



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Education Task Force

The **Consortium for Citizens with Disabilities Education Task Force** monitors federal legislation and regulations that address the educational needs of children with disabilities and their families, including those listed below. The Education Task Force advocates to protect the rights and enhance opportunities for children under these laws. Below are the essential laws that support and promote educational opportunity for children with disabilities.

More information can be found at http://www.c-c-d.org/rubriques.php?rub=taskforce.php&id_task=2

- **Individuals with Disabilities Education Act (IDEA)**

IDEA, the nation's special education law, was last reauthorized in 2004 and first became law in 1975 as the *Education for All Handicapped Children Act*. The IDEA makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children. The IDEA governs how states and public agencies provide early intervention, special education, and related services to eligible infants, toddlers, children, and youth with disabilities birth through 21. Part D of IDEA provides discretionary grants to support state personnel development, technical assistance and dissemination, technology, and parent-training and information centers (<https://sites.ed.gov/idea>)

- *Students served in 2016:* 6.8 million (ages 3-21) 373,000 (ages 0-3).
- *Funding:* Annual formula-allocated funding to states. 2019 funding level: \$13.2 billion (second largest education funding after Title I)
- *Enforcement:* Office of Special Education Programs at the U.S. Dept. of Education (<https://www2.ed.gov/about/offices/list/osers/osep/about.html>)

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- **Every Student Succeeds Act (ESSA)**

The Every Student Succeeds Act is the nation's latest K-12 education law, reauthorized in December 2015. It amends the Elementary and Secondary Education Act (ESEA) (most recently called the No Child Left Behind Act). ESSA requires states, districts and schools to disaggregate data for children with disabilities in areas of state assessments, graduation rates and other key indicators. States must design and implement an accountability system that is used to identify the lowest performing schools in the state and make improvements.

(<https://www2.ed.gov/policy/elsec/leg/essa/index.html>)

- *Funding:* Annual formula-allocated funding to states. 2019 funding level: \$16.3 billion (largest education funding)
- *Enforcement:* Office of Elementary and Secondary Education at the U.S. Dept. of Education

- **Section 504 of the Rehabilitation Act of 1973 (Section 504)**

Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance. Section 504 plays an important role in education, especially for students with disabilities who may not qualify for special education services under IDEA. (<https://www2.ed.gov/about/offices/list/ocr/know.html?src=ft>)

- *Students served:* 900,000 in 2013-2014 (*Civil Rights Data Collection*)
- *Funding:* None
- *Enforcement:* Office for Civil Rights (OCR), US Dept. of Ed. Primarily complaint-based.

- **Americans with Disabilities Act (ADA)**

Passed in 1990, the ADA is the first comprehensive declaration of equality for people with disabilities. The ADA protects the civil rights of people with disabilities in all aspects of employment; in accessing public services such as transportation; and guaranteeing access to public accommodations such as restaurants, stores, schools, hotels, and other types of buildings to which the public has access. Amended in 2008 by the ADA Amendments Act to restore the intent and protections of the ADA and amend other disability nondiscrimination laws at the Federal level including Section 504. (www.ada.gov)

- *Funding:* None
- *Enforcement:* Civil Rights Division, US Dept. of Justice enforces the ADA
- Office for Civil Rights (OCR), US Dept. of Ed enforces Title II of the ADA

- **Workforce Innovation and Improvement Act (WIOA)**

WIOA is designed to strengthen and improve the nation's public workforce system and help get Americans, including youth and those with significant barriers to employment, into high-quality jobs and careers and help employers hire and retain skilled workers. Title IV of *WIOA* amended title I of the *Rehabilitation Act of 1973*. WIOA made several improvements to the Vocational Rehabilitation state grant programs that assist individuals with disabilities in obtaining employment and access to high quality workforce services and prepare them for competitive integrated employment. Implemented by Department of Labor (DOL), in coordination with the U.S.

Departments of Education (ED) and Health and Human Services (HHS).

(<https://www.doleta.gov/wioa/>).

- *Funding*: Several programs provide grants to states. See <https://www2.ed.gov/about/offices/list/osers/rsa/formula.html>
2019 Funding level: \$3.4 billion
- *Enforcement*: Programs specific to people with disabilities are overseen by the Rehabilitation Services Administration (RSA) in the Office of Special Education and Rehabilitative Services at the U.S. Dept. of Education.

- **Higher Education Opportunity Act (HEOA)**

Current version of the Higher Education Act of 1965, the HEOA was enacted on August 14, 2008. <https://www2.ed.gov/policy/highered/leg/hea08/index.html>. Administered by the Office of Postsecondary Education at the U.S. Dept. of Ed. Among provisions important to people with disabilities, HEOA authorized:

- Demonstration Projects to Support Postsecondary Faculty, Staff, and Administrators in Educating Students With Disabilities <https://www2.ed.gov/programs/disabilities/index.html>
Funding: None since 2008
- National Center for Information and Technical Support for Postsecondary Students with Disabilities <https://www2.ed.gov/programs/ncitpspd/index.html>
Funding: One funding cycle awarded in 2015
- Comprehensive Transition and Postsecondary Program for Students with Intellectual Disabilities which provides grants to institutions of higher education or consortia of institutions of higher education to enable them to create or expand high quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities. <https://www2.ed.gov/programs/tpsid/index.html>
Funding: \$9.8 million annually since 2010

- **Strengthening Career and Technical Education for the 21st Century Act (Perkins V)**

Signed into law in August 2018 replacing the Carl D. Perkins Career and Technical Education (Perkins IV) Act of 2006, Perkins V provides Federal funds for career and technical education. Administered by the Office of Career, Technical, and Adult Education at the U.S. Dept. of Ed. (<https://cte.ed.gov/legislation/perkins-v>)

Funding: \$1.2 billion grants to states in 2019

- **Assistive Technology Act (Tech Act)**

Originally passed in 1988 to help increase awareness of assistive technology, access to assistive technology, and acquisition of assistive technology, the Tech Act was reauthorized in 2004 with significant changes converting it from a competitive grant program to a formula grant program. Administered by the Administration for Community Living at the Dept. of Health and Human Services (<https://www.at3center.net/repository/atactinformation>)

Funding: \$32 million grants to states in 2018

- **Family Educational Rights and Privacy Act (FERPA)**

FERPA is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

(<https://studentprivacy.ed.gov/?src=fpc0>)

Funding: None

Enforcement: Office of the Chief Privacy Officer (OCPO) at the U.S. Dept. of Ed. Primarily complaint-based.

- **Education Sciences Reform Act (ESRA)**

ESRA established the Institute of Education Sciences (IES) as an independent research arm of the U.S. Department of Education in 2002.

(https://www2.ed.gov/about/offices/list/om/fs_po/ies/home.html?src=oc)

The reauthorization of IDEA in 2004 moved responsibility for special education research from the Office of Special Education Programs (OSEP) to IES, establishing the National Center for Special Education Research (NCSE) as one of four National Education Centers of IES.

(https://www2.ed.gov/about/offices/list/om/fs_po/ies/ncser.html)

Funding: \$615 million in 2019, \$56 million for NCSE