



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

DEPUTY COMMISSIONER FOR VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES

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TO: Individuals Interested in the Education of Students with Disabilities

FROM: Rebecca H. Cort 

DATE: January 20, 2005

SUBJECT: Individuals with Disabilities Education Act 2004

The federal Individuals with Disabilities Education Act was reauthorized and signed into law on December 3, 2004. However, most of the provisions that affect school district practice or procedures in relation to students with disabilities do not go into effect until July 1, 2005. **School districts should not change their practice in response to the reauthorization until after July 1, 2005, except as advised to implement the requirements relating to highly qualified special education teachers.**

Federal regulations and New York State law and regulations must be amended to conform to new federal requirements. The New York State Education Department will issue further information on the requirements for practice changes in special education and the timelines by Spring 2005.

The Department will be conducting informational sessions on IDEA 2004 and soliciting public comment on areas that will require revisions to State statute and regulation for IDEA implementation as well as areas where states have implementation options. These sessions are being scheduled for March 2005. Further information will be announced, as it becomes available,:

- In the State Register at <http://www.dos.state.ny.us/info/register/2005.htm>
- On the Department's web sites at:
<http://www.vesid.nysed.gov/specialed/timely.htm>
<http://www.vesid.nysed.gov/specialed/idea/home.html>

The federal government is also soliciting comment on areas that may need federal regulations to guide implementation of the new IDEA 2004. Federal regulations for IDEA are found at 34 CFR Parts 300 & 303. Information on submitting comment on federal regulations can be found at <http://www.regulations.gov/freddocs/04-28503.htm>

Questions regarding this memorandum may be directed to the Special Education Policy and Partnerships Unit at 518-473-2878.

