THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT

OF

2004

Overview, Explanation and Comparison

IDEA 2004 v. IDEA 97

by

Peter W. D. Wright, Esq. www.wrightslaw.com

Table of Contents

| Section | Heading | Page # |
|------------|--|------------|
| (U.S.C. §) | | |
| 1400 | Overview and Findings and Purposes | 1 |
| | Findings | 1 |
| | Purposes | 4 |
| 1401 | Definitions | 5 |
| | Child with a disability | 5 5 |
| | Core Academic Subjects | |
| | Highly Qualified Special Ed Teachers | 6 |
| 1412 | State Responsibilities | 11 |
| | Child Find | 11 |
| | LRE | 11 |
| | Private School Reimbursement | 16 |
| | Participation in Assessments | 19 |
| | Prohibition - Mandatory Meds | 20 |
| 1414 | Evaluations and IEPs | 21 |
| | Parental Consent for Evals | 22 |
| | LD and Discrepancy Formula | 25 |
| | Eval before change in Eligibility | 27 |
| | IEPs | 27 |
| | Definitions | 27 |
| | In Effect at beginning of school year | 30 |
| | Development of IEP | 31 |
| | Review and Revision | 32 |
| | Pilot Program Multi-Year IEP | 33 |
| 1415 | Procedural Safeguards | 37 |
| | Content of Prior Written Notice | 39 |
| | Due Process Complaint Notice | 39 |
| | Procedural Safeguards Notice | 40 |
| | Mediation | 42 |
| | Due Process Hearing | 43 |
| | Attemosica Face | 46 47 |
| | Attorney's Fees Mointenance of Comment Pleasement (Stay But) | 47 |
| | Maintenance of Current Placement (Stay-Put) Alternative Setting Placement (Discipline) | 49 49 |
| | Exhaustion required before other suits | 53 |
| | Age of Majority - Transfer of rights to student | 54 |
| | rigo of majority frambiol of rights to student | <i>J</i> 1 |