



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

THE ASSISTANT SECRETARY

Honorable William Goodling  
Chairman  
Education and Workforce Committee  
U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, DC 20515-6100

FEB 24 1999

Dear Congressman Goodling:

This letter is in response to your letter of September 16, 1998 and a follow-up to our letter to you of November 12, 1998. Your letter, wherein you requested information on the paperwork reduction provisions of the Individuals with Disabilities Education Act Amendments of 1997 (IDEA '97), was forwarded to my office for response.

We have reviewed the Individualized Education Programs (IEPs) from Lincoln Intermediate Unit that you provided, along with the IEPs from the York City Schools. Our analysis is attached. While many of the elements in the IEPs reviewed are required by IDEA for all children who have an IEP, there are also many elements which are required only for specific children or specific groups of children, such as transition requirements (for children ages 14 and over), instruction in Braille (for children with visual impairments when determined appropriate by the IEP team), or indicating the transfer of rights (for children who will reach the age of majority under State law). Including these elements only when necessary could reduce the amount of paperwork. It is important to note that many districts incorporate information into the IEP that best meets their needs and the needs of the parents and students in their jurisdiction. There is no prohibition regarding this practice in IDEA. Our task, however, was to identify why the 1997 Amendments appeared to increase the amount of required paperwork with respect to IEPs. Based on our review of the documents you submitted, we do not believe IDEA '97 requires that IEPs contain all of the information found in the documents that were the subject of our review.

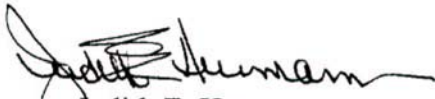
IDEA '97 actually reduces paperwork in a number of ways. And, as you know, one of the principle goals of the proposed regulations is “focusing resources on teaching and learning, while **reducing paperwork requirements that do not assist in improving educational results.**” 62 Fed. Reg. at 55028. In particular, IDEA contains a number of provisions that reduce unnecessary paperwork and direct resources to teaching and learning by: (1) permitting initial evaluations and reevaluations to be based on existing evaluation data and reports; (2) not requiring that eligibility be re-established through additional assessments when a triennial evaluation is conducted if the group reviewing the data agrees that the child continues to be a child with a disability; (3) eliminating unnecessary paperwork requirements that discourage the use of IDEA funds for teachers and other personnel who provide special education and related services in regular classrooms, while ensuring that the needs of children with disabilities in those classrooms are met; and (4) providing policies and procedures that demonstrate that Part B eligibility conditions are met and thereafter amending them if changes are necessary. See 62 Fed. Reg. At 55029. It is anticipated that through measures such as the above, school personnel, including school special

Page 2 Honorable William Goodling

education teachers, should be relieved of unnecessary paperwork and have more time to devote to providing instructional and support services to students with disabilities.

We hope this addresses your concerns and appreciate your bringing them to our attention. If this Office can be of further assistance, please feel free to contact me.

Sincerely,



Judith E. Heumann

Sincerely,



Thomas Hehir  
Director,  
Office of Special Education Programs