

**INDIVIDUALS WITH DISABILITIES EDUCATION ACT  
(IDEA) UNDERFUNDING**

Adopted by Convention Delegates May 2007

- WHEREAS,** The California State PTA advocates for a quality public education for each child, and believes that it is essential for public resources to adequately fund all mandated programs and services; and
- WHEREAS,** The Individuals with Disabilities Education Act (IDEA), adopted in 1975, has specified that by 1982 the federal government authorizes a maximum allotment per disabled child served of 40% of the national average per pupil expenditure, yet Congress has never appropriated more than 19%; and
- WHEREAS,** In 2005-06, the California Department of Education reported nearly 700,000 students enrolled in special education programs in California, incurring a cost of approximately \$4 billion, with approximately \$1 billion provided by IDEA federal funding grants; and
- WHEREAS,** In 2006-07, in order to comply with IDEA federal mandates, California school districts may be required to transfer approximately \$1 billion from the general education budget to the special education budget; therefore be it
- RESOLVED,** That the California State PTA and its units, councils and districts advocate for the committed maximum authorized allotment from the federal government of 40% of mandated IDEA program costs; and be it further
- RESOLVED,** That the California State PTA encourage its units, councils and districts to educate public policy makers (local, state, and federal), PTA members, community members and the media about the funding shortfall of IDEA mandates and its encroachment on the school districts' general education budgets.

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## **Background Summary**

For more than a century, Parent Teacher Association (PTA) has worked in united effort on behalf of all children and youth. As stated in the core values of the California State PTA, “We believe our responsibility includes advocating for the safety and welfare of all children and the opportunity for a quality public education for each child.” Additionally California State PTA position statement 4.5.24, *Encroachment: Effect on Public Education*, states that “we also believe that it is essential to appropriate adequate public resources to fully fund all mandated programs and services...”

In 1975, Congress enacted the *Educated for all Handicapped Children Act* (Public Law 94-142). The act, now called the *Individuals with Disabilities Education Act* (IDEA) (Public Law 108-446), provides funds to states for the education of children with disabilities. At the core of the act is the requirement that children with disabilities must have access to a “free, appropriate public education.” In addition, states and school districts must identify, locate and evaluate all children with disabilities to determine eligibility for special education and related services. Each child receiving services must have an individual education program (IEP), and, “to the maximum extent appropriate,” must be educated in the least restrictive environment with children who are not disabled.

In California, special education funding is provided by the state to each school district, using a formula created in the base year of 1979-80. The base year funding amount is increased as the total enrollment numbers grow, with cost of living adjustments added. Unfortunately, due to state budget constraints, these amounts have not been consistently funded through the years.

Encroachment on the school district budgets occurs when the districts spend more for federally mandated special education programs than they received in federal or state funding. As a result, dollars must be used to fund mandated special education programs, thereby reducing monies available for other general education programs. Full funding of federally mandated programs and services would not only provide special education students with the programs they need, it would also allow general fund dollars to be used for the benefit of all students.