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, 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.

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. While special education funding has received significant increases in the last decade 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.

AASA supports efforts to fully fund IDEA through mandatory funding. By making the increases to IDEA mandatory it would 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. Fulfilling the Congressional promise of IDEA funding is even more important in light of the proposed cuts in Medicaid reimbursement.

Talking Points:
1. Share the impact that the special education shortfall has on your district including the encroachment on your general education budget. 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-Neb.) to make the increases to IDEA mandatory and ensure full funding by 2015.