



Protecting and Strengthening Special Education Programs

The Problem

The Individuals with Disabilities Education Act (IDEA) is a law passed in 1975 that says students with disabilities have the right to a free, appropriate education in school with their peers as much as possible.

The Office of Special Education Programs (OSEP) at the Department of Education sends federal money to schools, and states and local school districts pay the rest. When IDEA was first passed, the federal government promised to pay about 40% of the cost of special education. But since 1980, it has only paid around 13%, and states and local schools have had to cover the rest. Currently, the federal government only provides about 10%. This has led to lower levels of funding than necessary for special education programs.

Additionally, several people in the federal government have proposed moving OSEP to a different federal agency. The staff that works at the Department of Education has the knowledge and the tools to make sure students with disabilities can access quality special education programs.

The Solution

Congress must pass the IDEA Full Funding Act, which puts the federal government on track to fund 40% of special education costs over a 10-year period. This is an important step toward keeping the federal government's promise and making sure students with disabilities and their teachers have the resources they need to succeed.

Congress must also oppose any efforts to move the Office of Special Education Programs (OSEP) to another federal agency. In the bipartisan Fiscal Year 2026 funding package, Congress included language supporting keeping special education programs in the U.S. Department of Education. Congress should continue to ensure special education programs have strong and consistent oversight in the Department of Education.

For more information, please contact our policy team at policy@ndss.org.