

109TH CONGRESS
1ST SESSION

H. CON. RES. 288

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2005

Received and referred to the Committee on Health, Education, Labor, and
Pensions

CONCURRENT RESOLUTION

Recognizing the 30th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 and reaffirming support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education in the least restrictive environment.

Whereas the Education for All Handicapped Children Act of 1975 (Public Law 94–142) was signed into law 30 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 priority 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 aged 3 through 5 and an early intervention program for infants and toddlers with disabilities under 3 years of age and their families;

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 269,000 infants and toddlers, 679,000 preschoolers, and 6,000,000 children aged 6 to 21;

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 with standard diplomas 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 promotes partnerships between parents of children with disabilities and education professionals in the design and implementation of the special education and related services provided to children with disabilities;

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

Whereas the 2004 reauthorization of IDEA ensures that children with disabilities are guaranteed a quality education based on the high academic standards required under the No Child Left Behind Act of 2001 (Public Law 107–110);

Whereas the 2004 reauthorization strengthens IDEA's focus on the educational results of children with disabilities and better prepares those children for employment or further education beyond high school;

Whereas the 2004 reauthorization further enables special education teachers, related services providers, other educators, and State and local educational agencies to focus on promoting the academic achievement of children with disabilities;

Whereas the 2004 reauthorization maintains the necessary procedural safeguards that guarantee the rights of children with disabilities and their parents while encouraging the mutual resolution of disputes and reducing unnecessary litigation;

Whereas the 2004 reauthorization continues to ensure the provision of a free appropriate public education to students referred to a private school by a public agency and ensures the provision of special education and related services to students placed by their parents in private schools;

Whereas, although the Federal Government has not yet met its commitment to fund IDEA at 40 percent of the average per pupil expenditure, it has increased IDEA funding

over the last decade from \$2.3 billion to \$10.6 billion and increased its percentage share of the average per pupil expenditure from 7.8 percent to 18.6 percent;

Whereas the 2004 reauthorization ensures that the vast majority of funds will go directly to the classroom and provides States and local educational agencies additional flexibility to provide for the costs of educating high need children with disabilities;

Whereas IDEA has supported, through its discretionary programs, three decades of research, demonstration, and personnel preparation in effective practices for educating children with disabilities, enabling teachers, related services providers, and other educators to effectively meet the educational needs of all children;

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 for children with disabilities: Now, therefore, be it

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

3 (1) recognizes the 30th 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 and their parents,

1 teachers, related services providers, and other edu-
2 cators; and

3 (3) reaffirms its support for the Individuals
4 with Disabilities Education Act so that all children
5 with disabilities have access to a free appropriate
6 public education.

Passed the House of Representatives November 15,
2005.

Attest:

JEFF TRANDAHL,
Clerk.