



October 29, 2009

RE: FY 2011 Appropriations – Special and Gifted Education

Dear President Obama,

The Council for Exceptional Children (CEC), an international community of educators, including teachers, administrators, higher education faculty and researchers, is the voice and vision of special and gifted education. Our mission is to improve the quality of life for individuals with exceptionalities and their families through professional excellence and advocacy. As such, CEC urges the Administration to support full funding for all parts of the Individuals with Disabilities Education Act (IDEA) and increased allocations for the Jacob K. Javits Gifted and Talented Students Act in its FY 2011 budget request.

CEC appreciates the Administration's commitment to investing in education, particularly its support for IDEA Parts B and C in the American Recovery and Reinvestment Act (ARRA). CEC is pleased to report that in addition to saving jobs, educators are using these funds to drive innovation by bringing better assistive technology into the classroom, investing in high quality capacity building professional development and enhancing data systems. Although ARRA was a one time investment, the strides made by programs across the nation with this needed funding were long overdue and must be maintained. To address this situation CEC encourages the Administration to request the following:

IDEA Part C – Ages Birth - 2

- CEC Recommends: \$939,427,000

IDEA Part C provides grants to states to assist them in operating a comprehensive statewide program of early intervention services for infants and toddlers with disabilities, ages birth through age 2 years, and their families. Children are eligible for this program if they have a developmental delay or a diagnosed condition with a high probability of resulting in developmental delay. As a result of declining federal funding over the last decade, 20% of states have narrowed their eligibility criteria and 75% have enacted systems that charge families for services. In that same time, demand for services has dramatically increased from 206,108 children served in 2000 to 321,894 in 2008. To meet this increasing demand, CEC recommends an investment in the amount of \$939,427,000.

IDEA Part B Section 619 – Ages 3-5

- CEC Recommends: \$774,100,000

IDEA Part B Section 619 also addresses early learning by assisting all states in ensuring that preschool aged children (3-5 years of age) with disabilities receive special education and related services. Since 1987, when this program began operating, the number of children served has increased from 265,000 per year to an estimated 743,000 in 2009. Despite this 60% increase in enrollment, federal funding has only increased by 25%. Without a sustained commitment to this funding, this population of children will not enter school ready to learn and will need even more costly services later. Thus, CEC recommends an investment in the amount of \$774,100,000 to fulfill this program's promise.

IDEA Part B – Ages 6-21

- CEC Recommends: \$17,596,785,000

IDEA Part B serves children from ages 6-21 and allows the federal government to partner with states and localities to provide an appropriate education for children with disabilities. In 2007, the last year with available data, 6,007,832 children were served under this section of Part B. Although Part B received some ARRA money, funding for the program has remained stagnant for decades. Because the statute legally obligates the states to provide services, but fails to fund them appropriately, states and localities pick up the tab. Given the current economic crisis, the federal government's failure to pay its fair share may force cuts in these necessary programs and services. Thus, CEC recommends an investment in the amount of \$17,596,785,000 to fulfill this program's promise.

IDEA Part D – Support Programs

- CEC Recommends: \$1,448,273,400

IDEA Part D Support Programs provide the critical infrastructure, training and development functions necessary to drive improvements in all parts of special education practice. Notably, Part D did not receive any funds in ARRA. In making its Part D appropriations recommendations, CEC believes the calculation for this program should be similar to the private industry standard for research and development (R&D), which is typically 10% of the overall operating budget. Because Congress has never even approached that funding level, CEC uses a more modest number, still based on the industry standard, 7.5%. Even with this discount, funding has never approached this amount. To address the lack of resources in this area, CEC encourages the Administration to fund the development and dissemination of quality special education practice in a meaningful way.

Special Education Research

- CEC Recommends: \$266,438,000

IDEA 2004 moved special education research from Part D to the Institute of Education Sciences (IES), which was established by the Education Science Reform Act of 2002. Within IES, the National Center for Special Education Research (NCSER) conducts research and innovation activities related to the education of children with disabilities. Since 2005, federal funding for

research in special education has been cut by 15%, leaving this program inadequately funded to fully achieve its mission. Notably, special education research did not receive any funds under ARRA. CEC urges the Administration to support funding this program to provide our schools, educators and children the cutting edge evidence based strategies they need to succeed.

Support Full Funding of IDEA

CEC urges the Administration to remove IDEA from the yearly appropriations battle and challenge Congress to fulfill its original promise to provide mandatory full funding. As is well known, when Congress enacted this legislation in 1975, it authorized the federal government to pay 40% of each state's "excess cost" of educating children with disabilities. That amount – commonly referred to as the "IDEA full funding" amount – is calculated by taking 40% of the national average per pupil expenditure (APPE) multiplied by the number of children with disabilities served under IDEA in each state. Yet, even with ARRA funds, the government has never fully funded IDEA. In the current environment of shrinking tax revenues and state budget cuts forcing states to pay for what is really the federal government's responsibility is an even greater hardship. Fully funding all parts of IDEA will help every single district in this nation fulfill to their obligations in hard times. Now is the time for the Administration and Congress to live up to this commitment. CEC urges the Administration to request mandatory full funding for IDEA.

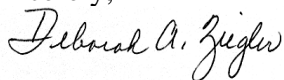
Gifted and Talented

- CEC Recommends: \$20 Million

The Javits Act focuses its resources on children from backgrounds that have traditionally not been included in gifted education programs –children and youth with disabilities, individuals from economically disadvantaged backgrounds and English language learners. Through a system of competitive research and state capacity building grants and a national research center on gifted education, the Javits Act fills a critical need in our nation's education system. Notably, the Javits program did not receive any funds under ARRA.

In conclusion, CEC hopes you will consider its recommendations in preparing your FY2011 budget proposal. Children and youth with disabilities and those with gifts and talents have a right to the same educational opportunities as all other students, and the federal government has an obligation to pay for its fair share of these costs. If you have any questions or are in need of additional information from CEC, please feel free to contact me at debz@cec.sped.org, 1-800-224-6830 ext. 406 or contact Lindsay Jones, Senior Director for Policy and Advocacy Services at lindsayj@cec.sped.org, 1-800-224-6830 ext. 403.

Sincerely,



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