

PROVIDING FOR CONSIDERATION OF H.R. 1350, IMPROVING
EDUCATION RESULTS FOR CHILDREN WITH DISABIL-
ITIES ACT OF 2003

APRIL 29, 2003.—Referred to the House Calendar and ordered to be printed

Mr. SESSIONS, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 206]

The Committee on Rules, having had under consideration House Resolution 206, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1350, the Improving Education Results for Children with Disabilities Act of 2003, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill.

The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute.

The rule makes in order only those amendments printed in this report. The rule provides that the amendments printed in this report shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order

against the amendments printed in this report. The rule provides one motion to recommit with or without instructions.

The waiver of all points of order against consideration of the bill in the rule includes a waiver of clause 4(a) of rule XIII (requiring a three-day layover of the committee report) which is necessary because the Committee on Education and the Workforce did not file its report (H. Rept. 108–77) until Tuesday, April 29, 2003, and the bill may be considered by the House as early as Wednesday, April 30, 2003.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 55

Date: April 29, 2003.

Measure: H.R. 1350, Improving Educational Results for Children with Disabilities Act of 2003.

Motion by: Mr. McGovern.

Summary of motion: To make in order the amendment offered by Representative Woolsey which fully funds part B grants to states over six years, and makes all new funding mandatory.

Results: Defeated 3 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Rules Committee record vote No. 56

Date: April 29, 2003.

Measure: H.R. 1350, Improving Educational Results for Children with Disabilities Act of 2003.

Motion by: Mr. McGovern.

Summary of motion: To make in order the amendment offered by Representative Bass which creates a discretionary—mandatory hybrid funding obligation requiring increases above the FY03 \$8.9 billion funding level to be mandatory, while allowing the appropriators to have discretion over the first \$8.9 billion year after year; Provides communities increased flexibility for budgeting the federal increase if the community is in compliance with IDEA mandates.

Results: Defeated 3 to 9.

Vote by Members: Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE

(Summaries derived from information provided by sponsors.)

1. Castle/Boehner—Manager’s Amendment. Makes several conforming and consolidating changes to a series of GAO reports that were added during the consideration of the bill in the Education and Workforce Committee. Increases the amount of funds that the State can reserve out of its State-level activities for programs designed to serve children with disabilities with high-cost special edu-

cation and related services needs. Makes a clarifying change to reflect the updated authorization levels that were modified by the FY 2004 Budget Resolution—this level reflects the increased funding the FY 2004 Budget Resolution included for IDEA Part B State Grants. Makes a clarifying change to ensure that evaluations are provided to children in the language and form designed to obtain useful information—this change reflects longstanding terminology used throughout the implementing regulations and elsewhere in the Act. Makes a change to the issues that can be raised at dues process hearings to ensure that parents and local educational agencies both have a fair opportunity to understand the issues being raised at the hearing in order to resolve the dispute more effectively. Adds language to the section prohibiting the Federal control of curriculum to ensure it is the exact language as present in the No Child Left Behind act, which ensures that there continues to be local control over the curriculum. Makes changes in the Part D programs to ensure that the needs of limited English proficient children with disabilities are met through the training of school personnel and effective data collection. Modifies the section regarding support for captioning programs to enable news programs to be captioned until 2006, which is when Federal Communications Commission requirements require all news programs to be captioned. Makes several clarifying and technical conforming amendments. (10 minutes)

2. Vitter—Adds a provision in Part A (GAO Review) mandating that the review will include recommendations to reduce or eliminate the excessive paperwork burdens for teachers, related services providers, parents and school administrators; Amends Part B (GAO Report) to require a GAO report be submitted 2 years after the date of enactment and submitted every 2 years thereafter. (10 minutes)

3. Bradley—Strikes the current Part B set-aside funds of \$500,000 and replace it with \$750,000. Strikes the parenthetical provision that references the inflationary adjustment, in order to provide more opportunity for administrative growth in small states. (10 minutes)

4. Davis, Susan (CA)—Inserts the definition of a free, appropriate, public education, the language contained in the Supreme Court Decision known as Rowley, which states that the goal for a child with disabilities is the same as for all other children—to have the educational and related services necessary for that child to access the general curriculum. (10 minutes)

5. DeMint—Amends Part D (National Activities) to allow for the Secretary of Education to fund the design, development, and initial implementation of parental choice programs for students with disabilities; Amend Part B (Assistance for Students Ages 3–21) to allow states to let federal money follow the child along with the state money to the selected public or private school. (20 minutes)

6. Musgrave—Allows school districts the option of offering parents of disabled children in private schools a certificate to be used for their child's specific special education needs. The amount of the certificate would be equivalent to the per-pupil proportionate IDEA dollars generated to the school district by private school children. Certificates could be redeemed at eligible providers that meet

health, safety and civil rights laws and are fiscally sound. (10 minutes)

7. Shadegg—Expressing the sense of Congress and finds that students are over-identified and misidentified as students with disabilities. Therefore students should not be classified as being disabled without having been judged by a physician and state health board. (10 minutes)

8. Tancredo/Graves—Redefines “specific learning disability” as a disorder due to a medically detectable and diagnosable psychological condition relying on physical and scientific evidence. (10 minutes)

9. Kirk—Expresses the sense of Congress that providing special needs students with a safe, and drug-free learning environment is a laudable goal. Makes reference to random locker searches conducted by school administrators as an effective way to assess the gravity of the drug situation at a particular school, as well as to indicate to students that the use of drugs on school property will not be tolerated. (10 minutes)

10. McKeon/Woolsey—Requires that any additional increases in federal funding, above Fiscal Year 2003 levels be passed down directly to the local level. (10 minutes)

11. Nethercutt—Provides parents in consultation with the Individualized Family Service Plan (IFSP) team the ability to decide what setting is appropriate for each child. (10 minutes)

12. Sanchez, Loretta (CA)—Would authorize the use of funds to develop and improve programs to train school safety personnel and first responders who work at educational facilities in the recognition of autism. (10 minutes)

13. Wu—Amends the State Competitive Grant Program in the bill to give priority to applications that provide for the establishment of professional development program regarding methods of early and appropriate identification of children with disabilities. (10 minutes)

14. Garrett—Requires the Secretary of Education to conduct a study within 2 years after the enactment of the act on the cost to each state for compliance with this act. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTLE OF DELAWARE, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike sections 104 through 107 of the bill and insert the following (and conform the table of contents accordingly):

SEC. 104. GAO REPORTS.

(a) PAPERWORK STUDY.—

(1) REVIEW.—The Comptroller General shall conduct a review of all Federal requirements under the Individuals with Disabilities Education Act, and the requirements of a reasonable sample of State and local educational agencies relating to such Act, to determine which requirements result in excessive paperwork completion burdens for teachers, related services providers, and school administrators.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall prepare and

submit to the appropriate congressional committees a report that contains the results of the review under paragraph (1).

(b) **DISABILITY DEFINITIONS.**—

(1) **REVIEW.**—The Comptroller General of the United States shall conduct a review of—

(A) variation among States in definitions, and evaluation processes, relating to the provision of services under the Individuals with Disabilities Education Act to children having conditions described in section 602(a)(3) of such Act using the terms “emotional disturbance”, “other health impairments”, and “specific learning disability”; and

(B) the degree to which these definitions and evaluation processes conform to scientific, peer-reviewed research.

(2) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall prepare and submit to the appropriate congressional committees a report that contains the results of the review under paragraph (1).

(c) **DISTANCE LEARNING PROFESSIONAL DEVELOPMENT PROGRAMS.**—

(1) **STUDY.**—The Comptroller General shall conduct a study on existing or developing professional development programs for special education personnel delivered through the use of technology and distance learning.

(2) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report containing the findings from the study conducted under paragraph (1) to the appropriate congressional committees.

(d) **LIMITED ENGLISH PROFICIENT CHILDREN WITH DISABILITIES.**—

(1) **STUDY.**—The Comptroller General shall conduct a study on how limited English proficient students are being served under the Individuals with Disabilities Education Act.

(2) **REPORT.**—Not later than 2 years after the date of the enactment of the Improving Education Results for Children With Disabilities Act of 2003, the Comptroller General of the United States shall submit a report containing the findings from the study conducted under paragraph (1) to the appropriate congressional committees.

(e) **DEFINITION.**—In this section, the term “appropriate congressional committees” means the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

In section 611(a)(3) of the Individuals with Disabilities Education Act (as amended by section 201 of the bill), strike “subparagraphs (A) and (B) of”.

In section 611(e)(3) of the Individuals with Disabilities Education Act (as amended by section 201 of the bill), strike “4 percent” and insert “40 percent”.

In section 611(i)(2) of the Individuals with Disabilities Education Act (as amended by section 201 of the bill), strike “\$13,374,398,000” and insert “\$13,574,398,000”.

In section 614(a)(1)(D)(i)(I) of the Individuals with Disabilities Education Act (as amended by section 204 of the bill), strike “602(3)(A) or 602(3)(B)” and insert “602(3)”.

In section 614(b)(3)(A)(ii) of the Individuals with Disabilities Education Act (as amended by section 204 of the bill), strike “, to the extent practicable.”

In section 614(b)(3)(A)(ii) of the Individuals with Disabilities Education Act (as amended by section 204 of the bill), add at the end before the semicolon the following: “, unless it is clearly not feasible to do so”.

Strike subparagraphs (B) and (C) of section 615(f)(3) of the Individuals with Disabilities Education Act (as amended by section 205(f) of the bill), and insert the following:

“(B) SUBJECT MATTER OF HEARING.—No party shall be allowed to raise issues at the due process hearing that were not raised in the complaint, discussed during the meeting conducted pursuant to paragraph (1)(B), or properly disclosed pursuant to paragraph (2), unless both parties agree otherwise.”

In section 617(b) of the Individuals with Disabilities Education Act (as amended by section 207 of the bill), after “content,” insert “academic achievement standards and assessments.”

In section 665(c)(2) of the Individuals with Disabilities Education Act (as amended by section 401 of the bill), insert the following:

“(G) Preparing personnel who provide services to children with low-incidence disabilities with limited English proficiency.”

In section 665(d)(2)(B) of the Individuals with Disabilities Education Act (as amended by section 401 of the bill), add at the end before the semicolon the following: “, including children with disabilities with limited English proficiency”.

In the matter preceding subclause (I) of section 666(a)(3)(C)(iii) of the Individuals with Disabilities Education Act, strike “backgrounds, including” and insert “backgrounds or are limited English proficient, including”.

In items (aa) through (dd) of section 666(a)(3)(C)(iii)(I) of the Individuals with Disabilities Education Act, strike “of minority” each place it appears and insert “of such”.

In section 666(a)(3)(C)(iii)(II) of the Individuals with Disabilities Education Act, strike “children with disabilities from minority backgrounds” and insert “such children with disabilities”.

In section 675(c)(2) of the Individuals with Disabilities Education Act, strike “videos, or other materials with an education based content for use in the classroom setting” and insert “videos or other materials that would be appropriate for use in the classroom setting, or news (until the end of fiscal year 2006).”

Strike section 402 of the bill (and conform the table of contents accordingly).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VITTER OF LOUISIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 104 of the bill—

(1) in subsection (a), by adding at the end the following new sentence: “As part of such review, the Comptroller General shall include recommendations to reduce or eliminate the excessive paperwork burdens described in the preceding sentence.”; and

(2) in subsection (b), after “Act,” insert “and once every 2 years thereafter,”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRADLEY OF NEW HAMPSHIRE, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 611(e)(2)(A)(i) of the Individuals with Disabilities Education Act (as proposed to be amended by section 201 of the bill)—
 (1) strike “\$500,000” and insert “\$750,000”; and
 (2) strike the parenthetical provision.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SUSAN DAVIS OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 602(8)(C) of the Individuals with Disabilities Education Act (as proposed to be amended by section 101 of the bill), add at the end before the semicolon the following: “that is reasonably calculated to provide educational benefit to enable the child with a disability to access the general curriculum”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DEMINT OF SOUTH CAROLINA, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

In section 612(a)(10)(A) of the Individuals with Disabilities Education Act, as proposed to be amended by the bill, add at the end the following:

“(vii) PARENT OPTION PROGRAM.—If a State has established a program described in section 664(c)(11) (whether statewide or in limited areas of the State) that allows a parent of a child with a disability to use public funds to pay some or all of the costs of attendance at a public or private school—

“(I) funds allocated to the State under section 611 may be used to supplement those public funds, if the Federal funds are distributed to parents who make a genuine independent choice as to the appropriate school for their child;

“(II) the authorization of a parent to exercise this option fulfills the State’s obligation under paragraph (1) with respect to the child during the period in which the child is enrolled in the selected school; and

“(III) a private school accepting those funds shall be deemed, for both the programs and services delivered to the child, to be providing a free appropriate public education and to be in compliance with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

In section 664(c)(9) of the Individuals with Disabilities Education Act, as proposed to be inserted by the bill, strike “and” at the end;

In section 664(c)(10) of the Individuals with Disabilities Education Act, as proposed to be inserted by the bill, strike the period at the end and insert “; and”.

In section 664(c) of the Individuals with Disabilities Education Act, as proposed to be inserted by the bill, add at the end the following:

“(11) supporting the post-award planning and design, and the initial implementation (which may include costs for informing the community, acquiring necessary equipment and supplies, and other initial operational costs), during a period of not more than 3 years, of State programs that allow the parent of a child with a disability to make a genuine independent choice of the appropriate public or private school for their child, if the program—

“(A) requires that the child—

“(i) have been determined to be a child with a disability in accordance with section 614;

“(ii) have spent the prior school year in attendance at a public elementary or secondary school unless the child was served under section 619 or part C during such year; and

“(iii) have in effect an individualized education program (as defined in section 614(d)(1)(A));

“(B) permits the parent to receive from the eligible entity funds to be used to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs);

“(C) prohibits the selected school from discriminating against eligible students on the basis of race, color, or national origin; and

“(D) requires the selected school to be academically accountable to the parent for meeting the educational needs of the student.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MUSGRAVE OF COLORADO, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 612(a)(10)(A) of the Individuals with Disabilities Education Act, as proposed to be amended by the bill—

(1) redesignate clause (vi) as clause (vii); and

(2) insert after clause (v) the following:

“(vi) LOCAL EDUCATIONAL AGENCY OPTION.—A local educational agency may elect to fulfill its obligations under this subparagraph to children with disabilities enrolled by their parents in private elementary and secondary schools in the area served by the agency by offering certificates to all such parents for necessary special education and related services, if—

“(I) the certificates offered with respect to each child have an annual aggregate value that is equal to the lesser of—

“(aa) the per-pupil amount derived by dividing the proportionate share of Federal funds calculated under clause (i)(I) by the number of parentally-placed children with disabilities determined under clause (i)(II); and

“(bb) the actual cost of the necessary special education and related services for such child; and

“(II) the certificates may only be redeemed by the parents at eligible special education and related services providers, as determined by the local educational agency, that—

“(aa) provide information to the parents and such agency regarding the progress of the child as a result of the receipt of such services in a format and, to the extent practicable, a language that the parents can understand;

“(bb) meet all applicable Federal, State, and local health, safety, and civil rights laws;

“(cc) demonstrate that the provider has been lawfully operating as a business for not less than 1 year; and

“(dd) provide assurances to such agency that the provider is financially sound, is not in bankruptcy proceedings, and is not the subject of an investigation or legal judgment involving waste, fraud, or abuse on the part of the provider, or any employee of the provider, with respect to funds under the provider’s control.

Clause (v)(II) shall not apply special education and related services furnished pursuant to such certificates. At the discretion of the local educational agency, and to the extent consistent with State law, State and local funds may be used to add to the value of such certificates.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHADEGG OF ARIZONA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 204 of the bill, strike “Section 614” and insert “(a) IN GENERAL.—Section 614”.

In section 204 of the bill, add at the end the following:

(b) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) Certain of the categories of disability that allow students to qualify for benefits under the Individuals with Disabilities Education Act have not been scientifically established and, as a result, some children who do not have actual learning disabilities are classified as having disabilities under that Act.

(B) Nearly one in eight students is now labeled as disabled.

(C) Over one-half of those students are classified as having learning and behavioral challenges.

(D) Current definitions of disabilities in the Code of Federal Regulations, particularly the definition of “emotional disturbance”, are vague and ambiguous.

(E) The absence of reliable methods for distinguishing children with a special learning disability from children

who have lower than expected achievement leads to over-identification and misidentification of non-disabled students as students with disabilities.

(F) The lack of consistently applied diagnostic criteria for specific learning disabilities makes it possible to diagnose almost any low or underachieving child as a student with a disability.

(G) The President's Commission on Excellence in Special Education (PCESE) found in its July 1, 2002, report, "A New Era: Revitalizing Special Education for Children and their Families", that many of the current methods of identifying children with disabilities lack validity and, as a result, thousands of children are misidentified every year, while many others are not identified early enough or at all.

(H) The President's Commission also found that emotional and behavioral difficulties could be prevented through classroom-based approaches involving positive discipline and classroom management.

(I) According to testimony from a March 13, 2003, hearing before the Subcommittee on Education Reform of the Committee on Education and the Workforce of the House of Representatives, students are frequently referred to special education because they are not succeeding in the general education setting, and not because they are actually disabled.

(J) Students with controllable behavioral problems are often classified as having learning disabilities and therefore are not held responsible for their own behavior.

(K) According to testimony by Secretary of Education Rod Paige on October 4, 2001, before the Committee on Education and the Workforce of the House of Representatives, our educational system fails to teach many children fundamental skills like reading, then inappropriately identifies some of them as having disabilities, thus harming the educational future of those children who are misidentified and reducing the resources available to serve children with disabilities.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) students who have not been diagnosed by a physician or other person certified by a State health board as having a disability (as defined under the Individuals with Disabilities Education Act) should not be classified as children with disabilities for purposes of receiving services under that Act; and

(B) students with behavioral problems who have not been diagnosed by a physician or other person certified by a State health board as having a disability should be subject to the regular school disciplinary code.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TANCREDO OF COLORADO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike subparagraph (A) of section 602(27) of the Individuals with Disabilities Education Act (as proposed to be amended by section 101 of the bill) and insert the following:

“(A) IN GENERAL.—The term ‘specific learning disability’ means a disorder due to a medically detectable and diagnosable physiological condition relying on physical and scientific evidence and not based on subjective criteria.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIRK OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. SENSE OF CONGRESS RELATING TO SAFE AND DRUG-FREE SCHOOLS.

(a) FINDINGS.—Congress finds the following:

(1) Providing children with disabilities with a safe, productive, and drug-free learning environment is a laudable goal for our Nation’s schools.

(2) Schools are a refuge for students, not a place where drugs and violence are to be tolerated.

(3) Every child with a disability in the Nation deserves access to a quality education, including a safe and drug-free learning environment.

(4) Local educational agencies, school boards, schools, teachers, administrators, and students all have a responsibility to keep school facilities, including lockers, drug-free.

(5) Random searches of student lockers to seize any illegal drugs or drug paraphernalia has been known to work as an effective method to address the problem of such drugs and paraphernalia. The time of day in which lockers are to be searched should be left to the discretion of the local educational agency.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that safe and drug-free schools are essential for the learning and development of children with disabilities.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 611(f) of the Individuals with Disabilities Education Act (as proposed to be amended by section 201 of the bill), add at the end the following:

“(4) SPECIAL RULE FOR INCREASED FUNDS.—

“(A) IN GENERAL.—If the amount available for allocations to States under subsection (d)(1) for a fiscal year is equal to or greater than the amount allocated to States for fiscal year 2003, then each State may retain not more than the amount of funds it had reserved under subsection (e)(1)(B) for fiscal year 2003.

“(B) EXCEPTION.—In any fiscal year in which the percentage increase of the amount available for allocations to States under subsection (d)(1) is equal to or greater than the rate of inflation, each State may increase its allocation under subsection (e)(1)(B) by the amount allowed under subsection (e)(4)(B), for the sole purpose of making grants under subsection (e)(4)(A).

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NETHERCUTT OF WASHINGTON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 635(a)(16)(B) of the Individuals with Disabilities Education Act (as proposed to be amended by section 301 of the bill), add at the end before the period the following: “or in a setting that is most appropriate, as determined by the parent and the individualized family service plan team”.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LORETTA SANCHEZ OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 665(b)(2)(I) of the Individuals with Disabilities Education Act (as proposed to be amended by section 401 of the bill), add at the end before the period the following: “, including to train school safety personnel and first responders who work at qualified educational facilities”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WU OF OREGON, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 654(c) of the Individuals with Disabilities Education Act (as proposed to be amended by section 401 of the bill), strike paragraph (2) and insert the following:

“(2) PRIORITY.—The Secretary may give priority to applications—

“(A) on the basis of need; and

“(B) that provide for the establishment of professional development programs regarding methods of early and appropriate identification of children with disabilities.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARRETT OF NEW JERSEY, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of the bill the following new title:

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. STUDY AND REPORT ON STATE COSTS UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) STUDY.—The Secretary of Education shall conduct a study on the amount of cost to States to comply with the requirements of the Individuals with Disabilities Education Act.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a report that contains the results of the study conducted under subsection (a).

