



**AMENDMENT TO H.R. 1350, AS REPORTED
OFFERED BY MR. DEMINT OF SOUTH CAROLINA**

In section 612(a)(10)(A) of the Individuals with Disabilities Education Act, as proposed to be amended by the bill, add at the end the following:

1 “(vii) PARENT OPTION PROGRAM.—If
2 a State has established a program de-
3 scribed in section 664(c)(11) (whether
4 statewide or in limited areas of the State)
5 that allows a parent of a child with a dis-
6 ability to use public funds to pay some or
7 all of the costs of attendance at a public or
8 private school—

9 “(I) funds allocated to the State
10 under section 611 may be used to
11 supplement those public funds, if the
12 Federal funds are distributed to par-
13 ents who make a genuine independent
14 choice as to the appropriate school for
15 their child;

16 “(II) the authorization of a par-
17 ent to exercise this option fulfills the
18 State’s obligation under paragraph (1)
19 with respect to the child during the



1 period in which the child is enrolled in
2 the selected school; and
3 “(III) a private school accepting
4 those funds shall be deemed, for both
5 the programs and services delivered to
6 the child, to be providing a free ap-
7 propriate public education and to be
8 in compliance with section 504 of the
9 Rehabilitation Act of 1973 (29 U.S.C.
10 794).

In section 664(c)(9) of the Individuals with Disabil-
ities Education Act, as proposed to be inserted by the
bill, strike “and” at the end;

In section 664(c)(10) of the Individuals with Dis-
abilities Education Act, as proposed to be inserted by the
bill, strike the period at the end and insert “; and”.

In section 664(c) of the Individuals with Disabilities
Education Act, as proposed to be inserted by the bill, add
at the end the following:



11 “(11) supporting the post-award planning and
12 design, and the initial implementation (which may
13 include costs for informing the community, acquiring
14 necessary equipment and supplies, and other initial
15 operational costs), during a period of not more than

1 3 years, of State programs that allow the parent of
2 a child with a disability to make a genuine inde-
3 pendent choice of the appropriate public or private
4 school for their child, if the program—

5 “(A) requires that the child—

6 “(i) have been determined to be a
7 child with a disability in accordance with
8 section 614;

9 “(ii) have spent the prior school year
10 in attendance at a public elementary or
11 secondary school unless the child was
12 served under section 619 or part C during
13 such year; and

14 “(iii) have in effect an individualized
15 education program (as defined in section
16 614(d)(1)(A));

17 “(B) permits the parent to receive from
18 the eligible entity funds to be used to pay some
19 or all of the costs of attendance at the selected
20 school (which may include tuition, fees, and
21 transportation costs);

22 “(C) prohibits the selected school from dis-
23 criminating against eligible students on the
24 basis of race, color, or national origin; and



1 “(D) requires the selected school to be aca-
2 demically accountable to the parent for meeting
3 the educational needs of the student.

