



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

MAR 30 1999

Honorable Jerry Moron
House of Representatives
Washington, D.C. 20515-1601

Dear Mr. Moron:

Thank you for your letter dated February 10, 1999. Your letter addressed to Secretary Richard Riley, regarding the final regulations implementing the Individual with Disabilities Education Act Amendments of 1997 Pub. L. 105-17 (IDEA'97), was referred to the Office of Special Education Programs (OSEP) for reply.

In your letter, you expressed concerns regarding the delay in publishing of the final IDEA regulations. Specifically, you indicated that administrators and teachers in local public agencies are unsure of whether they should follow the current regulations contained in 34 CFR, dated September 29, 1992 or the proposed regulations at 34 CFR, dated October 22, 1997, and that they need guidance in implementing IDEA '97. I apologize for the delay in this response.

We too are aware of the importance of the final regulations to teachers, administrators, parents, children and other interested individuals. Therefore, upon signing into law IDEA'97 by President Clinton on June 4, 1997, we notified Chief State School Officials and State Directors of Special Education that school districts must comply with all applicable provisions of IDEA '97 and provisions of the regulations, dated Tuesday, September, 29, 1992, that were not in conflict with IDEA'97, pending publication of final regulations.

As you may already know, the final regulations were published on Friday, March 12, 1999. It was critical that the Department take the time necessary to appropriately respond the nearly 6000 comments received in response to the proposed regulations. The effective date of the regulations and a discussion of their implementation are found on pages 12406 and 12407 of the enclosed Federal Register.

Thank you again for expressing your concerns with this Office. If we can be of further assistance, please feel free to contact Dr. JoLeta Reynolds or Ms. Rhonda Weiss in OSEP at (202) 205-5507 or (202) 205-9053, respectively.

Sincerely,

Thomas Hehir
Director
Office of Special Education
Programs

Enclosure