



Approved
January 2022

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POSITION STATEMENT

Funding for the Individuals with Disabilities Act (IDEA)

CEC believes fully funding the Individuals with Disabilities Education Act (IDEA) is integral to ensuring a strong public education system that can deliver on the promise of a free appropriate public education (FAPE) as guaranteed by IDEA.

As advocates for infants, toddlers, children, and youth with disabilities, the Council for Exceptional Children (CEC) believes fully funding the Individuals with Disabilities Education Act (IDEA) is integral to ensuring a strong public education system that can deliver on the promise of a free appropriate public education (FAPE) as guaranteed by IDEA. Infants, toddlers, children, and youth with disabilities must receive the equal access and opportunity to services and supports they need so each individual can attain their highest level of education, employment, and life success. Full implementation of the IDEA, as the preeminent education law for special education, is critical to the achievement of this goal. *Thus, CEC advocates for fully and robustly funding every part of the law.*

The federal government provides annual funding for the four parts of IDEA.

- Part B Section 611 (grants to states) is the predominant funding stream, receiving roughly 92 percent of IDEA funding. Section 611 funds support the education of children and youth with disabilities aged 3 through age 21.
- Part B Section 619 (preschool grants) provides grants to states to support special education and related services for children with disabilities aged 3 through 5.
- Part C (infants and toddlers with disabilities) provides grants to states to support statewide systems for early intervention services for infants and toddlers with disabilities and their families from birth through age 2.
- Part D (national activities to improve education of children with disabilities) is a competitive grant program that includes (among other important priorities) personnel development, personnel preparation, technical assistance and parent training, and parent training information centers.

Recent Funding Levels Under IDEA

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
Part B Section 611	\$12.36 billion	\$12.76 billion	\$12.94 billion
Part B Section 619	\$391.1 million	\$394 million	\$397.6 million
Part C	\$470 million	\$477 million	\$481.9 million
Part D	\$225.6 million	\$250 million	\$254 million

Source: U.S. Department of Education. "Fiscal Year 2021 Budget Summary"

<https://www2.ed.gov/about/overview/budget/budget21/summary/21summary.pdf>; Fiscal Year 2022 "Budget Summary and Background Information" <https://www2.ed.gov/about/overview/budget/budget22/summary/22summary.pdf>

Full Funding of IDEA

IDEA Part B Section 611 (grants to states), by far the largest share of IDEA funding, includes a provision that assures the federal government will provide a substantial share of the cost to educate children with disabilities: "...the maximum amount of the grant to which a state is entitled under this Part for any fiscal year shall be equal to...(v) 40 per centum, for the fiscal year ending September 30, 1982, and for each fiscal year thereafter, of the average per pupil expenditure in public elementary and secondary schools in the United States..."¹ The original intent behind this provision was to ensure states and local districts would provide FAPE in the least

¹ U.S. Congress, Public Law 94-142, Education for All Handicapped Children Act (November 29, 1975)

restrictive environment and that the federal government would support a portion of the financial costs associated with special education and related services.

Congress determined that a fair proportion of the federal share of this additional cost would be 40 percent of the national average per-pupil expenditure (APPE), adjusted by the number of children with disabilities being served in the state. This figure is now known as “full funding” for IDEA Part B grants to states. Federal expenditures during FY 2020 were \$12,764,400 (or 13.2%) versus the \$36,345,000 (or 40%) full funding would have provided leaving a \$23,580,600 gap.

The U.S. Department of Education estimates that approximately 7.6 million children aged 3 through 21 with disabilities will be served through IDEA in Fiscal Year 2022. The number of children eligible for services under IDEA has generally risen faster than the growth rate of the general population (U.S. Department of **Education** budget FY 2022). Nevertheless, in the last decade, Congress has only provided marginal increases to IDEA--currently, funding only accounts for approximately 13 percent of APPE. Additionally, funding for infants and toddlers has eroded significantly from a high of \$1,768 per child in 1999 to \$645 per child in 2017, adjusted for inflation.

The combination of a rising number of children with disabilities and chronic underfunding of IDEA has resulted in a greater financial burden on state and local agencies and programs – across all programs. States and local communities continue to provide required services to millions of children nationwide while offsetting the costs of needed services, and this has come at a great cost to schools and students. Requiring states and communities to meet IDEA’s important requirements without providing the necessary federal funding leads to difficult choices that can impact the quality and frequency of service to children and families.

Fully funding IDEA would enable states, school districts and local programs to more effectively serve children with disabilities by allowing them to invest in high quality personnel, including paraprofessionals, teachers, early interventionists, administrators, secondary transition coordinators, and specialized instructional support personnel; materials and supplies for use with children with disabilities; professional development for all personnel including general education teachers and community providers; and support the purchase of specialized equipment and/or assistive technology. It would also improve state and local budgets overall, paving the way for stronger investments in other schoolwide programs and initiatives designed to support and meet the academic, social, transition, and emotional needs of all children, including children with disabilities, as well as post-school outcomes for youth with disabilities.

A Glidepath to Full Funding

Over the past two decades, CEC has worked with champions in Congress to introduce legislation that would put IDEA, Part B Section 611 (grants to states) on a glidepath to full funding. The result would ensure Congress provides steady increases to Part B resulting in full funding [40% of the APPE] after a specified timeframe.

Both political and technical reasons have led federal legislators to recommending a glidepath approach to achieving full funding for IDEA. On the political side, the increase from the current funding level of nearly \$13 billion annually, to full funding which would jump to more than \$40 billion poses a significant challenge to lawmakers, whether that additional funding is discretionary or mandatory; and, Congress has to choose one or the other when increasing funding to any education program. In choosing discretionary funding, such increases must rely upon one of two factors--either an increase to federal spending caps or Congress must make an equal-sized cut to an existing program within the education portfolio. In recent years, allocations dedicated to federal education spending have only increased by marginal amounts, and, when adjusted for inflation, federal education spending has actually decreased over the last 10 years. Should Congress take the mandatory funding route, this would mean the increase is subject to a Congressional pay-go rule that requires specific offsets, or equal-sized cuts to other programs, as determined by lawmakers. Congressional champions have also introduced the *Funding Early Childhood Is the Right IDEA* Act which offers a glidepath approach to full funding for Part C and Part B 619 as well.

While full funding of Part B Section 611, Part B Section 619 and Part C have specific legislative bills designed to achieve full funding, CEC strongly advocates for a meaningful federal share of all parts of IDEA, including Part D (national activities to improve education of children with disabilities). Part D’s programs are critical to supporting and promoting a strong special educator workforce for children of all ages and to ensuring a smooth transition for children as they transition from home-based services to school, and from school to postsecondary education and/or career training and employment. Each of IDEA’s programs are designed to support a critical place in the continuum of early intervention and special education, and, together, when well-funded, they provide the full suite of services and supports to enable each infant, toddler, child, and youth reach their full potential.