



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

May 27, 1998

Dear :

Your letters dated February 4, 1998, written to Secretary of Education Richard W. Riley, signed by you and a number of other individuals, have been forwarded to the Office of Special Education Programs for response. Your letters express concern regarding the implementation of the Individuals with Disabilities Education Act Amendments of 1997 (IDEA '97). Specifically, you express concern regarding the effective date of the new Individualized Education Program (IEP) requirements. Please excuse the delay in issuing this response.

On April 28, 1998, the Department issued OSEP Memorandum 98-8 to Chief State School Officers and State directors of special education, entitled "Effective Date of the New IEP Requirements." This Memorandum provides informal guidance announcing that the Department intends to regulate to permit a phased-in implementation of new requirements regarding IEPs by specifying that IEPs developed on or after July 1, 1998 must meet the new IEP provisions of IDEA '97. This represents a change from the position set out regarding this issue in the October 22, 1997 Notice of Proposed Rulemaking implementing statutory changes made to Part B of IDEA by IDEA '97. Although this Memorandum has been widely disseminated, a copy is enclosed for your information.

We hope that this clarification is helpful. Thank you for your continued support for the education of children with disabilities. If this Office can be of further assistance please contact Dr. Larry Wexler, the State contact for Washington State in the Monitoring and State Improvement Planning Division at (202) 205-5390.

Sincerely,

Thomas Hehir
Director
Office of Special Education
Programs

Enclosure

cc: Dr. Douglas Gill, State Director
Washington Special Education Section