
SENATE JOINT MEMORIAL 8007

State of Washington

68th Legislature

2023 Regular Session

By Senators Kauffman and Hasegawa

1 TO THE HONORABLE JOSEPH R. BIDEN, JR., PRESIDENT OF THE UNITED
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE
3 HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF
4 REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO
5 MIGUEL CARDONA SECRETARY OF THE UNITED STATES DEPARTMENT OF
6 EDUCATION:

7 We, your Memorialists, the Senate and House of Representatives of
8 the State of Washington, in legislative session assembled,
9 respectfully represent and petition as follows:

10 WHEREAS, We have witnessed a revolution in promoting, protecting,
11 and advancing the education rights of students with disabilities
12 since Congress originally enacted Public Law 94-142, The Education
13 for All Handicapped Children Act in 1975, later to be known as the
14 Individuals with Disabilities Education Act or IDEA; and

15 WHEREAS, IDEA has helped millions of children with special needs
16 receive a quality education, with approximately 7 million children
17 between the ages of 3 and 21, representing approximately 14 percent
18 of all public school students, receiving services in the 2017-2018
19 school year alone; and

20 WHEREAS, When Congress enacted the predecessor legislation to
21 IDEA in 1975, the federal government was to pay up to 40 percent of
22 each state's "excess cost" of educating children with disabilities;
23 and

1 WHEREAS, Appropriations for IDEA have increased over the last
2 decade, however, federal funding for IDEA has averaged approximately
3 13 percent of the states' cost; and

4 WHEREAS, Underfunding results in districts being unable to offer
5 competitive wages that support the recruitment and retention of
6 personnel who are essential to delivering services promised by IDEA;
7 and

8 WHEREAS, Consistently low wages for personnel, such as
9 paraeducators cause those positions to go unfilled and turnover
10 frequently, resulting in decreased services to IDEA students; and

11 WHEREAS, The inability of districts to provide required services
12 and programming due to inadequate funding is causing increasing
13 lawsuits from families, which further increases districts expenses;
14 and

15 WHEREAS, The COVID-19 pandemic harmed the ability of districts
16 and states to adequately identify students with special needs, which
17 has led to a significant increase in students needing referrals,
18 which is exceeding capacity of current evaluative staffing in
19 districts and requiring districts to seek more expensive, outside
20 service providers; and

21 WHEREAS, The COVID-19 pandemic has also resulted in a growing
22 number of students who require supplementary services whose learning
23 was impacted by the pandemic; and

24 WHEREAS, The COVID-19 pandemic has put further strain on school
25 budgets that are thus significantly reduced; and

26 WHEREAS, States and districts have begun to implement inclusive
27 practices for students with IEPs to increase their access to general
28 education learning opportunities and this shift is widely
29 acknowledged to require additional training and resources for school
30 staff rather than more traditional and restrictive special education
31 programs; and

32 WHEREAS, The chronic underfunding of IDEA by the federal
33 government places an additional funding burden on states, local
34 school districts, and taxpayers to pay for needed services. This
35 compounds the existing pressure already placed on local budget
36 dollars to cover the federal shortfall and will further shortchange
37 other school programs that are also beneficial to students with
38 disabilities; and

1 WHEREAS, Funding programs that serve students with disabilities
2 is one of the best measures of Congress' desire to offer a quality
3 education to every single student; and

4 WHEREAS, To fully achieve the goal of providing a free
5 appropriate public education for all students, Congress must provide
6 sufficient funding to support early intervention services, transition
7 services, professional preparation and development, and other
8 critical components within IDEA; and

9 WHEREAS, It is time for the federal government to pay its fair
10 share of the costs of IDEA and fulfill its commitment to students
11 with disabilities, their families, and the states and school
12 districts that provide students with a free and appropriate public
13 education;

14 NOW, THEREFORE, Your Memorialists respectfully request that
15 Congress pass and the President sign federal legislation to fully
16 fund 40 percent of the costs of IDEA, recognizing that some types of
17 disabilities are much more expensive to address than others and that
18 the distribution of children with severe and more expensive
19 disabilities may cluster in some areas that have outstanding medical
20 facilities or exemplary programs for specific disabilities.

21 BE IT RESOLVED, That copies of this Memorial be immediately
22 transmitted to the Honorable Joseph R. Biden, Jr., President of the
23 United States, Miguel Cardona, Secretary of the United States
24 Department of Education, the President of the United States Senate,
25 the Speaker of the House of Representatives, and each member of
26 Congress from the State of Washington.

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