

Laws Affecting School District IEP Teams

The Individuals with Disabilities Education Act (IDEA) (P.L. 105-17) requires that assistive technology be provided for all students with disabilities who require it. The law specifies that:

(a) Each public agency shall ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in §§300.5-300.6, are made available to a child with a disability if required as a part of the child's -

- (1) Special education under §300.26;
- (2) Related services under §300.24; or
- (3) Supplementary aids and services under §§300.28 and 300.550(b)(2).

(b) On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP team determines that the child needs access to those devices in order to receive FAPE. See *Equipment Loan Agreement in Forms Section*

IDEA defines assistive technology devices and services in the following way:

§300.5 Assistive technology device: any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability.

§300.6 Assistive technology service: any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. Services include:

- (a) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;

- (b) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- (c) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- (d) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (e) Training or technical assistance for a child with a disability or, if appropriate, that child's family; and
- (f) Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child.