Activity #1  Section 1 - Federal Law, Federal Regulations and Rule

1. Learn where to access information about Early Childhood Intervention statutes (laws), regulations and rules using the DARS-ECI website.
   - IDEA statute (Title 20, Chapter 33), Individual with Disabilities Education Act.
   - Federal statute (Title 20, Section 1232 (g), Family Educational Rights and Privacy Act of 1974
   - Code of Federal Regulations that outlines the Early Intervention Program for Infants and Toddlers with Disabilities (Title 34, Part 303)
   - Texas Administrative Code (TAC) Rule for Early Intervention Services (Title 40, Chapter 108).

2. Learn the difference between federal statute (law), federal regulations, and Texas rule.

Directions: Use the link below to find specific links to federal law, federal regulations and Texas rule. This activity does not require you to review the specific links, but is intended to introduce you to the website so you can access federal law, federal regulations and Texas rule. This will help you clarify questions you may have about ECI services.

http://www.dars.state.tx.us/rules/index.shtml#eci

The table below reflects the information you found on the DARS-ECI website. In addition, it provides the distinction between statute, regulation and rule. This is an overview to help you understand how federal laws and regulations and Texas rule interact to govern Texas ECI. It will also explain who is responsible for each piece of legislation, regulation and rule.

When you have finished, meet with your supervisor to discuss what you have learned.

<table>
<thead>
<tr>
<th>Division For Early Childhood Intervention</th>
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<tbody>
<tr>
<td><strong>Federal Statutes</strong></td>
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<tr>
<td>- United States Code, Title 20, Chapter 33, Individuals with Disabilities Education Act (IDEA)</td>
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<tr>
<td>- Human Resources Code, Chapter 73, Interagency Council on Early Childhood Intervention Services</td>
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<tr>
<td>- United States Code, Title 20, Section 1232(g), Family Educational Rights and Privacy Act of 1974 (FERPA)</td>
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Federal Statutes are laws authorized by Congress. The Individual with Disabilities Education Act (IDEA) is the statute (law) for early intervention services.

The Family and Education Rights and Privacy Act of 1974 (FERPA) is the statute (law) that governs family rights. As a Service Coordinator, you will need to help families understand and exercise their rights.

**Regulations**

- Code of Federal Regulations, Title 34, Part 99, [Family Educational Rights and Privacy](#)
- Code of Federal Regulations, Title 34, Part 303, [Early Intervention Program for Infants and Toddlers with Disabilities](#)

The Code of Federal Regulations outlines requirements for implementation of federal statute (law). Regulations clarify federal law. They are written by federal departments and agencies.

The U.S. Department of Education, Office of Special Education wrote regulations that pertain to IDEA, Part C. Regulations carry the same weight as law.

DARS uses “regulations” to instruct providers on how to implement federal law (IDEA Part C).

As a Service Coordinator, you will follow the federal regulations that outline early intervention and family rights.

**Texas Rules**

- Texas Administrative Code (TAC), Title 40, Chapter 101, Subchapter I, Administrative Rules and Procedures Pertaining to Early Childhood Intervention Services
- Texas Administrative Code (TAC), Title 40, Chapter 108, [Early Childhood Intervention Services](#)
- Texas Administrative Code(TAC), Title 40, Chapter 101, Subchapter J, Appeals and Hearing Procedures

Texas rules are the “instructions” on how to implement state law. Rules clarify
requirements for implementation of state law.

When the Texas legislature passes laws, the appropriate state agency will clarify the law for implementation. Just as federal law has “regulations” that clarify federal law, Texas has “rules” to clarify state law.

Rules for early childhood intervention are developed by the Department of Assistive and Rehabilitative Services (DARS) and ECI (DARS-ECI).

DARS-ECI uses Texas “rules” to inform agencies, including local ECI programs about how to implement state law that governs early childhood intervention services.

All Texas state agency rules are compiled in the Texas Administrative Code (TAC).