

Updates from Office of Special Education And Rehabilitative Services (OSERS)

1. Part B of the *Individuals with Disabilities Education Act* Notice of Proposed Rulemaking

On September 6, 2011, the Department released a [notice of proposed rulemaking](#) (NPRM) to amend the *IDEA* Part B regulations. Changes are being proposed to the regulations regarding when a State or local educational agency seeks to use a child's or parent's public benefits or insurance (e.g., Medicaid) to pay for Part B services. These proposed amendments to the Part B regulations would ensure the protection of the rights of parents and children and ensure that children with disabilities receive FAPE while addressing concerns raised by state educational agencies and local educational agencies regarding the burdens imposed by the current regulation.

The regulations should be published in the *Federal Register* in the next couple of weeks.

Part B Notice of Proposed Rulemaking:

Note: This document has been delivered to the Office of the *Federal Register* but has not yet been scheduled for publication. The official version of this document is the document that is published in the *Federal Register*.

- Download the Part B NPRM:
[MS Word](#) (135KB) | [PDF](#) (239KB)
- [IDEA Part B Notice of Proposed Rulemaking Page](#)
- Additional IDEA Resources: [IDEA Web site](#)

2. Part C of the *Individuals with Disabilities Education Act* Regulations

On September 6, 2011, the U.S. Department of Education released the [final regulations](#) for the early intervention program under Part C of the *Individuals with Disabilities Education Act* (*IDEA*). These final regulations will help improve services and outcomes for America's infants and toddlers with disabilities and their families.


Part C is a \$436 million program administered by states that serves infants and toddlers through age 2 with developmental delays or who have diagnosed physical or mental conditions with high probabilities of resulting in developmental delays.

The final Part C regulations incorporate provisions in the 2004 amendments to Part C of the *IDEA*. Additionally, the final regulations provide states with flexibility in some areas, while ensuring state accountability to improve results and providing needed services for infants and toddlers with disabilities and their families. The regulations focus on measuring and improving outcomes for the approximately 350,000 children served by the Part C program with the goal of ensuring that such children are ready for preschool and kindergarten.

The regulations should be published in the *Federal Register* in the next couple of weeks.

Part C Final Regulations:

Note: This document has been delivered to the Office of the *Federal Register* but has not yet been scheduled for publication. The official version of this document is the document that is published in the *Federal Register*.

- Download Final Regulations:
 [MS Word](#) (2.3MB) | [PDF](#) (1.7MB)
- [IDEA Part C Regulations Page](#)
- Additional *IDEA* Resources: [IDEA Web site](#)

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