

110TH CONGRESS
1ST SESSION

H. R. 821

To amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2007

Mr. VAN HOLLEN (for himself, Mr. FERGUSON, and Ms. HOOLEY) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Everyone Deserves Un-
5 conditional Access to Education (EDUCATE) Act”.

6 **SEC. 2. AMENDMENT TO IDEA.**

7 Section 611(i) of the Individuals with Disabilities
8 Education Act (20 U.S.C. 1411(i)) is amended to read
9 as follows:

10 “(i) FUNDING.—

1 “(1) IN GENERAL.—For the purpose of car-
2 rying out this part, other than section 619, there are
3 authorized to be appropriated—

4 “(A) \$12,068,264,000 or 19 percent of the
5 amount determined under paragraph (2),
6 whichever is less, for fiscal year 2008, and
7 there are hereby appropriated \$1,500,029,000
8 or 2.4 percent of the amount determined under
9 paragraph (2), whichever is less, for fiscal year
10 2008, which shall become available for obliga-
11 tion on July 1, 2008, and shall remain available
12 through September 30, 2009;

13 “(B) \$13,781,789,000 or 21.2 percent of
14 the amount determined under paragraph (2),
15 whichever is less, for fiscal year 2009, and
16 there are hereby appropriated \$3,209,117,000
17 or 4.9 percent of the amount determined under
18 paragraph (2), whichever is less, for fiscal year
19 2009, which shall become available for obliga-
20 tion on July 1, 2009, and shall remain available
21 through September 30, 2010;

22 “(C) \$15,738,479,000 or 23.5 percent of
23 the amount determined under paragraph (2),
24 whichever is less, for fiscal year 2010, and
25 there are hereby appropriated \$5,156,400,000

1 or 7.7 percent of the amount determined under
2 paragraph (2), whichever is less, for fiscal year
3 2010, which shall become available for obliga-
4 tion on July 1, 2010, and shall remain available
5 through September 30, 2011;

6 “(D) \$17,972,975,000 or 26.2 percent of
7 the amount determined under paragraph (2),
8 whichever is less, for fiscal year 2011, and
9 there are hereby appropriated \$7,375,074,000
10 or 10.7 percent of the amount determined
11 under paragraph (2), whichever is less, for fis-
12 cal year 2011, which shall become available for
13 obligation on July 1, 2011, and shall remain
14 available through September 30, 2012;

15 “(E) \$20,524,716,000 or 29.1 percent of
16 the amount determined under paragraph (2),
17 whichever is less, for fiscal year 2012, and
18 there are hereby appropriated \$9,902,965,000
19 or 14 percent of the amount determined under
20 paragraph (2), whichever is less, for fiscal year
21 2012, which shall become available for obliga-
22 tion on July 1, 2012, and shall remain available
23 through September 30, 2013;

24 “(F) \$23,438,744,000 or 32.4 percent of
25 the amount determined under paragraph (2),

1 whichever is less, for fiscal year 2013, and
2 there are hereby appropriated \$12,783,166,000
3 or 17.7 percent of the amount determined
4 under paragraph (2), whichever is less, for fis-
5 cal year 2013, which shall become available for
6 obligation on July 1, 2013, and shall remain
7 available through September 30, 2014;

8 “(G) \$26,766,497,000 or 36 percent of the
9 amount determined under paragraph (2),
10 whichever is less, for fiscal year 2014, and
11 there are hereby appropriated \$16,064,780,000
12 or 21.6 percent of the amount determined
13 under paragraph (2), whichever is less, for fis-
14 cal year 2014, which shall become available for
15 obligation on July 1, 2014, and shall remain
16 available through September 30, 2015;

17 “(H) \$30,566,712,000 or 40 percent of the
18 amount determined under paragraph (2),
19 whichever is less, for fiscal year 2015, and
20 there are hereby appropriated \$19,803,751,000
21 or 25.9 percent of the amount determined
22 under paragraph (2), whichever is less, for fis-
23 cal year 2015, which shall become available for
24 obligation on July 1, 2015, and shall remain
25 available through September 30, 2016; and

1 “(I) 40 percent of the amount determined
2 under paragraph (2) for fiscal year 2016 and
3 each subsequent fiscal year, and there are here-
4 by appropriated 26.2 percent of the amount de-
5 termined under paragraph (2) for fiscal year
6 2016 and each subsequent fiscal year, which
7 shall become available for obligation (A) with
8 respect to fiscal year 2016, on July 1, 2016,
9 and shall remain available through September
10 30, 2017, and (B) with respect to each subse-
11 quent fiscal year, on July 1 of that fiscal year
12 and shall remain available through September
13 30 of the succeeding fiscal year.

14 “(2) AMOUNT.—The amount referred to in each
15 of subparagraphs (A) through (I) of paragraph (1)
16 is—

17 “(A) the number of children with disabil-
18 ities in the 2004–2005 school year in all States
19 who received special education and related serv-
20 ices—

21 “(i) aged 3 through 5 if the States
22 are eligible for grants under section 619;
23 and

24 “(ii) aged 6 through 21; multiplied by

1 “(B) 40 percent of the average per-pupil
2 expenditure in public elementary schools and
3 secondary schools in the United States; ad-
4 justed by

5 “(C) the rate of annual change in the sum
6 of—

7 “(i) 85 percent of the population of all
8 States described in subsection
9 (d)(3)(A)(i)(II); and

10 “(ii) 15 percent of the population of
11 all States described in subsection
12 (d)(3)(A)(i)(III).”.

13 **SEC. 3. OFFSETS.**

14 The amounts appropriated in 611(i) of the Individ-
15 uals with Disabilities Education Act (20 U.S.C. 1411(i)),
16 as amended by section 2 of this Act, shall be expended
17 consistent with pay-as-you-go requirements.

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