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TITLE H.R. 1986: A Bill to Amend the Education of the Handicapped Act to Provide Tutorial and Related Instructional Services for Homebound Children Through the Employment of College Students, Particularly Veterans, and Other Students Who Themselves are Handicapped.

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ABSTRACT

Presented is the text of House of Representatives Bill 1986, a bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped. Described are requirements of local and state educational agencies in proposing and requesting federal assistance for a tutorial instructional assistance program. Principles for determining state allotments are described. (DE)

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U.S. DEPARTMENT OF HEALTH,
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95TH CONGRESS
1ST SESSION

H. R. 1986

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 1977

Mr. ROYBAL introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped.

1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

2 That the Education of the Handicapped Act (20 U.S.C. 3 1421-1426) is amended by adding, at the end thereof, a 4 new part H, as follows:

5 "PART H—USE OF COLLEGE STUDENTS AS TUTORS AND 6 INSTRUCTIONAL ASSISTANTS FOR HOMEBOUND CHILDREN 7

8 "AUTHORIZATION OF PROGRAM

9 "SEC. 671. (a) The Commissioner is authorized to make

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EC 093156

1 grants to State educational agencies to enable them to de-
2 velop and carry out programs, at their and at local educa-
3 tional agency levels to provide, through the use of students
4 in institutions of higher education, tutoring and instructional
5 assistance, under the supervision of a qualified teacher, for
6 homebound handicapped children who, though able to bene-
7 fit from preschool, elementary, or secondary education, are
8 prevented by their handicaps, by lack of facilities, or because
9 they experience special difficulties when in school, from at-
10 tending school. Homebound children for whom services
11 under this part may be provided include but are not limited
12 to those as defined under section 602, paragraphs (1) and
13 (15), and such services may be provided to children who are
14 homebound for short or long terms.

15 “(b) For a local educational agency to receive assist-
16 ance under this part from a State educational agency, it shall
17 make a proposal to the State educational agency for a
18 tutorial or instructional assistance program to be carried out
19 through a cooperative arrangement with one or more insti-
20 tutions of higher education. The local educational agency
21 shall give assurances that—

22 “(1) in selecting students to participate, (A) spe-
23 cial consideration will be given to veterans qualified for
24 vocational rehabilitation under chapter 31 of title 38,
25 United States Code, and to other handicapped students

1 (provided in either case that their handicaps do not
2 make their working with homebound children ineffec-
3 tive) : and (B) among students otherwise equally
4 eligible to participate in the program, preference will be
5 given to those having greater financial need;

6 "(2) the program will be administered by the local
7 educational agency in accordance with its rules and regu-
8 lations relating to homebound instruction;

9 "(3) participation in the program will not interfere
10 with the academic progress of participating students;

11 "(4) compensation paid to participating students
12 will be set by agreement between the local educational
13 agency and the student's institution, the maximum to be
14 established at the direction of the Commissioner. In no
15 case shall the compensation be established below the pre-
16 vailing minimum hourly wage;

17 "(5) funds will be used in such manner as to en-
18 courage equipping the homebound handicapped children
19 for eventual full assimilation by society, with every effort
20 to avoid development of a segregated, permanent system
21 of education for the handicapped; and

22 "(6) Federal funds made available under this part
23 will be so used as to supplement and, to the extent prac-
24 tical, increase the level of State, local, and private funds
25 expended for the education of handicapped children, and
26 in no case supplant such State, local, and private funds.

1 "APPLICATION

2 "SEC. 672. (a) The Commissioner shall make grants
3 under this part to State educational agencies on the merits of
4 their proposals to him which shall be submitted on such
5 application forms and under such guidelines as he shall
6 prescribe. Proposals shall contain, among other informa-
7 tion as required by the Commission, (1) all data from
8 local educational agencies' proposals to the State, as is re-
9 quired to support the total amount of funding requested by
10 the State; (2) the State's detailed plans for conducting, or
11 providing for the conduct of, evaluation of the program
12 supported under this part; and (3) the State's detailed
13 plans for locating and identifying all of its homebound chil-
14 dren who could benefit from this program.

15 "(b) An amount not to exceed 10 per centum of the
16 total funds awarded to a State under this part shall be avail-
17 able to the State for it and its local educational agencies to
18 administer the program.

19 "AUTHORIZATION AND APPROPRIATION

20 "SEC. 673. There are hereby authorized to be appropri-
21 ated such sums as may be necessary for fiscal year ending
22 September 30, 1978, and for fiscal year ending September
23 30, 1979, and for fiscal year ending September 30, 1980,
24 for carrying out the provisions of this part.

"ALLOTMENTS TO STATES

1
2 "SEC. 674. All of these sums shall be granted at the dis-
3 cretion of the Commissioner; however, the Commissioner
4 shall set aside 25 per centum of the total appropriation and
5 preliminarily allocate (but not automatically grant) to each
6 State (as defined by section 602 (6)) an amount which
7 bears the same ratio to such amount as the number of chil-
8 dren aged three to twenty-one, inclusive, in the State bears
9 to the number of such children in all the States. The Com-
10 missioner shall approve or disapprove applications from the
11 States, and any funds preliminarily allocated to a State whose
12 application is disapproved, or which fails to file timely ap-
13 plication, shall be added to, and be included for distribution
14 under, the remaining 75 per centum of the funds. The Com-
15 missioner shall not disapprove any State's application until
16 he has offered and (if the State accepts his offer) provided
17 technical assistance to that State in an effort to bring that
18 State's application to a level of approvable quality, so that
19 the State may then be granted its proportionate share of the
20 25 per centum set aside, and, if then applicable, an ap-
21 propriate portion of the remaining 75 per centum."

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