



IDEA Mandatory Funding

In 1975, our country took a major step forward in promoting the inclusion and equality of one of our most disenfranchised groups of citizens. Passage of the Education for All Handicapped Children Act, now known as the Individuals with Disabilities Education Act (IDEA), assured that all children with disabilities would receive a free, appropriate public education. Millions of children with disabilities are no longer limited by their families' ability to afford private education, forced to attend costly state institutions, or worse, forced to stay home and miss out entirely on the benefits of an education. IDEA ensures that children with disabilities may attend public schools alongside their peers.

Despite all that has been accomplished on behalf of children with disabilities, much more remains to be done. When IDEA passed in 1975, Congress understood that it was creating a law that would have increased financial impact at the state and local level. It promised to pay a significant share (40 percent) of the excess costs of educating a child with a disability compared to a general education student. In the 1997 reauthorization the 40 percent of excess cost was changed to 40 percent of the National Average per Pupil Expenditure for every child enrolled in special education. The continued underfunding in the FY '09 House and Senate appropriations for IDEA of \$584 million and \$518 million respectively, follows other small appropriations in previous years and is the best evidence of the fact that only mandatory funding will ever bring federal funding to the promised 40 percent of average per pupil expenditures.

Funding the federal, state and local partnership to provide an equal educational opportunity for all students has not worked very well from the local district perspective. We recognize special education funding has received significant increases in the last decade. However, funding has leveled off and even been cut in recent years. While all members of Congress are committed to the idea of fulfilling their 40 percent commitment, it is clear that we will never reach it through the current appropriations process that requires school districts to use local and state general education funds to supplement the federal short fall.

AESA supports efforts to fully fund IDEA through mandatory funding. By making the increases to IDEA mandatory it will ensure that Congress fulfills its commitment by 2015. During the IDEA reauthorization of 2004, a "glide path" was put into law to fully fund special education by 2011. Unfortunately, every year since, Congress has reduced its commitment to special education. In FY 2008 (2008 – 2009 school year), the funding level was a staggering \$9.3 billion below the level authorized in the reauthorization representing just 17.2 percent of the promised 40 percent. The appropriations process alone cannot ensure that Congress meets its commitment.

Talking Points:

1. Share the impact that the special education shortfall has on your ESA and the districts you serve, including the encroachment on local general education budgets. Explain to your members of Congress the financial relief that would come at the local level when Congress fully funds its share.
2. Ask your Representatives to cosponsor HR 821, the EDUCATE Act, that would provide mandatory increases for IDEA ensuring full funding by 2015.
3. Ask your Senators to support S 1159 by Senators Harkin (D-IA) and Hagel (R-NE) to make the increases to IDEA mandatory and ensure full funding by 2015. (See other side for list of sponsors) Be sure to thank those who have already signed on.

S.1159

Title: A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

Sponsor: [Sen Hagel, Chuck](#) [NE] (introduced 4/19/2007) [Cosponsors](#) (26)

Latest Major Action: 4/19/2007 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

COSPONSORS(26), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: [by date](#))

[Sen Bayh, Evan](#) [IN] - 12/3/2007

[Sen Boxer, Barbara](#) [CA] - 11/5/2007

[Sen Cantwell, Maria](#) [WA] - 11/13/2007

[Sen Cardin, Benjamin L.](#) [MD] - 11/1/2007

[Sen Clinton, Hillary Rodham](#) [NY] - 9/17/2007

[Sen Coleman, Norm](#) [MN] - 4/19/2007

[Sen Collins, Susan M.](#) [ME] - 4/19/2007

[Sen Dodd, Christopher J.](#) [CT] - 4/19/2007

[Sen Durbin, Richard](#) [IL] - 11/15/2007

[Sen Harkin, Tom](#) [IA] - 4/19/2007

[Sen Johnson, Tim](#) [SD] - 5/10/2007

[Sen Kennedy, Edward M.](#) [MA] - 4/19/2007

[Sen Kerry, John F.](#) [MA] - 11/1/2007

[Sen Lautenberg, Frank R.](#) [NJ] - 11/7/2007

[Sen Lieberman, Joseph I.](#) [CT] - 4/19/2007

[Sen Lincoln, Blanche L.](#) [AR] - 5/19/2008

[Sen Menendez, Robert](#) [NJ] - 10/15/2007

[Sen Mikulski, Barbara A.](#) [MD] - 4/19/2007

[Sen Murray, Patty](#) [WA] - 4/19/2007

[Sen Nelson, Bill](#) [FL] - 7/30/2007

[Sen Pryor, Mark L.](#) [AR] - 11/16/2007

[Sen Roberts, Pat](#) [KS] - 4/19/2007

[Sen Schumer, Charles E.](#) [NY] - 4/19/2007

[Sen Snowe, Olympia J.](#) [ME] - 4/19/2007

[Sen Vitter, David](#) [LA] - 9/9/2008

[Sen Warner, John](#) [VA] - 4/19/2007