

Here's a summary from the House IDEA that passed yesterday we're starting to put a whip operation together through NGA to lobby IDEA in the Senate. Please take a look at this summary and the attachment and let me know what you think are the most important parts of IDEA that we should be pushing for this year in addition to the 40% mandatory funding.

There was some concern over the Woolsey/McKeon amendment that requires that any additional increases in federal funding, above Fiscal Year 2003 levels be passed down directly to the local level. I'm not sure if we care about this provision if we actually get additional funding. The money for this program is primarily for the locals as it is.

Please let me know what you think.

Fred

### IDEA Reauthorization Passes House

The Improving Education Results for Children with Disabilities Act (H.R. 1350), legislation that would reform the nation's special education system, yesterday passed the House by a vote of 251 to 171. Thirty four Democrats joined Republicans in voting for the bill, which would reauthorize the Individuals with Disabilities Education Act (IDEA) of 1997, after consideration of fourteen amendments.

Small states received a boost from an approved amendment offered by Rep. Jeb Bradley (RN.H.) that would increase the minimum state setaside from \$500,000 to \$750,000 to help provide them the necessary resources to ensure high quality service delivery. The bill also clarifies that a state has the option to use up to 40 percent of its funds for statelevel activities for programs designed to serve children with disabilities with highcost special education and related services needs. H.R.1350 contains other constructive reforms that would strengthen early intervention strategies by improving prereferral services, simplifying the process for adjusting individual assessment plans (IEPs), emphasizing the importance of subject matter content and researchbased instruction, and more closely aligning IDEA with the accountability requirements of the No Child Left Behind (NCLB) law.

However, the amount of funds states would receive for IDEA statelevel activities would essentially be frozen due to an amendment offered by Rep. Buck McKeon (RCalif.) and Rep. Lynn Woolsey (DCalif.) that passed by voice vote. The provision requires any additional increases in federal funding, above fiscal year (FY) 2003 levels, to be passed down directly to the local level. The bill, as reported by the House Education and the Workforce Committee, included language that directed funds to states based on the 1997 funding level, which averages between 8 percent and 12 percent, and allowed states to receive increases for inflation. Without future inflationary increases, states will actually experience a cut in real dollars, rendering

them illprepared to keep pace with the increasing demands of administering IDEA. During floor consideration of the Woolsey/McKeon amendment, it was suggested the measure was a way to ensure that the federal funds provided would be used for the purposes intended under IDEA, instead of possibly being diverted by states.

On the issue of vouchers, two amendments, one by Rep. Jim DeMint (R.S.C.) that would have created a parental choice program to allow parents to use federal and state money for tuition at selected public or private schools, and another by Rep. Marilyn Musgrave (R.Col.) that would have allowed school districts the option of offering parents of children with disabilities in private schools a certificate to be used for their child's specific special education needs, failed.

H.R. 1350 maintains discretionary funding for IDEA programs and authorizes additional incremental increases that could result in full funding in seven years, including \$2.2 billion for FY 2004 and \$2.5 billion for FY 2005, matching the amounts provided in the FY 2004 budget resolution (H. Con. Res. 95). The federal government now provides \$8.9 billion in direct grants to states in FY 2003.

The Senate is expected to introduce a bipartisan IDEA bill within the next few weeks.

#### Original Message

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Sent: Wednesday, April 30, 2003 8:14 PM

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Subject: IDEA

Attached please find the outcome for each amendment. A summary will be included in the TGI for Thursday.