

COMMITTEE PRINT

[Showing H. Res. 399 as reported
from the Subcommittee on Early Childhood, Youth and Families
on May 21, 1998]

Whereas Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania, 334 F. Supp. 1247 (E. Dist. Pa. 1971), and Mills v. Board of Education of the District of Columbia, 348 F. Supp. 866 (Dist. D. C. 1972), found that children with disabilities are guaranteed an equal opportunity to an education under the 14th amendment to the Constitution;

Whereas the Congress responded to these court decisions by passing the Education for All Handicapped Children Act of 1975 (enacted as Public Law 94-142), now known as the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), to ensure a free, appropriate public education for children with disabilities;

Whereas the Individuals with Disabilities Education Act provides that the Federal, State, and local governments are to share in the expense of educating children with disabilities and authorizes the Federal Government to pay up to 40 percent of the national average per pupil expenditure for children with disabilities;

Whereas the Federal Government has provided only 7, 9, and 11 percent of the maximum State grant alloca-

tion for educating children with disabilities under the Individuals with Disabilities Education Act in the last 3 years, respectively;

Whereas the national average cost of educating a special education student (\$12,002) is more than twice the national average per pupil cost (\$5,955);

Whereas research indicates that children who are effectively taught and who receive positive early interventions demonstrate academic progress, and referrals to special education are reduced;

Whereas when the appropriation for part B of the Individuals with Disabilities Education Act exceeds \$4,100,000,000, local educational agencies may reduce their local spending on special education by 20 percent of the amount of their annual Federal increase;

Whereas the Individuals with Disabilities Education Act has been successful in achieving significant increases in the number of children with disabilities who receive a free, appropriate public education; and

Whereas the level of Federal funding to States and localities under the Individuals with Disabilities Education Act is contrary to the goal of ensuring that children with disabilities receive a quality education:
Now, therefore, be it

1 *Resolved*, That the House of Representatives urges
2 the Congress and the President to give programs under
3 the Individuals with Disabilities Education Act (20 U.S.C.
4 1400 et seq.) higher priority among Federal education
5 programs by working to fund the maximum State grant

1 allocation for educating children with disabilities under
2 such Act.

Amend the title so as to read: "Resolution urging the Congress and the President to work to fully fund the Federal Government's responsibility under the Individuals with Disabilities Education Act."