

NASSAU-SUFFOLK SCHOOL BOARDS ASSOCIATION, INC.

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LORRAINE DELLER, EXECUTIVE DIRECTOR

January 8, 2009

The Honorable David A. Paterson
Governor of the State of New York
Executive Chamber, The State Capitol
Albany, New York 12224

RE: To Seek Full Funding of I.D.E.A. by the Federal Government to Relieve a \$956 Million Burden on New York State Taxpayers

Dear Governor Paterson,

I applaud you for appearing before the House Ways and Means Committee and for meeting with New York's Congressional delegation in an effort to seek a "hand back" of funds to New York State to ease its current fiscal crisis. The issue of balance of payments is one that resonates with taxpayers of Long Island, where our contribution in state income and sales tax far exceed our return.

While I fully appreciate the need to target specific programs for federal support, there is one federal mandate that has been under funded since its inception three decades ago: special education mandates imposed by the Individuals with Disabilities Education Act (I.D.E.A.).

If ever there was a time for our elected officials to come together to demand that the federal government finally fulfill this commitment, it is now. With a president-elect who recognizes the important role public education plays in our economy and the future of the nation, increased funding for I.D.E.A. provides an equitable, yet dynamic tool, to provide much-needed relief to every school in the nation.

In enacting I.D.E.A. in 1975, Congress recognized that full compliance would drive per pupil costs to double that of the average needs student. Passage of I.D.E.A. was accompanied by a promise that the federal government would fund 40 percent of the excess cost of educating students with disabilities. To date, the federal government has never come close to living up to this obligation. In fact, the funding has fallen far short of the promised 40 percent, reaching a maximum of 18.5% in 1995.

This is no small matter. In Y08, New York received approximately \$721 million for I.D.E.A., or just 17.2% of the 40% promised funding, **a shortfall of more than \$956 million...\$156 million more than your proposed mid-year cut to school districts.**

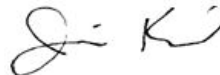
Your own Division of Budget and former Deputy Secretary of Education Manuel Rivera identified the explosion of special education costs as having the greatest impact on escalating property taxes. Testimony to the New York State Commission on Property Tax Relief indicates that special education costs are increasing at more than twice the rate of general school expenses. The state and federal governments heavily dictate the eventual costs of districts' special education programs, yet neither one has fulfilled its to adequately assist school districts with the funding. Local property taxpayers assume an unfair burden to meet these state and federal mandates.

Our Association, along with the New York State School Boards Association (NYSSBA) and National School Boards Association (NSBA) have long advocated for the fulfillment of this obligation. We have called upon your predecessors to seek funding owed to New York State and its public schools. Despite the acknowledgement and pursuit of these funds by our Congressional representatives, this obligation remains "a debt unpaid."

Heeding your dire warnings of record state deficits and your proposal to slash \$1.1 billion from the 2008-09 state aid increases, we are cognizant that school board members will again be faced with making extremely difficult choices not unlike those faced during the fiscal crisis of the early 90's, when cuts were made to other education programs in order to fund the substantial cost of delivering services to special needs children and ensuring compliance with I.D.E.A.

On behalf of the 113 boards of education represented by the Nassau-Suffolk School Boards Association, I urge you to use the powers of your office to secure full funding of IDEA from the 111th Congress.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Kaden". The signature is fluid and cursive, with the first name "Jim" and last name "Kaden" clearly distinguishable.

Jim Kaden
President

Cc: New York State Senators Charles Schumer and Hillary Rodham Clinton
New York State Congressional Delegation
New York State Senate Majority Leader Malcolm Smith
New York State Speaker of the Assembly Sheldon Silver