



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Mr. George Ackron
Paraclete Services
40 McHenry Avenue
Crystal Lake, Illinois 60014

NOV 20 1990

Dear Mr. Ackron:

This is in response to your letter concerning Question 51 in Appendix C to 34 CFR Part 300 on the individualized education program (IEP) requirements of Part B of the Individuals with Disabilities Education Act (Part B).

Your specific question stated:

Does the amount of minutes and hours a specific service is given required to be made a part of each child's IEP?

Question and Response 51 in Appendix C concern the requirement at 34 CFR §300.346(c) of the Part B regulations, which provides that a child's IEP must contain "[a] statement of the specific special education and related services to be provided to the child, and the extent to which the child will be able to participate in regular educational programs." Question and Response 51 state:

Must the IEP specify the amount of services or may it simply list the services to be provided?

The amount of services to be provided must be stated in the IEP, so that the level of the agency's commitment of resources will be clear to parents and other IEP team members. The amount of time to be committed to each of the various services to be provided must be (1) appropriate to that specific service, and (2) stated in the IEP in a manner that is clear to all who are involved in both the development and implementation of the IEP.

Changes in the amount of services listed in the IEP cannot be made without holding another IEP meeting. However, as long as there is no change in the overall amount, some adjustments in scheduling the services should be possible (based on the professional judgment of the service provider) without holding another IEP meeting.

Question and Response 51 do not explicitly require that IEPs for children with disabilities contain a statement of the amount of services provided to a child in hours and minutes. Although Part B does afford State and local educational authorities some

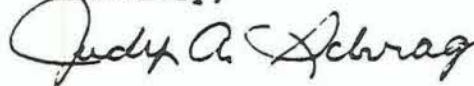
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discretion in this area, public agencies must ensure that the amount of services is stated in a manner that is appropriate to the specific service and clear to all who are involved in the development and implementation of the child's IEP. Id.

The statement of the amount of services must be sufficiently specific to reflect the commitment of agency resources to the particular service to ensure that the child's IEP addresses the child's identified educational needs. Therefore, it would be inconsistent with Federal requirements for States and school districts to have a practice of using ranges of time to express the agency's level of commitment to a particular special educational or related service since a child's IEP would not contain the specific amount of time committed for that service.

I hope that the above information is helpful. Please let me know if you have any additional questions.

Sincerely,



Judy A. Schrag, Ed.D.
Director
Office of Special Education
Programs

cc: Ms. Gail Lieberman
Illinois State Board of Education