

111TH CONGRESS
2D SESSION

H. CON. RES. 329

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2010

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

CONCURRENT RESOLUTION

Recognizing the 35th 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), which amended the State
grant program under part B of the Education of the
Handicapped Act (Public Law 91–230), was enacted into
law 35 years ago on November 29, 1975;

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 of 1975 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 the IDEA was amended in 1997 to ensure children with disabilities are involved, and make progress, in the general education curriculum and are included in all general State and district-wide assessment programs;

Whereas IDEA was amended in 2004 to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and support them in transitioning to further education, employment, and independent living;

Whereas IDEA currently serves an estimated 342,000 infants and toddlers, 709,000 preschoolers, and 5,890,000 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 that are away from their families, costly, inappropriate, and isolated;

Whereas the number of children with disabilities who complete high school with a standard diploma 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 and 2004 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 IDEA, along with the Elementary and Secondary Education Act of 1965, holds schools accountable for the academic performance of students with disabilities;

Whereas IDEA requires 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 appropria-

tion by 81 percent since 2001, which is an increase of over \$5,160,000,000;

Whereas IDEA has supported, through its discretionary programs, more than 4 decades of research, demonstration, and training in effective practices for educating and assessing children with disabilities, enabling teachers, related services personnel, and administrators to effectively meet the instructional and assessment needs of children with disabilities of all ages;

Whereas the challenges associated with providing a free appropriate public education to every child with a disability continue despite 35 years of IDEA implementation, including low expectations and an insufficient focus on applying replicable research on proven methods of teaching and learning for children with disabilities, requiring a continued commitment to improvement; and

Whereas IDEA continues to serve as the framework to marshal 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 House of Representatives (the Senate*
2 *concurring)*, That the Congress—

3 (1) recognizes the 35th 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,
8 teachers, related services personnel, and administra-
9 tors; and

Passed the House of Representatives November 18,
2010.

Attest: LORRAINE C. MILLER,
Clerk.