

1 **RESOLUTION ENCOURAGING**
2 **CONGRESSIONAL FUNDING OF**
3 **INDIVIDUALS WITH DISABILITIES**
4 **EDUCATION ACT**

5 2003 GENERAL SESSION

6 STATE OF UTAH

7 **Sponsor: Kory M. Holdaway**

8 **This concurrent resolution of the Legislature and the Governor encourages the United**
9 **States Congress to make funding for the Individuals with Disabilities Education Act**
10 **mandatory and fulfill its commitment on a long overdue promise to provide funding at**
11 **the 40% level.**

12 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

13 WHEREAS, in 1975 the United States took a major step forward in promoting the
14 inclusion and equality of one of the nation's most disenfranchised groups of citizens;

15 WHEREAS, passage of the Education for All Handicapped Children Act, now known
16 as the Individuals with Disabilities Education Act (IDEA), reaffirmed the American principle
17 that all children deserve a free and appropriate public education;

18 WHEREAS, the federal government made a commitment to pay 40% of the cost for
19 children with special educational needs;

20 WHEREAS, over the years the federal appropriations have ranged from seven to 15%
21 of the total cost;

22 WHEREAS, the federal contribution has always fallen short of the congressional
23 commitment to fully fund IDEA;

24 WHEREAS, local and state budgets have been forced to absorb the shortfall;

25 WHEREAS, after 25 years, the magnitude of that shortfall demands a new approach;

26 WHEREAS, funding for IDEA should be moved out of the discretionary budget and
27 into mandatory spending for the federal contribution;



28 WHEREAS, when IDEA funding nears the 40% commitment, schools will be able to
29 free up resources for other educational programs and services; and

30 WHEREAS, the United States Congress plans to review this issue during the current
31 session:

32 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
33 Governor concurring therein, urgently and respectfully request that the United States Congress
34 make special education funding mandatory and fulfill its commitment on a long overdue
35 promise to provide funding at the 40% level.

36 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
37 the United States Senate, the Speaker of the United States House of Representatives, the United
38 States Secretary of Education, and the members of Utah's congressional delegation.

Legislative Review Note
as of 2-18-03 5:14 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HCR014

**Resolution Encouraging Congressional Funding for Individuals With
Disabilities Education Act**

21-Feb-03
2:19 PM

State Impact

Mailing requirements of this resolution can be handled within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst