

THE DAILY WHIP

Wednesday, April 30, 2003 | Floor News from Democratic Whip Steny Hoyer

HOUSE MEETS AT...	LAST VOTE PREDICTED...
10:00 a.m.: Legislative Business	5:00 – 6:00 p.m.
Unlimited "One-Minutes"	

FLOOR SCHEDULE AND PROCEDURE

H.R. 1350 - Improving Education Results for Children with Disabilities Act of 2003 (Castle - Education & Workforce) (Subject to a Rule). This bill reauthorizes the Individuals with Disabilities Education Act (IDEA), which authorizes federal assistance to states in order to provide a free appropriate public education for children with disabilities. The bill authorizes \$11.1 billion in FY2004 for the state grant program, increasing to \$25.2 billion in FY2010, which would allow for a federal payment for each disabled child that is equal to 40% of the average national cost of educating all children. In addition, this bill changes current law regarding the disciplining of students with disabilities, as well as due process and hearing procedures. This bill was reported out of the Education and the Workforce Committee by a 29-19 vote, with 3 Democrats voting for the bill.

The Rules Committee has recommended a structured rule that provides for one hour of general debate; waives all points of order against consideration of the bill; provides that the amendment in the nature of a substitute now printed in the bill shall be considered as an original bill for the purpose of amendment; and provides one motion to recommit with or without instructions. **The Rule also makes in order fourteen amendments, including the DeMint and Musgrave voucher amendments that Democrats are urged to oppose.** The amendments will be considered in the following order:

- **Castle/Boehner Manager's Amendment (10 minutes)** – Increases the amount of funds that States can reserve out of their State-level activities for programs designed to serve children with disabilities with high-cost special education and related services needs. Makes a clarifying change to reflect the updated authorization levels that were modified by the FY 2004 Budget Resolution—this level reflects the increased funding the FY 2004 Budget Resolution included for IDEA Part B State Grants. Makes a clarifying change to ensure that evaluations are provided to children in the language and form designed to obtain useful information—this change reflects longstanding terminology used throughout the implementing regulations and elsewhere in the Act. Makes a change to the issues that can be raised at dues process hearings to ensure that parents and local educational agencies both have a fair opportunity to understand the issues being raised at the hearing in order to resolve the dispute more effectively. Adds language to the section prohibiting the Federal control of curriculum to ensure it is the exact language as present in the No Child Left Behind Act, which ensures that there continues to be local control over the curriculum. Makes changes in the Part D programs to ensure that the needs of limited English proficient children with disabilities are met through the training of school personnel and effective data collection. Modifies the section regarding support for captioning programs to enable news programs to be captioned until 2006, which is when Federal Communications Commission requirements require all news programs to be captioned. Makes several clarifying and technical conforming amendments.
- **Vitter Amendment (10 minutes)** – Regarding recommendations to reduce or eliminate excessive paperwork burdens for teachers, related services providers, parents and school administrators; and a GAO report.
- **Bradley Amendment (10 minutes)** - Regarding Part B set-aside funds.
- **Davis, Susan (CA) Amendment (10 minutes)** – Adds the definition of a free, appropriate, public education (the language contained in the *Rowley* Supreme Court decision) stating that the goal for a child with disabilities is the same as for all other children—to have the educational and related services necessary for that child to access the general curriculum.

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- **** DeMint Amendment (20 minutes)** – Regarding giving states the option to use Federal IDEA funds for private school vouchers for children with disabilities.
- **** Musgrave Amendment (10 minutes)** – Regarding giving school districts the option of offering parents of disabled children in private schools a voucher to be used for their child’s specific special education needs.

**** The DeMint and Musgrave amendments would permit the use of Federal IDEA funds for private school voucher programs for children with disabilities. Not only would vouchers divert funds from our public schools, but children with disabilities who attend private schools with these vouchers would be denied the civil rights they are afforded under federal, state and local laws. The last time the House considered a voucher amendment on the House floor (May 23, 2001, RC# 135; 155-273) all but two Democrats voted in opposition to vouchers.**

Democrats are urged to OPPOSE both the DeMint and the Musgrave amendments.
- **Shadegg Amendment (10 minutes)** – Regarding a sense of Congress that students are over-identified and misidentified as students with disabilities.
- **Tancredo/Graves Amendment (10 minutes)** – Regarding the redefinition of “specific learning disability.”
- **Kirk Amendment (10 minutes)** - Regarding a sense of Congress stating that providing special needs students with a safe and drug-free learning environment is a laudable goal; and stating that random locker searches are an effective way to assess the gravity of the drug situation at a particular school.
- **McKeon/Woolsey Amendment (10 minutes)** - Regarding the requirement that additional increases in federal funding above Fiscal Year 2003 levels to be passed down directly to the local level.
- **Nethercutt Amendment (10 minutes)** - Regarding providing parents, in consultation with the Individualized Family Service Plan (IFSP) team, the ability to decide what setting is appropriate for each child.
- **Sanchez, Loretta (CA) Amendment (10 minutes)** – Regarding programs to train school safety personnel and first responders who work at educational facilities in the recognition of autism.
- **Wu Amendment (10 minutes)** – Regarding giving priority to applications that provide for the establishment of professional development program regarding methods of early and appropriate identification of children with disabilities.
- **Garrett Amendment (10 minutes)** – Regarding a study on the cost to each state for compliance with this act.

DAILY QUOTE...

“[Bush] proposed massive tax cuts during the 2000 campaign, when things were booming, and proposed the same cuts when things tanked. Now he wants more cuts. Maybe I’m just not ‘robust’ enough to get it. But when someone offers the same solution to every financial problem, it’s usually time to put your hand firmly on your wallet. And keep it there.”

- Allan Sloan, Wall Street Editor for *Newsweek*, 4/30/03

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