



Full Funding of the IDEA Critical for Our Children

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It's critical that we get increased funding for special education services in order to meet the needs of students with disabilities and achieve compliance with the Individuals with Disabilities Education Act (IDEA). Attempts have been made to make legislative changes for years, but it hasn't happened. We all need to reach out to our congressional representatives and tell them it's essential that we give our schools the funding they need to help our children NOW.

When it was enacted in 1975, the IDEA proposed that federal funding would cover up to 40 percent of the cost of programming for students with Individualized Education Programs (IEPs). The current reality is that federal funding covers approximately 14.7 percent of the costs, creating a shortage in the billions. In response, the IDEA Full Funding Act was introduced to Congress on March 26th by Senators Chris Van Hollen (D-MD) and Pat Roberts (R-KS). This isn't the first go-around at increasing funding: Congress has unsuccessfully proposed legislation since 1999. The current Full Funding Act essentially creates a plan to gradually increase Federal IDEA Funding to 40 percent of the average per-pupil expenditure (\$43.3 billion) by fiscal year 2029.

Under the IDEA, students with disabilities who require specialized instruction must receive the services they need without regard to cost. In theory, it sounds fantastic. But when the money isn't there to pay for those services, the school districts are in a bind and end up providing less than the law requires. It's like telling a mother of eight that she has \$100 to feed her children for the month: she knows what they need, and she wants to give it to them, but she certainly can't do it appropriately on that budget. Cuts would have to be made, either sacrificing the quantity or quality of the food. The lack of special education funding hurts students who don't receive the services they need, it hurts teachers and itinerant service providers who are overworked or lacking the tools necessary to help their students, and it hurts administrators who are pressured to make up for this lack of funding through local levies and budget cuts. No one wins.

When school districts can't secure funding to fill the gap, cuts have to be made. Sometimes cuts come in the form of denying a student eligibility under the IDEA from the start. If the school has fewer students to serve, the cost should, in turn, be lower. Once the student qualifies, the district is obligated by law to meet their disability-related needs, despite the cost.

Budget cuts can also come in the form of understaffing. Where students are deemed eligible for services, the school may be understaffed to meet the needs of all of those students. For example, a building may need two speech language therapists to be able to fulfill the needs of its special ed students. Since the school district doesn't have the funds to hire a second therapist, they may end up either failing to implement a properly written IEP (not providing the stated minutes of service), or they may just write in a time allocation that is much less than the child needs, to ensure compliance. Either way, students are underserved. And when the overworked therapists or intervention specialists feel the stress and pressure of not having the time to do their jobs appropriately, it can lead to high turnover rates or even staffing shortages in the long-term.

Another way districts may deal with the lack of funding is by restricting placement options. The IDEA requires that students are placed in an educational setting that is their least restrictive environment, meaning that they should be with typical peers as much as possible, given their needs and circumstances. If, for example, a student with autism can function appropriately in a general education classroom along with the assistance of a one-to-one aide, the school is required to place him there instead of a more restrictive environment. Yet a more restrictive, one-size-fits-all classroom environment might be more cost-effective for the school if they keep all students with a particular category of eligibility (such as autism or emotional disturbance) in one room and share resources. Where a student's least restrictive environment (LRE) is outside of the district, schools watching their dollars may refuse, insisting that they can educate the student in-house. Outside placements come with a high price tag and, on top of that, a district would have to pay for transportation to that outside placement (maybe even a private driver and aide), which is quite a significant blow to the budget.

The students with disabilities are the ones who are most obviously hurt by underfunding of the IDEA. And a school's inability to secure funding is not a valid defense to a Due Process Complaint for failure to provide a free and appropriate public education (FAPE) in a student's LRE, as required by the IDEA. Still, we must acknowledge that underfunding does stunt the abilities of well-meaning teachers and administrators, who only have so much time and/or money to go around, and are forced to make budget cuts or do work that they're not proud of. Something needs to be done to end this cycle of underfunding so that schools can do their job to provide these students with a FAPE in their LRE. Congress has been trying to correct the funding deficit for years and has met with nothing but failure, but we can't give up on something this important. In the words of author Gena Showalter, "Giving up is the only sure way to fail." Maybe this go-around will be the one that makes a difference in the lives of our children. Reach out to your congressional representatives and urge them to make this a priority!

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