

SUMMARY OF AMENDMENTS MADE IN ORDER
(Summaries derived from information provided by amendment sponsor.)

1. Castle (R-DE-At-large)/Boehner (R-OH-8) Manager's Amendment – Passed by Voice Vote

Makes several conforming and consolidating changes to a series of GAO reports that were added during the consideration of the bill in the Education and Workforce Committee. Increases the amount of funds that the State can reserve out of its 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 due 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.

2. Vitter (R-LA-1)—Passed: 413 Yea 0 Nay

Adds a provision in Part A (GAO Review) mandating that the review will include recommendations to reduce or eliminate the excessive paperwork burdens for teachers, related services providers, parents and school administrators; Amends Part B (GAO Report) to require a GAO report be submitted 2 years after the date of enactment and submitted every 2 years thereafter.

3. Bradley (R-NH-1) Passed by Voice Vote

Strikes the current Part B set-aside funds of \$500,000 and replace it with \$750,000. Strikes the parenthetical provision that references the inflationary adjustment, in order to provide more opportunity for administrative growth in small states.

4. Davis, Susan (D-CA-53)—Passed by Voice Vote

Inserts the definition of a free, appropriate, public education, the language contained in the Supreme Court Decision known as Rowley, which states 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.

5. DeMint (R-SC-4)--- Failed: 182 Yea 240 Nay

Amends Part D (National Activities) to allow for the Secretary of Education to fund the design, development, and initial implementation of parental choice programs for students with disabilities; Amends Part B (Assistance for Students Ages 3-21) to allow states to let federal money follow the child along with the state money to the selected public or private school.

6. Musgrave (R-CO-4)---Failed: 176 Yea 247 Nay

Allows school districts the option of offering parents of disabled children in private schools a certificate to be used for their child's specific special education needs. The amount of the certificate would be equivalent to the per-pupil proportionate IDEA dollars generated to the school district by private school children. Certificates could be redeemed at eligible providers that meet health, safety and civil rights laws and are fiscally sound.

7. Shadegg (R-AZ-3) Passed by Voice Vote

Expressing the sense of Congress and finds that students are over-identified and misidentified as students with disabilities. Therefore students should not be classified as being disabled without having been judged by a physician and state health board.

8. Tancredo (R-CO-6) /Graves (R-MO-6) Failed: 54 Yea 367 Nay

Redefines 'specific learning disability' as a disorder due to a medically detectable and diagnosable psychological condition relying on physical and scientific evidence.

9. Kirk (R-IL-10) Passed by Voice Vote

Expresses the sense of Congress that providing special needs students with a safe, and drug-free learning environment is a laudable goal. Makes reference to random locker searches conducted by school administrators as an effective way to assess the gravity of the drug situation at a particular school, as well as to indicate to students that the use of drugs on school property will not be tolerated.

10. McKeon (R-CA-25)/Woolsey (D-CA-6) Passed by Voice Vote

Requires that any additional increases in federal funding, above Fiscal Year 2003 levels be passed down directly to the local level.

11. Nethercutt (R-WA-5) Passed by Voice Vote

Provides parents in consultation with the Individualized Family Service Plan (IFSP) team the ability to decide what setting is appropriate for each child.

12. Sanchez (D-CA-47) Passed by Voice Vote

Would authorize the use of funds to develop and improve programs to train school safety personnel and first responders who work at educational facilities in the recognition of autism.

13. Wu (D-OR-1) Passed by Voice Vote

Amends the State Competitive Grant Program in the bill to give priority to applications that provide for the establishment of professional development program regarding methods of early and appropriate identification of children with disabilities.

14. Garrett (R-NJ-5) Passed by Voice Vote

Requires the Secretary of Education to conduct a study within 2 years after the enactment of the act on the cost to each state for compliance with this act.