

SENATE JOINT RESOLUTION 239  
By McNally

A RESOLUTION To urge Congress and the President to fully fund the federal commitment to IDEA.

WHEREAS, It is the policy of the State of Tennessee to ensure general and special educational opportunities for all children within our State; and

WHEREAS, An issue has developed that undermines the Federal, State, and Local governments' partnership which provides a special educational service to eligible students; this issue concerns the Individual with Disabilities Education Act (IDEA), which has not been consistently funded as the guidelines set forth since its establishment; and

WHEREAS, The 1975 legislation, creating what we now refer to as IDEA, committed Congress to fund 40% of the Average Per Pupil Expenditure (APPE), a rough estimate of the excess cost of educating a special education student; and

WHEREAS, Since that time, the actual congressional appropriation for special education has hovered between 8-9% of the National APPE; and

WHEREAS, This fiscal year, Congress appropriated an estimated 12% of the APPE; and while it is an increase in funding from the average appropriation made over the last 26 years, it

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still leaves an unfunded federal mandate of about \$17-\$20 billion for states and school districts to absorb; and

WHEREAS, In pursuit of the best education for our State's children, the general cost of education has constantly increased, as with the rising cost for everything, but the enrollment numbers of special education and the incurred costs have soared, thus severely impacting our State's budget and in turn the budgets of our local education agencies within Tennessee; and

WHEREAS, During this fiscal year, Tennessee has only received an estimated \$106,785,000 from Congress for Part B services under IDEA; if the Federal Government would fully fund its commitment made in 1975 to the people of the United States, then we should have received \$330,780,000. Such an increase could drastically improve special education services for the children of our State and, in the future, would allow additional flexibility in making decisions regarding the allocation of State K-12 resources; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That in light of this information we respectfully urge the United States Congress and the President of the United States to fully fund the federal commitment to the Individual with Disabilities Education Act.

BE IT FURTHER RESOLVED, That the Chief Clerk of the Senate is directed to transmit enrolled copies of this resolution to each member of the Tennessee Congressional Delegation, to the Honorable George W. Bush, President of the United States of America, to the Speaker and the Clerk of the U.S. House of Representatives, and to the President and Secretary of the U.S. Senate.

BE IT FURTHER RESOLVED, That an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.