

Special  
Education  
Legislative  
Summit 2021  
July 19-20, 2021



# Session 1: Federal Funding ("Appropriations")

*Is it really all about the funding?*

# Agenda

- **Danny Carlson**, Associate Executive Director, Policy and Advocacy, National Association of Elementary School Principals (NAESP)
- **Valerie Williams**, Senior Director of Government Relations and External Affairs, National Association of State Directors of Special Education (NASDSE)
- **Sarah Cohen**, Associate Director, Governmental Relations, American Federation of Teachers
- **Kuna Tavalin** (Moderator), Senior Policy Advisor, Council for Exceptional Children

# Federal Education Funding



# Authorization vs. Appropriations

- **Authorization**

Creates a specific program through federal law. An authorization bill acts as a prerequisite for an appropriation or other kinds of budget authority.

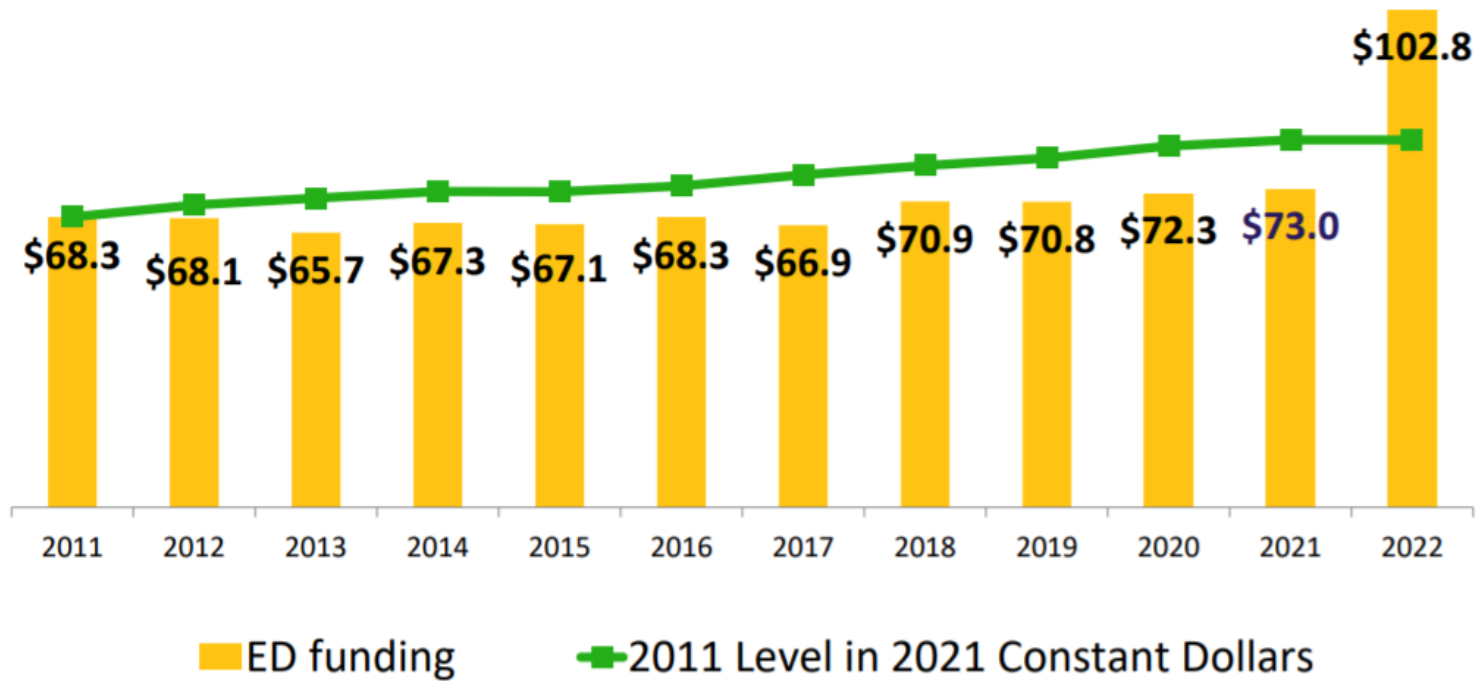
- **Appropriations**

Provides the actual amount of federal dollars to a specific program. Congress needs to pass appropriations bills each year for the operations and programs run by the federal government.



## President's Record Increase for FY 2022 Would Finally Raise Education Far Above the 2011 Level in Inflation-Adjusted Terms

(Department of Education Discretionary Funding in Billions of Dollars)



# Power of the Purse

- **House Labor-HHS-Ed Appropriations Subcommittee**
  - One of 12 subcommittees
  - 302(b)s
  - FY22 302(b) = \$237 billion
    - \$63 billion increase over FY21
    - \$102.8 billion for U.S. Department of Education (\$29.3 billion increase over FY21)
    - Of the \$102.8 billion, K-12 comprises \$65.5, a 62% increase over FY21 (USED's 2021 budget was \$73 billion)
    - \$17.2 billion for IDEA, an increase of \$3.1 billion



K-12 groups advocated for a federal response that matched the gravity of the moment: **\$200 billion** in direct funding for K-12 schools.

# The Ask: Why \$200 Billion?

- **Costs Going Up**

- Already-stretched schools facing an avalanche of new costs.

- **Revenue Going Down**

- In recessions, state revenues were expected to crater.

- **Different From Past Recessions**

- Coronavirus' impact on schools is different than Great Recession.







Congress' response: **\$197 billion** in direct K-12 aid to help schools recover from the coronavirus.

# The \$190 Billion

- **CARES Act (passed March 2020) – ESSER I**
  - **\$13 billion** for K-12
- **Coronavirus Response and Relief Supplemental Appropriations Act (passed December 2020) – ESSER II**
  - **\$54 billion** for K-12
- **American Rescue Plan (passed March 2021) – ESSER III**
  - **\$122 billion** for K-12

ESSER I,II,III ➡ states via Title I formula ➡ 90% to LEAs

# Education Stabilization Fund: Allowable Uses

- Providing **principals** and others school leaders with the resources necessary to address the needs of their individual schools
- **ESEA, IDEA** activities
- Supplies to sanitize and **disinfect** schools
- **PPE**
- Physical barriers for **social distancing**
- **Ed tech** (hardware, software, connectivity)
- Providing **mental health** services and supports
- **Summer learning** and supplemental afterschool program
- **Academic recovery**/Learning acceleration
- **School facility repairs/upgrades** to enable operation of schools to reduce risk of virus transmission.
- Inspection, maintenance, repair, and replacement to improve the indoor **air quality in schools**, including **ventilation**
- Activities necessary to maintain the operation of and continuity of services and **continuing to employ existing staff**

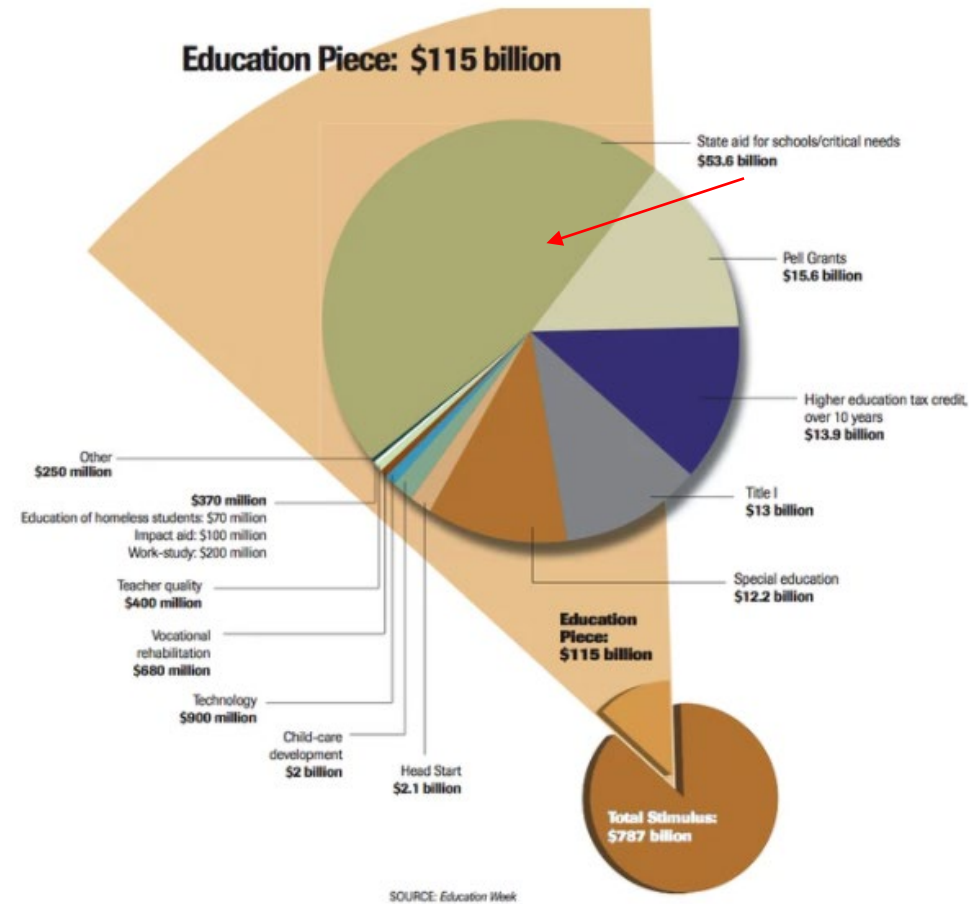


# Per-Pupil Breakdown


- CARES Act - \$13.2 billion (March 2020): **\$270 per pupil**
- Coronavirus Response and Relief Supplemental Appropriations Act - \$54 billion (December 2020): **\$1,100 per pupil**
- American Rescue Plan: **\$2,600 per pupil**

Source: Edunomics Lab

# The Great Recession







In short, K-12 federal education funding is having a moment: **strong federal investments in K-12 schools**, something advocates have been pushing for decades.



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# Special Education Legislative Summit

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Valerie C. Williams  
Senior Director of Government Relations & External Affairs

# OVERVIEW

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Education Funding

**2**

Special Education and IDEA Funding

**3**

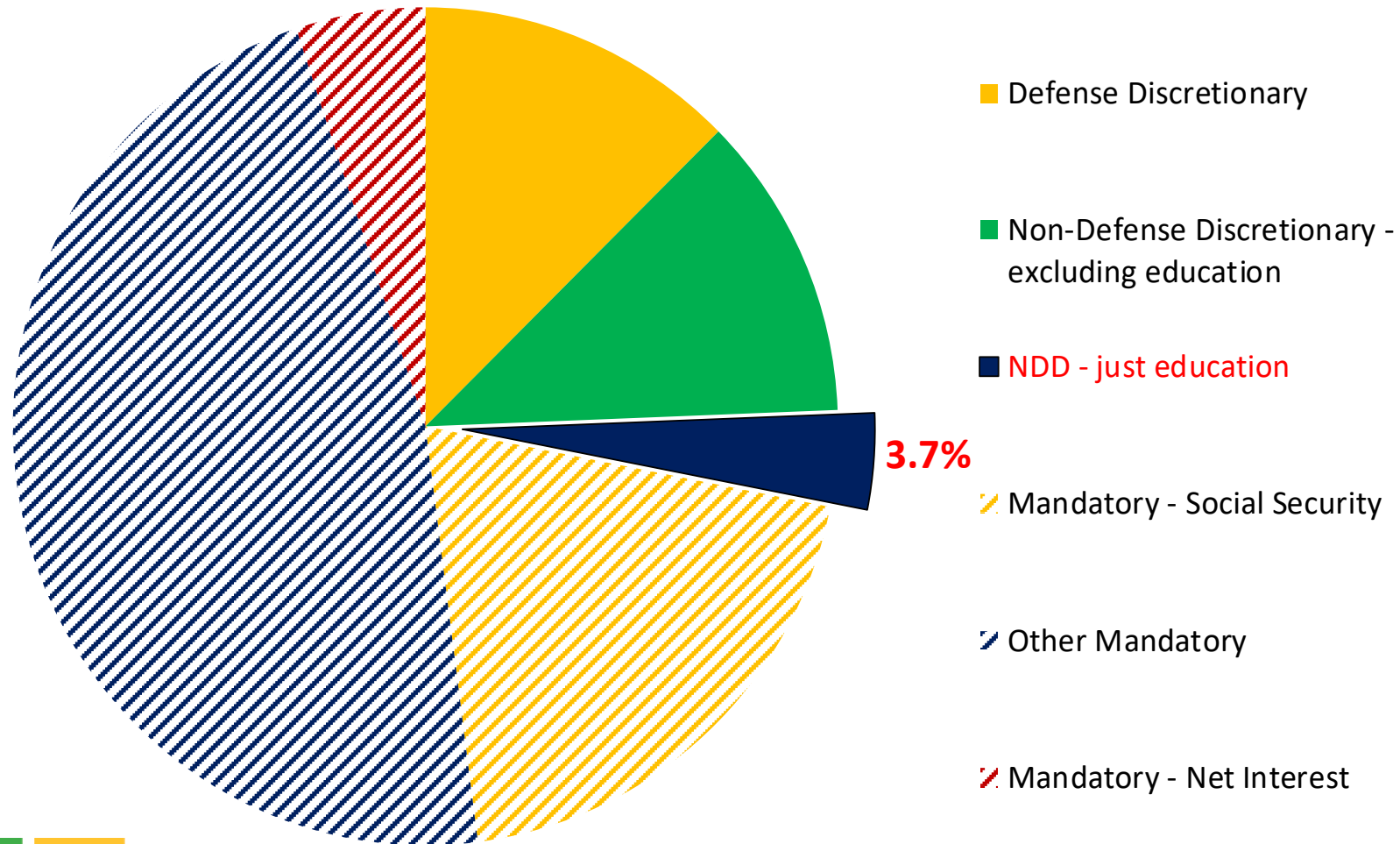
What does the public want?

**4**

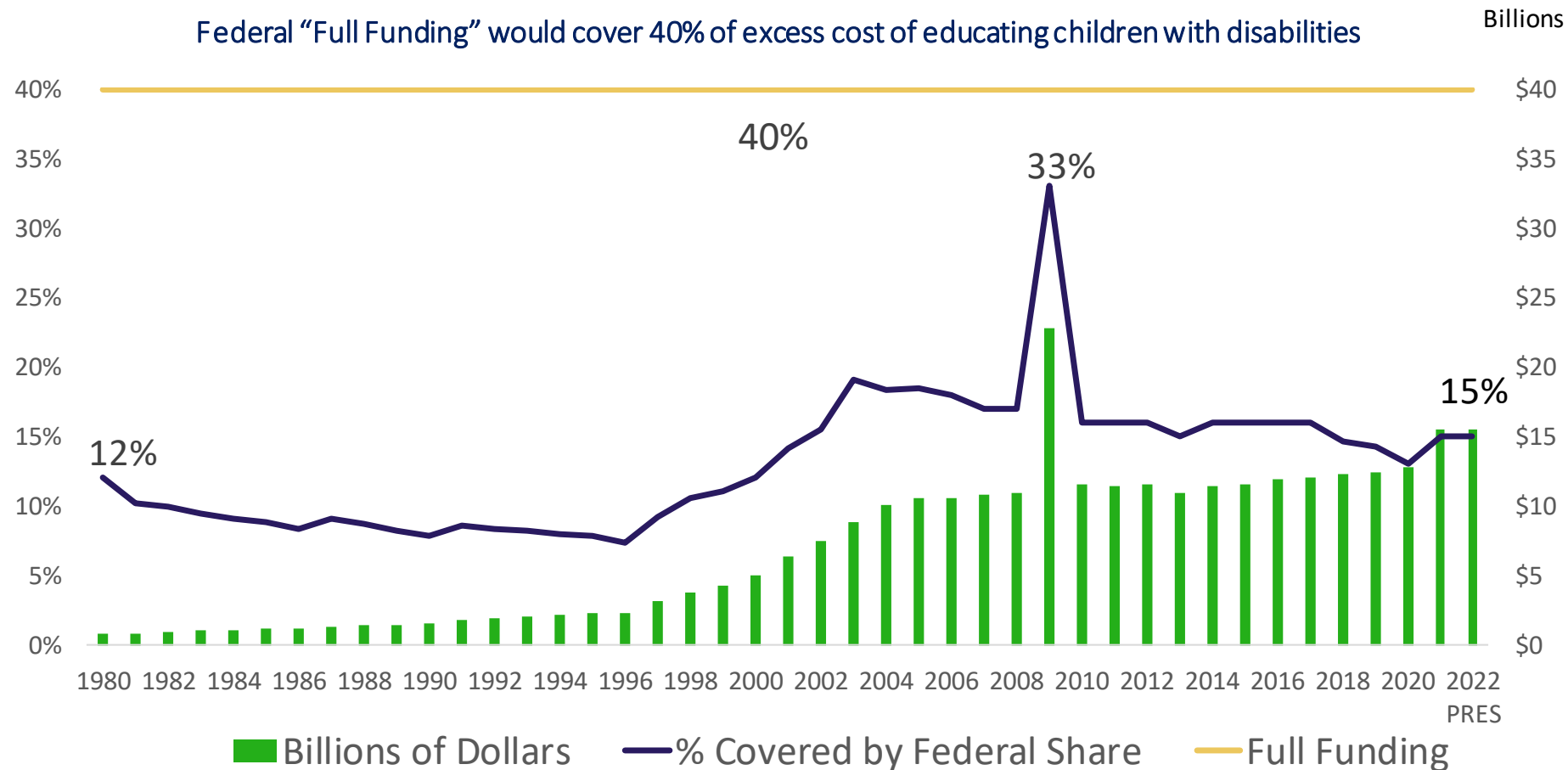
Advocacy

# Education Accounts for 3.7% of President's 2022 Budget

Outlays, Includes COVID-Relief Spending



# Special Education: Federal Share Only About 1/3 of “Full Funding” Even with President’s Funding Increase, Leaving Cost Burden to State and Local Budgets

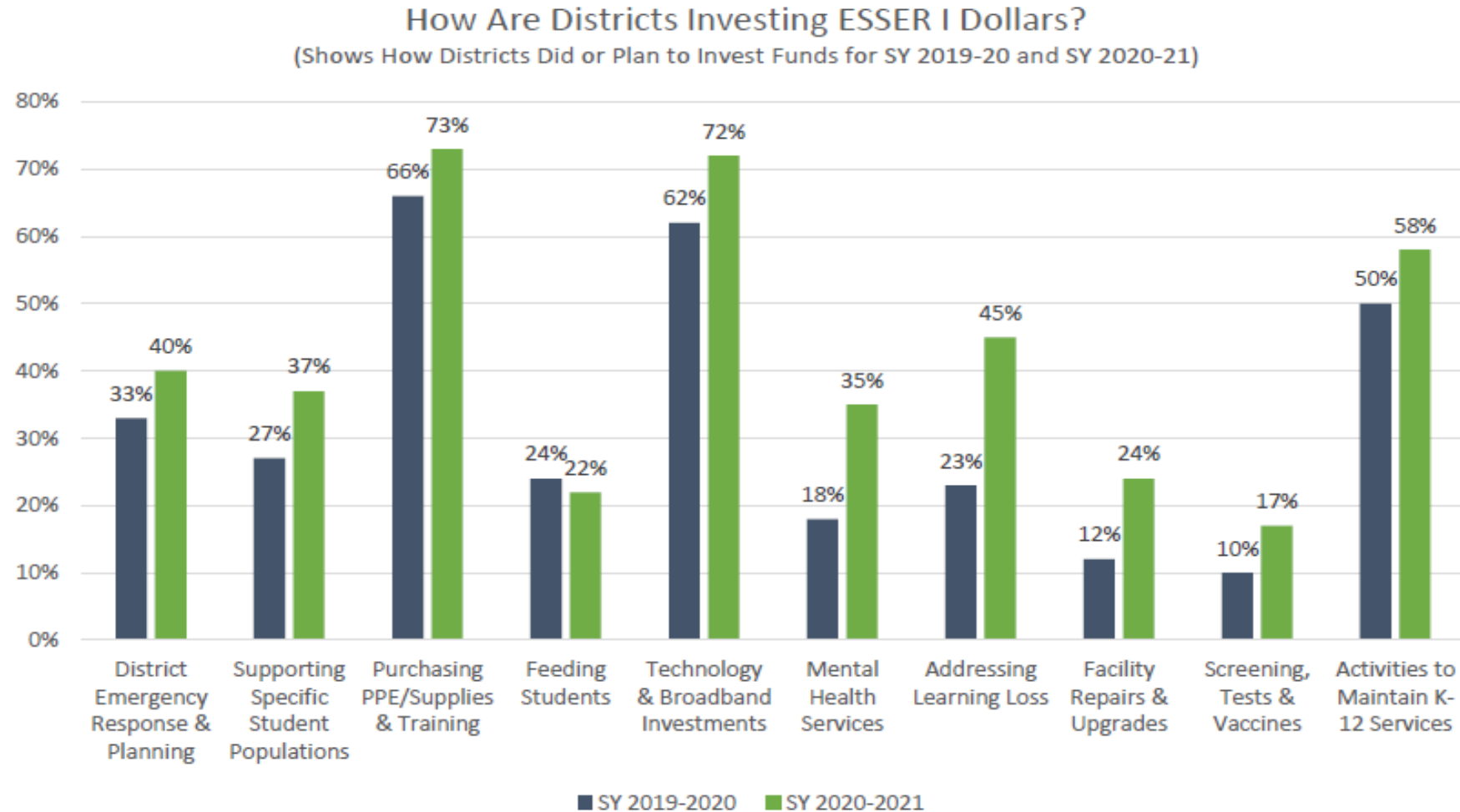




# American Rescue Plan (ARP)

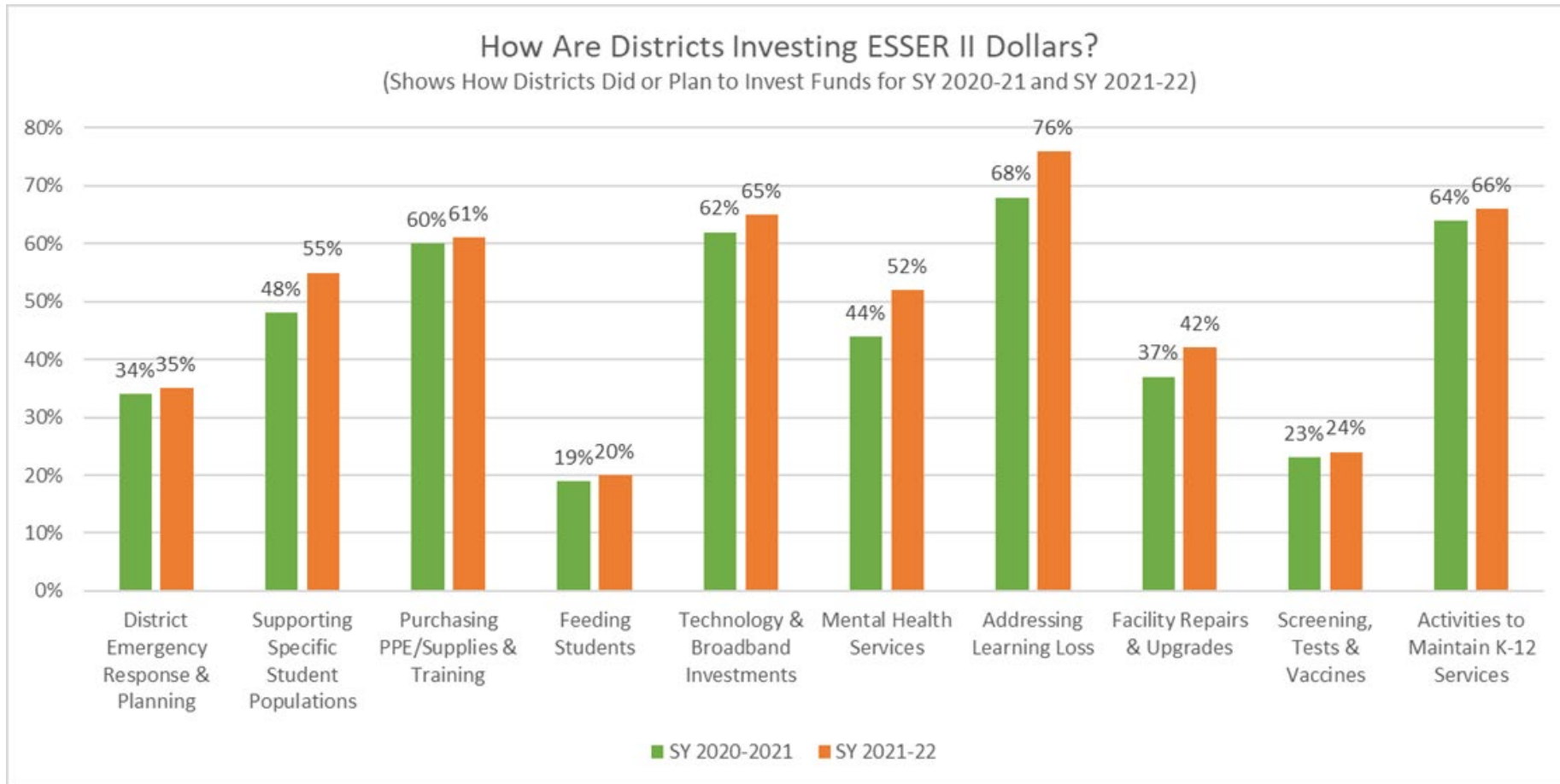
- Passed in March 2021
- \$2.6 billion in IDEA specific funds
- Allowable uses
- State pass through

# Most School Districts Used CARES Act COVID-Relief for PPE and Technology Loss



Source: [ASBO International report on 3/6/21](#)

# ¾ of School Districts are Using Second Federal COVID-Relief Bill Funds to Address Learning Loss



Source: [ASBO International report on 3/6/21](#)

# CONGRESIONAL LEGISLATION



## **H.R. 838 - Supporting Children with Disabilities During COVID-19 Act**

- Sponsor Rep Adam Schiff, D-CA; Co-sponsors Rep Johnson, D-TX, Rep Cohen, D-TN, Rep Meng, D-NY
- Emergency funding for IDEA:
  - Part B: \$11 billion
  - Preschool: \$400 million
  - Part C: \$500 million
  - Personnel Development: \$300 million
  - Assistive Technology Act: \$55 million

## **S. 240 - Supporting Children with Disabilities During COVID-19 Act**

- Sponsor Sen Murphy, D-CT, Co-sponsors Sen Hassan, D-NH, Sen Van Hollen, D-MD
- Identical bill

# NEXT CONGRESSIONAL FUNDING ACTIONS



## **Appropriations**

- Currently working on FY22
- House Labor-HHS-Education Appropriation Subcommittee \$17.2 billion for IDEA, an increase of \$3.1 billion

## **Infrastructure**

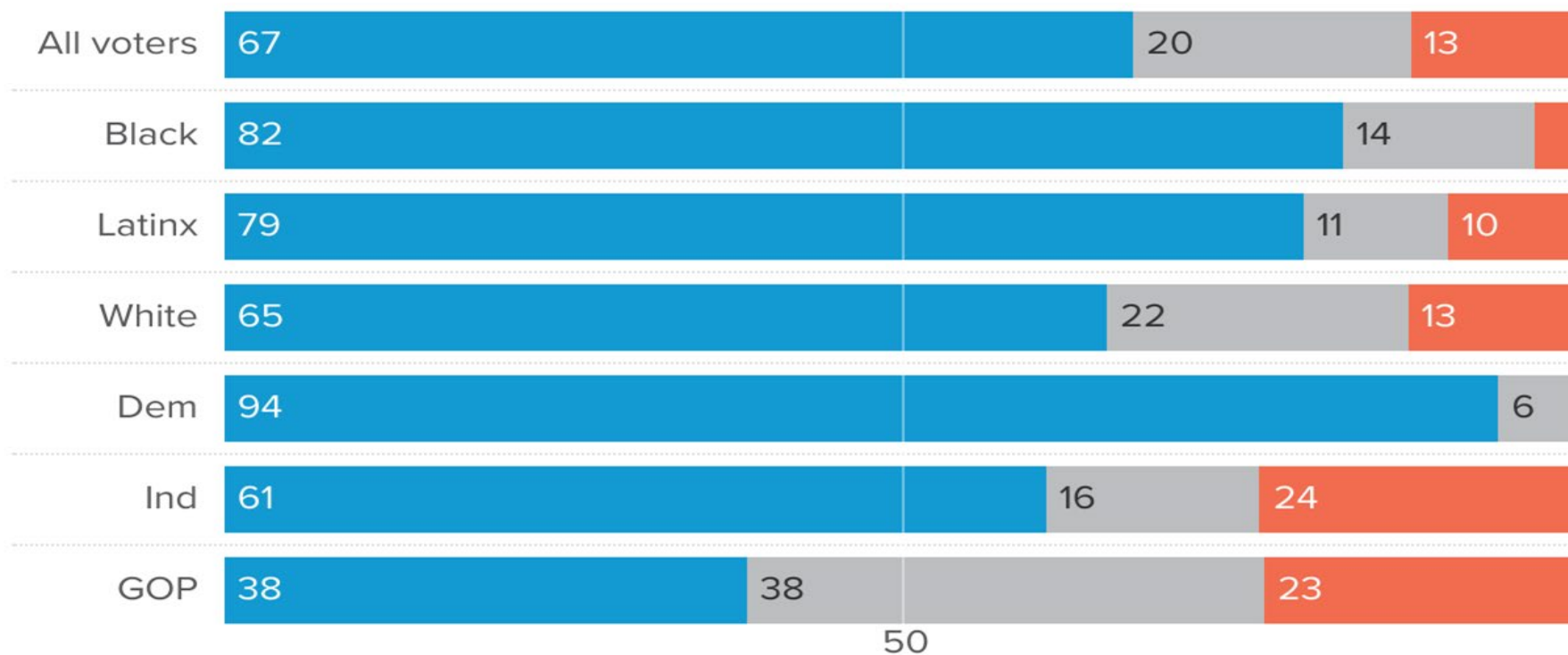
- Bipartisan bill has no infrastructure funding for schools
- Separate bill to include other previously omitted priorities from American Jobs and American Families Plans



# Two Thirds of Voters Believe the US Spends Too Little on Education

"Approximately 2% of the regular federal budget is spent on education. Do you think this amount is too little, about right, or too much?"

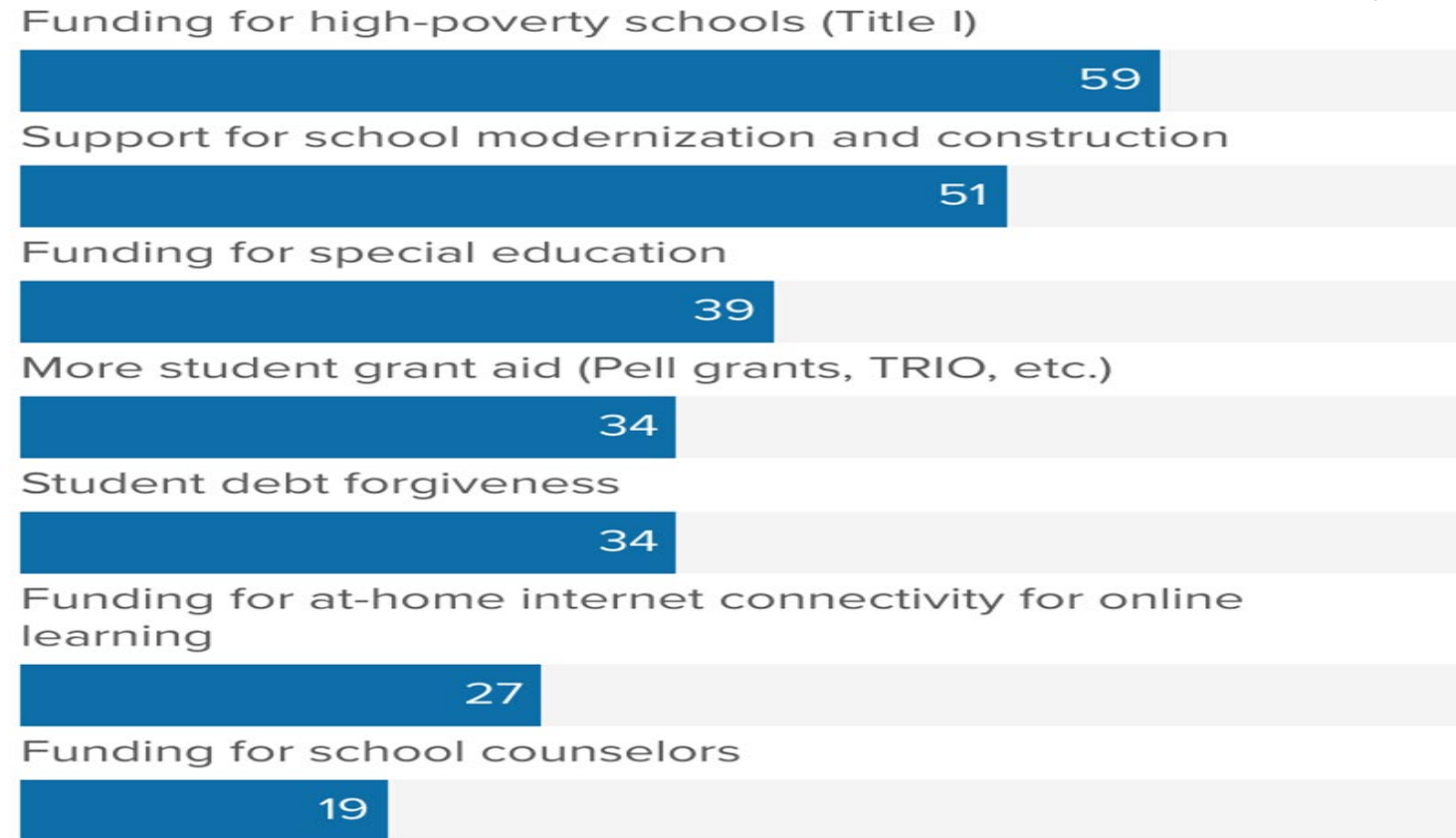
● Too little ● About right ● Too much Numbers are percents



# Title I and School Modernization are Voters' Top Education Funding Priorities

"When it comes to funding for education, which three are your highest priorities?"

Numbers are percents



# ADVOCACY



- **Now is the time**
- **Engage early and often throughout the process**
- **Be responsive**



*A Union of Professionals*

# Special Education Legislative Summit

July 19, 2021

Sarah Cohen

Associate Director, Government Relations Department

American Federation of Teachers

# Topics to discuss:

- Politics of President's Budget Request
- Appropriations Process for FY 22
- IDEA “full funding” advocacy



# President Biden's Budget Request

- President's "budget" is a proposal for appropriations, mandatory spending, and other policy changes
- Budget often the way to debut signature policy proposals (such as Obama's "America's College Promise") and signal priorities
- This year different because budget proposal combined several big proposals that Administration had debuted earlier (American Jobs and Families Plans)

# President's Budget

- President's proposal kicks off Congressional process for annual appropriations
- Delayed timeline this year (as first year of new President's term often is)
- As a marker for Presidential priorities and values, good to see proposed increase for IDEA funding (as Valerie discussed), described as “a significant first step on the path to fully funding IDEA.”
- With single party control, Congress will work to incorporate these priorities

# Appropriations Process: In theory

- 1<sup>st</sup> Monday in February – POTUS budget
- Committee hearings
- April 15 – Budget resolution sets topline spending
- May – appropriations mark-ups begin
- Sept 30 – deadline to finish passing all 12 appropriations bill (fiscal year ends)
- Possible reconciliation bills

# Appropriations process: FY 2022

- Committee hearings
- May 28 – POTUS budget
- June/July – House mark-ups and floor votes
- July 15 – L-HHS-ED bill full committee mark-up, floor vote week of July 26
- Week of July 26 – Senate vote on Budget resolution
- Senate mark-ups of approps bill not scheduled
- Sept – likely Continuing Resolution passed

# Appropriations process: FY 2022

- Budget resolution being used for reconciliation instructions; topline spending is secondary
- Budget tied up in negotiations over infrastructure spending (bipartisan bill) and American Jobs and Families Plan
- Some MOCs questioning big proposed increases in education spending given the COVID relief funding passed over past year

# “Full Funding” Advocacy

- Highlights historic, chronic underfunding
- This year to discuss additional needs as a result of pandemic (and therefore that pandemic funding doesn't negate need for regular appropriations funding)
- “unfunded mandate” of IDEA funding resonates with MOCs even who don't generally support education funding increases
- Language included in Biden's budget proposal

# “Full Funding” Advocacy

- “Full funding” long-term goal, reoccurring ask has well-socialized the language
- Will continue to be the ask because the gap to make up is so large
- Need to keep pushing to make progress

# Appropriations: The Asks

- \$15.5 billion for IDEA Part B Sec. 611 (+ \$2.6b)
- \$598 million for IDEA Part B Sec. 619 (+ \$200m)
- \$732 million for Part C (+ \$250m)
- \$300 million for IDEA Part D Personnel Prep (+ \$210m)
- \$70 million for the National Center for Special Education Research (+ \$11.5m)
- \$32 million for Javits Gifted and Talented (+ \$18.5m)



# Questions?

