**CHAPTER 711.3 – Incorporation of Federal Regulations (CFR part 300)**

**HO2**

There are 30 sections of the Federal listed but not written out directly in PA Chapter 711. Be sure you are familiar with these.

**1-8 – (300.4 – 300.45 Definitions Used in part 300)**

1. 34 CFR 300.4—300.8(a) and (c) (relating to act**;** assistive technology device; assistive technology service; charter school; and child with a disability).
2. 34 CFR 300.9—300.15 (relating to consent; core academic subjects; day; business day; school day; educational service agency; elementary school; equipment; and evaluation).
3. 34 CFR 300.17—300.19 (relating to free appropriate public education; highly qualified special education teachers; and homeless children).
4. 34 CFR 300.22 and 300.23 (relating to individualized education program; and individualized education program team).
5. *NOT listed for 711 – 300.24 – Individualized Family Service Plan*
6. 34 CFR 300.32—300.37 (relating to personally identifiable; public agency; related services; scientifically based research; and secondary school).
7. 34 CFR 300.39 (relating to special education).
8. 34 CFR 300.41—300.45 (relating to State educational agency; supplementary aids and services; transition services; universal design; and ward of the state).

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1. 34 CFR 300.101 and 34 CFR 300.102 **FAPE** (relating to free appropriate public education (FAPE); and limitation—exception to FAPE for certain ages).
2. 34 CFR 300.104—300.108 **FAPE** (relating to residential placement; assistive technology; extended school year services; nonacademic services; and physical education).
3. 34 CFR 300.113 and 300.114(a)(2) (relating to **routine checking of hearing** aids and external components of surgically implanted medical devices; and LRE requirements).
4. 34 CFR 300.115—300.117 **Least Restrictive Environment** (relating to continuum of alternative placements; placements; and nonacademic settings).
5. 34 CFR 300.122 **Additional Eligibility Requirements** (relating to **evaluation**).
6. 34 CFR 300.148 (relating **to placement of children by parents when FAPE is at issue**).
7. 34 CFR 300.160 **Participation in Assessments** (relating to participation in assessments).
8. 34 CFR 300.172 **Access to Instructional Materials** (relating to access to instructional materials).
9. 34 CFR 300.174 **Mandatory Medication** (relating to prohibition on mandatory medication).
10. 34 CFR 300.207 **Personnel Development** (relating to personnel development).
11. 34 CFR 300.210—300.213 **Local Educational Agency Eligibility** (relating to purchase of instructional materials; information for SEA; public information; and records regarding migratory children with disabilities).
12. 34 CFR 300.226 (relating to early intervening services).
13. 34 CFR 300.300 and 300.301 **Parental Consent** (relating to parental consent; and initial evaluations).
14. 34 CFR 300.302—300.307(a)(1)(2) and (b) **Evaluations and Reevaluations** (relating to screening for instructional purposes is not evaluation; reevaluations; evaluation procedures; additional requirements for evaluations and reevaluations; determination of eligibility; and specific learning disabilities).
15. 34 CFR 300.308—300.311 **Additional Procedures for Identifying Children with Specific Learning Disabilities** (relating to additional group members; determining the existence of a specific learning disability; observation; and specific documentation for the eligibility determination).
16. 34 CFR 300.320—300.325 **IEPs** (relating to definition of individualized education program; IEP Team; parent participation; when IEPs must be in effect; development, review, and revision of IEP; and private school placement by public agencies).
17. 34 CFR 300.327 and 300.328 **Development of IEPs** (relating to educational placements; and alternative means of meeting participation).
18. 34 CFR 300.501—300.508 **Due Procedures** (relating to opportunity to examine records; parent participation in meetings; independent education evaluation; prior notice by the public agency, content of notice; procedural safeguards notice; electronic mail; mediation; filing a due process complaint; and due process complaint).
19. 34 CFR 300.510—300.516 **Due Process Procedures for Parents and Children** (relating to resolution process; impartial due process hearing; hearing rights; hearing decisions; finality of decision; appeal; partial review; timelines and convenience of hearings and reviews; and civil action).
20. 34 CFR 300.518(a), (b) and (d) and 300.519 **Child’s Status During Hearing Proceedings** (relating to child’s status during proceedings; and surrogate parents).
21. 34 CFR 300.530—300.537 **Discipline Procedures** (relating to authority of school personnel; determination of setting; appeal; placement during appeals; protections for children not determined eligible for special education and related services; referral to and action by law enforcement and judicial authorities; change of placement because of disciplinary removals; and state enforcement mechanisms).
22. 34 CFR 300.610—300.625 **Confidentiality of Information** (relating to confidentiality; definitions; notice to parents; access rights; record of access; records on more than one child; list of types and locations of information; fees; amendment of records at parent request; opportunity for a hearing; result of hearing; hearing procedures; consent; safeguards; destruction of information; and children’s rights).