

Augustana College

EDUC/SPED 110 Foundations in American Education

Concepts addressed:

INDIVIDUALS WITH DISABILITIES EDUCATION ACT/IDEA

1975, PL 94-142 (Education of All Handicapped Children Act)

PL 94-142, the Education of All Handicapped Children Act or EHA, was passed in 1975 and required states to provide "a free, appropriate public education for every child between the ages of 3 and 21 (unless state law does not provide free, public education to children 3 to 5 or 18 to 21 years of age) regardless of how, or how seriously, he may be handicapped." This was the first law to clearly define the rights of disabled children to free appropriate public education (FAPE).

The law states that every child is eligible to receive a free and appropriate public education (FAPE) in the least restrictive environment (LRE) or the most normal setting that is possible. PL 94-142 established the means for nondiscriminatory testing (tests that take into consideration the native-language of the student and the effects of the disability) and an annual Individual Education Plan (IEP). The IEP must cover the student's current progress, list educational objectives and a means for implementing and evaluating progress on these objectives. The IEP must include short and long-term goals for the student, as well as ensure that the necessary services and products are available to the student.

PL 94-142 required school systems to include the parents when meeting about the child or making decisions about his/her education and ensures that due process procedures are in place (to protect parents and students).

1990, PL 101-476, (Individuals with Disabilities Education Act/IDEA)

PL 101-476 was passed in 1990 as the reauthorization of PL 94-142. IDEA reflects a change in approach to special education with a change in terminology from "handicaps" to "disabilities". IDEA expands the ages covered under PL 94-142 (formerly five to eighteen) up to age twenty-one. Also, IDEA added a family focus to the IEP process by incorporating an IFSP or Individual Family Service Plan, providing services to families with disabled children from birth to age three.

This act renamed the earlier EHA laws as the Individuals with Disabilities Education Act. PL 101-476 replaced the word "handicapped" with the word "disabled" and therefore, expanded the services for these students. IDEA reaffirms PL 94-142's requirements of a free, appropriate public education (FAPE) through an individualized education program (IEP) with related services and due process procedures. This act also supports the amendments to PL 94-142 that expanded the entitlement in all states to ages 3 to 21, designated assistive technology as a related service in IEPs, strengthened the laws commitment to greater inclusion in community schools (least restrictive placement), provided funding for infant and toddler early intervention programs, and required that by age 16 every student have explicitly written in the IEP a plan for transition to employment or post secondary education.

