

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

# HOUSE RESOLUTION

No. 916 Session of  
2004

---

INTRODUCED BY O'NEILL, ARGALL, BARRAR, BEBKO-JONES, BROWNE,  
BUNT, CAPPELLI, CLYMER, CRAHALLA, DALEY, DIGIROLAMO, FICHTER,  
FLEAGLE, GEORGE, GINGRICH, GOOD, GOODMAN, HARHAI, HENNESSEY,  
KOTIK, LAUGHLIN, LEDERER, LESCOVITZ, MANDERINO, MANN,  
MARKOSEK, MCGILL, MCILHATTAN, R. MILLER, S. MILLER, MUNDY,  
NAILOR, O'BRIEN, PALLONE, PAYNE, PHILLIPS, READSHAW,  
REICHLEY, ROSS, RUBLEY, SCAVELLO, SCHRODER, SHANER, STABACK,  
STERN, R. STEVENSON, T. STEVENSON, STURLA, E. Z. TAYLOR,  
THOMAS, WATSON, WEBER, WHEATLEY, WILT AND YOUNGBLOOD,  
NOVEMBER 10, 2004

---

REFERRED TO COMMITTEE ON EDUCATION, NOVEMBER 10, 2004

---

## A RESOLUTION

1 Urging the President and Congress of the United States to fully  
2 fund special education in accordance with the Individuals  
3 with Disabilities Education Act.

4 WHEREAS, In 1975 the Congress of the United States enacted  
5 the Education of the Handicapped Act, now known as the  
6 Individuals with Disabilities Education Act (Public Law 91-230,  
7 20 U.S.C. § 1400 et seq.), to ensure that all children with  
8 disabilities in the United States have available a free and  
9 appropriate public education that emphasizes special education  
10 and related services designed to meet their unique needs, to  
11 ensure that the rights of children with disabilities and their  
12 parents or guardians are protected, to assist states and  
13 localities in providing for the education of all children with  
14 disabilities and to assess and ensure the effectiveness of

1 efforts to educate children with disabilities; and

2 WHEREAS, Since 1975, the Individuals with Disabilities  
3 Education Act has authorized Congress to provide funding for  
4 special education in an amount up to 40% of the average per  
5 pupil expenditure nationwide; and

6 WHEREAS, In amendments to the Individuals with Disabilities  
7 Education Act in 1997, the Congress did not lower the percentage  
8 of Federal funding authorized for special education; and

9 WHEREAS, Congress has continued to increase actual special  
10 education appropriations for all states, including a 290%  
11 increase in Federal funding for schools in this Commonwealth,  
12 from \$86 million in 1996-1997 to \$336 million in 2004-2005; and

13 WHEREAS, Despite increased funding over the past several  
14 years, Congress has never appropriated funds equivalent to the  
15 authorized level of 40% of the average national per pupil  
16 expenditures and has appropriated for the 2004-2005 Federal  
17 fiscal year 19.4% of the average national per pupil  
18 expenditures; and

19 WHEREAS, Congress is currently considering amendments to the  
20 Individuals with Disabilities Education Act; and

21 WHEREAS, While the President and Congress have been  
22 successful in more than doubling the amount appropriated to  
23 special education just four years ago, the symbolic and  
24 practical opportunity for Congress to provide actual funding  
25 equivalent to its authorization has never been greater; and

26 WHEREAS, The lack of an adequate Federal fiscal commitment to  
27 special education leaves State and local taxpayers bearing a  
28 disproportionate share of the cost to comply with this Federal  
29 mandate; therefore be it

30 RESOLVED, That the House of Representatives urge the

1 President and Congress of the United States to fund special  
2 education fully to the authorized level of 40% of the average  
3 national per pupil expenditures under the Individuals with  
4 Disabilities Education Act; and be it further

5       RESOLVED, That copies of this resolution be transmitted to  
6 the President, the presiding officers of each house of Congress  
7 and to each member of Congress from Pennsylvania.