

SENATE CONCURRENT RESOLUTION NO. 1

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

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

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

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

WHEREAS, this persistent underfunding has contributed to poor outcomes for some students and has left states and school districts burdened to find the fiscal resources needed to meet their obligations under IDEA, especially at times like these when the relative costs of serving children in special education are escalating; and

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

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

BE IT FURTHER RESOLVED, that the secretary of the Senate transmit copies of this resolution to the speaker and clerk of the United States House of Representatives, to the president pro tempore

and secretary of the United States Senate, and to the members of the South Dakota Congressional delegation.

Adopted by the Senate,  
Concurred in by the House of Representatives,

January 9, 2019  
January 11, 2019

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Larry Rhoden  
President of the Senate

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Kay Johnson  
Secretary of the Senate

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Steven G. Haugaard  
Speaker of the House

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Sandra J. Zinter  
Chief Clerk of the House