

111TH CONGRESS
1ST SESSION

H. R. 3578

To amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2009

Mr. VAN HOLLEN (for himself, Mr. PLATTS, and Mr. WALZ) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Everyone Deserves Un-
5 conditional Access to Education (EDUCATE) Act”.

6 **SEC. 2. AMENDMENT TO IDEA.**

7 Section 611(i) of the Individuals with Disabilities
8 Education Act (20 U.S.C. 1411(i)) is amended to read
9 as follows:

10 “(i) FUNDING.—

1 “(1) IN GENERAL.—For the purpose of car-
2 rying out this part, other than section 619, there are
3 authorized to be appropriated—

4 “(A) \$14,434,200,000 or 20.8 percent of
5 the amount determined under paragraph (2),
6 whichever is greater, for fiscal year 2010, and
7 there are hereby appropriated \$2,928,989,000
8 or 3.3 percent of the amount determined under
9 paragraph (2), whichever is greater, for fiscal
10 year 2010, which shall become available for ob-
11 ligation on July 1, 2010, and shall remain
12 available through September 30, 2011;

13 “(B) \$17,596,785,000 or 25 percent of the
14 amount determined under paragraph (2),
15 whichever is greater, for fiscal year 2011, and
16 there are hereby appropriated \$6,091,574,000
17 or 7.5 percent of the amount determined under
18 paragraph (2), whichever is greater, for fiscal
19 year 2011, which shall become available for ob-
20 ligation on July 1, 2011, and shall remain
21 available through September 30, 2012;

22 “(C) \$20,759,369,000 or 29 percent of the
23 amount determined under paragraph (2),
24 whichever is greater, for fiscal year 2012, and
25 there are hereby appropriated \$9,254,158,000

1 or 11.5 percent of the amount determined
2 under paragraph (2), whichever is greater, for
3 fiscal year 2012, which shall become available
4 for obligation on July 1, 2012, and shall remain
5 available through September 30, 2013;

6 “(D) \$23,921,954,000 or 32.9 percent of
7 the amount determined under paragraph (2),
8 whichever is greater, for fiscal year 2013, and
9 there are hereby appropriated \$12,416,743,000
10 or 15.4 percent of the amount determined
11 under paragraph (2), whichever is greater, for
12 fiscal year 2013, which shall become available
13 for obligation on July 1, 2013, and shall remain
14 available through September 30, 2014;

15 “(E) \$27,084,538,000 or 36.5 percent of
16 the amount determined under paragraph (2),
17 whichever is greater, for fiscal year 2014, and
18 there are hereby appropriated \$15,579,327,000
19 or 19 percent of the amount determined under
20 paragraph (2), whichever is greater, for fiscal
21 year 2014, which shall become available for ob-
22 ligation on July 1, 2014, and shall remain
23 available through September 30, 2015;

24 “(F) \$30,247,123,000 or 40 percent of the
25 amount determined under paragraph (2),

1 whichever is greater, for fiscal year 2015, and
2 there are hereby appropriated \$18,741,912,000
3 or 22.5 percent of the amount determined
4 under paragraph (2), whichever is greater, for
5 fiscal year 2015, which shall become available
6 for obligation on July 1, 2015, and shall remain
7 available through September 30, 2016; and

8 “(G) 40 percent of the amount determined
9 under paragraph (2) for fiscal year 2016 and
10 each subsequent fiscal year, and there are here-
11 by appropriated 40 percent of the amount de-
12 termined under paragraph (2) minus
13 \$11,505,211,000 for fiscal year 2016 and each
14 subsequent fiscal year, which shall become
15 available for obligation with respect to fiscal
16 year 2016 on July 1, 2016, and shall remain
17 available through September 30, 2017, and
18 with respect to each subsequent fiscal year on
19 July 1 of that fiscal year and shall remain
20 available through September 30 of the suc-
21 ceeding fiscal year.

22 “(2) AMOUNT.—The amount determined under
23 this paragraph is—

24 “(A) the number of children with disabil-
25 ities in the school year preceding the fiscal year

1 referred to in subparagraph (A), (B), (C), (D),
2 (E), (F), or (G) of paragraph (1) (as the case
3 may be) in all States who receive special edu-
4 cation and related services—

5 “(i) aged 3 through 5 if the States
6 are eligible for grants under section 619,
7 and

8 “(ii) aged 6 through 21, multiplied by
9 “(B) the average per-pupil expenditure in
10 public elementary schools and secondary schools
11 in the United States.”.

12 **SEC. 3. OFFSETS.**

13 The amounts appropriated in 611(i) of the Individ-
14 uals with Disabilities Education Act (20 U.S.C. 1411(i)),
15 as amended by section 2 of this Act, shall be expended
16 consistent with pay-as-you-go requirements

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