Public Law 101-476
101st Congress

An Act

To amend the Education of the Handicapped Act to revise and extend the programs established in parts C through G of such Act, and for other purposes.

Oct. 30, 1990
[S. 1824]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Education of the Handicapped Act Amendments of 1990.
20 USC 1400 note.

SECTION 1. SHORT TITLE; REFERENCE.

(a) Short Title.—This Act may be cited as the "Education of the Handicapped Act Amendments of 1990".

(b) REFERENCE.—Except as otherwise provided in section 901, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Education of the Handicapped Act.

TITLE I—GENERAL PROVISIONS

SEC. 101. DEFINITIONS.

(a) HANDICAPPED CHILDREN.—Section 602(a)(1) (20 U.S.C. 1401(a)(1)) is amended to read as follows:

"(1) The term 'children with disabilities' means children—

"(A) with mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and

"(B) who, by reason thereof need special education and related services.".

(b) SPECIAL EDUCATION.—Section 602(a)(16) (20 U.S.C. 1401(a)(16)) is amended by striking "including classroom instruction" and all that follows and inserting the following: "including—

"(A) instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and

"(B) instruction in physical education.".

(c) RELATED SERVICES.—Section 602(a)(17) (20 U.S.C. 1401(a)(17)) is amended—

(1) by striking "recreation," and inserting "recreation, including therapeutic recreation and social work services,"; and

(2) by inserting ", including rehabilitation counseling," after "counseling services,".

(d) TRANSITION SERVICES.—Section 602(a) (20 U.S.C. 1401(a)) is amended by redesignating paragraphs (19) through (23) as paragraphs (20) through (24), respectively, and by inserting after paragraph (18) the following new paragraph:

"(19) The term 'transition services' means a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school

activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.".

(e) INDIVIDUALIZED EDUCATION PROGRAM.—Section 602(a)(20), as redesignated by subsection (d) of this section, is amended—

(1) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively, and by inserting after subparagraph (C) the following new subparagraph:

"(D) a statement of the needed transition services for students beginning no later than age 16 and annually thereafter (and, when determined appropriate for the individual, beginning at age 14 or younger), including, when appropriate, a statement of the interagency reponsibilities or linkages (or both) before the student leaves the school setting,", and

(2) by inserting after subparagraph (F) (as so redesignated) the following: "In the case where a participating agency, other than the educational agency, fails to provide agreed upon services, the educational agency shall reconvene the IEP team to identify alternative strategies to meet the transition objectives.".

(f) PUBLIC OR PRIVATE NONPROFIT AGENCY OR ORGANIZATION.—Section 602(a)(24)(A), as redesignated by subsection (d) of this section, is amended by inserting before the period the following: "and the Bureau of Indian Affairs of the Department of the Interior (when acting on behalf of schools operated by the Bureau for children and students on Indian reservations) and tribally controlled schools funded by the Department of the Interior".

(g) ASSISTIVE TECHNOLOGY DEVICE.—Section 602(a), as amended by subsection (d) of this section, is amended by adding at the end the following new paragraph:

"(25) The term 'assistive technology device' means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.".

(h) ASSISTIVE TECHNOLOGY SERVICE.—Section 602(a), as amended by subsection (g) of this section, is amended by adding at the end the following new paragraph:

"(26) The term 'assistive technology service' means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes—

"(A) the evaluation of the needs of an individual with a disability, including a functional evaluation of the individual in the individual's customary environment;

"(B) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;

"(C) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;

"(D) coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;

"(E) training or technical assistance for an individual with disabilities, or, where appropriate, the family of an individual with disabilities; and

"(F) training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.".

(i) UNDERREPRESENTED.—Section 602(a), as amended by subsection (h) of this section, is amended by adding at the end the following new paragraph:

"(27) The term 'underrepresented' means populations such as minorities, the poor, the limited English proficient, and individuals with disabilities.".

SEC. 102. NOTICE OF INQUIRY.

Federal Register, publication.

(a) PUBLICATION.—Not later than 30 days after the date of the enactment of the Education of the Handicapped Act Amendments of 1990, the Secretary shall publish a Notice of Inquiry in the Federal Register for the purpose of soliciting public comments regarding the appropriate components of an operational definition under such Act for the term "attention deficit disorder" (hereinafter referred to in this section as the "disorder") in accordance with subsection (b)(2).

(b) PUBLIC COMMENT.—

(1) The Notice of Inquiry published under subsection (a) shall provide for a 120-day period for public comment.

(2) The Notice of Inquiry shall request comments concerning the following issues:

(A) How should the disorder be described operationally for purposes of qualifying a child for special education and related services under part B of the Education of the Handicapped Act.

(B) What criteria should be included in the definition to qualify children with the disorder whose disability is comparable in severity to other children with disabilities currently determined to be eligible for special education and related services under part B of the Education of the Handicapped Act.

(C) What specific manifestations of the disorder, if any, should be included in the definition.

(D) Whether the definition should include references to characteristics or circumstances that produce transient inattentive behaviors that, in and of themselves, would not make a child eligible for special education and related services under the definition of the disorder.

(E) Whether the definition should address the concurrence of this disorder with other disabilities such as specific learning disabilities or serious emotional disturbance, and if so addressed, the manner in which such is to be accomplished.

(F) Whether guidelines should be provided to State and local educational agencies regarding their obligation to conduct an evaluation of a child suspected of having this disorder, and a description of such guidelines.

(G) Who should be authorized to conduct an assessment of a child having or suspected of having the disorder and whether the assessment should be conducted by more than one individual (such as a teacher and a psychologist).

(H) What provisions should be included in the definition and what additional steps, if any, not currently required by the regulations implementing part B of the Education of the Handicapped Act, should be included to ensure that racial, ethnic, and linguistic minorities are not misclassified under this definition.

(c) REPORT TO COMMITTEES.—Not later than 30 days after the close of the comment period referred to in subsection (b)(1), the Secretary shall transmit the public comments received in response to the Notice of Inquiry in a usable form, accompanied by a document summarizing such comments, to the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives.

SEC. 103. ABROGATION OF STATE SOVEREIGN IMMUNITY.

Part A (20 U.S.C. 1400 et seq.) is amended by inserting after section 603 the following new section:

"ABROGATION OF STATE SOVEREIGN IMMUNITY

20 USC 1403.

"SEC. 604. (a) A State shall not be immune under the eleventh amendment to the Constitution of the United States from suit in Federal court for a violation of this Act.

"(b) In a suit against a State for a violation of this Act, remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in the suit against any public entity other than a State.

"(c) The provisions of subsections (a) and (b) shall take effect with respect to violations that occur in whole or part after the date of the enactment of the Education of the Handicapped Act Amendments of 1990.".

SEC. 104. REPORTS, EVALUATIONS, FINDINGS, AND OTHER PROVISIONS GENERALLY APPLICABLE TO PARTS C THROUGH G.

Part A (20 U.S.C. 1400 et seq.) is amended by adding at the end the following new section:

"ADMINISTRATIVE PROVISIONS APPLICABLE TO PARTS C THROUGH G AND SECTION 618

20 USC 1409.

"SEC. 610. (a) The Secretary shall maintain a process for developing a program plan for the implementation of each of the programs authorized under section 618 and parts C through G. The plan shall include program goals, objectives, strategies, and priorities. In conducting the process, the Secretary shall involve individuals with disabilities, parents, professionals, and representatives of State and local educational agencies, private schools, institutions of higher education, and national organizations who have interest and expertise in the program.

"(b) In awarding grants, contracts, and cooperative agreements under parts C through G, the Secretary, where appropriate, shall require applicants to demonstrate how they will address, in whole or in part, the needs of infants, toddlers, children, and youth with disabilities from minority backgrounds.

Infants and children. Minorities.

"(c) In awarding grants, contracts, or cooperative agreements under parts C through G the Secretary, where appropriate, may require applicants to address the various transitions that a child with a disability may face throughout such child's years in school, including—

"(1) the transition from medical care to special education for those children with disabilities, including chronic health impairments, who may require individualized health-related services to enable such children to participate in, or benefit from, special education;

"(2) the transition between residential placement and community-based special education services; and

"(3) the transition between a separate educational placement and the regular classroom setting.

"(d) The Secretary shall conduct directly, or by contract or cooperative agreement with appropriate entities, independent evaluations of the programs authorized under section 618 and under parts C through G, and may for such purpose use funds appropriated to carry out such provisions. The findings of the evaluators shall be utilized in the planning process under subsection (a) for the purpose of improving the programs. The evaluations shall determine the degree to which the program is being conducted consistent with the program plan and meeting its goals and objectives. The Secretary shall submit to the appropriate committees of the Congress the results of the evaluations required by this subsection.

Government contracts.

"(e) The Secretary shall report on the program plans required in subsection (a) and findings from the evaluations under subsection (d) in the annual report to the Congress required under section 618.

"(f) The Secretary shall develop effective procedures for acquiring and disseminating information derived from programs and projects funded under parts C through G, as well as information generated from studies conducted and data collected under section 618.

"(g) The Secretary shall, where appropriate, require recipients of all grants, contracts, and cooperative agreements under parts C through G to prepare reports describing their procedures, findings, and other relevant information in a form that will maximize the dissemination and use of such procedures, findings, and information. The Secretary shall require their delivery, as appropriate, to the Regional and Federal Resource Centers, the Clearinghouses, and the Technical Assistance to Parents Programs (TAPP) assisted under parts C and D, as well as the National Diffusion Network, the ERIC Clearinghouse on the Handicapped and Gifted, and the Child and Adolescent Service Systems Program (CASSP) under the National Institute of Mental Health, appropriate parent and professional organizations, organizations representing individuals with disabilities, and such other networks as the Secretary may determine to be appropriate.

"(h)(1) The Secretary shall convene, in accordance with paragraph (2), panels of experts who are competent, by virtue of their training or experience, to evaluate proposals under section 618 and parts C through G.

"(2) Panels under paragraph (1) shall be composed of individuals with disabilities, parents of such individuals, individuals from the fields of special education, related services, and other relevant disciplines.

"(3) The Secretary shall convene panels under paragraph (1) for any application that includes a total funding request exceeding $60,000 and may convene or otherwise appoint panels for applications that include funding requests that are less than such amount.

"(4) Panels under paragraph (1) shall include a majority of non-Federal members. Such non-Federal members shall be provided travel and per diem not to exceed the rate provided to other educational consultants used by the Department of Education and shall be provided consultant fees at such a rate.

"(5) The Secretary may use funds available under section 618 and parts C through G to pay expenses and fees of non-Federal members of the panels.

"(i) The Secretary shall conduct at least 1 site visit for each grant, contract, and cooperative agreement receiving $300,000 or more annually under parts C through G.

"(j)(1) With respect to the discretionary programs authorized by parts C through G, the Congress finds as follows:

"(A)(i) The Federal Government must be responsive to the growing needs of an increasingly more diverse society. A more equitable allocation of resources is essential for the Federal Government to meet its responsibility to provide an equal educational opportunity for all individuals.

"(ii) America's racial profile is rapidly changing. While the rate of increase for white Americans is 3.2 percent, the rate of increase for racial and ethnic minorities is much higher: 38.6 percent for Hispanics, 14.6 percent for African-Americans, and 40.1 percent for Asians and other ethnic groups.

"(iii) By the year 2000, this Nation will have 260,000,000 people, one of every three of whom will be either African-American, Hispanic, or Asian-American.

"(iv) Taken together as a group, it is a more frequent phenomenon for minorities to comprise the majority of public school students. Large city school populations are overwhelmingly minority, e.g., Miami, 71 percent; Philadelphia, 73 percent; Baltimore, 80 percent.

"(v) Recruitment efforts within special education at the level of preservice, continuing education, and practice must focus on bringing larger numbers of minorities into the profession in order to provide appropriate practitioner knowledge, role models, and sufficient manpower to address the clearly changing demography of special education.

"(vi) The limited English proficient population is the fastest growing in our Nation, and the growth is occurring in many parts of our Nation. In the Nation's 2 largest school districts, limited-English students make up almost half of all students initially entering school at the kindergarten level. Studies have documented apparent discrepancies in the levels of referral and placement of limited-English proficient children in special education. The Department of Education has found that services provided to limited-English proficient students often do not respond primarily to the pupil's academic needs. These trends pose special challenges for special education in the referral,

assessment, and services for our Nation's students from non-English language backgrounds.

"(B)(i) Greater efforts are needed to prevent the intensification of problems connected with mislabeling and high dropout rates among minority children with disabilities.

"(ii) More minority children continue to be served in special education than would be expected from the percentage of minority students in the general school population.

"(iii) Poor African-American children are 3.5 times more likely to be identified by their teacher as mentally retarded than their white counterpart.

"(iv) Although African-Americans represent 12 percent of elementary and secondary enrollments, they constitute 28 percent of total enrollments in special education.

"(v) The drop out rate is 68 percent higher for minorities than for whites.

"(vi) More than 50 percent of minority students in large cities drop out of school.

"(C)(i) The opportunity for full participation in awards for grants and contracts; boards of organizations receiving funds under this Act; and peer review panels; and training of professionals in the area of special education by minority individuals, organizations, and historically Black colleges and universities is essential if we are to obtain greater success in the education of minority children with disabilities.

"(ii) In 1989, of the 661,000 college and university professors, 4.6 percent were African-American and 3.1 percent were Hispanic. Of the 3,600,000 teachers, prekindergarten through high school, 9.4 percent were African-American and 3.9 percent were Hispanic.

"(iii) Students from minority groups comprise more than 50 percent of K-12 public school enrollment in seven States yet minority enrollment in teacher training programs is less than 15 percent in all but six States.

"(iv) As the number of African-American and Hispanic students in special education increases, the number of minority teachers and related service personnel produced in our colleges and universities continues to decrease.

"(v) Ten years ago, 12.5 percent of the United States teaching force in public elementary and secondary schools were members of a minority group. Minorities comprised 21.3 percent of the national population at that time and were clearly underrepresented then among employed teachers. Today, the elementary and secondary teaching force is 3 to 5 percent minority, while one-third of the students in public schools are minority children.

"(vi) As recently as 1984-85, Historically Black Colleges and Universities (HBCUs) supplied nearly half of the African-American teachers in the Nation. However, in 1988, HBCUs received only 2 percent of the discretionary funds for special education and related services personnel training.

"(vii) While African-American students constitute 28 percent of total enrollment in special education, only 11.2 percent of individuals enrolled in preservice training programs for special education are African-American.

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"(viii) In 1986–87, of the degrees conferred in education at the B.A., M.A., and Ph.D levels, only 6, 8, and 8 percent, respectively, were awarded to African-American or Hispanic students.

"(D) Minorities and underserved persons are socially disadvantaged because of the lack of opportunities in training and educational programs, undergirded by the practices in the private sector that impede their full participation in the mainstream of society.

"(2) The Congress further finds that these conditions can be greatly improved by providing opportunities for the full participation of minorities through the implementation of the following recommendations:

"(A) Implementation of a policy to mobilize the Nation's resources to prepare minorities for careers in special education and related services.

"(B) This policy should focus on—

"(i) the recruitment of minorities into teaching; and

"(ii) financially assisting HBCUs and other institutions of higher education (whose minority student enrollment is at least 25 percent) to prepare students for special education and related service careers.

"(C)(i) The Secretary shall develop a plan for providing outreach services to the entities described in clause (ii) in order to increase the participation of such entities in competitions for grants, contracts, and cooperative agreements under any of parts C through G.

"(ii) The entities referred to in clause (i) are—

"(I) Historically Black Colleges and Universities and other institutions of higher education whose minority student enrollment is at least 25 percent;

"(II) eligible institutions as defined in section 312 of the Higher Education Act of 1965;

"(III) nonprofit and for-profit agencies at least 51 percent owned or controlled by one or more minority individuals; and

"(IV) underrepresented populations.

"(iii) For the purpose of implementing the plan required in clause (i), the Secretary shall, for each of the fiscal years 1991 through 1994, expend 1 percent of the funds appropriated for the fiscal year involved for carrying out parts C through G.

"(3) The Secretary shall exercise his/her utmost authority, resourcefulness, and diligence to meet the requirements of this subsection.

"(4) Not later than January 31 of each year, starting with fiscal year 1991, the Secretary shall submit to Congress a final report on the progress toward meeting the goals of this subsection during the preceding fiscal year. The report shall include—

"(i) a full explanation of any progress toward meeting the goals of this subsection; and

"(ii) a plan to meet the goals, if necessary.".

TITLE II—ASSISTANCE FOR EDUCATION OF ALL HANDICAPPED INDIVIDUALS

SEC. 201. SETTLEMENTS AND ALLOCATIONS.

Section 611(f) (20 U.S.C. 1411(f)) is amended—

(1) in paragraph (1), in the first sentence, by inserting "(A)" after "reservations" and by inserting before the period the following: ", and (B) for whom services were provided through contract with an Indian tribe or organization prior to fiscal year 1989"; and

(2) by adding at the end the following new paragraph:

"(3) Before March 1, 1991, the Secretary of the Interior shall submit to the appropriate Committees of the Congress a plan for the provision of services under this Act to all children with disabilities residing on reservations, whether or not such reservation is served by a B.I.A. funded school. Such plan shall provide for the coordination of services benefiting these children from whatever source, including Tribes, the State in which the child resides and entities of such State, the Indian Health Service, other B.I.A. divisions and other Federal agencies. In developing such a plan, the Secretary shall consult with all interested and involved parties. Such a plan may not be based upon a blanket assumption or interpretation that denies Federal or Interior responsibility for any group or class of children or settings, but shall be based upon the needs of the children and the system best suited for meeting those needs, and may involve the establishment of service agreements between the B.I.A. and other entities.".

SEC. 202. STATE PLANS.

Section 613(a)(3) (20 U.S.C. 1413(a)(3)) is amended to read as follows:

"(3) describe, consistent with the purposes of this Act, a comprehensive system of personnel development that shall include—

"(A) a description of the procedures and activities the State will undertake to ensure an adequate supply of qualified special education and related services personnel, including—

"(i) the development and maintenance of a system for determining, on an annual basis—

"(I) the number and type of personnel, including leadership personnel, that are employed in the provision of special education and related services, by area of specialization, including the number of such personnel who are employed on an emergency, provisional, or other basis, who do not hold appropriate State certification or licensure; and

"(II) the number and type of personnel, including leadership personnel, needed, and a projection of the numbers of such personnel that will be needed in five years, based on projections of individuals to be served, retirement and other leaving of personnel from the field, and other relevant factors;

"(ii) the development and maintenance of a system for determining, on an annual basis, the institutions of

higher education within the State that are preparing special education and related services personnel, including leadership personnel, by area of specialization, including—

"(I) the numbers of students enrolled in such programs, and

"(II) the number who graduated with certification or licensure, or with credentials to qualify for certification or licensure, during the past year; and

"(iii) the development, updating, and implementation of a plan that—

"(I) will address current and projected special education and related services personnel needs, including the need for leadership personnel; and

"(II) coordinates and facilitates efforts among State and local educational agencies, institutions of higher education, and professional associations to recruit, prepare, and retain qualified personnel, including personnel from minority backgrounds, and personnel with disabilities; and

"(B) a description of the procedures and activities the State will undertake to ensure that all personnel necessary to carry out this part are appropriately and adequately prepared, including—

"(i) a system for the continuing education of regular and special education and related services personnel;

"(ii) procedures for acquiring and disseminating to teachers, administrators, and related services personnel significant knowledge derived from education research and other sources; and

"(iii) procedures for adopting, where appropriate, promising practices, materials, and technology.".

Grant programs. Government contracts. 20 USC 1418.

SEC. 203. EVALUATION.

Section 618 is amended to read as follows:

"EVALUATION AND PROGRAM INFORMATION

"SEC. 618. (a) The Secretary shall, directly or by grant, contract, or cooperative agreement, collect data and conduct studies, investigations, analyses, and evaluations—

"(1) to assess progress in the implementation of this Act;

"(2) to assess the impact and effectiveness of State and local efforts, and efforts by the Secretary of the Interior, to provide—

"(A) free appropriate public education to children and youth with disabilities; and

"(B) early intervention services to infants and toddlers with disabilities; and

"(3) to provide—

"(A) Congress with information relevant to policymaking; and

"(B) State, local, and Federal agencies, including the Department of the Interior, with information relevant to program management, administration, delivery, and effectiveness with respect to such education and early intervention services.

Infants and children.

"(b)(1) In carrying out subsection (a), the Secretary, on at least an annual basis (except as provided in subparagraph (E)), shall obtain data concerning programs and projects assisted under this Act and under other Federal laws relating to infants, toddlers, children, and youth with disabilities, and such additional information, from State and local educational agencies, the Secretary of the Interior, and other appropriate sources, including designated lead agencies under part H (except that during fiscal year 1992 such entities may not under this subsection be required to provide data regarding traumatic brain injury or autism), including—

"(A) the number of infants, toddlers, children, and youth with disabilities in each State receiving a free appropriate public education or early intervention services—

"(i) in age groups 0-2 and 3-5, and

"(ii) in age groups 6-11, 12-17, and 18-21, by disability category;

"(B) the number of children and youth with disabilities in each State, by disability category, who—

(i) are participating in regular educational programs (consistent with the requirements of section 612(5)(B) and 614(a)(1)(C)(iv));

(ii) are in separate classes, separate schools or facilities, or public or private residential facilities; or

(iii) have been otherwise removed from the regular education environment;

"(C) the number of children and youth with disabilities exiting the educational system each year through program completion or otherwise, by disability category, for each year of age from age 14 through 21;

"(D) the number and type of personnel that are employed in the provision of—

"(i) special education and related services to children and youth with disabilities, by disability category served; and

"(ii) early intervention services to infants and toddlers with disabilities; and

"(E) at least every three years, using the data collection method the Secretary finds most appropriate, a description of the services expected to be needed, by disability category, for youth with disabilities in age groups 12-17 and 18-21 who have left the educational system.

Reports.

"(2) Beginning with fiscal year 1993, the Secretary shall obtain and report data from the States under section 613(a)(3)(A), including data addressing current and projected special education and related services needs, and data on the number of personnel who are employed on an emergency, provisional, or other basis, who do not hold appropriate State certification or licensure, and other data for the purpose of meeting the requirements of this subsection pertaining to special education and related services personnel.

"(3) The Secretary shall provide, directly or by grant, contract, or cooperative agreement, technical assistance to State agencies providing the data described in paragraphs (1) and (2) to achieve accurate and comparable information.

"(c)(1) The Secretary shall make grants to, or enter into contracts or cooperative agreements with, State or local educational agencies, institutions of higher education, public agencies, and private nonprofit organizations, and, when necessary because of the unique nature of the study, private-for-profit organizations, for the purpose

of conducting studies, analyses, syntheses, and investigations for improving program management, administration, delivery, and effectiveness necessary to provide full educational opportunities and early interventions for all children with disabilities from birth through age 21. Such studies and investigations shall gather information necessary for program and system improvements including—

"(A) developing effective, appropriate criteria and procedures to identify, evaluate, and serve infants, toddlers, children, and youth with disabilities from minority backgrounds for purposes of program eligibility, program planning, delivery of services, program placement, and parental involvement;

"(B) planning and developing effective early intervention services, special education, and related services to meet the complex and changing needs of infants, toddlers, children, and youth with disabilities;

"(C) developing and implementing a comprehensive system of personnel development needed to provide qualified personnel in sufficient number to deliver special education, related services, and early intervention services;

"(D) developing the capacity to implement practices having the potential to integrate children with disabilities, to the maximum extent appropriate, with children who are not disabled;

"(E) effectively allocating and using human and fiscal resources for providing early intervention, special education, and related services;

"(F) strengthening programs and services to improve the progress of children and youth with disabilities while in special education, and to effect a successful transition when such children and youth leave special education;

"(G) achieving interagency coordination to maximize resource utilization and continuity in services provided to infants, toddlers, children, and youth with disabilities;

"(H) strengthening parent-school communication and coordination to improve the effectiveness of planning and delivery of interventions and instruction, thereby enhancing development and educational progress; and

"(I) the identification of environmental, organizational, resource, and other conditions necessary for effective professional practice.

"(2)(A) The studies and investigations authorized under this subsection may be conducted through surveys, interviews, case studies, program implementation studies, secondary data analyses and syntheses, and other appropriate methodologies.

"(B) The studies and investigations conducted under this subsection shall address the information needs of State and local educational agencies for improving program management, administration, delivery, and effectiveness.

"(3) The Secretary shall develop and implement a process for the on-going identification of national program information needed for improving the management, administration, delivery, and effectiveness of programs and services provided under this Act. The process shall identify implementation issues, desired improvements, and information needed by State and local agencies to achieve such improvements, and shall be conducted in cooperation with State educational agencies that can ensure broad-based statewide input from each cooperating State. The Secretary shall publish for public

Federal Register, publication.

comment in the Federal Register every 3 years a program information plan describing such information needs. Such program information plan shall be used to determine the priorities for, and activities carried out under, this subsection to produce, organize, and increase utilization of program information. Such program information plan shall be included in the annual report submitted under section 618 every 3 years.

"(4) In providing funds under this subsection, the Secretary shall require recipients to prepare their procedures, findings, and other relevant information in a form that will maximize their dissemination and use, especially through dissemination networks and mechanisms authorized by this Act, and in a form for inclusion in the annual report to Congress authorized under subsection (g).

"(d)(1) The Secretary shall enter into cooperative agreements with State educational agencies and other State agencies to carry out studies to assess the impact and effectiveness of programs, policies, and procedures assisted under this Act.

"(2) The agreements referred to in paragraph (1) shall—

"(A) provide for the payment of not more than 60 percent of the total cost of studies conducted by a participating State agency to assess the impact and effectiveness of this Act; and

"(B) be developed in consultation with the State Advisory Panel established under section 613(a)(12), local educational agencies, and others involved in, or concerned with, the education of children and youth with disabilities and the provision of early intervention services to infants and toddlers with disabilities.

"(3) The Secretary shall provide technical assistance to participating State agencies in the implementation of the study design, analysis, and reporting procedures.

"(e)(1) The Secretary shall by grant, contract, or cooperative agreement, provide for special studies to assess progress in the implementation of this Act, and to assess the impact and effectiveness of State and local efforts and efforts by the Secretary of the Interior to provide free appropriate public education to children and youth with disabilities, and early intervention services to infants and toddlers with disabilities. Reports from such studies shall include recommendations for improving programs and services to such individuals. The Secretary shall, beginning in fiscal year 1993 and for every third year thereafter, submit to the appropriate committees of each House of the Congress and publish in the Federal Register proposed priorities for review and comment.

Federal Register, publication.

"(2) In selecting priorities for fiscal years 1991 through 1994, the Secretary may give first consideration to—

"(A) completing a longitudinal study of a sample of students with disabilities, examining—

"(i) the full range of disabling conditions;

"(ii) the educational progress of students with disabilities while in special education; and

"(iii) the occupational, educational, and independent living status of students with disabilities after graduating from secondary school or otherwise leaving special education.

"(B) conducting pursuant to this subsection a nationally representative study focusing on the types, number, and intensity of related services provided to children with disabilities by disability category.

"(C) conducting pursuant to this subsection a study that examines the degree of disparity among States with regard to the placement in various educational settings of children and youth with similar disabilities, especially those with mental retardation, and, to the extent that such disparity exists, the factors that lead such children and youth to be educated in significantly different educational settings.

"(D) conducting pursuant to this subsection a study that examines the factors that have contributed to the decline in the number of children classified as mentally retarded since the implementation of this Act, and examines the current disparity among States in the percentage of children so classified.

"(E) conducting pursuant to this subsection a study that examines the extent to which out-of-community residential programs are used for children and youth who are seriously emotionally disturbed, the factors that influence the selection of such placements, the degree to which such individuals transition back to education programs in their communities, and the factors that facilitate or impede such transition.

"(F) conducting pursuant to this subsection a study that examines (i) the factors that influence the referral and placement decisions and types of placements, by disability category and English language proficiency, of minority children relative to other children, (ii) the extent to which these children are placed in regular education environments, (iii) the extent to which the parents of these children are involved in placement decisions and in the development and implementation of the individualized education program and the results of such participation, and (iv) the type of support provided to parents of these children that enable these parents to understand and participate in the educational process.

"(f) The Secretary shall make grants to, or enter into contracts or cooperative agreements with, State or local educational agencies, institutions of higher education, other public agencies, and private nonprofit organizations to support activities that organize, synthesize, interpret, and integrate information obtained under subsections (c) and (e) with relevant knowledge obtained from other sources. Such activities shall include the selection and design of content, formats, and means for communicating such information effectively to specific or general audiences, in order to promote the use of such information in improving program administration and management, and service delivery and effectiveness.

"(g)(1)(A) The Secretary is authorized to conduct activities, directly or by grant, contract, or cooperative agreement, to prepare an annual report on the progress being made toward the provision of—

"(i) a free appropriate public education to all children and youth with disabilities; and

"(ii) early intervention services for infants and toddlers with disabilities.

Reports.

"(B) Not later than 120 days after the close of each fiscal year, the Secretary shall transmit a copy of the report authorized under subparagraph (A) to the appropriate committees of each House of Congress. The annual report shall be published and disseminated in sufficient quantities to the education and disability communities and to other interested parties.

"(2) The Secretary shall include in each annual report under paragraph (1)—

"(A) a compilation and analysis of data gathered under subsection (b) and under part H; and

"(B) a description of findings and determinations resulting from monitoring reviews of State implementation of this part.

"(3) In the annual report under paragraph (1) for fiscal year 1991 (which is published in 1992) and for every third year thereafter, the Secretary shall include in the annual report—

"(A) an index of all current projects funded under parts C through G; and

"(B) data reported under sections 622 and 634.

"(4) The Secretary shall include in each annual report under paragraph (1) the results of research and related activities conducted under part E that the Secretary determines are relevant to the effective implementation of this Act.

"(5) The Secretary shall, in consultation with the National Council on Disability and the Bureau of Indian Affairs Advisory Committee for Exceptional Children, include a description of the status of early intervention services for infants and toddlers with disabilities from birth through age 2, and special education and related services to children with disabilities from 3 through 5 years of age (including those receiving services through Head Start, developmental disabilities programs, crippled children's services, mental health/mental retardation agencies, and State child-development centers and private agencies under contract with local schools).

Infants and children.

"(h) There are authorized to be appropriated $12,000,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 through 1994 to carry out the purposes of this section and not more than 30 percent may be used to carry out the purposes of subsection (e) of this section.".

Appropriation authorizations.

TITLE III—CENTERS AND SERVICES TO MEET SPECIAL NEEDS OF HANDICAPPED INDIVIDUALS

SEC. 301. REGIONAL RESOURCE AND FEDERAL CENTERS.

(a) AMENDMENTS TO SUBSECTION (a).—Section 621(a) (20 U.S.C. 1421(a)) is amended—

(1) in the first sentence, by striking "regional resource centers." and inserting the following: "regional resource centers that focus on special education and related services and early intervention services.";

(2) in the second sentence—

(A) by striking "training to State" and inserting "training, as requested, to State"; and

(B) by inserting after "agencies providing" the following: "special education and related services and";

(3) in the third sentence, by striking "center" the second place such term appears and all that follows and inserting "center."; and

(4) in paragraph (3), by striking "relevant projects conducted by" and inserting "relevant programs and projects conducted under parts C through G and by".

(b) AMENDMENTS TO SUBSECTION (b).—Section 621(b) (20 U.S.C. 1421(b)) is amended by striking "shall consider" and inserting "shall

utilize criteria for setting criteria that are consistent with the needs identified by States within the region served by such center, consistent with requirements established by the Secretary under subsection (f), and, to the extent appropriate, consistent with requirements under section 610, and shall consider".

(c) AMENDMENTS TO SUBSECTION (d).—Section 621(d) (20 U.S.C. 1421(d)) is amended by inserting at the end thereof the following new sentence: "Such coordinating technical assistance center is authorized to—

"(1) provide information to, and training for, agencies, institutions, and organizations, regarding techniques and approaches for submitting applications for grants, contracts, and cooperative agreements under this part and parts D through G, and shall make such information available to the regional resource centers on request;

"(2) give priority to providing technical assistance concerning the education of children with disabilities from minority backgrounds;

"(3) exchange information with, and, where appropriate, cooperate with, other centers addressing the needs of children with disabilities from minority backgrounds; and

"(4) provide assistance to State educational agencies, through the regional resource centers, for the training of hearing officers.".

(d) NEW SUBSECTION.—Section 621 (20 U.S.C. 1421) is amended by adding at the end the following new subsection:

"(f)(1) The Secretary shall develop guidelines and criteria for the operation of Regional and Federal Resource Centers. In developing such criteria and guidelines, the Secretary shall establish a panel representing the Office of Special Education Programs staff, State special education directors, representatives of disability advocates, and, when appropriate, consult with the regional resource center directors.

"(2) Such guidelines and criteria shall include—

"(A) a description of how the Federal and Regional Resource Centers Program will be administered by the Secretary;

"(B) a description of the geographic region each Center is expected to serve;

"(C) a description of the role of a Center in terms of expected leadership and dissemination efforts;

"(D) a description of expected relationships with State agencies, research and demonstration centers, and with other entities deemed necessary;

"(E) a description of how a Center will be evaluated; and

"(F) other guidelines and criteria deemed necessary.

Federal Register, publication.

"(3) The Secretary shall publish in the Federal Register by July 1, 1991, for review and comment, proposed and (then following such review and comment) final guidelines developed by the panel.".

SEC. 302. SERVICES FOR DEAF-BLIND CHILDREN AND YOUTH.

(a) AMENDMENTS TO SUBSECTION (a).—Section 622(a) (20 U.S.C. 1422(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "local educational agencies, and designated lead agencies under part H" after "State educational agencies";

(B) in subparagraph (A) by—

(i) inserting "infants, toddlers," before "children and youth"; and

(ii) striking "special education and related services" and inserting in lieu thereof "special education, early intervention, and related services";

(C) in subparagraph (B), by amending such subparagraph to read as follows:

"(B) make available to deaf-blind youth (who are in the process of transitioning into adult services) programs, services, and supports to facilitate such transition, including assistance related to independent living and competitive employment.";

(2) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively, and by inserting after paragraph (1) the following new paragraph:

"(2) For purposes of this section, the term 'deaf-blind', with respect to children and youth, means having auditory and visual impairments, the combination of which creates such severe communication and other developmental and learning needs that they cannot be appropriately educated in special education programs solely for children and youth with hearing impairments, visual impairments, or severe disabilities, without supplementary assistance to address their educational needs due to these dual, concurrent disabilities.";

(3) by amending paragraph (3) (as redesignated by paragraph (2) of this subsection) to read as follows:

"(3)(A) A grant, cooperative agreement, or contract may be made under paragraph (1)(A) only for programs providing—

"(i) technical assistance to agencies, institutions, or organizations providing educational or early intervention services to deaf-blind infants, toddlers, children, or youth;

"(ii) preservice or inservice training to paraprofessionals, professionals, or related services personnel preparing to serve, or serving, deaf-blind infants, toddlers, children, or youth;

"(iii) replication of successful innovative approaches to providing educational, early intervention, or related services to deaf-blind infants, toddlers, children, and youth;

"(iv) pilot projects that are designed to—

"(I) expand local educational agency capabilities by providing services to deaf-blind children and youth that supplement services already provided to children and youth through State and local resources; and

"(II) encourage eventual assumption of funding responsibility by State and local authorities;

"(v) the development, improvement, or demonstration of new or existing methods, approaches, or techniques that contribute to the adjustment and education of deaf-blind infants, toddlers, children, and youth; or

"(vi) facilitation of parental involvement in the education of their deaf-blind infants, toddlers, children, and youth.

"(B) The programs described in subparagraph (A) may include—

"(i) the diagnosis and educational evaluation of infants, toddlers, children, and youth who are likely to be diagnosed as deaf-blind;

"(ii) programs of adjustment, education, and orientation for deaf-blind infants, toddlers, children, and youth; and

"(iii) consultative, counseling, and training services for the families of deaf-blind infants, toddlers, children, and youth.";

(4) in paragraph (4) (as so redesignated)—

(A) in subparagraph (A), (i) by striking "organizations serving, or proposing to serve," and inserting the following: "organizations that are preparing deaf-blind adolescents for adult placements, or that are preparing to receive deaf-blind young adults into adult living and work environments, or that serve, or propose to serve,", and (ii) by striking "who have attained age twenty-two years"; and

(B) in subparagraph (C), by inserting "supervised," after "rehabilitative,";

(5) in paragraph (5) (as so redesignated), by amending such paragraph to read as follows:

"(5) In carrying out this subsection, the Secretary is authorized to enter into a number of grants or cooperative agreements to establish and support single and multi-State centers for the provision of technical assistance and pilot supplementary services, for the purposes of program development and expansion, for children and youth with deaf-blindness and their families.".

(b) AMENDMENTS TO SUBSECTION (c).—Section 622(c)(1) (20 U.S.C. 1422(c)(1)) is amended—

(1) in clause (A), by inserting "sex," after "severity,";

(2) in clause (C), by inserting before the period the following: "and the setting in which the services are provided"; and

(3)(A) by striking "and" at the end of clause (B);

(B) by striking the period at the end of clause (C) and inserting "; and"; and

(C) by adding at the end the following new clause: "(D) student outcomes, where appropriate.".

(c) AMENDMENTS TO SUBSECTION (d).—Section 622(d) (20 U.S.C. 1422(d)) is amended to read as follows:

Grant programs. Government contracts.

"(d) The Secretary shall make a grant, or enter into a contract or cooperative agreement, for a national clearinghouse for children and youth with deaf-blindness—

"(1) to identify, coordinate, and disseminate information on deaf-blindness, emphasizing information concerning effective practices in working with deaf-blind infants, toddlers, children, and youth;

"(2) to interact with educators, professional groups, and parents to identify areas for programming, materials development, training, and expansion of specific services;

"(3) to maintain a computerized data base on local, regional, and national resources; and

"(4) to respond to information requests from professionals, parents, and members of the community.".

(d) AMENDMENTS TO SUBSECTION (e).—Section 622(e) (20 U.S.C. 1422(e)) is amended to read as follows:

"(e) In carrying out this section, the Secretary shall take into consideration the availability and quality of existing services for deaf-blind infants, toddlers, children, and youth in the country, and, to the extent practicable, ensure that all parts of the country have an opportunity to receive assistance under this section.";

(e) AMENDMENTS TO SUBSECTION (f).—Section 622(f) (20 U.S.C. 1422(f)) is amended by striking "with," and all that follows and inserting the following: "with organizations or public or nonprofit

private agencies, as determined by the Secretary to be appropriate, to address the needs of children and youth with deaf-blindness, for—

"(1) research to identify and meet the full range of special needs of such children and youth; and

"(2) the development and demonstration of new, or improvements in existing methods, approaches, or techniques that would contribute to the adjustment and education of children and youth with deaf-blindness.".

SEC. 303. EARLY EDUCATION FOR HANDICAPPED CHILDREN.

(a) AMENDMENTS TO SUBSECTION (a).—Section 623(a)(1) (20 U.S.C. 1423(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), in the first sentence, by striking "problems of such children." and inserting "needs of these children.";

(2) in subparagraph (A), by inserting "or other communication mode and" after "speech"; and

(3) in subparagraph (B), by inserting before "encourage" the following: "provide family education and include a parent or their representative of such child, as well as";

(4) in subparagraph (C), by striking "problems" and inserting "special needs";

(5) in subparagraph (D)—

(A) by inserting after "practices" the following: ", including interdisciplinary models and practices,"; and

(B) by inserting before the comma the following: "and to the parents of such children";

(6) in subparagraph (E), by inserting before the period the following: ", including the involvement of adult role models with disabilities at all levels of the program"; and

(7) by striking out "and" at the end of subparagraph (D), by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a comma, and by adding after subparagraph (E) the following:

"(F) facilitate and improve the early identification of infants and toddlers with disabilities or those infants and toddlers at risk of having developmental disabilities,

"(G) facilitate the transition of infants with disabilities or infants at risk of having developmental delays, from medical care to early intervention services, and the transition from early intervention services to preschool special education or regular education services (especially where the lead agency for early intervention programs under part H is not the State educational agency),

"(H) promote the use of assistive technology devices and assistive technology services, where appropriate, to enhance the development of infants and toddlers with disabilities, and

"(I) increase the understanding of, and address, the early intervention and preschool needs of children exposed prenatally to maternal substance abuse.".

(b) AMENDMENTS TO SUBSECTION (b).—Section 623(b) (20 U.S.C. 1423(b)) is amended by adding at the end the following: "This technical assistance development system shall provide assistance to parents of and advocates for infants, toddlers, and children with disabilities, as well as direct service and administrative personnel involved with such children. Information from the system should be

aggressively disseminated through established information networks and other mechanisms to ensure both an impact and benefits at the community level. The Secretary shall ensure that the technical assistance provided under this subsection includes assistance to part H State agencies on procedures for use by primary referral sources in referring a child to the appropriate agency within the system for evaluation, assessment, or service.".

(c) AMENDMENTS TO SUBSECTION (c).—Section 623(c) (20 U.S.C. 1423(c)) is amended by adding at the end the following: "Such institutes shall disseminate this information in the manner prescribed in section 610(g).".

(d) AMENDMENTS TO SUBSECTION (d).—Section 623(d) (20 U.S.C. 1423(d)) is amended by inserting before the period the following: ", including programs to integrate children with disabilities into regular preschool programs".

(e) AMENDMENTS TO SUBSECTION (f).—Section 623(f) (20 U.S.C. 1423(f)) is amended by inserting before the period the following: ", including infants and toddlers with disabilities".

(f) NEW SUBSECTION (g).—Section 623 (20 U.S.C. 1423) is amended by adding at the end the following:

"(g) The Secretary may make grants to, or enter into contracts or cooperative agreements with, institutions of higher education and nonprofit private organizations to synthesize the knowledge developed under this section and organize, integrate, and present such knowledge so it can be incorporated and imparted to parents, professionals, and others providing or preparing to provide preschool or early intervention services and to persons designing preschool or early intervention programs.".

SEC. 304. PROGRAMS FOR SEVERELY HANDICAPPED CHILDREN.

(a) AMENDMENT TO SECTION HEADING.—The heading for section 624 (20 U.S.C. 1424) is amended to read as follows:

"PROGRAMS FOR CHILDREN WITH SEVERE DISABILITIES".

(b) AMENDMENTS TO SUBSECTION (a).—Section 624(a) (20 U.S.C. 1424(a)) is amended—

(1) in the matter preceding paragraph (1), by amending such matter to read as follows: "The Secretary may make grants to, or enter into contracts or cooperative agreements with, appropriate public agencies and nonprofit organizations to address the special education, related services, early intervention, and integration needs of infants, toddlers, children, and youth with severe disabilities through—";

(2) in paragraph (1), (A) by inserting after "special needs" the following: ", including transportation to and from school", and (B) by inserting "education, related services, and early intervention" after "special";

(3) in paragraph (3), (A) by inserting "special and regular education, related services, and early intervention" before "personnel", (B) by inserting "infants, toddlers," after "such", and (C) by striking "youth, and" and inserting the following: "youth, including training of regular teachers, instructors, and administrators in strategies (the goal of which is to serve infants, toddlers, children, and youth with disabilities) that include integrated settings for educating such children along side their nondisabled peers,";

(4) in paragraph (4), by striking "children and youth." and inserting the following: "children and youth by utilizing existing networks as prescribed in section 610(g) and"; and

(5) by adding at the end the following new paragraph:

"(5) statewide projects, in conjunction with the State's plan under part B, to improve the quality of special education and related services for children and youth with severe disabilities, and to change the delivery of those services from segregated to integrated environments.".

(b) NEW SUBSECTION.—Section 624 (20 U.S.C. 1424) is amended by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and by inserting after subsection (a) the following new subsection:

"(b) The Secretary is authorized to make grants to, or enter into contracts or cooperative agreements with, public or private nonprofit private agencies, institutions, or organizations for the development and operation of extended school year demonstration programs for infants, toddlers, children, and youth with severe disabilities.".

(c) FURTHER NEW SUBSECTION.—Section 624, as amended by subsection (b) of this section, is amended by adding at the end the following new subsection:

"(e) In awarding such grants and contracts under this section, the Secretary shall include a priority on programs that increase the likelihood that these children and youth will be educated with their nondisabled peers.".

SEC. 305. POSTSECONDARY EDUCATION.

(a) AMENDMENTS TO SUBSECTION (a).—Section 625(a) (20 U.S.C. 1424a(a)) is amended—

(1) in paragraph (1), by adding at the end the following new sentence: "Such model programs may include joint projects that coordinate with special education and transition services.";

(2) in paragraph (2)—

(A) in subparagraph (A), by striking "and" after the semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(C) for outreach activities that include the provision of technical assistance to strengthen efforts in the development, operation, and design of model programs that are adapted to the special needs of individuals with disabilities."; and

(3) in paragraph (6), by striking "$2,000,000" and inserting "$4,000,000".

(b) AMENDMENTS TO SUBSECTION (b).—Section 625(b) (20 U.S.C. 1424a(b)) is amended to read as follows:

"(b) For purposes of subsection (a), the term 'individuals with disabilities' means individuals—

"(1) with mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and

"(2) who, by reason thereof, need special education and related services.".

SEC. 306. SECONDARY EDUCATION AND TRANSITIONAL SERVICES FOR YOUTH WITH DISABILITIES.

(a) AMENDMENTS TO SUBSECTION (a).—Section 626(a)(1) (20 U.S.C. 1425(a)(1)) is amended by inserting "independent and community living," after "continuing education,".

(b) AMENDMENTS TO SUBSECTION (b).—Section 626(b) (20 U.S.C. 1425(b)) is amended—

(1) in paragraph (2), by inserting "independent living," after "training,";

(2) in paragraph (8), by striking "handicapped youth" and all that follows and inserting the following: "some youth with disabilities remain to complete school programs while others drop out,";

(3) in paragraph (9), by striking "developing" and all that follows through "techniques" and inserting "developing curriculum and instructional techniques in special education and related services";

(4) in paragraph (10)—

(A) by inserting "or adapted" after "specially designed"; and

(B) by striking "to increase" and all that follows and inserting the following: "to facilitate the full participation of youths with disabilities in community programs."; and

(5) by striking "and" at the end of paragraph (9), by striking the period at the end of paragraph (10) and inserting in lieu thereof ", and", and by adding after paragraph (10) the following:

"(11) developing and disseminating exemplary programs and practices that meet the unique needs of students who utilize assistive technology devices and assistive technology services as such students make the transition to postsecondary education, vocational training, competitive employment (including supported employment), and continuing education or adult services.".

(c) AMENDMENTS TO SUBSECTION (d).—Section 626(d)(3) (20 U.S.C. 1425(d)(3)) is amended by striking "to the extent appropriate,".

(d) NEW SUBSECTION (e).—Section 626 (20 U.S.C. 1425) is amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and by inserting after subsection (d) the following new subsection:

Grant programs.

"(e)(1) The Secretary shall make one-time, 5-year grants, on a competitive basis, to States in which the State vocational rehabilitation agency and State educational agency submit a joint application to develop, implement, and improve systems to provide transition services for youth with disabilities from age 14 through the age they exit school.

"(2) In the case of a State whose vocational rehabilitation agency does not participate regarding a joint application described in paragraph (1), the Secretary may make a grant under such paragraph to the State if a joint application for the grant is submitted by the State educational agency and one other State agency that provides transition services to individuals who are leaving programs under this Act.

"(3) States that receive grants shall use grant funds to:

"(A) Increase the availability, access, and quality of transition assistance through the development and improvement of poli-

cies, procedures, systems, and other mechanisms for youth with disabilities and their families as such youth prepare for and enter adult life.

"(B) Improve the ability of professionals, parents, and advocates to work with such youth in ways that promote the understanding of and the capability to successfully make the transition from 'student' to 'adult'.

"(C) Improve working relationships among education personnel, both within LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils (PICS) authorized by the Job Training Partnership Act (JTPA), and families of students with disabilities and their advocates to identify and achieve consensus on the general nature and specific application of transition services to meet the needs of youth with disabilities.

"(D) Create an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded through this section and with other sources.

"(4)(A) In order to receive funding under this subsection, a State vocational rehabilitation agency and State educational agency shall describe in their application how they will use the first year, if necessary, to plan how to implement transition services, the second through fourth years to develop and implement transition services, and the fifth year to evaluate transition services. The application shall describe how the grant funds will be used during the planning period and phased out during the evaluation period to ensure the continuation of transition services. Such applications shall also include—

"(i) a description of the current availability, access, and quality of transition services for eligible youth and a description of how, over 5 years, the State will improve and expand the availability, access, and quality of transition services for youth with disabilities and their families as such youth prepare for and enter adult life;

"(ii) a description of how the State will improve and increase the ability of professionals, parents, and advocates to work with such youth in ways that promote the understanding of and the capability to successfully make the transition from 'student' to 'adult';

"(iii) a description of how the State will improve and increase working relationships among education personnel, both within LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils (PICS) authorized by the JTPA, and families of students with disabilities and their advocates to identify and achieve consensus on the general nature and specific application of transition services to meet the needs of youth with disabilities; and

"(iv) a description of how the State will use grant funds as an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded through this section and with other sources.

"(B) The Secretary shall give preference to those applications that, in addition to clearly addressing the requirements under subparagraph (A), describe how the State will—

"(i) target resources to school settings, such as providing access to rehabilitation counselors for students with disabilities who are in school settings;

"(ii) target a substantial amount of grant funds, received under this subsection, to case management, program evaluation and documentation of, and dissemination of information about, transition services;

"(iii) provide incentives for interagency and private sector resource pooling and otherwise investing in transition services, especially in the form of cooperative agreements, particularly with PICS authorized by the JTPA and local branches of State employment agencies;

"(iv) provide for early, ongoing information and training for those involved with or who could be involved with transition services—professionals, parents, youth with disabilities, including self-advocacy training for such youth, and advocates for such youth as well as PICS authorized by the JTPA and local branches of State employment agencies;

"(v) provide for the early and direct involvement of all relevant parties, including PICS authorized by the JTPA and local branches of State employment agencies, in operating and planning improvements in transition services, and the early and direct involvement of all relevant parties in planning and implementing transition services for individual youth;

"(vi) provide access to training for eligible youth that matches labor market needs in their communities;

"(vii) integrate transition services with relevant opportunities in communities, including those sponsored by PICS authorized by the JTPA and local employment agencies;

"(viii) use a transition services evaluation plan that is outcome oriented and that focuses on individual youth-focused benefits; and

"(ix) ensure that, when appropriate and no later than age 22, eligible youth who participate in transition services under this program would be served as appropriate in the State section 110 and/or title VI, part C program authorized under the Rehabilitation Act of 1973.".

(e) AMENDMENTS TO FORMER SUBSECTION (e).—Section 626(f), as redesignated by subsection (d) of this section, is amended—

(1)(A) by inserting "(1)" after the subsection designation; and

(B) by adding at the end of paragraph (1) (as so designated) the following new sentence: "Such organizations and institutions shall disseminate such materials and information as prescribed under section 610(g).";

(2) by adding after paragraph (1) (as so designated) the following new paragraph:

"(2) The Secretary shall fund one or more demonstration models designed to establish appropriate methods of providing, or continuing to provide, assistive technology devices and services to secondary school students as they make the transition to vocational rehabilitation, employment, postsecondary education, or adult services. Such demonstration models shall include, as appropriate—

"(A) cooperative agreements with the Rehabilitation Services Administration and/or State vocational rehabilitation agencies that ensure continuity of funding for assistive technology devices and services to such students; and

"(B) methods for dissemination of exemplary practices that can be adapted or adopted by transitional programs for secondary school students with disabilities."; and

(3) by adding at the end the following new paragraph:

Government contracts.

"(3)(A) The Secretary shall award one, five-year cooperative agreement through a separate competition to an institution of higher education, or nonprofit public or private organization. The purpose of this agreement will be to evaluate and document the approaches and outcomes of the projects funded under subsection (e). The results of this agreement shall be disseminated through the appropriate clearinghouses, networks, and through direct communication with Federal, State, and local agencies.

"(B) The evaluation carried out pursuant to subparagraph (A) of transition services under subsection (e) shall include an evaluation of—

"(i) the outcomes of the transition services provided under such subsection, including the effect of the services regarding postsecondary education, job training, employment, and other appropriate matters;

"(ii) the impact of including in the individualized education program a statement of needed transition services (as required under section 602(a)(20)(D));

"(iii) the extent to which, in the provision of the transition services, agencies are cooperating effectively, including evaluation of the extent of coordination of the staff of the agencies, of procedures regarding confidentiality, assessment of needs, and referrals, and coordination regarding data bases and training;

"(iv) the extent to which obstacles exist regarding cooperation and coordination among agencies in the provision of the transition services, and the extent to which Federal law creates disincentives to such cooperation and coordination; and

"(v) the extent to which the transition services have been provided in a cost-effective manner.

"(C) The evaluation carried out pursuant to subparagraph (A) shall include recommendations on the manner in which the program under subsection (e) can be improved.

"(D) In the annual report required under section 618(g), the Secretary shall include a report of the activities and results associated with the agreement under subparagraph (A).".

(f) AMENDMENTS TO FORMER SUBSECTION (f).—Section 626(g), as redesignated by subsection (d) of this section, is amended by inserting before the period the following: ", the Job Training Partnership Act (JTPA), and the Carl D. Perkins Vocational and Applied Technology Education Act".

SEC. 307. PROGRAMS FOR CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE.

Section 627 (20 U.S.C. 1426) is amended to read as follows:

"PROGRAMS FOR CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE

"SEC. 627. (a) The Secretary is authorized to make grants to, or enter into contracts or cooperative agreements with, institutions of higher education, State and local educational agencies, and other appropriate public and private nonprofit institutions or agencies to establish projects for the purpose of improving special education and

related services to children and youth with serious emotional disturbance. Such projects may include—

"(1) studies regarding the present state of special education and related services to such children and youth and their families, including information and data to enable assessments of the status of such services over time;

"(2) developing methodologies and curricula designed to improve special education and related services for these children and youth;

"(3) developing and demonstrating strategies and approaches to reduce the use of out-of-community residential programs and the increased use of school district-based programs (which may include day treatment programs, after-school programs, and summer programs);

"(4) developing the knowledge, skills, and strategies for effective collaboration among special education, regular education, related services, and other professionals and agencies; or

"(5) developing and demonstrating innovative approaches to assist and to prevent children with emotional and behavioral problems from developing serious emotional disturbances that require the provision of special education and related services.

"(b)(1) The Secretary is authorized to make grants, on a competitive basis, to local educational agencies in collaboration with mental health entities to provide services for children and youth with serious emotional disturbance. Such demonstration projects shall—

"(A) increase the availability, access, and quality of community services for such children and youth and their families;

"(B) improve working relationships among education, school, and community mental health and other relevant personnel, families of such children and youth, and their advocates;

"(C) target resources to school settings, such as providing access to school and/or community mental health professionals and other community resources for students with serious emotional disturbance who are in community school settings; and

"(D) take into account the needs of minority children and youth in all phases of project activity.

"(2) Funds received under this subsection may also be used to facilitate interagency and private sector resource pooling to improve services for such children and youth and to provide information and training for those involved with, or who could be involved with, such children and youth.

"(c) Each project assisted under this section shall—

"(1) apply existing research outcomes from multi-disciplinary fields;

"(2) use a grant evaluation plan that is outcome-oriented and that focuses on the benefits to individual children and youth;

"(3) report on the effectiveness of such project; and

"(4) disseminate the findings of such project, where appropriate, in accordance with section 610(g).".

SEC. 308. AUTHORIZATION OF APPROPRIATIONS.

Section 628 (20 U.S.C. 1427) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 628. (a) There are authorized to be appropriated to carry out section 621 $8,525,000 for fiscal year 1991, $9,300,000 for fiscal year

1992, $10,140,000 for fiscal year 1993, and $11,052,000 for fiscal year 1994.

"(b) There are authorized to be appropriated to carry out section 622 $21,900,000 for fiscal year 1991, $24,100,000 for fiscal year 1992, $26,500,000 for fiscal year 1993, and $29,200,000 for fiscal year 1994.

"(c) There are authorized to be appropriated to carry out section 623 $31,400,000 for fiscal year 1991, $34,235,000 for fiscal year 1992, $37,325,000 for fiscal year 1993, and $40,705,000 for fiscal year 1994.

"(d) There are authorized to be appropriated to carry out section 624 $9,500,000 for fiscal year 1991, $10,500,000 for fiscal year 1992, $11,600,000 for fiscal year 1993, and $12,700,000 for fiscal year 1994.

"(e) There are authorized to be appropriated to carry out section 625 $9,470,000 for fiscal year 1991, $10,230,000 for fiscal year 1992, $11,050,000 for fiscal year 1993, and $11,930,000 for fiscal year 1994.

"(f) There are authorized to be appropriated to carry out section 626 (except subsection (e)) $9,800,000 for fiscal year 1991, $10,800,000 for fiscal year 1992, $11,900,000 for fiscal year 1993, and $13,050,000 for fiscal year 1994.

"(g) There are authorized to be appropriated to carry out section 626(e) $27,500,000 for fiscal year 1991, $30,250,000 for fiscal year 1992, $33,275,000 for fiscal year 1993, and $36,602,000 for fiscal year 1994.

"(h) There are authorized to be appropriated to carry out section 627 $6,500,000 for fiscal year 1991, $8,000,000 for fiscal year 1992, $9,500,000 for fiscal year 1993, and $11,500,000 for fiscal year 1994.".

TITLE IV—TRAINING PERSONNEL FOR THE EDUCATION OF HANDICAPPED INDIVIDUALS

SEC. 401. GRANTS FOR PERSONNEL TRAINING.

(a) AMENDMENTS TO SUBSECTION (a)(1).—Section 631(a)(1) (20 U.S.C. 1431(a)(1)) is amended—

(1) in subsection (a)(1), by striking "special education and early intervention" and inserting "special education, related services, and early intervention";

(2) in subparagraph (A), by striking "adaptive physical education" and inserting "adapted physical education and instructional and assistive technology services";

(3) in subparagraphs (B) through (D), by amending such subparagraphs to read as follows:

"(B) related services to children and youth with disabilities in educational settings, and other settings,

"(C) special education and other careers in preschool and early intervention services for infants and toddlers with disabilities,

"(D) special education leadership, including supervision and administration (at the advanced graduate, doctoral, and post-doctoral levels), special education research, and special education personnel preparation (at the doctoral and post-doctoral levels), and".

(b) FURTHER AMENDMENTS TO SUBSECTION (a).—Section 631(a) (20 U.S.C. 1431(a)) is amended—

(1) in paragraph (2)(A), (A) by striking "for the personnel" and inserting "for special education, related services, early intervention, and other personnel", and (B) after "shortages" inserting ", including the need for personnel in the provision of special education to children of limited English proficiency";

(2) in paragraph (2)(B), by inserting before the period the following: ", and that include in their applications a detailed description of strategies that will be utilized to recruit and train members of minority groups and persons with disabilities";

Scholarships and fellowships. Minorities.

(3) in paragraph (3), by adding at the end the following new sentence: "Such institutions shall give priority consideration in the selection of qualified recipients of fellowships and traineeships to individuals from disadvantaged backgrounds, including minorities and individuals with disabilities who are underrepresented in the teaching profession or in the specializations in which they are being trained.".

(c) NEW PARAGRAPHS IN SUBSECTION (a).—Section 631(a) (20 U.S.C. 1431(a)) is amended by adding at the end the following new paragraphs:

"(5) In making grants under subsection (a)(1), the Secretary may determine that a portion of training supported through such grants shall be conducted on an interdisciplinary basis, and shall be designed to assist special educators in properly coordinating service provision with related services personnel. To the extent feasible, training programs funded under subsection (a)(1)(B) and (a)(1)(E) shall require practica to demonstrate the delivery of related services in an array of regular and special education and community settings.

"(6) Nothing in this subsection shall be construed to prevent regular education or special education personnel from benefiting or participating in training activities conducted under this subsection on a preservice or inservice basis.

Grant programs. Minorities.

"(7) The Secretary, in carrying out paragraph (1), shall make grants to Historically Black Colleges and Universities, and other institutions of higher education whose minority student enrollment is at least 25 percent.".

(d) AMENDMENTS TO SUBSECTION (b).—Section 631(b) (20 U.S.C. 1431(b)) is amended by striking "nonprofit agencies" and all that follows and inserting the following: "nonprofit agencies and organizations to develop and demonstrate effective ways for preservice training programs to prepare regular educators to work with children and youth with disabilities and their families; for training teachers to work in community and school settings with school students with disabilities and their families; for inservice and preservice training of personnel to work with infants, toddlers, children, and youth with disabilities and their families; for inservice and preservice training of personnel to work with minority infants, toddlers, children, and youth with disabilities and their families; for preservice and inservice training of special education and related services personnel in the use of assistive and instructional technology to benefit infants, toddlers, children, and youth with disabilities; and for the recruitment and retention of special education, related services, and early intervention personnel. Both preservice and inservice training shall include a component that addresses the coordination among all service providers, including regular educators.".

(e) AMENDMENT TO SUBSECTION (c).—

(1) Section 631(c)(2) (20 U.S.C. 1431(c)(2)) is amended—

(A) by amending subparagraph (A) to read as follows:

"(A) be governed by a board of directors of which a majority of the members are parents of infants, toddlers, children, and youth with disabilities, particularly minority parents, and that includes members who are professionals, especially minority professionals, in the field of special education, early intervention, and related services, and individuals with disabilities, or, if the nonprofit private organization does not have such a board, such organization shall have a membership that represents the interests of individuals with disabilities, and shall establish a special governing committee of which a majority of the members are parents of infants, toddlers, children, and youth with disabilities, particularly parents of minority children, and which includes members who are professionals, especially minority professionals, in the field of special education, early intervention, and related services, to operate the training and information program under paragraph (1), and parent and professional membership of these boards or special governing committees shall be broadly representative of minority and other individuals and groups having an interest in special education, early intervention, and related services;";

(B) in subparagraph (B)—

(i) by striking "children" and inserting "infants, toddlers, children, and youth"; and

(ii) by striking "handicapping" and inserting "disabling"; and

(C) in subparagraph (C), by inserting before the period the following: ", and, for purposes of paragraph (1), network with clearinghouses, including those established under section 633 and other organizations and agencies, and network with other established national, State, and local parent groups representing the full range of parents of infants, toddlers, children, and youth with disabilities, especially parents of minority children".

(2) Section 631(c)(2) (20 U.S.C. 1431(c)(2)) is amended by adding after subparagraph (C) the following: "Nothing in subparagraph (A) shall be construed to authorize or permit the denial to any person of the due process of law required by the United States Constitution.".

(f) AMENDMENTS TO SUBSECTION (c)(4).—Section 631(c)(4) (20 U.S.C. 1431(c)(4)) is amended—

(1) by striking out "and" at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B) and inserting a comma; and

(3) by adding at the end the following new subparagraphs:

"(C) serve parents of minority children with disabilities representative to the proportion of the minority population in the areas being served, and

"(D) be funded at a sufficient size, scope, and quality to ensure that the program is adequate to serve the parents in the area.".

(g) NEW PARAGRAPH IN SUBSECTION (c).—Section 631(c) (20 U.S.C. 1431(c)) is amended by adding at the end the following new paragraph:

"(9) After the establishment in each State of a parent training and information center, the Secretary shall provide for the establishment of 3 experimental centers to serve large numbers of parents of

children with disabilities located in high density areas that do not have such centers and 2 such centers to serve large numbers of parents of children with disabilities located in rural areas.

"(10) Effective for fiscal year 1991 and every year thereafter, the Secretary shall obtain data concerning programs and centers assisted under this subsection on—

"(A) the number of parents provided information and training by disability category of their children,

"(B) the types and modes of information or training provided,

"(C) strategies used to reach and serve parents of minority infants, toddlers, children, and youth with disabilities,

"(D) the number of parents served as a result of activities described under subparagraph (C),

"(E) activities to network with other information clearinghouses and parent groups as required in subsection (c)(2)(C), and

"(F) the number of agencies and organizations consulted with at the national, State, regional, and local levels.

The Secretary shall include a summary of this information in the annual report to Congress as required in section 618(g).".

(h) FURTHER AMENDMENTS TO SUBSECTION (c).—Section 631(c) (20 U.S.C. 1431(c)) is amended—

(1) in paragraph (1), in the first and second sentences, by striking "parents of handicapped children" each place such term appears and inserting "parents of infants, toddlers, children, and youth with disabilities";

(2) in paragraph (5)—

(A) in subparagraph (E), by amending such subparagraph to read as follows:

"(E) obtain appropriate information about the range of options, programs, services, and resources available at the national, State, and local levels to assist infants, toddlers, children, and youth with disabilities and their families, and"; and

(B) in subparagraph (F), by striking "handicapped" and all that follows and inserting the following: "infants, toddlers, children, and youth with disabilities under this Act."; and

(3) in paragraph (7)—

(A) by striking "with appropriate agencies which" and inserting the following: "and network with appropriate national, State, regional, and local agencies and organizations, such as protection and advocacy agencies, that"; and

(B) by striking "handicapped children and youth" and inserting "infants, toddlers, children, and youth with disabilities and their families".

SEC. 402. GRANTS TO STATE EDUCATIONAL AGENCIES AND INSTITUTIONS FOR TRAINEESHIPS.

Section 632 (20 U.S.C. 1432) is amended—

(1) in subsection (c) by—

(A) inserting "special and regular education, related services and early intervention" after "prepare"; and

(B) by striking the period at the end thereof and inserting a comma and "and to assist the State in developing and maintaining such systems and conducting personnel recruitment and retention activities."; and

(2) by inserting at the end thereof the following new subsection:

"(d) The Secretary is authorized to provide directly or by grant, contract, or cooperative agreement, technical assistance to State educational agencies on matters pertaining to the effective implementation of section 613(a)(3).".

SEC. 403. CLEARINGHOUSES.

Section 633 (20 U.S.C. 1433) is amended to read as follows:

"CLEARINGHOUSES

"SEC. 633. (a) The Secretary is authorized to make grants to, or enter into contracts or cooperative agreements with, public agencies or private nonprofit organizations or institutions for the establishment of three national clearinghouses: on children and youth with disabilities; on postsecondary education for individuals with disabilities; and on careers in special education, to—

"(1) collect, develop, and disseminate information,

"(2) provide technical assistance,

"(3) conduct coordinated outreach activities,

"(4) provide for the coordination and networking with other relevant national, State, and local organizations and information and referral resources,

"(5) respond to individuals and organizations seeking information, and

"(6) provide for the synthesis of information for its effective utilization by parents, professionals, individuals with disabilities, and other interested parties.

"(b) The national clearinghouse for children and youth with disabilities shall:

"(1) Collect and disseminate information (including the development of materials) on characteristics of infants, toddlers, children, and youth with disabilities and on programs, legislation, and services relating to their education under this Act and other Federal laws.

"(2) Participate in programs and services related to disability issues for providing outreach, technical assistance, collection, and dissemination of information; and promoting networking of individuals with appropriate national, State, and local agencies and organizations.

"(3) Establish a coordinated network and conduct outreach activities with relevant Federal, State, and local organizations and other sources for promoting public awareness of disability issues and the availability of information, programs, and services.

"(4) Collect, disseminate, and develop information on current and future national, Federal, regional, and State needs for providing information to parents, professionals, individuals with disabilities, and other interested parties relating to the education and related services of individuals with disabilities.

"(5) Provide technical assistance to national, Federal, regional, State and local agencies and organizations seeking to establish information and referral services for individuals with disabilities and their families.

"(6) In carrying out the activities in this subsection, the clearinghouse will include strategies to disseminate information to underrepresented groups such as those with limited English proficiency.

"(c) The national clearinghouse on postsecondary education for individuals with disabilities shall:

"(1) Collect and disseminate information nationally on characteristics of individuals entering and participating in education and training programs after high school; legislation affecting such individuals and such programs; policies, procedures, and support services, as well as adaptations, and other resources available or recommended to facilitate the education of individuals with disabilities; available programs and services that include, or can be adapted to include, individuals with disabilities; and sources of financial aid for the education and training of individuals with disabilities.

"(2) Identify areas of need for additional information.

"(3) Develop new materials (in both print and nonprint form), especially by synthesizing information from a variety of fields affecting disability issues and the education, rehabilitation, and retraining of individuals with disabilities.

"(4) Develop a coordinated network of professionals, related organizations and associations, mass media, other clearinghouses, and governmental agencies at the Federal, regional, State, and local level for the purposes of disseminating information and promoting awareness of issues relevant to the education of individuals with disabilities after high school and referring individuals who request information to local resources.

"(5) Respond to requests from individuals with disabilities, their parents, and professionals who work with them, for information that will enable them to make appropriate decisions about postsecondary education and training.

Employment.

"(d) The national clearinghouse designed to encourage students to seek careers and professional personnel to seek employment in the various fields relating to the education of children and youth with disabilities shall:

"(1) Collect and disseminate information on current and future national, regional, and State needs for special education and related services personnel.

"(2) Disseminate information to high school counselors and others concerning current career opportunities in special education, location of programs, and various forms of financial assistance (such as scholarships, stipends, and allowances).

"(3) Identify training programs available around the country.

"(4) Establish a network among local and State educational agencies and institutions of higher education concerning the supply of graduates and available openings.

"(5) Provide technical assistance to institutions seeking to meet State and professionally recognized standards.

"(e)(1) In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall give priority consideration to any applicant with demonstrated, proven effectiveness (at the national level) in performing the functions established in this section; and with the ability to conduct such projects, communicate with intended consumers of information, and maintain the necessary communication with national, regional, State, and local agencies and organizations.

"(2) In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall give priority consideration to any applicant with demonstrated, proven effectiveness (at the na-

tional level) in providing informational services to minorities and minority organizations.

"(f)(1) Beginning in fiscal year 1991, and for each year thereafter, the Secretary shall obtain information on each project assisted under this section, including—

"(A) the number of individuals served by disability category, as appropriate, including parents, professionals, students, and individuals with disabilities;

"(B) a description of responses utilized;

"(C) a listing of new products developed and disseminated; and

"(D) a description of strategies and activities utilized for outreach to urban and rural areas with populations of minorities and underrepresented groups.

"(2) A summary of the data required by this subsection shall be included in the annual report to Congress required under section 618.".

SEC. 404. REPORTS TO SECRETARY.

Section 634(a) (20 U.S.C. 1434(a)) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(3) information described in section 631(c)(9) and section 633(f)(1), as applicable.".

SEC. 405. AUTHORIZATION OF APPROPRIATIONS.

Section 635(a) (20 U.S.C. 1435(a)) is amended to read as follows:

"(a)(1) There are authorized to be appropriated to carry out this part (other than sections 631(a)(7), 631(c), and 633) $94,725,000 for fiscal year 1991, $103,255,000 for fiscal year 1992, $113,580,000 for fiscal year 1993, and $123,760,000 for fiscal year 1994.

"(2) There are authorized to be appropriated to carry out section 631(a)(7) $19,250,000 for fiscal year 1991, $21,175,000 for fiscal year 1992, $23,292,500 for fiscal year 1993, and $25,621,750 for fiscal year 1994.

"(3) There are authorized to be appropriated to carry out section 631(c) $11,000,000 for fiscal year 1991, $12,100,000 for fiscal year 1992, $13,300,000 for fiscal year 1993, and $14,600,000 for fiscal year 1994.

"(4) There are authorized to be appropriated to carry out section 633 $2,900,000 for fiscal year 1991, $2,465,000 for fiscal year 1992, $2,710,000 for fiscal year 1993, and $2,960,000 for fiscal year 1994.".

TITLE V—RESEARCH IN EDUCATION OF INDIVIDUALS WITH DISABILITIES

SEC. 501. RESEARCH AND DEMONSTRATION PROJECTS IN EDUCATION OF CHILDREN WITH DISABILITIES.

Section 641 (20 U.S.C. 1441) is amended to read as follows:

"RESEARCH AND RELATED ACTIVITIES

"SEC. 641. (a) The Secretary may make grants to, or enter into contracts or cooperative agreements with, State and local edu-

cational agencies, institutions of higher education, other public agencies and nonprofit private organizations for the purpose of advancing and improving the knowledge base and improving the practice of professionals, parents, and others providing early intervention, special education, and related services, including professionals who work with children and youth with disabilities in regular education environments, to provide such children effective instruction and enable them to successfully learn. The activities supported under this section shall support innovation, development, exchange, and use of such advancements in knowledge and practice designed to contribute to the improvement of instruction and learning of infants, toddlers, children, and youth with disabilities. In carrying out this section, the Secretary may support a wide range of research and related activities designed to—

"(1) advance knowledge regarding the provision of instruction and other interventions to infants, toddlers, children, and youth with disabilities including—

"(A) the organization, synthesis, and interpretation of current knowledge and the identification of knowledge gaps;

"(B) the identification of knowledge and skill competencies needed by personnel providing special education, related services, and early intervention services;

"(C) the improvement of knowledge regarding the developmental and learning characteristics of infants, toddlers, children, and youth with disabilities in order to improve the design and effectiveness of interventions and instruction;

"(D) the evaluation of approaches and interventions;

"(E) the development of instructional strategies, techniques, and activities;

"(F) the improvement of curricula and instructional tools such as textbooks, media, materials, and technology;

"(G) the development of assessment techniques, instruments (including tests, inventories, and scales), and strategies for measurement of progress and the identification, location, and evaluation of infants, toddlers, children, and youth with disabilities for the purpose of determining eligibility, program planning, and placement for special education, related services, and early intervention services. Particular attention should be given to the development of alternative assessment procedures and processes for minority individuals and those with limited English proficiency;

"(H) the testing of research findings in practice settings to determine the application, usability, effectiveness, and generalizability of such research findings;

"(I) the improvement of knowledge regarding families, minorities, limited English proficiency, and disabling conditions; and

"(J) the identification of environmental, organizational, resource, and other conditions necessary for effective professional practice; and

"(2) advance the use of knowledge by personnel providing special education, related services, and early intervention services including—

"(A) the improvement of knowledge regarding how such individuals learn new knowledge and skills, and strategies

for effectively facilitating such learning in preservice, in-service, and continuing education;

"(B) the organization, integration, and presentation of knowledge so that such knowledge can be incorporated and imparted in personnel preparation, continuing education programs, and other relevant training and communication vehicles; and

"(C) the expansion and improvement of networks that exchange knowledge and practice information.

"(b) In carrying out subsection (a), the Secretary shall consider the special education, related services, or early intervention and research experience of applicants.

"(c) The Secretary shall publish proposed priorities under this part in the Federal Register not later than 12 months preceding the fiscal year for which they are being announced, and shall allow a period of 60 days for public comments and suggestions. The Secretary shall, after analyzing and considering the public comments, publish final priorities in the Federal Register not later than 90 days after the close of the comment period.

Federal Register, publication.

"(d) The Secretary shall provide an index (including the title of each project and the name and address of the funded organization) of all projects conducted under this part in the prior fiscal year in the annual report described under section 618.

"(e) The Secretary shall—

"(1) coordinate the priorities established under subsection (b) with research priorities established by the National Institute for Disability and Rehabilitation Research and other appropriate agencies conducting research pertaining to the education of individuals with disabilities; and

"(2) provide information concerning priorities established under subsection (b) to the National Council on Disability and to the Bureau of Indian Affairs Advisory Committee for Exceptional Children.

"(f)(1) The Secretary shall make grants or enter into contracts or cooperative agreements for the establishment of a center or centers designed to organize, synthesize, and disseminate current knowledge relating to children with attention deficit disorder with respect to the following:

Grant programs. Government contracts.

"(A) Assessment techniques, instruments, and strategies used for identification, location, evaluation and for measurement of progress.

"(B) Knowledge and skill competencies needed by professionals providing special and regular education and related services.

"(C) Environmental, organizational, resource, and other conditions necessary for effective professional practice.

"(D) Developmental and learning characteristics.

"(E) Instructional strategies, techniques, and activities.

"(F) Curricula and instructional tools such as textbooks, media, materials, and technology.

"(G) Strategies, techniques, and activities related to involvement of families.

"(2) In awarding grants, contracts, and cooperative agreements under paragraph (1), the Secretary shall give priority consideration to applicants with—

"(A) demonstrated knowledge concerning the disorder;

"(B) proven effectiveness in performing the functions established in this subsection; and

"(C) the ability to—

"(i) conduct such projects;

"(ii) communicate with intended consumers of information; and

"(iii) maintain the necessary communication with national, regional, State, and local agencies.

Grant programs. Government contracts.

"(g)(1) The Secretary shall make grants, or enter into contracts or cooperative agreements, for the establishment of model demonstration programs, of which some will be school-based models, that provide the services of an ombudsman to assist in resolving problems that are barriers to appropriate educational, related services, or other services for children and youth with disabilities.

"(2) Programs under paragraph (1) shall provide or identify personnel to assist children and youth with disabilities, their parents or guardians, special and regular education teachers, State and local education administrators, and related services personnel to resolve problems in a timely manner through dispute mediation and other methods, notwithstanding due process procedures, in order to further the delivery of appropriate education and related services. Participation in this program does not preclude or delay due process under part B of this Act.

"(3) Ombudsman services for programs under paragraph (1) shall be provided by social workers, parent advocates, psychologists, and persons with similar qualifications designated by the Secretary.".

SEC. 502. RESEARCH AND DEMONSTRATION PROJECTS IN PHYSICAL EDUCATION AND RECREATION FOR CHILDREN WITH DISABILITIES.

Section 642 (20 U.S.C. 1442) is amended by striking "recreation for handicapped children" each place such term appears and inserting "recreation for children with disabilities, including therapeutic recreation".

SEC. 503. PANELS OF EXPERTS.

20 USC 1443, 1444.

Part E (20 U.S.C. 1441 et seq.) is amended by striking section 643 and by redesignating section 644 as section 643.

SEC. 504. AUTHORIZATION OF APPROPRIATIONS.

Section 643, as redesignated by section 503 of this Act, is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 643. For purposes of carrying out this part, there are authorized to be appropriated $21,100,000 for fiscal year 1990, $24,650,000 for fiscal year 1991, $27,400,000 for fiscal year 1992, $30,200,000 for fiscal year 1993, and $33,200,000 for fiscal year 1994.".

TITLE VI—INSTRUCTIONAL MEDIA FOR INDIVIDUALS WITH DISABILITIES

SEC. 601. PURPOSES.

Section 651 (20 U.S.C. 1451) is amended—

(1) by striking the subsection designation;

(2) in paragraph (1)—

(A) by inserting "and hard of hearing" after "deaf" each place it appears;

(B) in subparagraph (A), by inserting "and television programs" after "those films"; and

(C) in subparagraph (B), by inserting "and television programs" after "these films";

(2) in paragraph (2), by striking "and" after the semicolon at the end of subparagraph (B), by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "; and", and by adding at the end the following new subparagraph:

"(D) utilizing educational media to help eliminate illiteracy among individuals with disabilities;"; and

(3) by striking the period at the end of paragraph (2) and inserting "; and" and by adding at the end the following new paragraph:

"(3) the general welfare of visually impaired individuals by—

"(A) bringing to such individuals an understanding and appreciation of textbooks, films, television programs, video material, and other educational publications and materials that play such an important part in the general and cultural advancement of visually unimpaired individuals; and

"(B) ensuring access to television programming and other video materials.".

SEC. 602. CAPTIONED FILMS AND EDUCATIONAL MEDIA FOR INDIVIDUALS WITH DISABILITIES.

Section 652 (20 U.S.C. 1452) is amended—

(1) in the heading for such section, by inserting ", TELEVISION, DESCRIPTIVE VIDEO," after "FILMS";

(2) in subsection (a), by inserting ", descriptive video," after "captioned films";

(3) in subsection (b)—

(A) in paragraph (3), by striking "captioning of films" and inserting "captioning for deaf and hard of hearing individuals and video description for the visually impaired, of films, television programs, and video materials"; and

(B) in paragraph (4)—

(i) by striking "captioned films" and inserting "captioned and video-described films, video materials,"; and

(ii) inserting "or entities" after "agencies";

(C) in paragraph (8), by inserting "and hard of hearing" after "deaf";

(4) in subsection (c), by—

(A) inserting "and other appropriate non-profit organizations" after "Inc."; and

(B) striking "theatrical" and inserting "cultural";

(5) in subsection (c)(1), by inserting "and hard of hearing" after "deaf";

(6) in subsection (c)(2), by inserting "and hard of hearing" after "deaf"; and

(7) in subsection (c)(3), (A) by inserting "and hard of hearing" after "deaf", and (B) by inserting ", educational, and social" after "cultural".

(8) by adding at the end the following new subsection:

"(d)(1) The Secretary is authorized to make a grant or enter into a contract for the purpose of providing current, free textbooks and other educational publications and materials to blind and other print-handicapped students in elementary, secondary, postsecondary, and graduate schools and other institutions of higher education through the medium of transcribed tapes and cassettes.

"(2) For the purpose of this subsection, the term 'print-handicapped' refers to any individual who is blind or severely visually impaired, or who, by reason of a physical or perceptual disability, is unable to read printed material unassisted.".

SEC. 603. AUTHORIZATION OF APPROPRIATIONS.

Section 653 (20 U.S.C. 1454) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 653. For the purpose of carrying out section 652 there are authorized to be appropriated $20,010,000 for fiscal year 1991, $22,010,000 for fiscal year 1992, $24,200,000 for fiscal year 1993, and $26,600,000 for fiscal year 1994.".

TITLE VII—TECHNOLOGY, EDUCATIONAL MEDIA, AND MATERIALS FOR INDIVIDUALS WITH DISABILITIES

SEC. 701. FINANCIAL ASSISTANCE.

Section 661 (20 U.S.C. 1461) is amended—

(1) in the matter preceding paragraph (1), in the first sentence, by striking "provision of early intervention" and inserting "provision of related services and early intervention services";

(2) in paragraph (1)—

(A) by inserting "assistive technology," after "technology,"; and

(B) by striking "more effectively" and inserting "most effectively, efficiently, and appropriately";

(3) in paragraphs (2) through (4), by striking "new technology," each place such term appears and inserting "technology, assistive technology,";

(4) in paragraph (4), by inserting before the period at the end the following: ", where appropriate, to entities described in section 610(g)";

(5)(A) by striking "and" at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting a comma; and

(C) by adding at the end the following:

"(5) increasing access to and use of assistive technology devices and assistive technology services in the education of infants, toddlers, children, and youth with disabilities, and other activities authorized under the Technology-Related Assistance for Individuals With Disabilities Act of 1988, as such Act relates to the education of students with disabilities, and

"(6) examining how these purposes can address the problem of illiteracy among individuals with disabilities."; and

(6) by inserting "(a)" after the section designation and by adding at the end the following new subsection:

"(b)(1) With respect to new technology, media, and materials utilized with funds under this part to improve the education of students with disabilities, the Secretary shall make efforts to ensure that such instructional materials are closed captioned.

"(2) The Secretary may not award a grant, contract, or cooperative agreement under paragraphs (1) through (4) of subsection (a) unless the applicant for such assistance agrees that activities carried out with the assistance will be coordinated, as appropriate, with the State entity receiving funds under title I of Public Law 100-407.".

SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

Section 662 (20 U.S.C. 1462) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 662. For the purpose of carrying out this part, there are authorized to be appropriated $11,900,000 for fiscal year 1991, $12,860,000 for fiscal year 1992, $13,890,000 for fiscal year 1993, and $15,000,000 for fiscal year 1994.".

TITLE VIII—INFANTS AND TODDLERS WITH DISABILITIES

SEC. 801. DEFINITIONS.

Section 672(2)(E) (20 U.S.C. 1472(2)(E)) is amended—

(1) by striking "and" after the comma at the end of clause (ix) and inserting "and" after the comma at the end of clause (x); and

(2) by adding at the end the following new clause:

"(xi) social work services,".

SEC. 802. REQUIREMENTS FOR STATEWIDE SYSTEM.

Section 676(b) (20 U.S.C. 1476(b)) is amended—

(1) in paragraph (6), by inserting before the comma the following: ", including the preparation and dissemination by the lead agency to all primary referral sources of information materials for parents on the availability of early intervention services, and procedures for determining the extent to which primary referral sources, especially hospitals and physicians, disseminate information on the availability of early intervention services as required under this paragraph to parents of infants with disabilities"; and

(2) in paragraph (8), by inserting before the comma the following: ", including training of primary referral sources respecting the basic components of early intervention services available in the State".

TITLE IX—TECHNICAL AMENDMENTS

SEC. 901. TERMINOLOGY AND TECHNICAL AMENDMENTS.

(a) REVISION IN SHORT TITLE.—

(1) Section 601(a) (20 U.S.C. 1400(a)) is amended by striking "This title" and all that follows and inserting in lieu thereof the

Individuals with Disabilities Education Act.

following: "This title may be cited as the 'Individuals with Disabilities Education Act'.".

(2) The following Acts are each amended by striking "Education of the Handicapped Act" each place it occurs and inserting in lieu thereof "Individuals with Disabilities Education Act": Carl D. Perkins Vocational Education and Applied Technology Act; Comprehensive Alcohol Abuse, Drug Abuse, and Mental Health Amendments Act of 1988; Department of Education Organization Act; Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1987; Education for All Handicapped Children Act of 1975; Education of the Deaf Act of 1986; Elementary and Secondary Education Act of 1965; Medicare Catastrophic Coverage Act of 1988; Omnibus Trade and Competitiveness Act of 1988; Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments of 1978; and Technology-Related Assistance for Individuals With Disabilities Act of 1988.

20 USC 2301 et seq.; 42 USC 201 et seq.; 20 USC 3401 et seq.; 42 USC 6000 et seq.; 20 USC 1400 et seq.; 20 USC 4301 et seq.; 20 USC 2701 et seq.; 42 USC 1305 et seq.; 19 USC 2901 et seq.; 29 USC 701 et seq.; 29 USC 2201 et seq.

(3) Any other Act and any regulation which refers to the Education of the Handicapped Act shall be considered to refer to the Individuals with Disabilities Education Act.

20 USC 1400 note.

(b) TERMINOLOGY AMENDMENTS.—The Education for the Handicapped Act is amended in—

(1) section 601(b)(1) (20 U.S.C. 1400(b)(1)) by striking "handicapped children" and inserting "children with disabilities";

(2) section 601(b)(3) (20 U.S.C. 1400(b)(3)) by striking "handicapped children" and inserting "children with disabilities";

(3) section 601(b)(4) (20 U.S.C. 1400(b)(4)) by striking "handicapped children" and inserting "children with disabilities";

(4) section 601(b)(5) (20 U.S.C. 1400(b)(5)) by striking "handicapped children" and inserting "children with disabilities";

(5) section 601(b)(5) (20 U.S.C. 1400(b)(5)) by striking "handicaps" each place such term appears and inserting "disabilities";

(6) section 601(b)(7) (20 U.S.C. 1400(b)(7)) by striking "handicapped children" and inserting "children with disabilities";

(7) section 601(b)(8) (20 U.S.C. 1400(b)(8)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(8) section 601(b)(9) (20 U.S.C. 1400(b)(9)) by striking "handicapped children" and inserting "children with disabilities";

(9) section 601(c) (20 U.S.C. 1400(c)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(10) section 602(a)(1) (20 U.S.C. 1401(a)(1)) by striking "handicapped children" and inserting "children with disabilities";

(11) section 602(a)(13) (20 U.S.C. 1401(a)(13)) by striking "handicapped children" and inserting "children with disabilities";

(12) section 602(a)(15) (20 U.S.C. 1401(a)(15)) by striking "handicaps" each place such term appears and inserting "disabilities";

(13) section 602(a)(16) (20 U.S.C. 1401(a)(16)) by striking "handicapped child" and inserting "child with a disability";

(14) section 602(a)(17) (20 U.S.C. 1401(a)(17)) by striking "handicapped child" and inserting "child with a disability";

(15) section 602(a)(17) (20 U.S.C. 1401(a)(17)) by striking "handicapping" and inserting "disabling";

(16) section 602(a)(19) (20 U.S.C. 1401(a)(19)) by striking "handicapped child" and inserting "child with a disability";

(17) section 602(a)(19) (20 U.S.C. 1401(a)(19)) by striking "handicapped children" and inserting "children with disabilities";

(18) section 602(a)(22) (20 U.S.C. 1401(a)(22)) by striking "handicapped children" and inserting "children with disabilities";

(19) section 602(b) (20 U.S.C. 1401(b)) by striking "handicapped youth" and inserting "youth with a disability";

(20) section 602(b) (20 U.S.C. 1401(b)) by striking "handicapped child" and inserting "child with a disability";

(21) section 603(a) (20 U.S.C. 1402(a)) by striking "the handicapped" and inserting "individuals with disabilities";

(22) the section heading to section 606 (20 U.S.C. 1405) by striking "HANDICAPPED INDIVIDUALS" and inserting "INDIVIDUALS WITH DISABILITIES";

(23) section 606 (20 U.S.C. 1405) by striking "handicapped individuals" and inserting "individuals with disabilities";

(24) section 608(b) (20 U.S.C. 1407(b)) by striking "handicapped children" and inserting "children with disabilities";

(25) section 611(a)(1)(A) (20 U.S.C. 1411(a)(1)(A)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(26) section 611(a)(3) (20 U.S.C. 1411(a)(3)) by striking "handicapped children" and inserting "children with disabilities";

(27) section 611(a)(5)(A)(i) (20 U.S.C. 1411(a)(5)(A)(i)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(28) section 611(a)(5)(A)(ii) (20 U.S.C. 1411(a)(5)(A)(ii)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(29) section 611(a)(5)(A)(iii) (20 U.S.C. 1411(a)(5)(A)(iii)) by striking "handicapped children" and inserting "children with disabilities";

(30) section 611(c)(4)(B) (20 U.S.C. 1411(c)(4)(B)) by striking "handicapped children" and inserting "children with disabilities";

(31) section 611(d) (20 U.S.C. 1411(d)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(32) section 611(f) (20 U.S.C. 1411(f)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(33) section 612(1) (20 U.S.C. 1412(1)) by striking "handicapped children" and inserting "children with disabilities";

(34) section 612(2)(A) (20 U.S.C. 1412(2)(A)) by striking "handicapped children" and inserting "children with disabilities";

(35) section 612(2)(B) (20 U.S.C. 1412(2)(B)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(36) section 612(2)(C) (20 U.S.C. 1412(2)(C)) by striking "handicapped," and inserting "disabled,";

(37) section 612(2)(C) (20 U.S.C. 1412(2)(C)) by striking "handicap," and inserting "disability,";

(38) section 612(3) (20 U.S.C. 1412(3)) by striking "handicapped children," each place such term appears and inserting "children with disabilities,";

(39) section 612(3) (20 U.S.C. 1412(3)) by striking "handicaps" and inserting "disabilities";

(40) section 612(4) (20 U.S.C. 1412(4)) by striking "handicapped child," and inserting "child with a disability,";

(41) section 612(5) (20 U.S.C. 1412(5)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(42) section 612(5) (20 U.S.C. 1412(5)) by striking "handicapped," and inserting "disabled,";

(43) section 612(5) (20 U.S.C. 1412(5)) by striking "handicap" and inserting "disability";

(44) section 612(6) (20 U.S.C. 1412(6)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(45) section 612(7) (20 U.S.C. 1412(7)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(46) section 612(7) (20 U.S.C. 1412(7)) by striking "handicapped individuals" and inserting "individuals with disabilities";

(47) section 613(a)(2) (20 U.S.C. 1413(a)(2)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(48) section 613(a)(4)(A) (20 U.S.C. 1413(a)(4)(A)) by striking "handicapped children" and inserting "children with disabilities";

(49) section 613(a)(4)(B)(i) (20 U.S.C. 1413(a)(4)(B)(i)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(50) section 613(a)(9)(B) (20 U.S.C. 1413(a)(9)(B)) by striking "handicapped children" and inserting "children with disabilities";

(51) section 613(a)(11) (20 U.S.C. 1413(a)(11)) by striking "handicapped children" and inserting "children with disabilities";

(52) section 613(a)(12) (20 U.S.C. 1413(a)(12)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(53) section 613(a)(12) (20 U.S.C. 1413(a)(12)) by striking "handicapped individuals" and inserting "individuals with disabilities";

(54) section 613(a)(13)(A) (20 U.S.C. 1413(a)(13)(A)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(55) section 613(b) (20 U.S.C. 1413(b)) by striking "handicapped children" and inserting "children with disabilities";

(56) section 613(d)(1) (20 U.S.C. 1413(d)(1)) by striking "handicapped children" and inserting "children with disabilities";

(57) section 613(d)(2)(A) (20 U.S.C. 1413(d)(2)(A)) by striking "handicapped children" and inserting "children with disabilities";

(58) section 613(e) (20 U.S.C. 1413(e)) by striking "handicapped children" and inserting "children with disabilities";

(59) section 614(a)(1)(A) (20 U.S.C. 1414(a)(1)(A)) by striking "handicapped" and inserting "disabled";

(60) section 614(a)(1)(A) (20 U.S.C. 1414(a)(1)(A)) by striking "handicap" and inserting "disability".

(61) section 614(a)(1)(C) (20 U.S.C. 1414(a)(1)(C)) by striking "handicapped children" and inserting "children with disabilities";

(62) section 614(a)(1)(C)(ii) (20 U.S.C. 1414(a)(1)(C)(ii)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(63) section 614(a)(1)(C)(ii) (20 U.S.C. 1414(a)(1)(C)(ii)) by striking "handicaps" and inserting "disabilities";

(64) section 614(a)(2)(B) (20 U.S.C. 1414(a)(2)(B)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(65) section 614(a)(3) (20 U.S.C. 1414(a)(3)) by striking "handicapped children" and inserting "children with disabilities";

(66) section 614(a)(5) (20 U.S.C. 1414(a)(5)) by striking "handicapped child" and inserting "child with a disability";

(67) section 614(c)(1) (20 U.S.C. 1414(c)(1)) by striking "handicapped children" and inserting "children with disabilities";

(68) section 614(d) (20 U.S.C. 1414(d)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(69) section 614(e) (20 U.S.C. 1414(e)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(70) section 614(f) (20 U.S.C. 1414(f)) by striking "handicapped children" and inserting "children with disabilities";

(71) section 615(a) (20 U.S.C. 1415(a)) by striking "handicapped children" and inserting "children with disabilities";

(72) section 615(b)(1)(A) (20 U.S.C. 1415(b)(1)(A)) by striking "handicapped child" and inserting "child with a disability";

(73) section 615(d)(1) (20 U.S.C. 1415(d)(1)) by striking "handicapped children" and inserting "children with disabilities";

(74) section 615(e)(4)(B) (20 U.S.C. 1415(e)(4)(B)) by striking "handicapped child or youth" and inserting "child or youth with a disability";

(75) section 615(f) (20 U.S.C. 1415(f)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(76) section 616(a)(2)(B) (20 U.S.C. 1416(a)(2)(B)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(77) section 617(a)(1)(A) (20 U.S.C. 1417(a)(1)(A)) by striking "handicapped children" and inserting "children with disabilities";

(78) section 617(a)(1)(D) (20 U.S.C. 1417(a)(1)(D)) by striking "handicapped children" and inserting "children with disabilities";

(79) section 619(a)(1)(C) (20 U.S.C. 1419(a)(1)(C)) by striking "handicapped children" and inserting "children with disabilities";

(80) section 619(a)(2)(A)(i) (20 U.S.C. 1419(a)(2)(A)(i)) by striking "handicapped child" and inserting "child with a disability";

(81) section 619(a)(2)(A)(ii) (20 U.S.C. 1419(a)(2)(A)(ii)) by striking "handicapped children" and inserting "children with disabilities";

(82) section 619(a)(2)(A)(ii)(I) (20 U.S.C. 1419(a)(2)(A)(ii)(I)) by striking "handicapped child" and inserting "child with a disability";

(83) section 619(a)(2)(A)(ii)(II) (20 U.S.C. 1419(a)(2)(A)(ii)(II)) by striking "handicapped children" and inserting "children with disabilities";

(84) section 619(a)(2)(D) (20 U.S.C. 1419(a)(2)(D)) by striking "handicapped child" and inserting "child with a disability";

(85) section 619(a)(2)(F)(i) (20 U.S.C. 1419(a)(2)(F)(i)) by striking "handicapped child" each place such term appears and inserting "child with a disability";

(86) section 619(b)(1)(B) (20 U.S.C. 1419(b)(1)(B)) by striking "handicapped children" and inserting "children with disabilities";

(87) section 619(b)(3) (20 U.S.C. 1419(b)(3)) by striking "handicapped child" and inserting "child with a disability";

(88) section 619(c)(1)(A) (20 U.S.C. 1419(c)(1)(A)) by striking "handicapped children" and inserting "children with disabilities";

(89) section 619(c)(1)(B) (20 U.S.C. 1419(c)(1)(B)) by striking "handicapped children" and inserting "children with disabilities";

(90) section 619(c)(2)(A) (20 U.S.C. 1419(c)(2)(A)) by striking "handicapped children" and inserting "children with disabilities";

(91) section 619(c)(2)(B) (20 U.S.C. 1419(c)(2)(B)) by striking "handicapped children" and inserting "children with disabilities";

(92) section 619(c)(3)(A) (20 U.S.C. 1419(c)(3)(A)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(93) section 619(c)(3)(B) (20 U.S.C. 1419(c)(3)(B)) by striking "handicapped children" and inserting "children with disabilities";

(94) the heading to part C by striking "HANDICAPPED INDIVIDUALS" and inserting "INDIVIDUALS WITH DISABILITIES";

(95) section 621(a)(1) (20 U.S.C. 1421(a)(1)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(96) section 621(a)(1) (20 U.S.C. 1421(a)(1)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(97) section 621(a)(2) (20 U.S.C. 1421(a)(2)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(98) section 621(a)(2) (20 U.S.C. 1421(a)(2)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(99) section 621(a)(4) (20 U.S.C. 1421(a)(4)) by striking "handicapped infants, toddlers, children, and youth" and inserting "infants, toddlers, children, and youth with disabilities";

(100) the heading to section 623 (20 U.S.C. 1423) by striking "HANDICAPPED CHILDREN" and inserting "CHILDREN WITH DISABILITIES";

(101) section 623(a)(1) (20 U.S.C. 1423(a)(1)) by striking "handicapped children" and inserting "children with disabilities";

(102) section 623(a)(1)(D) (20 U.S.C. 1423(a)(1)(D)) by striking "handicapped children" and inserting "children with disabilities";

(103) section 623(b) (20 U.S.C. 1423(b)) by striking "handicapped children" and inserting "children with disabilities";

(104) section 623(c) (20 U.S.C. 1423(c)) by striking "handicapped children" and inserting "children with disabilities";

(105) section 623(d) (20 U.S.C. 1423(d)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(106) section 623(f) (20 U.S.C. 1423(f)) by striking "handicapped children" and inserting "children with disabilities";

(107) the heading to section 624 (20 U.S.C. 1424) by striking "SEVERELY HANDICAPPED CHILDREN" and inserting "CHILDREN WITH SEVERE DISABILITIES";

(108) section 624(a) (20 U.S.C. 1424(a)) by striking "severely handicapped children and youth" and inserting "children and youth with severe disabilities";

(109) section 624(a)(1) (20 U.S.C. 1424(a)(1)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(110) section 624(a)(2) (20 U.S.C. 1424(a)(2)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(111) section 625(a)(1) (20 U.S.C. 1425(a)(1)) by striking "handicapped individuals" and inserting "individuals with disabilities"; 20 USC 1424a.

(112) section 625(a)(2) (20 U.S.C. 1425(a)(2)) by striking "handicapping" and inserting "disabling"; 20 USC 1424a.

(113) section 625(a)(2)(A) (20 U.S.C. 1425(a)(2)(A)) by striking "handicapped individuals" and inserting "individuals with disabilities"; 20 USC 1424a.

(114) section 625(a)(2)(B) (20 U.S.C. 1425(a)(2)(B)) by striking "handicapped individuals" and inserting "individuals with disabilities"; 20 USC 1424a.

(115) section 625(a)(2)(B) (20 U.S.C. 1425(a)(2)(B)) by striking "nonhandicapped" and inserting "nondisabled"; 20 USC 1424a.

(116) section 625(a)(3) (20 U.S.C. 1425(a)(3)) by striking "handicapped persons" and inserting "persons with disabilities"; 20 USC 1424a.

(117) section 625(b) (20 U.S.C. 1425(b)) by striking "handicapped individuals" and inserting "individuals with disabilities"; 20 USC 1424a.

(118) section 625(b) (20 U.S.C. 1425(b)) by striking "visually handicapped" and inserting "visually disabled"; 20 USC 1424a.

(119) the heading to section 626 (20 U.S.C. 1426) by striking "HANDICAPPED CHILDREN AND YOUTH" and inserting "CHILDREN AND YOUTH WITH DISABILITIES"; 20 USC 1425.

(120) section 626(a)(1) (20 U.S.C. 1426(a)(1)) by striking "handicapped youth" and inserting "youth with disabilities"; 20 USC 1425.

(121) section 626(a)(3) (20 U.S.C. 1426(a)(3)) by striking "handicapped students" and inserting "students with disabilities"; 20 USC 1425.

(122) section 626(b) (20 U.S.C. 1426(b)) by striking "handicapped youth" each place such term appears and inserting "youth with disabilities"; 20 USC 1425.

(123) section 626(b) (20 U.S.C. 1426(b)) by striking "handicapping" each place such term appears and inserting "disabling"; 20 USC 1425.

20 USC 1425.

(124) section 626(b)(9) (20 U.S.C. 1426(b)(9)) by striking "handicapped students' acquisition of the skills" and inserting "the acquisition of skills by students with disabilities";

20 USC 1425.

(125) section 626(d)(2) (20 U.S.C. 1426(d)(2)) by striking "handicapped youth" and inserting "youth with disabilities";

20 USC 1425.

(126) section 626(d)(3) (20 U.S.C. 1426(d)(3)) by striking "handicapped students" each place such term appears and inserting "students with disabilities";

20 USC 1425.

(127) section 626(e) (20 U.S.C. 1426(e)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

20 USC prec. 1431.

(128) the heading to part D by striking "HANDICAPPED INDIVIDUALS" and inserting "INDIVIDUALS WITH DISABILITIES";

(129) section 631(a)(1)(B) (20 U.S.C. 1431(a)(1)(B)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(130) section 631(b) (20 U.S.C. 1431(b)) by striking "handicapped children" and inserting "children with disabilities";

(131) section 631(c)(1) (20 U.S.C. 1431(c)(1)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(132) section 631(c)(2)(A) (20 U.S.C. 1431(c)(2)(A)) by striking "handicapped children" and inserting "children with disabilities";

(133) section 631(c)(2)(A) (20 U.S.C. 1431(c)(2)(A)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(134) section 631(c)(2)(A) (20 U.S.C. 1431(c)(2)(A)) by striking "handicapping" and inserting "disabling";

(135) section 631(c)(2)(B) (20 U.S.C. 1431(c)(2)(B)) by striking "handicapping" and inserting "disabling";

(136) section 631(c)(4)(B) (20 U.S.C. 1431(c)(4)(B)) by striking "handicapped children" and inserting "children with disabilities";

(137) section 631(c)(5)(A) (20 U.S.C. 1431(c)(5)(A)) by striking "handicapping" and inserting "disabling";

(138) section 631(c)(5)(B) (20 U.S.C. 1431(c)(5)(B)) by striking "handicapped children's educational programs" and inserting "educational programs of children with disabilities";

(139) section 631(c)(5)(D) (20 U.S.C. 1431(c)(5)(D)) by striking "handicapped child's individualized educational program" and inserting "the individualized educational program of a child with a disability";

(140) section 631(c)(5)(E) (20 U.S.C. 1431(c)(5)(E)) by striking "handicapped children" and inserting "children with disabilities";

(141) section 631(c)(5)(F) (20 U.S.C. 1431(c)(5)(F)) by striking "handicapped children" and inserting "children with disabilities";

(142) section 631(c)(7) (20 U.S.C. 1431(c)(7)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(143) section 632(c) (20 U.S.C. 1432(c)) by striking "handicapped infants, toddlers, children, and youth" and inserting "infants, toddlers, children, and youth with disabilities";

(144) section 633(c) (20 U.S.C. 1433(c)) by striking "handicapped children and youth" and inserting "children and youth with disabilities";

(145) the heading to section 643 (20 U.S.C. 1443) by striking "HANDICAPPED CHILDREN" and inserting "CHILDREN WITH DISABILITIES"; 20 USC 1442.

(146) section 643 (20 U.S.C. 1443) by striking "handicapped children" each place such term appears and inserting "children with disabilities"; 20 USC 1442.

(147) section 644(a)(1) (20 U.S.C. 1444(a)(1)) by striking "handicapped individuals" and inserting "individuals with disabilities"; 20 USC 1443.

(148) section 644(a)(2) (20 U.S.C. 1444(a)(2)) by striking "handicapped individuals" each place such term appears and inserting "individuals with disabilities"; 20 USC 1443.

(149) the heading to part F by striking "HANDICAPPED INDIVIDUALS" and inserting "INDIVIDUALS WITH DISABILITIES"; 20 USC prec. 1451.

(150) section 651(a)(2) (20 U.S.C. 1451(a)(2)) by striking "handicapped individuals" each place such term appears and inserting "individuals with disabilities";

(151) section 652(a) (20 U.S.C. 1452(a)) by striking "handicapped individuals" each place such term appears and inserting "individuals with disabilities";

(152) section 652(b)(5) (20 U.S.C. 1452(b)(5)) by striking "handicapped individuals" each place such term appears and inserting "individuals with disabilities";

(153) the heading to part G by striking "HANDICAPPED INDIVIDUALS" and inserting "INDIVIDUALS WITH DISABILITIES"; 20 USC prec. 1461.

(154) section 661 (20 U.S.C. 1461) by striking "handicapped students" each place such term appears and inserting "students with disabilities";

(155) section 661 (20 U.S.C. 1461) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(156) section 661 (20 U.S.C. 1461) by striking "handicapped individuals" each place such term appears and inserting "individuals with disabilities";

(157) the heading to part H by striking "HANDICAPPED INFANTS AND TODDLERS" and inserting "INFANTS AND TODDLERS WITH DISABILITIES"; 20 USC prec. 1471.

(158) section 671(a) (20 U.S.C. 1471(a)) by striking "handicapped infants and toddlers" each place such term appears and inserting "infants and toddlers with disabilities";

(159) section 671(a)(3) (20 U.S.C. 1471(a)(3)) by striking "handicapped individuals" and inserting "individuals with disabilities";

(160) section 671(b)(1) (20 U.S.C. 1471(b)(1)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(161) section 671(b)(3) (20 U.S.C. 1471(b)(3)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(162) section 672(1) (20 U.S.C. 1472(1)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(163) section 672(2) (20 U.S.C. 1472(2)) by striking "a handicapped infant's or toddler's developmental needs" and inserting

"the developmental needs of an infant or toddler with a disability";

(164) section 673 (20 U.S.C. 1473) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(165) section 675(d) (20 U.S.C. 1475(d)) by striking "handicapped children" and inserting "children with disabilities";

(166) section 676(a) (20 U.S.C. 1476(a)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(167) section 676(b)(2) (20 U.S.C. 1476(b)(2)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(168) section 676(b)(3) (20 U.S.C. 1476(b)(3)) by striking "handicapped infant and toddler" and inserting "infant and toddler with a disability";

(169) section 676(b)(3) (20 U.S.C. 1476(b)(3)) by striking "handicapped infant or toddler" and inserting "infant or toddler with a disability";

(170) section 676(b)(4) (20 U.S.C. 1476(b)(4)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(171) section 676(b)(6) (20 U.S.C. 1476(b)(6)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(172) section 676(b)(9)(D) (20 U.S.C. 1476(b)(9)(D)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(173) section 676(b)(14) (20 U.S.C. 1476(b)(14)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(174) section 677(a) (20 U.S.C. 1477(a)) by striking "handicapped infant or toddler" and inserting "infant or toddler with a disability";

(175) section 677(d)(2) (20 U.S.C. 1477(d)(2)) by striking "handicapped infant or toddler" and inserting "infant or toddler with a disability";

(176) section 677(d)(7) (20 U.S.C. 1477(d)(7)) by striking "handicapped toddler" and inserting "toddler with a disability";

(177) section 678(b)(5) (20 U.S.C. 1478(b)(5)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities";

(178) section 679 (20 U.S.C. 1479) by striking "handicapped infants and toddlers" each place such term appears and inserting "infants and toddlers with disabilities";

(179) section 680(4) (20 U.S.C. 1480(4)) by striking "handicapped infant or toddler" and inserting "infant or toddler with a disability";

(180) section 680(5) (20 U.S.C. 1480(5)) by striking "handicapped infant or toddler" each place such term appears and inserting "infant or toddler with a disability";

(181) section 681(b) (20 U.S.C. 1481(b)) by striking "handicapped infants and toddlers" and inserting "infants or toddlers with disabilities";

(182) section 682(e)(3) (20 U.S.C. 1482(e)(3)) by striking "handicapped infants and toddlers" and inserting "infants or toddlers with disabilities";

(183) section 683(2) (20 U.S.C. 1483(2)) by striking "handicapped children" each place such term appears and inserting "children with disabilities";

(184) section 683(2) (20 U.S.C. 1483(2)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities"; and

(185) section 684(b)(1) (20 U.S.C. 1484(b)(1)) by striking "handicapped infants and toddlers" and inserting "infants and toddlers with disabilities".

(c) TECHNICAL AMENDMENT.—Section 612(3) (20 U.S.C. 1412(3)) is amended by inserting "category" after "disability".

(d) HEAD START ACT.—Section 640(d) of the Head Start Act (42 U.S.C. 9835(d)) is amended by—

(1) striking "handicapped children" and inserting "children with disabilities"; and

(2) striking "handicapping" and inserting "disabling".

(e) HIGHER EDUCATION ACT OF 1965.—Section 465(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087ee(a)(2)) is amended by striking "handicapped children" each place such term appears and inserting "children with disabilities".

(f) IMPACT AID.—Public Law 81-874 (20 U.S.C. 258) is amended in—

(1) section 3(d)(2)(C), by striking "handicapped children" each place such term appears and inserting "children with disabilities"; and 20 USC 238.

(2) section 403(10), by striking "handicapped" and inserting "disabled". 20 USC 244.

(g) TEMPORARY CHILD CARE FOR HANDICAPPED CHILDREN AND CRISIS NURSERIES ACT OF 1986.—Section 205(d)(2) of the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986 (42 U.S.C. 5117c(d)(2)) is amended by striking "handicapped children" and inserting "children with disabilities".

TITLE X—GENERAL PROVISION

SEC. 1001. EFFECTIVE DATE. 20 USC 238 note.

The amendments made by this Act shall take effect October 1, 1990.

Approved October 30, 1990.

LEGISLATIVE HISTORY—S. 1824 (H.R. 1013):

HOUSE REPORTS: No. 101-544 accompanying H.R. 1013 (Comm. on Education and Labor) and No. 101-787 (Comm. of Conference).
SENATE REPORTS: No. 101-204 (Comm. on Labor and Human Resources).
CONGRESSIONAL RECORD:
Vol. 135 (1989): Nov. 16, considered and passed Senate.
Vol. 136 (1990): June 18, H.R. 1013 considered and passed House; S. 1824, amended, passed in lieu.
Oct. 2, Senate agreed to conference report.
Oct. 15, House agreed to conference report.