



TOP 20 LIST OF CHANGES TO IDEA

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Washington, DC

December 4, 2004



NUMBER 20

- Regulations
 - Changes comment period to 75 days from 90 days
 - Continues prohibition on policy statements (implications for non-regulatory guidance?)



NUMBER 19

- Part D is completely re-written
 - SIGs are now 'State Personnel Development Grants
 - Barely a mention of the RRCs
 - Research and evaluations moved to the Institute of Education Sciences



NUMBER 18

- Part C changes
 - State option to extend Part C services beyond age 3 – no FAPE
 - Becomes a state option after appropriations trigger hits \$460 million (20% of increases)
 - Report clarifies that referrals for abused and neglected children are for *screenings*, not evaluations



NUMBER 17

- Section 619: adds requirement that the provision of early intervention services must include an educational component that promotes school readiness for those children remaining in Part C



NUMBER 16

- Section 618 – new data reporting requirements
 - Receiving early intervention services
 - Disciplinary actions
 - Due process complaints
 - Hearings requested
 - Mediations held; settlement agreements



NUMBER 15

- Section 615 – Procedural Safeguards
 - 2 year statute of limitations for complaints
 - Due process complaint notice
 - 10 days to respond
 - Resolution session prior to DP hearing w/in 15 days



NUMBER 14

- Attorney fees can be awarded to SEA or LEA against attorney who files unreasonable or frivolous case of action; continues to litigate or if cause of action filed to harass or delay





NUMBER 13

- 615 (k):
 - “unique circumstances on case-by-case basis
 - Removal to “interim alternative educational setting for not more than 45 school days” – services must continue
 - Retains manifestation determination – may require FBA



NUMBER 12

- Special circumstances:
 - Weapons
 - Illegal drugs
 - “infliction of serious bodily injury”
- Placement during appeal – interim alternative educational setting



NUMBER 11

- Changes definition of “deemed to have knowledge” to (1) teacher has communicated directly to director of special education and (2) if parent has refused evaluation or services, LEA “shall not be deemed to have knowledge....”



NUMBER 10

- Section 614 Eligibility determination
 - Determination of Specific Learning Disability
 - Excusal from IEP meetings
 - Transfers
 - Multi-year IEP Pilots (15)
 - Transition IEP at age 16



NUMBER 9

- Section 613 – LEAs
 - 50% of fed fund increase can be treated as local funds for Title I activities
 - Early intervening services (15%)
 - Purchase of instructional materials



NUMBER 8

- Section 612 – SEAs
 - Changes re participation of parentally-placed private school students
 - Related services personnel – deleted “highest requirement” standard
 - Assessment language added
 - Access to instructional materials/
Instructional Materials Access Center
 - Prohibition against mandatory medication
 - Interagency coordination strengthened



NUMBER 7

- References to homeless children sprinkled throughout the bill



NUMBER 6

- Section 611 – Use of Funds
 - State admin funds still capped
 - State-level activities – funding formula changed to 10% (with exception)/ small state cap adjusted
 - Required activities: (1) monitoring/enforcement and (2) mediation



NUMBER 5

- Funding of Protection and Advocacy Agencies
 - moved from mandatory SEA activity to Part D



NUMBER 4

- Optional LEA risk pools (10% of state-reserved funds)
- List of other authorized activities includes paperwork reduction; use of technology, transition programs and more



NUMBER 3

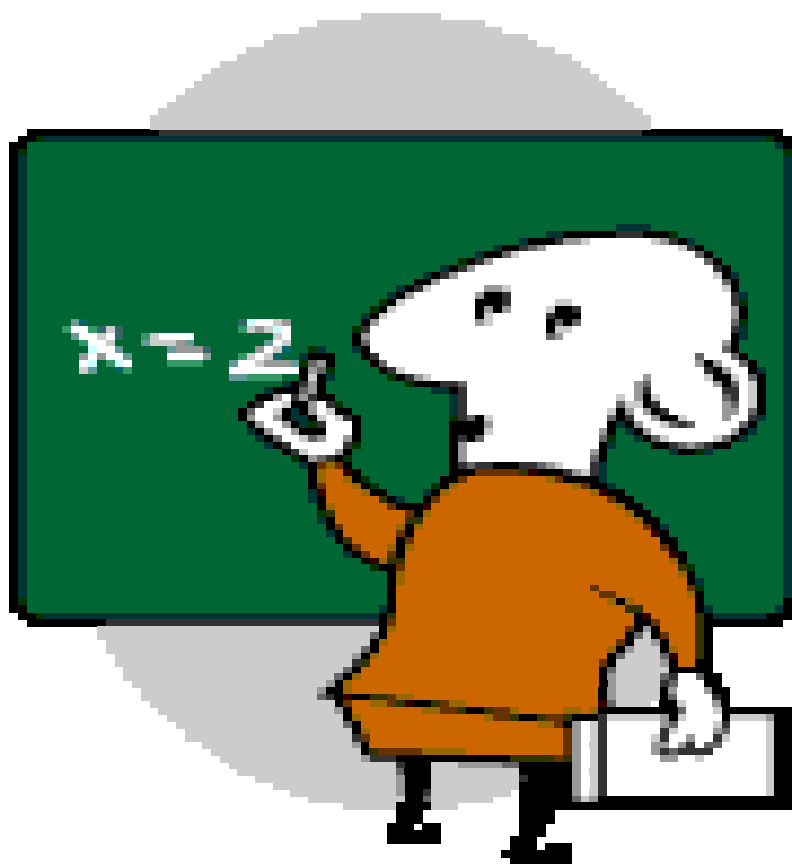
- Section 609 Paperwork reduction
- 15-state pilot program





NUMBER 2

- Section 616
 - Codifies CIFMS
 - State performance plan
 - Enforcement
 - Needs assistance
 - Needs intervention
 - Needs substantial intervention
 - Public attention
 - Secretary must review data collection capacity of states





NUMBER 1

- Highly qualified teachers [602(10)]
 - Teaching to alternate achievement standards
 - Teaching multiple subjects – not new
 - Teaching multiple subjects -- new



WHAT'S NEXT

- NASDSE conference calls
- NASDSE paperwork brainstorming session
- OSEP hearings beginning in January
- 1-year timeframe??