

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the William J. Clinton
Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Public Liaison

Series/Staff Member: William White, Jr.

Subseries:

OA/ID Number: 14204

FolderID:

Folder Title:

IDEA [Individuals with Disabilities Act] - 20th Anniversary Information and 1995 Amendments

Stack:

S

Row:

31

Section:

2

Shelf:

9

Position:

3

IDEA

THE WHITE HOUSE
WASHINGTON

May 20, 1996

96 MAY 20 P 3:16

MEMORANDUM FOR THE PRESIDENT

FROM: Carol H. Rasco *CHR/DF*
SUBJECT: Discipline for Students with Disabilities by Ceasing Services

I. ACTION-FORCING EVENT: In reauthorizing the law governing special education (Individuals with Disabilities Education Act, or IDEA), Congress is now considering whether to let schools cease all services for disabled students under certain circumstances. The Department of Education wants to oppose this plan before a House markup later this week.

II. BACKGROUND/ANALYSIS: Under current law, schools may not stop services for students with disabilities under any circumstances. They may expel them, but must provide services at home or in some setting. There is no such Federal protection for students without disabilities. The Department's IDEA reauthorization proposal did not permit cessation.

The Senate Labor and Human Resources Committee voted to allow schools to cease services to disabled students who bring drugs or weapons to school. Senator Harkin, a long-time disability champion, supported the bill in an effort to ward off tougher amendments. The House subcommittee added assault and battery to the Senate proposal.

Disability advocates strongly oppose cessation, while general education advocates are split. The two groups reached a consensus on every issue in the reauthorization except this one. The NEA and principals oppose cessation, while the AFT and the school boards support it.

Secretary Riley feels strongly that cessation is never a good idea, particularly for disabled children, who do worse when excluded from education than other children. He does support other new measures to strengthen discipline of disabled children, by making it easier for schools to remove them temporarily from the classroom.

The disability community points to the long history of schools using discipline as an excuse to remove disabled students from class. Disability advocates are very sensitive about efforts to weaken the IDEA's 20-year-old civil rights protections. They would be very disappointed if we supported any form of cessation, and see us as strong supporters of IDEA.

We consulted the staffs of Senators Feinstein, Dorgan, Lieberman, and Harkin, but could not ascertain if they would stand with us if we oppose cessation where drugs or guns are involved.

III. RECOMMENDATION: I recommend that you support Secretary Riley's plan to oppose any cessation of services for students with disabilities. This would allow schools to expel disabled students from a school as long as they get services in some other setting.

IV. DECISION:

☐ Approve ☐ Reject ☐ Further Discussion ☐ Approve with Following Changes: _____

IDEA 20TH ANNIVERSARY CONTRIBUTORS

We are grateful to those who have contributed their time, money and other resources to the IDEA 20th Anniversary Reception. The volunteer organizers included Amie Amiot, Justin and Yoshiko Dart, Patty Smith, Paul Marchand, Celane McWhorter, Jay McIntire, Barbara Lyman, Brenda Walker, Konoka Izumi, Yukari Kuwakado and Masami Morigami. Natalie Shear and Wendi Littlefield provided outstanding professional services.

We are grateful for the whole hearted support of the Consortium for Citizens with Disabilities.

We are grateful to the financial sponsors: American Academy of Audiology, American Association of Mental Retardation, American Association of University Affiliated Programs, American Foundation for the Blind, American Network of Community Options & Resources, American Occupational Therapy Association, American Physical Therapy Association, American Psychological Association, American Speech-Language-Hearing Association, American Therapeutic Recreation Association, Association for Education and Rehabilitation of the Blind & Visually Impaired, Bazelon Center for Mental Health Law, Elizabeth M. Boggs, Brain Injury Association, Children and Adults with Attention Deficit Disorders, Council for Exceptional Children, Justin and Yoshiko Dart, Division for Early Childhood (DEC/CEC), Kevin Dwyer, Epilepsy Foundation of America, Joseph P. Kennedy, Jr. Foundation, Darrell Lauer, Learning Disabilities Association, National Association for Music Therapy, National Association of Private Schools for Exceptional Children, National Association of Protection and Advocacy Systems, National Association of School Psychologists, National Center for Learning Disabilities, National Coalition on Deaf-Blindness, National Easter Seal Society, National Mental Health Association, National Organization for Rare Disorders, National Parent Network on Disabilities, National Rehabilitation Association, NISH, Paralyzed Veterans of America, Research Institute for Independent Living, Southwestern Bell Company, Spina Bifida Association of American, The Arc, The Dole Foundation, United Cerebral Palsy Associations

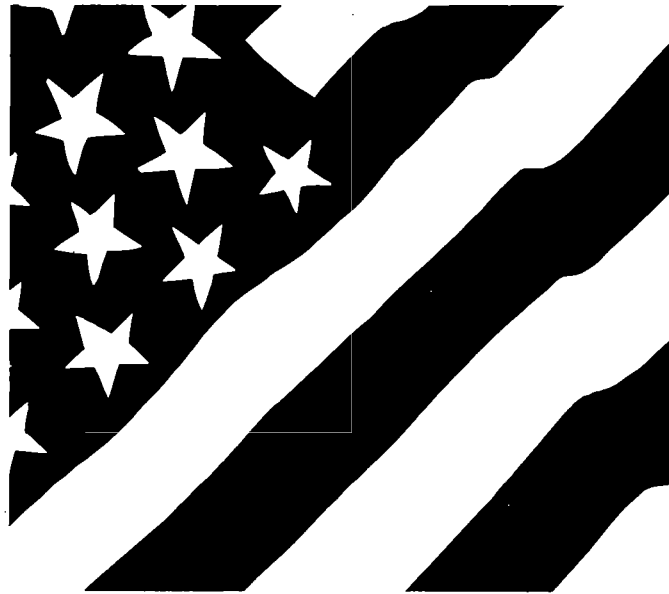
Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.

EDUCATION FOR ALL - IT'S STILL A GREAT IDEA!



IDEA

AMERICA

WINS

America Celebrates the 20th Anniversary
of the Individuals with Disabilities Education Act
November 15, 1995
The Hyatt Regency Washington on Capitol Hill
Washington, D.C.

THE WHITE HOUSE

WASHINGTON

November 9, 1995

Warm greetings to everyone celebrating the twentieth anniversary of the Individuals with Disabilities Education Act, which has opened up educational opportunities for millions of children with disabilities.

Children are our greatest hope and our most vital priority. Only when we provide our young people with the best education and supports can we honor our commitment to their future. With the historic enactment of the Individuals with Disabilities Education Act (IDEA), we guaranteed the fundamental right of a public education to all of our children and youth. Because of IDEA, students with disabilities now complete high school, attend college, and become competitively employed. In giving children with disabilities equal access to America's promise of an education, our nation also gave them equal access to the American Dream.

Our country faces tough budget decisions in the weeks ahead. I am committed to ensuring that those budget decisions protect federal policies and programs that benefit our citizens with disabilities -- ensuring the rights of inclusion, independence, and empowerment.

Hillary joins me in saluting the architects and pioneers of IDEA, true heroes and heroines, for your efforts to enlighten all our citizens about the value and importance of integrating persons with disabilities into every aspect of American life. Because of your dedication, undaunted determination, and commitment to IDEA, children with disabilities and their families can have a positive vision of their future. And to those who have benefited from IDEA, we join in commending you, supporting you, and congratulating you.

Bill Clinton

THE WHITE HOUSE

WASHINGTON

November 9, 1995

Warm greetings to everyone celebrating the twentieth anniversary of the Individuals with Disabilities Education Act, which has opened up educational opportunities for millions of children with disabilities.

Children are our greatest hope and our most vital priority. Only when we provide our young people with the best education and supports can we honor our commitment to their future. With the historic enactment of the Individuals with Disabilities Education Act (IDEA), we guaranteed the fundamental right of a public education to all of our children and youth. Because of IDEA, students with disabilities now complete high school, attend college, and become competitively employed. In giving children with disabilities equal access to America's promise of an education, our nation also gave them equal access to the American Dream.

Our country faces tough budget decisions in the weeks ahead. I am committed to ensuring that those budget decisions protect federal policies and programs that benefit our citizens with disabilities -- ensuring the rights of inclusion, independence, and empowerment.

Hillary joins me in saluting the architects and pioneers of IDEA, true heroes and heroines, for your efforts to enlighten all our citizens about the value and importance of integrating persons with disabilities into every aspect of American life. Because of your dedication, undaunted determination, and commitment to IDEA, children with disabilities and their families can have a positive vision of their future. And to those who have benefited from IDEA, we join in commending you, supporting you, and congratulating you.

Bill Clinton

NOV-01-95 06:45PM DOE/OFC OF SECRETARY

FAX NO. 2022059252

P.7/7

NOV-01-95 WED 10:10 11-01-1995 03:14PM FROM Justin Dart, Jr.

TO

2059252 P.01

To: Judy Heumann
Fr: Justin Dart

11/01/95 3 pages

20TH ANNIVERSARY

IDEA

NOV-01 '95 06:44PM DOE/OFC. OF SECRETARY
NOV-01-95 10:10 AM JUDGE/CALIN

FAX NO. 2022059252

P.5/7

Justin Dart, Jr.

FROM

11-01-1995 03:14PM

TO

2059252 P.03

You Are Cordially Invited to Celebrate the
20th Anniversary and the Heroes and Heroines of the
IDEA

Individuals with Disabilities Education Act

at a Buffet Reception

Wednesday evening, November 15, 1995

6:00 p.m. to 8:00 p.m.

Regency Ballroom
Hyatt Regency Washington on Capitol Hill
400 New Jersey Avenue Northwest
Washington, D.C.

RSVP: Naudie P. Shear
202 682-2656

TOTAL P.03

TO

Justin Dart, Jr.

FROM

2059252 P.02

Host Committee (In Formation)

Amie Amiot
Erica Annand
David Auster
Joe Ballard
Elmer Bartels
Julia Bell
Alan I. Bergman
Nancy Bloch
Elizabeth Boggs
Chris Burton
Tony Cochlo
Michael Collins
Susan M. Daniels

Justin & Yoshiko Dart
Curtis Decker
Jack Duncan
Kevin Dwyer
Gunnar Dybwad

Federick A. Fay
Chai Feldblum
Paul Fierne
Judy Heumann
Leslie Jackson
John Kemp
Frank Laski
Darrell Lauer
Chris Lord
Barbara Lyman
Justine Maloney
Myrna Mandlawitz
Paul Murchand

Joseph McNulty
Celane McWhorter
Kathy Megivern
Donna Meltzer
Christina Metzler

Oral Miller
Paul Steven Miller
Katy Beh Neas
Becky Ogle
Trina Osher
Melissa Poll
Joseph Romer
Leonard Rubenstein
Larry Searcy
Mark Smith
Patty Smith
Dick & Ginny Thornburgh
Sylvia Walker

Fred Weintraub
Jane West
Patricia Wright
Susan Zettler

JUSTIN DART, JR.
907 6TH STREET, S.W., APT. 516C
WASHINGTON, D.C. 20024
202-488-7684

November 15 '95

Dear President Clinton -

Thank you so much for your
magnificent message to the
disability community on the
occasion of the 20th birthday
of the IDEA law. We have
published it, and will circulate
it to the nation on the internet.

I deeply appreciate your
firm position on the budget

EQUAL ACCESS TO THE AMERICAN DREAM

life and the associated
social issues.

Mr. Part and I are
with you.

God bless you and yours

John V L

November 13, 1995

MEMORANDUM FOR DISTRIBUTION

FROM: Debbie Fine

SUBJECT: Special Message Commemorating IDEA Anniversary

Attached fyi is the final version of the special message from the President honoring the 20th anniversary of IDEA. Justin Dart is including it in the program at the reception on Wednesday; he will also mail/e-mail it out to his complete mailing list of several thousand; and I will fax it out to 100 national organizations.

Thanks to those of you who worked on the language..

DISTRIBUTION:

Carol Rasco
Alexis Herman
Doug Sosnik
Diana Fortuna
Kris Balderston
Marilyn Yager
Lee Satterfield
Jeremy Ben-Ami
Judy Heumann

THE WHITE HOUSE

WASHINGTON

November 9, 1995

Warm greetings to everyone celebrating the twentieth anniversary of the Individuals with Disabilities Education Act, which has opened up educational opportunities for millions of children with disabilities.

Children are our greatest hope and our most vital priority. Only when we provide our young people with the best education and supports can we honor our commitment to their future. With the historic enactment of the Individuals with Disabilities Education Act (IDEA), we guaranteed the fundamental right of a public education to all of our children and youth. Because of IDEA, students with disabilities now complete high school, attend college, and become competitively employed. In giving children with disabilities equal access to America's promise of an education, our nation also gave them equal access to the American Dream.

Our country faces tough budget decisions in the weeks ahead. I am committed to ensuring that those budget decisions protect federal policies and programs that benefit our citizens with disabilities -- ensuring the rights of inclusion, independence, and empowerment.

Hillary joins me in saluting the architects and pioneers of IDEA, true heroes and heroines, for your efforts to enlighten all our citizens about the value and importance of integrating persons with disabilities into every aspect of American life. Because of your dedication, undaunted determination, and commitment to IDEA, children with disabilities and their families can have a positive vision of their future. And to those who have benefited from IDEA, we join in commending you, supporting you, and congratulating you.

Rita Clinton

Schedule Proposal

Date _____

ACCEPT_____
REGRET_____
PENDING

TO: Stephanie Streett
Director of Scheduling and Advance

Anne Walley
Director of Scheduling and Advance

FROM: Kitty Higgins
Assistant to the President and
Secretary to the Cabinet

REQUEST: Justin Dart and a coalition of national organizations in support of the Individuals with Disabilities Education Act have requested that Mrs. Clinton speak at the IDEA 20th Anniversary Celebration.

PURPOSE: The purpose would be to show the Administration's ongoing commitment to assuring that all students with disabilities receive quality educations. This most important piece of legislation has resulted in millions of children with disabilities receiving educations which are now resulting in individuals obtaining meaningful employment opportunities and the ability to live in their communities. Additionally, this will be an opportunity to discuss the Administration's commitment to Medicaid and to Medicare. The audience will be primarily composed of individuals who are gravely concerned with the Congressional proposals in these two areas.

BACKGROUND: In November of 1975 Gerald Ford signed the Individuals with Disabilities Education Act (IDEA) into law. This landmark piece of legislation has had strong bipartisan support. It is administered by the Department of Education's Office of Special Education and Rehabilitative Services. Today more than 5 million children are benefitting from this legislation.

This celebration is being organized by a cross section of national organizations of and for disabled people, some of whom are the Consortium for Citizens with Disabilities (CCD), Justice for All, the National Parent Network, United Cerebral Palsy, the ARC, and the National Council on Independent Living Programs. Justin Dart

is one of the prime organizers.

Judy Heumann, Assistant Secretary for OSERS, has spoken with Mr. Dart. Should the First Lady be available to speak, there will be significant advance publicity provided and a commemorative book published after the event.

PREVIOUS PARTICIPATION: The Administration has worked closely with many of these organizations on health care reform, the Administration's IDEA reauthorization proposal, Medicaid and Medicare reform and children's SSI programs, to name a few.

DATE AND TIME: The event is taking place on November 15th between 6:00 p.m. and 8:00 p.m.

DURATION: The First Lady's remarks would be from 10-12 minutes.

LOCATION: The Hyatt Regency Washington on Capitol Hill.

PARTICIPANTS: Mrs. Clinton's presentation would be at a reception with a minimum of 500 people. The audience will be composed of parents, children who are currently in public schools, students who have benefited from the law and are now working, advocates and a bipartisan audience of congressional representatives and staff.

Because this legislation has historically had bipartisan support we can assume that Senators Harkin, Kennedy, Frist, and Dole, Congressmen Kildee, Miller, Owens, Payne, Hoyer, Cunningham, Goodling, et al will do their best to come.

OUTLINE OF EVENTS: There will be activities going on all day in celebration of the law. There will be a breakfast on the Hill in the morning and various events during the day, including parents and their children visiting Members in support of the reauthorization. This evening event will be the culmination of the day's activities.

REMARKS REQUIRED: This event should be seen as giving the First Lady the opportunity to show the Administration's commitment to the IDEA. In the eyes of many who will be at the event without Medicaid and Medicare and children's SSI the objective of the IDEA will not be fulfilled.

The Department of Education will prepare such remarks in cooperation with the White House Communications Staff.

MEDIA COVERAGE: Yes

FIRST LADY'S

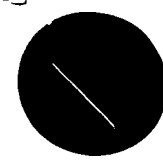
ATTENDANCE: Yes

RECOMMENDED BY: Richard W. Riley, Secretary of Education
Judith E. Heumann, Assistant Secretary
Office of Special Education and
Rehabilitative Services.

CONTACT: Frank S. Holleman III, Chief of Staff
Telephone: 401-3000, Fax: 401-0596
or
Judith E. Heumann, Assistant Secretary
Telephone: 205-5465, Fax: 205-9252

ATTACHMENTS: Invitation attached

217 oed5



THE WHITE HOUSE
WASHINGTON

November 6, 1995

MEMORANDUM FOR PEGGY CUSACK

FROM: KRIS BALDERSTON

SUBJECT: IDEA Proposal

Attached is a copy of the Department of Education's proposal for one of the principals to attend the IDEA breakfast or reception on November 15, 1995. Since POTUS is not available, we would like Mrs. Gore to consider this event.

Cabinet Affairs, Political Affairs (Doug Sosnik), Office of Public Liaison (Marilyn Yager, Debbie Fine), and the Domestic Policy Council (Carol Rasco) all agree that this would be a very important event for one of the principals to attend.

Feel free to contact me at 456-2572 if you have any questions.

cc: Kitty Higgins
Marilyn Yager
Debbie Fine
Doug Sosnik
Karen Hancox
Diana Fortuna
Ann Walley
Frank Holleman

217 ocob



THE WHITE HOUSE
WASHINGTON

November 3, 1995

MEMORANDUM FOR KIM TILLEY

FROM: KRIS BALDERSTON *[Handwritten signature]*

SUBJECT: IDEA Proposal

Attached is a copy of the Department of Education's proposal for one of the principals to attend the IDEA breakfast or reception on November 15, 1995. Since POTUS is not available, we would like VPOTUS to consider this event.

Cabinet Affairs, Political Affairs (Doug Sosnik), Office of Public Liaison (Marilyn Yager, Debbie Fine), and the Domestic Policy Council (Carol Rasco) all agree that this would be a very important event for one of the principals to attend.

Feel free to contact me at 456-2572 if you have any questions.

cc: Kitty Higgins
Marilyn Yager
Debbie Fine
Doug Sosnik
Karen Hancox
Diana Fortuna
Ann Walley
Frank Holleman



THE WHITE HOUSE
WASHINGTON

November 2, 1995

MEMORANDUM FOR PATTI SOLIS

FROM: KRIS BALDERSTON *KMB*

SUBJECT: IDEA Proposal

Attached is a copy of the Department of Education's proposal for one of the principals to attend the IDEA breakfast or reception on November 15, 1995. Since POTUS is not available, we would like the First Lady to consider this event.

Cabinet Affairs, Political Affairs (Doug Sosnik), Office of Public Liaison (Marilyn Yager, Debbie Fine), and the Domestic Policy Council (Carol Rasco) all agree that this would be a very important event for the First Lady to attend.

Feel free to contact me at 456-2572 if you have any questions.

cc: Kitty Higgins
Marilyn Yager
Debbie Fine
Doug Sosnik
Karen Hancox
Diana Fortuna
Ann Walley
Frank Holleman

Schedule Proposal

Date _____

ACCEPT_____
REGRET_____
PENDING

TO: Stephanie Streett
Director of Scheduling and Advance

Anne Walley
Director of Scheduling and Advance

FROM: Kitty Higgins
Assistant to the President and
Secretary to the Cabinet

REQUEST: Justin Dart and a coalition of national organizations in support of the Individuals with Disabilities Education Act have requested that Mrs. Clinton speak at the IDEA 20th Anniversary Celebration.

PURPOSE: The purpose would be to show the Administration's ongoing commitment to assuring that all students with disabilities receive quality educations. This most important piece of legislation has resulted in millions of children with disabilities receiving educations which are now resulting in individuals obtaining meaningful employment opportunities and the ability to live in their communities. Additionally, this will be an opportunity to discuss the Administration's commitment to Medicaid and to Medicare. The audience will be primarily composed of individuals who are gravely concerned with the Congressional proposals in these two areas.

BACKGROUND: In November of 1975 Gerald Ford signed the Individuals with Disabilities Education Act (IDEA) into law. This landmark piece of legislation has had strong bipartisan support. It is administered by the Department of Education's Office of Special Education and Rehabilitative Services. Today more than 5 million children are benefitting from this legislation.

This celebration is being organized by a cross section of national organizations of and for disabled people, some of whom are the Consortium for Citizens with Disabilities (CCD), Justice for All, the National Parent Network, United Cerebral Palsy, the ARC, and the National Council on Independent Living Programs. Justin Dart

is one of the prime organizers.

Judy Heumann, Assistant Secretary for OSERS, has spoken with Mr. Dart. Should the First Lady be available to speak, there will be significant advance publicity provided and a commemorative book published after the event.

PREVIOUS PARTICIPATION: The Administration has worked closely with many of these organizations on health care reform, the Administration's IDEA reauthorization proposal, Medicaid and Medicare reform and children's SSI programs, to name a few.

DATE AND TIME: The event is taking place on November 15th between 6:00 p.m. and 8:00 p.m.

DURATION: The First Lady's remarks would be from 10-12 minutes.

LOCATION: The Hyatt Regency Washington on Capitol Hill.

PARTICIPANTS: Mrs. Clinton's presentation would be at a reception with a minimum of 500 people. The audience will be composed of parents, children who are currently in public schools, students who have benefited from the law and are now working, advocates and a bipartisan audience of congressional representatives and staff.

Because this legislation has historically had bipartisan support we can assume that Senators Harkin, Kennedy, Frist, and Dole, Congressmen Kildee, Miller, Owens, Payne, Hoyer, Cunningham, Goodling, et al will do their best to come.

OUTLINE OF EVENTS: There will be activities going on all day in celebration of the law. There will be a breakfast on the Hill in the morning and various events during the day, including parents and their children visiting Members in support of the reauthorization. This evening event will be the culmination of the day's activities.

REMARKS REQUIRED: This event should be seen as giving the First Lady the opportunity to show the Administration's commitment to the IDEA. In the eyes of many who will be at the event without Medicaid and Medicare and children's SSI the objective of the IDEA will not be fulfilled.

The Department of Education will prepare such remarks in cooperation with the White House Communications Staff.

MEDIA COVERAGE: Yes

FIRST LADY'S

ATTENDANCE: Yes

RECOMMENDED BY: Richard W. Riley, Secretary of Education
Judith E. Heumann, Assistant Secretary
Office of Special Education and
Rehabilitative Services.

CONTACT: Frank S. Holleman III, Chief of Staff
Telephone: 401-3000, Fax: 401-0596
or
Judith E. Heumann, Assistant Secretary
Telephone: 205-5465, Fax: 205-9252

ATTACHMENTS: Invitation attached

THE WHITE HOUSE
WASHINGTON

November 1, 1995

MEMORANDUM TO: KITTY HIGGINS
MARILYN YAGER
DEBBIE FINE 217 oeb
DOUG SOSNIK
KAREN HANCOX
DIANA FORTUNA
DON BAER
ANN WALLEY

FROM: KRIS BALDERSTON KMB

SUBJECT: IDEA Proposal

As per our e-mails, I have attached a copy of the Department of Education's proposal for one of the principals to either: 1. Attend the IDEA breakfast or reception on November 15, 1995, or 2. Create an event at the White House for the disabled. Judging from our e-mail comments, I think most agree that we should ask a principle to attend the IDEA event. Any ideas or preferences?

10-10-1995 11:49AM FROM Justin Dart, Jr.

TO

4567028 P.01

JUSTIN DART, JR.
907 6TH STREET, S.W., APT. 516C
WASHINGTON, D.C. 20024
202-482-7624

October 10, 1995

To: Debbie Fine

From: Justin Dart, Paul Marchand

Subject: Statement from the President on the 20th anniversary of the IDEA.

On November 15 the disability community will hold a Washington, D.C. event celebrating the 20th anniversary of the IDEA - the Individuals with Disabilities Education Act. We respectfully request that the President provide a statement indicating his total support for IDEA, and the principles of equality and empowerment which it symbolizes. We would hope to have the statement by November 8 in order to print it in the program for the event.

This same statement could be utilized at other IDEA anniversary events across the nation, and would be widely published in the disability press.

This historic law gave American children and youth with disabilities the right to a free and appropriate public education in the least restrictive environment. This meant that children with disabilities could no longer be excluded from the public schools, that they and their parents would participate individualized educational plans, and that when possible their education would take place in the same classrooms with other children.

After millennia of outcast status, IDEA provided a foot in the door of humanity for people with disabilities.

The importance of mainstream education to full citizenship needs no justification. Education is the difference between welfare and work, poverty and prosperity, civilization and barbarism.

It is especially important that the President support the IDEA this year. The law is in the process of reauthorization. The volatility of the "new politics" in Congress offers significant risks that the hard won rights of children with disabilities could be limited, with tragic results for the nation.

Please note that the IDEA law, like the ADA, is a sacred symbol of citizenship to 49 million Americans with disabilities and millions more, the members of their families, their service providers and advocates.

EQUAL ACCESS TO THE AMERICAN DREAM

JUSTIN DART, JR.
907 6TH STREET, S.W., APT. 516C
WASHINGTON, D.C. 20024
202-488-7684

To: Debbie Fine
Fr: Justin Dart

456-7028

11/03/95 2 pages

November 3, 1995

The Hon. Hillary Rodham Clinton
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Ms. Clinton:

On November 15th the disability community will celebrate the 20th Anniversary of the landmark Individuals with Disabilities Education Act - the IDEA. We will hold a buffet reception from 6 to 8 p.m. at the Hyatt Regency Washington on Capitol Hill, 400 New Jersey Avenue NW, Washington, D.C. The event is designed to salute the heroes and heroines of the IDEA. Assistant Secretary of Education Judy Heumann will emcee the program. She is an outstanding Clinton appointee - a person with a disability, a former special education teacher, one of the great pioneers of the disability rights movement. She was with you in Beijing.

We are expecting children, parents, educators and disability leaders from across the country to participate in this momentous occasion. We would be honored to have you with us as our guest speaker. Your commitment to children and to education is well known. Your participation would inspire everyone to continue working for equality and for quality in the school system. This would be an ideal forum for you to address current issues of public policy that will impact the potential of today's children to succeed in 21st century America. Our audience will be supportive of your message.

The importance of mainstream education to full citizenship needs no justification. Education is the difference between welfare and work, poverty and prosperity, civilization and barbarism.

For the first time, the IDEA gave American children with disabilities the right to participate equally in our public school system. After millennia of outcast status, the doors of productivity and community were opened to people with disabilities. Increasingly, children with and without disabilities have learned together in mainstream classrooms. Students with disabilities and their parents have participated with educators in creating individualized education plans. Now, after twenty years, we survey the result of this magnificent experiment, and it is good.

The IDEA law, like the ADA, is a sacred symbol of citizenship to the 49 million Americans with disabilities and their families, service providers and advocates. This year IDEA is in the process

EQUAL ACCESS TO THE AMERICAN DREAM

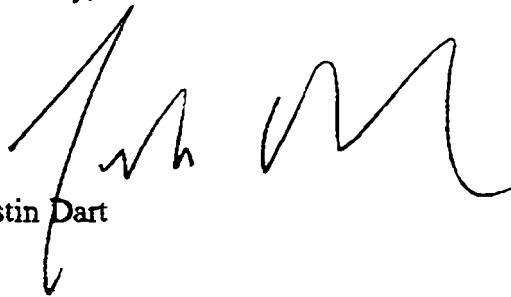
of reauthorization. Your presence with us on November 15th will be profoundly appreciated by every member of the disability community. We hope your schedule will permit you to attend.

If you need additional information, please contact me or our event coordinator, Natalie Shear, at 202-408-7640. Thank you for your consideration.

Let me repeat my deepest respect for your leadership of the national crusade for universal health care. It was a privilege for me to work with you in that campaign. Seeds were planted that will bear fruit.

God bless you and yours. Mrs. Dart and I are with you and the President all the way.

Sincerely,

A handwritten signature in black ink, appearing to be 'Justin Dart', written over the printed name.

Justin Dart

**MAKING A GOOD LAW BETTER:
Summary of the
Individuals with Disabilities Education Act Amendments of 1995**

Contents

	<u>page</u>
A Summary of the Administration's Proposal	1
Improving Educational Results	3
Focusing Resources on Teaching and Learning	4
Helping Families Help Their Children	6
Ensuring Safe and Disciplined Schools	7
Consolidating Categorical Programs	8
Strengthening Early Intervention and Preschool Services	9

IMPROVING THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT: A SUMMARY OF THE ADMINISTRATION'S PROPOSAL

The administration's proposal for improving education for children with disabilities under the Individuals with Disabilities Education Act (IDEA) is designed to ensure that the fundamental objective of the law is achieved: that all children with disabilities are provided the equal educational opportunity that the Constitution guarantees. Our proposal is based on six principles that support our mission to improve educational results for children with disabilities.

1. Align the IDEA with State and local education reform efforts so students with disabilities can benefit from them.

- Ensure that the IDEA supports State and local efforts to meet the individual needs of each child with a disability as part of overall efforts to help all children meet challenging standards and make a successful transition to further education and employment.

2. Improve results for students with disabilities through higher expectations and meaningful access to the general curriculum, to the maximum extent possible.

- Enhance participation of children with disabilities in the general curriculum through improvements to the individualized education program (IEP).
- Increase parental involvement by requiring regular reporting to parents on their children's progress, by means such as report cards, and by including parents in decisions about their children's placement.
- Increase involvement of regular education teachers in developing the IEP.
- Focus on improving educational results by providing for the inclusion of children with disabilities in State and district assessments, the development of State performance goals for children with disabilities, and regular reports to the public on progress toward meeting the goals.

3. Address individual needs in the least restrictive environment for the student.

- Make student evaluation and re-evaluation procedures more instructionally relevant and eliminate unnecessary testing.
- Encourage eligibility determinations that focus on each child's educational needs by de-emphasizing the 13 disability categories and eliminating reporting by disability category, while ensuring that all children who are currently eligible are served.
- Discourage over-identification of children and facilitate State early intervention and pre-referral activities by changing the formula for grants to States to distribute new dollars on the basis of population, not the number of children with disabilities served under the program.

- Eliminate disincentives for appropriate placements by requiring States that distribute State funds based on the type of setting in which the child is served to show that their formulas do not result in inappropriate placements.
- Promote appropriate services for minority children who currently encounter over-identification, inappropriate placement in separate classrooms, and low expectations.

4. Provide families and teachers--those closest to students--with the knowledge and training to effectively support students' learning.

- Increase effectiveness and efficiency of federal categorical resources by replacing the 14 categorical competitive grant programs with five comprehensive, coordinated authorities, with special attention to ensuring that current knowledge reaches teachers, administrators, and families.
- Provide flexible resources to States to carry out their own State Improvement Plans designed to improve the performance of students with disabilities through better teacher preparation and other improvement strategies.
- Streamline notice requirements so families receive appropriate information on their rights when they need it.
- Facilitate the resolution of disputes between parents and schools by requiring States to offer mediation to parents.
- Promote coordination of services to meet children's education, health, and social service needs by allowing States and school districts to use a fixed percentage of IDEA funds to develop coordinated services systems.

5. Focus on teaching and learning.

- Eliminate unnecessary paperwork requirements that discourage the use of IDEA resources for services in the regular classroom.
- Reduce paperwork and improve State administration by streamlining requirements for how States and districts apply for funds, and by allowing for more flexible use of administrative funds.
- **Enhance the ability** of schools to maintain safe and disciplined classrooms by allowing schools to move a student who has brought a firearm or other dangerous weapon to school to an alternative educational setting for up to 45 days and by permitting hearing officers to authorize the temporary removal to an alternative setting of a student who is substantially likely to injure himself or others.

6. Strengthen early intervention to ensure that every child starts school ready to learn.

- Promote the inclusion of children who are at risk of developmental delay in the comprehensive system of early intervention services under Part H by providing States flexibility regarding the services to provide if they choose to serve at-risk children.

IMPROVING THE IDEA: IMPROVING EDUCATIONAL RESULTS

Not all schools have high expectations for children with disabilities and not all schools take responsibility for their academic progress. The individualized education program (IEP) document that is developed for each child often reflects low expectations and fragmented goals. About half of all children with disabilities are excluded from general State and local assessments of student performance.

To improve the IEP process, our proposal would:

- **Focus the IEP on enabling the child to participate and achieve in the general curriculum** in order to ensure that students with disabilities are not shortchanged academically. The IEP would describe services and program modifications needed to provide for participation in the general curriculum.
- **Require at least one regular education teacher to participate in the IEP meeting**, in addition to the special education teacher, when a child is or may be participating in the regular education environment.
- **Require schools to regularly apprise parents of their child's progress toward meaningful, measurable annual objectives**, by means such as report cards, as least as often as parents of nondisabled children are informed of their progress.

To ensure accountability for educational results, our proposal would:

- **Require States to include students with disabilities in general State and district-wide assessments, with appropriate accommodations**, where necessary, to ensure access. For the small number of students with significant cognitive disabilities who could not appropriately be included in such assessments, States would conduct alternate assessments.
- **Require each State to report on the performance of students with disabilities on both general and alternate assessments** with the same frequency and in the same level of detail that it reports on the assessment of nondisabled children.
- **Require each State to establish goals for the performance of children with disabilities** and develop indicators for assessing their progress toward meeting their goals. Indicators would include assessment results, drop-out rates, and graduation rates. States would report to the secretary and the public on their progress every two years.

IMPROVING THE IDEA: FOCUSING RESOURCES ON TEACHING AND LEARNING

To improve educational results for children with disabilities, States, districts, and educators must be able to focus on teaching and learning rather than on paperwork requirements that are not necessary for educational improvement. Our proposal would:

- **Streamline student evaluation and re-evaluation procedures and eliminate unnecessary testing.** Districts would no longer be required to do a full battery of tests every three years to determine whether the child is eligible for special education when the parents and school agree that this determination is unnecessary. These changes would free up significant resources to better help students and their families.
- **Focus the individual education program on access to the general curriculum, whenever appropriate, and on goals designed to improve educational results.** New requirements would ensure regular reporting to parents on their children's progress toward measurable annual objectives, while the development of detailed, short-term objectives for each student would no longer be mandated.
- **Promote less categorical approaches to eligibility determinations** by eliminating the requirement that States classify children by particular disability category, so long as all children who are currently eligible are served. This would permit States to move toward less categorical eligibility criteria and promote a focus on what children know and what services they need rather than on what disability label they should be given.
- **Reduce burdensome tracking of federal funds** by allowing schools to use IDEA funds to pay for special education services provided in regular classrooms that primarily benefit students with disabilities, without having to track the costs of benefits to nondisabled children in the classroom.
- **Improve parent notice requirements** so that parents will receive a useful explanation of important information when they need it and additional information when it is relevant or requested by parents.
- **Ensure that mediation is made available to all parents**, by requiring all States to offer mediation as an option to parents to resolve disputes. Mediation will provide a less adversarial and less costly method of resolving disputes for both parents and school districts.
- **Promote coordination of education with health and social services** by allowing States and school districts to use a fixed percentage of IDEA funds to develop coordinated services systems and by requiring the State to have an effective method of ensuring that responsible agencies provide related services to students that are mandated under the IDEA. This will help to connect schools and families with other public and private agencies that can assist them in meeting the needs of students with disabilities so that teachers can focus on teaching and learning.

- **Streamline requirements for State plans and school district applications for funds.** by requiring only that States and school districts update information rather than submit a new plan or application every three years.
- **Reduce data collection requirements substantially** by eliminating the requirement that States collect data by disability category.
- **Permit consolidation of federal funds for administering the Grants to States and Preschool Grants programs** to reduce paperwork and give States greater flexibility in administering these programs.

IMPROVING THE IDEA: HELPING FAMILIES HELP THEIR CHILDREN

Families are children's first and best teachers and their most important advocates. While the IDEA creates a strong framework for family-school collaboration, more can be done to assist families to help their children and to strengthen working relations between families and schools. Our proposal would:

- **Provide parents with regular reports on their children's progress**, by means such as report cards, at least as often as such information is reported to the parents of non-disabled students. This would give parents of children with disabilities, who now often receive no meaningful information about their children's progress until the end of the school year, the information they need to help their children succeed.
- **Include parents in the team that decides their children's placement**. This would ensure that families are not excluded from fundamental decisions regarding the education of their children.
- **Ensure that mediation is made available to all parents**, by requiring all States to offer mediation as an option to parents to resolve disputes. Mediation will provide a less adversarial and less costly method of resolving disputes for both parents and school districts.
- **Promote coordination of education with health and social services** by allowing States and school districts to use a fixed percentage of IDEA funds to develop coordinated services systems. This will help to connect schools and families with other public and private agencies that can assist them in meeting the needs of students with disabilities so that teachers can focus on teaching and learning. Each State would also be required to establish an effective mechanism for interagency coordination, including defining each agency's financial responsibility, if any public agency, other than the educational agency, is responsible for providing any necessary services such as health or transition services.
- **Support Parent Training and Information Centers** in every State to assist parents to better understand the nature of their child's disability and their educational needs and to participate effectively in the development of their child's individualized education program. A number of Community Parent Resource Centers would also be supported to assist underserved parents, including low-income parents, parents of children with limited English proficiency, and parents with disabilities.

IMPROVING THE IDEA: ENSURING SAFE AND DISCIPLINED SCHOOLS

Maintaining safe and disciplined schools is essential for learning for all students, both disabled and non-disabled. Our proposals would help prevent discipline problems while providing schools with additional options for disciplining students who bring a weapon to school or who engage in other dangerous behavior. These proposals would help to ensure the safety of all students while protecting the established rights of children with disabilities.

Support prevention of discipline problems through:

- **Requiring the IEP team to consider the need for strategies like behavior management plans** whenever a student's behavior is impeding the learning of himself or others.
- **Helping to ensure that the classroom teacher receives supports needed** in the classroom, by requiring school districts to consider annually each teacher's needs for supports in the classroom.
- **Addressing training needs** under the proposed Professional Development authority, which would help to train teachers, administrators, and families in behavioral management techniques. Under the proposed State Improvement Grants program, States would have flexible funding that could also be used to help teachers learn to address behavior problems. Under Research to Practice, funds would be targeted to research on strategies to address behavioral issues and to technical assistance to State agencies and others to promote safe and disciplined schools.

Promote mediation to resolve disputes about the child's placement:

- **Requiring States to offer mediation to parents** would help resolve disputes that may arise when a school proposes to move a student to a different placement in order to address the student's behavior.

Provide Additional Options to Schools for Responding to Dangerous Students:

- **Permit school districts to move a student who has brought a firearm or other dangerous weapon to school to an alternative educational setting** for up to 45 days and until the completion of any due process proceedings.
- **Permit hearing officers to authorize the temporary immediate removal of a student who is substantially likely to injure himself or others** for up to 45 days. Currently, except in the case of a firearm, a school district may not suspend or remove any student with a disability for more than 10 days unless a determination has been made that the conduct was not related to the disability. In the infrequent case that the parents challenge the removal and request a due process hearing, the child must "stay put" in the current placement until the legal proceedings are completed. At any time during the process, the school may seek an emergency court order to remove a dangerous child. Our proposal would give schools the option of obtaining such an order from a hearing officer rather than a court.

IMPROVING THE IDEA: CONSOLIDATING CATEGORICAL PROGRAMS

The 14 categorical programs funded under Parts C-G of the IDEA have played a critical role in promoting improvement in the education of children with disabilities. For the most part, these programs support functions that can be most efficiently and effectively carried out through national leadership.

At the same time, the number of overlapping authorities have resulted in fragmentation in the administration of the programs and made it difficult to coordinate these activities effectively. For example, research is authorized under 10 of the 14 programs and technical assistance is authorized under 12 programs.

The bill would provide for a streamlined, comprehensive, and coordinated approach for carrying out these functions. The bill would replace the 14 programs with 5 new authorities that are clearly focused on helping children of all ages and with all disabilities achieve better educational results.

- **State Improvement Grants** would provide funding to States to assist them in implementing State Improvement Plans to meet goals they have established for improving the performance of children with disabilities. This program would provide substantial support for professional development, including resources to address persistent shortages of personnel and the training of regular education teachers.

- **Professional Development** would address systemic problems through national activities; address the need for personnel to serve children with low-incidence disabilities such as blindness and deafness, and early intervention personnel; and provide training for administrators, teacher trainers, researchers, supervisors, and other leadership personnel.

- **Research to Practice** would support coordinated research, demonstrations, outreach, and technical assistance and dissemination activities to ensure that the most current knowledge reaches parents, teachers, and administrators.

- **Parent Training and Information** would build on current efforts to support a parent training center in each State.

- **Technology Development and Educational Media Services** would support research on and development of advanced technology and media services such as captioning, video description, and recordings.

Implementation of these programs would be based on planning involving parents, teachers, administrators, researchers, and policy-makers that would develop a comprehensive, long-range improvement agenda. One of the primary goals would be to focus support on improving the implementation of the formula grant programs under Parts B and H.

IMPROVING THE IDEA: STRENGTHENING EARLY INTERVENTION AND PRESCHOOL SERVICES

Support for families also means working with them to address the early intervention needs of their infants and toddlers. Through early intervention and preschool services, problems or potential risks can be identified and the family's ability to minimize and manage a child's special needs can be strengthened.

Our proposal would:

- **Promote the inclusion of infants and toddlers at risk of developmental delay in the Part H service delivery system** by allowing States that choose to serve at-risk children to provide less than the full array of Part H services as long as they provide service coordination for these children. This change would help ensure that infants and toddlers with disabilities are identified as early as possible. The status of the at-risk infant or toddler would be reviewed at least every 6 months to determine whether the condition of the child has changed and whether the child should be classified as disabled.
- **Initiate development of a national definition of "developmental delay"** by convening a panel of experts to develop recommendations, which could be used by the secretary in establishing a regulatory definition or in providing guidance to the States, which currently have widely varying definitions.
- **Improve the transition of children from Part H to other programs** by expanding the transition requirement to include at-risk children and transition to other service systems such as Head Start.
- **Provide for more efficient administration of the Grants to States and Preschool Grants programs** by permitting States to combine funds used for administering the Preschool program with other IDEA funds provided for administering the Grants to States program. States would also be permitted to use administrative funds available under Part B for administration of Part H in those States in which the State education agency is the lead agency for Part H.
- **Provide for better coordination of State-level activities under Part B** and eliminate unnecessary fiscal tracking by permitting States to combine State set-aside funds under the two Part B programs that are used for support services such as teacher training if the training also benefits children aged 3-5.

MAKING A GOOD LAW BETTER:

THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AMENDMENTS OF 1995

Since enactment of P.L. 94-142, the Education for all Handicapped Children Act of 1975, results for children with disabilities have improved dramatically. Before the enactment of that ground-breaking law, one million children with disabilities were excluded from school altogether, and many were housed in dehumanizing institutions. Today, one of the basic goals of the Individuals with Disabilities Education Act (IDEA) has been largely met -- children with disabilities have access to education. As President Clinton has said, we do not have a person to waste in this country. Without the educational opportunities afforded to children with disabilities through the IDEA, we would continue to have a large segment of our population uneducated and unemployed.

This law has benefited not only disabled children. It has been good for all children. Nondisabled students are learning and playing with children who look, sound, or act different from them; they are learning about responsibility and how to live with members of their community.

As we undertake a review of this legislation, we reaffirm our commitment to the basic purposes of the IDEA and the recognition of the federal role in ensuring that all children with disabilities are provided with the equal educational opportunity that the Constitution guarantees. With this reauthorization, we have the opportunity to take what we have learned over the past twenty years and use it to update and improve this important law.

WHY CHANGE IS NECESSARY

Despite the great progress that has been made, significant challenges remain. Too many students with disabilities are failing courses and dropping out of school. When appropriate interventions are not provided, these students often get in trouble with the law and spend significant time in jail. Enrollment in postsecondary education is still low, and students are leaving school ill prepared for employment and independent living. Children from minority backgrounds and children with limited English proficiency are often inappropriately identified as disabled and placed in special education classrooms with low expectations. In addition, school officials and others complain that the current law is unnecessarily prescriptive, that it focuses too much on paperwork and process, that it imposes unnecessary costs, that it creates barriers to effective discipline, and that it spawns too much litigation.

OUR VISION FOR AN IMPROVED IDEA

Our reauthorization proposal addresses these issues and makes improvements to ensure that the fundamental objectives of the law are achieved, while preserving and maintaining existing rights and protections for children and their families. We based our reauthorization proposal on six key principles that clearly define our mission to improve results for students with disabilities, beginning as early as possible in the child's life.

- (1) Align the IDEA with State and local education reform efforts so students with disabilities can benefit from them.
- (2) Improve results for students with disabilities through higher expectations and meaningful access to the general curriculum, to the maximum extent appropriate.
- (3) Address individual needs in the least restrictive environment for the student.
- (4) Provide families and teachers -- those closest to students -- with the knowledge and training to effectively support students' learning.
- (5) Focus on teaching and learning.
- (6) Strengthen early intervention to ensure that every child starts school

Aligning the IDEA with State and local education reform efforts so students with disabilities can benefit from them underlies our entire proposal.

We need to stop thinking about "special education" as a separate program and separate place to put students and start thinking about the supports and services children need in whatever setting is **the least restrictive** -- whether it be the regular classroom, a resource room, a separate classroom, or a separate school. We must promote the transformation of our current **categorical education system** into a system for all children that meets the individual needs of **each child**.

We envision an education system that sets higher expectations for all students, gives all students the opportunity to learn to challenging standards, and takes responsibility and is accountable for the success of all children. We envision an education system in which special education is an important asset in overall school improvement efforts that contributes

to the overall resources of the school and enriches the teaching and learning that takes place for all children. The strategies we describe below are critical to the development of a system that meets this vision.

Our second principle is that IDEA must focus on improving results for students with disabilities through higher expectations and meaningful access to the general curriculum, to the maximum extent appropriate.

We know that most children work harder and do better when more is expected of them. Disabled students are no different. When we have high expectations for students with disabilities, most can achieve to challenging standards, and all can achieve more than society has historically expected.

One strategy for increasing expectations and access to the general curriculum is improving the individualized education program (IEP). Our proposal would refocus the IEP process on educational results and include requirements that make more sense. For example:

- o The new IEP would include meaningful annual objectives for the student and focus on enabling the child to participate and achieve in the general curriculum.
- o Parents would be informed of their children's progress, by means such as report cards, with the same frequency used to inform parents of nondisabled children.
- o The IEP procedures would be revised to require the participation of at least one regular education teacher in the IEP meeting, and provide for earlier transition planning to help ensure that each student completes secondary school prepared for employment or postsecondary education and independent living.

A related strategy for promoting high expectations and access to the general curriculum is the inclusion of students with disabilities in State and districtwide assessments. While civil rights laws already prohibit the discriminatory exclusion of students with disabilities from participation in assessments, some States exclude more than 90 percent of all students with disabilities from those assessments. Of course, a small number of students with significant cognitive disabilities cannot appropriately be included in general State and districtwide assessments. States and districts would conduct alternate assessments for these few students.

Our long-range strategy is that each State would use assessment results and other data it collects on students, such as drop-out rates, to assess and report on its progress towards meeting goals the State would establish for the performance of children with disabilities. We believe that when States assess students with disabilities and report to the public on the results, they will focus more on ensuring that students with disabilities receive the help they need to participate and achieve in the general curriculum and meet the challenging standards established for all students.

The third principle underlying our proposal is addressing individual needs in the least restrictive environment appropriate for the student.

A central purpose of the IDEA is to ensure that each child receives an effective and individualized education that addresses the child's particular needs in the least restrictive environment. Today, children are often identified and served according to the disability category within which they are labeled rather than according to what they need to achieve their full potential. Several critical changes will help defeat this unfortunate categorization.

Our first strategy is to ensure that federal and state requirements and funding systems do not create disincentives for appropriate placements and services.

- o We propose that the federal funding formula be changed to allocate to States all new funding above their fiscal year 1995 grants on the basis of the total number of children in the State, not just children with disabilities. This change in the formula would remove disincentives for States to undertake improvements such as the increased provision of early intervention services, and would remove incentives for States to over-identify students as disabled.
- o We also propose that any State that bases State aid on the type of settings in which children are served demonstrate that its funding formula does not result in placements that violate IDEA's least restrictive environment requirement.

Our second strategy is to promote better ways of identifying and serving students. Under the current IDEA, students must be identified as being in one of 13 specific disability categories to be served. This fosters an undesirable categorical approach to evaluating, labeling, placing, and serving children.

- o We propose to use a new eligibility definition which, together with changes in reporting requirements, would encourage States to move toward less categorical approaches, while permitting States to retain their current eligibility criteria if they choose to do so.
- o Evaluation procedures would also be streamlined so that what is educationally relevant is not lost and resources can be better devoted to helping students. Currently, States are required to conduct extensive evaluations and reevaluations that are costly and of limited utility in making decisions regarding a student's particular educational needs. Under our proposal, agencies would be required to convene an evaluation team every three years to consider the need for additional data, but they would no longer have to conduct tests to re-determine whether the child has a disability unless the agency or parent believes it is necessary. Our proposal would increase the focus of evaluations and reevaluations on instructionally relevant information and whether modifications are necessary to achieve the IEP objectives for the child.

Our fourth principle is that families and teachers must have the knowledge and training to effectively support student learning.

We must provide families and teachers -- those closest to students -- with the knowledge and training to effectively support students' learning.

There are 14 categorical programs in the IDEA, and over the past 19 years much good work has been done in each of them. However, despite some real successes, we believe that these programs need significant reform. Having developed separately over the years to address specific issues, the 14 programs are fragmented and too narrowly focused. We envision a streamlined, comprehensive, and coordinated approach for the discretionary programs that will be more effective in improving results for children with disabilities, while also making more effective use of resources.

- o Our proposal would replace the 14 current programs with five flexible authorities. This action would reduce duplication and fragmentation, while fostering collaborative, coordinated efforts across disciplines. The programs would concentrate on developing meaningful and timely information on improving results for students with disabilities and then putting that information into the hands of those who need it: States, school districts, educators, and parents.
- o To ensure that issues concerning the special needs of children with low-incidence disabilities, such as deaf-blindness, continue to be adequately addressed, there would be a minimum "floor" for discretionary spending across the new discretionary authorities to meet the needs of these children.

Family involvement is at the heart of the IDEA. Our proposal will more fully involve parents in decisions about where and how their child is educated. For example:

- o Our proposal would require parents to be involved in the decision regarding the child's educational placement. Currently, parents are entitled to participate in the IEP meeting in which decisions are made about the services to be provided, but they are not entitled to participate in placement decisions, and are, therefore, often excluded.
- o Detailed notice to families of their rights is another critical safeguard, yet families currently receive duplicative notices with excessive and confusing information. Our proposal would streamline the notice requirements while ensuring that families would receive all the necessary information whenever they need it.
- o We also want to reduce unnecessary lawsuits that create emotional and financial burdens for parents and school districts. While the right of parents to "due process" hearings to resolve disputes is central to the implementation of the law, recourse to these hearings should be a last resort when less adversarial methods have failed. In States that have mediation in place, parents and school districts report that mediation

not only helped them to clarify and resolve their particular disagreement, but that it also helped them to work together better and avoid future conflicts. Our proposal would require that mediation be made available as an option to all parents to resolve disputes.

Support for families and teachers also means assistance in addressing the health and other needs of students. Many children with disabilities have significant health or social needs. And, some children who are not yet identified as disabled can avoid needing special education if their problems are caught early. School shouldn't have to do this alone.

- o Our proposal would give States and districts the flexibility to use some of their IDEA funds to help support the development of State or districtwide systems for coordinating education, health, mental health, and social services.

Our fifth principle is to increase the focus on teaching and learning.

Over the past 20 years, the IDEA has focused on process without sufficient attention to educational results for children with disabilities. Too often, the fundamental purpose of the law is lost. To achieve the improvements we are seeking, we must maximize the extent to which resources are used for teaching and learning. Our proposals for improving IEPs, eligibility determinations, and evaluations of children will help to redirect considerable resources toward more instructionally relevant activities that support higher achievement for children with disabilities.

We propose several additional changes to reduce requirements that drain resources that could be better used to improve teaching and learning. For example:

- o We propose to reduce unnecessary paperwork for schools, while improving services for students, by allowing schools to use their IDEA funds to pay for special education services in the regular classroom for the purpose of benefitting students with disabilities without having to track whether nondisabled students also benefit.
- o To reduce unnecessary burden, our proposal would eliminate State plans. Current application requirements direct States to document their compliance with various procedures. Currently, to establish their eligibility for funding, States routinely submit to the Department boxes of documents containing copies of all State policies and procedures for special education. Yet, States are not required to plan for improving educational results. Under our proposal, States would merely be required to update documentation kept on file at the Department. Similarly, we would give States the discretion to eliminate applications from school districts as long as appropriate documentation is on file.

- o A new State improvement authority would recognize the key role that the States play in implementing the law and enhance the ability of State agencies to carry out their own plans for program improvement by providing flexible resources based on an IDEA State Improvement Plan. Recognizing that the essential element of school improvement is well-prepared teachers and administrators, the authority would focus substantial attention and funding on teacher preparation. This authority would distribute funds to States on a formula basis and would be an impetus for improving the entire IDEA program by giving States additional resources to undertake the strategies they have identified for meeting their performance goals for children with disabilities.

It is also impossible to teach and learn in an atmosphere of fear. Our proposal addresses the issue of school discipline related to students with disabilities. We believe the changes we are proposing to improve the educational opportunities of students with disabilities and to promote effective practices will help curb potential discipline problems. However, prevention is not always sufficient, and there are times when schools must take steps to address misconduct. For this reason, there should be additional options for schools seeking to ensure safety and discipline.

- o Our proposal would extend the Improving America's Schools Act amendment to the IDEA, which permits schools to immediately remove a child from the classroom for up to 45 days for bringing a gun to school, to other cover other dangerous weapons such as knives.
- o We are also proposing that schools be permitted to go to hearing officers to obtain quick decisions about whether a child is dangerous and may be removed from the classroom. Hearing officers already exist in every State to address special education issues and work closely with schools. This provision would help schools to expedite decisions related to dangerous conduct that does not involve weapons.

Our sixth principle is to strengthen early intervention to help ensure that every child starts school ready to learn.

Support for families also means working with them to address the early intervention needs of their infants and toddlers. While States and communities have made tremendous progress in implementing their early intervention systems for children from birth through age two under Part H of the IDEA, there remain two major challenges: ensuring that all eligible infants and toddlers receive services and supporting the prevention of developmental delays by expanding the inclusion of at-risk infants and toddlers within the Part H comprehensive system of services. To address these challenges, we propose two improvements to Part H.

- o Our proposal would give States greater flexibility in their efforts to serve infants and toddlers at risk of developmental delay. States that choose to serve at-risk children

would be able to provide less than the full array of Part H services as long as they provide service coordination for these children.

- o We also propose to draw on the best expertise in the nation to evaluate the need for and develop an appropriate definition of developmental delay in infants and toddlers in order to help States ensure that all children in need are identified and served.

* * *

These proposals will focus the IDEA more on what happens in the classroom -- on teaching and learning -- and less on procedures. They will also give as much flexibility as possible to local teachers, principals and parents -- without diminishing essential safeguards. Taken together, they will help local communities in their efforts to create safe, disciplined schools that have high expectations for all their students, that have well-prepared teachers, and that will strengthen the involvement of students with disabilities and their families in their children's education.

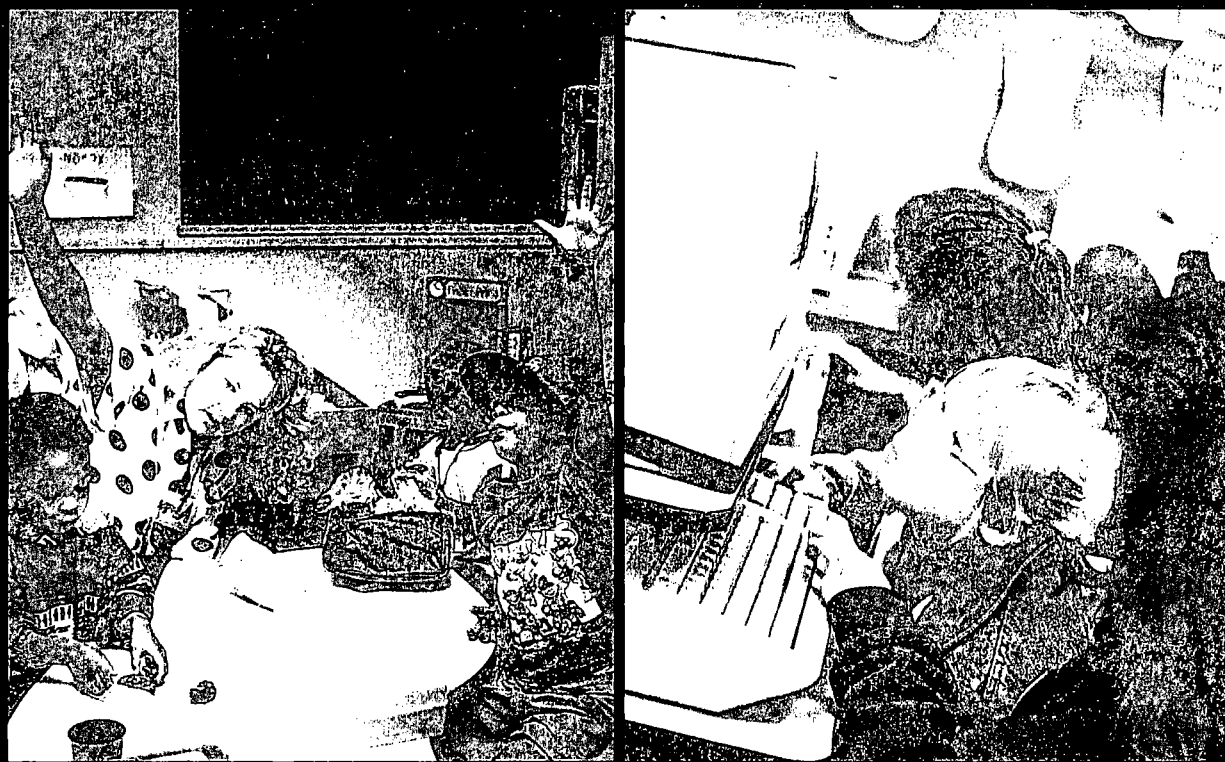
Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.

Individuals with Disabilities Education Act Amendments of 1995



Reauthorization of the Individuals with Disabilities Education Act (IDEA)



U.S. Department of Education

October 30, 1995

MEMORANDUM FOR CARMEN FOWLER

SUBJECT: 20th Anniversary of IDEA (Individuals with Disabilities Education Act)

FROM: Debbie Fine

Per our discussion, attached is a request for a special message commemorating the 20th Anniversary of the IDEA. This is a very important piece of legislation to the disability community, second only to the Americans With Disabilities Act. The attached also has some good language to use for the message.

The message has been requested for November 8 -- and we will be able to use it to send to many organizations. You may already have a request in for this from the Department of Education or an outside organization.

Please let me know if you have questions. Thanks.

cc: Jim Dorskind
Diana Fortuna

JUSTIN DART, JR.
907 6TH STREET, S.W., APT. 516C
WASHINGTON, D.C. 20024
202-488-7684

October 10, 1995

To: Debbie Fine

From: Justin Dart, Paul Marchand

Subject: Statement from the President on the 20th anniversary of the IDEA.

On November 15 the disability community will hold a Washington, D.C. event celebrating the 20th anniversary of the IDEA - the Individuals with Disabilities Education Act. We respectfully request that the President provide a statement indicating his total support for IDEA, and the principles of equality and empowerment which it symbolizes. We would hope to have the statement by November 8 in order to print it in the program for the event.

This same statement could be utilized at other IDEA anniversary events across the nation, and would be widely published in the disability press.

This historic law gave American children and youth with disabilities the right to a free and appropriate public education in the least restrictive environment. This meant that children with disabilities could no longer be excluded from the public schools, that they and their parents would participate individualized educational plans, and that when possible their education would take place in the same classrooms with other children.

After millennia of outcast status, IDEA provided a foot in the door of humanity for people with disabilities.

The importance of mainstream education to full citizenship needs no justification. Education is the difference between welfare and work, poverty and prosperity, civilization and barbarism.

It is especially important that the President support the IDEA this year. The law is in the process of reauthorization. The volatility of the "new politics" in Congress offers significant risks that the hard won rights of children with disabilities could be limited, with tragic results for the nation.

Please note that the IDEA law, like the ADA, is a sacred symbol of citizenship to 49 million Americans with disabilities and millions more, the members of their families, their service providers and advocates.

EQUAL ACCESS TO THE AMERICAN DREAM

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

18-Oct-1995 10:25pm

TO: justice

FROM: owner-justice

SUBJECT: FYI: Celebrate IDEA's 20th Birthday

Justice For All

mslife@tsbbs02.tnet.com

IDEA 20th Birthday Bulletin

NOVEMBER 29, 1995 IS THE 20TH BIRTHDAY of the historic Individuals with Disabilities Education Act - IDEA. The IDEA is in the process of reauthorization by the Congress. It is under attack by a formidable array of lobbyists representing the education establishment. They say that kids with disabilities disrupt the classroom and that educating them is too expensive. In the context of the new balance of power in the Congress, the IDEA is in serious danger of amendments which would violate the principle of equality in education, and deprive thousands of kids of the knowledge and the socialization necessary to participate in the culture. At the same time, ADA continues to be attacked, and the future of all children is threatened by devastating changes in health care, welfare, housing, transportation and virtually every other area of government responsibility.

THE BIRTHDAY OF THE IDEA provides a perfect opportunity for us to defend the rights of our kids to equality in education and to full citizenship in every other respect.

HOLD AN IDEA EVENT IN YOUR COMMUNITY - A rally, a fofom, a lunch or dinner, a press cotwo
Washington IDEA birthday events, probably around November 15th, before Congresspersons leave for Thanksgiving. Local events should be after Thanksgiving, when members of Congress will likely be in their home states.

INVOLVE THE MEDIA. Approach media management and reporters with the truth about IDEA and specific stories of success or injustice. They love stories about parents and kids. Take the opportunity to mention the other threats that kids face - to their ADA rights, their health care, welfare, etc.

ABOVE ALL, EDUCATE YOUR SENATORS AND REPRESENTATIVES.
Attend their forums, visit their offices, meet with them or their staff, bombard them with letters, cards, calls and faxes. Hold a "card party," where folks gather to send IDEA cards and letters to members of Congress and others.

OUR MESSAGE: Improve IDEA yes! Strengthen it, yes!
Violate the principle of full equality, of quality, individualized education in mainstream schools, never!

IDEA, WHAT IS IT? The landmark Individuals with Disabilities Education Act gave American children and youth with disabilities the right to a free and appropriate public education in the least restrictive environment. This means that children with disabilities can no longer be excluded from the public schools, that they and their parents can participate in individualized educational plans, and that, except in the most extreme circumstances, their education must take place in the same classrooms as they would be in if they did not have a disability.

IDEA - FALLACY AND FACT.

FALLACY: Educating kids with disabilities is too expensive.

FACT: Not educating kids with disabilities is too expensive. No amount of equal opportunity legislation or hire the handicapped hype is going to achieve the employment or the integration of uneducated people. The price of ignorance is unemployment, dependency and isolation, expensive welfare and super expensive institutionalization.

Education has always cost a little more for some than for others. It has always been a bargain. Education is the difference between poverty and prosperity, between inclusion and exclusion, between civilization and barbarism. In an age of science and democracy education is not optional. If you don't believe it, visit Haiti or any other country where education for all is considered too expensive.

FALLACY: IDEA imposes disruptive children on otherwise peaceful classrooms.

FACT: Drugs, alcohol, the availability of weapons, the break down of law and order, an irresponsible public media, weak schools and weak families cause disruption in the classroom. IDEA never imposes or protects disruption. It simply says you cannot define disability as disruption - like they used to define black and hispanic as disruption.

THE IDEA SIMPLY EXTENDS TO CHILDREN WITH DISABILITIES the same Fourteenth Amendment Constitutional guarantee of equal protection of the laws that is enjoyed by all other

Americans. They will have the same equal opportunity in public education that other American children have. The IDEA is written to give maximum local autonomy to school systems, while maintaining the fundamental federal role to define and enforce U. S. citizenship. To assert that the federal government should not be enforcing the educational rights of children with disabilities, is to say that they are not real citizens.

YES, WE ARE REAL AMERICANS. NO, we are not going back to the days when local authorities could and did exclude us from the public schools.

IDEA Post Card Campaign

How Can You Help

SEND IDEA POST CARDS YOURSELF. Be sure to send IDEA post cards to all of the key officials on the IDEA Action List (both cards and the Action List are provided upon request).

DISTRIBUTE IDEA POST CARDS to your friends and colleagues and encourage them to send in as many cards as possible.

For more information, or to order IDEA post cards, contact
Mark Smith by calling 601-969-0601 or E-Mailing to
mslife@tsbbs02.tnet.com