
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 141 Session of
2001

INTRODUCED BY RHOADES, TOMLINSON, ERICKSON, EARLL, M. WHITE,
HOLL, SCARNATI, JUBELIRER, MOWERY, D. WHITE AND THOMPSON,
DECEMBER 5, 2001

INTRODUCED AND ADOPTED, DECEMBER 5, 2001

A RESOLUTION

1 Urging the President and Congress to increase funding for
2 special education programs provided by the states to the
3 level authorized by the Individuals with Disabilities
4 Education Act.

5 WHEREAS, In the interest of ensuring that children with
6 disabilities in the United States receive a free appropriate
7 public education, the Individuals with Disabilities Education
8 Act (Public Law 91-230, 20 U.S.C. § 1400 et. seq.) encroached
9 upon the states' traditional domain over education and
10 established certain mandates that all state and local
11 governments must observe in the education of children with
12 special needs; and

13 WHEREAS, In recognition of the high cost of these Federal
14 mandates, the Individuals with Disabilities Education Act allows
15 the Congress to provide each state with a maximum Federal grant
16 equal to the number of children with disabilities in the state
17 multiplied by 40% of the average per pupil expenditure for all
18 special education students in the United States; and

1 WHEREAS, The Federal Government has not provided sufficient
2 funding to pay for the costly mandates imposed by the
3 Individuals with Disabilities Education Act; and

4 WHEREAS, The Commonwealth's need for these increased funds is
5 urgent and immediate; and

6 WHEREAS, The Federal funding the Commonwealth currently
7 receives for each student with special needs is only the
8 equivalent of 12% of the national average per pupil expenditure;
9 and

10 WHEREAS, By this measure, the Federal Government contributes
11 only 12% of the total cost of special education in this
12 Commonwealth even though the Commonwealth and its school
13 districts must comply with 100% of the costly mandates imposed
14 by the Individuals with Disabilities Education Act; and

15 WHEREAS, These costs have been increasing rapidly in recent
16 years; and

17 WHEREAS, In this Commonwealth, even though the population of
18 students with special needs increased by less than 1% between
19 1995 and 2000, the number of special education instructors has
20 increased by 14% to 14,547; and

21 WHEREAS, In the same period, the Commonwealth's
22 appropriations for special education have increased by over 25%
23 in order to keep pace; and

24 WHEREAS, If the Federal Government would provide the level of
25 funding that the Individuals with Disabilities Education Act
26 allows, the Commonwealth would have sufficient resources to meet
27 these growing needs; in fiscal year 2001-2002 it would have
28 received \$605,000,000, an increase of \$421,544,956, or 229.78%,
29 over the Federal funding the Commonwealth received in fiscal
30 year 2000-2001; and

1 WHEREAS, Because the Federal Government has failed to provide
2 the level of funding that the Individuals with Disabilities
3 Education Act allows, it has placed a disproportionate financial
4 burden on the Commonwealth and its school districts; and

5 WHEREAS, If the Individuals with Disabilities Education Act
6 is to fully accomplish its mission to provide a free appropriate
7 public education to children with disabilities, the Federal
8 Government must provide State and local governments with the
9 funding they need to successfully implement the act's mandates;
10 therefore be it

11 RESOLVED, That the Senate of Pennsylvania urge the Congress
12 of the United States to fulfill the commitment of the
13 Individuals with Disabilities Education Act by taking immediate
14 action on legislation that would provide resources equal to 40%
15 of the national average per pupil expenditure for special
16 education students for each Pennsylvania student with special
17 needs; and be it further

18 RESOLVED, That copies of this resolution be sent to the
19 President and Vice President of the United States, to the
20 presiding officers of each house of Congress, to each member of
21 Congress from Pennsylvania, to the National Conference of State
22 Legislatures, to the National Governor's Association, to the
23 State Board of Education and to the Secretary of Education.