

Progress Toward a Free Appropriate Public Education  
A Report to Congress on the Implementation of Public Law  
94-142: The Education for All Handicapped Children Act  
January 1979, U.S. Dept. of Health, Education & Welfare  
U. S. Office of Education.

## Executive Summary

This is the first of a series of Annual Reports to Congress on progress in the implementation of P.L. 94-142, the Education for All Handicapped Children Act. The Act calls for reports to be delivered to the Congress each January. This report describes activities occurring during the year preceding the effective date of the Act (school year 1976-77) as well as during the first year of implementation (school year 1977-78). Highlights of the report are organized by chapters.

### Chapter One: Are the Intended Beneficiaries Being Served?

- ✓ ● About 3.6 million handicapped children were served under P.L. 94-142 and approximately 200,000 handicapped children were served under P.L. 89-313 during the 1977-78 school year.
- ✓ ● States served 7.4 percent of the nation's school-aged population as handicapped; however, States varied in their proportion served from 5.2 percent to 11.5 percent.
- ✓ ● Previous estimates of the prevalence of handicapped children indicated that approximately 12 percent of the school-aged population were handicapped. This would mean about 5.5 million school-aged children are the expected target for services. The estimate of 7 to 8 million handicapped children used by Congress includes children in the 3-5 and 18-21 age ranges, where services are not mandated under the law.

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- The department has adopted a goal of improving child identification practices to insure that unserved children are located and served.

Chapter Two: In What Settings  
Are Beneficiaries Being  
Served?

- P.L. 94-142 requires handicapped children to be placed in the least restrictive environment commensurate with their needs.
- State Annual Program Plans indicated that extensive training in the principle of least restrictiveness would be provided to parents and teachers, as well as to a variety of other school personnel.
- The predominant placement for handicapped pupils during the 1976-77 school year was the regular classroom with auxiliary services.
- There still is a need for school systems to develop more options for placements of handicapped children and to alert their staffs to the availability of these options.

Chapter Three: What  
Services Are Being  
Provided?

- P.L. 94-142 requires provision of special education and related services (such as transportation or support services) to handicapped children. Because of the variety of handicapping conditions children may have, the array of possible services needed is broad.
- The average teacher/child ratios during the 1976-77 school year ranged from 1:44 for speech-impaired children to 1:10 for deaf or hard of hearing children.
- ✓ • States may need as many as 85,000 new special education teachers in the next 2 years to provide adequate services to all handicapped



children, but universities are currently producing only 20,000 such teachers each year.

- ✓ • The Personnel Preparation Program, which provides support for training special education teachers, is increasing its support of in-service training both for special education teachers and for regular education teachers.

Chapter Four: What Administrative Mechanisms Are in Place?

- The U.S. Office of Education has completed development of regulations, a monitoring system, and an evaluation program.
- ✓ • Interagency agreements have been developed with the Office of Child Health, the Bureau of Community Health Services, Rehabilitation Services Administration, the Bureau of Occupational and Adult Education, the Public Services Administration, the Administration for Children, Youth, and Families, and the Office for Civil Rights.
- As part of Program Administrative Reviews, 26 States and territories were visited during the 1976-77 school year and 27 were visited during the 1977-78 school year. During the first year, State activities were reviewed for compliance with P.L. 93-380 and for readiness to implement P.L. 94-142 amendments. During the second year, State compliance with P.L. 94-142 was determined.
- ✓ • Although State activities have been enormous, two problems continue to exist. First, many States have had difficulty establishing systems by which to monitor implementation in local agencies. Second, many State educational agencies have had difficulty establishing relationships with other State agencies which serve handicapped

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children. The Act requires the State educational agency to oversee educational programs provided by all agencies.

- When Bureau monitoring visits determine that problems exist, States are required to develop corrective actions and are given deadlines by which these actions must be completed.

Chapter Five: What Are the  
Consequences of Implementing  
the Act?

- Both State and local educational agencies are developing management information systems to keep track of handicapped children and personnel assignments.
- Special and regular education teachers and administrators, as well as parents, have devoted more time to identifying children's needs, developing individualized education programs, and determining the optimal placements for handicapped pupils.
- ✓ • The current allocation formula provides local agencies with flexibility to increase those services that are most needed in their jurisdiction.

Chapter Six: To What Extent Is  
the Intent of the Act Being Met?

- Given that the Act has only been in effect for one school year, a great deal of activity has occurred.
- ✓ • Federal appropriations have increased from \$315 million in FY 1977 to \$804 million in FY 1979, thus providing States with a large increase in financial assistance to meet the goals of the Act.
- Many of the problems that were expected to impede implementation are being resolved.

- ✓ • States must increase their efforts to find undiagnosed handicapped children and provide them with the services they need.

