

Calendar No. 823

106TH CONGRESS
2D SESSION

S. CON. RES. 135

Recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2000

Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. GREGG, Mr. DODD, Mr. DEWINE, Mr. HARKIN, Mr. ENZI, Ms. MIKULSKI, Ms. COLLINS, Mr. BINGAMAN, Mr. HAGEL, Mr. WELLSTONE, Mrs. MURRAY, Mr. REED, Mr. FRIST, Mr. HUTCHINSON, Mr. SESSIONS, and Mr. BROWNBACK) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions

SEPTEMBER 21, 2000

Reported by Mr. JEFFORDS, without amendment

CONCURRENT RESOLUTION

Recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

Whereas the Education for All Handicapped Children Act of 1975 (Public Law 94–142) was signed into law 25 years ago on November 29, 1975, and amended the State grant program under part B of the Education of the Handicapped Act;

Whereas the Education for All Handicapped Children Act of 1975 established the Federal policy of ensuring that all

children, regardless of the nature or severity of their disability, have available to them a free appropriate public education in the least restrictive environment;

Whereas the Education of the Handicapped Act was further amended by the Education of the Handicapped Act Amendments of 1986 (Public Law 99–457) to create a preschool grant program for children with disabilities 3 to 5 years of age and an early intervention program for infants and toddlers with disabilities from birth through age 2;

Whereas the Education of the Handicapped Act Amendments of 1990 (Public Law 101–476) renamed the statute as the Individuals with Disabilities Education Act (IDEA);

Whereas IDEA currently serves an estimated 200,000 infants and toddlers, 600,000 preschoolers, and 5,400,000 children 6 to 21 years of age;

Whereas IDEA has assisted in a dramatic reduction in the number of children with developmental disabilities who must live in State institutions away from their families;

Whereas the number of children with disabilities who complete high school has grown significantly since the enactment of IDEA;

Whereas the number of children with disabilities who enroll in college as freshmen has more than tripled since the enactment of IDEA;

Whereas IDEA has raised the Nation’s expectations about the abilities of children with disabilities by requiring access to the general education curriculum;

Whereas improvements to IDEA made in 1997 changed the focus of a child’s individualized education program from procedural requirements placed upon teachers and related

services personnel to educational results for that child, thus improving academic achievement;

Whereas changes made in 1997 also addressed the need to implement behavioral assessments and intervention strategies for children whose behavior impedes learning to ensure that they receive appropriate supports in order to receive a quality education;

Whereas IDEA ensures full partnership between parents of children with disabilities and education professionals in the design and implementation of the educational services provided to children with disabilities;

Whereas IDEA has supported the classrooms of this Nation by providing Federal resources to the States and local schools to help meet their obligation to educate all children with disabilities;

Whereas, while the Federal Government has not yet met its commitment to fund part B of IDEA at 40 percent of the average per pupil expenditure, it has made significant increases in part B funding by increasing the appropriation by 115 percent since 1995, which is an increase of over \$2,600,000,000;

Whereas the 1997 amendments to IDEA increased the amount of Federal funds that have a direct impact on students through improvements such as capping allowable State administrative expenses, which ensures that nearly 99 percent of funding increases directly reach local schools, and requiring mediation upon request by parents in order to reduce costly litigation;

Whereas such amendments also ensured that students whose schools cannot serve them appropriately and students who choose to attend private, parochial, and charter

schools have greater access to free appropriate services outside of traditional public schools;

Whereas IDEA has supported, through its discretionary programs, more than two decades of research, demonstration, and training in effective practices for educating children with disabilities, enabling teachers, related services personnel, and administrators effectively to meet the instructional needs of children with disabilities of all ages;

Whereas Federal and State governments can support effective practices in the classroom to ensure appropriate and effective services for children with disabilities; and

Whereas IDEA has succeeded in marshalling the resources of this Nation to implement the promise of full participation in society of children with disabilities: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That the Congress—

3 (1) recognizes the 25th anniversary of the en-
4 actment of the Education for All Handicapped Chil-
5 dren Act of 1975 (Public Law 94–142);

6 (2) acknowledges the many and varied contribu-
7 tions of children with disabilities, their parents,
8 teachers, related services personnel, and administra-
9 tors; and

10 (3) reaffirms its support for the Individuals
11 with Disabilities Education Act so that all children
12 with disabilities have access to a free appropriate
13 public education.

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