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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Bryn Debeikes to Bruce Reed re: Special Education Funding (partial) (1 page)	09/27/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Andrew Rotherham (Subject Files)
OA/Box Number: 17352

FOLDER TITLE:

Increased IDEA [Individuals with Disabilities Education Act] Funding Good for Kids

2011-0103-S
rc166

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
RR. Document will be reviewed upon request.

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b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]


Increased IDEA Funding
Good for Kids
C

ISSUE BRIEF

·NSBA·

Special Education— Honoring the Federal Commitment

• Introduction

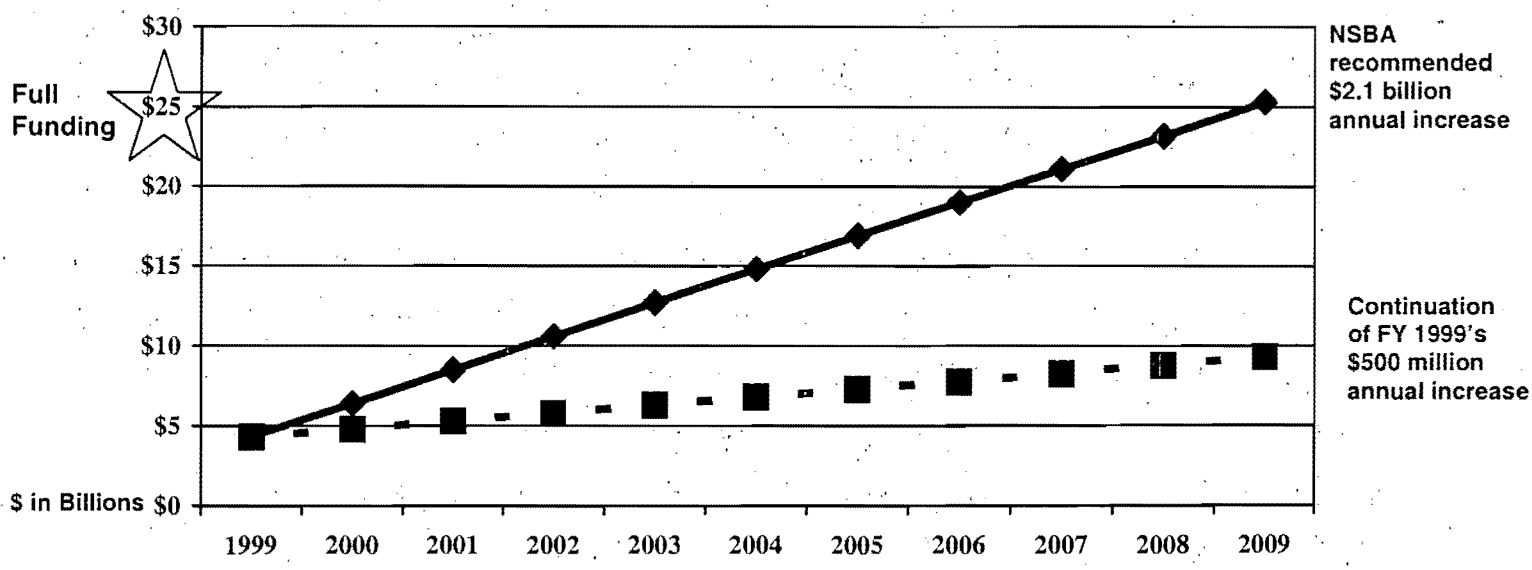
When the Individuals with Disabilities Act (IDEA) was originally enacted in 1975, and reauthorized in 1997, the federal government made a commitment to pay for 40 percent of the excess cost of its special education mandate. Over the years, the federal appropriations have ranged from seven percent to 12 percent of the total excess cost—well less than 1/3 of its 40 percent obligation. In recent years, members of Congress have proposed plans and funding increases intending to reach the full federal share. The purpose of this paper is to determine the dollar level that is necessary to reach the 40 percent federal share, and to propose a multi-year plan to raise the federal share to that amount.

• Today's Federal Share: $15 Billion

While children with disabilities present a broad range of costs, in the aggregate, the cost of special education is 2.1 times the cost of regular education. The average per pupil expenditure in the United States was nearly $6,200 in the 1997-98 school year (National Center for Educational Statistics). Hence, the average cost for students in special education would equal $6,200 x 2.1 or $13,000. The average *excess* cost—over and above the $6, 200 spent in regular education—is $6,800 per pupil.

Since IDEA covers at least 5.8 million children aged 3-21, the total excess cost equals $6,800 per student multiplied by 5.8 million students—or $39.4 billion. Based on these figures, 40 percent of $39.4 billion identifies a current federal obligation to be nearly $15.7 billion today.

Comparison of NSBA and Congressionally Recommended IDEA Funding Increases



OFFICE OF ADVOCACY

National School Boards Association ■ 1680 Duke Street ■ Alexandria, Virginia 22314-3493 ■ (703) 838-6722 ■ Fax: (703) 548-5613 ■ http://www.nsba.org

- **Reaching the Federal Obligation: Inadequacy of Recent Funding Increases**

IDEA now provides $4.3 billion in basic grant funding to local school districts--about $11 billion less that its 40 percent obligation. Last year, Congress appropriated a $500 million increase for IDEA. This appropriation increased the existing funding base by 13.2 percent.

Last year's funding increase takes on a striking prospective of inadequacy when viewed as a long-term commitment. For example, if the IDEA appropriation were increased by $500 million every year, and if special education costs in school districts *never* increased (in reality, special education is the fastest growing area of most school budgets), it would require 22 years to reach full funding.

- **Rising Costs in Special Education**

The cost of special education is rising. Each year, school districts spend 38 cents of each new tax dollar on special education (Economic Policy Institute, 1995). This trend will continue for several reasons. First, special education costs frequently involve health-related expenditures and the use of new technologies—both are areas of high-cost increases. Second, the 1997 IDEA amendments pose new costs on school districts, as will new court decisions, which typically hold that school districts must increase their service responsibilities. (For example, in 1999, the U.S. Supreme Court decision in *Cedar Rapids v. Garret* held that school districts must pay the cost for a nurse to monitor students' breathing ventilators.) Third, the total number of students served by IDEA is rising. The number of children aged 3-21 identified for special education services was 5.4 million in 1994-95. According to the U.S. Department of Education, that number will grow to more than six million—or a ten percent increase in the next year or two.

If total special education costs increase by the conservative estimate of five percent per year, the total excess cost would be more than $60 billion in ten years. **The current $15.7 billion federal obligation would therefore rise to nearly $25 billion.**

- **A Ten-Year Plan—$2.1 Billion Per Year**

The central purpose of IDEA is to ensure that nearly six million children aged 3-21 will have resources available to them so that they can have the opportunity to lead high-quality lives as productive members of their community. Hence, the case for Congress to fully fund special education is more than an obligation to fund a federal mandate, it has a larger economic and social dimension as well. Ten years from now, IDEA and the federal government's commitment to fund 40 percent of the excess cost will have been on the books for more than thirty years. It would seem reasonable, practical, and responsible to provide full funding by that date.

Assuming a five percent annual growth rate in special education costs, IDEA funding will need to be increased by $21 billion—or an average of $2.1 billion per year—to reach $25 billion and fulfill the 40 percent promise.

- **IDEA and the Federal Role in Education**

Clearly federal support is crucial to addressing the needs of children with disabilities. However, our public schools face many dramatic challenges—record enrollments, more children in poverty, teacher shortages, and the need to provide modern, technology-equipped schools. At the same time, our schools are striving to institute innovative programs to ensure that all students achieve high standards to succeed in the 21st century. Meeting these challenges demands a true federal, state, and local partnership and a strong federal investment in public education. Simply increasing federal funds for special education will not replace the vital federal role in that partnership for all children. Under current law, only 20 percent of any new federal special education dollars can supplant local funds. Moreover, with special education needs rising, many districts will need to apply all increases in their special education program to keep up with rising costs. Therefore, a fully funded special education program is needed along with federal investments to assist all students.

IMPERIAL COUNTY OFFICE OF EDUCATION
1398 SPERBER ROAD • EL CENTRO, CALIFORNIA 92243 • (760) 312-6464 • FAX (760) 312-6565
John D. Anderson, Superintendent

November 1, 1999

Mr. Andrew Rotherham
Senior Advisor to the President on Education
Office of Domestic Policy
Old Executive Office Building
17th and Pennsylvania Avenue, N.W.
Washington, D.C. 20502

Dear Mr. Rotherham:

Thank you for meeting with the delegation from California School Administrators last month. While you must have felt inundated from the size of our delegation, we appreciate your willingness to listen to our common themes relative to education at the federal level.

Our most consistent theme was that of federally funded IDEA services as being the most critical federal education issue for California schools. While there may be bi-partisan support expressed in Washington for reaching the goal of 40% federal funding for IDEA, we do realize that the FY2000 budget is yet a long way from that goal. As a county office of education superintendent, I can tell you that the most difficult issue between local school districts and the county offices of education is that of special education, when the county office of education operates the severely handicapped programs on behalf of the local school districts. Because these programs are so underfunded, local school districts must dip into those funds normally dedicated to regular education students in order to pay the full cost for the severely handicapped special education students.

In Imperial County, if the federal government was paying its full share or 40% of the Part B grant allocation for IDEA, our county alone would receive an additional $5.1 million dollars. This amount would eliminate virtually all of the encroachment on local school districts.

Again, I cannot stress enough the importance of school funding for IDEA since IDEA represents a federal mandate which we are happy to carry out at the local level on behalf of the severely handicapped students, but for which federal funding regrettably has fallen so short.

Should you have additional questions regarding IDEA and county offices of education as it relates to local education efforts, please do not hesitate to contact me.

Sincerely yours,

John D. Anderson
County Superintendent of Schools

cc: Diane Feinstein
Barbara Boxer
Duncan Hunter

CSBA

CAlIFORNIA SCHOOL BOARDS ASSOCIATION

FLORIDA SCHOOL BOARDS ASSOCIATION

NJSBA

NEW JERSEY SCHOOL BOARDS ASSOCIATION

NEW YORK STATE SCHOOL BOARDS ASSOCIATION

TASB

TEXAS ASSOCIATION OF SCHOOL BOARDS

FUNDING SPECIAL EDUCATION

KEEPING THE PROMISE OF A FEDERAL, STATE AND LOCAL PARTNERSHIP

November, 1999

INTRODUCTION

In 1975 Congress enacted the Education for All Handicapped Children Act, now the Individuals with Disabilities Education Act (IDEA), to ensure equal educational opportunities for children with disabilities. To achieve this goal, the IDEA requires public schools to, among other things, provide disabled children with special education and related services. The federal government also made a commitment to pay for 40 percent of the cost of this special education mandate. That commitment was reaffirmed when the IDEA was reauthorized in 1997 and also when the House of Representatives, with the Senate concurring, passed a Concurrent Resolution (H. Con. Res. 84; May 1999) urging that the federal government meet its obligation to fund the IDEA.

Unfortunately, the federal government has failed to meet its commitment to fund a fair share of the costs of special education for disabled children. Over the years, federal appropriations have averaged only 8 percent of the national per pupil average expenditure, far less than the promised 40 percent. Even with increased funding in each of the last three years, the appropriation for this year was still less than 12 percent.

RISING COSTS OF SPECIAL EDUCATION

The costs of providing special education are increasing. Each year school districts spend 38 cents of each new tax dollar on special education (Economic Policy Institute, 1995). This trend will continue for a number of reasons – the total number of students served by IDEA is rising, health-related expenditures and the use of adaptive technology are areas of high cost increases, and court decisions are moving in the direction of increasing school district responsibilities under the IDEA. The National Center for Educational Statistics (NCES) has determined that, in the aggregate, the cost of special education is 2.1 times the cost of regular education.

THE NEED FOR FEDERAL ACTION

Federal support is crucial to addressing the needs of children with disabilities. Our public schools are striving to ensure that all students achieve high standards so that they may succeed in the 21st century. Schools are being held accountable for making sustained progress to meet those high standards. At the same time, schools face increasing challenges based on the number of children in poverty, teacher shortages, and the need to provide modern facilities and smaller class sizes. Meeting these challenges requires a true federal, state and local partnership, and a strong federal investment in public education.

Increased federal funding is necessary to assist states in meeting the obligation to provide special education to disabled students. Based on the attached chart of IDEA funding for each state, the federal obligation of 40 percent funding would be more than $16 billion this year. Basic grant funding to local districts, however, is currently only about $4.3 billion. This means a shortfall of nearly $12 billion that must be offset by state funds redirected from other critical education programs.

While Congress has increased appropriations over the last few years, these increases are wholly inadequate to reach the commitment of 40 percent funding. Last year, Congress increased IDEA funding by $500 million. Even assuming special education costs never increase (though in fact we know these costs are rapidly increasing), at that rate it would take the federal government more than 20 years to reach full funding.

PROPOSAL

For the federal government to do its share to help the nearly six million children that receive special education pursuant to the IDEA, it must provide significant increases in funding over a number of years. Assuming a conservative five percent annual growth rate in special education costs, increasing funding by about $2 billion per year for the next 10 years would allow the federal government to fulfill the 40 percent commitment.

As a result of the booming economy there is a huge federal budget surplus this year. Congress and the President should use this opportunity to seek a significant increase for special education funding during the fall appropriation negotiations. Clearly, sufficient funds exist for a large increase this year. This investment will start progress toward the federal goal of funding its fair share of the cost of implementing the IDEA. To continue this progress, we also urge the President to plan for a bold new investment in special education funding in his budget proposal that will be submitted early next year.

CONCLUSION

Increased funding for the IDEA should not come at the expense of existing federal programs. We recognize that this means advocating that Congress surpass existing budget spending caps. With a huge budget surplus and the leadership of both parties advocating support for public education as a top priority, the spending caps can and should be surpassed. Further, we feel strongly that funding for education is too important to be pitted against savings for Social Security. We believe that Congress and the President must agree on a reasonable plan to meet both needs. This critical opportunity to invest in education must not be wasted.

				UPDATED 11/1/99
	COMPARISON OF 99 - 00 IDEA PART B GRANTS			
	TO PART B GRANTS AT FULL 40% FUNDING			
	USING 96 - 97 AVERAGE K - 12 PER PUPIL COST			
	99 - 00 PART B GRANT PER PUPIL =		690.1257	
	99 - 00 PART B GRANT AT 40% =		2626.00	
STATE	IDEA PUPIL COUNT	99 - 00 GRANT ALLOCATION	40% GRANT ALLOCATION	DIFFERENCE
ALABAMA	99,846	68,906,291	262,195,596	193,289,305
ALASKA	17,712	12,223,506	46,511,712	34,288,206
ARIZONA	88,598	61,143,757	232,658,348	171,514,591
ARKANSAS	59,138	40,812,654	155,296,388	114,483,734
CALIFORNIA	623,651	430,397,584	1,637,707,526	1,207,309,942
COLORADO	75,134	51,851,905	197,301,884	145,449,979
CONNECTICUT	76,740	52,960,246	201,519,240	148,558,994
DELAWARE	16,233	11,202,811	42,627,858	31,425,047
DISTRICT OF COLU	8,162	5,632,806	21,433,412	15,800,606
FLORIDA	345,171	238,211,379	906,419,046	668,207,667
GEORGIA	155,754	107,489,839	409,010,004	301,520,165
HAWAII	20,551	14,182,773	53,966,926	39,784,153
IDAHO	27,553	19,015,033	72,354,178	53,339,145
ILLINOIS	283,698	195,787,282	744,990,948	549,203,666
INDIANA	146,559	101,144,133	384,863,934	283,719,801
IOWA	70,958	48,969,940	186,335,708	137,365,768
KANSAS	58,425	40,320,594	153,424,050	113,103,456
KENTUCKY	87,973	60,712,428	231,017,098	170,304,670
LOUISIANA	95,245	65,731,023	250,113,370	184,382,347
MAINE	34,294	21,948,758	90,056,044	68,107,286
MARYLAND	111,688	77,078,759	293,292,688	216,213,929
MASSACHUSETTS	168,964	113,864,530	443,699,464	329,834,934
MICHIGAN	208,403	143,824,267	547,266,278	403,442,011
MINNESOTA	106,194	73,287,209	278,865,444	205,578,235
MISSISSIPPI	61,778	42,634,586	162,229,028	119,594,442
MISSOURI	131,565	90,796,388	345,489,690	254,693,302
MONTANA	18,806	12,978,504	49,384,556	36,406,052
NEBRASKA	43,400	29,951,455	113,968,400	84,016,945
NEVADA	33,319	22,994,298	87,495,694	64,501,396
NEW HAMPSHIRE	27,502	18,979,837	72,220,252	53,240,415
NEW JERSEY	210,114	144,987,129	551,759,364	406,772,235
NEW MEXICO	52,113	35,964,521	136,848,738	100,884,217
NEW YORK	432,119	298,216,428	1,134,744,494	836,528,066
NORTH CAROLINA	165,333	114,100,553	434,164,458	320,063,905
NORTH DAKOTA	13,181	9,096,547	34,613,306	25,516,759
OHIO	230,155	158,835,881	604,387,030	445,551,149
OKLAHOMA	80,289	55,409,503	210,838,914	155,429,411
OREGON	74,850	51,655,909	196,556,100	144,900,191
PENNSYLVANIA	226,378	156,229,276	594,468,628	438,239,352
RHODE ISLAND	27,911	17,540,925	73,294,286	55,753,361
SOUTH CAROLINA	99,033	68,345,219	260,060,658	191,715,439
SOUTH DAKOTA	15,702	10,836,354	41,233,452	30,397,098
TENNESSEE	128,273	88,524,494	336,844,898	248,320,404
TEXAS	486,749	335,917,996	1,278,202,874	942,284,878

STATE	IDEA PUPIL COUNT	99 - 00 GRANT ALLOCATION	40% GRANT ALLOCATION	DIFFERENCE
UTAH	55,252	38,130,825	145,091,752	106,960,927
VERMONT	12,710	8,771,498	33,376,460	24,604,962
VIRGINIA	156,700	108,142,698	411,494,200	303,351,502
WASHINGTON	114,144	78,773,708	299,742,144	220,968,436
WEST VIRGINIA	49,934	30,462,839	131,126,684	100,663,845
WISCONSIN	117,388	81,012,476	308,260,888	227,248,412
WYOMING	13,333	9,201,446	35,012,458	25,811,012
PUERTO RICO	54,158	37,375,828	142,218,908	104,843,080
BIA	0	52,849,182	0	
AMERICAN SAMOA	0	4,832,745	0	
GUAM	0	11,675,837	0	
NORTHERN MARIAN	0	2,980,233	0	
VIRGIN ISLANDS	0	8,852,007	0	
PACIFIC BASIN COM	0	7,243,368	0	
EVALUATION SET-A	0	9,700,000	0	
NATIONAL TOTALS:	6,118,833	4,310,700,000	16,068,055,458	11,855,488,830
96 - 97 AVERAGE K - 12 PER PUPIL COST =			6,564.00	
	(SOURCE IS THE NATIONAL CENTER			
	FOR EDUCATION STATISTICS)			
		40% PER PUPIL COST =	2,626.00	

		CALIFORNIA					UPDATED 11/1/99
		COUNTY BY COUNTY COMPARISON					
		OF 98 -99 IDEA PART B GRANTS					
		TO PART B GRANTS AT FULL 40% FEDERAL ALLOCATION					
COUNTY	98 - 99 PART B GRANT ALLOCATION	FULL 40% PART B GRANT ALLOCATION	DIFFERENCE	COUNTY	98 - 99 PART B GRANT ALLOCATION	FULL 40% PART B GRANT ALLOCATION	DIFFERENCE
ALAMEDA	11,490,516	53,409,058	41,918,542	PLACER/ NEVADA	3,321,594	15,439,096	12,117,502
ALPINE	426,931	1,984,419	1,557,488				
				PLUMAS	209,460	973,589	764,129
AMADOR/ CALAVERAS/ TUOLUMNE	1,249,318	5,806,952	4,557,634	RIVERSIDE	17,126,467	79,605,512	62,479,045
				SACRAMENTO	12,533,808	58,258,382	45,724,574
BUTTE	2,399,056	11,151,049	8,751,993				
				SAN BENITO	584,312	2,715,940	2,131,628
COLUSA	248,376	1,154,474	906,098				
				SAN BERNARDINO	20,433,753	94,978,107	74,544,354
CONTRA COSTA	9,506,946	44,189,226	34,682,280				
				SAN DIEGO	25,064,184	116,500,802	91,436,618
EL DORADO	1,437,602	6,682,117	5,244,515				
				SAN FRANCISCO	3,585,994	16,668,053	13,082,059
FRESNO	10,808,343	50,238,245	39,429,902				
				SAN JOAQUIN	6,048,574	28,114,371	22,065,797
GLENN	355,967	1,654,569	1,298,602				
				SAN LUIS OBISPO	2,206,765	10,257,263	8,050,498
HUMBOLDT/ DEL NORTE	1,836,491	8,536,192	6,699,701	SAN MATEO	5,461,401	25,385,130	19,923,729
IMPERIAL	1,689,984	7,855,212	6,165,228	SANTA BARBARA	3,250,057	15,106,586	11,856,529
INYO	231,207	1,074,672	843,465	SANTA CLARA	13,454,629	62,538,448	49,083,819
KERN	7,432,381	34,546,440	27,114,059	SANTA CRUZ	2,537,551	11,794,789	9,257,238
KINGS	1,349,469	6,272,465	4,922,996	SHASTA	1,962,396	9,121,410	7,159,014
LAKE	714,795	3,322,438	2,607,643	SIERRA	66,386	308,569	242,183
LASSEN	439,522	2,042,940	1,603,418	SISKIYOU	563,137	2,617,517	2,054,380
LOS ANGELES	84,613,082	393,289,961	308,676,879	SOLANO	4,526,845	21,041,221	16,514,376
MADERA/ MARIPOSA	1,518,868	7,059,849	5,540,981	SONOMA	4,509,104	20,958,759	16,449,655
				STANISLAUS	5,896,916	27,409,449	21,512,533
MARIN	2,049,384	9,525,741	7,476,357				
				SUTTER	958,592	4,455,632	3,497,040
MENDOCINO	1,189,227	5,527,643	4,338,416				
				TEHAMA	622,083	2,891,505	2,269,422
MERCED	3,006,260	13,973,393	10,967,133				
				TRINITY	233,496	1,085,312	851,816
MODOC	173,405	806,004	632,599				
				TULARE	4,858,775	22,584,067	17,725,292
MONO	175,122	813,984	638,862				
				VENTURA	7,819,824	36,347,314	28,527,490
MONTEREY	3,662,109	17,021,843	13,359,734				
				YOLO	1,432,452	6,658,177	5,225,725
NAPA	1,143,443	5,314,837	4,171,394				
				YUBA	899,646	4,181,644	3,281,998
ORANGE	23,438,869	108,946,179	85,507,310				
				TOTALS	322,754,874	1,500,196,546	1,177,441,672

	CALCULATION OF FEDERAL LOCAL ASSISTANCE				UPDATED 11/1/99
	USING ESTIMATE OF TOTAL 40% ALLOCATION				
		COL A	COL B	COL C	COL D
		TOTAL	TOTAL	40% PART B	TOTAL
		DEC 1 97	DEC 1	ALLOCATION	CA GRANT
		COUNT	3-21 COUNT		COL B * COL C
		610,037	604,820	2,626	1,588,257,320
			COL E	COL F	COL G
			95%	ADJUSTED	PART B
			CA GRANT	DEC 1 COUNT	LOCAL ALLOC
			COL D * .95		COL E / COL F
			1,508,844,454	567,218	2660.0786

COMPARISON OF 98 - 99 LOCAL ASISTANCE ALLOCATON
TO FULL 40% ESTIMATED ALLOCATION

SELPA	NAME	TOTAL DEC 1 97 PUPIL COUNT	ADJUSTED DEC 1 97 PUPIL COUNT	98 - 99 PART B GRANT 572.2939	40% PART B GRANT 2,660.0786	DIFERENCE
-----	----					
111	MID-ALAMEDA COUNT	5,452	5,119	2,929,572	13,616,942	10,687,370
112	NORTH REGION SELPA	2,610	2,474	1,415,855	6,581,034	5,165,179
113	OAKLAND UNIFIED	5,081	4,856	2,779,059	12,917,342	10,138,283
114	TRI-VALLEY SELPA	3,216	3,012	1,723,749	8,012,157	6,288,408
115	MISSION VALLEY SELP	4,995	4,617	2,642,281	12,281,583	9,639,302
400	BUTTE COUNTY SELPA	4,423	4,192	2,399,056	11,151,049	8,751,993
500	TRI-COUNTY SELPA	2,380	2,183	1,249,318	5,806,952	4,557,634
600	COLUSA COUNTY SEL	478	434	248,376	1,154,474	906,098
701	CONTRA COSTA SELP	8,982	8,304	4,752,329	22,089,293	17,336,964
711	MT. DIABLO UNIFIED	4,850	4,584	2,623,395	12,193,800	9,570,405
712	WEST CONTRA COSTA	4,136	3,724	2,131,222	9,906,133	7,774,911
901	EL DORADO COUNTY	2,689	2,512	1,437,602	6,682,117	5,244,515
911	TAHOE-ALPINE SELPA	801	746	426,931	1,984,419	1,557,488
1001	FRESNO COUNTY SELP	7,992	7,489	4,285,909	19,921,329	15,635,420
1011	FRESNO UNIFIED	9,276	8,815	5,044,771	23,448,593	18,403,822
1012	CLOVIS UNIFIED	2,982	2,582	1,477,663	6,868,323	5,390,660
1100	GLENN COUNTY SELPA	666	622	355,967	1,654,569	1,298,602

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,660.0786	DIFERENCE
1200	HUMBOLDT-DEL NORT	3,515	3,209	1,836,491	8,536,192	6,699,701
1300	IMPERIAL COUNTY SEL	3,081	2,953	1,689,984	7,855,212	6,165,228
1400	INYO COUNTY SELPA	470	404	231,207	1,074,672	843,465
1501	KERN COUNTY SELPA	8,896	8,287	4,742,600	22,044,071	17,301,471
1511	BAKERSFIELD CITY	3,037	2,740	1,568,085	7,288,615	5,720,530
1512	KERN UNION HIGH	1,963	1,960	1,121,696	5,213,754	4,092,058
1600	KINGS COUNTY SELPA	2,479	2,358	1,349,469	6,272,465	4,922,996
1700	LAKE COUNTY SELPA	1,314	1,249	714,795	3,322,438	2,607,643
1800	LASSEN COUNTY SELP	835	768	439,522	2,042,940	1,603,418
1901	LA COUNTY COURT S	950	941	538,529	2,503,134	1,964,605
1902	DOWNEY-MONTEBELL	4,907	4,659	2,666,317	12,393,306	9,726,989
1903	EAST SAN GABRIEL V	13,395	12,807	7,329,368	34,067,627	26,738,259
1904	MID CITIES SELPA	6,221	5,878	3,363,944	15,635,942	12,271,998
1905	PUENTE HILLS SERV.	4,050	3,777	2,161,554	10,047,117	7,885,563
1906	SANTA CLARITA VALL	3,757	3,489	1,996,733	9,281,014	7,284,281
1907	SOUTHWEST SERVICE	10,388	9,003	5,152,362	23,948,688	18,796,326
1908	WEST SAN GABRIEL V	9,194	8,886	5,085,404	23,637,458	18,552,054
1911	ANTELOPE VALLEY SE	7,661	7,087	4,055,847	18,851,977	14,796,130
1912	FOOTHILL SELPA	4,613	4,364	2,497,491	11,608,583	9,111,092
1913	LONG BEACH UNIFIED	6,817	6,414	3,670,693	17,061,744	13,391,051
1914	LOS ANGELES UNIFIED	73,116	67,247	38,485,048	178,882,306	140,397,258
1915	NORWALK-LA MIRADA	4,161	3,944	2,257,127	10,491,350	8,234,223
1916	PASADENA UNIFIED	2,892	2,539	1,453,054	6,753,940	5,300,886
1917	TRI-CITIES SELPA	2,505	2,371	1,356,909	6,307,046	4,950,137
1918	WHITTIER AREA COOP	4,945	4,443	2,542,702	11,818,729	9,276,027
2000	MADERA-MARIPOSA C	2,897	2,654	1,518,868	7,059,849	5,540,981
2100	MARIN COUNTY SELP	3,957	3,581	2,049,384	9,525,741	7,476,357

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,660.0786	DIFERENCE
2300	MENDOCINO COUNTY	2,361	2,078	1,189,227	5,527,643	4,338,416
2400	MERCED COUNTY SEL	5,602	5,253	3,006,260	13,973,393	10,967,133
2500	MODOC COUNTY SELP	332	303	173,405	806,004	632,599
2600	MONO COUNTY SELPA	330	306	175,122	813,984	638,862
2700	MONTEREY COUNTY S	6,792	6,399	3,662,109	17,021,843	13,359,734
2800	NAPA COUNTY SELPA	2,253	1,998	1,143,443	5,314,837	4,171,394
3001	NORTH ORANGE COUN	4,378	4,120	2,357,851	10,959,524	8,601,673
3002	SOUTH ORANGE COUN	6,165	5,678	3,249,485	15,103,926	11,854,441
3011	ANAHEIM CITY SCHOO	1,831	1,680	961,454	4,468,932	3,507,478
3012	GARDEN GROVE UNIFI	4,512	4,307	2,464,870	11,456,959	8,992,089
3013	GREATER ANAHEIM SE	5,381	5,122	2,931,289	13,624,923	10,693,634
3014	IRVINE UNIFIED	2,348	2,169	1,241,305	5,769,710	4,528,405
3015	NEWPORT-MESA UNIFI	2,293	2,214	1,267,059	5,889,414	4,622,355
3016	NORTHEAST ORANGE	2,853	2,676	1,531,458	7,118,370	5,586,912
3017	ORANGE UNIFIED	3,006	2,851	1,631,610	7,583,884	5,952,274
3018	SANTA ANA UNIFIED	5,098	4,641	2,656,016	12,345,425	9,689,409
3019	TUSTIN UNIFIED	1,240	1,151	658,710	3,061,750	2,403,040
3020	WEST ORANGE COUNT	4,670	4,347	2,487,762	11,563,362	9,075,600
3100	PLACER-NEVADA COU	6,351	5,804	3,321,594	15,439,096	12,117,502
3200	PLUMAS UNIFIED	386	366	209,460	973,589	764,129
3301	RIVERSIDE COUNTY SE	20,921	19,833	11,350,305	52,757,339	41,407,034
3311	CORONA-NORCO UNIFI	3,255	3,107	1,778,117	8,264,864	6,486,747
3312	RIVERSIDE UNIFIED	3,737	3,515	2,011,613	9,350,176	7,338,563
3313	MORENO VALLEY UNIF	3,589	3,471	1,986,432	9,233,133	7,246,701
3401	SACRAMENTO COUNT	8,377	7,725	4,420,970	20,549,107	16,128,137
3411	ELK GROVE UNIFIED	3,841	3,621	2,072,276	9,632,145	7,559,869
3412	SACRAMENTO CITY U	5,904	5,558	3,180,809	14,784,717	11,603,908

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,660.0786	DIFERENCE
3413	SAN JUAN UNIFIED	5,532	4,997	2,859,753	13,292,413	10,432,660
3500	SAN BENITO COUNTY	1,093	1,021	584,312	2,715,940	2,131,628
3601	DESERT MOUNTAIN SE	8,577	8,224	4,706,545	21,876,486	17,169,941
3602	EAST VALLEY CONSO	8,254	7,735	4,426,693	20,575,708	16,149,015
3603	WEST END SELPA	10,968	10,454	5,982,760	27,808,462	21,825,702
3611	MORONGO UNIFIED	1,407	1,285	735,398	3,418,201	2,682,803
3612	SAN BERNARDINO CIT	5,226	5,020	2,872,915	13,353,595	10,480,680
3613	FONTANA UNIFIED	3,123	2,987	1,709,442	7,945,655	6,236,213
3701	EAST COUNTY SELPA	9,157	8,240	4,715,702	21,919,048	17,203,346
3702	NORTH COASTAL SEL	10,266	9,369	5,361,822	24,922,276	19,560,454
3703	NORTH INLAND SELPA	4,171	3,715	2,126,072	9,882,192	7,756,120
3704	SOUTH BAY SERVICE	8,839	8,324	4,763,774	22,142,494	17,378,720
3711	POWAY UNIFIED	2,744	2,516	1,439,891	6,692,758	5,252,867
3712	SAN DIEGO CITY UNIF	12,651	11,632	6,656,923	30,942,034	24,285,111
3800	SAN FRANCISCO UNIFI	6,665	6,266	3,585,994	16,668,053	13,082,059
3901	SAN JOAQUIN COUNT	4,721	4,387	2,510,653	11,669,765	9,159,112
3911	LODI AREA SELPA	3,053	2,872	1,643,628	7,639,746	5,996,118
3912	STOCKTON CITY UNIFI	3,696	3,310	1,894,293	8,804,860	6,910,567
4000	SAN LUIS OBISPO COU	4,272	3,856	2,206,765	10,257,263	8,050,498
4100	SAN MATEO COUNTY	10,075	9,543	5,461,401	25,385,130	19,923,729
4200	SANTA BARBARA COU	6,244	5,679	3,250,057	15,106,586	11,856,529
4301	SANTA CLARA AREA 1	2,286	2,148	1,229,287	5,713,849	4,484,562
4302	SANTA CLARA AREA 2	2,694	2,516	1,439,891	6,692,758	5,252,867
4303	SANTA CLARA AREA 3	4,126	3,595	2,057,397	9,562,983	7,505,586
4304	SANTA CLARA AREA 4	3,195	3,057	1,749,502	8,131,860	6,382,358
4305	SANTA CLARA AREA 5	9,455	8,932	5,111,729	23,759,822	18,648,093
4306	SANTA CLARA AREA 6	1,958	1,851	1,059,316	4,923,805	3,864,489

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,660.0786	DIFERENCE
4307	SANTA CLARA AREA 7	1,522	1,411	807,507	3,753,371	2,945,864
4401	NORTH SANTA CRUZ	2,611	2,426	1,388,385	6,453,351	5,064,966
4411	PAJARO VALLEY JOIN	2,290	2,008	1,149,166	5,341,438	4,192,272
4500	SHASTA COUNTY SEL	3,626	3,429	1,962,396	9,121,410	7,159,014
4600	SIERRA COUNTY SELP	124	116	66,386	308,569	242,183
4700	SISKIYOU COUNTY SE	1,046	984	563,137	2,617,517	2,054,380
4801	SOLANO COUNTY SEL	6,237	5,756	3,294,124	15,311,412	12,017,288
4811	VALLEJO CITY UNIFIE	2,304	2,154	1,232,721	5,729,809	4,497,088
4900	SONOMA COUNTY SEL	8,468	7,879	4,509,104	20,958,759	16,449,655
5001	STANISLAUS COUNTY	7,275	6,939	3,971,147	18,458,285	14,487,138
5011	MODESTO CITY SCHO	3,563	3,365	1,925,769	8,951,164	7,025,395
5100	SUTTER COUNTY SELP	1,815	1,675	958,592	4,455,632	3,497,040
5200	TEHAMA COUNTY SEL	1,148	1,087	622,083	2,891,505	2,269,422
5300	TRINITY COUNTY SELP	440	408	233,496	1,085,312	851,816
5400	TULARE COUNTY SELP	9,962	8,490	4,858,775	22,584,067	17,725,292
5600	VENTURA COUNTY SE	14,608	13,664	7,819,824	36,347,314	28,527,490
5700	YOLO COUNTY SELPA	2,731	2,503	1,432,452	6,658,177	5,225,725
5800	YUBA COUNTY SELPA	1,688	1,572	899,646	4,181,644	3,281,998
7100	CA STATE SPECIAL SC	1,087	1,053	602,625	2,801,063	2,198,438
7200	CA YOUTH AUTHORIT	1,823	1,811	1,036,424	4,817,402	3,780,978
7300	CA DEPT. OF DEV. SE	390	387	221,478	1,029,450	807,972
	STATE TOTALS	610,037	567,218	324,615,401	1,508,844,461	1,184,229,060
	SELPA ONLY TOTALS			322,754,874	1,500,196,546	1,177,441,672

Kelseyville Unified School District

4325 Main Street • Kelseyville, CA 95451
(707) 279-1511 • FAX (707) 279-9221

October 27, 1999

Mr. Andrew Rotherham
Special Assistant to the President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Rotherham:

The most capable pupils in the public schools, those that we expect to become the future leaders of our nation, are having their educational opportunities severely depleted by the well-intended, but shortsighted acts of the Administration and Congress. The continuing support of unfunded mandates in special education, whether based upon empathy for the handicapped or a chance to garner votes, is a poorly conceived activity. The public schools do not have control of their revenues, and must pay for the actions of the federal government by cutting the programs provided the talented, intelligent, and creative.

I ask you to urge the President to provide the funding for special education that was promised when the federal mandates were approved. It is commendable to be sympathetic to the needs of the handicapped, but surely we must have funding source less destructive then depriving our other children.

Sincerely,

C E Donaldson

C. E. Donaldson
Interim Superintendent

cc: Mike Thompson
Member of Congress

UPPER LAKE HIGH SCHOOL DISTRICT

675 Clover Valley Road, Upper Lake, California 95485
Telephone: (707) 275-2338
District Office: (707) 275-2655
Fax: (707) 275-0239

DAVID N. HANSEN
Superintendent / Principal

GERALD BOUDREAUX
Vice Principal

October 26, 1999

Andrew Rotherham, Special Assistant to the President
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20500

Dear Andrew:

I am writing to ask for your support in addressing the most critical fiscal Issue facing California public schools: the escalating costs associated with providing educational services for disabled students under the Individuals with Disabilities Education Act (IDEA).

School districts throughout the United States are currently forced to spend significant state and local dollars above the amount earmarked for "disabled children" on providing federally mandated IDEA services. "Deficit Spending" on services to disabled students in some of our California school districts runs as high as 38% of total special education program expenditures. Looked at from a countywide perspective these figures are staggering. In 1998-99 Lake County (California) schools spend $5,897,375 to provide direct educational services to disabled students. However. only $4,693,943 revenue was provided to Lake County school districts to educate students with disabilities. The remaining $ 1,203,432 had to he taken from other school district general fund budgets to meet this shortfall.

It must be noted that while Congress' original commitment was to fund up to 40% of all services to disabled students. current federal support is at approximately 10% Understandably. I ask for your support and assistance in increasing federal support for IDEA to the original commitment of 40%. This issue is clearly our highest federal education priority.

Again, thank you for the opportunity to share our concerns on this important issue. If you have any questions and need further please do not hesitate to contact my office.

Sincerely,

David N. Hansen
Superintendent

Solano County
Office of Education

Wendall Kuykendall, Ed.D., County Superintendent of Schools

5100 Business Center Drive, Fairfield, CA 94585
Telephone: 707-399-4400

October 4, 1999

Mr. Andrew Rotherham
Senior Advisor to the President on Education
Office of Domestic Policy
Old Executive Office Building
17th and Pennsylvania Avenue, N.W.
Washington, D.C. 20502

Dear ~~Andrew~~ Andy

Thank you for meeting with the CAL-FED education delegation on Friday, September 17, 1999.

You were an excellent listener and demonstrated your understanding of California's need to have federal funding for Special Education increased. Increased federal funding for IDEA is a top priority for California schools.

Please let us know what we can do to support increased funding for IDEA.

Yours truly,

Wendall

Wendall Kuykendall
Solano County Superintendent of Schools

Mark Lieb
Assistant Superintendent/CBO

ML:WLK:ar

cc: Bob Canavan

**LEADERSHIP
FOR LEARNING**

American Association of School Administrators

Joseph J. Cirasuolo

President
1999-2000

September 30, 1999

Mr. Andy Rotherham
The White House
Domestic Policy Council
Pennsylvania Avenue
Washington, DC 20003

Dear Andy:

Thank you very much for arranging the opportunity for a number of us to meet with Bruce Reid and to discuss with him and other members of the Domestic Policy Council issues that are important for public education to confront and resolve. I thought that the meeting was very useful from the perspective of making the White House staff aware of the viewpoints of school system leaders, a viewpoint that has to be taken seriously if the schools are to have any hope of being what we want them to be.

I realize that this meeting would not have taken place without your assistance and so I am doubly appreciative.

Once again, thank you.

Sincerely,

Joseph Cirasuolo
ean

Joseph J. Cirasuolo, Ed.D
Superintendent of Schools
President, AASA

JJC/ean
Cc: Dr. Houston

Superintendent of Schools • Wallingford Public Schools
142 Hope Road • Wallingford, CT 06492
(203) 949-6502 (6509) (6500) • Fax: (203) 949-6550
jcirasuolo@wallingfordmail.wallingford.k12.ct.us

Joseph J. Cirasuolo
President
1999-2000

LEADERSHIP
FOR LEARNING

American Association of School Administrators

Superintendent
Wallingford Public Schools
142 Hope Hill Road
Wallingford, CT 06492

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Mr. Andy Rotherham
The White House
Domestic Policy Council
Pennsylvania Avenue
Washington, DC 20003

20500/0004

Lake County Office of Education
1152 SOUTH MAIN STREET
LAKEPORT, CALIFORNIA 95453
707/262-4100 • 707/263-0197 FAX

WILLIAM H. CORNELISON, Ph.D.
County Superintendent of Schools

October 7, 1999

Mr. Andrew Rotherham
Senior Advisor to the President on Education
Office of Domestic Policy
Old Executive Office Building
17th and Pennsylvania Avenue, NW
Washington, D.C. 20502

Dear Mr. Rotherham;

I wanted to express my appreciation for your time in meeting with California Education administrators on September 17 when we were in Washington. You were very gracious in listening to our concerns and sharing information on the Administration's priorities in Education.

I especially appreciated your interest in the 21st Century Community Learning Center grant that the Lake County Office of Education received in the first round of funding in 1998. After-school learning centers have been established in five of the middle schools in our small rural county. I have requested our staff to prepare a summary of the achievements of this program in the first year of funding and will be sending it to you shortly.

Thank you for your support and assistance in our local school programs.

Sincerely,

William H Cornelison

WILLIAM H. CORNELISON, Ph.D.
County Superintendent of Schools

Cc: Mr. Robert Canavan, Federal Management Strategies, Inc.

Lake County Office Of Education
1152 S. Main Street
Lakeport, CA 95453

Mr. Andrew Rotherham
Senior Advisor to the President on Education
Office of Domestic Policy
Old Executive Office Building
17th & Pennsylvania Avenue, NW
Washington, DC 20502

Withdrawal/Redaction Marker
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Bryn Debeikes to Bruce Reed re: Special Education Funding (partial) (1 page)	09/27/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Andrew Rotherham (Subject Files)
OA/Box Number: 17352

FOLDER TITLE:

Increased IDEA [Individuals with Disabilities Education Act] Funding Good for Kids

2011-0103-S
rc166

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

BRYN K. DEBEIKES
COLDWELL BANKER
4010 BARRANCA PKWY, #100
IRVINE, CA 92604

September 27, 1999

Mr. Bruce Reed
Director of Domestic Policy Council
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20202

Re: Special Education Funding

Dear Mr. Reed,

I am contacting you on behalf of the Irvine Unified School District in Irvine, California. We desperately need an infusion of Federal dollars to help our struggling school district meet expanding Federal requirements for Special Education. Beginning as soon as possible, we urge you to help in adopting a 10-year plan committing 2.1 billion per year to approach the 40% funding commitment made when the Education for the Handicapped Act was passed in 1975.

Since that time, additional Federal mandates have been imposed upon all school districts, including IUSD both by Federal law and court interpretations. Special Education requirements continue to escalate at a pace much faster than the Federal commitment to fund them. Please help us to meet these under funded mandates that threaten to bankrupt our school district.

Thank you for you anticipated intervention.

Very truly yours,

BRYN K. DEBEIKES
COLDWELL BANKER
(949) 378-3000 - OFFICE
[001] P6/(b)(6) [redacted] - RESIDENCE

cc: Robin Beacham, Principal

ORANGE COUNTY DEPARTMENT OF EDUCATION
200 KALMUS DRIVE
P.O. BOX 9050
COSTA MESA, CA
92628-9050
(714) 966-4000
FAX (714) 432-1916
www.ocde.k12.ca.us

JOHN F. DEAN, Ed.D.
County Superintendent of Schools

6 October 1999

Mr. Andrew Rotherham
Senior Advisor to the President on Education
Office of Domestic Policy
Old Executive Office Building
17th and Pennsylvania Avenue, N.W.
Washington, D.C. 20502

Dear Mr. Rotherham::

Thank you for your hospitality on our recent "We Care" conference visit to our nation's capital. Other than the slight inconveniences caused by the tailend of Floyd, I was most impressed. We heard Richard Riley, whom I always enjoy, and our meetings with you and other "centers of power and influence" were profitable.

Most of us were singing various verses of the same tune: The paucity of Special Education funding by the Federal Government is drowning our school districts, not only in Orange County and California, but across the nation as well!

The horror stories of untoward and exorbitant expense charged to the school district's General Fund are legion! No one begrudges paying for the education of these very special children, but somehow we must make Congress understand that the 40% of the costs they promised must become a reality. The current 8 to 12% is leaving a trail of disaster.

I know that the President is dedicated to the best education possible for all children. Somehow, we must convince him, and the Congress, to spend some of the current "budget surplus" where the need is greatest.

Many thanks, Andy, for your presence and your help. It was a pleasure meeting you.

Sincerely,

John F. Dean, Ed.D.
County Superintendent of Schools

NORRIS SCHOOL DISTRICT

www.norris.k12.ca.us
6940 CALLOWAY DRIVE
BAKERSFIELD, CA 93312-9005
(805) 399-7987 • FAX 399-9750

ALVIN G. SANDRINI
Superintendent

RICHARD PIERUCCI, Ed.D.
Assistant Superintendent

NORRIS MDDLE SCHOOL
Steve Shelton - Principal

NORRIS ELEMENTARY
Sharron Wennihan - Principal

OLIVE DRIVE ELEMENTARY
Charlotte Blum - Principal

September 30, 1999

Mr. Andrew Rotherham
Special Assistant to the President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Rotherham,

This letter is being sent to request your support to address the escalating costs related to providing the educational services for students under the Individuals with Disabilities Education Act (IDEA).

School districts throughout this country have to spend significant amounts of state and local money to address the needs outlined in IDEA. This 'Deficit Spending" can run as high as 38% in some districts. In 1997-98 schools in Kern County had to pay over $23,000,000 to our local county SELPA because revenues were far below expenses needed to address IDEA standards.

Norris School District is the lowest per pupil funded school district in Kern County, California. Our share of that $23,000,000 was $86,613. This is a 20.9% deficit in the program funding!

In 1998-99 the district share of the deficit was $137,000. In 1999-2000 it is expected to be $233,000!

As I review the needs of our district with trustees and staff, let me assure you this low wealth district needs every dollar it can scrape together to meet the educational needs of all of its students. It is unfair that costs of mandated services to a segment of its students exceed revenues by more than 20%!

Public schools are being asked to do a lot to educate the populace. The least the federal government can do is fiscally support the mandates authored by legislation. Congress' original commitment was to fund up to 40% of all services to disabled students. Currently, federal support is approximately 10%. You must work to change this inequity and place federal education and IDEA funding as a top priority for surpluses available to you at this time.

This will be the President's last budget. Without your assertive leadership in the use of surplus funds, public education will miss an opportunity to address a critical issue for years to come.

Thank you for the opportunity to share these concerns with you. I look forward to your support. If you have further questions, please feel free to contact me at (661) 387-7000.

Very truly yours,

Alvin G. Sandrini

Alvin G. Sandrini
Superintendent

cc: Board of Trustees
Bill Thomas, Representative
Calvin Dooley, Representative
Dianne Feinstein, Senator
Barbara Boxer, Senator

RCSAA Riverside County Schools Advocacy Association

September 28, 1999

The Honorable Ken Calvert
United States House of Representatives
2201 Rayburn Building
Washington, DC 20515

ATTN: Jolyn Murphy

Dear Congressman Calvert:

Per your request and as promised, I am forwarding to you a brief synopsis of the problems and potential solutions associated with the escalating attorney fees under federal special education law (Individuals with Disabilities Education Act - IDEA).

I look forward to your response and will follow up with Jolyn Murphy of your staff to provide any additional information and assistance you may need.

Thank you again for your interest in assisting Riverside County schools in this matter.

Sincerely,

Sandra Silberstein

Sandra Silberstein
Riverside County Schools Advocacy Association

SS:cl

Attachment

cc: Congresswoman Mary Bono

Michael Cohen, Senior Advisor to the Secretary of Education
U.S. Department of Education

Susan Frost, Senior Advisor to the Secretary of Education
U.S. Department of Education

✓Andrew Rotherham, Senior Advisor to the President on Education
Office of Domestic Policy

Bethany Little, Associate Director
Office of Domestic Policy

RCSAA Riverside County Schools Advocacy Association

September 28, 1999

MEMORANDUM

TO: Congressman Ken Calvert
Attn: Jolyn Murphy

FROM: Sandy Silberstein

RE: IDEA - Attorney Fees

In response to your request, I am providing the following information regarding the problems and potential solutions to the escalating costs of attorney fees under the federal special education statutes (Individuals with Disabilities Education Act -- IDEA).

BACKGROUND:

Congress attempted to address the issue of rising costs of attorney fees when IDEA was reauthorized in 1997. Congressman Frank Riggs, subcommittee chair in charge of IDEA Reauthorization, agreed with your assessment that this was indeed a real factor in the rising costs of special education to school districts and made a valiant attempt to address the issue. A number of options were considered ranging from an outright ban on attorney fees to specifying limits.

All proposals met strong opposition from parent advocacy groups because of the concern that any proposed limitations on fees would inappropriately deny parents access to due process. School districts acknowledged the legitimacy of the concern, but all attempts at meaningful limits were generally rejected.

The final result was only one rather small change in the IDEA statute: Attorney fees are now disallowed for Individualized Educational Plan (IEP) meetings, prior to the request for a due process hearing. Parents can still bring an attorney to any IEP meetings (under a separate provision of the law, which allows parents to bring anyone they choose to an IEP meeting), but their fees are reimbursable only as specified above.

CURRENT PROCESS:

In summary, the current process includes the following steps/options. Once the IEP process fails to result in agreement on services to be provided to the students, parents can choose one of the following paths:

a) **Local Alternative Dispute Resolution (LADR):** Not established everywhere yet, this is an interest-based process that can be successful when the situation has not already become adversarial and all parties are interested in finding a mutually agreeable solution.
b) **Informal Mediation:** In California, parents can choose mediation without first filing for a due process hearing. Because no due process hearing has been filed, the process is deemed "informal" and failure to come to an agreement does not result in a due process hearing.

c) **Formal Mediation:** This process automatically begins when a parent files for a due process hearing (see next step). There are strict time constraints on the initiation and completion of this process once the due process is filed.

d) **Due Process Hearing:** These are formal proceedings where testimony is taken from both sides, formalized procedures similar to a court's are adhered to, and the hearing officer makes a final educational decision for the student.

PROBLEMS:

- Due process hearings can last 7 to 10 days - this is very expensive when attorneys are being paid on both sides.
- Most school districts settle the cases in mediation because due process is so expensive. In fact, due process hearings have become so expensive that districts will often accede to parental demands prior to such hearings to avoid the costs of that process, even when they don't agree with the proposed educational plan.
- Attorneys at IEP meetings are a problem, in that generally speaking they make the situation adversarial and more difficult to maintain or repair relationships between parents and the districts.
- A cottage industry has grown up around this process, becoming a lucrative business for some attorneys.
- School districts are required to pay the attorney fees for both sides, depending on the degree of success of the litigants. (If the mediator/hearing officer determines that the parents won on 3/4 of their demands, the district pays 3/4 of their attorney fees, in addition to district attorney costs.)
- Despite the fact that, since the reauthorization districts have seen fewer attorneys at initial IEP hearings and continue to often settle prior to due process hearings, attorney costs continue to rise. As an example, in the Solano County SELPA, attorney fees increased from $65,000 in 1997-98 to $145,000 in 1998-99, with the majority of these costs incurred under mediation.

POSSIBLE SOLUTIONS:

Many of the following proposals were considered and rejected in the last reauthorization of IDEA (again, due to concerns over loss of parent access to due process). Nonetheless, we appreciate your interest and provide the following as a place to start looking for solutions (in order from most to least politically promising):

- Cap attorney fees for all or part of the process
- Strongly encourage the use of Local Alternative Dispute Resolution (LADR) as a first step
- Further prohibit reimbursement for parts of the process (e.g.: all IEP meetings, mediation)
- Establish a state-run attorney program to provide attorneys to parents and school districts
- Disallow all attorney fees

BEARDSLEY SCHOOL DISTRICT

KEN CHAPMAN
District Superintendent
E-mail kechapm@zeus.kern.org
1001 Roberts Lane
Bakersfield, California 93308
(661) 393-8550 FAX (661) 393-5965

September 29, 1999

Andrew Rotherham, Special Assistant to the President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Rotherham:

I am writing to ask for your support in addressing the most critical fiscal issue facing California public schools: the escalating costs associated with providing educational services for disabled students under the Individuals with Disabilities Education Act (IDEA).

School districts throughout the United States are currently forced to spend significant state and local dollars to provide services to disabled students. "Deficit Spending" on services to disabled students in some of our California schools run as high as 38% of total special education program expenditures. Looked at from a countywide perspective, these figures are staggering. In 1997-98, Kern County California schools spent \$84,974,841 to provide direct educational services to disabled students. However, only \$62,676,936 in revenue was provided to Kern County school districts to educate students with disabilities. The remaining \$23,036,506 had to be taken from other school district general fund budgets to meet this shortfall.

My district's special education expenses showed a 33.6% deficit over our income. This deficit does not include the transportation deficit of an additional 6%, for a total of 39.6%. This deficit is taken from our general fund and reduces the district's ability to purchase textbooks, supplementary materials, and increased class sizes. This deficit is real, pervasive and increasingly crippling our efforts to provide general services to all children.

It must be noted that while Congress' original commitment was to fund up to 40% of all services to disabled students, current federal support is at approximately 10%. Understandably, I ask for your support and assistance in increasing federal support for IDEA to the original commitment of 40%. This issue is clearly our highest federal education priority.

Again, thank you for the opportunity to share our concerns on this important issue. If you have any question or need further information, please do not hesitate to contact my office.

Sincerely,

Ken

Ken Chapman
District Superintendent

CSBA

FUNDING SPECIAL EDUCATION

KEEPING THE PROMISE OF A FEDERAL, STATE AND LOCAL PARTNERSHIP

September, 1999

INTRODUCTION

In 1975 Congress enacted the Education for All Handicapped Children Act, now the Individuals with Disabilities Education Act (IDEA), to ensure equal educational opportunities for children with disabilities. To achieve this goal, the IDEA requires public schools to, among other things, provide disabled children with special education and related services. The federal government also made a commitment to pay for 40 percent of the cost of this special education mandate. That commitment was reaffirmed when the IDEA was reauthorized in 1997 and also when the House of Representatives, with the Senate concurring, passed a Concurrent Resolution (H. Con. Res. 84, May 1999) urging that the federal government meet its obligation to fund the IDEA.

Unfortunately, the federal government has failed to meet its commitment to fund a fair share of the costs of special education for disabled children. Over the years, federal appropriations have averaged only 8 percent of the national per pupil average expenditure, far less than the promised 40 percent. Even with increased funding in each of the last three years, the appropriation for this year was still less than 12 percent.

RISING COSTS OF SPECIAL EDUCATION

The costs of providing special education are increasing. Each year school districts spend 38 cents of each new tax dollar on special education (Economic Policy Institute, 1995). This trend will continue for a number of reasons – the total number of students served by IDEA is rising, health-related expenditures and the use of adaptive technology are areas of high cost increases, and court decisions are moving in the direction of increasing school district responsibilities under the IDEA. The National Center for Educational Statistics (NCES) has determined that, in the aggregate, the cost of special education is 2.1 times the cost of regular education.

IMPACT OF FEDERAL UNDER-FUNDING

The federal under-funding of the IDEA has a particularly harmful impact on California. California continues to experience one of the fastest growing student populations in the nation, and special education pupil counts have been growing about 1.5 times as fast as K-12 enrollment for the past decade.

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In accordance with the IDEA, California schools currently provide special education and related services to more than 600,000 students. This amounts to about 11 percent of the state's total K-12 enrollment and is almost a third more than any other state in the nation. The cost of providing special education in California's public schools is approximately $3.4 billion.

According to the California Department of Education, $800 million of that cost is borne by local school agencies. California receives only about $400 million from the federal government and the state covers the remaining cost of over $2 billion.

Further exacerbating this situation, school agencies in California, unlike those in other states, do not have the authority to increase local revenues that could pay for the unfunded costs of the IDEA mandates. Therefore, to offset the costs of providing special education services, funding must be redirected from other programs.

<u>THE NEED FOR FEDERAL ACTION</u>

Federal support is crucial to addressing the needs of children with disabilities. Our public schools are striving to ensure that all students achieve high standards so that they may succeed in the 21st century. Schools are being held accountable for making sustained progress to meet those high standards. At the same time, schools face increasing challenges based on the number of children in poverty, teacher shortages, and the need to provide modern facilities and smaller class sizes. Meeting these challenges requires a true federal, state and local partnership, and a strong federal investment in public education.

Increased federal funding is necessary to assist states in meeting the obligation to provide special education to disabled students. Using NCES figures, the cost of implementing the IDEA this year was over $39.4 billion. Based on this figure, the federal obligation of 40 percent would be nearly $15.7 billion. Basic grant funding to local districts, however, is currently only about $4.3 billion.

While Congress has increased appropriations over the last few years, these increases are wholly inadequate to reach the commitment of 40 percent funding. Last year, Congress increased IDEA funding by $500 million. Even assuming special education costs never increase (though in fact we know these costs are rapidly increasing), at that rate it would take the federal government 22 years to reach full funding.

PROPOSAL

For the federal government to do its share to help the nearly six million children that receive special education pursuant to the IDEA, it must provide significant increases in funding over a number of years. Assuming a conservative five percent annual growth rate in special education costs, increasing funding by $2.1 billion per year for the next 10 years would allow the federal government to fulfill the 40 percent commitment.

As a result of the booming economy there is a huge federal budget surplus this year. The President should use this opportunity to seek a significant increase for special education funding during the fall budget negotiations. Clearly, sufficient funds exist for a $2.1 billion increase this year. This investment will start progress toward the federal goal of funding its fair share of the cost of implementing the IDEA. To continue this progress, we also urge the President to plan for a bold new investment in special education funding in his budget proposal that will be submitted early next year.

Increased funding for the IDEA should not come at the expense of the Administration's current education initiatives or existing federal programs. We recognize that this means advocating that Congress surpass existing budget spending caps. With a huge budget surplus and the leadership of both parties advocating support for public education as a top priority, the spending caps can and should be surpassed. This critical opportunity to invest in education must not be wasted.

CSBA

CALIFORNIA SCHOOL BOARDS ASSOCIATION
Federal Special Education Meeting Participants
Monday, September 13, 1999

LOU BARBER
President, Lou Barber & Associates

VICKI BARBER
County Superintendent, El Dorado County Office of Education

MARILYN BUCHI
Vice-President, California School Boards Association
Board Member, Fullerton Joint Union High School District

MAUREEN BURNESS
Assistant Superintendent, California State SELPA Administrators Association

DAVIS CAMPBELL
Executive Director, California School Boards Association

LESLIE DeMERSSEMAN
President, California School Boards Association
Board Member, Palm Springs Unified School District

KEVIN GORDON
Assistant Exec. Director, Governmental Relations, California School Boards Assoc.

ABE HAJELA
Federal Affairs Liaison & Senior Legislative Advocate, California School Boards Association

JOHN HARTER
Superintendent, Mill Valley School District

JEFF HORTON
President-elect, California School Boards Association
Board Member, Los Angeles County Office of Education

SANDEE KLUDT
Assistant Superintendent, San Joaquin County Office of Education SELPA

JACK LUCAS
SELPA Director, East San Gabriel Valley SELPA

STEVEN MARK
Assistant Superintendent, Los Angeles Unified School District

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KERN COUNTY SUPERINTENDENT OF SCHOOLS

KELLY F. BLANTON, Superintendent

September 20, 1999

Andrew Rotherham, Special Assistant to the President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Division of Legislative Services
and Governmental Relations
1121 L Street, Suite 603
Sacramento, CA 95814
(916) 325-0880
FAX (916) 325-0885
mihulsizer@fc.kern.org

Dear Andrew:

I wanted to take a minute and say "thank you" for taking the time to meet with our delegation of California school administrators last week.

Without question, the funding of federally mandated Individuals with Disabilities Education Act (IDEA) services has become the most critical federal education issue for California schools. We were pleased with the bi-partisan support expressed in Washington for reaching the goal of 40% federal funding for IDEA. We are encouraged that the current, FY 2000, budget will provide for additional IDEA funding to offset the growing deficits created by this underfunded federal mandate. Moreover, while we know the 40% goal cannot be attained in one year; we are hopeful that the administration will support a significant "downpayment" in the FY 2001 budget proposal to Congress next year.

As we discussed last week, school districts currently spend significant state and local dollars above the amount earmarked for "disabled children" on providing federally mandated IDEA services. "Deficit Spending" on services to disabled students in some of our local California school districts runs as high as 38% of total special education program expenditures. Looked at from a countywide perspective these figures are staggering (see attachment). In 1997-98, Kern County schools spent $84,974,841 to provide direct educational services to disabled students. However, only $62,676,936 in revenue was provided to Kern County school districts to educate students with disabilities. The remaining $23,036,506 had to be taken from other school district general fund budgets to meet this shortfall.

School agencies in California do not have the authority to increase local revenues that could pay for the unfunded costs of the federal IDEA mandates. Therefore, to cover the costs of providing special education services, school districts must take funding from other programs. "Deficit spending" in special education results in higher class sizes, fewer counselors, librarians and library books and in the overall deterioration of our school facilities. In the next few weeks, individual California school superintendents will be communicating with your office to provide even more specific illustrations of the magnitude of this problem.

Thanks again for taking the time to meet and discuss our concerns. I look forward to working with you to address IDEA funding needs. Please feel free to contact my office should you have questions or need additional information on IDEA and/or any other issue impacting public education.

Sincerely,

Michael Hulsizer, Administrator
Division of Legislative Services and
Governmental Relations

. . . advocates for children

MH:mk
Attachment

Office of Larry E. Reider
Kern County Superintendent of Schools
Division of Administration and Finance

1997-98 Data

Elementary Districts	Expense*	Revenue	Deficit Amount	Percent
Arvin Union	$ 712,948	$ 552,233	$ 160,715	22.5%
Bakersfield City	$ 18,387,901	$ 13,421,823	$ 4,966,078	27.0%
Beardsley	$ 1,026,079	$ 681,288	$ 344,791	33.6%
Buttonwillow Union	$ 185,432	$ 182,593	$ 2,839	1.5%
Delano Union Elem.	$ 2,330,412	$ 1,640,011	$ 690,401	29.6%
Fairfax	$ 378,191	$ 353,485	$ 24,706	6.5%
Fruitvale	$ 879,651	$ 693,270	$ 186,381	21.2%
Greenfield Union	$ 2,046,374	$ 1,476,923	$ 569,451	27.8%
Kernville Union	not reported	$ 305,721		
Lamont	$ 1,049,410	$ 753,904	$ 295,506	28.2%
Lost Hills Union	$ 466,889	$ 314,272	$ 152,617	32.7%
Norris	$ 414,672	$ 328,059	$ 86,613	20.9%
Panama-Buena Vista Union	$ 3,504,250	$ 2,297,770	$ 1,206,480	34.4%
Richland-Lerdo	$ 1,272,293	$ 895,939	$ 376,354	29.6%
Rosedale Union	$ 653,458	$ 566,470	$ 86,988	13.3%
South Fork Union	$ 138,820	$ 114,898	$ 23,922	17.2%
Standard	$ 1,746,603	$ 1,188,271	$ 558,332	32.0%
Taft City	$ 867,638	$ 693,430	$ 174,208	20.1%
Wasco Union Elem.	$ 877,455	$ 614,137	$ 263,318	30.0%
High School Districts				
Delano Jt. Union High	$ 1,092,118	$ 911,097	$ 181,021	16.6%
Kern High	$ 13,753,696	$ 9,685,172	$ 4,068,524	29.6%
Taft Union High	not reported	$ 353,866		
Wasco Union High	$ 529,197	$ 395,377	$ 133,820	25.3%
Unified Districts				
El Tejon Unified	$ 733,475	$ 564,184	$ 169,291	23.1%
Maricopa Unified	not reported	$ 79,014		
McFarland Unified	$ 1,114,835	$ 758,219	$ 356,616	32.0%
Mojave Unified	$ 1,232,851	$ 802,212	$ 430,639	34.9%
Muroc Jt. Unified	$ 1,293,915	$ 797,237	$ 496,678	38.4%
Sierra Sands Unified	$ 3,912,807	$ 2,618,351	$ 1,294,456	33.1%
Southern Kern Unified	$ 1,335,481	$ 949,879	$ 385,602	28.9%
Tehachapi Unified	$ 2,497,938	$ 1,696,744	$ 801,194	32.1%
KCSOS	$ 20,540,052	$ 15,991,087	$ 4,548,965	22.1%
Kern County Totals	$ 84,974,841	$ 62,676,936	$ 23,036,506	27.1%

*Does not include special education transportation costs
**Special day class ADA, Federal 94-142 revenues, and state master plan revenues.

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November 3, 1999

The Honorable William J. Clinton
President
1600 Pennsylvania Avenue, N.W.
Washington, D.C.

CSBA

Dear Mr. President:

On behalf of the California School Boards Association (CSBA), I am writing to seek your assistance in eliminating section 407 of H.R. 1180, the Ticket To Work and Work Incentive Improvement Act of 1999. Earlier this month H.R. 1180 passed the House by an overwhelming margin. The bill is a laudable attempt to address the problems faced by low-income disabled adults and is worthy of support. At the same time that the Congress was considering H.R. 1180, the Administration launched an initiative to ensure that low-income children who are eligible for Medicaid services are identified and served. Unfortunately, these two well-intentioned programs are now on a collision course.

Between Committee consideration of H.R. 1180 and the floor vote, section 407 was added as an offset for the costs of bill. That offset would limit school-based health services for disabled school children. Ironically, the bill now impedes Medicaid services to low-income disabled children, while providing enhanced Medicaid services for low-income disabled adults. The impact of this offset to California's low-income children would be significant.

Federal law mandates that public school districts provide health-related services to children with disabilities, to ensure their access to an equal educational opportunity. Such services are required under the Individuals With Disabilities Education Act (IDEA) and can be quite costly. School districts in California, as well as those in 34 other states, participate in the Medicaid program as part of the school-based health initiative or the administrative outreach program. By drastically altering how schools are reimbursed for such activities, H.R. 1180 would significantly limit the ability of schools to provide the services.

In California, it is estimated that approximately 2,770,000 children are currently Medicaid-eligible, including 1,700,000 who have yet to be identified. Schools are critical links to identifying and enrolling children in State administered health insurance programs, such as MediCal. The provisions of H.R. 1180 would require the Health Care Financing Administration (HCFA) to invalidate existing contracts with States and to issue new regulations that would make it more difficult for schools to administer the Medicaid program

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and would lower their reimbursements, which would significantly interrupt or eliminate their efforts to further identify and enroll Medicaid-eligible children. In California, the loss of revenues for schools could exceed $5 million in the first year alone.

Under the Medicaid program, schools in California conduct outreach to children for purposes of establishing Medicaid eligibility, assist applicants in completing Medicaid enrollment forms, and arrange appointments with various health care providers for medical and screening services. The schools also can be reimbursed as qualified providers for covered medical services through school personnel and other qualified practitioners with whom they contract. These services include physical, occupation, and speech therapy, as well as diagnostic, preventive, and rehabilitative services. H.R. 1180 would jeopardize all of these services.

CSBA and the local school districts in California are committed to serving low-income disabled children at the highest level possible. We urge you to work with Congress to reject Section 407 of the House bill during the upcoming conference on the bill. This Nation cannot afford to pit the interests of low-income disabled children against those of low-income disabled adults, and in the process significantly increase the Federal administrative burdens on local school districts. Such policies will only hurt our children.

Sincerely,

Kevin R. Gordon
Assistant Executive Director,
Governmental Relations

The Crisis of Underfunding Special Education

When Congress enacted the Education for All Handicapped Children Act of 1975 (PL 94-142), now known as the Individuals with Disabilities in Education Act (IDEA), its intent was to ensure that all children with disabilities have available to them a free and appropriate public education. It also included a commitment to help pay for the excess costs of educating children with disabilities by including a provision authorizing Congress to allocate funding to states for this purpose. Since 1981, Congress has been authorized to fund states up to 40% of the national average per-pupil expenditure in public schools. Unfortunately, twenty-four years later, Congress provides on average only 8% of the national per pupil average expenditure.

California serves the largest population of children with disabilities in the nation. Over 600,000 students receive special education and related services in public schools at a reported cost of $3.4 billion. According to the California Department of Education, this year, $800 million of those costs are paid for by local school agencies. The funding California receives from the federal government is about $400 million and the state covers the remaining over $2 billion cost to pay for the federal IDEA mandates.

Impact of the Underfunding of Special Education on Local School Agencies

Unlike other states, school agencies in California do not have the authority to increase local revenues that could pay for the unfunded costs of providing services to children with disabilities. Therefore, to offset the costs of providing special education services, they must use funding from other programs or their general funds intended for all students. Many school agencies are reporting that this has resulted in severe cuts to education programs and jeopardized the school agency's financial stability.

California Faces Rapid Growth in Special Education

California continues to experience one of the fastest growing student populations in the nation. Within this student growth, the identified population of disabled students, including those students with more severe and costly disabilities, is growing at an even faster rate. In fact, special education pupil counts have been growing about 1.5 times as fast as K-12 enrollment for the past decade. Additionally, the cost of providing services to this growing population is also on the rise. An example of this is the recent U.S. Supreme Court ruling that a school district must bear the fiscal responsibility of providing full-time nursing services in certain circumstances. Increased federal funding would ensure states meet the service needs of this growing population.

Federal Action Needed Now

California is appreciative of Congress' recognition of the significant underfunding of the special education requirements and its recent efforts to increase IDEA funding. We strongly support these efforts and urge the President and Congress to continue this trend and fulfill the promise of moving toward the 40% funding level. We ask that you provide **new** federal funds for IDEA this year without compromising existing federal education programs.

Increased funding for IDEA will:

- ease the financial pressure placed on state and local education agencies.
- free local funding to address unique problems and needs.
- provide more flexibility to schools on how to structure programs and services to students with disabilities.

School agencies do not have the same categorical funding needs, but every school agency in California faces the financial challenge of paying for underfunded special education mandates by assuming the responsibility to ensure all students are receiving educational services they need to become well educated and productive citizens.

For more information, please contact any of the K-12 education organizations listed on the back of this position paper. *Rev 9/99*

*The following California Organizations**

SUPPORT INCREASED FUNDING FOR SPECIAL EDUCATION (IDEA)

The 120 Members of the California State Legislature (see AJR 12)
Delaine Eastin, California State Superintendent of Public Instruction
Association of California School Administrators
California School Boards Association
California State PTA
California Association of Resource Specialists and Special Day Class Teachers
The Advisory Commission on Special Education
Association of California Urban School Districts
California Association of Suburban School Districts
California School Employees Association
California Association of School Business Officials
California Association of School Psychologists
California/D.C. Alliance
Coalition for Adequate Funding for Disabled Children
Federal Advocacy for California Education (county offices of education)
Special Education Local Plan Area (SELPAs) Administrators Association
Student Support Group Alliance (school nurses, counselors)

*School Districts**

Anaheim SD
Biggs USD
Brawley HSD
Brea Olinda SD
Buena Park SD
Capistrano SD
Centralia SD
Clovis USD
Cupertino SD
Cypress SD
Fountain Valley SD
Fullerton SD
Huntington Beach
Irvine USD
LaCanada SD
Lake Tahoe SD
Lodi USD
Long Beach USD
Los Angeles USD
Modesto SD
Palm Springs USD
Perris UHSD
Poway SD
Redondo Beach SD
San Juan USD
Santa Ana SD
South San Francisco USD
Walnut Valley SD
William S. Hart SD

*County Offices of Education**

Butte County Office of Education
Colusa County Office of Education
Contra Costa County Office of Education
El Dorado County Office of Education
Fresno County Office of Education
Humboldt County Office of Education
Imperial County Office of Education
Kern County Superintendent of Schools
Los Angeles County Office of Education
Marin County Schools
Merced County Office of Education
Mariposa County USD
Mendocino County Schools
Modoc County Schools
Orange County Department of Education
Riverside County Office of Education
San Diego County Schools
San Joaquin County Schools
San Luis Obisbo County Schools
San Mateo County
Siskiyou County Office of Education
Solano County Schools
Sonoma County Office of Education
Tehama County Schools
Yolo County Office of Education
Lake County Schools
Shasta County Schools

**partial listing*

5/4/99

CALIFORNIA
COUNTY BY COUNTY COMPARISON
OF 98 -99 IDEA PART B GRANTS
TO PART B GRANTS AT FULL 40% FEDERAL ALLOCATION

COUNTY	98 - 99 PART B GRANT ALLOCATION	FULL 40% PART B GRANT ALLOCATION	DIFFERENCE
ALAMEDA	11,490,516	46,290,561	34,800,045
ALPINE	426,931	1,719,930	1,292,999
AMADOR/ CALAVERAS/ TUOLUMNE	1,249,318	5,032,986	3,783,668
BUTTE	2,399,056	9,664,809	7,265,753
COLUSA	248,376	1,000,603	752,227
CONTRA COSTA	9,506,946	38,299,572	28,792,626
EL DORADO	1,437,602	5,791,508	4,353,906
FRESNO	10,808,343	43,542,362	32,734,019
GLENN	355,967	1,434,044	1,078,077
HUMBOLDT/ DEL NORTE	1,836,491	7,398,467	5,561,976
IMPERIAL	1,689,984	6,808,249	5,118,265
INYO	231,207	931,437	700,230
KERN	7,432,381	29,942,003	22,509,622
KINGS	1,349,469	5,436,455	4,086,986
LAKE	714,795	2,879,615	2,164,820
LASSEN	439,522	1,770,652	1,331,130
LOS ANGELES	84,613,082	340,871,266	256,258,184
MADERA/ MARIPOSA	1,518,868	6,118,894	4,600,026
MARIN	2,049,384	8,256,126	6,206,742
MENDOCINO	1,189,227	4,790,905	3,601,678
MERCED	3,006,260	12,110,983	9,104,723
MODOC	173,405	698,578	525,173
MONO	175,122	705,494	530,372
MONTEREY	3,662,109	14,753,128	11,091,019
NAPA	1,143,443	4,606,462	3,463,019
ORANGE	23,438,869	94,425,554	70,986,685

COUNTY	98 - 99 PART B GRANT ALLOCATION	FULL 40% PART B GRANT ALLOCATION	DIFFERENCE
PLACER/ NEVADA	3,321,594	13,381,334	10,059,740
PLUMAS	209,460	843,826	634,366
RIVERSIDE	17,126,467	68,995,485	51,869,018
SACRAMENTO	12,533,808	50,493,555	37,959,747
SAN BENITO	584,312	2,353,953	1,769,641
SAN BERNARDINO	20,433,753	82,319,181	61,885,428
SAN DIEGO	25,064,184	100,973,277	75,909,093
SAN FRANCISCO	3,585,994	14,446,492	10,860,498
SAN JOAQUIN	6,048,574	24,367,216	18,318,642
SAN LUIS OBISPO	2,206,765	8,890,149	6,683,384
SAN MATEO	5,461,401	22,001,735	16,540,334
SANTA BARBARA	3,250,057	13,093,142	9,843,085
SANTA CLARA	13,454,629	54,203,163	40,748,534
SANTA CRUZ	2,537,551	10,222,749	7,685,198
SHASTA	1,962,396	7,905,685	5,943,289
SIERRA	66,386	267,442	201,056
SISKIYOU	563,137	2,268,648	1,705,511
SOLANO	4,526,845	18,236,794	13,709,949
SONOMA	4,509,104	18,165,322	13,656,218
STANISLAUS	5,896,916	23,756,248	17,859,332
SUTTER	958,592	3,861,774	2,903,182
TEHAMA	622,083	2,506,118	1,884,035
TRINITY	233,496	940,659	707,163
TULARE	4,858,775	19,574,005	14,715,230
VENTURA	7,819,824	31,502,851	23,683,027
YOLO	1,432,452	5,770,758	4,338,306
YUBA	899,646	3,624,303	2,724,657
TOTALS	322,754,874	1,300,246,507	977,491,633

	CALCULATION OF FEDERAL LOCAL ASSISTANCE					5/4/99
	USING ESTIMATE OF TOTAL 40% ALLOCATION					
		COL A	COL B	COL C	COL D	
		TOTAL	TOTAL	40% PART B	TOTAL	
		DEC 1 97	DEC 1	ALLOCATION	CA GRANT	
		COUNT	3-21 COUNT		COL B * COL C	
		610,037	604,820	2,276	1,376,570,320	
			COL E	COL F	COL G	
			95%	ADJUSTED	PART B	
			CA GRANT	DEC 1 COUNT	LOCAL ALLOC	
			COL D * .95		COL E / COL F	
			1,307,741,804	567,218	2305.5365	

COMPARISON OF 98 - 99 LOCAL ASISTANCE ALLOCATON
TO FULL 40% ESTIMATED ALLOCATION

SELPA	NAME	TOTAL DEC 1 97 PUPIL COUNT	ADJUSTED DEC 1 97 PUPIL COUNT	98 - 99 PART B GRANT 572.2939	40% PART B GRANT 2,305.5365	DIFERENCE
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111	MID-ALAMEDA COUNTY	5,452	5,119	2,929,572	11,802,041	8,872,469
112	NORTH REGION SELPA	2,610	2,474	1,415,855	5,703,897	4,288,042
113	OAKLAND UNIFIED	5,081	4,856	2,779,059	11,195,685	8,416,626
114	TRI-VALLEY SELPA	3,216	3,012	1,723,749	6,944,276	5,220,527
115	MISSION VALLEY SELP	4,995	4,617	2,642,281	10,644,662	8,002,381
400	BUTTE COUNTY SELPA	4,423	4,192	2,399,056	9,664,809	7,265,753
500	TRI-COUNTY SELPA	2,380	2,183	1,249,318	5,032,986	3,783,668
600	COLUSA COUNTY SELPA	478	434	248,376	1,000,603	752,227
701	CONTRA COSTA SELPA	8,982	8,304	4,752,329	19,145,175	14,392,846
711	MT. DIABLO UNIFIED	4,850	4,584	2,623,395	10,568,579	7,945,184
712	WEST CONTRA COSTA U	4,136	3,724	2,131,222	8,585,818	6,454,596
901	EL DORADO COUNTY SE	2,689	2,512	1,437,602	5,791,508	4,353,906
911	TAHOE-ALPINE SELPA	801	746	426,931	1,719,930	1,292,999
1001	FRESNO COUNTY SELPA	7,992	7,489	4,285,909	17,266,163	12,980,254
1011	FRESNO UNIFIED	9,276	8,815	5,044,771	20,323,304	15,278,533

SELPA	NAME	DEC 1 97 PUPIL COUNT	DEC 1 97 PUPIL COUNT	PART B GRANT 572.2939	PART B GRANT 2,305.5365	DIFERENC
-----	----					
1012	CLOVIS UNIFIED	2,982	2,582	1,477,663	5,952,895	4,475,23
1100	GLENN COUNTY SELPA	666	622	355,967	1,434,044	1,078,07
1200	HUMBOLDT-DEL NORTE	3,515	3,209	1,836,491	7,398,467	5,561,97
1300	IMPERIAL COUNTY SEL	3,081	2,953	1,689,984	6,808,249	5,118,26
1400	INYO COUNTY SELPA	470	404	231,207	931,437	700,230
1501	KERN COUNTY SELPA	8,896	8,287	4,742,600	19,105,981	14,363,38
1511	BAKERSFIELD CITY	3,037	2,740	1,568,085	6,317,170	4,749,085
1512	KERN UNION HIGH	1,963	1,960	1,121,696	4,518,852	3,397,156
1600	KINGS COUNTY SELPA	2,479	2,358	1,349,469	5,436,455	4,086,986
1700	LAKE COUNTY SELPA	1,314	1,249	714,795	2,879,615	2,164,820
1800	LASSEN COUNTY SELPA	835	768	439,522	1,770,652	1,331,130
1901	LA COUNTY COURT SCH	950	941	538,529	2,169,510	1,630,981
1902	DOWNEY-MONTEBELLO S	4,907	4,659	2,666,317	10,741,495	8,075,178
1903	EAST SAN GABRIEL VA	13,395	12,807	7,329,368	29,527,006	22,197,638
1904	MID CITIES SELPA	6,221	5,878	3,363,944	13,551,944	10,188,000
1905	PUENTE HILLS SERV.	4,050	3,777	2,161,554	8,708,011	6,546,457
1906	SANTA CLARITA VALLE	3,757	3,489	1,996,733	8,044,017	6,047,284
1907	SOUTHWEST SERVICE A	10,388	9,003	5,152,362	20,756,745	15,604,383
1908	WEST SAN GABRIEL VA	9,194	8,886	5,085,404	20,486,997	15,401,593
1911	ANTELOPE VALLEY SEL	7,661	7,087	4,055,847	16,339,337	12,283,490
1912	FOOTHILL SELPA	4,613	4,364	2,497,491	10,061,361	7,563,870
1913	LONG BEACH UNIFIED	6,817	6,414	3,670,693	14,787,711	11,117,018
1914	LOS ANGELES UNIFIED	73,116	67,247	38,485,048	155,040,413	116,555,365
1915	NORWALK-LA MIRADA/A	4,161	3,944	2,257,127	9,093,036	6,835,909
1916	PASADENA UNIFIED	2,892	2,539	1,453,054	5,853,757	4,400,703

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,305.5365	DIFERENC
1917	TRI-CITIES SELPA	2,505	2,371	1,356,909	5,466,427	4,109,51
1918	WHITTIER AREA COOPE	4,945	4,443	2,542,702	10,243,499	7,700,79
2000	MADERA-MARIPOSA CO.	2,897	2,654	1,518,868	6,118,894	4,600,02
2100	MARIN COUNTY SELPA	3,957	3,581	2,049,384	8,256,126	6,206,74
2300	MENDOCINO COUNTY SE	2,361	2,078	1,189,227	4,790,905	3,601,67
2400	MERCED COUNTY SELPA	5,602	5,253	3,006,260	12,110,983	9,104,72
2500	MODOC COUNTY SELPA	332	303	173,405	698,578	525,173
2600	MONO COUNTY SELPA	330	306	175,122	705,494	530,372
2700	MONTEREY COUNTY SEL	6,792	6,399	3,662,109	14,753,128	11,091,01
2800	NAPA COUNTY SELPA	2,253	1,998	1,143,443	4,606,462	3,463,019
3001	NORTH ORANGE COUNTY	4,378	4,120	2,357,851	9,498,810	7,140,959
3002	SOUTH ORANGE COUNTY	6,165	5,678	3,249,485	13,090,836	9,841,351
3011	ANAHEIM CITY SCHOOL	1,831	1,680	961,454	3,873,301	2,911,847
3012	GARDEN GROVE UNIFIE	4,512	4,307	2,464,870	9,929,946	7,465,076
3013	GREATER ANAHEIM SEL	5,381	5,122	2,931,289	11,808,958	8,877,669
3014	IRVINE UNIFIED	2,348	2,169	1,241,305	5,000,709	3,759,404
3015	NEWPORT-MESA UNIFIE	2,293	2,214	1,267,059	5,104,458	3,837,399
3016	NORTHEAST ORANGE CO	2,853	2,676	1,531,458	6,169,616	4,638,158
3017	ORANGE UNIFIED	3,006	2,851	1,631,610	6,573,085	4,941,475
3018	SANTA ANA UNIFIED	5,098	4,641	2,656,016	10,699,995	8,043,979
3019	TUSTIN UNIFIED	1,240	1,151	658,710	2,653,673	1,994,963
3020	WEST ORANGE COUNTY	4,670	4,347	2,487,762	10,022,167	7,534,405
3100	PLACER-NEVADA COUNT	6,351	5,804	3,321,594	13,381,334	10,059,740
3200	PLUMAS UNIFIED	386	366	209,460	843,826	634,366
3301	RIVERSIDE COUNTY SE	20,921	19,833	11,350,305	45,725,705	34,375,400

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,305.5365	DIFERENCE
3311	CORONA-NORCO UNIFIE	3,255	3,107	1,778,117	7,163,302	5,385,185
3312	RIVERSIDE UNIFIED	3,737	3,515	2,011,613	8,103,961	6,092,348
3313	MORENO VALLEY UNIFI	3,589	3,471	1,986,432	8,002,517	6,016,085
3401	SACRAMENTO COUNTY S	8,377	7,725	4,420,970	17,810,269	13,389,299
3411	ELK GROVE UNIFIED	3,841	3,621	2,072,276	8,348,348	6,276,072
3412	SACRAMENTO CITY UNI	5,904	5,558	3,180,809	12,814,172	9,633,363
3413	SAN JUAN UNIFIED	5,532	4,997	2,859,753	11,520,766	8,661,013
3500	SAN BENITO COUNTY S	1,093	1,021	584,312	2,353,953	1,769,641
3601	DESERT MOUNTAIN SEL	8,577	8,224	4,706,545	18,960,732	14,254,187
3602	EAST VALLEY CONSORT	8,254	7,735	4,426,693	17,833,325	13,406,632
3603	WEST END SELPA	10,968	10,454	5,982,760	24,102,079	18,119,319
3611	MORONGO UNIFIED	1,407	1,285	735,398	2,962,614	2,227,216
3612	SAN BERNARDINO CITY	5,226	5,020	2,872,915	11,573,793	8,700,878
3613	FONTANA UNIFIED	3,123	2,987	1,709,442	6,886,638	5,177,196
3701	EAST COUNTY SELPA	9,157	8,240	4,715,702	18,997,621	14,281,919
3702	NORTH COASTAL SELPA	10,266	9,369	5,361,822	21,600,571	16,238,749
3703	NORTH INLAND SELPA	4,171	3,715	2,126,072	8,565,068	6,438,996
3704	SOUTH BAY SERVICE A	8,839	8,324	4,763,774	19,191,286	14,427,512
3711	POWAY UNIFIED	2,744	2,516	1,439,891	5,800,730	4,360,839
3712	SAN DIEGO CITY UNIF	12,651	11,632	6,656,923	26,818,001	20,161,078
3800	SAN FRANCISCO UNIFI	6,665	6,266	3,585,994	14,446,492	10,860,498
3901	SAN JOAQUIN COUNTY	4,721	4,387	2,510,653	10,114,389	7,603,736
3911	LODI AREA SELPA	3,053	2,872	1,643,628	6,621,501	4,977,873
3912	STOCKTON CITY UNIFI	3,696	3,310	1,894,293	7,631,326	5,737,033
4000	SAN LUIS OBISPO COU	4,272	3,856	2,206,765	8,890,149	6,683,384

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,305.5365	DIFERENCE
4100	SAN MATEO COUNTY SE	10,075	9,543	5,461,401	22,001,735	16,540,33
4200	SANTA BARBARA COUNT	6,244	5,679	3,250,057	13,093,142	9,843,085
4301	SANTA CLARA AREA 1	2,286	2,148	1,229,287	4,952,292	3,723,005
4302	SANTA CLARA AREA 2	2,694	2,516	1,439,891	5,800,730	4,360,839
4303	SANTA CLARA AREA 3	4,126	3,595	2,057,397	8,288,404	6,231,007
4304	SANTA CLARA AREA 4	3,195	3,057	1,749,502	7,048,025	5,298,523
4305	SANTA CLARA AREA 5	9,455	8,932	5,111,729	20,593,052	15,481,323
4306	SANTA CLARA AREA 6	1,958	1,851	1,059,316	4,267,548	3,208,232
4307	SANTA CLARA AREA 7	1,522	1,411	807,507	3,253,112	2,445,605
4401	NORTH SANTA CRUZ CO	2,611	2,426	1,388,385	5,593,232	4,204,847
4411	PAJARO VALLEY JOINT	2,290	2,008	1,149,166	4,629,517	3,480,351
4500	SHASTA COUNTY SELPA	3,626	3,429	1,962,396	7,905,685	5,943,289
4600	SIERRA COUNTY SELPA	124	116	66,386	267,442	201,056
4700	SISKIYOU COUNTY SEL	1,046	984	563,137	2,268,648	1,705,511
4801	SOLANO COUNTY SELPA	6,237	5,756	3,294,124	13,270,668	9,976,544
4811	VALLEJO CITY UNIFIE	2,304	2,154	1,232,721	4,966,126	3,733,405
4900	SONOMA COUNTY SELPA	8,468	7,879	4,509,104	18,165,322	13,656,218
5001	STANISLAUS COUNTY S	7,275	6,939	3,971,147	15,998,118	12,026,971
5011	MODESTO CITY SCHOOL	3,563	3,365	1,925,769	7,758,130	5,832,361
5100	SUTTER COUNTY SELPA	1,815	1,675	958,592	3,861,774	2,903,182
5200	TEHAMA COUNTY SELPA	1,148	1,087	622,083	2,506,118	1,884,035
5300	TRINITY COUNTY SELP	440	408	233,496	940,659	707,163
5400	TULARE COUNTY SELPA	9,962	8,490	4,858,775	19,574,005	14,715,230
5600	VENTURA COUNTY SELP	14,608	13,664	7,819,824	31,502,851	23,683,027
5700	YOLO COUNTY SELPA	2,731	2,503	1,432,452	5,770,758	4,338,306

SELPA	NAME	DEC 1 97	DEC 1 97	PART B	PART B	
-----	----	PUPIL	PUPIL	GRANT	GRANT	
		COUNT	COUNT	572.2939	2,305.5365	DIFERE
5800	YUBA COUNTY SELPA	1,688	1,572	899,646	3,624,303	2,724,
7100	CA STATE SPECIAL SC	1,087	1,053	602,625	2,427,730	1,825,
7200	CA YOUTH AUTHORITY	1,823	1,811	1,036,424	4,175,327	3,136,
7300	CA DEPT. OF DEV. SE	390	387	221,478	892,243	670,7
	STATE TOTALS	610,037	567,218	324,615,401	1,307,741,807	983,126
	SELPA ONLY TOTALS			322,754,874	1,300,246,507	977,491

ISSUE BRIEF

Special Education—Honoring the Federal Commitment

- **Introduction**

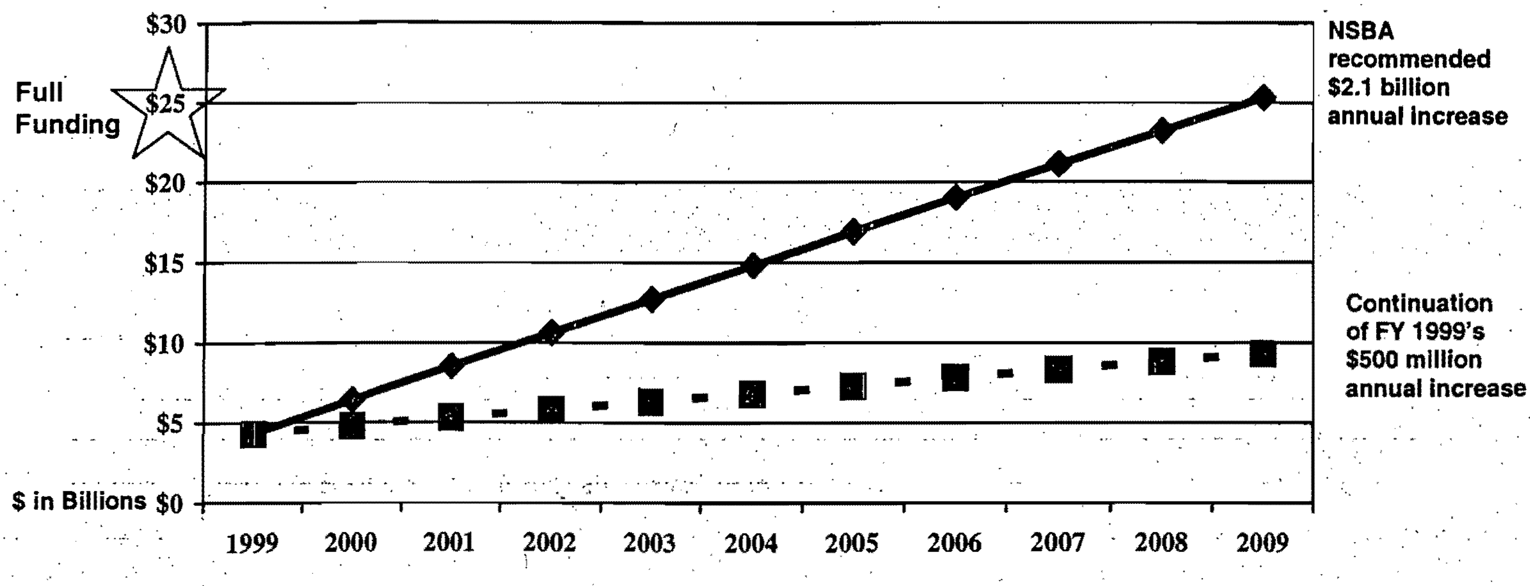
When the Individuals with Disabilities Act (IDEA) was originally enacted in 1975, and reauthorized in 1997, the federal government made a commitment to pay for 40 percent of the excess cost of its special education mandate. Over the years, the federal appropriations have ranged from seven percent to 12 percent of the total excess cost—well less than 1/3 of its 40 percent obligation. In recent years, members of Congress have proposed plans and funding increases intending to reach the full federal share. The purpose of this paper is to determine the dollar level that is necessary to reach the 40 percent federal share, and to propose a multi-year plan to raise the federal share to that amount.

- **Today's Federal Share: $15 Billion**

While children with disabilities present a broad range of costs, in the aggregate, the cost of special education is 2.1 times the cost of regular education. The average per pupil expenditure in the United States was nearly $6,200 in the 1997-98 school year (National Center for Educational Statistics). Hence, the average cost for students in special education would equal $6,200 x 2.1 or $13,000. The average *excess* cost—over and above the $6, 200 spent in regular education—is $6,800 per pupil.

Since IDEA covers at least 5.8 million children aged 3-21, the total excess cost equals $6,800 per student multiplied by 5.8 million students—or $39.4 billion. Based on these figures, 40 percent of $39.4 billion identifies a current federal obligation to be nearly $15.7 billion today.

Comparison of NSBA and Congressionally Recommended IDEA Funding Increases



OFFICE OF ADVOCACY

- **Reaching the Federal Obligation: Inadequacy of Recent Funding Increases**

IDEA now provides $4.3 billion in basic grant funding to local school districts--about $11 billion less that its 40 percent obligation. Last year, Congress appropriated a $500 million increase for IDEA. This appropriation increased the existing funding base by 13.2 percent.

Last year's funding increase takes on a striking prospective of inadequacy when viewed as a long-term commitment. For example, if the IDEA appropriation were increased by $500 million every year, and if special education costs in school districts *never* increased (in reality, special education is the fastest growing area of most school budgets), it would require 22 years to reach full funding.

- **Rising Costs in Special Education**

The cost of special education is rising. Each year, school districts spend 38 cents of each new tax dollar on special education (Economic Policy Institute, 1995). This trend will continue for several reasons. First, special education costs frequently involve health-related expenditures and the use of new technologies—both are areas of high-cost increases. Second, the 1997 IDEA amendments pose new costs on school districts, as will new court decisions, which typically hold that school districts must increase their service responsibilities. (For example, in 1999, the U.S. Supreme Court decision in *Cedar Rapids v. Garret* held that school districts must pay the cost for a nurse to monitor students' breathing ventilators.) Third, the total number of students served by IDEA is rising. The number of children aged 3-21 identified for special education services was 5.4 million in 1994-95. According to the U.S. Department of Education, that number will grow to more than six million—or a ten percent increase in the next year or two.

If total special education costs increase by the conservative estimate of five percent per year, the total excess cost would be more than $60 billion in ten years. **The current $15.7 billion federal obligation would therefore rise to nearly $25 billion.**

- **A Ten-Year Plan—$2.1 Billion Per Year**

The central purpose of IDEA is to ensure that nearly six million children aged 3-21 will have resources available to them so that they can have the opportunity to lead high-quality lives as productive members of their community. Hence, the case for Congress to fully fund special education is more than an obligation to fund a federal mandate, it has a larger economic and social dimension as well. Ten years from now, IDEA and the federal government's commitment to fund 40 percent of the excess cost will have been on the books for more than thirty years. It would seem reasonable, practical, and responsible to provide full funding by that date.

Assuming a five percent annual growth rate in special education costs, IDEA funding will need to be increased by $21 billion—or an average of $2.1 billion per year—to reach $25 billion and fulfill the 40 percent promise.

- **IDEA and the Federal Role in Education**

Clearly federal support is crucial to addressing the needs of children with disabilities. However, our public schools face many dramatic challenges—record enrollments, more children in poverty, teacher shortages, and the need to provide modern, technology-equipped schools. At the same time, our schools are striving to institute innovative programs to ensure that all students achieve high standards to succeed in the 21st century. Meeting these challenges demands a true federal, state, and local partnership and a strong federal investment in public education. Simply increasing federal funds for special education will not replace the vital federal role in that partnership for all children. Under current law, only 20 percent of any new federal special education dollars can supplant local funds. Moreover, with special education needs rising, many districts will need to apply all increases in their special education program to keep up with rising costs. Therefore, a fully funded special education program is needed along with federal investments to assist all students.

California State Federation
COUNCIL FOR EXCEPTIONAL CHILDREN

Over 40 years of serving those who serve

RESOLUTION ON FEDERAL FUNDING OF INDIVIDUALS WITH DISABILITIES EDUCATION ACT

CALIFORNIA STATE FEDERATION/COUNCIL FOR EXCEPTIONAL CHILDREN

WHEREAS, the Council for Exceptional Children is committed to ensuring the highest quality education for all students, both disabled and non-disabled; and,

WHEREAS, the rights and protections afforded disabled students under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and the Americans With disabilities Act (ADA) result in mandated expenditures for disabled students that is far greater than the level of funding provided by state and federal sources; and,

WHEREAS, California provides special education and related services to over 600,000 disabled students which represents 11 percent of its total k-12 enrollment and which is almost a third more than any other state; and,

WHEREAS,combined federal and state funding has been insufficient to fund the excess costs of providing special education and related services to these disabled students; and,

WHEREAS, the increasing costs of providing state and federally mandated special education and related services that are not reimbursed by adequate funding from state and federal sources result in a serious and growing demand on the level of local revenues available to meet the educational needs of other students; and,

WHEREAS, the school districts and county offices of education of California, unlike most other states, have no authority to increase local revenues for the unfunded costs of providing special education and related services; and,

WHEREAS, Congress has been authorized to annually fund 40 percent of the excess costs of providing special education and related services since October of 1981; and,

WHEREAS,the President's budget proposal for the upcoming fiscal year includes such a small increase in funding that it results in an actual decrease in funding when the increased number of disabled students is taken into consideration; and,

WHEREAS when the appropriation of funding for IDEA reaches a specified level, the provisions of IDEA permit the use of increased federal funding to reduce the maintenance of effort for funding special education and related services that a school district or county office of education is obligated to maintain, NOW, THEREFORE, BE IT RESOLVED that this situation results in one class of students having a greater claim to a local educational agency's revenues and services than another class of students; to the detriment of the latter class of students; and,

BE IT FURTHER RESOLVED that the California State Federation/Council for Exceptional Children and its constituent local chapters call upon Congress to restore parity to these two classes of students by appropriating funds for IDEA to the full authorized level of funding for 40 percent of the excess costs of providing special education and related services; and,

BE IT FURTHER RESOLVED, that the California State Federation/Council for Exceptional Children and its constituent local chapters call upon the California Legislature and the Governor to continue the current statutory level of state funding for the provision of special education and related services and to continue providing for increases in that level of funding to accommodate increasing enrollments and cost of living adjustments without consideration of increased federal funding for IDEA; and,

BE IT FURTHER RESOLVED that the California State Federation/Council for Exceptional Children and its constituent local chapters call upon the California Legislature and the Governor to permit increased federal funding for IDEA to pass through to the school districts and county offices of education over and above the level of state funding provided to those school districts and county offices of education.

PASSED AND ADOPTED THIS sixth day of February, 1999 at a regular meeting of the Federation's Governing Board.

Attest:

Carole Scott

Carole Scott, President

IDEA FUNDING
WASHINGTON D.C. VISITS

WEEK OF SEPTEMBER 13, 1999

Association of California School Administrators
California School Boards Association
Coalition for Adequate Funding for Disabled Children
Special Education Local Plan Area Administrators Association

LIST OF PARTICIPANTS

Sandy Clifton, President, Association of California School Administrators (ACSA)
Chuck McCully, Federal Liaison, Association of California School Administrators
Harold Standerfer, Director, Antelope Valley Special Education Local Plan Area (Los Angeles County)
Garth Isom, Superintendent, Brawley Union High School District (Imperial County)
Frank Terstegge, Director, Butte County Special Education Local Plan Area
Jerry McGuire, Butte County Superintendent of Schools
Lee Funk, Superintendent, Biggs Unified School District (Butte County)
Barbara Thomas, Representative, California Association of School Psychologists (Fresno)
Jim Fleming, Superintendent, Capistrano Unified School District (Orange County)
Susan Stuart, Legislative Representative, Contra Costa County Office of Education
Abe Hajela, Federal Affairs Liaison, California School Boards Association
Kevin Gordon, Assistant Executive Director, California School Boards Association
Leslie DeMersseman, President, California School Boards Association (Palm Springs Unified School District)
Jeff Horton, President-Elect, California School Boards Association (Los Angeles County Office of Education)
Jack Lucas, Director, East San Gabriel Special Education Local Plan Area (Los Angeles County)
Vicki Barber, El Dorado County Superintendent of Schools
Marilyn Buchi, Board Member, Fullerton Joint High School District (Orange County)
Glenn Sarot, Administrator, Imperial County Special Education Local Plan Area
John Anderson, Imperial County Superintendent of Schools
Pat Clark White, Superintendent, Irvine Unified School District (Orange County)
Michael Hulsizer, Administrator, Legislative Services, Kern County Superintendent of Schools
Sherry Leonard, Administrative Director, Lodi Unified School District (San Joaquin County)
Andrea Ball, Director, Governmental Relations, Long Beach Unified School District
Steve Mark, Assistant Superintendent, Special Education, Los Angeles Unified School District
John Harter, Superintendent, Mill Valley School District (Marin County)
Carol Bartz, Director, North Inland Special Education Local Plan Area (San Diego County)
John Dean, Orange County Superintendent of Schools
Janet Barry, Assistant Director, Special Education, Poway Unified School District (San Diego County)
Caryl Miller, Administrator, Riverside County Office of Education
Sandy Silberstein, Legislative Representative, Riverside County Office of Education
Wendall Kuyendall, Solano County Superintendent of Schools
Bob White, Director, South Orange County Special Education Local Plan Area
Bob Farran, Director, Southwest Special Education Local Plan Area (Los Angeles County)
Sandee Kludt, Assistant Superintendent, Special Education, San Joaquin County Office of Education
Mike Brogan, Director, South County Special Education Local Plan Area (San Diego County)
Leslie Crunelle, Assistant Superintendent, William S. Hart High School District (Los Angeles County)
Maureen Burness, Assistant Superintendent, Yolo County Office of Education

Assembly Joint Resolution No. 12

RESOLUTION CHAPTER 76

Assembly Joint Resolution No. 12—Relative to special education funding.

[Filed with Secretary of State August 19, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 12, Lempert. Special education: federal funding.

This measure would memorialize the President and Congress of the United States to provide the full federal share of funding for special education programs to the states so that California and other states will not be required to take funding from other vital state and local programs to fund this underfunded federal mandate.

WHEREAS, The Congress of the United States enacted the Education for All Handicapped Children Act of 1975 (P.L. 94-142), now known as the Individuals with Disabilities Education Act (IDEA), to ensure that all children with disabilities in the United States have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs, to assure that the rights of children with disabilities and their parents or guardians are protected, to assist states and localities to provide for the education of all children with disabilities, and to assess and assure the effectiveness of efforts to educate children with disabilities; and

WHEREAS, Since 1975, federal law has authorized appropriation levels for grants to states under the IDEA at 40 percent of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

WHEREAS, Congress continued the 40-percent funding authority in Public Law 105-17, the Individuals with Disabilities Education Act Amendments of 1997; and

WHEREAS, Congress has never appropriated funds equivalent to the authorized level, has never exceeded the 15-percent level, and has usually only appropriated funding at about the 8-percent level; and

WHEREAS, The California Master Plan for Special Education was approved for statewide implementation in 1980 on the basis of the anticipated federal commitment to fund special education programs at the federally authorized level; and

WHEREAS, The Governor's Budget for the 1999–2000 fiscal year proposes $2.2 billion in General Fund support for the state's share of funding for special education programs; and

WHEREAS, The State of California anticipates receiving approximately $410,500,000 in federal special education funds under Part B of IDEA for the 1999–2000 school year, even though the federally authorized level of funding would provide over $1.8 billion annually to California; and

WHEREAS, Local educational agencies in California are required to pay for the underfunded federal mandates for special education programs, at a statewide total cost approaching $1 billion annually, from regular education program money, thereby reducing the funding that is available for other education programs; and

WHEREAS, The decision of the Supreme Court of the United States in the case of Cedar Rapids Community Sch. Dist. v. Garret F. ((1999) 143 L.Ed 2d 154), has had the effect of creating an additional mandate for providing specialized health care , and will significantly increase the costs associated with providing special education services; and

WHEREAS, Whether or not California participates in the IDEA grant program, the state has to meet the requirements of Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701) and its implementing regulations (34 C.F.R. 104), which prohibit recipients of federal financial assistance, including educational institutions, from discriminating on the basis of disability, yet no federal funds are available under that act for state grants; and

WHEREAS, California is committed to providing a free and appropriate public education to children and youth with disabilities, in order to meet their unique needs; and

WHEREAS, The California Legislature is extremely concerned that, since 1978, Congress has not provided states with the full amount of financial assistance necessary to achieve its goal of ensuring children and youth with disabilities equal protection of the laws; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature respectfully memorializes the President and Congress of the United States to provide the full 40-percent federal share of funding for special education programs so that California and other states participating in these critical programs will not be required to take funding from other vital state and local programs in order to fund this underfunded federal mandate; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chair of the Senate Committee on Budget, to the Chair of the House Committee on the Budget, to the Senate Committee on Appropriations, to the Chair of the House Committee on Appropriations, to each Senator and Representative from California in the Congress of the United States, and to the United States Secretary of Education.

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Comparison of IDEA Part B Funding per Pupil to:
* the Average Per Pupil Expenditure, and
*the IDEA Authorization of Forty Percent of the Average Per Pupil Expenditure

	FY 1982	FY 1982	FY 1984	FY 1985	FY 1986	FY 1987	FY 1988	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993
Average Per Pupil Expenditure	2,354	2,640	2,861	3,086	3,356	3,510	3,871	4,130	4,403	4,704	4,968	5,108
IDEA Authorized Funding Level												
40 Percent of APPE	942	1,056	1,144	1,234	1,342	1,404	1,548	1,652	1,761	1,882	1,987	2,043
Actual IDEA Part B per Pupil Funding	233	251	261	275	282	321	338	340	350	407	419	420
Difference	(709)	(805)	(883)	(959)	(1,060)	(1,083)	(1,210)	(1,312)	(1,411)	(1,475)	(1,568)	(1,623)
Actual IDEA Part B per Pupil Funding As Percent of Authorized Funding Level	24.75%	23.77%	22.81%	22.28%	21.01%	22.86%	21.83%	20.58%	19.87%	21.63%	21.08%	20.56%
Authorized Pecent of APPE	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%
Actual Funding As Percent of APPE	9.90%	9.51%	9.12%	8.91%	8.40%	9.15%	8.73%	8.23%	7.95%	8.65%	8.43%	8.22%

Source: Center for Special Education Finance, American Institutes for Research Publication "Fiscal Provisions of the Individuals with Disabilities Education Act: Policy Issues and Alternatives, Thomas B. Parrish and Deborah A. Verstegen, June 1994