



A not-for-profit organization dedicated to services and projects
that work to improve the lives of children, youth and adults with disabilities.

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Legislative History of Special Education

1965 - P. L. 89-10, Elementary and Secondary Education Act of 1965 (ESEA). Provided a comprehensive plan for readdressing the inequality of educational opportunity for economically underprivileged children and became the statutory basis upon which early special education legislation was drafted.

1965 - P. L. 89-313, Elementary and Secondary Education Act Amendments of 1965. Authorized grants to state institutions and state operated schools devoted to the education of children with disabilities - the first Federal grant program specifically targeted for children and youth with disabilities.

1965 - P. L. 89-750, Elementary and Secondary Education Act Amendments of 1966. Established the first Federal grant program for the education of children and youth with disabilities at the local school level, rather than at state-operated schools or institutions. Also established the Bureau of Education of the Handicapped (BEH) and the National Advisory Council (now the National Council on Disability).

1968 - P. L. 90-247, Elementary and Secondary Education Act Amendments of 1968. Established a set of programs that supplemented and supported the expansion and improvement of special education services - later became known as discretionary.

1970 - P. L. 91-230, Elementary and Secondary Education Act Amendments of 1970, including Title VI, the Education of the Handicapped Act. Established a core grant program for state and local educational agencies, now known as Part B, and authorized a number of discretionary programs.

1974 - P. L. 93-380, Education Amendments of 1974. Established two laws - the Education of the Handicapped Act Amendments of 1974, the first mention of an appropriate education for all children with disabilities, and the Family Education Rights and Privacy Act (FERPA), giving parents (and students over the age of 18) the right to examine records in a student's personal file.

1975 - P. L. 94-142, Education for All Handicapped Children Act of 1975. EHA becomes stand-alone law and basis for Federal funding of special education. Mandated a free appropriate public education for all children with disabilities, ensured due process rights, and mandated IEPs and LRE.

1983 - P. L. 98-199, Education of the Handicapped Act Amendments of 1983. Reauthorized discretionary programs, established services to facilitate school-to-work transition through research and demonstration projects; established parent training and information centers; and provided funding for demonstration projects and research in early intervention and early childhood special education.

1986 - P. L. 99-457, Education of the Handicapped Act Amendments of 1986. Mandated services for preschoolers and established the Part H program to assist states in the development of a comprehensive, multidisciplinary, and statewide system of early intervention services for infants (now known as Part C).

1990 - P. L. 101-476, Education of the Handicapped Act Amendments of 1990. Renamed as the Individuals with Disabilities Education Act (IDEA). Reauthorized and expanded discretionary programs, mandated transition services, defined assistive technology devices and services, and added autism and traumatic brain injury to the list of disability categories.

1992 - P. L. 102-119, Individuals with Disabilities Education Act Amendments of 1992. Primarily addressed the Part H (Infants and Toddlers with Disabilities) Program.

1997 - P. L. 105-17, Individuals with Disabilities Education Act Amendments of 1997. Shifted focus from access to school to access to the general education curriculum, required all students with disabilities to be included in state and districtwide assessments, added developmental delay category at state's discretion for children ages 3 through 9 expanded options for dispute resolution, included discipline provisions, changed Part H to Part C.

2004 – P.L. 108-446, Individuals with Disabilities Education Act of 2004. Attempted to align IDEA with the No Child Left Behind Act (NCLB), provided definition of highly qualified special education teacher, expanded dispute resolution options, established NIMAS and NIMAC to provide access to instructional materials, allowed IDEA funds to be used for early intervening services to serve students not IDEA eligible, ensured services for students attending private schools, homeless and highly mobile.

Other Legislation for Persons with Disabilities

1973 - PL 93 - 112, Rehabilitation Act of 1973 - Section 504

Civil rights law that prohibits discrimination against individuals with disabilities by entities that receive federal funds and ensures that a child with a disability has equal access to educational activities.

1990 - PL 101-336, Americans With Disabilities Act (ADA), 1990

Civil rights law that prohibits discrimination against individuals with disabilities in the areas of employment, public accommodations, public transportation and services, and telecommunications.

2008 - PL 110-325 Americans with Disabilities Act Amendments Act of 2008

Revises the definition of “disability” to more broadly encompass impairments that substantially limit a major life activity. Also amended Section 504 of the Rehabilitation Act of 1973.