

Special
Education
Legislative
Summit **2022**
July 10-13, 2022



Issue Brief: Appropriations

Emmanuel Guillory, Nicole Fuller, and Kuna Tavalin

Agenda

- Overview: federal education funding
- Scope/scale of the federal role
- IDEA funding
- Current status of the appropriations process
- The “asks”

What is the Committee for Education Funding (CEF)?

- Non-partisan, non-profit coalition of >100 education organizations and institutes
- Influences Congress to increase federal education funding:
 - Meets with congressional staff,
 - Holds briefings on importance of education funding
 - Provides resources, including CEF's annual education budget book
- Supports CEF's members and the public with information on education funding and the budget

www.cef.org

Appropriations Overview

- Every year, Congress has to ensure that the federal government is funded through appropriations bills or a continuing resolution.
- The overall budgetary process begins with the President's budget request.
- Congress begins the appropriations process by passing a budget resolution to determine the top line funding levels
- Congress is currently considering fiscal year (FY)

Appropriations vs. Authorization

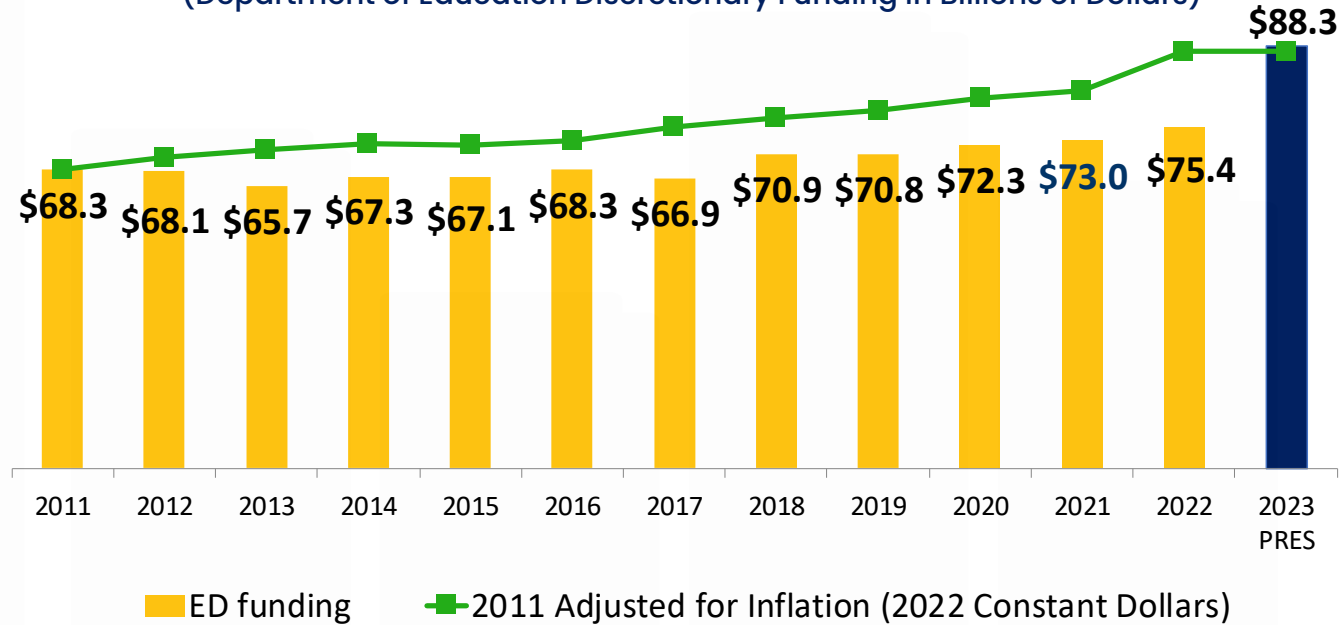
- In Congress, there are authorizers and appropriators.
- Appropriators set funding levels for programs.
- Authorizers set authorized levels of funding for programs.

Appropriations vs. Authorization

Authorization	Appropriation
<p data-bbox="407 394 900 476">Higher Education Act Authorization Language</p> <p data-bbox="394 506 909 650">SEC. 399 [20 U.S.C. 1068h] AUTHORIZATION OF APPROPRIATIONS</p> <p data-bbox="345 663 954 962">PART A.—(A) There are authorized to be appropriated to carry out part A (other than sections 316 through 320), \$135,000,000 for fiscal year 2009, and such sums as may be necessary for each of the five succeeding fiscal years.</p>	<p data-bbox="1035 377 1518 459">FY 2023 Appropriations Language</p> <p data-bbox="967 506 1576 978">The Committee recommends \$175,070,000 for the Part A, Strengthening Institutions program, which is \$65,000,000 more than the fiscal year 2022 enacted level. Funding supports competitive grants for general operating subsidies to institutions with below average educational and general expenditures per student and significant percentages of low-income students.</p>

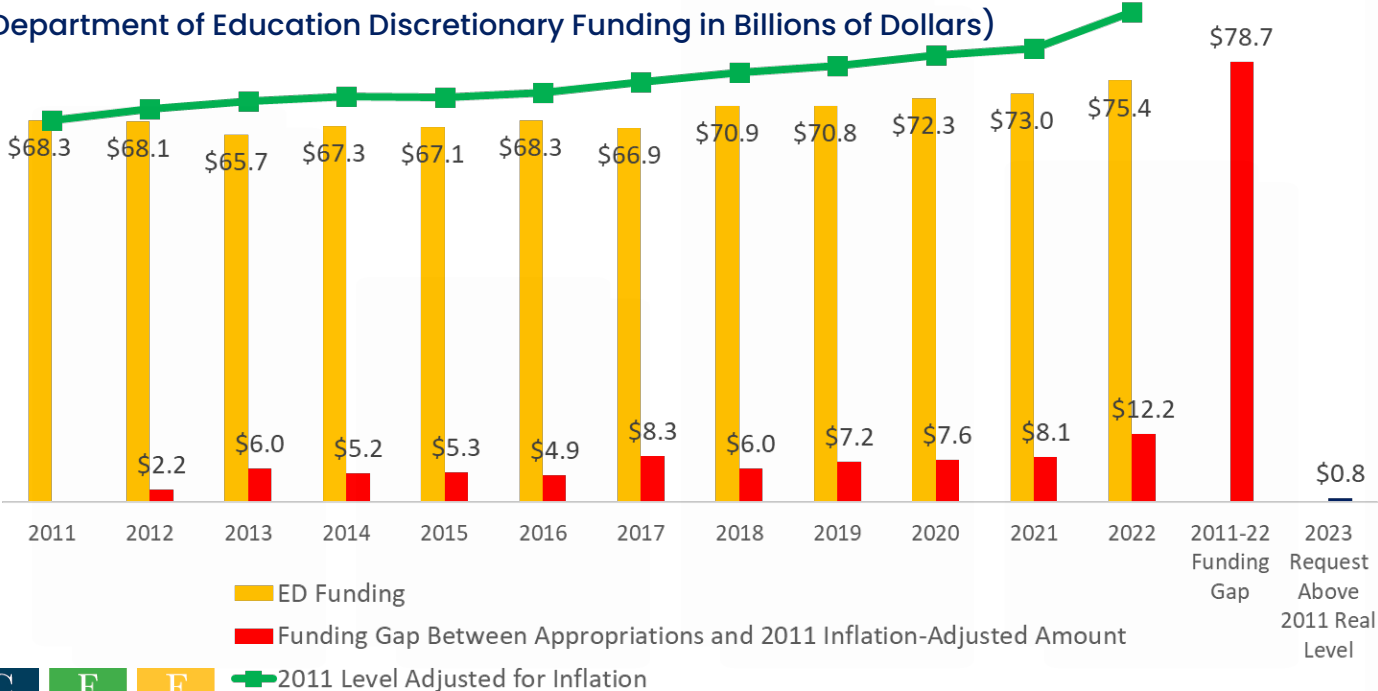
President's FY 2023 Budget Requests Record Education Funding That is Just Above 2011 Inflation-Adjusted Level

(Department of Education Discretionary Funding in Billions of Dollars)



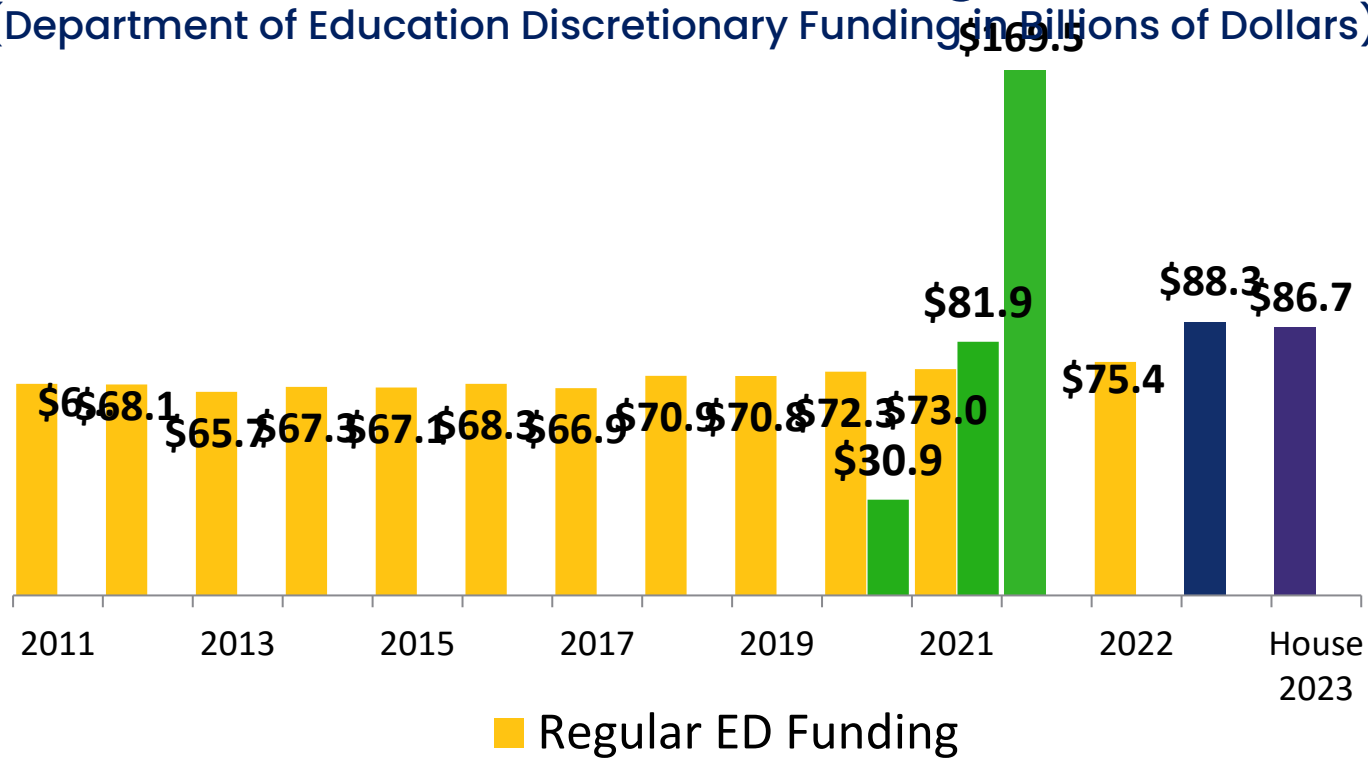
President's FY 2023 Education Increase Fills Only Tiny Share of 11-Year Funding Gap Below 2011 Inflation-Adjusted Level

(Department of Education Discretionary Funding in Billions of Dollars)



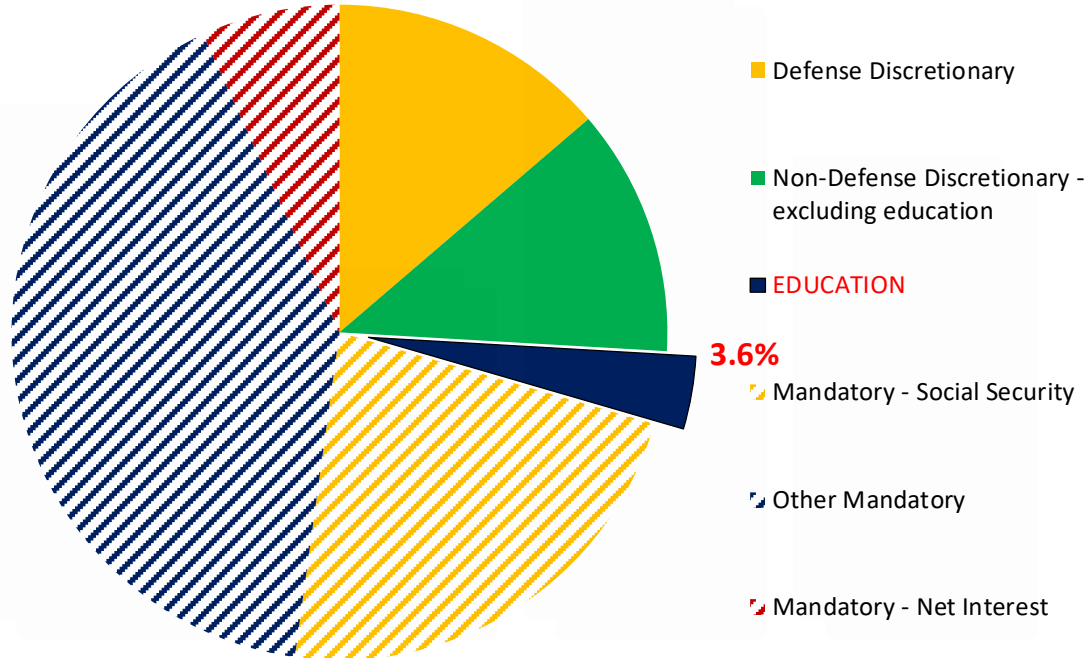
FY 2023 Could Be Historic Level of Regular Education Funding

(Department of Education Discretionary Funding in Billions of Dollars)

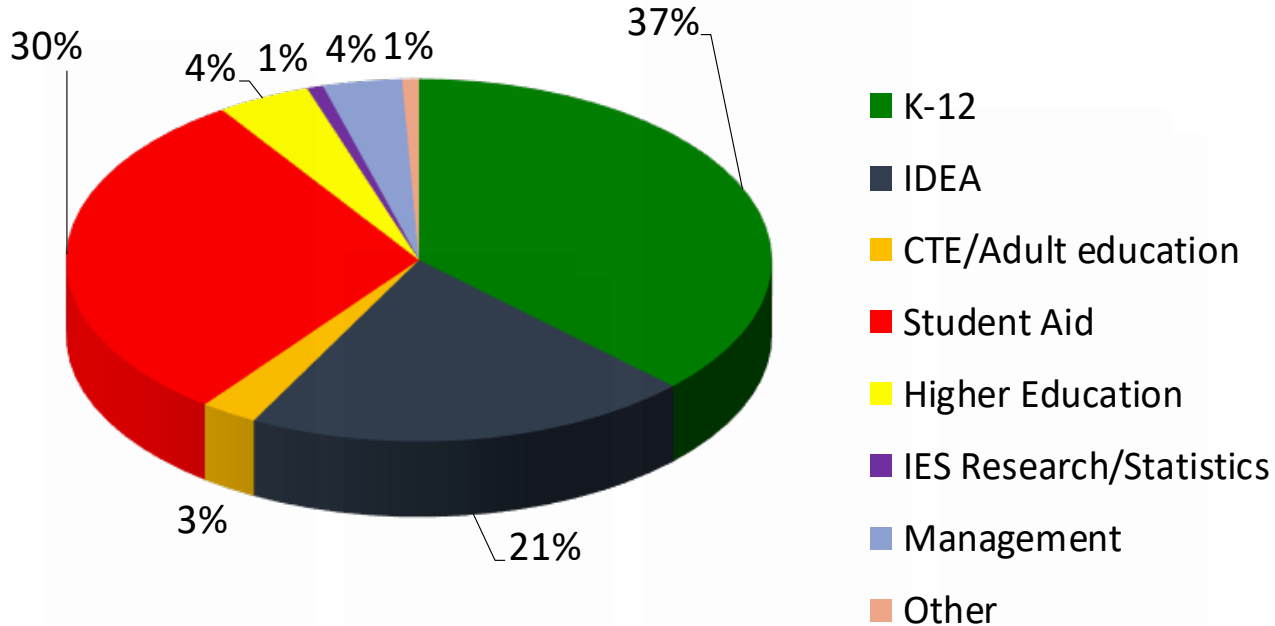


Education Accounts for 3.6% of President's 2023 Budget

Outlays, Includes COVID-Relief Spending



President's FY 2023 Education Department Discretionary Funding

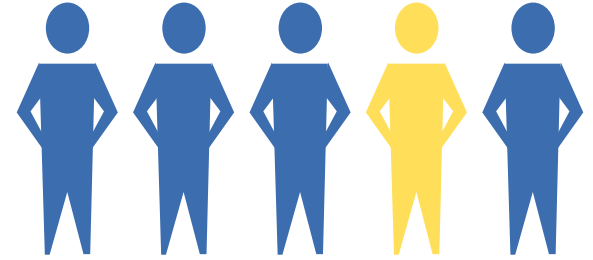


Special Education Legislative Summit

Nicole Fuller (she/her), National Center for
Learning Disabilities



NCLD's Mission



...is to improve the lives of the **1 in 5 children and adults** who struggle with learning and attention issues.

NCLD's Strategy



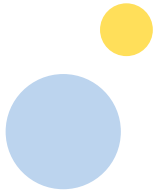
Informing local and national **policy** efforts to ensure equal opportunity and access



Strengthening the field through innovative **research** and collaborative partnerships



Developing **young adult and parent** leaders who can advocate for themselves and others



IDEA Funding

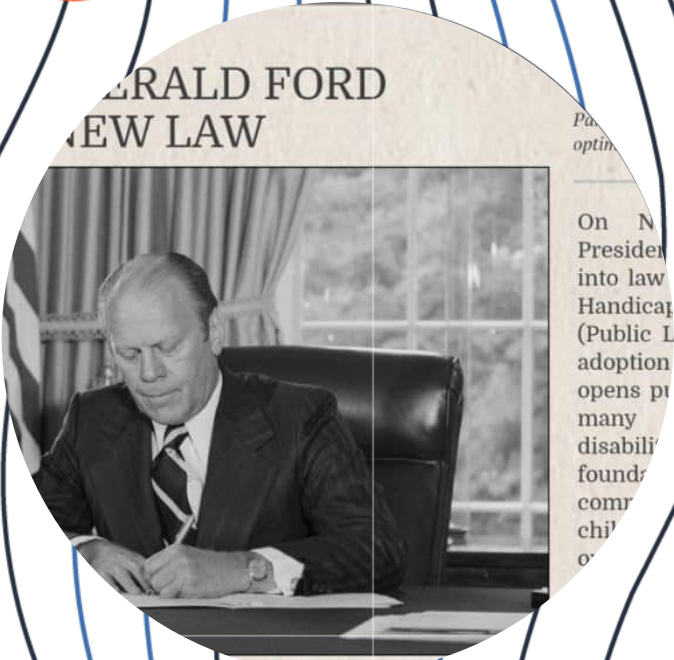
- Funding history
- Legislation
- Partnership and Advocacy



IDEA Funding Picture

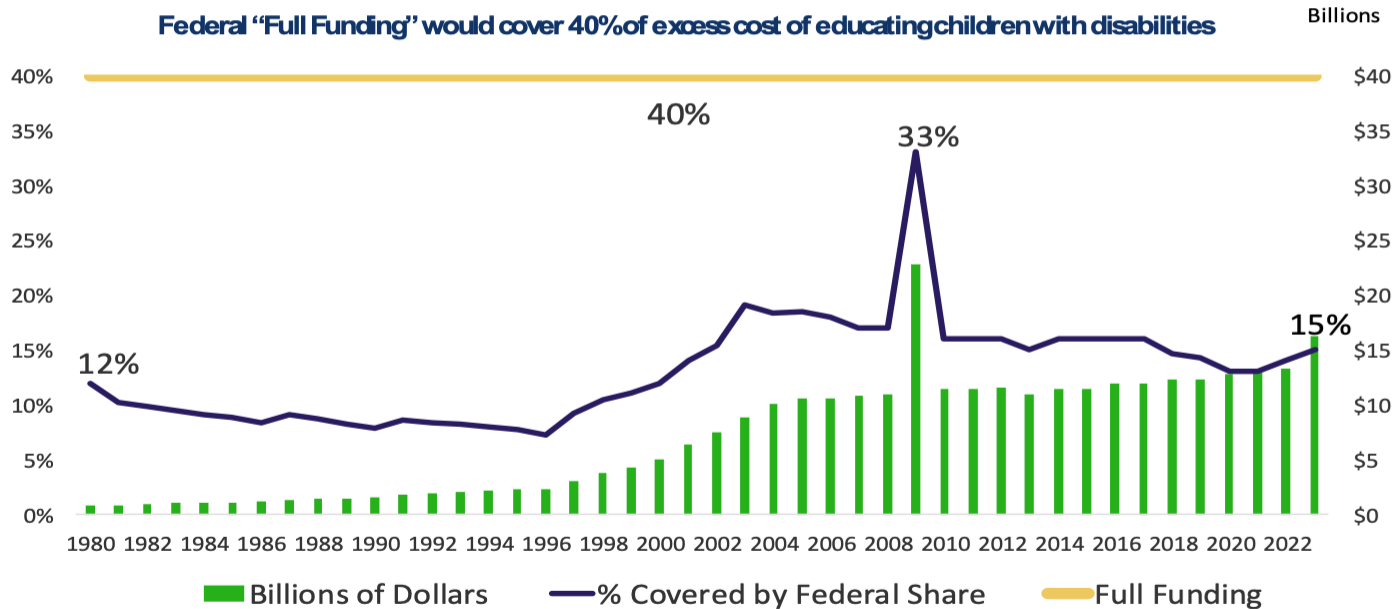
	FY 2021	FY 2022	FY 2023 - Pres. Budget Request	FY 2023 - LHHS bill (House)
IDEA Part B (State Grants)	\$12.9 billion	\$13.3 billion	\$16.3 billion	\$16.3 billion
IDEA Part B 619 (Preschool)	\$398 million	\$410 million	\$502.6 million	\$439.6 million
IDEA Part C (Infants & Toddlers)	\$482 million	\$496 million	\$932 million	\$621.3 million
IDEA Part D				
<ul style="list-style-type: none"> ● State Personnel Development ● Technical Assistance and Development ● Personnel Preparation ● Parent Training and Information ● Media and Technology 	<p>\$39 million</p> <p>\$44 million</p> <p>\$90 million</p> <p>\$27 million</p> <p>\$30 million</p>	<p>\$39 million</p> <p>\$44 million</p> <p>\$95 million</p> <p>\$30 million</p> <p>\$30 million</p>	<p>\$38.6 million</p> <p>\$49.3 million</p> <p>\$250 million</p> <p>\$45.2 million</p> <p>\$30 million</p>	<p>\$38.6 million</p> <p>\$44.4 million</p> <p>\$250 million</p> <p>\$40.2 million</p> <p>\$32.4 million</p>

“Full Funding” Advocacy



- Highlights historic, chronic underfunding with long-term goal
- Resonates with Members who don't always support education funding increases

Special Education: Federal Share Just Over 1/3 of “Full Funding” with President’s Big Funding Increase, Leaving Cost Burden to State and Local Budgets



IDEA Full Funding Act

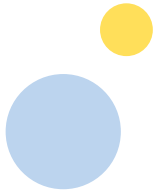
- Proposes a 10-year glidepath to fully fund IDEA

S.3213 (introduced November 2021)

- Sen. Van Hollen (D-MD) is the lead sponsor
- 30 Cosponsors (all D)

H.R. 5984 (introduced November 2021)

- Rep. Huffman (D-CA-2) is the lead sponsor
- 127 Cosponsors (Bipartisan)



Funding Early Childhood is the Right IDEA Act

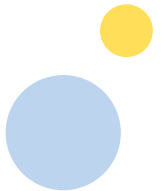
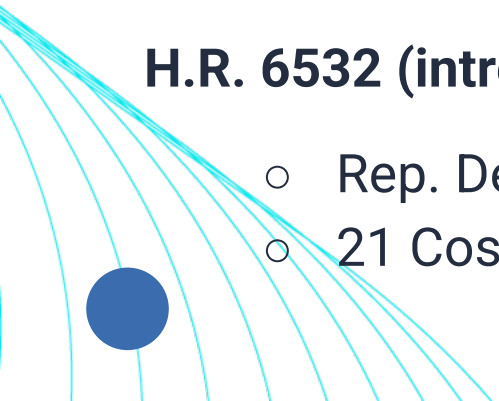
- Proposes increased authorizations for IDEA Part B 619 (preschool) and Part C (infants and toddlers)

S.3544 (introduced February 2022)

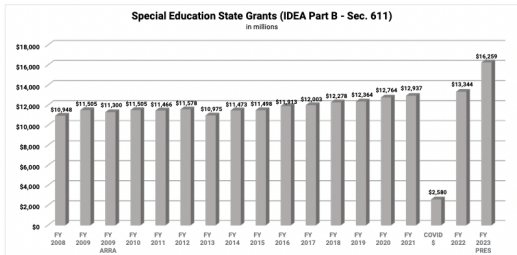
- Sen. Hassan (D-NH) is the lead sponsor
- 4 Cosponsors (all D)

H.R. 6532 (introduced February 2022)

- Rep. DeSaulnier (D-CA-11) is the lead sponsor
- 21 Cosponsors (Bipartisan)



Advocacy and Partnership



PROGRAM NEED

Part B is the largest program under the IDEA, serving approximately 6.5 million K-12 students. The guarantee of special education supports and services is a civil right, and the number of students who require assistance does not decrease when federal funding is stagnant. In fact, the number of students requiring special education has grown, as has the complexity of challenges for those students. In just the last 5 years for which data are available, the number of IDEA-eligible students has increased by 462,000, an increase of more than 6 percent, while total school enrollment has seen little to no increase in the same period of time. At the same time, funding has not kept pace.

When IDEA was first enacted in 1975, Congress anticipated the cost of providing special education to IDEA-eligible students would be approximately twice that of the cost to educate non-disabled students. Thus, Congress authorized a federal funding contribution of 40 percent of the national average per pupil expenditure. In exchange for these funds, states and districts must ensure all eligible students are provided a free appropriate public education in the least restrictive environment. While states and districts have kept their end of the bargain, the federal government has never reached even half of its promised level of funding.

With schools and districts using a large percentage of their budgets to address health and safety concerns related to reopening schools, it is essential the federal government provide a significant increase in IDEA funding. While districts and schools work to address disruptions in learning for students with disabilities in the wake of COVID-19, the need for additional IDEA funding is critical and cannot be overstated. A significant increase would ensure funding is available for school programs that can benefit all students, including students with disabilities.

CONTACT INFO

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INTRO

CHARTS

PART 1

PART 2

PART 3

PART 4

PART 5



National Coalition on Personnel Shortages in Special Education and Related Services

May 2, 2022

The Honorable Rosa DeLauro, Chair
House Appropriations Subcommittee on Labor,
HHS, Education and Related Agencies
U.S. House of Representatives
Washington, DC 20515

The Honorable Patty Murray, Chair
Appropriations Subcommittee on Labor, HHS,
Education, and Related Agencies
U.S. Senate
Washington, DC 20510

The Honorable Tom Cole, Ranking Member
House Appropriations Subcommittee on Labor,
HHS, Education, and Related Agencies
U.S. House of Representatives
Washington, DC 20515

The Honorable Roy Blunt, Ranking Member
Appropriations Subcommittee on Labor, HHS,
Education, and Related Agencies
U.S. Senate
Washington, DC 20510

Dear Chair DeLauro, Ranking Member Cole, Chair Murray, and Ranking Member Blunt:

On behalf of the undersigned members of the National Coalition of Personnel Shortages in Special Education and Related Services (NCPSSERS), we urge you to support funding in FY 2023 to ensure our nation's schools are equipped to serve all of our students. NCPSSERS is a diverse coalition dedicated to addressing the shortages of special education teachers and administrators and specialized instructional support personnel. Schools, districts, and early childhood programs need sustained funding to provide essential services to infants, toddlers, children, and youth with disabilities, many of whom struggled to access early intervention and education services through the pandemic. Critical staffing shortages of special education teachers, early interventionists, and specialized instructional support personnel certainly contributed to this lack of access during school closures, but these shortages pre-dated and were only exacerbated by the pandemic. NCPSSERS urges Congress to invest in programs that support these practitioners and the students they serve.

Moreover, Congress should enact a glidepath to full funding of the Individuals with Disabilities Education Act (IDEA), a commitment made to states in 1975 when the law was first passed. That commitment was a federal funding level of up to forty percent of the excess costs of educating children with disabilities. Fiscal Year 2022 funding for IDEA Part B grants to states was \$13.34 billion, which equates to approximately 13 percent of the authorized amount. State and local budgets must cover the federal shortfall, estimated at more than \$23 billion. Likewise, Congress must provide a meaningful investment in early intervention and the full continuum of IDEA programs to ensure the law operates as intended.

This year, the Administration recognized this historic underfunding and put forward landmark proposals for FY 2023 that would significantly increase programs that support infants, toddlers, children, and youth



CONSORTIUM FOR CONSTITUENTS WITH DISABILITIES

April 25, 2022

The Honorable Rosa DeLauro, Chair
House Appropriations Subcommittee on Labor,
HHS, Education, and Related Agencies
U.S. House of Representatives
Washington, DC 20515

The Honorable Patty Murray, Chair
Appropriations Subcommittee on Labor, HHS,
Education, and Related Agencies
U.S. Senate
Washington, DC 20510

The Honorable Tom Cole, Ranking Member
House Appropriations Subcommittee on Labor,
HHS, Education, and Related Agencies
U.S. House of Representatives
Washington, DC 20515

The Honorable Roy Blunt, Ranking Member
Appropriations Subcommittee on Labor, HHS,
Education, and Related Agencies
U.S. Senate
Washington, DC 20510

Dear Chair DeLauro, Ranking Member Cole, Chair Murray, and Ranking Member Blunt:

As you begin the appropriations process for Fiscal Year (FY) 2023, the Consortium for Constituents with Disabilities (CCD) Education Task Force urges you to adopt the highest proposed levels for the federal investment in programs that support infants, toddlers, children, and youth with disabilities, their families, and the educators and other service providers who serve them.

CCD is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society. To support these goals and ensure that children with disabilities have every opportunity to succeed in school and beyond, Congress must uphold its responsibility to pass comprehensive appropriations bills each year and deliver on its commitment to funding early intervention and education costs for children with disabilities.

In the wake of the COVID-19 pandemic, schools, districts and early intervention programs will need additional resources to provide essential services to infants, toddlers, children, and youth with disabilities, many of whom have struggled to access early intervention and education services for students with disabilities over the last year. Schools, districts and early intervention programs will also need sustained funding to reverse the provider shortage crisis, which predates the pandemic but has been significantly exacerbated. In addition, improving access to school-based mental health and social emotional supports and programs is critical especially in preventing and identifying — early-on — mental health challenges in children and youth. Even prior to COVID-19, significant need existed among students for school-based mental health services and schools faced critical shortages of open positions and qualified practitioners, which includes personnel teaching students with disabilities as well as

Fiscal Year (FY) 2023 Appropriations Process

- Process and theoretical timeline
- FY 2023 - Where are we now?



4 Things to Know about Appropriations Process

1. President's budget request is a starting point
2. Multiple opportunities to advocate
3. 12 subcommittee bills

(We follow Labor-H)

1. Report language is important



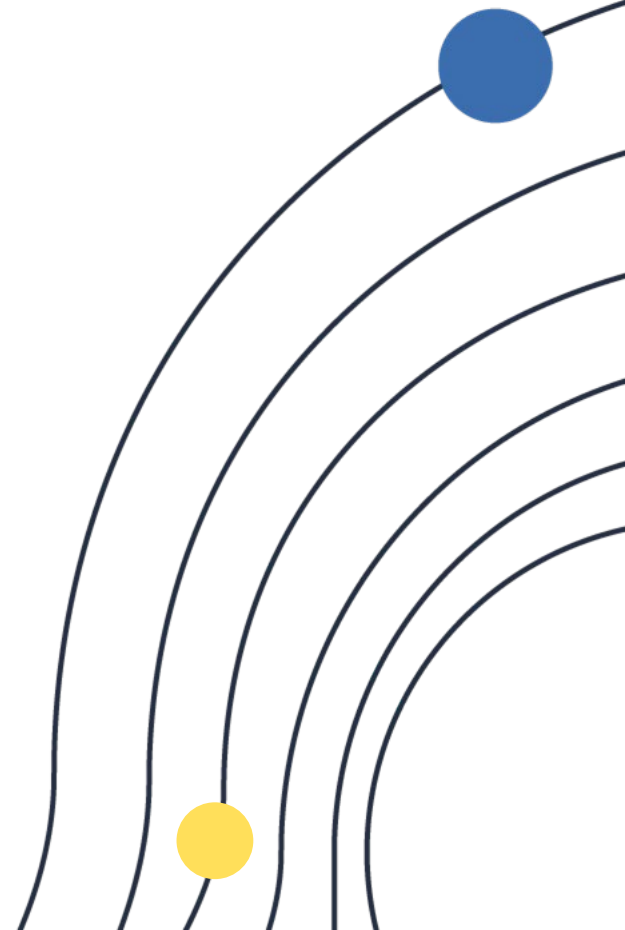
In Theory

- **1st Monday in February** – POTUS budget
- Committee hearings with agency staff
- **April 15** – Budget resolution sets topline spending
- **May** – Appropriations markups begin
- **Sept 30** – deadline to finish passing all 12 appropriations bill
(Fiscal Year ends)
- Possible reconciliation bills



Where are we now?

- FY 2022 bill passed in March
- President's budget request: Late March
- House Labor-H bill passed Appropriations Committee on June 30th





Questions?

Contact: nfuller@ncld.org

The Asks

\$16.3 billion for IDEA Part B Sec. 611 (+ \$3b)

\$503 million for IDEA Part B Sec. 619 (+ \$93m)

\$932 million for Part C (+ \$436m)

\$300 million for IDEA Part D Personnel Prep (+ \$205m)

\$70 million for the National Center for Special Education Research (+ \$10m)

\$32 million for Javits Gifted and Talented (+ \$17.5m)