

HOUSE BILL REPORT

HJM 4020

As Reported by House Committee On:
Education Appropriations

Brief Description: Petitioning Congress to fully fund forty percent of the costs of the federal Individuals with Disabilities Education Act (IDEA).

Sponsors: Representatives Dickerson, Quall, Darneille, Maxwell, Conway, Simpson, Kagi, Kenney, Carlyle, Rolfes and Moeller.

Brief History:

Committee Activity:

Education Appropriations: 1/19/10, 1/21/10 [DP].

Brief Summary of Bill

- Petitions the President, Congress, and the Secretary of Education of the United States of America to increase funding for special education, as provided for in the Individuals with Disabilities Education Act, to 40 percent of total special education costs experienced by the states.

HOUSE COMMITTEE ON EDUCATION APPROPRIATIONS

Majority Report: Do pass. Signed by 11 members: Representatives Haigh, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Carlyle, Haler, Kagi, Nealey, Quall, Rolfes and Wallace.

Minority Report: Without recommendation. Signed by 2 members: Representatives Anderson and Hunter.

Staff: Ben Rarick (786-7349).

Background:

The Individuals with Disabilities Education Act (IDEA) is a federal law ensuring services to children with disabilities throughout the United States. The IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 6.5 million eligible infants, toddlers, children, and youth with disabilities.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Under the IDEA, federal special education funds are distributed through state grant programs and several discretionary grant programs. The IDEA authorizes grants to state and local education agencies to offset part of the costs of the K-12 education needs of children with disabilities. Infants and toddlers with disabilities (birth to 2-year-olds) and their families, receive early intervention services under the IDEA Part C. Children and youth (3-year-olds to 21-year-olds) receive special education and related services under IDEA Part B. Part B comprises the vast majority of the federal funding under the IDEA.

In the IDEA legislation, Congress set a target for the federal contribution to special education spending equal to 40 percent of the estimated cost of educating children with disabilities. Various entities have estimated Congress' progress toward this goal over time. For example, the New America Foundation has estimated that Congress' contribution to special education excess costs nationwide has never exceeded 18 percent of expenditures.

According to the annual financial statements of Washington public school districts, financial reports from the Office of the Superintendent of Public Instruction, school districts spent approximately \$1.2 billion on special education services in the 2008-09 school year. During the 2009 Fiscal Year, the Legislature appropriated approximately \$220 million in federal special education funds. Using these data, the federal contribution to Washington special education expenditures would be approximately 18 percent. Additionally, federal IDEA funding has increased significantly since the 2008-09 school year.

Summary of Bill:

The Legislature petitions the President, Congress, and the Secretary of Education of the United States of America to increase funding for special education, as provided for in the Individuals with Disabilities Education Act, to 40 percent of total special education costs experienced by the states.

Appropriation: None.

Fiscal Note: Not requested.

Staff Summary of Public Testimony:

(In Support) Many students in the juvenile justice system need special education services, but insufficient federal funding is an obstacle to meeting those needs. Insufficient special education funding creates an even greater burden on the juvenile justice system. Congress needs to step up to the obligations it set for itself. The 40 percent goal in the original legislation has never been realized. With the additional special education funding provided through the American Reinvestment and Recovery Act, the state gets close to the 40 percent goal.

(Opposed) None

Persons Testifying: Representative Dickerson, prime sponsor; and Christie Perkins, Washington State Special Education Coalition.

Persons Signed In To Testify But Not Testifying: None