

Justin Kawakami Abstract

Working Title

“Merely more than *de minimis*”: Establishing Free and Appropriate Public Education (FAPE) in the United States under the Individuals with Disabilities Education Improvement Act (IDEIA)

Brief Project Explanation

My research paper will look at how the Individuals with Disabilities Education Improvement Act (IDEIA) of 2004 and the subsequent case law have defined students’ rights to a “free and appropriate public education” (FAPE) in the United States. This topic is particularly relevant in the wake of the recent pro-disability rights rulings in *Andrew F. v. Douglas County School District* (2017) and *M.C. v. Antelope Valley Union School District* (2017). I plan to incorporate these rulings into my paper to bring my historical approach to modern relevance in the hopes that it will create a near complete picture of the current state of students’ right to FAPE and how this right came to be. I intend to use this overview of the general progress of disability education law over the years to express an air of cautious hope for the right of students with disabilities to accessible high quality education.

Project Impact

Because the *Andrew F. v. Douglas County School District* (2017) and *M.C. v. Antelope Valley Union School District* (2017) cases are so recent—both decided this March—I believe this research is especially needed in the Disability Studies community to inform everyone in the community of the rights to which they are legally entitled. I had not heard of either of these rulings before exploring my paper topic, but I think it is crucial that all students, parents, and other advocates understand what a “free and appropriate education” is. The law can be extremely difficult to understand. Thus, my main goal in this paper is to provide people with accessible information about FAPE and its current legal definition. Disability advocates can then use this information to properly identify schools that fail to comply with these new rulings. Furthermore, they will have a solid legal basis for their claims against non-compliers. Overall, I hope that this project not only keeps the disability community informed on issues that directly impacts it but also fosters civic engagement in Disability Studies’ fight for social justice and disability rights.