

President Signs Legislation to Double IDEA Funding: *CEC and Special Educators Land Historic Victory*

After 34 years of advocating for full funding of the *Individuals with Disabilities Education Act* (IDEA), CEC and its members have much to be proud of.

Until recently, the prospect of achieving full funding seemed daunting at best. But on Feb. 17, President Barack Obama signed legislation investing \$12.2 billion into IDEA over two years, which more than doubles current funding for IDEA programs. This represents an unprecedented infusion of funding into special education and early intervention.

Never before has the federal government made such an investment in special education. It is the culmination of decades of advocacy and leadership by CEC and its members, who serve on the front line of educating children and youth with disabilities.

As any special educator will attest, 1975 marked a pivotal year for children and youth with disabilities when President Gerald Ford signed into law the *Education of All Handicapped Children Act* (PL 94-142). IDEA's predecessor provided all children with a free and appropriate public education. With PL 94-142 the federal government committed to assisting states with the additional cost of educating students with disabilities by covering 40 percent of the average per-pupil expenditure – the amount better known as full funding.

Thirty-four years later, this amount has never exceeded 18 percent. For decades, the lack of federal investment in IDEA has forced states and districts to bear a disproportionate share of the fiscal burden that comes with providing special education and early intervention, further straining systems that have been stretched thin for years. Thus 2009 marks another critical year for special education, now that the federal government has finally taken a respectable step toward achieving full IDEA funding.

In addition, Congress and the Obama Administration have spent the last two months crafting legislation to respond to the national economic crisis that has affected many state budgets, resulting in cuts to programs and personnel and general fiscal unrest. Education is certainly not immune to budget crises – in fact, it often feels the recession from all angles, as school districts reduce spending and children of families who have suffered job layoffs or foreclosures attend school daily.

Knowing this, CEC -- together with national organizations representing governors, state legislatures, education, and disability communities -- advocated for a dramatic investment in IDEA as part of the economic stimulus package, officially known as the *American Recovery and Reinvestment Act* (ARRA). CEC and its members conveyed to policymakers how an investment in IDEA would preserve programs, prevent layoffs, and free up resources for other critical initiatives.

In recent weeks, CEC and its members successfully battled opposition that sought to reduce the investment in special education by half, a victory unto itself. It was this most recent effort – drawing upon three decades of steadfast advocacy – that resulted in Congress agreeing to double funding for IDEA programs over two years.

While this infusion of federal funding into IDEA represents the largest increase ever for special education, it still falls short of the 40 percent promised in 1975. CEC recognizes that Congress cannot in one year provide enough funding to compensate for three decades of fiscal neglect. Therefore, the Council will continue to work with congressional leaders to ensure that the new funding level serves as a baseline for future increases and that a steady, substantial increase in special education funding is a priority for years to come.

CEC-supported initiatives in ARRA include:

- \$11.4 billion for IDEA grants to states for school-aged students (Part B).
- \$400 million for IDEA’s Preschool Program (Part B Section 619).
- \$500 million for IDEA’s Infants and Toddlers With Disabilities Program (Part C).
- \$680 million for rehabilitation services and disability research.
- \$13 billion for the Education for the Disadvantaged, of which \$10 million is allocated for Title I formula grants and \$3 billion for School Improvement Grants.
- \$250 million for the Institute for Education Sciences.
- \$53.6 billion for a State Fiscal Stabilization Fund, 83 percent of which must be used to restore state support for elementary and secondary education to the 2008 or 2009 level (whichever is greater), whereby a local education agency may use this funding for any program authorized by IDEA, the *Elementary and Secondary Education Act/No Child Left Behind Act*, or the *Carl D. Perkins Career and Technical Education Act*. The remaining 17 percent may be used for public safety or other government services (which may include education and higher education).
 - State Incentive Grants: The U.S. Secretary of Education may award incentive grants to states that have made significant progress in achieving equity in teacher distribution, establishing a longitudinal data system, and enhancing assessments for students with disabilities and English language learners.
 - Innovation Fund: \$650 million may be awarded by the U.S. Secretary of Education to recognize school districts, partnerships between nonprofit organizations and state education agencies or school districts, or school consortiums that have made significant gains in closing achievement gaps.
- \$250 million for state longitudinal data systems.
- \$200 million for a Teacher Incentive Fund.
- \$650 million for education technology.
- \$1.1 billion for Early Head Start and \$1 billion for Head Start.
- \$2 billion for the Child Care and Development Block Grant Program.

- Extending to July 1, 2009, the moratoria for several controversial Medicaid regulations that would cut or eliminate reimbursement for targeted case management, transportation, rehabilitation, and administrative claiming.

Going forward, CEC plans help special educators understand the ramifications of these economic stimulus provisions and how to effectively and efficiently use the money to improve educational outcomes for children and youth with disabilities. CEC also stands ready to collaborate with the Obama Administration and Congress to ensure all children and youth receive the high-quality education they need and deserve.

Read the [official CEC press release](#) celebrating the passage of the economic stimulus bill