

NASHIA celebrates 45 years of the law that established the rights of children with disabilities to a free appropriate public education.



## NASHIA Celebrates the 45th Anniversary of IDEA

December 3, 2020

Dear NASHIA Member,

The National Association of State Head Injury Administrators (NASHIA) joins other advocates and organizations in celebrating the **45th anniversary of the Individuals with Disabilities Education Act (IDEA)**. On Nov. 29, 1975, President Gerald Ford signed the "Education for All Handicapped (EHA) Children Act" into law (Public Law 94-142), the landmark federal legislation that guaranteed a "free, appropriate public education" to all children and young adults with disabilities aged 3–21. The 1990 amendments changed the law's name to IDEA. Among other provisions, the 1990 amendments added traumatic brain injury as an eligible disability for special education and related services. The law was last reauthorized in 2004.

Infants and toddlers, birth through age 2, with disabilities and their families receive early intervention services under IDEA Part C. Children and youth ages 3 through 21 receive special education and related services under IDEA Part B. To learn more about the Part B program, read the [Report to Congress](#): "The Individuals with Disabilities Education Act (IDEA), Part B: Key Statutory and Regulatory Provisions, " updated August 29, 2019.

### Pres. Ford Signs Special Education Law 45 Years Ago

This landmark legislation began with two lawsuits filed in 1971: the *Pennsylvania Assn. for Retarded Children v. Commonwealth of Pennsylvania (P.A.R.C.)*, pertaining to the exclusion of children with mental retardation from public schools, and *Mills v. Board of Education of District of Columbia*, regarding the practice of suspending, expelling and excluding children with disabilities from the District of Columbia public schools. The courts ruled on behalf of the plaintiffs. 27 federal courts followed the *P.A.R.C.* and *Mills* decisions.



*A skeptic, Pres. Ford said, "I have approved S.6, the Education for All Handicapped Children Act of 1975. Unfortunately, this bill promises more than the Federal Government can*

In 1972, Congress launched an investigation and found that millions of children with disabilities did not receive an appropriate education. On Nov. 19, 1975, Congress enacted "The Education for All Handicapped Children Act of 1975" to ensure that all children with disabilities would "have a right to education, and to establish a process by which State and local educational agencies may be held accountable for providing educational services for all handicapped children."

*deliver, and its good intentions could be thwarted by the many unwise provisions it contains. Everyone can agree with the objective stated in the title of this bill -- educating all handicapped children in our Nation. The key question is whether the bill will really accomplish that objective."*

November 29, 1975

### Reauthorization History: Selected Laws

- The **1986 reauthorization** ([Public Law 99-457](#)) addressed early intervention and mandated that individual States provide services to families of children born with disabilities from the time they are born. Previously, these services were not available until a child reached the age of three.
- The **1990 reauthorization** ([Public Law 110-476](#)) changed the law's name from EHA to the Individuals with Disabilities Education Act, or IDEA. It added traumatic brain injury and autism as new disability categories. Congress mandated that as a part of a student's individualized education program (IEP), an individual transition plan (ITP) must be developed to help the student transition to post-secondary life.
- The **IDEA 1997** ([Public Law 105-17](#)) reauthorization included an emphasis on access to the general curriculum. States were also given the authority to expand the "developmental delay" definition to also include students up to age nine. The law also required parents be provided an opportunity to resolve disputes with schools and local educational agencies (LEAs) through mediation and provided a process for doing so.



### Federally Funded Resources

[Center on Brain Injury Research and Training](#)

[Center for Parent Information & Resources](#)

[IDEA Website, OSERS](#)

[PACER's National Parent Center on Transition and Employment](#)

[U.S. Office of Special Education and Rehabilitative Services \(OSERS\)](#)

[U.S. Office of Special Education Programs \(OSEP\)](#)

## Do you know these special ed acronyms?

**ABA** -- Applied Behavioral Analysis

**NCLB** -- No Child Left Behind Act of 2001

**ADD/ADHD** -- Attention Deficit/Attention-Deficit Hyperactivity Disorder  
**ASL** -- American Sign Language  
**AT** -- Assistive Technology  
**BIP** -- Behavioral Intervention Plan  
**CCSS** -- Common Core State Standards  
**ESEA** -- Elementary and Secondary Education Act of 1965  
**FAPE** -- Free Appropriate Public Education  
**ID** -- Intellectual Disabilities  
**IDEA** -- Individuals with Disabilities Education Act  
**IEE** -- Individualized Education Evaluation  
**IEP** -- Individualized Education Program  
**ITP** -- Individualized Transition Plan  
**LEA** -- Local Education Agency  
**LD** -- Learning Disability  
**LRE** -- Least Restrictive Environment

**OHI** -- Other Health Impairment  
**OSEP** -- U.S. Office of Special Education Programs  
**OSERS** -- U.S. Office of Special Education and Rehabilitative Services  
**Part B** -- Special Education, School Aged Children  
**Part C** -- Special Education, Birth through 2  
**RTI** -- Response to Intervention  
**SEA** -- State Education Agency  
**SLD** -- Specific Learning Disability (formerly LD)  
**TBI** -- Traumatic Brain Injury  
**VR** -- Vocational Rehabilitation

*Take an online [quiz!](#)*



**NATIONAL ASSOCIATION  
OF STATE HEAD INJURY  
ADMINISTRATORS**

The National Association of State Head Injury Administrators assists State government in promoting partnerships and building systems to meet the needs of individuals with brain injuries and their families

**Support States. Grow Leaders. Connect Partners.**

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