

88TH CONGRESS  
1ST SESSION

# H. R. 4640

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 1963

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

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## A BILL

To encourage the expansion and improvement of State programs of special education and related services for exceptional children through Federal financial participation in the cost of development and implementation of such programs and in the cost of colleges and universities in providing special courses of instruction and scholarships for persons preparing for professional participation in such programs, and for establishing research grants and special projects and by establishing and providing for consultation with a national training and research council and technical advisory committees on education of exceptional children in the administration of this Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 That this Act may be cited as the "Exceptional Children's  
2 Act of 1963."

3 TITLE I—GENERAL PROVISIONS

4 FINDINGS AND DECLARATION OF POLICY

5 SEC. 101. The Congress hereby finds and declares that  
6 the general welfare of the United States requires maximum  
7 development of the potentialities of exceptional children by  
8 adequate provision of special education and related services  
9 through educational personnel with specialized training and  
10 such special teaching aids and materials as are necessary  
11 for this purpose.

12 The Congress reaffirms the principle and declares that  
13 the States and local communities must have and retain  
14 control over, and primary responsibility for, public education.  
15 However, in view of the great disparity among the States  
16 and localities in their development of special education for  
17 exceptional children, their common problems of lack of  
18 teachers and other personnel equipped to provide and super-  
19 vise the provision of such special education, the lack of ade-  
20 quate research as to the most economical and effective  
21 methods, approaches, materials, and facilities in providing  
22 such education, and the variance in economic capacity from  
23 State to State to establish and maintain such programs, the  
24 Congress finds and hereby declares that Federal assistance

1 to the extent herein provided for is necessary and is required  
2 in the national interest.

3 FEDERAL CONTROL PROHIBITED

4 SEC. 102. Nothing contained in this Act shall be con-  
5 strued to authorize any department, agency, officer, or em-  
6 ployee of the United States to exercise any direction, super-  
7 vision, or control over the curriculum, program of instruction,  
8 administration, or personnel of any educational system or  
9 institution.

10 DEFINITIONS

11 SEC. 103. As used in this Act—

12 (a) The term "State" includes Puerto Rico, the Dis-  
13 trict of Columbia, the Canal Zone, Guam, and the Virgin  
14 Islands.

15 (b) The term "State board" means the State board of  
16 education or other agency or officer primarily responsible for  
17 the State supervision of public elementary and secondary  
18 schools.

19 (c) The term "Commissioner" means the Commissioner  
20 of Education.

21 (d) The term "Secretary" means the Secretary of  
22 Health, Education, and Welfare.

23 (e) (1) The "allotment percentage" for any State shall  
24 be 100 per centum less that percentage which bears the  
25 same ratio to 50 per centum as the per capita income of

1 such State bears to the per capita income of the United  
2 States, except that (A) the allotment percentage shall in no  
3 case be more than 75 per centum or less than  $33\frac{1}{3}$  per  
4 centum, and (B) the allotment percentage for Puerto Rico,  
5 Guam, and the Virgin Islands shall be 75 per centum.

6 (2) The allotment percentages shall be promulgated by  
7 the Secretary between July 1 and August 31 of each even-  
8 numbered year, on the basis of the average of the per capita  
9 incomes of the States and of the United States for the three  
10 most recent consecutive years for which satisfactory data are  
11 available from the Department of Commerce. Such pro-  
12 mulgation shall be conclusive for each of the two fiscal  
13 years in the period beginning July 1 next succeeding such  
14 promulgation.

15 (3) The term "United States" means (but only for the  
16 purposes of this subsection and subsection (f) of this sec-  
17 tion) the fifty States and the District of Columbia.

18 (f) The "Federal share" for any State for any fiscal  
19 year after 1964 shall be 100 per centum less that percentage  
20 which bears the same ratio to 40 per centum as the per  
21 capita income of such State bears to the per capita income  
22 of the United States, except that (A) the Federal share  
23 shall in no case be more than 70 per centum or less than  
24 50 per centum, and (B) the Federal share for Puerto Rico,  
25 Guam, and the Virgin Islands shall be 70 per centum. In

1 computing the Federal share of a State for a year, the Sec-  
2 retary shall use the same figures for per capita incomes of  
3 the States and of the United States as he used in computing  
4 the allotment percentage of such State for such year.

5 (g) The term "nonprofit" as applied to a school or  
6 institution, means an organization described in section 501  
7 (c) (3) of the Internal Revenue Code of 1954, as further  
8 limited by section 503 (b) (2) of such Code.

9 (h) The term "exceptional children" means individ-  
10 uals whose exceptional mental aptitude, emotional or social  
11 maladjustment, or physical or neurological impairments or  
12 combination thereof, requires special education and/or other  
13 related services in order for them to attain their full potential.  
14 This definition shall include but not be limited to the blind,  
15 partially sighted, the deaf, the hearing impaired, the speech  
16 defective, the crippled, the cerebral palsied, the mentally  
17 retarded, the emotionally handicapped, and the gifted.

18 (i) The term "special education" means the provision  
19 of special educational material, facilities, and special courses  
20 of instruction especially designed and operated in content and  
21 progress by personnel with special qualifications, to meet the  
22 special needs of the exceptional children, and includes the  
23 identification of exceptional children through screening, test-  
24 ing, and assessment to determine the particular special educa-  
25 tion and other related services required in each case.

## ADMINISTRATION

1  
2 SEC. 104. (a) The Secretary of the Department of  
3 Health, Education, and Welfare is hereby authorized to ap-  
4 point an additional Assistant Commissioner of Education  
5 and/or such other personnel as may be necessary to perform,  
6 under the Commissioner's direction, functions vested in the  
7 Commissioner by this Act.

8 (b) In carrying out the purposes of this Act, the Com-  
9 missioner is authorized—

10 (1) to make studies, investigations, demonstrations,  
11 and reports with respect to the need of special education,  
12 the costs, types, extent, and effectiveness of such edu-  
13 cation; and the qualifications of teachers and other per-  
14 sonnel required to ascertain, provide, and supervise the  
15 provision of special education and related services for  
16 exceptional children. The Commissioner may procure  
17 any of the foregoing by contract with competent indi-  
18 viduals or organizations whenever he finds that this  
19 would be in the interest of efficiency, effectiveness, or  
20 economy;

21 (2) to disseminate information with respect to the  
22 foregoing and cooperate with and render technical as-  
23 sistance to States in the various matters respecting the  
24 provision of special education and related services to  
25 exceptional children, including the financing of regional

1 and State seminars of technical training and instruction  
2 of personnel engaged in, or preparing to engage in,  
3 programs of special education; and  
4 (3) with the approval of the Secretary, to make  
5 rules and regulations governing the administration of  
6 this Act, including the interpretation and application of  
7 its definitions, and other provisions.

#### 8 ADVISORY COUNCIL AND TECHNICAL COMMITTEES 8

9 SEC. 105. (a) There is hereby established in the Office  
10 of Education an Advisory Council on Special Education for  
11 Exceptional Children. The Commissioner or his designate  
12 shall be ex officio Chairman, and he shall appoint, without  
13 regard to the civil service laws, and fix the terms of its mem-  
14 bers, and may establish and assign members to an executive  
15 committee and such subcommittee as he finds may be ap-  
16 propriate in carrying out the work of the Council. Such  
17 appointments shall be made by the Commissioner with the  
18 approval of the Secretary. The Council shall have not less  
19 than fifteen nor more than twenty-five members, and not  
20 less than one-third of them shall be individuals currently en-  
21 gaged in the supervision, making educational evaluations,  
22 teaching, or otherwise participating in programs of special  
23 education for exceptional children, and the remainder thereof  
24 shall be persons, including representatives of colleges and  
25 universities, who have professional knowledge in one or more

1 areas pertinent to these programs or are representatives of  
2 organizations or groups concerned with such programs.

3 (b) The Advisory Council shall meet at least semi-  
4 annually on the call of the Chairman, and such Council or  
5 subcommittee thereof shall meet at other times on his call.  
6 The Advisory Council shall advise, consult with, and make  
7 recommendations to the Commissioner on matters of basic  
8 policy arising in the administration of this Act, and the  
9 Council or subcommittees to which the function may be  
10 assigned, shall review and advise with the Commissioner on  
11 such other matters as he may present for their consideration.

12 (c) The Commissioner also, with the approval of the  
13 Secretary, shall establish technical advisory committees for  
14 such purposes as he may deem necessary, including com-  
15 mittees on research and on training standards appropriate  
16 for various classes of personnel engaged, or preparing to  
17 engage in programs of education and related services for  
18 exceptional children, including but not limited to the blind,  
19 partially sighted, the deaf, the hearing impaired, the speech  
20 defective, the crippled, the cerebral palsied, the mentally  
21 retarded, the emotionally handicapped, and the gifted. Tech-  
22 nical advisory committees related to the training of person-  
23 nel shall be established only in interest or exceptionality  
24 areas where there is an identifiable professional curriculum.



1 Technical advisory committees in the training of personnel  
2 shall also include not less than two-thirds of its members  
3 from qualified training faculties. He shall appoint, without  
4 regard to the civil service laws, and fix the terms of, mem-  
5 bers of each committee. The Commissioner or his designate  
6 shall be the ex officio chairman of each committee. Each  
7 such committee shall meet on the call of the chairman.

8 (d) The Commissioner may utilize the services of any  
9 member or members of the Advisory Council or technical  
10 advisory committees on matters relating to the administra-  
11 tion of this Act, for such periods, in addition to conference  
12 periods, as he may determine.

13 (e) Members of the Advisory Council or of a technical  
14 advisory committee established hereunder, while serving  
15 on business of such committee, or subcommittee thereof, or  
16 at the request of the Commissioner under subsection (d)  
17 of this section, shall receive compensation at rates fixed by  
18 the Commissioner with the approval of the Secretary, not  
19 to exceed \$75 per day, and shall also be entitled to receive  
20 an allowance for actual and necessary travel and subsistence  
21 expenses while so serving away from their places of resi-  
22 dence.

## 1                    APPROPRIATIONS AUTHORIZED

2            SEC. 106. There are hereby authorized to be appropri-  
3            ated for each fiscal year such amounts as may be necessary  
4            for carrying out the provisions of this title, and for the gen-  
5            eral administration of this Act.

6            TITLE II—FINANCIAL ASSISTANCE TO STATES  
7            IN THE DEVELOPMENT, IMPROVEMENT, AND  
8            OPERATION OF STATE PLANS FOR SPECIAL  
9            EDUCATION AND RELATED SERVICES FOR  
10            EXCEPTIONAL CHILDREN

## 11                    AUTHORIZATION OF APPROPRIATIONS

12            SEC. 201. There are hereby authorized to be appro-  
13            priated—

14            (a) for the fiscal year ending June 30, 1964,  
15            \$1,000,000 for payments to States with respect to costs  
16            of development and expansion of State plans; and

17            (b) for the fiscal year ending June 30, 1964,  
18            \$20,000,000; for the fiscal year ending June 30, 1965,  
19            \$30,000,000; and for each fiscal year thereafter, such  
20            sums as are found necessary by the Congress for pay-  
21            ments to States with respect to costs of providing special  
22            education and related services to exceptional children  
23            under State plans.

24            SEC. 202. (1) From the sum appropriated for the fiscal

1 year ending June 30, 1964, under clause (a) of section 201,  
2 for assistance in the cost of development and expansion  
3 of State plans, and from the sums made available for such  
4 fiscal year and each succeeding fiscal year under clause  
5 (b) of such section, each State shall be entitled to its al-  
6 lotment percentage as defined in section 103 (e) of this Act.

7 (2) The allotment to any State for the fiscal year  
8 ending June 30, 1964, from the sum appropriated under  
9 clause (a) of section 201 which is less than \$10,000, and  
10 the allotment of any State for any fiscal year, from sums  
11 appropriated under clause (b) of such section which is  
12 less than \$50,000 shall, notwithstanding the provisions of  
13 the preceding paragraph, be increased to such \$10,000 or  
14 \$50,000, as the case may be. The total of such increases  
15 shall be by proportionately reducing the allotments of each  
16 of the remaining States, but with such adjustments as may  
17 be necessary to prevent the allotment of any such remaining  
18 State to be reduced below such \$10,000 or \$50,000, as  
19 the case may be.

20 (3) From the sums available for any fiscal year grants  
21 to States to assist them in meeting the costs of services to  
22 exceptional children, each State shall be entitled to an allot-  
23 ment of an amount which bears the same ratio to such sums  
24 as the product of (A) the population of the State and (B)

1 the square of its allotment percentage (as defined in section  
2 103 (e) ) bears to the sum of the corresponding products for  
3 all the States.

#### 4 AMOUNTS OF PAYMENTS

5 SEC. 203. (a) From each State's allotment from sums  
6 made available pursuant to clause (b) of section 201 for any  
7 fiscal year, the Commissioner shall pay to such State an  
8 amount equal to the Federal share (as defined in section  
9 103 (f) of this Act) of the cost of special education and  
10 related services under the plan of such State approved under  
11 section 205 (b) of this title, including expenditures for its  
12 administration.

13 (b) From each State's allotment from sums made avail-  
14 able pursuant to clause (a) of section 201, the Commissioner  
15 shall pay to such State on its application therefor an amount  
16 equal to its allotment percentage thereof or its actual ad-  
17 ditional cost in developing and improving its State plan for  
18 presentation, whichever amount is the smaller, and the  
19 Secretary may make advances toward such amount on the  
20 basis of estimates.

#### 21 METHODS OF COMPUTING AND MAKING PAYMENTS

22 SEC. 204. The method of computing and paying amounts  
23 pursuant to section 203 of this title shall be as follows:

24 (1) The Commissioner shall, prior to the beginning of  
25 each calendar quarter or other period prescribed by him,

1 estimate the amount to be paid to each State under the pro-  
2 visions of such section for such period, such estimate to be  
3 based on such records of the State and information furnished  
4 by it, and such other investigation as the Secretary may  
5 find necessary.

6 (2) The Commissioner shall pay, from the allotment  
7 available therefor, the amount so estimated by him for such  
8 period, reduced or increased, as the case may be, by any sum  
9 (not previously adjusted under this paragraph) by which he  
10 finds that his estimate of the amount to be paid the State for  
11 any prior period under such section was greater or less  
12 than the amount which should have been paid to the State  
13 for such prior period under such section. Such payments  
14 shall be made prior to audit or settlement by the General  
15 Accounting Office, shall be made through the disbursing fa-  
16 cilities of the Treasury Department, and shall be made in  
17 such installments as the Secretary may determine.

#### 18 STATE PLANS

19 SEC. 205. (a) Any State which desires to receive pay-  
20 ments from funds made available under clause (b) of section  
21 201 of this title, shall submit to the Commissioner, through  
22 its State educational agency, a State plan which—

23 (1) sets forth a program under which funds made  
24 available under said clause and paid to the State under

1 this title will be expended solely for the provision of  
2 special education and related services for exceptional  
3 children, including residential school services and pre-  
4 school services, by public elementary and secondary  
5 schools or by contract with public or other nonprofit  
6 organizations, either within or outside the State;

7 (2) sets forth principles, and conditions under  
8 which such funds shall be made available to public  
9 elementary and secondary school authorities for special  
10 education and related services;

11 (3) provides for the establishment on State level  
12 of minimum standards for the special materials and  
13 equipment to be used, and of teachers and other per-  
14 sonnel to be employed in providing such services, to  
15 insure their adequacy;

16 (4) designates the State board of education or its  
17 executive officer as the agency for administering the dis-  
18 tribution of State and such Federal funds and for the  
19 general supervision of the program;

20 (5) requires, after the fiscal year ending June 30,  
21 1965, that the program shall be on a statewide basis  
22 and that State funds will be made available;

23 (6) requires cooperation in administration and  
24 planning with State agencies administering crippled  
25 children's services, vocational rehabilitation, and voca-

1 tional education and other public and nonprofit organ-  
2 izations concerned with exceptional children;

3 (7) provides for such accounting, budgeting, and  
4 other fiscal methods and procedures as are necessary  
5 for the proper and efficient administration of the State  
6 plan; including appropriate consultative, supervisory,  
7 and administrative services;

8 (8) provides that the State board will make such  
9 reports to the Commissioner, in such form and contain-  
10 ing such information as may be reasonably necessary to  
11 enable the Commissioner to perform his functions under  
12 this title.

13 (b) The Commissioner shall approve such plan if he  
14 finds that it fulfills the conditions specified in subsection (a)  
15 of this section.

16 (c) Whenever the Commissioner, after reasonable notice  
17 and opportunity for hearing to the State board, finds that—

18 (1) the State plan approved under subsection (b)  
19 of this section has been so changed that it no longer  
20 complies with any provision required by subsection (a)  
21 of this section to be included; or

22 (2) in the administration of the plan there is a  
23 failure to comply with any such provision, the Commis-  
24 sioner shall notify such State board that no further pay-  
25 ments will be made to the State from its allotment under

1 section 202, and shall make no such payments, until he  
2 is satisfied that there is no longer any such failure.

3 (d) If any State is dissatisfied with the Commissioner's  
4 action under subsection (c) of this section, it shall have the  
5 right to appeal to the United States court of appeals of the  
6 circuit in which such State is located and for the purposes  
7 of such appeal and for review by the Supreme Court the  
8 provisions of title 20, United States Code, section 585 and  
9 title 28, United States Code, section 1254, shall apply.

#### 10 TRANSFER OF FUNDS

11 SEC. 206. Funds made available under this title may be  
12 used by the State board for procuring administration by any  
13 appropriate State agency of any portion of the State plan,  
14 through transfers of such funds to such agency.

### 15 TITLE III—PROGRAM EXTENSION AND IMPROVE- 16 MENT GRANTS

#### 17 AUTHORIZATION OF APPROPRIATIONS

18 SEC. 301. There are hereby authorized to be appro-  
19 priated for the fiscal year ending June 30, 1964, \$3,000,000;  
20 for the fiscal year ending June 30, 1965, \$4,000,000, and  
21 for each fiscal year thereafter such sums as are found neces-  
22 sary by the Congress for carrying out the purposes of this  
23 title.



1 AUTHORITY TO MAKE GRANTS AND METHODS OF  
2 PAYMENT

3 SEC. 302. (a) From the funds made available pursuant  
4 to section 301, the Commissioner shall make grants to States  
5 or to public local school systems for the extension or improve-  
6 ment of educational programs and related services to excep-  
7 tional children.

8 (b) States or local school systems shall submit applica-  
9 tions to the Commissioner for grants authorized in section  
10 302 which shall include the following:

11 (1) work already accomplished in the field in  
12 question by the applicant agency;

13 (2) a description of the plan for utilizing the re-  
14 quested grant including purposes and aims;

15 (3) assurance by proper authorities that the appli-  
16 cant agency will continue the work to be undertaken  
17 under the grant if it proves to be successful; and

18 (4) other pertinent data which the Commissioner  
19 may require.

20 (c) A technical advisory committee composed of persons  
21 knowledgeable about State and local programs for the educa-  
22 tion of exceptional children shall advise the Commissioner  
23 about the awarding of extension and improvement grants.

1 TITLE IV—PERSONNEL TRAINING AND SPECIAL  
2 PROJECTS

3 AUTHORIZATION OF APPROPRIATION

4 SEC. 401. There are hereby authorized to be appro-  
5 priated for the fiscal year ending June 30, 1964,  
6 \$12,000,000; for the fiscal year ending June 30, 1965,  
7 \$12,000,000, and for each fiscal year thereafter such sums  
8 as are found necessary by the Congress for carrying out the  
9 purposes of this title.

10 AUTHORITY TO MAKE GRANTS AND METHODS OF PAYMENT

11 SEC. 402. (a) From the funds made available pursuant  
12 to section 401, the Commissioner shall make grants for the  
13 purposes and subject to the limitations and conditions pre-  
14 scribed in sections 403, 404, and 405.

15 (b) Payment of grants made under this title may be  
16 made on a reimbursement basis or on the basis of estimates,  
17 and the provisions of section 204 of this Act shall be ap-  
18 plicable with respect to all such payments, regardless of the  
19 payee.

20 GRANTS TO COLLEGES AND UNIVERSITIES

21 SEC. 403. (a) To assist and encourage public and other  
22 nonprofit institutions of higher learning in engaging in re-  
23 search and encouraging outstanding students to prepare for  
24 careers in special education and related services as classroom  
25 teachers, college instructors, administrators, supervisors, and

1 other specialized positions necessary in expanding and im-  
2 proving programs of special education and related services  
3 for exceptional children, the Commissioner shall, from the  
4 majority of the funds available for the purpose under this  
5 title, make grants to the above-described institutions of  
6 higher learning which he finds meet the qualifications re-  
7 quirements of subsection (c) of this section.

8 (b) The grants made an institution pursuant to subsec-  
9 tion (a) shall be available to cover such part of its necessary  
10 costs of research and training therein described and scholar-  
11 ships and fellowships with respect thereto.

12 (c) To be eligible for grants under this section, a college,  
13 university, or organization must be found by the Com-  
14 missioner—

15 (1) to be a public or an exempt nonprofit educa-  
16 tional organization meeting the conditions of section  
17 503 (b) (2) of the Internal Revenue Code of 1954;

18 (2) to provide training of specialized professional  
19 personnel, or research, or both, in areas needed in im-  
20 proving and expanding special education for exceptional  
21 children, and especially the training of professional per-  
22 sonnel needed in making available adequate courses of  
23 instruction and training to teachers and other personnel  
24 required in the operation of State and local programs of  
25 special education and related services for exceptional

1 children; and to teachers and other personnel providing  
2 education for exceptional children;

3 (3) to be accredited with respect to its training  
4 above referred to, by a nationally recognized body, or  
5 bodies, on the basis of adequate professional standards;  
6 and

7 (4) to offer fellowships and stipends with respect to  
8 its above referred to training and research only under  
9 terms and conditions necessary and appropriate to ac-  
10 complish the purposes of this title.

11 Grants hereunder shall be made by the Commissioner on  
12 the basis of the overall availability of funds for grants under  
13 this section, applications and need therefor by all eligible  
14 institutions, and such other factors as he deems pertinent  
15 in most effectively and economically carrying out the pur-  
16 poses of this section.

17 GRANTS TO STATES FOR PERSONNEL TRAINING

18 SEC. 404. From the funds made available for the pur-  
19 pose each fiscal year pursuant to section 401, the Com-  
20 missioner shall make grants to State boards as defined in  
21 section 103 (b) of this Act for assistance in improving the  
22 qualifications and efficiency of personnel engaged in or  
23 preparing to engage in administration and/or supervision of  
24 special education and related services to exceptional chil-  
25 dren through—

1 (a) scholarships and fellowships with appropriate  
2 stipends and financial assistance in meeting the cost of  
3 further professional training needed in their effective  
4 participation in the program; and

5 (b) establishment and operation for such personnel  
6 of seminars and other programs designed to improve  
7 their rendition of special education and related services  
8 for exceptional children.

9 (c) The Commissioner shall, for each fiscal year,  
10 equitably apportion among the States the amount avail-  
11 able for grants in such year, under this section on the  
12 basis of the respective overall needs for additional train-  
13 ing of personnel in the several States, the necessary cost  
14 of their proposed personnel training programs, State  
15 and local financial participation therein, and such other  
16 factors as he finds appropriate to establish after con-  
17 sultation with the Advisory Council.

18 When the training under this section is to be provided  
19 by a college or university, it shall be provided only in those  
20 colleges and universities which meet accrediting standards  
21 referred to in section 403.

22 GRANTS TO ORGANIZATIONS FOR SPECIAL TRAINING

23 PROJECTS

24 SEC. 405. From the funds made available for the pur-  
25 pose each fiscal year pursuant to section 401, the Commis-

1 sioner shall make grants to nonprofit public or private na-  
2 tional or regional organizations for conducting personnel  
3 training projects which show promise for improving educa-  
4 tional programs and related services for exceptional children.  
5 Organizations to whom such grants shall be made shall  
6 demonstrate adequately to the Commissioner their ability to  
7 conduct such projects.

#### 8 EXTENSION OF PREVIOUSLY AUTHORIZED PROGRAMS

9 SEC. 406. Amounts not less than appropriated in 1963  
10 for personnel training programs defined in public laws 85-  
11 926 and 87-276 shall have first priority of allocation from  
12 the funds in title IV.

### 13 TITLE V—RESEARCH AND DEMONSTRATION 14 GRANTS

#### 15 AUTHORIZATION OF APPROPRIATIONS

16 SEC. 501. There are authorized to be appropriated  
17 \$5,000,000 for the fiscal year ending June 30, 1964;  
18 \$10,000,000 for the fiscal year ending June 30, 1965, and  
19 for each fiscal year thereafter such sums as are found neces-  
20 sary by the Congress for the purposes of this title.

#### 21 RESEARCH AND DEMONSTRATION

22 SEC. 502. (a) The funds made available pursuant to  
23 section 501 for any fiscal year shall be used solely for grants  
24 to encourage States, public school authorities, colleges, uni-  
25 versities, or other public or nonprofit educational or research

1 organizations in undertaking special research or demonstra-  
2 tion projects which the Commissioner, after consultation  
3 with the Advisory Council on Special Education for Excep-  
4 tional Children, or an appropriate subcommittee thereof and  
5 with the approval of the Secretary, finds to hold promise of  
6 improving special education and related services to excep-  
7 tional children.

8 (b) To the extent feasible and consistent with the pro-  
9 visions of subsection (a) of this section, demonstration  
10 projects shall be given preference when so located geo-  
11 graphically as to promote their maximum value to agencies  
12 and others interested in special education and related services  
13 for exceptional children.

14 (c) Grants shall be made on such terms and conditions,  
15 including the making of reports, as the Commissioner deter-  
16 mines will promote the maximum contribution of each project  
17 in achieving the purposes of this Act.

18 SEC. 503. Payments under this title may be made in  
19 advance or by way of reimbursement for services performed  
20 and shall be made prior to audit or settlement by the General  
21 Accounting Office through the disbursing facilities of the  
22 Treasury Department.

88TH CONGRESS  
1ST SESSION

# H. R. 4640

## A BILL

To encourage the expansion and improvement of State programs of special education and related services for exceptional children through Federal financial participation in the cost of development and implementation of such programs and in the cost of colleges and universities in providing special courses of instruction and scholarships for persons preparing for professional participation in such programs, and for establishing research grants and special projects and by establishing and providing for consultation with a national advisory committee on research council and technical advisory committees on education of exceptional children in the administration of this Act.

By Mr. FOGARTY

MARCH 7, 1963

Referred to the Committee on Education and Labor