



# NSBA Advocacy Institute 2018 CALIFORNIA BACKGROUND

## *Education*

---

### **Funding**

In mid-December, Congress passed a Continuing Resolution (CR) for Fiscal Year 2018 that will be in effect through January 19, 2018. The CR sustains funding for education and other federal programs at levels comparable to FY2017. **(THIS WILL BE UPDATED AFTER 1/19/18)**

In order to fully address the educational needs of all students and to appropriately enact the provisions of the Every Student Succeeds Act (ESSA), Congress must pass an appropriations bill that provides increased funding to schools and districts throughout the nation. There three issues that are outstanding in discussions on education funding:

- Concerns about another round of across-the-board budget cuts (sequestration) governed by the Budget Control Act of 2011
- The need to emphasize the importance of maximizing federal investments in Title I, special education (IDEA) and related education programs
- The need to ensure appropriate levels of funding under Title II (teacher preparation/staff development and training) and Title IV (student support and academic enrichment grants)

### **Special Education**

Special education is the only federal education program that is required to be provided even when funding is reduced at the state and federal level. When the Individuals with Disabilities Education Act (IDEA) (formerly the Education for All Handicapped Children Act) was enacted 43 years ago, Congress promised to provide 40 percent of the average per-pupil expenditure to pay for this expanded special federal mandate. However, Congress has never fulfilled that promise.

For California, 40 percent of the current average per-pupil expenditure is more than \$3 billion per year, but in 2016, the federal government provided just over \$1.2 billion. In 2015-16, California spent more than \$11.2 billion in state, federal and local general funds to provide the services required by IDEA. The funding provided by the federal government equated to approximately 11 percent of the total amount spent in California.

This underfunding has had a major impact on a local school agency's ability to balance its annual operating budget and maintain quality education programs and services for all children. Over the past ten years, the local contribution by California school agencies for special education has

increased from \$2.97 billion to more than \$5 billion. This is especially troubling as the cost of providing special education continues to rise due to the increase in the population of students with high-cost disabilities, such as autism.

CSBA appreciates the recent increases in special education funding that have been provided over the last few years. However, Congress needs to begin looking at the reauthorization of IDEA. The program was last reauthorized 14 years ago and many of the programmatic issues need to be reviewed.

In addition to the need to firmly establish a funding glide-path, CSBA also supports increasing opportunities to expand infant and preschool programs for special needs students, expanding intervention services to address needs of a growing special education population and placing limits on the attorneys fees that districts are required to pay where they are special education disputes regardless if the district is found to be at fault or not.

#### **TALKING POINTS:**

- **Talk to your Representatives about the need to further increase all aspects of education funding in order to fully address the increased program and reporting requirements of ESSA.**
- **CSBA appreciates Congressional actions over the last few years to increase special education funding, but continues to strongly support further federal funding investments to, at a minimum, meet the needs for funding growth and COLA and eventually meet the 40 percent funding promise.**
- **CSBA recommends increased federal funding to address the specific and increasingly expensive service needs of students diagnosed as being on the autism spectrum.**
- **CSBA urges Congress to support an ongoing increase in funding for infant and preschool grants, as well as funding for intervention services to address a growing special education population.**
- **CSBA urges Congress to also pass legislation to limit the attorney's fees that districts are required pay when there are special education disputes regardless of whether the district is found to be at fault or not.**