

State of South Dakota

NINETY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2019

956B0065

HOUSE CONCURRENT RESOLUTION NO. _____

Introduced by: _____

1 A CONCURRENT RESOLUTION, Urging Congress to increase federal funding for special
2 education.

3 WHEREAS, Congress, in 1975, passed the Individuals with Disabilities Education Act
4 (IDEA) mandating that all children with disabilities be provided a free appropriate public
5 education in the least restrictive environment; and

6 WHEREAS, at the same time, Congress promised the states that the federal government
7 would provide forty percent of the average per pupil expenditure to help offset the cost of
8 educating eligible students; and

9 WHEREAS, in the nearly forty-four years since the law was passed and the promise was
10 made, Congress has never in any of those years provided the level of funding promised; in fact,
11 the past several decades have seen few significant increases and, more important, a decline in
12 funding as a percentage of the average per pupil expenditure, which peaked at eighteen percent
13 in 2004; and

14 WHEREAS, this persistent underfunding has contributed to poor outcomes for some
15 students and has left states and school districts burdened to find the fiscal resources needed to
16 meet their obligations under IDEA, especially at times like these when the relative costs of



1 serving children in special education are escalating; and

2 WHEREAS, coalitions comprised of education organizations and concerned parents have
3 worked tirelessly for years to secure increased appropriations for IDEA; their efforts have been
4 supported by the introduction of IDEA full funding bills in almost every session of Congress,
5 and support for increased funding has been largely bipartisan, but despite all of that, significant
6 increases in funding remain elusive:

7 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-
8 Fourth Legislature of the State of South Dakota, the Senate concurring therein, that the United
9 States Congress be urged to begin to honor the promise made in 1975 by working toward
10 funding forty percent of the average per pupil expenditure for students eligible for special
11 education; and

12 BE IT FURTHER RESOLVED, that the secretary of state transmit copies of this resolution
13 to the speaker and clerk of the United States House of Representatives, to the president pro
14 tempore and secretary of the United States Senate, and to the members of the South Dakota
15 Congressional delegation.