

A Brief Introduction to Special Education Finance

November 17, 2008

***Pennsylvania House Sub-Committee on
Special Education***

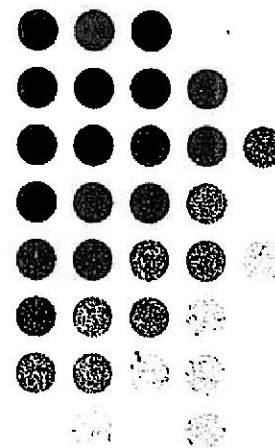
David L. Shreve

National Conference of State Legislatures

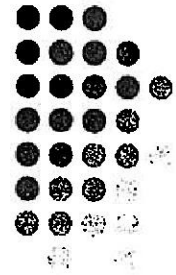
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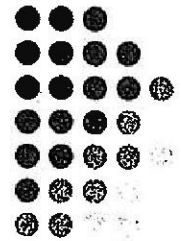


What Is Special Education Finance?



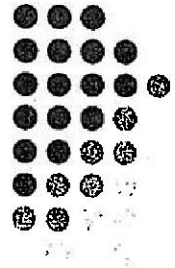
- Perhaps no issue has been discussed as much, with so little result, as the funding of special education.
- Nationwide, special education students, or *students with disabilities (SWDs)*, account for 12% - 13% of all K-12 students-- numbering about 6 million students
- But, special education expenditures account for more than 20% of K-12 funding
- For many years, the incidence of "identification" and the expenditure levels have climbed. Why?

Why have identification and expenditures climbed?



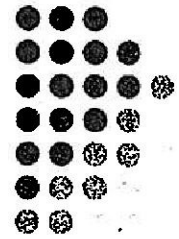
- "mission creep" - expanding the definition of disabled and therefore expanding services
- Advances in medical technology have saved many lives but created additional clients
- Increases in health care cost
- Unintended consequence of standards-based reforms have increased referrals to allow for some accommodation in testing

Historical Perspective?



- By 1960s, many states had set up their own, largely discretionary, special education systems and standards. At the same time, many other states specifically precluded disabled students from public school education.
- In 1965, Congress passed the Elementary and Secondary Education Act (ESEA) of 1965 (P.L. 89-10) which provided financial assistance to states for special education for the first time. An amendment to ESEA in 1974 required states to adopt as a **goal** a "free and appropriate education" to all children

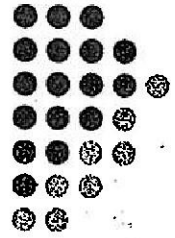
Historical Perspective?



- Two cases in the early 1970s significantly influenced special education. In 1971's *Pennsylvania Association of Retarded Children (PARC) vs. Commonwealth of Pennsylvania*, a federal district court found that every mentally challenged child in the state had the right to a free public education.
- 1972: *Mills vs. Board of Education of the District of Columbia*, a U.S. district court found that a school district could not exclude any "exceptional" children from public education, even if the school district has insufficient funds to provide such services.
- Congress amended ESEA in 1974 and required states to provide a "*free and appropriate education*" to all children. The following year, the Congress passed the Education for All Handicapped Children's Act (EHA) of 1975, which provided states with additional federal funding for special education. Which leads us to:

Special Education Myth #1:

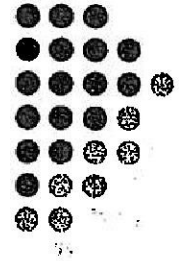
*The federal government pays (or should pay)
40 percent of special education costs*



- In 1975, the floor debate in Congress indicated members' intent to provide the "excess costs" for educating a special education student.
- *Excess cost*, the amount above what states and localities spent on a general education student, was estimated to be about 40%, hence 40% became the number so often bandied about today.
- Unfortunately, two realities wedged into the calculation:

Special Education Finance

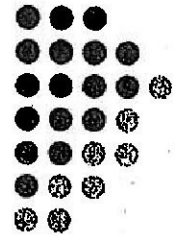
Myth #1:



- Federal appropriators have never provided more than the current high of 18% of excess cost.
- Expenditure reports indicate that actual excess costs are closer to 90% above average K-12 expenses.
- Therefore: in the 08-09 school year federal funding was about \$11 billion short of promised amount.

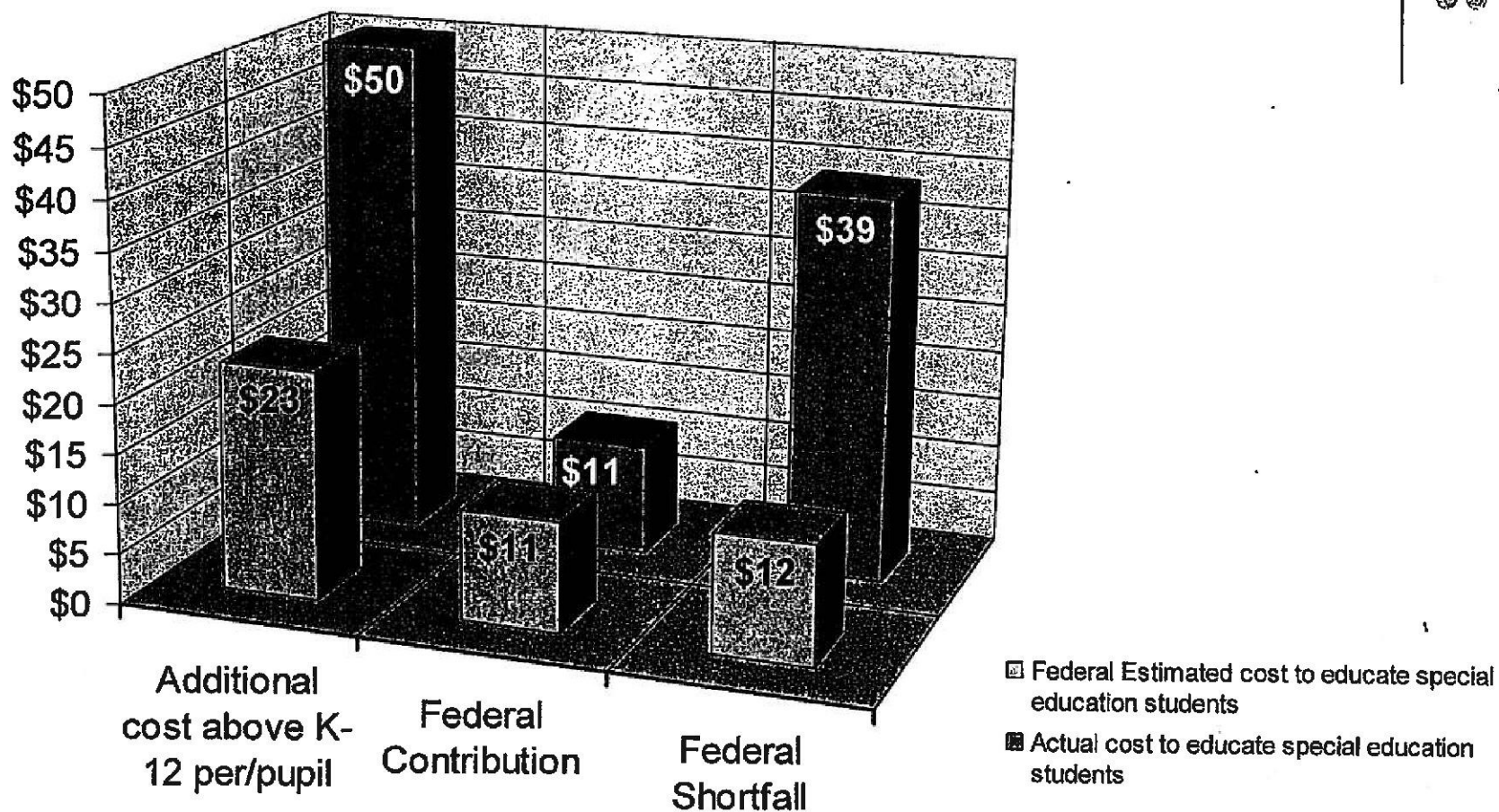
Special Education Finance

Myth #1:

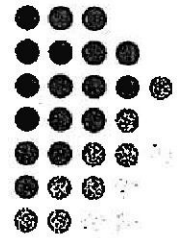


- Therefore, federal funding at 17% is less than half of what has been promised (40%), which is less than half of the what it costs (90%) to educate an average SWD.
- Proposals to move special education appropriations to the mandatory side of the federal budget and to require full (40%) funding have been introduced repeatedly in Congress.
- NCSL policy currently supports full and mandatory funding (40%).

Cost shift of Special Education (in billions). Comparing Federal Estimate versus Actual Cost Studies

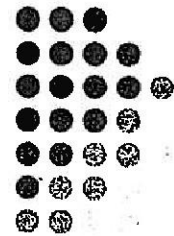


Special Education Finance: Funding Formulas



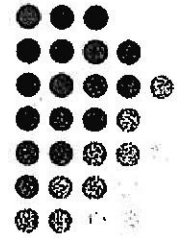
- Overall, there are four major approaches for funding special education, each with strengths and weaknesses.
- Keep in mind that many states can and do implement "hybrid systems" that combine funding formulas

Special Education Finance: Funding Formulas -- Pupil Weights



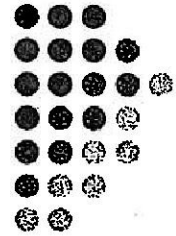
- **Pupil Weights (19 states in 99-00 SY)**
- One of the most common ways to adjust for the additional resources that are needed for students with disabilities
- Assigns a funding weight to the student. If a regular education student represents a normal cost of education, the weight would be one.
- In certain cases, there is one additional weight for all special education students (1.9), but in most instances, states provide higher weights for different resource needs or different degrees of disability.
- Weights are based on historical costs associated with certain types of disabilities. Thus, they attempt to predict the costs associated with educating a particular disability.

Special Education Finance: Funding Formulas -- Pupil Weights



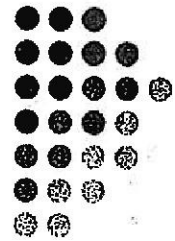
- **Kentucky** uses a weighted pupil formula to distribute special education funds, which is integrated into the general aid formula based on average daily attendance (ADA). Students with disabilities, ages 5 through 20, generate an exceptional child add-on based on categories of disability.

Special Education Finance: Funding Formulas -- Pupil Weights



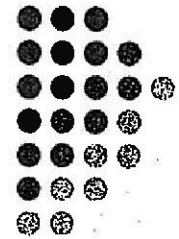
- Functional Mental Disability, Hearing Impaired, Visually Impaired, Emotional Behavior Disabled, Deaf-Blind, Autistic, Traumatic Brain Injured, and Multiply Disabled 2.35
- Mild Mentally Handicapped, Orthopedically Impaired, Other Health Impaired, Specific Learning Disabled, and 5-year-old Developmentally Delayed Children 1.17
- Speech or Language Disabled Only 0.24

Special Education Finance: Funding Formulas-Pupil Weights



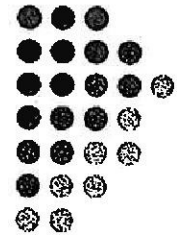
- **Strength**: An appropriate level of funding is identified and provided for special education students, and localities are not burdened with the extra costs of providing services.
- **Weakness**: A perverse incentive is provided to identify students in need of special education in order to receive additional funding.

Special Education Finance: Funding Formulas- Flat Grant; Census-Based



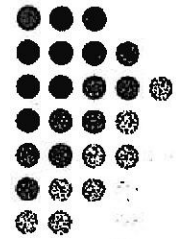
- **Flat Grant/Census-Based (11 states in 99-00 SY)**
- Under this system, special education funding in some states is distributed as a fixed per-pupil dollar amount for each special education student.
- In other states, districts receive a lump sum for special education services based on statewide averages (census-based).
- It is worth noting that federal funding under the IDEA is distributed as a per dollar amount of funding for each student within the state who is receiving special educational services

Special Education Finance: Funding Formulas- Flat Grant; Census-Based



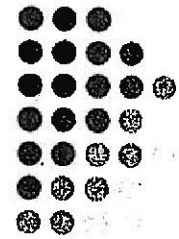
- **North Carolina:** funds for special education are additional to basic education aid, which is based on average daily membership of school districts.
- Funds for exceptional education (which include both special education and programs for the academically gifted) are distributed on a per child basis determined by dividing the total available state exceptional children funds by the April 1 student headcounts of disabled and academically gifted students

Special Education Finance: Funding Formulas- Flat Grant; Census-Based



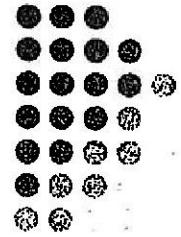
- **North Carolina:**
 - Each district's allocation is determined by multiplying the per child amount by the total count of exceptional students.
 - The counts of exceptional children with disabilities in each local school district are limited to 12.5 % of the average daily membership.

Special Education Finance: Funding Formulas- Flat Grant; Census-Based (2)



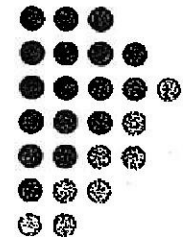
- **Strength:** This system is simple to administer and helps contain costs. In addition, it does not provide a perverse incentive to classify students as special education.
- **Weakness:** The system may not cover total costs of special education services. As a result, localities may have to pay additional costs. Also, the system may not take into account varying percentages of special education students across the state.

Special Education Finance: Funding Formulas- Flat Grant; Census-Based



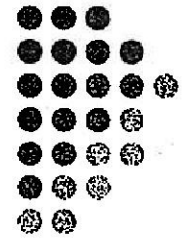
- [1] Federal funding under the IDEA was based on a flat grant system, in which federal aid to states is based on each state's number of children with disabilities who are receiving special education programs and services, up to 12 percent of a state's school-age population.
- Under the IDEA Amendments of 1997 (P.L. 105-17), funding will continue to be based on the same child-count formula for appropriations up to approximately \$4.9 billion.
- At this point, a new formula based on total student enrollment (85 percent) and poverty (15 percent) applies to new monies in excess of the appropriation for the prior fiscal year

Special Education Finance: Funding Formulas- Percent Reimbursement



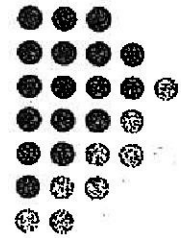
- **Percent Reimbursement (7 states in 99-00 SY)**
 - Under a percent reimbursement system, districts are reimbursed for a certain percentage of allowable special education expenditures.
 - In some cases, the state pays for all allowable expenses, and in others the state pays for only a portion of the allowable expenditures. Approved costs will vary as well, altering the total percentage of special education costs that a given state pays.

Special Education Finance: Funding Formulas- Percent Reimbursement



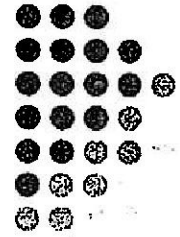
- **Michigan:** reimburses school districts 28.6138 percent of total approved costs. Total approved direct special education costs plus indirect costs for operation and maintenance (up to 15 percent of direct costs) are calculated.

Special Education Finance: Funding Formulas- Percent Reimbursement



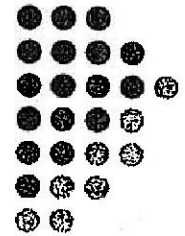
- **Strength:** Local districts are not burdened with excessive costs associated with special education.
- **Weakness:** This system does not promote any type of efficiencies and may, in fact, promote inefficiencies. For example, if a district were reimbursed 90 percent of all costs by the state, will it act in a fiscally prudent manner?

Special Education Finance: Funding Formulas- Resource Based



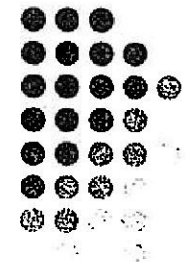
- **Resource-Based (12 states in 99-00 SY)**
 - A resource-based approach to special education funding pays for specific resources such as teachers or classroom units. Student to staff ratios are often determined by the level of student disability or the type of placement.
 - Resource-based funding systems often provide specific guidelines for the types of resources that funds are to be used to obtain, such as teachers, aides or equipment

Special Education Finance: Funding Formulas- Resource Based



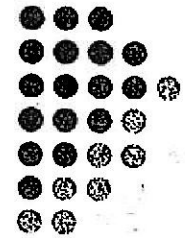
- **Delaware**
 - Administers a special education reimbursement program based upon enrollment units. These units are calculated by the State Board of Education and are based on the total enrollment in the district as of the last day of September.
 - The sum of all units of all programs in a district are multiplied by 93 percent, which becomes the district's guaranteed unit count

Special Education Finance: Funding Formulas- Resource Based--Delaware Ratios



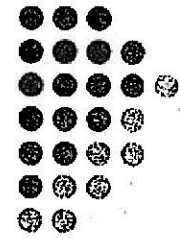
• Educable Mentally Handicapped	1:15
• Socially or Emotionally Maladjusted	1:10
• Learning Disabled	1:8
• Blind	1:8
• Autistic	1:4
• Severely Mentally Handicapped	1:6
• Orthopedically Handicapped	1:6
• Trainable Mentally Retarded	1:6
• Intensive Learning Center Units	1:8
• Partially Sighted	1:10
• Partially Blind	1:8
• Partially Deaf	1:6
• Deaf-Blind	1:4

Special Education Finance: Funding Formulas- Resource Based



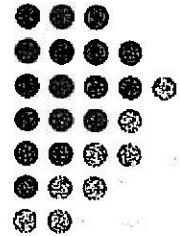
- **Strength:** This system, which is similar to pupil weights, ensures specific level of resources.
- **Weakness:** Sound research on what an appropriate student to teacher ratios is limited. In addition, funding for specific resources may limit flexibility of expenditures at the local level.

Special Education Finance: Funding Formulas-



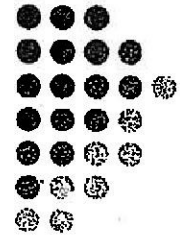
- New Policy Option to Consider: Allow sufficient resources to be provided without providing the perverse incentive of classifying students with specific disorders in order to receive additional funding.
- Under such a system, the services that a student needs are identified within his or her Individual Education Plan (IEP). These services are then provided to a panel that rates the degree a services on a scale (1-5, 1-10, etc.).
- Then, each level of services is assigned a funding level, which is similar to a weight.

Special Education Finance: Funding Formulas-



- Significant differences exist between this approach and pupil weights.
 - First, funding special education services is placement neutral and does not classify (and potentially stigmatize) students with a specific disorder.
 - Second, there is no perverse incentive for districts to classify a student with a specific disorder and then not spend some of the extra revenue on the student. Districts must provide and pay for the services that are identified.

Special Education Finance: Funding Formulas Used by States



- Missouri and Vermont use “combination approaches.”
- Different components of their special education finance systems are governed by differing bases of allocation.
- Half of Missouri’s funding formula is governed by a resource-based approach and the other half is governed by a flat grant approach.
- In Vermont, some finance system components are governed by a percent reimbursement formula and others by a flat grant formula.

Table 1-1. State Special Education Funding Systems and Use of Revenues

State (n = 50)	Current Funding Formula	Basis of Allocation	Changed As Part of a Broader Program of:		Year of Reform, If Within Past 6 Years	Considering Additional Changes to Formula
			Program Reform	Finance Reform		
Alabama	Flat Grant	Average Daily Membership		Y	1995/96	Y
Alaska	Pupil Weights	Classroom Unit by Placement	Y	Y	1998/99	Y
Arizona	Pupil Weights	Disabling Condition and Type of Placement			1999/00	Y
Arkansas ¹	"	"Maintenance of Effort" Expenditure Requirement		Y	1997/98	
California	Flat Grant	Total Enrollment		Y	1998/99	Y
Colorado	Flat Grant	Special Education Enrollment			1995/96	
Connecticut	Flat Grant	Total Enrollment/Student Poverty		Y	1995/96	
Delaware	Resource-Based	Classroom Unit			-	
Florida	Pupil Weights	Student Severity/Intensity of Support	Y	Y	1997/98	
Georgia	Pupil Weights	Disabling Condition			-	Y
Hawaii	Pupil Weights	Disabling Condition and Type of Placement			-	
Idaho	Resource-Based	Units Based on Assumed Levels of Incidence (6% for elementary and 5.5% for secondary students)		Y	1994/95	
Illinois	Resource-Based	Type of Staff			1994/95	Y
Indiana	Pupil Weights	Disabling Condition			1995/96	
Iowa	Pupil Weights	Type of Placement	Y		-	
Kansas	Resource-Based	Number of Special Education Staff	Y		-	
Kentucky	Pupil Weights	Disabling Condition			-	
Louisiana	Pupil Weights	Per Special Education Student (single weight of 1.5)			1996/97	
Maine	% Reimbursement	Allowable Costs			-	Y
Maryland	Flat Grant	Special Education Enrollment			-	
Massachusetts	Flat Grant	Total District Enrollment			-	Y
Michigan	% Reimbursement	Allowable Costs		Y	1997/98	
Minnesota	Resource-Based	"Base-Year" Expenditures	Y	Y	1995/96	Y
Mississippi	Resource-Based	Number of Special Education Staff			-	
Missouri ²	Resource-Based (1/2) Flat Grant (1/2)	Number of Special Education Staff & Total Enrollment	Y	Y	1998/99	

Montana	Flat Grant	Total District Enrollment			1994/95	
Nebraska	% Reimbursement	Allowable Costs			1999/00	
Nevada	Resource-Based	Classroom Unit				
New Hampshire	Pupil Weights	Type of Placement			--	Y
New Jersey	Pupil Weights	Disabling Condition and Services Received	Y	Y	1999/00	Y
New Mexico	Pupil Weights	Services Received		Y	1998/99	Y
New York	Pupil Weights	Type of Placement	Y	Y	1999/00	Y
North Carolina	Flat Grant	Special Education Enrollment		Y	1996/97	
North Dakota	Flat Grant	Average Daily Membership	Y	Y	1995/96	
Ohio	Resource-Based	Classroom Unit	Y	Y	1998/99	Y
Oklahoma	Pupil Weights	Disabling Condition			--	
Oregon	Pupil Weights	Special Education Enrollment		Y	--	Y
Pennsylvania ³	Flat Grant	Total District Enrollment			1999/00	Y
Rhode Island ⁴	-		Y		1995	
South Carolina	Pupil Weights	Disabling Condition			--	
South Dakota	% Reimbursement	Allowable Costs			--	Y
Tennessee	Resource-Based	Classroom Unit			--	
Texas	Pupil Weights	Type of Placement	Y	Y	1995/96	
Utah ⁴	Pupil Weights	Type of Placement			--	Y
Vermont ²	% Reimbursement/Flat Grant	Special Education Costs/Total District Enrollment		Y	1998/99	Y
Virginia	Resource-Based	Classroom Unit			--	
Washington	Pupil Weight (single weight to all special education students 3-21)	Special Education Enrollment	Y	Y	1995/96	
West Virginia	Resource-Based	Special Education Staff			--	
Wisconsin	% Reimbursement	Allowable Costs			--	
Wyoming ⁵	% Reimbursement	100% of Actual Expenditures	Y		1999/00	Y

Pupil Weights: Funding allocated on a per student basis, with the amount(s) based on a multiple of regular education aid.

Resource-Based: Funding based on allocation of specific education resources (e.g., teachers or classroom units). Classroom units are derived from prescribed staff/student ratios by disabling condition or type of placement.

% Reimbursement: Funding based on a percentage of allowable or actual expenditures.

Flat Grant: A fixed funding amount per student or per unit.

¹No funding formula specified because formula is part of general education school aid fund.

²Different components of finance system are governed by differing bases of allocation.

³Pennsylvania has an adjustment for high cost districts.

⁴Formula amounts are now frozen and are based on allocations in prior years.

⁵Wyoming funds all special education costs.

Table 1-1. State Special Education Funding Systems and Use of Revenues

State (n = 50)	Current Funding Formula	Basis of Allocation	Program Reform	Finance Reform	Year of Reform, If Within Past 5 Years	Considering Additional Changes to Formula
Alabama	Fiat Grant	Average Daily Membership			1993/95	Y
Alaska	Pupil Weights	Classroom Unit by Placement	Y	Y	1998/99	Y
Arizona	Pupil Weights	Disabling Condition and Type of Placement		Y	1999/00	Y
Arkansas ¹	-	% Maintenance of Effort ² Expenditure Requirement		Y	1997/98	Y
California	Fiat Grant	Total Enrollment		Y	1998/99	Y
Colorado	Fiat Grant	Special Education Enrollment			1996/95	
Connecticut	Fiat Grant	Total Enrollment/Student Poverty		Y	1995/95	
Delaware	Resource-Based	Classroom Unit			-	
Florida	Pupil Weights	Student Severity/Intensity of Support	Y	Y	1997/98	
Georgia	Pupil Weights	Disabling Condition			-	Y
Hawaii	Pupil Weights	Disabling Condition and Type of Placement			-	
Idaho	Resource-Based	Units Based on Assumed Levels of Incidence (6% for elementary and 5.5% for secondary students)		Y	1994/95	
Illinois	Resource-Based	Type of Staff			1994/95	
Indiana	Pupil Weights	Disabling Condition			1995/96	Y
Iowa	Pupil Weights	Type of Placement	Y		-	
Kansas	Resource-Based	Number of Special Education Staff		Y	-	
Kentucky	Pupil Weights	Disabling Condition			-	
Louisiana	Pupil Weights	Per Special Education Student (single weight of 1.5)			1996/97	
Maine	% Reimbursement	Allowable Costs			-	Y
Maryland	Fiat Grant	Special Education Enrollment			-	
Massachusetts	Fiat Grant	Total District Enrollment			-	Y
Michigan	% Reimbursement	Allowable Costs		Y	1997/98	
Minnesota	Resource-Based	Base-Year Expenditures	Y	Y	1995/96	Y
Mississippi	Resource-Based	Number of Special Education Staff			-	
Missouri ²	Resource-Based (1/2)	Number of Special Education Staff & Total Enrollment	Y	Y	1998/99	
Montana	Fiat Grant	Total District Enrollment			1994/95	
Nebraska	% Reimbursement	Allowable Costs			1999/00	
Nevada	Resource-Based	Classroom Unit			-	Y
New Hampshire	Pupil Weights	Type of Placement			-	Y
New Jersey	Pupil Weights	Disabling Condition and Services Received	Y	Y	1999/00	Y
New Mexico	Pupil Weights	Services Received		Y	1998/99	Y
New York	Pupil Weights	Type of Placement	Y	Y	1999/00	Y
North Carolina	Fiat Grant	Special Education Enrollment		Y	1998/97	
North Dakota	Fiat Grant	Average Daily Membership	Y	Y	1995/96	
Ohio	Resource-Based	Classroom Unit	Y	Y	1998/99	Y
Oklahoma	Pupil Weights	Disabling Condition			-	
Oregon	Pupil Weights	Special Education Enrollment		Y	-	Y
Pennsylvania ³	Fiat Grant	Total District Enrollment			1999/00	Y
Rhode Island ¹	-		Y		1995	
South Carolina	Pupil Weights	Disabling Condition			-	
South Dakota	% Reimbursement	Allowable Costs			-	Y
Tennessee	Resource-Based	Classroom Unit			-	
Texas	Pupil Weights	Type of Placement	Y	Y	1995/96	
Utah ⁴	Pupil Weights	Type of Placement			-	Y
Vermont ⁵	% Reimbursement/Fiat Grant	Special Education Costs/Total District Enrollment		Y	1999/99	Y
Virginia	Resource-Based	Classroom Unit			-	
Washington	Pupil Weight (single weight to all special education students 3-21)	Special Education Enrollment	Y	Y	1995/96	
West Virginia	Resource-Based	Special Education Staff			-	
Wisconsin	% Reimbursement	Allowable Costs			-	
Wyoming ⁵	% Reimbursement	100% of Actual Expenditures	Y		1999/00	Y

¹ Pupil Weights: Funding allocated on a per student basis, with the amount(s) based on a multiple of regular education ad; Resource-Based: Funding based on allocation of specific education resources (e.g., teachers or classroom units); Classroom units are derived from prescribed student ratios by disabling condition or type of placement.

² % Reimbursement: Funding based on a percentage of allowable or actual expenditures.

³ Fiat Grant: A fixed funding amount per student or per unit.

⁴ No funding formula specified because formula is part of general education school aid fund.

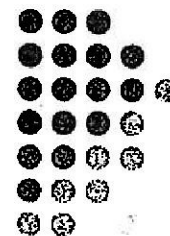
⁵ Different components of finance system are governed by differing bases of allocation.

⁶ Pennsylvania has an adjustment for high cost districts.

⁷ Formula amounts are now frozen and are based on allocations in prior years.

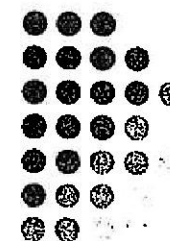
⁸ Wyoming funds all special education costs.

Validity of formula?

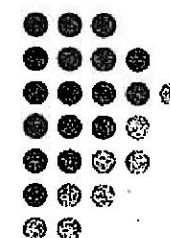


- **Understandable:** The funding system and its underlying policy objectives are understandable by all concerned parties (legislators, legislative staff, state department personnel, local administrators, and advocates). The concepts underlying the formula and the procedures to implement it are straightforward and "avoid unnecessary complexity."
- **Equitable:** Student equity: Dollars are distributed to ensure comparable program quality regardless of district assignment. Wealth equity: Availability of overall funding is not correlated with local wealth. District-to-district fairness: All districts receive comparable resources for comparable students.
- **Adequate:** Funding is sufficient for all districts to provide appropriate programs for special education students.
- **Predictable:** LEAs know allocations in time to plan for local services. The system produces predictable demands for state funding. SEA and LEAs can count on stable funding across years.
- **Flexible:** Local agencies are given latitude to deal with unique local conditions in an appropriate and cost-effective manner. Changes that affect programs and costs can be incorporated into the funding system with minimum disruption. Local agencies are given maximum latitude in use of resources in exchange for outcome accountability.
- **Identification Neutral:** The number of students identified as eligible for special education is not the only, or primary, basis for determining the amount of special education funding to be received. Students do not have to be labeled "disabled" (or any other label) in order to receive services.
- **Reasonable Reporting Burden:** Costs to maintain the funding system are minimized at both local and state levels. Data requirements, recordkeeping, and reporting are kept at a reasonable level.

Validity of formula?



- **Fiscal Accountability:** Conventional accounting procedures are followed to assure that special education funds are spent in an authorized manner. Procedures are included to contain excessive or inappropriate special education costs.
- **Cost-Based:** Funding received by districts for the provision of special education programs is linked to the costs they face in providing these programs.
- **Cost Control:** Patterns of growth in special education costs statewide are stabilized over time. Patterns of growth in special education identification rates statewide are stabilized over time.
- **Placement Neutral** "District funding for special education is not based on type of educational placement. District funding for special education is not based on disability label.
- **Outcome Accountability:** State monitoring of local agencies is based on various measures of student outcomes. A statewide system for demonstrating satisfactory progress for all students in all schools is developed. Schools showing positive results for students are given maximum program and fiscal latitude to continue producing favorable results.
- **Connection to General Education Funding:** The special education funding formula should have a clear conceptual link to the general education finance system. Integration of funding will be likely to lead to integration of services.
- **Political Acceptability:** Implementation avoids any major short-term loss of funds. Implementation involves no major disruption of existing services



IDEA GLOSSARY- attached

leads OSEP's technical assistance to the states through the Regional Resource Centers, and the State Improvement Grant program and the General Supervision Enhancement Grant program.

National Information Center for Children and Youth with Disabilities (NICHCY). A national information, dissemination and referral center that provides information on disabilities and disability-related issues for families, educators, and other professionals. NICHCY's focus is children and youth (birth to age 22). <http://nichcy.org/>

National Institute of Child Health and Human Development (NICHD). One of the 27 components of NIH. NICHD administers a multidisciplinary program of research, research training, and public information on reproductive biology and population issues; on prenatal development as well as maternal, child and family health; and on medical rehabilitation. <http://www.nichd.nih.gov/>

National Institute on Disability and Rehabilitation Research (NIDRR). One of three components of OSERS at the U.S. Department of Education. NIDRR generates, disseminates, and promotes new knowledge to improve the options available to individuals with disabilities. It conducts programs of research to maximize the full inclusion, social integration, employment and independent living of individuals with disabilities. NIDRR's focus includes research in areas such as employment; health and function; technology for access and function; and independent living and community integration. <http://www.ed.gov/offices/OSERS/NIDRR/>

National Institutes of Health (NIH). An agency of the U.S. Department of Health and Human Services' Public Health Service. NIH is the steward of medical and behavioral research for the nation. Its mission is science in pursuit of fundamental knowledge about the nature and behavior of living systems and the application of that knowledge to extend healthy life and reduce the burdens of illness and disability. <http://www.nih.gov/>

No Child Left Behind Act (NCLB). Public Law 107-110. President Bush signed the No Child Left Behind Act into law on January 8, 2002. NCLB is the most sweeping reform of the Elementary and Secondary Education Act (ESEA) since ESEA was enacted in 1965. It redefines the federal role in K-12 education and will help close the achievement gap between disadvantaged and minority students and their peers. It is based on four basic principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods that have been proven to work.

Office of Educational Research and Improvement (OERI). A program office of the U.S. Department of Education that provides national leadership for educational research and statistics. OERI conducts research and demonstration projects funded through grants to help improve education; collects statistics on the status and progress of schools and education throughout the nation; and distributes information and providing technical assistance to those working to improve education. <http://www.ed.gov/offices/OERI/>

Office of Special Education and Rehabilitative Services (OSERS). The program office within the U.S. Department of Education focused on improving results and outcomes for people with disabilities of all ages. OSERS supports parents, individuals, school districts, and states in three main areas in three offices: special education (OSEP), vocational rehabilitation (RSA), and research (NIDRR). OSERS also provides funds to programs that offer information and technical assistance to parents of children with disabilities, as well as members of the learning community who serve these individuals. <http://www.ed.gov/offices/OSERS/>

Office of Special Education Programs (OSEP). One of three components within OSERS at the U.S. Department of Education. OSEP is dedicated to improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist states and through them, local school districts. OSEP administers IDEA. <http://www.ed.gov/offices/OSERS/OSEP/>

Orthopedic Impairment (OI). A severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., polio, myelitis, bone tuberculosis, etc.), and

IDEA GLOSSARY

Average Per Pupil Expenditure (APPE). The expenditure per pupil for the cost of general education defined in 34 CFR 300.702.

Adequate Yearly Progress. As defined by each State under section 1111(b)(2) of NCLB, "adequate yearly progress" is the measure of yearly progress of the State and of all public schools and school districts in the State toward enabling all public school students to meet the State's academic content and achievement standards.

Charter School. A nonsectarian, tuition-free, public elementary or secondary school that is exempt from significant state or local rules that inhibit the flexible operation and management of public schools.

Charters are created by a developer as a public school or adapted by a developer from an existing public school, and are operated under public supervision and direction. They operate under state charters law in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency. All charters have a written performance contract with a public chartering agency that includes a description of how student performance will be measured pursuant to State assessments that are required of other schools. Charters also comply with federal civil rights laws and IDEA, and applicable Federal, State, and local health, safety, and audit requirements. (NCLB sec. 5210(1)).

Corrective Actions. Generally defined as any step or activity that a State or entity must complete in order to correct identified non-compliance with the law; under NCLB, it is a term of art defined in section 1116(b)(7).

Excess Costs. The costs that exceed the average annual per-student expenditure in a local educational agency during the preceding school year for an elementary or secondary school. (34 CFR 300.184(b)).

Individuals with Disabilities Education Act of 1990 (IDEA). Public Law 101-476. Amended the Education for All Handicapped Children Act (EAHCA), Public Law 94-142. The Act ensures that all children with disabilities have available to them a free appropriate public education that includes special education and related services designed to meet their unique needs.

Individualized Education Program (IEP). A written statement for a child with a disability that is developed, reviewed, and revised in a meeting in accordance with the provisions of IDEA.

Interagency Education Research Initiative (IERI). A federal partnership that includes the U.S. Department of Education's Office of Educational Research and Improvement, the National Institute of Child Health and Human Development, and the National Science Foundation. IERI works to implement rigorous educational research in mathematics, reading, and the sciences by supporting a program of research addressing the scaling of educational practices validated in more traditional research studies. <http://www.ed.gov/offices/OERI/IERI/>

Local Educational Agency (LEA). A public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. (34 CFR 300.118).

Monitoring and State Improvement Planning (MSIP). One of two divisions within OSEP. MSIP carries out activities related to the IDEA formula grant programs. MSIP is responsible for review of state eligibility documents, and for monitoring OSEP's formula grant programs to ensure consistency with federal requirements and to ensure that States and other public agencies continue to implement programs designed to improve results for infants, toddlers, children, and youth with disabilities. Additionally, MSIP

impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures) (34 CFR 300.7(c)(8)).

Other Health Impairment (OHI). Having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that: 1) is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia; and 2) adversely affects a child's educational performance (34 CFR 300.7(c)(9)).

Part B. Part of the Individuals with Disabilities Education Act providing formula grant assistance to State Education Agencies for the education of children with disabilities ages three through 21.

Part C. Part of the Individuals with Disabilities Education Act providing funds to State Lead Agencies to assist in the provision of early intervention services to infants and toddlers with disabilities, ages birth through two.

Part D. Part of the Individuals with Disabilities Education Act assists SEAs and others in reforming and improving their systems for providing educational, early intervention, and transitional services, including systems for professional development, technical assistance, and dissemination of knowledge about best practices, to improve results for children with disabilities.

Rehabilitation Services Administration (RSA). The component under OSERS that oversees formula and discretionary grant programs that help individuals with physical or mental disabilities to obtain employment and live more independently through the provision of such supports as counseling, medical and psychological services, job training, and other individualized services. RSA's primary formula grant program provides funds to state vocational rehabilitation (VR) agencies to provide employment-related services for individuals with disabilities, giving priority to individuals who are significantly disabled. <http://www.ed.gov/offices/OSERS/RSA/>

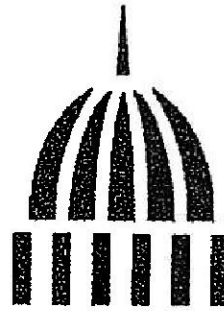
State Educational Agency (SEA). The State board of education or other agency or officer primarily responsible for the supervision of public elementary and secondary schools in a State. In the absence of this officer or agency, it is an officer or agency designated by the Governor or State law (34 CFR 77.1).

Specific Learning Disability (SLD). A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage (34 CFR 300.7(c)(10)).

Section 619. One of the formula grants programs under Part B of IDEA administered by OSEP, Section 619 serves children ages three through five.

Title I. Title I refers to the first title of the Elementary and Secondary Education Act, and includes programs aimed at disadvantaged students. Title I Part A provides assistance to improve the teaching and learning of children in high-poverty schools to enable those children to meet challenging State academic content standards and academic achievement standards. (20 USC 6311 et seq.).

Vocational Rehabilitation (VR). A state-supported program of services funded under Title I of the Rehabilitation Act of 1973 that assists individuals with disabilities who are pursuing meaningful careers. VR assists those individuals to secure gainful employment commensurate with their abilities and capabilities through local job searches and awareness of self-employment and telecommuting opportunities.



NATIONAL CONFERENCE *of* STATE LEGISLATURES

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