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The House and Senate have passed economic stimulus bills and now representatives from each chamber are meeting in conference to work out the differences in order to present a final bill to President Obama.

While the House and Senate versions of the American Recovery and Reinvestment Act of 2009 allocate about the same amounts for education -- \$13 billion for K-12 special education and \$13 billion (House) and \$12.2 billion (Senate) for programs under Title I of the Elementary Schools Education Act (ESEA), the Senate bill gives with one hand and takes away with the other:

The Senate version of the stimulus bill allows governors to ask the U.S. Secretary of Education to waive both the "Maintenance of Effort" and "Supplement not Supplant" requirements that are usually attached to federal education funding.

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Background

Education funding to the states from the federal government carries two important requirements:

1. **Supplement not Supplant:** Federal funds are to be used to supplement state and local funds expended for the education of children with disabilities (IDEA) and disadvantaged children (Title I) in order to increase levels of funding for these specific populations of children. States are not allowed to supplant state and local funds with federal funding.
2. **Maintenance of Effort:** Local school districts must budget local funds for the education of children with disabilities in at least the same amount that it spent for special education in the most recent fiscal year for which information is available.

How the Senate bill will shortchange children

The Senate version of the stimulus bill allows governors to ask the U.S. Secretary of Education to waive both the Maintenance of Effort and Supplement not Supplant requirements attached to the new federal funding.

With an additional \$13 billion for K-12 special education the federal government will raise its special education funding to its highest level ever. Parents, states, and schools have been asking the federal government for more money for special education for decades. Now that the promise of that money is real, governors want the flexibility to take the money, lower the state contributions to special education and Title I and use state education dollars for other purposes. **Don't let this happen!**

Not only will our kids be shortchanged now, but breaching this long-standing policy will have an impact on the levels of future funding for special education.

Please Call the Conference Committee Members Today!

Members on the Conference Committee **must** hear from you. We need to counter the pressure that governors are putting on Congress to allow more flexibility with the money meant for kids with disabilities.

The states are receiving very significant funding that will allow them enough flexibility to save critical programs and save and create jobs.

Please call now. Parents, family members, and advocates can make a difference in how this bill turns out. Kids with disabilities deserve and need the additional funds that the House bill guarantees.

The Message:

1. Students with disabilities need the additional \$13 billion for special education in the American Recovery and Reinvestment Act of 2009 to be restricted to spending on special education.
2. **Do not** allow states to supplant state education funds or waive local maintenance of effort requirements. Honor the current federal educational funding requirements and adopt the House education policy provisions.
3. **Adopt the House language (not the Senate language) about Maintenance of Effort and Supplement not Supplant in the final legislation that goes to the President for signature.**

The Members of the Conference Committee to Call:

House

Speaker Nancy Pelosi (CA) 202-225-0100
Representative Charlie Rangel (NY) 202-225-4365
Representative David Obey (WI) 202-225-3365

Senate

Majority Leader Harry Reid (NV) 202-224-3542
Senator Daniel Inouye (HI) 202-224-3934
Senator Max Baucus (MT) 202-224-2651

You can read the House and Senate versions of the American Recovery and Reinvestment Act of 2009 at www.readthestimulus.org.

Thank you for acting on behalf of children with disabilities and educationally disadvantaged children.

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Feel free to contact Donna Fluke at 410-695-1910 or dkfluke@verizon.net.

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