

# 50 Years of Special Education Legislation



## 1973: Section 504 of the Rehabilitation Act

- Prohibits discrimination against individuals with disabilities.
- Requires “free, appropriate education services” (FAPE) for students with disabilities.

## 1990: Title II of the Americans with Disabilities Act (ADA)

- Broadens anti-discrimination mandate to state and local government services.
- Encompasses all programs and activities, regardless of federal funding.

## 1990: Individuals with Disabilities Education Act (IDEA)

- Initially “Education for All Handicapped Children Act” (1975), reauthorized as IDEA in 1990
- Funds special education programs with specific requirements.
- State Educational Agencies (SEAs) are tasked with monitoring compliance.

## 2008: ADA Amendments Act

- Keeps the three elements that define disability outlined in the ADA and Section 504.
- Broadens the definition of disability and simplifies evaluation requirements.

## 2012: USDoE’s New Approach

- Focuses on narrowing achievement gaps for students with disabilities.
- Prioritizes actual learning outcomes and protection of students’ rights over compliance.

## 2017: Endrew F. v. Douglas County School District

- U.S. Supreme Court’s case decision sets higher substantive standards for FAPE.
- IEPs must be “reasonably calculated to enable a child to make progress appropriate to their circumstances.”

## 2020s: Ongoing Challenges

- Recent evidence from Determination Letters on State Implementation of IDEA suggests more work needs to be done for student success.

