

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(d) INDIVIDUALIZED EDUCATION PROGRAMS-</p> <p>(1) DEFINITIONS- As used in this title:</p> <p>(A) INDIVIDUALIZED EDUCATION PROGRAM- The term 'individualized education program' or 'IEP' means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with this section and that includes --</p> <p>(i) a statement of the child's present levels of educational performance, including --</p> <p>(I) how the child's disability affects the child's involvement and progress in the general curriculum; or</p> <p>(II) for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;</p>	<p>(d) INDIVIDUALIZED EDUCATION PROGRAMS-</p> <p>(1) DEFINITIONS- In this title:</p> <p>(A) INDIVIDUALIZED EDUCATION PROGRAM-</p> <p>(i) IN GENERAL- The term 'individualized education program' or 'IEP' means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with this section and that includes--</p> <p>(I) a statement of the child's present levels of academic achievement and functional performance, including--</p> <p>(aa) how the child's disability affects the child's involvement and progress in the general education curriculum;</p> <p>(bb) for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities; and</p> <p><b>(cc) for children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term</b></p>	<p>Informational Update 7 <i>"Individualized Educational Program"</i>          Developed May 2005</p>

**Bold = New statutory language**  
 Individualized Educational Program (IEP)  
 Sec. 614(d)



**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child --</p> <p>(I) to advance appropriately toward attaining the annual goals;            (II) to be involved and progress in the general curriculum in accordance with clause (i) and to participate in extracurricular and other nonacademic activities; and            (III) to be educated and participate with other children with disabilities and nondisabled children in the activities described in this paragraph;</p> <p>(iv) an explanation of the extent, if any, to which the child will not participate with</p>	<p>education and related services and supplementary aids and services, <b>based on peer-reviewed research to the extent practicable</b>, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child--</p> <p>(aa) to advance appropriately toward attaining the annual goals;            (bb) to be involved in and <b>make</b> progress in the general education curriculum in accordance with subclause (I) and to participate in extracurricular and other nonacademic activities; and            (cc) to be educated and participate with other children with disabilities and nondisabled children in the activities described in this subparagraph;</p> <p>(V) an explanation of the extent, if any, to which the child will not</p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>nondisabled children in the regular class and in the activities described in clause (iii);</p> <p>(v)(I) a statement of any individual modifications in the administration of State or districtwide assessments of student achievement that are needed in order for the child to participate in such assessment; and (II) if the IEP Team determines that the child will not participate in a particular State or districtwide assessment of student achievement (or part of such an assessment), a statement of --</p> <p>(aa) why that assessment is not appropriate for the child; and</p> <p>(bb) how the child will be assessed;</p> <p>(vi) the projected date for the beginning of the</p>	<p>participate with nondisabled children in the regular class and in the activities described in subclause (IV)(cc);</p> <p>(VI)(aa) a statement of any individual <b>appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16)(A)</b>; and</p> <p>(bb) if the IEP Team determines that the child <b>shall take an alternate assessment</b> on a particular State or districtwide assessment of student achievement, a statement of why--</p> <p><b>(AA) the child cannot participate in the regular assessment; and</b></p> <p><b>(BB) the particular alternate assessment selected is appropriate for the child;</b></p> <p>(VII) the projected date for the</p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>services and modifications described in clause (iii), and the anticipated frequency, location, and duration of those services and modifications;</p> <p>(vii) (I) beginning at age 14, and updated annually, a statement of the transition service needs of the child under the applicable components of the child's IEP that focuses on the child's courses of study (such as participation in advanced-placement courses or a vocational education program);</p> <p>(II) beginning at age 16 (or younger, if determined appropriate by the IEP Team), a statement of needed transition services for the child, including, when appropriate, a statement of the interagency responsibilities or any needed linkages; and</p> <p>(III) beginning at least one year before the child reaches the age of majority under State law, a statement that the child has been informed of his or her rights under this title, if any, that will transfer to the child on reaching the age of majority under section 615(m); and</p>	<p>beginning of the services and modifications described in subclause (IV), and the anticipated frequency, location, and duration of those services and modifications; and</p> <p>(VIII) beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter--</p> <p><b>(aa) appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills;</b></p> <p><b>(bb) the transition services (including courses of study) needed</b></p>	

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(viii) a statement of --</p>	<p><b>to assist the child in reaching those goals; and</b>            (cc) beginning not later than 1 year before the child reaches the age of majority under State law, a statement that the child has been informed of the <b>child's</b> rights under this title, if any, that will transfer to the child on reaching the age of majority under section 615(m).</p> <p><b>(ii) RULE OF CONSTRUCTION- Nothing in this section shall be construed to require--</b></p> <p><b>(I) that additional information be included in a child's IEP beyond what is explicitly required in this section; and</b></p> <p><b>(II) the IEP Team to include information under 1 component of a child's IEP that is already contained under another component of such IEP.</b></p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(I) how the child's progress toward the annual goals described in clause (ii) will be measured; and</p> <p>(II) how the child's parents will be regularly informed (by such means as periodic report cards), at least as often as parents are informed of their nondisabled children's progress, of --</p> <p>(aa) their child's progress toward the annual goals described in clause (ii); and</p> <p>(bb) the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year.</p> <p>(B) INDIVIDUALIZED EDUCATION PROGRAM TEAM- The term 'individualized education program team' or 'IEP Team' means a group of individuals composed of --</p> <p>(i) the parents of a child with a disability;</p> <p>(ii) at least one regular education teacher of such child (if the child is, or may be, participating in the regular education environment);</p>	<p>(B) INDIVIDUALIZED EDUCATION PROGRAM TEAM- The term `individualized education program team' or `IEP Team' means a group of individuals composed of--</p> <p>(i) the parents of a child with a disability;</p> <p>(ii) <b>not less than 1</b> regular education teacher of such child (if the child is, or may be, participating in the regular education environment);</p> <p>(iii) <b>not less than 1</b> special education</p>	

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 Individualized Educational Program  
 (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(iii) at least one special education teacher, or where appropriate, at least one special education provider of such child;</p> <p>(iv) a representative of the local educational agency who --</p> <p>(I) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;</p> <p>(II) is knowledgeable about the general curriculum; and</p> <p>(III) is knowledgeable about the availability of resources of the local educational agency;</p> <p>(v) an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in clauses (ii) through (vi);</p> <p>(vi) at the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and</p>	<p>teacher, or where appropriate, <b>not less than 1</b> special education provider of such child;</p> <p>(iv) a representative of the local educational agency who--</p> <p>(I) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;</p> <p>(II) is knowledgeable about the general education curriculum; and</p> <p>(III) is knowledgeable about the availability of resources of the local educational agency;</p> <p>(v) an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in clauses (ii) through (vi);</p> <p>(vi) at the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services</p>	

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 Individualized Educational Program  
 (IEP)  
 Sec. 614(d)



**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(vii) whenever appropriate, the child with a disability.</p>	<p>personnel as appropriate; and</p> <p>(vii) whenever appropriate, the child with a disability.</p> <p>(C) IEP TEAM ATTENDANCE-</p> <p><b>(i) ATTENDANCE NOT NECESSARY- A member of the IEP Team shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the local educational agency agree that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.</b></p> <p><b>(ii) EXCUSAL- A member of the IEP Team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if--</b></p> <p align="center"><b>(I) the parent and the local educational agency</b></p>	

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(2) REQUIREMENT THAT PROGRAM BE IN EFFECT-</p> <p>(A) IN GENERAL- At the beginning of each school year, each local educational agency, State educational agency, or other State agency, as the case may be, shall have in effect, for each child with a disability in its</p>	<p align="center">consent to the excusal; and</p> <p align="center">(II) the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.</p> <p align="center">(iii) WRITTEN AGREEMENT AND CONSENT REQUIRED- A parent's agreement under clause (i) and consent under clause (ii) shall be in writing.</p> <p align="center">(D) IEP TEAM TRANSITION- In the case of a child who was previously served under part C, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the part C service coordinator or other representatives of the part C system to assist with the smooth transition of services.</p> <p>(2) REQUIREMENT THAT PROGRAM BE IN EFFECT-</p> <p>(A) IN GENERAL- At the beginning of each school year, each local educational agency, State educational agency, or other State agency, as the case may be, shall have in effect, for each child with a disability in the</p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>jurisdiction, an individualized education program, as defined in paragraph (1)(A).</p> <p>(B) PROGRAM FOR CHILD AGED 3 THROUGH 5- In the case of a child with a disability aged 3 through 5 (or, at the discretion of the State educational agency, a 2 year-old child with a disability who will turn age 3 during the school year), an individualized family service plan that contains the material described in section 636, and that is developed in accordance with this section, may serve as the IEP of the child if using that plan as the IEP is --</p> <p>(i) consistent with State policy; and</p> <p>(ii) agreed to by the agency and the child's parents.</p>	<p>agency's jurisdiction, an individualized education program, as defined in paragraph (1)(A).</p> <p>(B) PROGRAM FOR CHILD AGED 3 THROUGH 5- In the case of a child with a disability aged 3 through 5 (or, at the discretion of the State educational agency, a 2-year-old child with a disability who will turn age 3 during the school year), the <b>IEP Team shall consider</b> the individualized family service plan that contains the material described in section 636, and that is developed in accordance with this section, <b>and the individualized family service plan</b> may serve as the IEP of the child if using that plan as the IEP is--</p> <p>(i) consistent with State policy; and</p> <p>(ii) agreed to by the agency and the child's parents.</p> <p><b>(C) PROGRAM FOR CHILDREN WHO TRANSFER SCHOOL DISTRICTS-</b></p> <p><b>(i) IN GENERAL-</b></p> <p><b>(I) TRANSFER WITHIN THE SAME STATE- In the case of a child with a disability who transfers school districts within</b></p>	

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 Individualized Educational Program  
 (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
	<p>the same academic year, who enrolls in a new school, and who had an IEP that was in effect in the same State, the local educational agency shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents until such time as the local educational agency adopts the previously held IEP or develops, adopts, and implements a new IEP that is consistent with Federal and State law.</p> <p><b>(II) TRANSFER OUTSIDE STATE-</b>  <b>In the case of a child with a disability who transfers school districts within the same academic year, who enrolls in a new school, and who had an IEP that was in effect in another State, the local educational agency shall provide such child with a free appropriate public education, including services</b></p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
	<p>comparable to those described in the previously held IEP, in consultation with the parents until such time as the local educational agency conducts an evaluation pursuant to subsection (a)(1), if determined to be necessary by such agency, and develops a new IEP, if appropriate, that is consistent with Federal and State law.</p> <p><b>(ii) TRANSMITTAL OF RECORDS-</b> To facilitate the transition for a child described in clause (i)--</p> <p><b>(I)</b> the new school in which the child enrolls shall take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous school in which the child was enrolled, pursuant to section 99.31(a)(2) of title 34, Code of Federal</p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(3) DEVELOPMENT OF IEP-            (A) IN GENERAL- In developing each child's IEP, the IEP Team, subject to subparagraph (C), shall consider --</p> <p>(i) the strengths of the child and the concerns of the parents for enhancing the education of their child; and</p> <p>(ii) the results of the initial evaluation or most recent evaluation of the child.</p> <p>(B) CONSIDERATION OF SPECIAL FACTORS- The IEP Team shall --</p> <p>(i) in the case of a child whose behavior impedes his or her learning or that of others,</p>	<p align="center"><b>Regulations; and</b></p> <p align="center"><b>(II) the previous school in which the child was enrolled shall take reasonable steps to promptly respond to such request from the new school.</b></p> <p>(3) DEVELOPMENT OF IEP-            (A) IN GENERAL- In developing each child's IEP, the IEP Team, subject to subparagraph (C), shall consider--</p> <p>(i) the strengths of the child;</p> <p>(ii) the concerns of the parents for enhancing the education of their child;</p> <p>(iii) the results of the initial evaluation or most recent evaluation of the child; and</p> <p><b>(iv) the academic, developmental, and functional needs of the child.</b></p> <p>(B) CONSIDERATION OF SPECIAL FACTORS- The IEP Team shall--</p> <p>(i) in the case of a child whose behavior impedes the child's learning or that of others, consider the use of</p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>consider, when appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior;</p> <p>(ii) in the case of a child with limited English proficiency, consider the language needs of the child as such needs relate to the child's IEP;</p> <p>(iii) in the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;</p> <p>(iv) consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for</p>	<p>positive behavioral interventions and supports, and other strategies, to address that behavior;</p> <p>(ii) in the case of a child with limited English proficiency, consider the language needs of the child as such needs relate to the child's IEP;</p> <p>(iii) in the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;</p> <p>(iv) consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and</p>	

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and</p> <p>(v) consider whether the child requires assistive technology devices and services.</p> <p>(C) REQUIREMENT WITH RESPECT TO REGULAR EDUCATION TEACHER- The regular education teacher of the child, as a member of the IEP Team, shall, to the extent appropriate, participate in the development of the IEP of the child, including the determination of appropriate positive behavioral interventions and strategies and the determination of supplementary aids and services, program modifications, and support for school personnel consistent with paragraph (1)(A)(iii).</p>	<p>communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and</p> <p>(v) consider whether the child needs assistive technology devices and services.</p> <p>(C) REQUIREMENT WITH RESPECT TO REGULAR EDUCATION TEACHER- A regular education teacher of the child, as a member of the IEP Team, shall, to the extent appropriate, participate in the development of the IEP of the child, including the determination of appropriate positive behavioral interventions <b>and supports</b>, and <b>other</b> strategies, and the determination of supplementary aids and services, program modifications, and support for school personnel consistent with paragraph (1)(A)(i)(IV).</p> <p><b>(D) AGREEMENT- In making changes to a child's IEP after the annual IEP meeting for</b></p>	



**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>(4) REVIEW AND REVISION OF IEP-            (A) IN GENERAL- The local educational agency shall ensure that, subject to subparagraph (B), the IEP Team --</p> <p>(i) reviews the child's IEP periodically, but not</p>	<p>a school year, the parent of a child with a disability and the local educational agency may agree not to convene an IEP meeting for the purposes of making such changes, and instead may develop a written document to amend or modify the child's current IEP.</p> <p><b>(E) CONSOLIDATION OF IEP TEAM MEETINGS-</b> To the extent possible, the local educational agency shall encourage the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.</p> <p><b>(F) AMENDMENTS-</b> Changes to the IEP may be made either by the entire IEP Team or, as provided in subparagraph (D), by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated.</p> <p>(4) REVIEW AND REVISION OF IEP-            (A) IN GENERAL- The local educational agency shall ensure that, subject to subparagraph (B), the IEP Team--</p> <p>(i) reviews the child's IEP periodically, but not less <b>frequently</b> than annually,</p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
<p>less than annually to determine whether the annual goals for the child are being achieved; and</p> <p>(ii) revises the IEP as appropriate to address --</p> <p>(I) any lack of expected progress toward the annual goals and in the general curriculum, where appropriate;</p> <p>(II) the results of any reevaluation conducted under this section;</p> <p>(III) information about the child provided to, or by, the parents, as described in subsection (c)(1)(B);</p> <p>(IV) the child's anticipated needs; or</p> <p>(V) other matters.</p> <p>(B) REQUIREMENT WITH RESPECT TO REGULAR EDUCATION TEACHER- The regular education teacher of the child, as a member of the IEP Team, shall, to the extent appropriate, participate in the review and revision of the IEP of the child.</p>	<p>to determine whether the annual goals for the child are being achieved; and</p> <p>(ii) revises the IEP as appropriate to address--</p> <p>(I) any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate;</p> <p>(II) the results of any reevaluation conducted under this section;</p> <p>(III) information about the child provided to, or by, the parents, as described in subsection (c)(1)(B);</p> <p>(IV) the child's anticipated needs; or</p> <p>(V) other matters.</p> <p>(B) REQUIREMENT WITH RESPECT TO REGULAR EDUCATION TEACHER- A regular education teacher of the child, as a member of the IEP Team, shall, <b>consistent with paragraph (1)(C)</b>, participate in the review and revision of the IEP of the child.</p>	

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
	<p><b>(5) MULTI-YEAR IEP DEMONSTRATION-</b>  <b>(A) PILOT PROGRAM-</b>  <b>(i) PURPOSE-</b> The purpose of this paragraph is to provide an opportunity for States to allow parents and local educational agencies the opportunity for long-term planning by offering the option of developing a comprehensive multi-year IEP, not to exceed 3 years, that is designed to coincide with the natural transition points for the child.</p> <p><b>(ii) AUTHORIZATION-</b> In order to carry out the purpose of this paragraph, the Secretary is authorized to approve not more than 15 proposals from States to carry out the activity described in clause (i).</p> <p><b>(iii) PROPOSAL-</b>  <b>(I) IN GENERAL-</b> A State desiring to participate in the program under this paragraph shall submit a proposal to the Secretary at such time and in such manner as the Secretary may reasonably require.</p> <p><b>(II) CONTENT-</b> The proposal</p>	

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 Individualized Educational Program  
 (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
	<p align="center">shall include--</p> <p align="center">(aa) assurances that the development of a multi-year IEP under this paragraph is optional for parents;</p> <p align="center">(bb) assurances that the parent is required to provide informed consent before a comprehensive multi-year IEP is developed;</p> <p align="center">(cc) a list of required elements for each multi-year IEP, including--</p> <p align="center">(AA) measurable goals pursuant to paragraph (1)(A)(i)(II), coinciding with natural transition points for the child, that will enable the child to be involved in and make progress in the general education</p>	

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 Individualized Educational Program (IEP)  
 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
	<p>curriculum and that will meet the child's other needs that result from the child's disability; and</p> <p>(BB) measurable annual goals for determining progress toward meeting the goals described in subitem (AA); and</p> <p>(dd) a description of the process for the review and revision of each multi-year IEP, including--</p> <p>(AA) a review by the IEP Team of the child's multi-year IEP at each of the child's natural transition points;</p> <p>(BB) in years other than a child's natural transition points, an</p>	

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 Sec. 614(d)

**Individualized Educational Program (IEP) – Sec. 614(d)**  
 Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
	<p>annual review of the child's IEP to determine the child's current levels of progress and whether the annual goals for the child are being achieved, and a requirement to amend the IEP, as appropriate, to enable the child to continue to meet the measurable goals set out in the IEP;</p> <p>(CC) if the IEP Team determines on the basis of a review that the child is not making sufficient progress toward the goals described in the multi-year IEP, a requirement that the local educational agency shall ensure that the IEP Team carries out a more</p>	

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**STATUTORY COMPARISON**

IDEA 1997 P.L. 105 – 17	IDEA 2004 P.L. 108 – 446	OSEP GUIDANCE
	<p>thorough review of the IEP in accordance with paragraph (4) within 30 calendar days; and</p> <p>(DD) at the request of the parent, a requirement that the IEP Team shall conduct a review of the child's multi-year IEP rather than or subsequent to an annual review.</p> <p>(B) REPORT- Beginning 2 years after the date of enactment of the Individuals with Disabilities Education Improvement Act of 2004, the Secretary shall submit an annual report to the Committee on Education and the Workforce of the House of Representatives and</p>	

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**STATUTORY COMPARISON**

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	<p>the Committee on Health, Education, Labor, and Pensions of the Senate regarding the effectiveness of the program under this paragraph and any specific recommendations for broader implementation of such program, including--</p> <ul style="list-style-type: none"> <li>(i) reducing--               <ul style="list-style-type: none"> <li>(I) the paperwork burden on teachers, principals, administrators, and related service providers; and</li> <li>(II) noninstructional time spent by teachers in complying with this part;</li> </ul> </li> <li>(ii) enhancing longer-term educational</li> </ul>	

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	<p>planning;</p> <p><b>(iii) improving positive outcomes for children with disabilities;</b></p> <p><b>(iv) promoting collaboration between IEP Team members; and</b></p> <p><b>(v) ensuring satisfaction of family members.</b></p> <p><b>(C) DEFINITION- In this paragraph, the term 'natural transition points' means those periods that are close in time to the transition of a child with a disability from preschool to elementary grades, from elementary grades to middle or junior high school grades, from middle or junior high school</b></p>	

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**STATUTORY COMPARISON**

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<p>(5) FAILURE TO MEET TRANSITION OBJECTIVES- If a participating agency, other than the local educational agency, fails to provide the transition services described in the IEP in accordance with paragraph (1)(A)(vii), the local educational agency shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in that program.</p> <p>(6) CHILDREN WITH DISABILITIES IN ADULT PRISONS-</p> <p>(A) IN GENERAL- The following requirements do not apply to children with disabilities who are convicted as adults under State law and incarcerated in adult prisons:</p> <p>(i) The requirements contained in section 612(a)(17) and paragraph (1)(A)(v) of this</p>	<p><b>grades to secondary school grades, and from secondary school grades to post-secondary activities, but in no case a period longer than 3 years.</b></p> <p>(6) FAILURE TO MEET TRANSITION OBJECTIVES- If a participating agency, other than the local educational agency, fails to provide the transition services described in the IEP in accordance with paragraph (1)(A)(i)(VIII), the local educational agency shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.</p> <p>(7) CHILDREN WITH DISABILITIES IN ADULT PRISONS-</p> <p>(A) IN GENERAL- The following requirements <b>shall</b> not apply to children with disabilities who are</p>	

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<p>subsection (relating to participation of children with disabilities in general assessments).</p> <p>(ii) The requirements of subclauses (I) and (II) of paragraph (1)(A)(vii) of this subsection (relating to transition planning and transition services), do not apply with respect to such children whose eligibility under this part will end, because of their age, before they will be released from prison.</p> <p>(B) ADDITIONAL REQUIREMENT- If a child with a disability is convicted as an adult under</p>	<p>convicted as adults under State law and incarcerated in adult prisons:</p> <p>(i) The requirements contained in section 612(a)(16) and paragraph (1)(A)(i)(VI) (relating to participation of children with disabilities in general assessments).</p> <p>(ii) The requirements of items (aa) and (bb) of paragraph (1)(A)(i)(VIII) (relating to transition planning and transition services), do not apply with respect to such children whose eligibility under this part will end, because of <b>such children's</b> age, before <b>such children</b> will be released from prison.</p>	

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<p>State law and incarcerated in an adult prison, the child's IEP Team may modify the child's IEP or placement notwithstanding the requirements of sections 612(a)(5)(A) and 614(d)(1)(A) if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.</p> <p>(e) CONSTRUCTION- Nothing in this section shall be construed to require the IEP Team to include information under one component of a child's IEP that is already contained under another component of such IEP.</p> <p>(f) EDUCATIONAL PLACEMENTS- Each local educational agency or State educational agency shall ensure that the parents of each child with a disability are members of any group that makes decisions on the educational placement of their child.</p>	<p>(B) ADDITIONAL REQUIREMENT- If a child with a disability is convicted as an adult under State law and incarcerated in an adult prison, the child's IEP Team may modify the child's IEP or placement notwithstanding the requirements of sections 612(a)(5)(A) and paragraph (1)(A) if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.</p> <p>(e) EDUCATIONAL PLACEMENTS-Each local educational agency or State educational agency shall ensure that the parents of each child with a disability are members of any group that makes decisions on the educational placement of their child.</p> <p><b>(f) ALTERNATIVE MEANS OF MEETING PARTICIPATION- When conducting IEP team meetings and placement meetings</b></p>	

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	<p>pursuant to this section, section 615(e), and section 615(f)(1)(B), and carrying out administrative matters under section 615 (such as scheduling, exchange of witness lists, and status conferences), the parent of a child with a disability and a local educational agency may agree to use alternative means of meeting participation, such as video conferences and conference calls.</p>	