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FISCAL IMPACT REPORT

SPONSOR: Nava DATE TYPED: 2/06/03 HB _____

SHORT TITLE: Fully Fund Special Education Services SB SJM-1

ANALYST: Segura

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	None				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

State Department of Education (SDE)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 1 requests the President and Congress, before spending any surplus in the federal budget, to fund 40 percent of the cost of providing special education services in public elementary and secondary schools under the federal individuals with Disabilities Education Act(IDEA).

Significant Issues

According to SDE, the predecessor of IDEA, Public Law 94-142, was passed in 1975. It imposed major new requirements on states that participate in the federal funding program for special education, as all 50 states currently do. To induce states to make the new commitments, Congress promised to work toward a goal of funding 40 percent of the national average per-pupil expenditure for each special education student.

The IDEA authorizes funding at the 40 percent level, but Congressional appropriations have always been a fraction of that and are still less than halfway to the goal. The IDEA appropriation of \$7,500,000 in 2002-2003 covers less than 17 percent of the estimated cost of serving students with disabilities in public elementary and secondary schools nationwide.

FISCAL IMPLICATIONS

Senate Joint Memorial 1 does not contain an appropriation.

OTHER SUBSTANTIVE ISSUES

SDE indicates that performance implications for special education programs would appear to be neutral, since the funding source would merely shift. However, any available state funds could presumably be used to expand, improve or initiate other educational programs.

The consequences of not enacting this bill would be that New Mexico and other states will continue to absorb more than 80 percent of the costs of providing special education services in compliance with the IDEA.

RS/yr