

ASSURANCE STATEMENT

Implementation of the requirements of the Individuals with Disabilities Education Improvement Act (IDEIA) (P.L. 108-446) During the federal fiscal year 2005-2006

For the purpose of implementing provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA), the _____ (LEA/SOP) assures that throughout the period of the 2005-2006 grant award, this local educational agency/state-operated program will comply with all the requirements of Part B of the IDEIA, including, but not limited to;

- (1) All of the policies and procedures that were approved as part of the LEA/SOP's most recent prior year State Plan under Part B of the IDEA '97 that are not inconsistent with the IDEIA; and
- (2) All of the eligibility requirements of Section 613 of the Act under the IDEIA.

The LEA/SOP also assures that not later than its submission of its 2006-2007 Special Education Annual Plan / Part B Flow Through Application, the LEA/SOP will revise its policies and/or procedures it has in effect to ensure that it meets each of the eligibility requirements in section 613 of the Act.

To the extent necessary to make its policies and regulations consistent with those provisions of the IDEIA (P.L. 108-446) that become effective prior to July 1, 2005, the LEA/SOP will immediately initiate the process to revise its policies and procedures accordingly.

IDEA Carryover for Grant Awards for periods beginning July 1, 2003 and July 1, 2004.

Grants awarded to local school divisions and other public agencies during the 2003-2004 and 2004-2005 school years are subject to the statutes in effect at the time the funds are used. Therefore, local school divisions must comply with the IDEA 97 Regulations with regard to the aforementioned funds. The Education Department General Administrative Regulations (EDGAR) addresses the issue of which regulations apply to federally funded programs at Part 76, Subpart G, Section 710.

Sec. 76.710 Obligations made during a carryover period are subject to current statutes, regulations, and applications. A State and a subgrantee shall use carryover funds in accordance with:

- (a) The federal statutes and regulations that apply to the program and are in effect for the carryover period; and
- (b) Any state plan, or application for a subgrant, that the State or subgrantee is required to submit for the carryover period.

Superintendent/SOP Director
Or Designee