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IDEA [Individuals with Disabilities Education Act] Disability Act

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. agenda	President Clinton to Sign Reauthorization of Individuals with Disabilities Education Act; RE: Personally Identifiable Information [partial] (2 pages)	06/03/1997	b(6)

COLLECTION:

Clinton Presidential Records
Press Secretary
Jenni Engebretsen
OA/Box Number: 21377

FOLDER TITLE:

IDEA [Individuals with Disabilities Education Act] Disability Act

2007-0143-F
db4535

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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6/3/97

**THE WHITE HOUSE
OFFICE OF THE PRESS SECRETARY**

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JUNE 3, 1997

**PRESIDENT CLINTON TO SIGN REAUTHORIZATION OF INDIVIDUALS
WITH DISABILITIES EDUCATION ACT**

Washington, D.C. -- President Clinton will sign the reauthorization of the Individuals with Disabilities Education Act on Wednesday, June 4, at the White House. The bill reauthorizes IDEA, the historic 22-year-old civil rights legislation that guarantees children with disabilities a free and appropriate public education.

WHAT: President Clinton signs the IDEA reauthorization.

WHEN: Wednesday, June 4, 1997
10:30 a.m.

WHERE: South Lawn
The White House

COVERAGE: OPEN PRESS
Pre-set: 9 a.m.
Final escort from press briefing room: 10:15 a.m.

Credentials: Media that need White House clearance
to cover this event should call the Office of Media Affairs, 202/456-7150.

There will be several families whose children have benefitted from the act who will be available following the signing:

- Joshua Bailey, Mt. Pleasant, TN (Will introduce the President)
16 years old, with learning disabilities; he's a junior at Columbia Central High.
Parent: Sharon Bailey

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OVERVIEW

The Progress

The Individuals with Disabilities Education Act (IDEA) has a long history. Twenty-two years ago, prior to its implementation, approximately 1 million children with disabilities were shut out of schools and hundreds of thousands more were denied appropriate services. The legislation changed much of this for many children. There are ninety percent fewer children with disabilities now housed in state institutions than in 1975. There are three times the number of young people with disabilities are enrolled in colleges or universities. And twice as many of today's twenty-year old individuals with disabilities are working, compared to their predecessors.

Unfulfilled Promises

While this is significant progress, we can and must do better. The status of children with disabilities still falls short of our expectations for them.

- Twice as many children with disabilities drop out of school as their peers.
- Drop outs with disabilities do not return to school, have difficulty finding jobs and often end up in the criminal justice system.
- Girls with disabilities who drop out often become young unwed mothers—at a much higher rate than their non-disabled peers.
- Minority children with limited English proficiency are often inappropriately classified as having a disability.
- Many children with disabilities are excluded from the curriculum and assessments used with their non-disabled classmates, limiting their possibilities of performing to higher standards.

Strategies for Success

The new IDEA legislation is an attempt to remedy these and other problems that contribute to the barriers faced by children with disabilities. The focus of this legislation is to improve the results achieved by children with disabilities by raising expectations, holding them to higher standards of achievement, and linking research to teaching and learning.

IDEA will make these changes by:

- Raising expectations for children with disabilities;
- Increasing parental involvement in the education of their children;
- Ensuring that regular education teachers are involved in planning and assessing children's progress;
- Including children with disabilities in assessments, performance goals, and reports to the public;
- Linking research to improved professional development of all personnel who are involved in educating children with disabilities; and
- Providing increased support to local education agencies to implement the law.

The following document outlines IDEA to describe how children with disabilities will receive a free, appropriate public education that meets highest standards of performance.

Preliminary Messages for IDEA Event(s)

1. ***We have the same high expectations for children with disabilities as we do for all children.*** We have the evidence that children with disabilities can and do learn well. And, with few exceptions, students with disabilities can meet the higher standards that we expect all children to achieve.
2. ***IDEA is a working reality, not a promising experiment.*** Schools across the nation have been implementing IDEA for years. We have hundreds of thousands of successful students with disabilities who have demonstrated their ability to learn and succeed in school. We know how to teach children with disabilities and they know how to learn.
3. ***IDEA lets us all win.*** Every child has his own unique way of learning. Together we can ensure that every child in our schools will reach his potential, meet higher standards and be prepared for their future as productive citizens.
4. ***Stereotypes about low expectations for teaching children with disabilities have been proven wrong in the past 20 years.*** In the past 22 years since the advent of P.L. 94-142, we have learned a great deal about how to teach children with disabilities. We are ready to support the professional development of educators with the knowledge we have gained. We know what works and why. We are willing and ready to be held accountable for our efforts.
5. ***By working together, we improve teaching and learning for all.*** Families, educators, students with disabilities and their classmates can all achieve their goals of meeting higher standards when they work together. This country was based on our citizens pulling together for our common good. We have a stake in each others' success.
6. ***IDEA preserves rights and improves teaching and learning.*** The new law preserves the rights of children with disabilities to educational opportunity, while it emphasizes shared responsibility for achieving the best teaching and learning results possible. Only with local, state and federal government, children, parents, teachers and schools working together can we ensure that all children will become all that they can be.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT:

Questions & Answers

1. How will the new law help children with disabilities reach higher levels of achievement?

The 1997 Individuals With Disabilities Education Act which will be signed into law by President Clinton aims to strengthen academic expectations and accountability for the nation's 5.4 million children with disabilities, and bridge the gap that has too often existed between what those children learn and the regular curriculum.

From now on, the Individualized Education Program (IEP) -- the plan that spells out the educational goals for each child and the services he will receive for his education -- must relate more clearly to the general curriculum that children in regular classrooms receive.

The law will also require regular progress reports to parents, include children with disabilities in state and district assessments and in setting and reporting on performance goals as they do for non-disabled children.

Teachers will benefit from advancements in research through professional development initiatives.

2. What about parents? How are parents involved in decisions about their child's education?

Parental involvement will increase under the new law. In all states, parents will now be included in groups making eligibility and placement decisions about children with disabilities. Previously, in some states, parents only had a right to be included in IEP meetings. Parents also have a right to consent to periodic re-evaluations of their children's program, in addition to initial evaluations.

Currently, parents of children with disabilities rarely get regular reports from schools on their child's progress in achieving academic goals set forth in the IEP. The new law aims to increase parental involvement by requiring regular progress reports, that are commonly made for other children.

3. Will more children with disabilities be placed in regular classroom settings under the law?

The new law is designed to remove financial incentives for placing children in more separate settings when they could be served in a regular classroom, and it will include regular classroom teachers in the meetings at which the academic goals of children with disabilities are set.

The new law also eases some of the restrictions on how IDEA funding can be used for children served in regular classrooms. Specifically, such funds can be used for providing services to children with disabilities in regular classroom settings even if non-disabled children benefit as well.

4. How does the new law change the roles and responsibilities of regular classroom teachers?

A critically important feature of the new law specifies that regular teachers will be part of the team that develops each child's IEP. That is especially important since the law removes barriers to placing disabled children in regular classroom settings and ties the education of children with disabilities more closely to the regular education curriculum.

The law requires that IEP's include the program modifications and supports for the child and teacher to enable the child to succeed in the classroom.

The law also provides continued federal support to improve teacher training nationwide, and adds support of teacher training programs in geographic areas with acute teacher shortages.

5. How will IDEA 97 prevent inappropriate placements for minority children?

Whether the child is a minority student or not, IDEA 97 emphasizes that for most children with disabilities, special education is not a place. Rather, special education is a set of services to support the needs of children with disabilities to succeed in general education classrooms.

For the first time, states will be required to gather data to ensure that school districts are not disproportionately identifying and placing children with disabilities from minority or limited English proficiency backgrounds in separate educational settings, and that such children are not being disproportionately suspended or expelled. In addition, in determining their education services, schools will be required to address the language needs of students who have limited English proficiency. Teachers will be provided training and research based knowledge to meet the special needs of these children.

6. How will this law help school districts meet the costs of special education?

The new law directs more federal dollars to school districts and allows them greater flexibility to meet the needs of children with disabilities in their schools. States and other public agencies will continue their level of support to school districts. Unnecessary assessments will be eliminated, saving school districts an estimated \$765 million per year.

7. How does IDEA promote safe, well-disciplined schools?

All children deserve safe and well-disciplined schools. For the first time, the new law sets out and clarifies how school disciplinary rules and the obligation to provide a Free Appropriate Public Education to disabled children fit together.

The law explicitly requires that children who need it receive instruction and services to help them follow the rules and get along in school.

However, the law also recognizes that if students bring a weapon or illegal drugs to school, schools have the right to remove children with disabilities to an alternative educational setting for up to 45 days. The new law permits schools to go to a hearing officer for an injunction to remove a child for up to 45 days if the child is considered substantially likely to injure himself or others. Previously, only a court had that authority. And the law also recognizes the right of schools to report crimes to law enforcement or judicial authorities.

At the same time, the law guarantees that children under suspension or expulsion would still receive special education services elsewhere.

8. How does the law affect infants, toddlers, and preschoolers with disabilities?

The law allows federal funding to rise to \$400 million for infants and toddlers programs from current appropriations of \$315 million. For preschoolers allowable funding is up to \$500 million up from current spending of \$360 million. It clarifies that infants and toddlers should receive services in the home or in other natural settings where possible. It also improves the coordination and transition for children from infant and toddler programs to pre-school programs.

9. Will these changes and new requirements affect the number of lawsuits and due process hearings by parents and legal bills for school districts?

When parents and schools districts collaborate on childrens' education, conflict is minimized. IDEA 97 recognizes and encourages these positive relationships and non-adversarial methods of resolving disputes. The new law includes parents in placement decisions and requires schools to report regularly to parents on their child's progress.

Under IDEA 97 states will make effective voluntary mediation available to parents and school districts as a far less costly alternative to lawsuits. In the rare instances when it is necessary parents can still choose due process procedures.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 12, 1997
(Senate)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

S. 717 - Individuals with Disabilities Education Act (IDEA) Amendments of 1997 (Sen. Jeffords (R) VT and 17 others)

The Administration strongly supports Senate passage of S. 717 as a major step towards ensuring high-quality educational opportunity for all students. Reauthorization of the Individuals with Disabilities Education Act (IDEA) reaffirms and strengthens this commitment to children with disabilities and their parents. This legislation is the product of comprehensive bipartisan negotiations involving both chambers of the Congress and the Administration, with broad public input from many individuals and organizations. It places a strong emphasis on teaching and learning, and will do much to help improve educational results for the 5.8 million children with disabilities who are served under the IDEA.

THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

DRAFT -- May 13, 1997

For over 20 years, the IDEA has guaranteed a free, appropriate public education to students with disabilities; IDEA currently assists over 5.7 million students across the U.S. to reach their full potential. IDEA has greatly decreased the number of children in institutions and has significantly increased the number of young adults with disabilities going on to higher education and employment. The reauthorization legislation approved by the House and Senate today, with the strong support of the President, strengthens and reaffirms our Nation's commitment to disabled children and their parents.

The new legislation upgrades the IDEA in several ways:

- A stronger emphasis on educational results. The new IDEA revises the content of student Individual Education Plans to better focus on enabling disabled children to participate and progress in the general curriculum. In addition, the new law reaffirms that all children with disabilities must be included in State and district assessments, with appropriate accommodations where necessary.
- Better support for parents. Under the new IDEA, Parents will be more fully involved in student placement decisions. Moreover, the new law requires that parents receive report cards on the progress of their children as frequently as parents of non-disabled children.
- Protecting the safety of all students in the classroom while retaining the essential rights and protections of disabled students. As proposed by the Administration, the new IDEA expands the authority of school officials to remove a child for up to 45 days for misconduct involving weapons or illegal drugs. The new law gives hearing officers the authority now reserved to courts to remove a child whose continued presence would pose a substantial risk of injury to the child or others. However, the reauthorization overrides a recent 4th Circuit decision on cessation of services, making clear that educational services may not be terminated for any child with a disability.
- Reduced costs, paperwork, and litigation. The new IDEA gives school districts financial relief through new cost-sharing provisions, and reduces paperwork for teachers, school districts and States. In addition, parents and school authorities will be able to resolve disputes through new mediation mechanisms.
- Improved funding formula. As proposed by the Administration, the reauthorization makes changes in the IDEA funding formula to diminish incentives to wrongly identify children as having a disability, although these changes would only take effect in future years as appropriations reach higher levels.

The new legislation is the product of a consensus-building process involving

congressional Democrats and Republicans, the Department of Education, and representatives of the education and disability communities, and shows how bipartisan cooperation can help achieve important national goals.

Talking Points on the IDEA Reauthorization - DRAFT May 12, 1997

- The IDEA reauthorization bill that is likely to pass today, with the full support of the President, will strengthen and reaffirm our Nation's 20-year old commitment to disabled children and their parents.
- The new law reflects many of the key principles outlined in the Administration's reauthorization proposal. The upgraded IDEA contains a stronger emphasis on educational results and provides better support for parents. The reauthorization also protects the safety of all students in the classroom while retaining the essential rights and protections of disabled students. In addition, the new IDEA has a modified funding formula to reduce incentives to wrongly identify children as having a disability.
- IDEA legislation died a contentious death at the end of the last Congress, but today's vote shows what is possible when Democrats and Republicans put aside their differences and work to achieve important national goals. We hope to continue in this bipartisan spirit and move forward on the rest of our agenda to improve education and prepare America for the 21st Century.

INTERNAL Q'S AND A'S ON IDEA -- NOT FOR DISTRIBUTION
DRAFT -- May 13, 1997

Q: Do you think Majority Leader Lott and his staff deserve the credit for passing this legislation this time?

A: The Majority Leader and his chief of staff, David Hoppe, showed considerable leadership throughout this process, but this accomplishment would not have been possible without the hard work of a number of Democrats and Republicans from both the House and the Senate, and by Secretary Riley and the Administration negotiating team, led by Assistant Secretary Judy Heumann ("HUMAN"). This group worked very closely with education groups and the disability community to get a consensus bill.

Q: What effect does this legislation have on Virginia's dispute with the Administration over services to disabled students who have been suspended or expelled?

A: The new IDEA has important provisions that protect the safety of all students in the classroom while retaining the essential rights and protections of disabled students. For example, the new law expands the authority of school officials to remove a child from the classroom for misconduct involving weapons or illegal drugs, and gives hearing officers authority (previously reserved to courts) to remove a child whose continued presence would pose a substantial risk of injury. With respect to Virginia, the reauthorization adopts the Administration's position, overriding a recent 4th Circuit decision and making clear that educational services may not be terminated for any child with a disability.

Q: Pete Wilson and others have criticized this bill because it still requires that long-term inmates get services, taking funds away from other students. Should Congress have prohibited services to this population?

A: In a compromise supported by California Republican Congressman Frank Riggs, the new IDEA strikes a reasonable balance on the issue of serving disabled youth in adult correctional facilities, allowing the Governor to transfer responsibility for these services to the State correctional agency and relieving the State from certain requirements of the law.

Q: Is this legislation supported by education groups and the disability community?

A: While nearly all groups involved in the negotiating process had to give up something to reach consensus, the new law has remarkably broad support among both education groups and disability rights advocates.

Q: How much does the Federal government spend on special education?

A: For FY 97, appropriations for State grants under IDEA (parts B and H) total \$3.78 billion, up from \$3 billion in FY 96. The Administration has proposed increasing state grants by

an additional 4.3%, to a total of \$3.95 billion, for FY 98.

Q: Some Republicans contend that this bill is an unfunded mandate. Do you agree?

A: IDEA is not an unfunded mandate. No state has to participate in IDEA; participation is voluntary, and assists states to meet their constitutional obligations to provide equal access to a public education to children with disabilities. States would have these obligations even if they did not receive IDEA funds. Moreover, IDEA is exempted from coverage by the Unfunded Mandates Reform Act of 1995 signed by the President.

Q: Does the Administration agree with Senator Gregg that the share of IDEA funding should increase to 40% of total costs?

A: The Administration agrees with Senator Gregg that the federal government should contribute more toward meeting the costs of special education, and has consistently sought increases in funding for this program. However, it is important to support a broad range of programs which will improve educational opportunities for all Americans.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 12, 1997
(House)

MEMO, BT - Brief Book

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 5 - Individuals with Disabilities Education Act (IDEA) Improvement Act of 1997
(Rep. Goodling (R) PA and 18 others)

The Administration strongly supports House passage of H.R. 5 as a major step towards ensuring high-quality educational opportunity for all students. Reauthorization of the Individuals with Disabilities Education Act (IDEA) reaffirms and strengthens this commitment to children with disabilities and their parents. This legislation is the product of comprehensive bipartisan negotiations involving both chambers of the Congress and the Administration, with broad public input from many individuals and organizations. It places a strong emphasis on teaching and learning, and will do much to help improve educational results for the 5.8 million children with disabilities who are served under the IDEA.
