

**Key points:**

- Congress likely to put ESEA reauthorization ahead of IDEA
- Rep. Kline says 'strengthening' IDEA is on Education and Workforce Committee agenda
- IDEA will build on new ESEA law, advocates say

**≤ Groups ready for next IDEA update as 2004 law turns 10**

As IDEA 2004 turns 10 years old Dec. 3 and a new Congress readies for work in January, special education and disability groups are preparing for the next reauthorization of the law.

By gathering feedback from members and discussing priorities for changing the law, these groups hope their proposals are included in new legislation should the 114th Congress put an IDEA rewrite on the agenda.

"We want to be prepared to have deep discussions with Capitol Hill staff," said Myrna Mandlawitz, policy director for [Learning Disabilities Association of America](#).

Yet, while the LDA and other special education and disability interest groups have started looking ahead to the next reauthorization, the prospects for an update to the 2004 law over the next two years are tentative at best, as many predict that House and Senate leadership will reauthorize the Elementary and Secondary Education Act, last updated in 2001, ahead of the IDEA.

However, Rep. John Kline, R-Minn., who will continue to serve as the chairman of the [House Education and Workforce Committee](#), "recognizes [IDEA] is long overdue for reauthorization," Brian Newell, spokesperson for the committee, said in an email to *Special Ed Connection*®.

"To help ensure students receive the services and protections they need, strengthening the law is absolutely on the committee's agenda," Newell wrote. "The committee has been gathering information about issues that should be addressed in the reauthorization process and engaging stakeholders to discuss needed reforms. Chairman Kline looks forward to continuing these efforts [in the] next Congress."

Newell added that Rep. Kline has advocated for improving educational supports for students with disabilities. For example, Newell said, Kline has made IDEA funding a top priority in conversations with Republican and Democrat appropriators, and with the secretary of education.

Sen. Lamar Alexander, R-Tenn., a former secretary of education and expected incoming chairman of the [Senate Health, Education, Labor and Pensions Committee](#), did not return requests for comment. Alexander has told the Associated Press that updating ESEA is his top education priority. Both Alexander and Kline presented legislation to reauthorize ESEA during this Congress, but those proposals faced significant opposition from Democrats.

**Advocates: IDEA should build on a new ESEA**

Several education and disability groups currently are preparing for Capitol Hill conversations regarding a reauthorization of the IDEA and also how the IDEA may fit into ESEA reauthorization.

"We want to get a sense of priorities among our local school boards. We don't want to get too far behind or ahead of what our school boards want," said Reggie Felton, who retired Nov. 21 as assistant executive director for congressional relations for the [National School Boards Association](#).

Among its priorities for a new IDEA, the group wants greater flexibility in supporting improvements to educational outcomes for students with disabilities, including putting more emphasis on the quality of supports rather than on the quantity of intervention hours for students, Felton said.

The [Council for Exceptional Children](#) held a Town Hall meeting in April to discuss IDEA reauthorization, including full funding; access to the general education curriculum; identification and eligibility; monitoring and enforcement; and preparing, recruiting, and retaining a well-prepared, diverse special education workforce, among other issues, according to its [website](#).

The [National Association of State Directors of Special Education](#) board members plan to talk about IDEA priorities early next year, said Deputy Executive Director Nancy Reder. The group wishes for ESEA reauthorization to occur first because the general education law's language is expected to change in areas such as teacher qualifications, which would impact how special education is reformed, Reder said. NASDSE also advocates for a full reauthorization of IDEA as opposed to updating the law through various uncoordinated amendments, Reder said.

Mandlawitz said LDA has been preparing for IDEA reauthorization since 2009 by setting its platform, updating it periodically, and meeting with Capitol Hill staff.

"By the time the bill is drafted, it's too hard to get your desires in," she said. One of the groups' top priorities is to retain the current definition of specific learning disabilities and the need for comprehensive evaluations, including cognitive assessments, to determine eligibility for that disability category. The group also wants to make sure that when ESEA is reauthorized, lawmakers consider the value of special education practices, but that the two stay separate laws.

"IDEA will build on and complement ESEA," Mandlawitz said. "We fear if the laws are combined, the rights of families will be diminished."

Technically, Congress doesn't need to reevaluate IDEA Part B services to school-aged students with disabilities. This section is permanently authorized, meaning no congressional action is needed for it to remain in effect. Authorization for IDEA Part C for early intervention services for infants and toddlers with developmental delays and disabilities expired in 2010 and became an "unauthorized appropriation" in 2011. Its only security comes during the annual appropriations process.

The IDEA, formerly called the Education for All Handicapped Children Act, will turn 40 next year, and was reauthorized or had major amendments in 1990, 1997, and 2004.

See also:

- [Retiring Rep. Miller: Be vigilant to maintain high standards for students with disabilities](#) (Dec. 1)
- [Election results seen as likely to have little effect on IDEA funding](#) (Nov. 5)
- [Blind, deaf groups join forces to amend IDEA, including child count system](#) (March 20)

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