

September 25, 2000

TWENTY-FIFTH ANNIVERSARY OF EDUCATION FOR ALL HANDICAPPED CHILDREN
ACT

Statement of HON. RON PAUL OF TEXAS

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- Mr. Speaker, I appreciate the opportunity to explain why I must oppose H. Con. Res. 399, which celebrates the 25th Anniversary of the Individuals with Disabilities Education Act (IDEA). My opposition to H. Con. Res. 399 is based on the simple fact that there is a better way to achieve the laudable goal of educating children with disabilities than through an unconstitutional program and thrusts children, parents, and schools into an administrative quagmire. Under the IDEA law celebrated by this resolution, parents and schools often become advisories and important decisions regarding a child's future are made via litigation. I have received complaints from a special education administrator in my district that unscrupulous trial lawyers are manipulating the IDEA process to line their pockets at the expenses of local school districts. Of course, every dollar a local school district has to spend on litigation is a dollar the district cannot spend educating children.

- IDEA may also force local schools to deny children access to the education that best suits their unique needs in order to fulfill the federal command that disabled children be educated 'in the least restrictive setting,' which in practice means mainstreaming. Many children may thrive in a mainstream classroom environment, however, some children may be mainstreamed solely because school officials believe it is required by federal law, even though the mainstream environment is not the most appropriate for that child.

- On May 10, 1994, Dr. Mary Wagner testified before the Education Committee that disabled children who are not placed in a mainstream classroom graduate from high school at a much higher rate than disabled children who are mainstreamed. Dr. Wagner quite properly accused Congress of sacrificing children to ideology.

- IDEA also provides school personal with incentives to over-identify children as learning disabled, thus unfairly stigmatizing many children and, in a vicious cycle, leading to more demands for increased federal spending on IDEA also IDEA encourages the use of the dangerous drug Retalin for the purpose of getting education subsidies. Instead of celebrating and increasing spending on a federal program that may actually damage the children it claims to help, Congress should return control over education to those who best know the child's needs: parents. In order to restore parental control to education, I have introduced the Family Education Freedom Act (HR 935), which provides parents with a \$3,000 per child tax credit to pay for K-12 education expenses. My tax credit would be of greatest benefit to parents of children with learning disabilities because it would allow them to devote more of their resources to ensure their children get an education that meets the child's unique needs.

- In conclusion, I would remind my colleagues that parents and local communities know their children so much better than any federal bureaucrat, and they can do a better job of meeting a child's needs than we in Washington. There is no way that my grandchildren, and some young boy or girl in Los Angeles, CA or New York City can be educated by some sort of 'Cookie Cutter' approach. Thus, the best means of helping disabled children is to empower their parents with the resources to make sure their children receives an education suited to that child's special needs, instead of an education that scarifies that child's best interest on the altar

of the `Washington-knows-best' ideology.

- I therefore urge my colleagues to join with me in helping parents of special needs children provide their children with a quality education that meets the child's needs by repealing federal mandates that divert resources away from helping children and, instead, embrace my Family Education Freedom Act.