .....	300.627.
• Destruction:	
◦ Definition of .....	300.611(a).
◦ Destruction of information .....	300.624.
• Hearing decisions to advisory panel and the public .....	300.513(d).
PERSONALLY IDENTIFIABLE (PI) INFORMATION (I–Z)	
• Notice to parents (Confidentiality):	
◦ Children on whom PI information is maintained .....	300.612(a)(2).
◦ Policies and procedures regarding disclosure to third parties, etc .....	300.612(a)(3).
• Participating agency (Definition) .....	300.611(c).
• Protection of PI information .....	300.642(a).
• See also § 300.610.	
• Safeguards (Protect PI information) .....	300.623.
PERSONNEL QUALIFICATIONS .....	300.156.
PERSONNEL SHORTAGES	
• Use of SEA allocations to meet .....	300.704(b)(4)(vii).
PHYSICAL EDUCATION.	
• Definition .....	300.39(b)(2).
• State eligibility requirement .....	300.108.
PHYSICAL THERAPY (Definition) .....	300.34(c)(9).
PLACEMENT(S) (A–Co)	
• Adult prisons (CWDs in):	
◦ Last educational placement before incarceration .....	300.102(a)(2)(i).
◦ Modifications to IEPs and placements .....	300.324(d)(2).
• Alternative means of meeting participation (Regarding “Placement meetings”) .....	300.328.
• Change in placement: Graduation .....	300.102(a)(3)(iii).
• Child’s placement during pendency of any complaint .....	300.504(c)(7).
◦ See also “Pendency” (Child’s status during proceedings) .....	300.518.
• Children with disabilities in adult prisons: Placements regarding (see §§ 300.102(a)(2)(i), 300.324(d)(2)).	
• Continuum of alternative placements (Continuum—LRE) .....	300.115.
PLACEMENT(S) (Cu–L)	
• Current placement (see § 300.530(b)((2), (d) )	
• Current “Educational placement:”	
◦ Change of placements because of disciplinary removals .....	300.536.
◦ Child’s status during proceedings .....	300.518(a).
• Disciplinary changes in placement .....	300.530(c).
• Discipline procedures and placements (see §§ 300.530 through 300.536).	
• Educational placements (Parents in any group that makes placement decisions) .....	300.327.
• Graduation: A change in placement (Exception to FAPE) .....	300.102(a)(3)(iii).
• Last educational placement (Before incarceration) .....	300.102(a)(2)(i).
• Least restrictive environment (LRE) (see §§ 300.114 through 300.120)	
• Notification: LEA must notify parents of decision to change placement .....	300.530(h).
PLACEMENT(S) (O–Z)	
• Pendency (Child’s status during proceedings) .....	300.518.
• Placement of children by parents if FAPE is at issue .....	300.148.
• Placements (LRE) .....	300.116.
• Requirements for unilateral placement by parents of CWDs in private schools (In “Procedural safeguards notice”).	
• State funding mechanism (Must not result in placements that violate LRE) .....	300.114(b)(1).
POLICY: POLICIES AND PROCEDURES	
• Condition of assistance (LEA eligibility) .....	300.200.
◦ Consistency with State policies .....	300.201.
◦ See also §§ 300.200 through 300.213	
• Eligibility for assistance (State) .....	300.100.
• Exception for prior policies on file:	
◦ With the SEA .....	300.220.
◦ With the Secretary .....	300.176(a).
• FAPE policy .....	300.101(a).
• Joint establishment of eligibility (Requirements) .....	300.223.
• Modifications of:	
◦ LEA or State agency policies .....	300.220(b).
◦ Required by Secretary .....	300.176(c).
◦ State policies (By a State) .....	300.176(b).

- Public participation ..... 300.165.
- Secretary of the Interior ..... 300.708.
  - Public participation ..... 300.709.
  - Submission of information ..... 300.708.
- PREPONDERANCE OF EVIDENCE
- Civil action ..... 300.516(c)(3).
- PRESCHOOL GRANTS
- Allocations to LEAs ..... 300.816.
  - Subgrants to LEAs ..... 300.815.
- Other State-level activities ..... 300.814.
  - Provide early intervention services in accordance with Part C of the Act ..... 300.814(e).
  - Service coordination or case management ..... 300.814(f).
- State administration ..... 300.813.
- Use of funds for administration of Part C ..... 300.813(b).
- PRIOR NOTICE
- By public agency ..... 300.503.
- Notice required before a hearing on a due process complaint ..... 300.508(c).
- Procedural safeguards notice ..... 300.504.
- PRISONS (See “Adult prisons”)
- PRIVATE INSURANCE
- Children with disabilities who are covered by ..... 300.154(e).
  - Proceeds from public benefits or insurance or private insurance ..... 300.154(g).
  - Use of Part B funds ..... 300.154(f).
- PRIVATE SCHOOLS AND FACILITIES
- Applicability of this part to State and local agencies:
  - CWDs placed in private schools by parents under § 300.148 ..... 300.2(c)(2).
  - CWDs referred to or placed in private schools by public agency ..... 300.2(c)(1).
- PRIVATE SCHOOL CHILDREN ENROLLED BY THEIR PARENTS
- Placement of children by parents when FAPE is at issue ..... 300.148.
- See “Parentally-placed private school children with disabilities”
- PRIVATE SCHOOL PLACEMENTS BY PUBLIC AGENCIES (A–D)
- Applicability of this part to private schools ..... 300.2(c)(1).
- Applicable standards (SEA to disseminate to private schools involved) ..... 300.147(b).
- PRIVATE SCHOOL PLACEMENTS BY PUBLIC AGENCIES (E–Z)
- Implementation by SEA (Must monitor, provide standards, etc.) ..... 300.147.
- Monitor compliance ..... 300.147(a).
- Input by private schools (Provide for) ..... 300.147(c).
- Responsibility of SEA ..... 300.146.
- PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (A–C)
- Additional disclosure of information (5 business days before hearing) ..... 300.512(b).
- Agency responsible for conducting hearing ..... 300.511(b).
- Appeal of hearing decisions; impartial review ..... 300.514(b).
- Attorneys’ fees ..... 300.517.
- Child’s status during proceedings ..... 300.518.
- Civil action ..... 300.516.
- Consent (Definition) ..... 300.9.
- Court (See “Court(s)”)
- PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (D–H)
- Electronic mail (Parent may elect to receive notices by) ..... 300.505.
- Evaluation (Definition) ..... 300.15.
- Evaluations: Hearing officer requests for ..... 300.502(d).
- Finality of decision; appeal; impartial review ..... 300.514.
- Findings and decision to advisory panel and public ..... 300.513(d).
- Hearing rights ..... 300.512.
- PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (I–Pa)
- Impartial due process hearing ..... 300.511.
- Impartial hearing officer ..... 300.511(c).
- Impartiality of mediator ..... 300.506(c).
- Independent educational evaluation ..... 300.502.
  - Definition ..... 300.502(a)(3)(i).
- Jurisdiction of district courts ..... 300.516(d).
  - See “Court(s)”
- Mediation ..... 300.506.
  - Opportunity to meet with a disinterested party ..... 300.506(b)(2).
- Model form to assist parties in filing a due process or State complaint ..... 300.509.
- Notice required before a hearing on a due process complaint ..... 300.508(c).
- Opportunity to examine records ..... 300.501(a).
- Parental consent ..... 300.300.
- Parent-initiated evaluations ..... 300.502(c).
- Parent involvement in placement decisions ..... 300.501(c).
- Parent participation in meetings ..... 300.501(b).
- Parental rights at hearings ..... 300.512(c).
- Parent right to evaluation at public expense ..... 300.502(b).
  - Public expense (Definition) ..... 300.502(a)(3)(ii).

PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES (Pe–Z)	
• Pendency .....	300.518.
• Personally identifiable (Definition) .....	300.32.
• Prior notice by public agency .....	300.503.
• Procedural safeguards notice .....	300.504.
• Prohibition on introduction of undisclosed evidence 5 business days before hearing .....	300.512(a)(3).
• Record of hearing .....	300.512(a)(4).
• Resolution process .....	300.510.
• SEA implementation of .....	300.150.
• See “Civil Action Proceedings,” “Court(s),” “Hearing Officer(s),” “Timelines”	
• Surrogate parents .....	300.519.
• Timelines and convenience of hearings .....	300.515.
• Transfer of parental rights at age of majority .....	300.520.
PROCEDURAL SAFEGUARDS NOTICE .....	300.504.
• Internet Web site (Notice on) .....	300.504(b).
PROCEEDS FROM PUBLIC BENEFITS OR INSURANCE OR PRIVATE INSURANCE .....	300.154(g).
PROGRAM INCOME (Not treated as proceeds from insurance) .....	300.154(g).
PROGRAM MODIFICATIONS OR SUPPORTS (IEP content) .....	300.320(a)(4).
PROPORTIONATE SHARE CALCULATION (See Appendix B)	
PROTECTIONS FOR CHILDREN NOT DETERMINED ELIGIBLE (Discipline) .....	300.534.
PSYCHOLOGICAL SERVICES (Definition) .....	300.34(c)(10).
PUBLIC AGENCY (Definition) .....	300.33.
PUBLIC BENEFITS OR INSURANCE .....	300.154(d).
PUBLIC BENEFITS OR INSURANCE OR PRIVATE INSURANCE (Proceeds from) .....	300.154(g).
PUBLIC CHARTER SCHOOLS (See “Charter schools”)	
PUBLIC EXPENSE (Definition under IEE) .....	300.502(a)(3)(ii).
PUBLIC HEARINGS (On policies)	
• State eligibility .....	300.165(a).
• Secretary of the Interior .....	300.708(g).
PUBLIC INFORMATION (LEA) .....	300.212.
PUBLIC NOTICE	
• LEA and State agency compliance .....	300.222(b).
• Public attention (If State has received a notice under § 300.603) .....	300.606.
PURPOSES (Of this Part 300) .....	300.1.
QUALIFIED PERSONNEL .....	300.156.
• Related services definitions (see § 300.34(c)(2), (c)(5), (c)(6), (c)(7), (c)(9), (c)(12), (c)(13)).	
RATE OF INFLATION (In the Consumer Price Index for All Urban Consumers) (see §§ 300.702(b), 300.704(a)(2)(ii), 300.704(b)(2), 300.812(b)(2)).	
REALLOCATION OF LEA FUNDS (If SEA determines LEA adequately providing FAPE) (see §§ 300.705(c), 300.817)).	
RECORDS (A–D)	
• Access rights (Parents’ right to inspect) .....	300.613.
○ Fees for records .....	300.617.
○ Records on more than one child .....	300.615.
• Civil action (Court shall receive records) .....	300.516(c)(1).
• Conducting IEP Team meetings without parents (Records of attempts to convince parents) .....	300.322(d).
Confidentiality (See “Confidentiality”)	
• Consent to release records .....	300.622(b).
Disciplinary records:	
○ Determination that behavior not manifestation .....	300.530(e).
○ Disciplinary information .....	300.229(c).
○ Referral to and action by law enforcement and judicial authorities .....	300.535.
RECORDS (E–Z)	
• Education records (Definition) .....	300.611(b).
• Of parentally-placed private school CWDs (LEA to SEA) .....	300.132(c).
• Opportunity to examine records .....	300.501(a).
• Procedural safeguards notice (Access to education records) .....	300.504(c)(4).
• Record of access .....	300.614.
• See also “Transfer during academic year”	
RECREATION (Definition) .....	300.34(c)(11).
REDUCTION OF FUNDS FOR FAILURE TO MAINTAIN SUPPORT .....	300.163(b).
REEVALUATION	
• Frequency of occurrence .....	300.303(b).
• Parental consent required before conducting .....	300.300(c)(1).
○ If parent fails to consent .....	300.300(c)(1)(ii).
• Parental consent not required for:	
○ Administering a test that all children take .....	300.300(d)(1)(ii).
○ Reviewing existing data .....	300.300(d)(1)(i).
• Parent refusal to consent .....	300.300(c)(1)(ii).
• Review of existing evaluation data .....	300.305(a).
• Revision of IEP (To address reevaluation) .....	300.324(b)(1)(ii).

REFERRAL (A–M)

- Discipline:
  - Referral to and action by law enforcement and judicial authorities ..... 300.535.
  - Protections for children not determined eligible ..... 300.534.
- Enforcement (Referral for) ..... 300.604(b)(2)(vi).
- Indian children (Referral for services or further diagnosis) ..... 300.712(d)(2).
- Medical attention (Referral for):
  - Audiology ..... 300.34(c)(1)(ii).
  - Speech-language pathology services ..... 300.34(c)(15)(iii).

REFERRAL (N–Z)

- Nonacademic and extracurricular services (Referral to agencies regarding assistance to individuals with disabilities). ..... 300.107(b).
- Prior notice (If not initial referral for evaluation) ..... 300.503(b)(4).
- Private school placement when FAPE is at issue (Reimbursement when no referral by public agency) ..... 300.148(c).
- Procedural safeguards notice (Upon initial referral for evaluation) ..... 300.504(a)(1).
- Referral to and action by law enforcement and judicial authorities ..... 300.535.

REGULAR EDUCATION TEACHER

- Access to IEP ..... 300.323(d).
- IEP Team member ..... 300.321(a)(2).
- Participate in IEP development ..... 300.324(a)(3).
- Behavioral interventions ..... 300.324(a)(3)(i).
- Supplementary aids and services ..... 300.324(a)(3)(ii).

REGULATIONS

- Applicable regulations (Secretary of the Interior) ..... 300.716.
- Applicability of this part to State, local, and private agencies ..... 300.2.

REHABILITATION

- Assistive technology service (see § 300.6(d), (f))
- Rehabilitation Act of 1973 (see §§ 300.34(c)(12), 300.516(e))
- Rehabilitation counseling services:
  - Definition ..... 300.34(c)(12).
  - In vocational rehabilitation (VR) programs ..... 300.34(c)(12).
- Transition services (State VR agency responsibility) ..... 300.324(c)(2).

REHABILITATION COUNSELING SERVICES ..... 300.34(c)(12).

REIMBURSEMENT

- Methods of ensuring services (see § 300.154(a)(3), (b)(1)(ii), (b)(2), (g)(2))
- Private school placement when FAPE is at issue:
  - Limitation on reimbursement ..... 300.148(d).
  - Reimbursement for private school placement ..... 300.148(c).
  - Subject to due process procedures ..... 300.148(b).
- Reimbursement by non-educational public agency ..... 300.154(b)(2).
- Reimbursement by SEA to LEA ..... 300.704(c)(7).

RELATED SERVICES

- Definition ..... 300.34.
- Observations by teachers and related services providers regarding existing evaluation data ..... 300.305(a)(1)(iii).

RELATION OF PART B TO OTHER FEDERAL PROGRAMS ..... 300.186.

RELIGIOUS SCHOOLS

- Child find for parentally-placed private school children ..... 300.131(a).
- Child find for out-of-State children ..... 300.131(f).
- Formula for LEA expenditures on ..... 300.133(a).
- See “Parentally-placed private school children with disabilities”
- Services plan for each child served ..... 300.137(c).
- Services provided on-site ..... 300.139(a).

REMEDIES FOR DENIAL OF APPROPRIATE SERVICES ..... 300.151(b).

REPORTS (A–C)

- Annual report of children served ..... 300.640.
  - See also §§ 300.641 through 300.646
- Annual report to Secretary of Interior by advisory board on Indian children ..... 300.715(a).
- Biennial report (Indian tribes) ..... 300.712(e).
- Child count (Annual report of children served) ..... 300.641.

REPORTS (D–Z)

- Evaluation reports to parents ..... 300.306(a)(2).
- Monitoring compliance of publicly placed children in private schools (e.g., written reports) ..... 300.147(a).
- Monitoring reports (Waiver of nonsupplanting requirement) ..... 300.164(c)(3).
- Performance goals (Progress reports) ..... 300.157(c).
- Secretary’s report to States regarding 25% of funds ..... 300.812(b).

REPORT CARDS ..... 300.320(a)(3)(ii).

REPORTING A CRIME to law enforcement and judicial authorities ..... 300.535.

RESIDENTIAL PLACEMENTS ..... 300.104.

REVOKE CONSENT AT ANY TIME (In definition of “Consent”) ..... 300.9(c)(1).

RHEUMATIC FEVER ..... 300.8(c)(9)(i).

RISK OF LOSS OF ELIGIBILITY FOR INSURANCE ..... 300.154(d)(2)(iii)(D).

SCHOOL DAY



• Definition .....	300.11(c).
• See “Timelines,” “Timelines—Discipline” .....	
SCHOOL HEALTH SERVICES AND SCHOOL NURSE SERVICES .....	300.34(c)(13).
SCHOOL PERSONNEL	
• Content of IEP .....	300.320(a)(4).
• Development, review, and revision of IEP .....	300.324(a)(4).
• Disciplinary authority .....	300.530.
• Use of private school personnel .....	300.142(b).
• Use of public school personnel .....	300.142(a).
SCHOOLWIDE PROGRAMS .....	300.206.
SEA RESPONSIBILITY	
• For all education programs .....	300.149.
• For direct services .....	300.227.
• For each parentally-placed private school child designated to receive services .....	300.132(b).
• For impartial review .....	300.514(b)(2).
• Prohibition of LEA from reducing maintenance of effort .....	300.608.
SECRETARY	
• Determination that a State is eligible .....	300.178.
• Notice and hearing before determining that a State is not eligible .....	300.179.
• Waiver of nonsupplanting requirement .....	300.164.
SECRETARY OF THE INTERIOR	
• Advisory board establishment .....	300.714.
◦ Annual report by advisory board .....	300.715.
• Biennial report (By tribe or tribal organization) .....	300.712(e).
• Eligibility (see §§ 300.708 through 300.716)	
• Payments for:	
◦ Children aged 3 through 5 .....	300.712.
◦ Child find and screening .....	300.712(d).
• Plan for coordination of services .....	300.713.
• Use of funds for early intervening services .....	300.711.
SEPARATION—DIVORCE (Authority to review records) .....	300.613(c).
SERVICES PLAN for parentally-placed private school children (see §§ 300.132(b), 300.137(c) 300.138(b))	
SERVICES THAT ALSO BENEFIT NONDISABLED CHILDREN .....	300.208(a)(1).
SHORTAGE OF PERSONNEL (Policy to address) .....	300.704(b)(4)(vii).
SHORT TERM OBJECTIVES OR BENCHMARKS .....	300.320(a)(2)(ii).
SHOULD HAVE KNOWN (Regarding due process complaint) .....	300.511(e).
SHOW CAUSE HEARING .....	300.194.
• Decision .....	300.195.
• Implementation of by-pass (see §§ 300.192(b)(2), 300.193)	
• Right to legal counsel .....	300.194(a)(3).
SICKLE CELL ANEMIA .....	300.8(c)(9)(i).
SLD (See “Specific Learning Disability”)	
SOCIAL WORK SERVICES IN SCHOOLS (Definition) .....	300.34(b)(14).
SPECIAL FACTORS (IEP Team) .....	300.324(a)(2).
SPECIAL EDUCATION (Definition) .....	300.39.
SPECIAL EDUCATION PROVIDER .....	300.321(a)(3).
SPECIAL EDUCATION TEACHER	
• IEP accessible to .....	300.323(d).
• On IEP Team .....	300.321(a)(3).
• Requirements regarding highly qualified .....	300.18.
SPECIAL RULE	
• Adjustments to local efforts .....	300.205(d).
• For child’s eligibility determination .....	300.306(b).
• For increasing funds .....	300.704(e).
• Methods of ensuring services .....	300.154(c).
• LEA high cost fund .....	300.704(c).
• Regarding outlying areas and freely associated States .....	300.701(a)(3).
• Regarding transfer of rights .....	300.520(b).
• Regarding use of FY 1999 amount .....	300.703(b).
• State advisory panel (Parent members) .....	300.168(b).
SPECIFIC LEARNING DISABILITY	
• Definition .....	300.8(c)(10).
• Evaluation requirements and report (see §§ 300.306(a), 300.307 through 300.311)	
• Other alternative research-based procedures .....	300.307(a)(3).
• Response to scientific, research-based intervention (see §§ 300.307(a)(2), 300.309(a)(2)(i), 300.311(a)(7))	
• Scientifically based research:	
◦ Definition .....	300.35.
◦ Enforcement .....	300.604(a)(1)(ii).
• Severe discrepancy .....	300.307(a)(1).
SPEECH-LANGUAGE PATHOLOGY SERVICES	
• Definition .....	300.34(b)(15).

- Speech or language impairment (Definition) ..... 300.8(c)(11).
- STATE
  - Definition ..... 300.40.
  - Special definition for grants ..... 300.717(c).
  - Sovereign immunity ..... 300.177.
- STATE ADMINISTRATION (Use of funds for) (see §§ 300.704(a), 300.812(a)).
- STATE ADVISORY PANEL ..... 300.167
  - Due process hearings (Findings and decisions to State advisory panel) (see §§ 300.513(d)(1), 300.514(c)(1))
  - Duties ..... 300.169.
  - Establishment ..... 300.167.
  - Membership ..... 300.168.
  - Waiver of nonsupplant requirement (State has consulted with advisory panel regarding provision of FAPE) ..... 300.164(c)(4).
- STATE AGENCIES
  - Applicability of Part B to other State agencies ..... 300.2(b)(1)(iii).
  - Compliance (LEA and State agency) ..... 300.222.
  - Eligibility (LEA and State agency):
    - General conditions (see §§ 300.200 through 300.213)
  - Notification of LEA or State agency in case of ineligibility ..... 300.221.
  - State advisory panel (Membership) ..... 300.168.
  - State agency eligibility ..... 300.228.
  - State Medicaid agency ..... 300.154(a)(1), (h).
- STATE COMPLAINT PROCEDURES (see §§ 300.151 through 300.153)
  - See “Complaint(s): State complaint procedures”
- STATE ELIGIBILITY
  - Condition of assistance ..... 300.100.
  - Department procedures (see §§ 300.178 through 300.186)
  - Determination of eligibility (By the Secretary) ..... 300.178.
  - General conditions ..... 300.100.
  - Notice and hearing before determining that a State is not eligible ..... 300.179.
  - Specific conditions (see §§ 300.101 through 300.176)
- STATE JUVENILE AND ADULT CORRECTIONAL FACILITIES ..... 300.2(b)(1)(iv).
  - See also “Correctional facilities,” “Adult prisons”
- STATE-LEVEL ACTIVITIES (With Part B funds) ..... 300.704.
- STATE-LEVEL NONSUPPLANTING ..... 300.162(c).
  - Waiver by Secretary ..... 300.162(c)(2).
  - Waiver of requirement ..... 300.164.
- STATE MAINTENANCE OF EFFORT ..... 300.163.
- SUBGRANT(S)
  - State agency eligibility ..... 300.228.
  - To LEAs ..... 300.705(a).
- STATE MEDICAID AGENCY
  - Methods of ensuring services ..... 300.154(a)(1).
  - See also “Medicaid”
- STATE SCHOOLS
  - Applicability of this part to schools for children with deafness or blindness ..... 300.2(b)(1)(iii).
- STATE VOCATIONAL REHABILITATION AGENCY (See “Rehabilitation”)
- STATES’ SOVEREIGN IMMUNITY ..... 300.177.
- STAY-PUT (Child’s status during proceedings) ..... 300.518.
  - See also “Pendency”
- SUBSTANTIAL LIKELIHOOD OF INJURY (Discipline) ..... 300.532(a).
- SUPPLEMENTARY AIDS AND SERVICES
  - Definition ..... 300.42.
  - IEP content ..... 300.320(a)(4).
  - In “assistive technology” ..... 300.105(a)(3).
  - LRE requirements ..... 300.114(a)(2)(ii).
  - Methods of ensuring services ..... 300.154(b).
  - Requirement regarding regular education teacher (IEP) ..... 300.324(a)(3)(ii).
  - Services that also benefit nondisabled children ..... 300.208(a)(1).
- SUPPLEMENT—NOT SUPPLANT
  - LEA requirement ..... 300.202(a)(3).
  - State level nonsupplanting ..... 300.162(c).
  - See “Nonsupplanting”
- SUPPORT SERVICES (see §§ 300.704(b)(4)(i), 300.814(a))
- SURGICALLY IMPLANTED MEDICAL DEVICE (see §§ 300.5, 300.34(b), 300.113(b))
- SURROGATE PARENTS ..... 300.519.
  - Appointed for homeless youth ..... 300.519(f).
  - In definition of “Parent” ..... 300.30(a)(5).
  - Timeline for assignment ..... 300.519(h).
- SUSPENSION (EXPULSION)
  - Alternative programming for children expelled ..... 300.704(b)(4)(ix).
  - Provision of FAPE ..... 300.101(a).

• Suspension and expulsion rates .....	300.170(a).
• Suspension or expulsion without services .....	300.534(d)(2)(ii).
<b>TEACHERS</b>	
See "Regular education teacher"	
See "Special education teacher"	
TECHNICAL ASSISTANCE (Amounts to support) .....	300.702.
TECHNICALLY SOUND INSTRUMENTS (Evaluation) .....	300.304(b)(3).
TERMINATION OF AGENCY OBLIGATION to provide special education to a particular child (Exception to MOE) .....	300.204(c).
THERAPEUTIC RECREATION .....	300.34(b)(11)(ii).
<b>TIMELINES (A–D)</b>	
• Access rights (Confidentiality: 45 days) .....	300.613(a).
• Annual report of children served (Between Oct. 1 and Dec. 1) .....	300.641(a).
• Annual count of parentally-placed private school children (Between Oct. 1 and Dec. 1) .....	300.133(c).
• Assignment of surrogate parent (Not more than 30 days) .....	300.519(h).
• Attorneys' fees (10 days prohibition) .....	300.517(c)(2)(i).
• Complaint procedures (State: 60 days) .....	300.152(a).
• Department hearing procedures (30 days) .....	300.179(b)(3).
◦ See also §§ 300.181 through 300.184	
• Due process hearings and reviews (see §§ 300.510(b)(2), 300.511(e), (f)):	
◦ Conducted within 20 school days; decision within 10 school days .....	300.532(c)(2).
◦ Decision within 45 days after expiration of 30 day period .....	300.515(a).
◦ Disclose evaluations before hearings (5 business days) .....	300.512(a)(3).
<b>TIMELINES (E–H)</b>	
• Hearing procedures (State eligibility: 30 days) .....	300.179(b)(3).
• Hearing rights:	
◦ Disclosure of evaluations (At least 5 business days before hearing) .....	300.512(b)(1).
◦ Prohibit introduction of evidence not disclosed (At least 5 business days before hearing) .....	300.512(a)(3).
◦ Reviews (Decision not later than 30 days) .....	300.515(b).
<b>TIMELINES (I–Z)</b>	
• IEP (Initial meeting: 30 days) .....	300.323(c)(1).
• Initial evaluation (60 days) .....	300.301(c)(1).
• Parent notice before private placement (At least 10 business days) .....	300.148(d)(2).
• Show cause hearing .....	300.194(g).
• Decision .....	300.195(a)(1).
• State eligibility: Department hearing procedures (see §§ 300.179(b)(3), 300.181(b), 300.182(d), (e), (g), (k), 300.184)	
• Timelines and convenience of hearings and reviews .....	300.515.
<b>TIMELINES—DISCIPLINE (A–P)</b>	
• Authority of hearing officer (May order change of placement for not more than 45 school days) .....	300.532(b)(2)(ii).
• Authority of school personnel:	
◦ Change of placement for not more than 45 consecutive days for weapons or drugs .....	300.530(g).
◦ Removal of a child for not more than 10 school days .....	300.530(b).
• Change of placement for disciplinary removals:	
◦ Of more than 10 consecutive school days .....	300.536(a)(1).
◦ Because series of removals total more than 10 school days .....	300.536(a)(2)(i).
• Due process hearing request .....	300.507(a)(2).
• Expedited due process hearings:	
◦ Conducted within 20 days .....	300.532(c)(2).
◦ Decision within 10 days .....	300.532(c)(3)(i).
• Hearing officer (Order change of placement for not more than 45 days) .....	300.532(b)(2)(ii).
• Manifestation determination review (Conducted in no more than 10 school days) .....	300.530(e).
• Placement during appeals (Not longer than 45 days) .....	300.532(b)(2)(ii).
<b>TIMELINES—DISCIPLINE (Q–Z)</b>	
• Removals for not more than:	
◦ 10 school days (By school personnel) .....	300.530(b).
◦ 45 days (To interim alternative educational setting) .....	300.532(b)(2)(ii).
By hearing officer (For substantial likelihood of injury to child or others) .....	300.532(b)(2)(ii).
By school personnel (For weapons or drugs) (see § 300.530(g)(1), (g)(2))	
TIMETABLE: Full educational opportunity goal (FEOG) .....	300.109.
<b>TRAINING</b>	
• Assistive technology services (see § 300.6(e), (f))	
• Confidentiality procedures (Personnel using personally identifiable information must receive training) .....	300.623(c).
• Parent counseling and training .....	300.34(b)(8).
• Technical assistance and training for teachers and administrators .....	300.119.
• Travel training (see § 300.39(a)(2)(ii), (b)(4))	
<b>TRANSFER DURING ACADEMIC YEAR</b>	
• Assessments coordinated between public agencies .....	300.304(c)(5).
• New school district responsibilities (see § 300.323(e), (f))	
• Transmittal of records .....	300.323(g).
<b>TRANSFER OF PARENTAL RIGHTS</b>	
• IEP requirement .....	300.520.
• Special rule .....	300.320(c).
• Special rule .....	300.520(b).

- To children in correctional institutions ..... 300.520(a)(2).
- TRANSITION FROM PART C TO PART B ..... 300.124.
- TRANSITION SERVICES (NEEDS)
  - Agency responsibilities for (see §§ 300.321(b)(3), 300.324(c)(2))
  - Alternative strategies ..... 300.324(c)(1).
  - Child participation in IEP Team meetings ..... 300.321(b)(1).
  - Definition ..... 300.43.
  - IEP requirement (Statement of)
    - Transition service needs ..... 300.320(b).
    - Needed transition services ..... 300.43(b).
  - State rehabilitation agency ..... 300.324(c)(2).
- TRANSMITTAL OF RECORDS TO LAW ENFORCEMENT AND JUDICIAL AUTHORITIES ..... 300.535(b).
- TRANSPORTATION
  - Definition ..... 300.34(c)(16).
  - Nonacademic services ..... 300.107(b).
  - Of private school children ..... 300.139(b).
- TRAUMATIC BRAIN INJURY (Definition) ..... 300.8(c)(12).
- TRAVEL TRAINING (see § 300.39(a)(2)(ii), (b)(4))
  - Definition ..... 300.39(b)(4).
- TREATMENT OF CHARTER SCHOOLS AND THEIR STUDENTS ..... 300.209.
- TREATMENT OF FEDERAL FUNDS IN CERTAIN YEARS ..... 300.205.
- UNIVERSAL DESIGN
  - Definition ..... 300.44.
  - Support technology with universal design principles ..... 300.704(b)(4)(v).
- USE OF AMOUNTS (LEA) ..... 300.202.
- USE OF FUNDS BY LEAs
  - Coordinated services system ..... 300.208(a)(2).
  - For school-wide programs ..... 300.206.
  - For services and aids that also benefit nondisabled children ..... 300.208(a)(1).
  - For use in accordance with Part B ..... 300.705.
- USE OF FUNDS BY STATES (SEAs) (A–C)
  - Administering Part B State activities ..... 300.704(a)(1).
  - Administering Part C (If SEA is Lead Agency) ..... 300.704(a)(4).
  - Administrative costs of monitoring and complaint investigations ..... 300.704(b)(3)(i).
  - Allowable costs ..... 300.704(b)(3).
  - Amount for State administration ..... 300.704(a).
  - Annual description of use of Part B funds ..... 300.171.
  - Assist LEAs in meeting personnel shortages ..... 300.704(b)(4)(vii).
  - Complaint investigations ..... 300.704(b)(3)(i).
  - Coordination of activities with other programs ..... 300.704(b)(1).
- USE OF FUNDS BY STATES (SEAs) (D–Z)
  - Direct and support services ..... 300.704(b)(4)(i).
  - High cost fund ..... 300.704(c).
  - Mediation process ..... 300.704(b)(3)(ii).
  - Monitoring ..... 300.704(b)(3)(i).
  - Personnel preparation, professional development and training (see § 300.704(b)(4)(i), (b)(4)(xi)).
  - State plan ..... 300.704(c)(3)(i).
  - Statewide coordinated services system ..... 300.814(d).
  - Support and direct services ..... 300.704(b)(4)(i).
  - Technical assistance:
    - To LEAs ..... 300.704(b)(4)(xi).
    - To other programs that provide services ..... 300.704(a)(1).
- USE OF FUNDS BY SECRETARY OF THE INTERIOR (see §§ 300.707 through 300.716)
  - By Indian tribes:
    - For child find for children aged 3 through 5 ..... 300.712(d).
    - For coordination of assistance for services ..... 300.712(a).
  - For administrative costs ..... 300.710(a).
- USE OF SEA ALLOCATIONS ..... 300.704.
  - Inapplicability of requirements that prohibit commingling and supplanting of funds ..... 300.704(d).
- VISUAL IMPAIRMENT INCLUDING BLINDNESS (Definition) ..... 300.8(c)(13).
- VOCATIONAL EDUCATION
  - Definition ..... 300.39(b)(5).
  - In definition of “Special education” ..... 300.39(a)(2)(iii).
  - Program options ..... 300.110.
  - Transition services ..... 300.320(b)(1).
- VOCATIONAL REHABILITATION (See “Rehabilitation”)
- VOLUNTARY DEPARTURE OF PERSONNEL  
(Exception to LEA maintenance of effort) ..... 300.204(a).
- WAIVER(S)
  - For exceptional and uncontrollable circumstances (State maintenance of effort) ..... 300.163(c).
  - “In whole or in part” ..... 300.164(e).
  - Public benefits or insurance (Risk of loss of eligibility for home and community-based waivers) ..... 300.154(d)(2)(iii)(D).

• State-level nonsupplanting .....	300.162(c).
• State maintenance of effort .....	300.163.
• State's procedures for monitoring .....	300.164(c)(2)(ii)(B).
• Waiver procedures .....	300.164.
WARD OF THE STATE	
• Appointment of surrogate parent .....	300.519(c).
• Definition .....	300.45.
• See definition of "Parent" .....	300.30(a)(3).
• See "Surrogate parents" .....	300.519(a)(3).
WEAPON (Definition) .....	300.530(i)(4).
WHEN IEPS MUST BE IN EFFECT .....	300.323.

**PART 301—[REMOVED]****■ 2. Remove part 301.**

[FR Doc. 06-6656 Filed 8-3-06; 8:45 am]

BILLING CODE 4000-01-P