

- IDEA stands for the Individuals with Disabilities Education Act and was first passed in 1975. Prior to IDEA being passed, the common practice was to keep children with disabilities home. Schools were allowed to refuse to take them as students.
- IDEA should be revised or reauthorized every 10 years. That has happened in 1990 and 2004. It is up to Congress to make the decision to revise or reauthorize. Congress passed ESSA (Every Student Succeeds Act) in 2015 and that legislation was combined with IDEA for compatibility.
- When IDEA is reauthorized/revise, the work starts in the Senate HELP committee. HELP stands for Health, Education, Labor, and Pensions.
- IDEA has never been fully funded. When it was passed Congress agreed to pay up to 40% of the cost to educate a student eligible for IDEA services that had an IEP. So far, that has never happened. Federal dollars toward special education have never surpassed 20%.
- Each state has its own set of Special Education Regulations. State regulations cannot supersede the IDEA unless they favor the student.
- IDEA is an administrative statute, a law. However, not following an administrative statute is not the same as breaking a criminal law. That means that your options for recourse if the statutes are not followed are less and not as significant. The word "illegal" gets used a lot in special education and it's technically incorrect.
- IDEA has an interesting history. Two states-Pennsylvania and DC (not a state) were influential in getting IDEA established. In the Pennsylvania Association for Retarded Citizens (PARC, 1971) v. Commonwealth of Pennsylvania ruling the U.S. District Court for the Eastern District of Pennsylvania sided in favor of students with intellectual and learning disabilities in state-run institutions. PARC v. Penn called for students with disabilities to be placed in publicly funded school settings that met their individual educational needs, based on proper and thorough evaluation. In the Mills v. Board of Education of the District of Columbia case (1971), the U.S. District Court for the District of Columbia students classified as "exceptional"- including those with mental and learning disabilities and behavioral issues. This made it unlawful for the D.C. Board of Education to deny these individuals access to publicly funded educational opportunities.
- In 1972, when Congress set out to determine the needs of handicapped children, they counted 8 million children who would likely qualify for Special Education. Of that 8 million, only about half were having their needs met (be local Arc agencies, Easter Seals, and other organizations like them.) Around 2 million were at home, receiving no education at all. Data from 2014 shows that the national average is that 13% of all students have an IEP.