



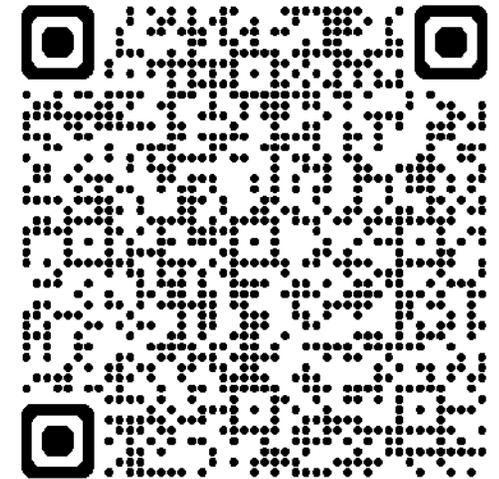
Education Policy Basics:
Individuals with Disabilities Education Act
and the Current Environment

Tuesday, September 30, 2025
3:00 – 4:30 PM ET



Zoom Tips & Accessibility

- ▶ Please stay on mute while presenters are speaking.
 - ▶ There may be time for questions, please add them to the chat.
- ▶ Webinar is recorded and will be available to participants.
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NATIONAL DOWN SYNDROME CONGRESS



National Down Syndrome Congress (NDSC) is dedicated to improving the world for individuals with Down syndrome. We are the leading national resource of support and information for anyone touched by or seeking to learn about Down syndrome. NDSC is proud to provide resources for people with Down syndrome and their loved ones throughout the lifespan, including:

- **Annual Convention:** NDSC hosts the largest family convention in the country where people with Down syndrome, medical professionals, educators, advocates, affiliates, friends, and families come together for the best week of the year!
- **NDAC:** National Down Syndrome Advocacy Coalition equips families, self-advocates, and allies with the tools to advocate for meaningful policy change on local, state, and federal levels.
- **Free** webinars hosted by renowned experts in both English and Spanish
- Connection to local affiliates through **Down Syndrome Affiliates in Action**
- **Educators Conferences** across the country throughout the year
- Scholarship opportunities for students to attend **inclusive postsecondary education programs**

EDUCATE. ADVOCATE. EMPOWER. INSPIRE.



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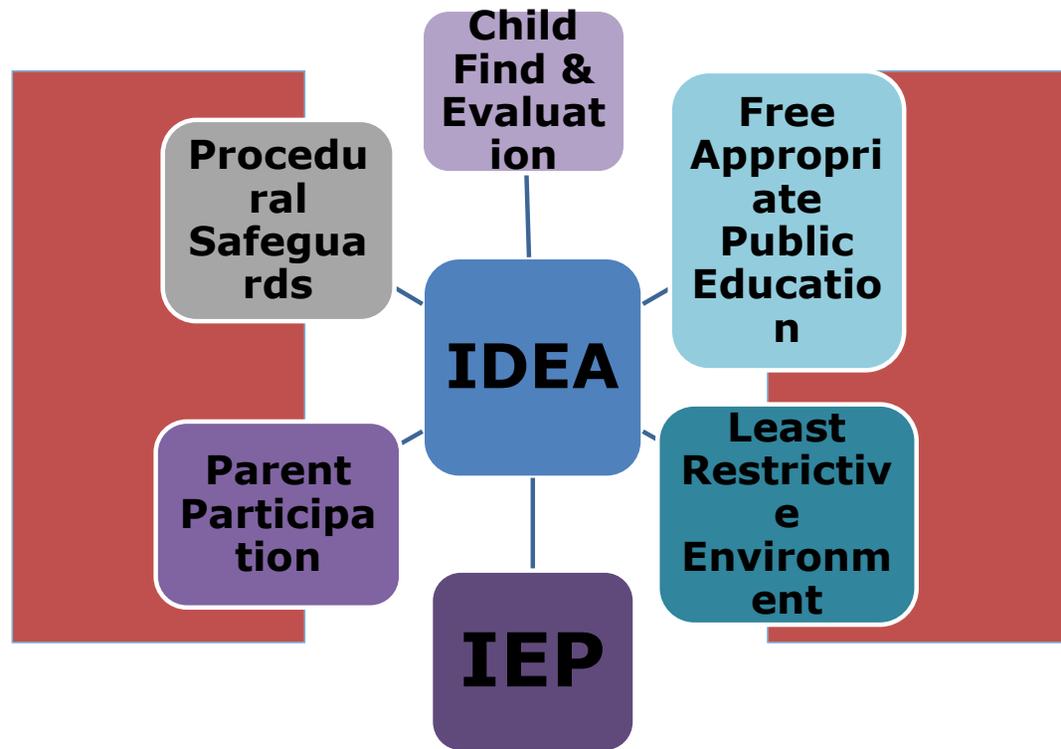
Before the IDEA

- Only one in five children with disabilities was educated
- More than 1.75 million children with significant disabilities were excluded from the education system
- Another 3.5 million children with disabilities did not receive appropriate services
- Close to 100,000 children were in institutions

First Version of IDEA Passes in 1975

- Federal, state and local legislation, family advocacy, 2 successful US district Court cases in 1971, then 27 federal lawsuits prior to 1975 led to PL 94-142, the Education for All Handicapped Children Act (EHA).
- Passed on bipartisan vote and signed into law by President Ford. (Later renamed IDEA)
- A civil rights law based on the 14th Amendment to the constitution.

Pillars of IDEA



Challenges

- In 1982 the Reagan Administration issued proposed regulations for PL 94-142 that would have drastically diminished important provisions and rights in the regulations.
- Letters to ED from 350 Members of Congress and over 100,000 letters from advocates to ED and Congress opposed proposed regulations.
- Proposed regulations beaten back with effective advocacy.



Daughter Laura Jean Elizabeth Lee

1982 - 2016

Low Expectations:

Urged to “put her away” and told everything she would not be able to do. First open heart surgery refused.



Exceeded Expectations:

- First in an inclusive high school and university.
- Testified before school board, state, Congress.
- Worked at World Bank, lived independently (with support).
- Special education services key to success.

Progress During 1980s

- After tumult, in 1983, Reagan brought in Madeleine Will, a parent, as OSERS Assistant Secretary (who served until 1989).
- Under Will's leadership:
 - Inclusion initiative and teacher training
 - Early intervention and preschool services
 - Transition Services
 - Supported employment
- These priorities and other improvements included in bipartisan reauthorizations. Law's name changed to Individuals with Disabilities Education Act in 1990.

Changes in 1990s: A Perfect Storm for Reauthorization

- 1994 election - Republican Revolution and Rs control both House & Senate: Gingrich new Speaker of the House with Tea Party and Contract with America.
- FY 1996 ED appropriations included drastic cuts. Federal government shut down twice and 13 continuing resolutions were passed.
- 6 national organizations lobbied for funding changes, “school safety”, expulsion, attorneys fees, paperwork reduction (IEPs) and increased “flexibility”.
- House Subcommittee reported out a negative partisan bill on April 24, 1996.

Coordinated Negative Media Campaign Targeted Children with Disabilities



HEALTH AND EDUCATION

Special ed: Is the price too high?

Critics say soaring costs for disabled students means of

By Richard Walterne
Gannett News Service

DAYTON — Like other severely disabled children across the USA, the students in Elaine Fourn's class receive a legally guaranteed "appropriate" education that includes teachers, aides, physical and speech therapists.

The yearly per-pupil price

A growing population

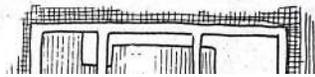
The number of special education students rises again. Increase of 4.2% is the largest since the Disabilities Act passed in 1976.

Total special ed. students	Exchange from previous year
1,000,000	0.5%

LETTERS TO THE EDITOR

Troublemakers in Public Schools

The Aug. 10 editorial section offered a number of views concerning disruptive students in the public schools. On



Armed kids in special ed aided by law

Expulsion prohibited if disability at fault

By Mary George
Denver Post Staff Writer

BOULDER — When four Boulder High School students posed a gun around at school last year, administrators pursued the harshest possible penalty: expulsion.

But only one boy was expelled. The others were special-education students, and federal law prohibits expelling when the misbehavior results from a disability.

A Sacred Cow Comes

By Carol Innerst

Congress is about to review one of the most sacred of the sacred cows — special education. The battle on Capitol Hill could be heated. This is the year Congress must reauthorize the Individuals with Disabilities Education Act (IDEA) — the federal government's governing special education and one of Congress' largest "unfunded mandates." Whether the backbone to being real reform to this law remains doubtful.

IDEA requires school districts to place special education students in the "least restrictive environment" suitable for that student. The regular classroom, in the school would attend if not disabled, is considered before a more restrictive placement matter if it's

SATURDAY, MAY 3, 1997 • ST. LOUIS POST-DISPATCH

Bond Targets Disruptive Behavior In Class

The Missouri senator found support among educators here for his proposal to tighten rules for disciplining behavior-disorder students.

By Harry Levins

need a parent's permission to suspend a disabled student — permission that often is denied.

Friday's round-table discussion (actually, the table was semicircular) took place at the headquarters of the Ferguson-Florissant School District. There, Bond sat down with 10 superintendents, school board members and police chiefs. Some of them had can't know the terror of the other children."

Most such horror stories stem from students in a category of disability known as behavior-disorder children. The federal law limits what schools can do when such children act up. In general, Bond's measure would let schools discipline such students in the same way they discipline any

Still, Bond said, "Good education demands discipline and standards of conduct."

That sentiment was uttered more bluntly by Ferguson-Florissant Superintendent Stan Scheer. He told Bond, "We can't teach in chaos."

Scheer's district has had sad experience with chaos. Just a few hundred yards from his headquarters building,

APR 96

3-year battle and Unique Consensus Process

- 104th Congress stopped process. Disability and general education groups reached consensus but ran out of time.
- 105th Congress Majority Leaders' Chief of Staff, Dave Hoppe, reached agreement with R and D leaders in the Senate and House to halt the usual Congressional process and have a bipartisan work group
- 10 meetings held. Families and self-advocates came from across the country at their own expense from as far away as Hawaii as well as representatives of general education groups.
- Consensus reached! House and Senate passed bill.

IDEA 1997 Improvements

- Access to, Participation in, and Progress in the General Curriculum
- Inclusion in State and District Assessments and Alternate Assessments
- Increased inclusion and greater parent role
- Functional Behavioral assessments/plans/positive strategies, interventions, etc.
- Manifestation determinations and NO cessation of services, voluntary mediations
- Increases professional development





IDEA Bill Signing Ceremony at the White House

Clinton finally signs IDEA bill into law

Measure also provides for discipline

By Susan Ferrechio
THE WASHINGTON TIMES

President Clinton yesterday signed into law a measure overhauling the decades-old bill that guarantees an adequate public education for the nation's disabled children.

The Individuals With Disabilities Education Act (IDEA) will require schools to devise more mainstream curriculums and testing for students who are disabled.

"To the 5.8 million children whose futures are in the balance, we are saying: 'We believe in you. We believe in your potential, and we are going to do everything we can to help you develop it,'" Mr. Clinton said to an audience of Capitol Hill lawmakers, disabled students and their parents at a White House ceremony.

"IDEA will ensure disabled students learn with the same curricula and the same assessment as other children," he said.

The law, which revamps the 1975 act, also gives school officials unprecedented authority to remove disabled students who bring drugs or weapons to school.

Yesterday's signing marked the end of more than a year of negotiations between Republican and Democratic legislators, the Clinton administration, parents and advocacy groups over how to craft the new legislation. The measure failed to win support in Congress last year because lawmakers could

not agree how to mete out punishment to disruptive disabled students.

Congress last month approved the measure with overwhelming support after reaching a compromise on that provision.

Under the new law, school officials can immediately remove disabled students who bring drugs or weapons to school, or who are dangerous to themselves or others, for as long as 45 days pending a hearing.

Republican and Democratic leaders noted the bill signified a rare, successful collaboration between the two parties.

The law also aims to partially relieve local school systems of the financial burden of educating disabled students by limiting costly litigation fees that drain their budgets and by making it harder for states to reduce funding levels for special education.

Disabled students will be held to higher standards under the new law, which requires local school systems to develop learning plans that are more closely aligned to the curriculum of non-disabled students.

"The new IDEA helps make sure parents don't have to resort to superhuman deeds to get what they want for their children," said Judith Heumann, U.S. assistant secretary for special education and rehabilitative services, who contracted polio as a child and is paralyzed from the waist down.



Photo by Kevin T. Gilbert/The Washington Times.
President Clinton holds the hand of Will McCarthy of Chattanooga, Tenn., after he signed the Individuals With Disabilities Education Act.

IDEA Part B: FAPE in the LRE for 3 – 21+ years

- Children with disabilities have the right to a free appropriate public education (FAPE) in the least restrictive environment (LRE).
- Initial “full and individual” evaluation to determine if the child has a disability and the educational needs of the child. Reevaluation every 3 years, as needed.
- LRE: educated with nondisabled peers to maximum extent appropriate, can’t be removed from gen ed class unless cannot receive a satisfactory education even with supplementary aids and services; modifications permitted
- Individualized Education Program (IEP) focuses on special education and related services to meet academic and functional goals and to make progress in general education curriculum. IEP team determines placement. Parents members of IEP team.
- Procedural safeguards (<https://sites.ed.gov/idea/regs/b/e>)
- Monitoring, technical assistance, and enforcement (<https://www2.ed.gov/about/offices/list/osers/osep/msipd.html>)

IDEA: Part C Early Intervention

- Evaluation: A timely, comprehensive, multidisciplinary evaluation is required “to determine the eligibility of each child, birth through age two, who is referred for an evaluation or early intervention services and suspected of having a disability”.
- If eligible, an Individualized Family Service Plan (IFSP) is developed that includes services in the “natural environment” for infants and toddlers and services and supports for child and family.
- Families might be charged for services.
- See <https://www.pacer.org/parent/php/PHP-c59.pdf> for explanation of differences between IFSP and IEPs.

IDEA Part D: Discretionary Grants

Office of Special Education Programs (OSEP) provides grants to:

- State educational agencies, institutions of higher education, and other nonprofit organizations
- to support technical assistance and dissemination, technology and media services, state personnel development grants, personnel preparation, state data collections, and parent-training and information centers.
- See: https://osepideasthatwork.org/sites/default/files/OSEP-Placemat-508_updated%20July%2017_2020.pdf

Special Education Policy Webinar

September 30, 2025



Introductions & About NCLD



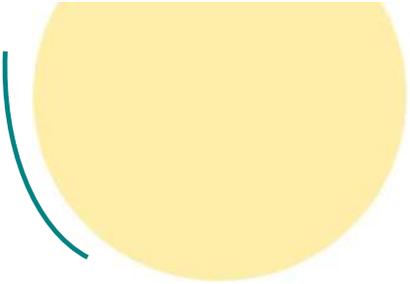
Introductions



Nicole Fuller

*Associate Director
of Policy &
Advocacy, NCLD*





About NCLD

The National Center for Learning Disabilities (NCLD) is a non-profit organization focused on building community, sharing resources, and shaping policy to help individuals with learning disabilities and attention issues.

For more than 45 years, NCLD's dedicated team has worked to create accessible and inclusive environments for those hidden in plain sight for generations.



Mission Statement

The National Center for Learning Disabilities partners with educators, students, families, and young adults to advance innovative research and advocate for equitable policies that address systemic barriers in schools, workplaces, and communities.

Vision Statement

Unrestricted access and unlimited opportunity.

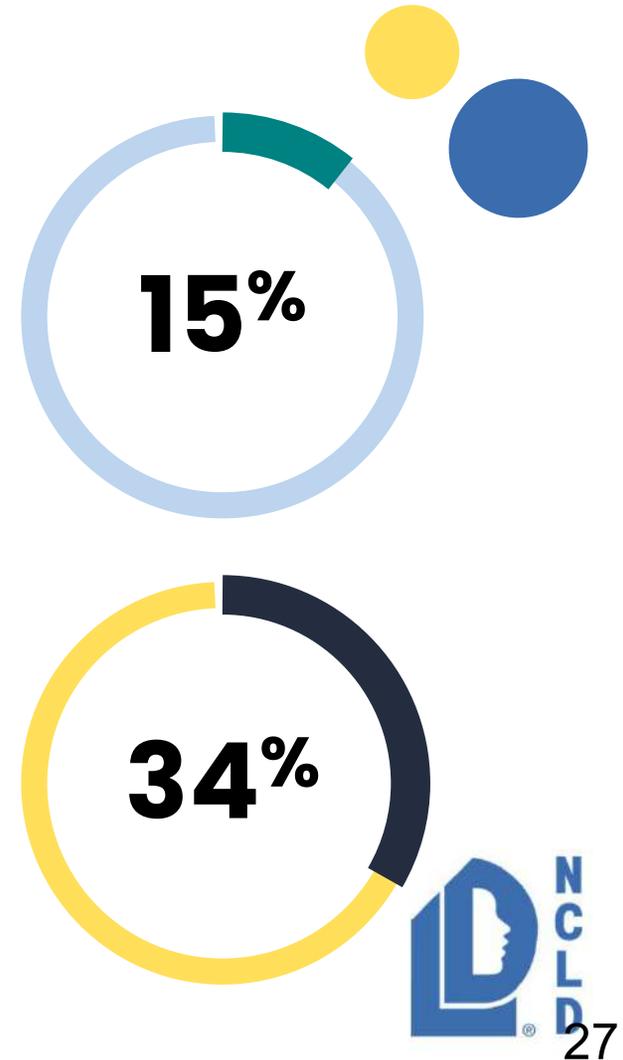


What are Learning Disabilities?

Specific Learning Disability (IDEA Definition): The term “specific learning disability” means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

How many students are identified?

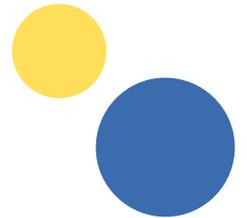
Of the **15%** of the U.S. school-age population who received disability services under IDEA in the 2022-2023 academic year, **34%** received services for SLD as the primary disability – over **2.4 million students**.



Language Matters!

Always evolving, though some definite do's and don'ts.

Biggest takeaway: listen for preferred language.



Funding for Special Education

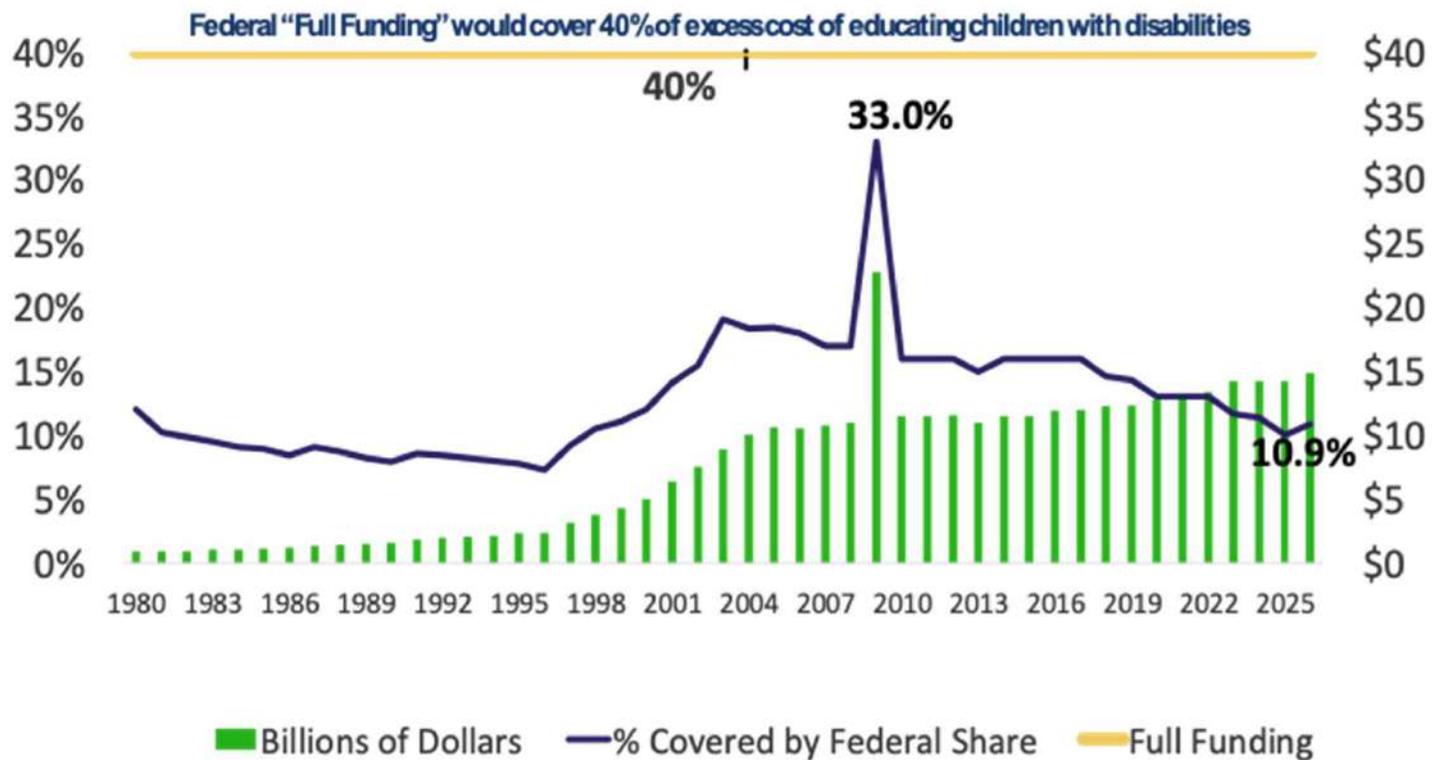


The Pledge for Full Funding

- 1975 when IDEA passed: Funding beginning at 5% of the APPE in 1978, increasing to 40% in 1982
- The authorization was permanent, and would become effective in 1978
- The maximum allowable grant that each state could receive per special education student from 1982 onward came to be known as the “full funding” amount



Ever met full funding?



IDEA Funds

- Adaptive education
- Special education teachers
- Aides and paraprofessionals
- Job coaches
- Interpreters
- Specialized services (e.g., audiology, PT, OT, speech language pathology)
- Child Find activities
- Specialized equipment
- Extended school year services
- Evaluations
- Accessible playground equipment
- Transition services
- Assistive technology devices
- And more



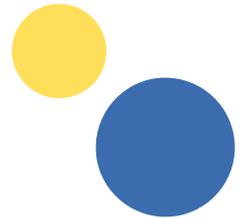
Pop Quiz!

What are the largest sources of federal funding for schools?



Answer: Major Federal Funding Streams for Schools

- Title I funds (to support economically disadvantaged students)
- IDEA funds
- Child nutrition
- Medicaid



Funding + Accountability



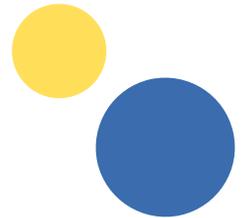
Federal Government = Backstop

What? Monitoring and Enforcement

Who?

- Office of Special Education Programs
- Office for Civil Rights

State examples of non-compliance with the law:
TX and ID



Current Issues in 2025



Administration

- RIFs and dismantling of U.S. Department of Education
- Federal funding chaos
 - Cancellation of contracts for education research
 - Withholding of \$7 billion in federal funds in summer (later reversed)
 - Cancellation of special education grants

DEEP DIVE

Education Department terminates some grants for deafblind students

The department says the IDEA Part D grants weren't continued because they don't align with Trump administration priorities.

Published Sept. 12, 2025



Kara Arundel
Senior Reporter



SPECIAL EDUCATION

Trump Canceled Millions for Special Education Teacher Training. What's Next?



By Mark Lieberman — September 08, 2025 9 min read



MOST POPULAR STORIES

READING & LITERACY

How the 'Science of Reading' Can Support English Learners

Sarah Schwartz, September 22, 2025 9 min read



Congress

One Big Beautiful Bill Act (PL119-21):

- 1) New federal tax credit voucher program
- 2) Changes and cuts to Medicaid

POLICY & ADVOCACY | MAY 13, 2025

Disability Organizations Condemn Inclusion of Voucher Bill in House Markup

Concerns mount over potential loss of Medicaid funds for schools

Efforts in the federal government to reduce spending would put school-based health services in jeopardy, advocates say.

Published Feb. 27, 2025



Deeper Dive: Vouchers

Conventional Vouchers

- All Students
- Targeted
- Military
- Disabilities
- Poverty
- Poor Performing Schools
- Foster Children

Backdoor Vouchers

- Tax credits
- Education savings accounts

Portability

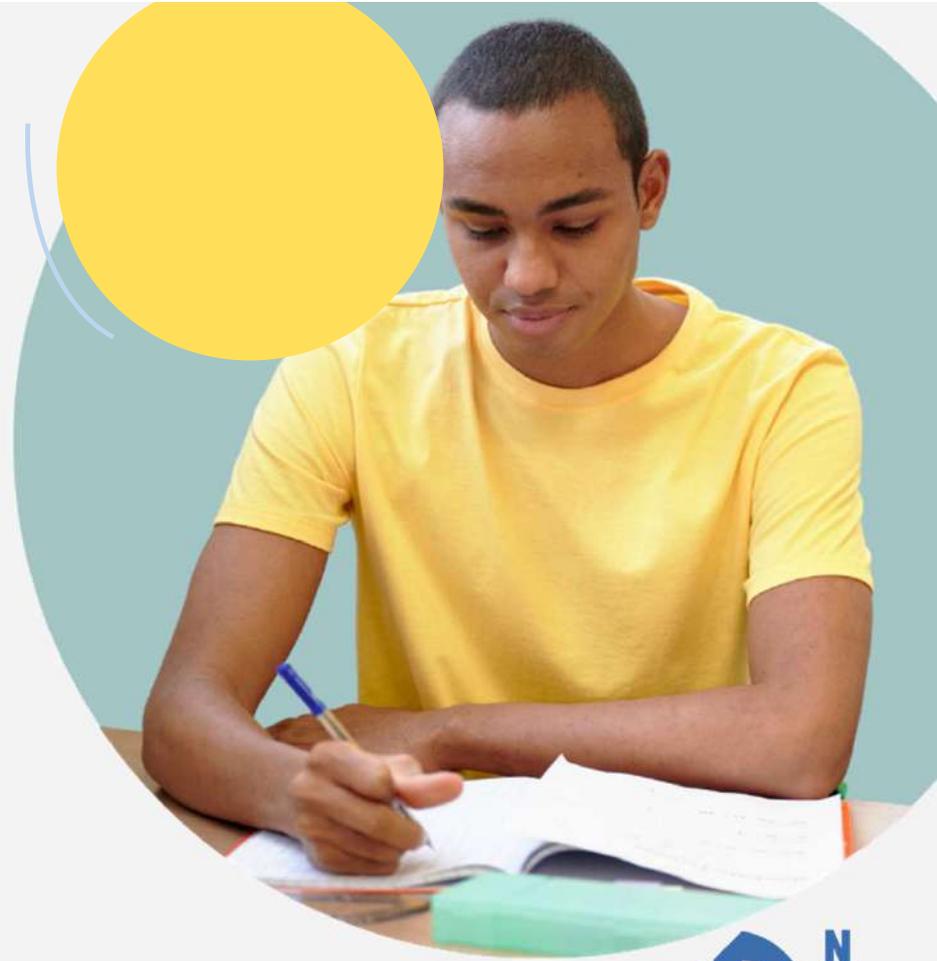
- Dollars follow student

Vouchers and Students with Disabilities

- Loss of IDEA rights
- Discrimination
- Lack of transparency



Transition to Post-School



Challenges and Barriers

- **More than 21 percent** of undergraduate college and **11 percent** of graduate students identify as having a disability (National Center for Education Statistics, 2023)
- **Only 18 percent** of disabled adults over 25 have a bachelor's degree – half the rate of adults without a disability (Field, 2023)
- The labor force participation rate of people with disabilities is **41.6 percent compared to 78.5 percent** of people without disabilities (Kessler Foundation, August 2025)
- The unemployment rate for people with disabilities is **11.1 percent as compared to 4.4 percent** for people without disabilities (Department of Labor, July 2025)

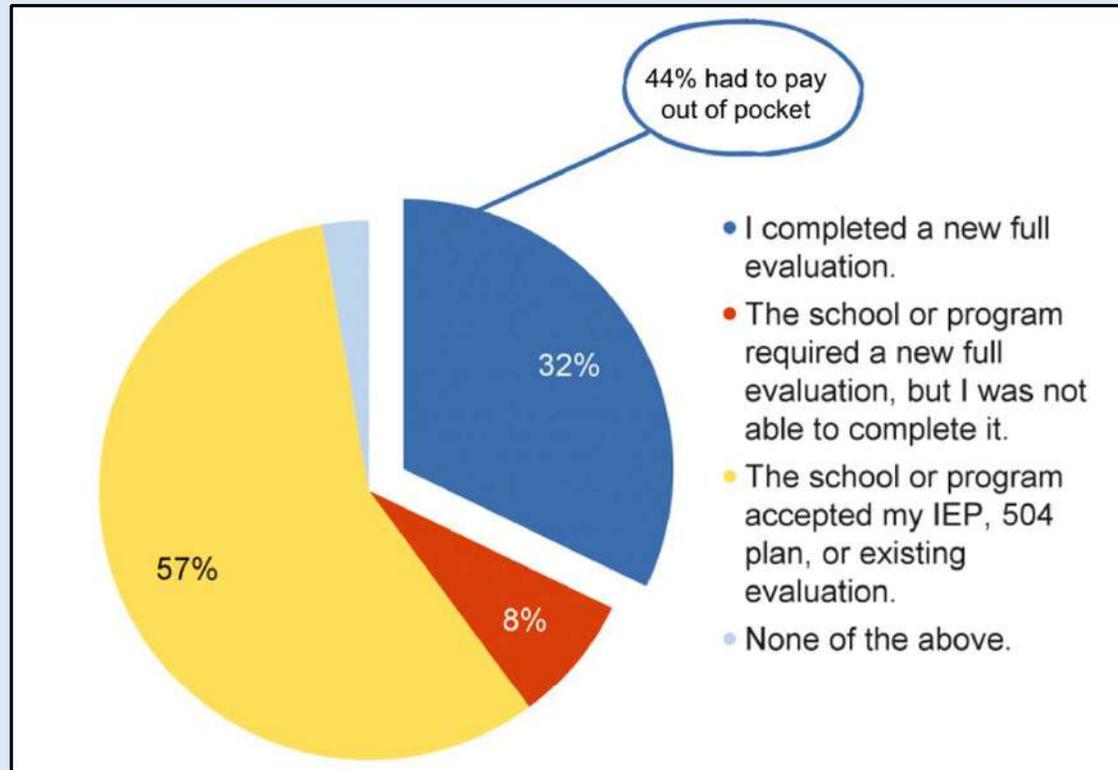


High School to College Transition

- IDEA does not apply to colleges and universities, ADA and Section 504 require “reasonable accommodations”
- Students with disabilities face barriers to post-secondary success at multiple points in the system
 - Inconsistent accommodations policies.
 - Cost of getting a new evaluation.
 - Misunderstandings on college campuses about the rights of students with disabilities.

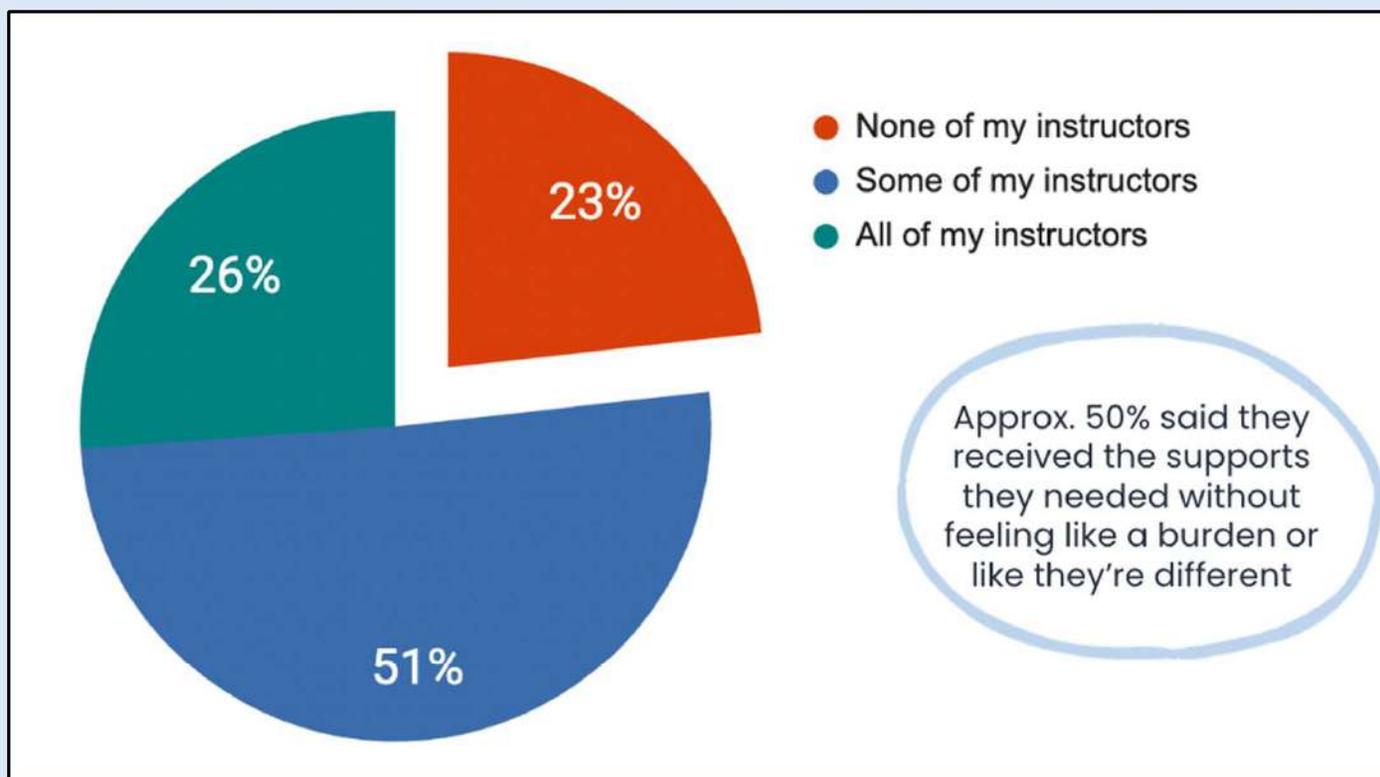


A LOOK AT ACCOMMODATIONS ACCESS



Source: NCLD (2024). State of Learning Disabilities

A LOOK AT SUPPORTS



Source: NCLD (2024). State of Learning Disabilities

RISE Act

The Respond, Innovate, Succeed, and Empower (RISE) Act

- Eases the transition to college and the process for receiving accommodations:
 - Requires colleges to accept an IEP or 504 plan as evidence of disability.
 - Funds a Technical Assistance Center to share best practices on how to help students with disabilities succeed.

State Level RISE Act passed in AZ, IL, MN, VA

- **Introduced in CO, MA, TX**



Thank you for coming!
Keep the conversation
going...



www.nclld.org

 NCL  @nclldorg  NCLD  @nclldorg



CURRENT CHALLENGES: U.S. Department of Education

- Sec. McMahon's "final mission" to eliminate ED
- Half of ED employees gone – from 4,133 at inauguration to about 2,183 now
- Half of OCR employees fired (some returning) and 7 of 12 OCR regional offices closed, high complaint dismissal rate
- Institute of Education Sciences (IES) gutted
- \$900 million contracts/grants cancelled
- NDSC Fact Sheet on ED: https://www.ndscenter.org/wp-content/uploads/NDSC_DOE_STATEMENT_FEB_2025.pdf
- NDSC has an action alert: <https://bit.ly/44Dpon8>

Attempts to Eliminate ED

- Executive Order on 3-20-25 to “maximum extent appropriate and permitted by law” close the Department and return authority over education to states and localities.
- Offices would be moved to other Departments – OSEP would be moved to Health & Human Services
- Would require a change in law to close Dept and move offices and would require 60 votes in Senate to overcome a filibuster
- Also, there are proposals to block grant IDEA or turn funding into vouchers, and block grant Title I

President's IDEA \$\$ Proposal

- Administration's Fiscal Year 2026 budget request level funds special ed funding for Part C (birth-3) and Part B (k-12)
- “Block grants” IDEA Part D and preschool funding into formula Part B funding to states.
- This would eliminate Part D National Activities grant programs and specific funding for peschools. No rules about how states would use funds.
- Both the House and Senate Appropriations Committees rejected the Administration proposals to close the Department of Education, move special education and block grant IDEA funds! Now goes to the full Senate and House.
- **Former R & D officials wrote opposing block grants:**
- [Letter Urging Congress Not to Close ED, Move OSEP, or Block Grant IDEA](#)

RS1

Slide 51

RS1

Add link to action alert?

Ricki Sabia, 2025-06-05T20:48:31.881



Higher Education Act of 2008

- New provisions for students with intellectual disability enrolled in **Comprehensive Transition Programs (CTPs)** due to advocacy!
- Provides access to **federal financial aid**
- Provides funding for model demonstration programs – (TPSID) and the **National Coordinating Center**
- Requires development of **model accreditation standards** for college programs

COLLEGE OPTIONS FOR STUDENTS WITH INTELLECTUAL DISABILITY

TOTAL NUMBER OF PROGRAMS: 363



Think College

www.thinkcollege.net

LAST UPDATED: 6/25/25



Think College is a national technical assistance center dedicated to developing, expanding, and improving higher education options for students with intellectual disability, and maintains the only national directory of college programs for those students in the US.



**Changing Expectations.
Increasing Opportunities.**

Visit thinkcollege.net to learn more!



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Thank you!

- ▶ Please provide feedback on this event by using the QR code of the following link:
- ▶ <https://www.surveymonkey.com/r/PolicyWebinar25>

