

Special
Education
Legislative
Summit



July 13 - 16, 2025



IDEA

On November 29, 1975, President Gerald R. Ford signed the Education for All Handicapped Children Act (Public Law 94-142), paving the way for improved outcomes for children and youth with disabilities. The Council for Exceptional Children (CEC) was a proud leader of the advocacy effort—alongside many families, individuals with disabilities, and organizations—to secure passage of this landmark legislation, which marked a pivotal shift in how our nation perceived individuals with disabilities.

AS STATED IN IDEA, THE CORE PURPOSES OF THIS LEGISLATION ARE:

- To ensure all eligible children with disabilities receive a free appropriate public education (FAPE)—special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- To ensure the rights of children with disabilities and their families are protected;
- To assist states, localities, educational service agencies, and federal agencies to provide for the education of all individuals with disabilities;
- To assist states in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
- To ensure educators and families have the necessary tools to improve educational results for children with disabilities by supporting systemic improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and
- To assess and ensure the effectiveness of efforts to educate children with disabilities.

As required by IDEA, special education and early intervention services are collaboratively developed by teams of parents, families, educators, and other service providers. Some meet in homes, and others meet in schools. All of them have an interest in supporting students with disabilities and ensuring that infants, toddlers, children, and youth with disabilities receive an appropriate public education in the least restrictive environment.

The law, now known as the Individuals with Disabilities Education Act (IDEA), was most recently reauthorized in 2004. It includes state formula grant programs for infants, toddlers, children, and youth with disabilities, along with national programs that support and train personnel and provide technical assistance to schools and families to deliver evidence-based special education services in early childhood centers and schools across the country. Through the appropriations process, Congress provides funding for IDEA to the U.S. Department of Education, which then issues grants to state education agencies.

IDEA HAS FOUR PARTS:

Part A – General Provisions, the general provisions of the Act, including Findings, Purposes, and Definitions;

Part B – Assistance for Education of All Children with Disabilities, which includes (among other things) Authorization, Use of Funds, State and Local Eligibility, Evaluation, Individualized Education Programs (IEPs), Procedural Safeguards, Monitoring, and Preschool Grants

Part C – Infants and Toddlers with Disabilities, which includes (among other things) Findings, Definitions, Eligibility, Requirements for Statewide System, Individualized Family Service Plans (IFSPs), State Application and Assurances, Use of Funds, Procedural Safeguards, and Authorization; and

Part D – National Activities to Improve Education of Children with Disabilities, which includes State Personnel Development Grants; Personnel Preparation, Technical Assistance, Model Demonstration Projects and Dissemination of Information; Supports to Improve Results for Children with Disabilities; and General Provisions.

As we build upon the successes of the past and improve services for the future, the continued collaborative efforts of families, early intervention providers, and school teams will be imperative. This year marks the 50th Anniversary of IDEA and it is a moment to reflect on the progress that has been made while reaffirming our commitment to high expectations, evidence-based approaches, and well-funded programs. These are essential to changing the trajectory for children and youth with disabilities across the country. From birth to college and career, IDEA provides pathways toward better outcomes.

IDEA

FAST FACTS

- ▶ Each year, the Department of Education issues a report to Congress on the number of children served in special education and early intervention programs across the country. The most recent version is available at <https://sites.ed.gov/idea/2023-individuals-with-disabilities-education-act-annual-report-to-congress>.
- ▶ In 2022, the most recent year for which there are data, there were more than 7.6 million children ages 3 through 21 served under IDEA Part B across the United States, including the District of Columbia, Bureau of Indian Education schools, Puerto Rico, the four outlying areas, and the three freely associated states. (Annual IDEA Section 618 data submitted by states to the U.S. Department of Education):
 - The number of preschool students ages 3-5 increased by 13.6% (535,392 children served);
 - The number of school-age students ages 5 (in kindergarten) to 21 increased by 3%, surpassing 7 million for the first time (7,095,053 children and youth served);
 - 75.4% of students with disabilities ages 14–21 exited high school with a regular diploma.
- ▶ In 2022, there were 441,515 infants and toddlers ages birth through age 2 served under Part C, an increase of 8.7% (Annual IDEA Section 618 data submitted by states to the U.S. Department of Education).
- ▶ In 2022, the most prevalent disability category of students ages 5 through 21 served under Part B was specific learning disability (34.2 percent), followed by speech or language impairment (18 percent), other health impairment (16.5 percent), autism (12.9 percent), intellectual disability (6 percent), and emotional disturbance (4.6 percent). (Annual IDEA Section 618 data submitted by states to the U.S. Department of Education).

ISSUE BRIEF: APPROPRIATIONS

OVERVIEW

Infants, toddlers, children, and youth with disabilities and/or gifts and talents participate in and benefit from all federal public education and early childhood programs. A strong federal investment in programs that provide targeted support is critical to ensuring success in the early years, in school, and beyond, as well as increasing opportunities for all. Unfortunately, these programs are consistently and woefully underfunded, straining the entire education system.

The Individuals with Disabilities Education Act (IDEA) is the preeminent federal law for providing services to infants, toddlers, children, and youth with disabilities. Fully funding the IDEA would significantly improve outcomes by ensuring access to early intervention services, special educators trained to provide specially designed instruction, specialized instructional support services, curricula, devices, and family supports.

According to the U.S. Department of Education's (ED) Fiscal Year (FY) 2026 congressional budget justification for special education, the number of infants, toddlers, children, and youth with disabilities served under IDEA continues to grow, reaching a projected 8.7 million during the 2025-2026 school year. Stagnant federal funding, a rise in the number of eligible children, a growing shortage of personnel, and an increase in the price of services create significant budgetary challenges.

Consistently well-funded programs will result in a better future for infants, toddlers, children, and youth with disabilities. We call on Congress to provide appropriate funding levels in FY 2026 for all public education and early childhood programs, specifically the programs listed to the right.

Members of Congress are Urged to:

Invest no less than:

- \$16.7 billion in IDEA Part B State Grants
- \$632 million in IDEA Part C Infants and Toddlers
- \$491 million in IDEA Part B Preschool Program
- \$135 million in IDEA Part D Personnel Preparation
- \$70 million in the National Center for Special Education Research
- \$32 million in the Jacob K. Javits Gifted and Talented Grants
- \$250 million in School-Based Mental Health Professionals

SUPPORTING SPECIAL EDUCATION IN SCHOOLS

Approximately 7.6 million school-aged children and youth in the United States benefit from the individualized special education and specialized instructional support services provided by the IDEA. These services—provided by special and general education teachers and specialized instructional support personnel—are tailored to meet the specific needs of each child or youth with a disability. The IDEA includes a commitment from the federal government to cover 40% of the “excess costs” of serving children and youth with disabilities, referred to as “full funding.” Unfortunately, the federal share is currently only 11%, leaving states and school districts to pay the balance and increasing the burden on local taxpayers. In 2024, the U.S. Department of Education estimates that fully funding IDEA could support 400,000 additional special educators and specialized instructional support personnel. Congress must put the IDEA on the first step of a 10-year glidepath to full funding in FY 2026 to enable districts to better support children and youth with disabilities and hire more fully prepared special education personnel.

SUPPORTING THE NEEDS OF YOUNG CHILDREN WITH DISABILITIES AND THEIR FAMILIES

IDEA's early childhood programs serve approximately 1.4 million children with disabilities and their families annually through the Part C program for infants and toddlers and Part B, Section 619 (Preschool Special Education). That figure is expected to rise considerably for FY 2026. Part C programs are designed to provide early intervention services that improve outcomes, support the transition to preschool, and mitigate the need for future IDEA services. A national longitudinal study found that more than 40% of Part C recipients did not need IDEA services in kindergarten because of early interventions. Despite this growth in enrollment and documented positive outcomes, federal funding has failed to keep pace. According to the U.S. Department of Education, in 2024, the federal investment per child has decreased by over 40% during the last 30 years. Significant increases are needed to support infants, toddlers, and preschool children with disabilities and their families and to continue to benefit from the return on investment in the K-12 system.

REJECT PROPOSED CUTS IN THE FY 2026 BUDGET

The FY 2026 budget proposal recommends eliminating IDEA Personnel Preparation, the IDEA Preschool Program, the Javits Program, and the National Center for Special Education Research within the Institute of Education Sciences (IES).

The elimination of these programs would have outsized negative consequences:

- Further Damaging the Educator Pipeline:**
Cutting Part D Personnel Preparation, along with all other parts of the IDEA National Activities (IDEA Part D), including technical assistance centers, would severely limit the pipeline of qualified special educators and reduce access to professional development and resources critical for effective IDEA implementation. At a time when special educators make up the highest educator shortage areas in nearly all states, this proposal is particularly devastating.
- Failing Preschool-aged Children at Long-term Personal and Financial Cost:**
Eliminating the IDEA Preschool Program would deny early intervention services to children aged 3–5, preventing preschool-aged children from making meaningful progress during a critical phase of human brain development and leading to more intensive and expensive K–12 special education needs in elementary school and beyond.
- Weakening Evidence-Based Policy:**
The loss of IES-supported research would hinder states’ and districts’ ability to make data-driven decisions, implement proven practices, and adapt to evolving student needs and technologies. This will cause educational systems to waste money using programs and data in ways that don’t improve outcomes for students, ultimately harming schools and students.
- Providing States with Less Funding:**
18 K-12 education grant programs, including the Javits program and School-Based Mental Health Professionals Grants, would be consolidated into a K-12 Simplified Funding Program under the budget proposal. This would result in considerably fewer dollars flowing to states and the elimination of a funding infrastructure to target funds to specific needs, including gifted and talented education, the pipeline of mental health professionals, and many other programs that were developed in response to national need.

FUNDING FAST FACTS

- Two-thirds of voters support increased funding for education (Navigator Research poll, November 2023).
- Without a significant increase for the IDEA grants to states program in FY 2026, the federal share will be 11% or approximately one-quarter of “full funding” (U.S. Department of Education).
- Filling the gap between current funding and “full funding” could support more than 400,000 special education jobs (U.S. Department of Education, 2024).
- Students with disabilities show persistent underrepresentation in gifted and talented education programs or other advanced or accelerated learning opportunities (U.S. Department of Education Civil Rights Data Collection).
- For the 2023-24 school year, 43 States, Puerto Rico, and the District of Columbia projected a shortage of qualified teachers in special education, more than for any other teacher shortage area by an eight-state margin (U.S. Department of Education).
- Teacher attrition in special education is nearly double that of general education, driven in part by overwhelming caseloads and lack of support—both tied to inadequate funding (U.S. Department of Education, 2023).
- Eliminating IDEA National Activities and the IDEA Preschool Program would further erode the special educator pipeline, limit the special education field’s access to critical evidence-based research, and harm preschool-aged children with disabilities.

ISSUE BRIEF: EDUCATOR SHORTAGES

OVERVIEW

The United States faces a critical shortage of special educators, which includes teachers, early interventionists, specialized instructional support personnel (SISP), administrators, faculty in higher education, and paraeducators. A targeted commitment to ensuring special educators have the knowledge, skills, and abilities to meet the unique needs of infants, toddlers, children, and youth with disabilities in urban, suburban, and rural areas is essential. Now more than ever, a comprehensive workforce pipeline must be developed to attract diverse personnel into all areas of special education, effectively prepare personnel to provide opportunities for positive outcomes and post-school success and retain special educators for long-term overall impact. To ensure an effective workforce, we need an effective pipeline.

A unique set of inequities and challenges perpetuate special educator shortages, such as declining interest in the profession, higher attrition rates, larger caseloads, a decline in comprehensive training programs, decreased enrollment in preservice programs, and the emotional demands of the job. It is imperative to collectively develop and utilize a multi-faceted approach that includes better recruitment strategies, improved working conditions, enhanced training, and robust policy support, as attracting, preparing, and retaining educators must be considered and addressed to yield a significant systemic improvement. Investing in these areas can ensure that all individuals with disabilities receive the education and services they need to thrive.

Through targeted recruitment, enhanced support and training, increased funding, and policy reform, the impact of the special education personnel shortage can be mitigated, creating a more equitable, inclusive educator system for all students. Elevating the profession and changing the perception of a special educator is essential. Collaborative and actionable strategies from policymakers, educational institutions, and communities are imperative to resolve this ongoing challenge.

Members of Congress are Urged to Support Reintroduction of the following:

- **The EDUCATORS for America Act.**
A comprehensive approach to expanding the educator pipeline is essential to address educator shortages nationwide. This bill, championed by Senator Jack Reed (D-RI) and Representative Alma Adams (D-NC), would strengthen the educator pipeline by attracting, preparing, and retaining effective educators. The bill would target workforce development in educator shortage areas and support comprehensive preparation; provide funding for states to create plans to meet their specific personnel needs; expand the Teacher Quality Partnership program to include school leaders and specialized instructional support personnel; improve diversity of the workforce; and make educator preparation more affordable through an expansion of the federal TEACH grant program and the Teacher Loan Forgiveness program.
- **The Preparing and Retaining All (PARA) Educators Act.**
Paraeducators provide essential support that enables children with disabilities to participate in inclusive settings. Paraeducators are typically hired from within the communities they serve and are the most diverse category of school personnel. Unfortunately, they are often underpaid and not afforded the professional development necessary to support their attraction and retention, leading to significant shortages. The PARA Educators Act, championed by Senator Ed Markey (D-MA) and Representative Ann Kuster (D-NH), would support state and local grants to attract and retain paraeducators in preschool and K-12 settings and provide the professional development necessary to best serve students.
- **The Supporting Teaching and Learning through Better Data Act.**
While schools, districts, and states experience the daily challenges of educator shortages, data is lagging, incomplete, and hard to compare across states, failing to reflect the nationwide urgency of the issue. This bill, led by Senator Tim Kaine (D-VA), would instruct the National Center for Education Statistics to conduct a study on current data collection related to personnel shortages and make recommendations for improving data collection, analysis, and dissemination to yield timely information about how to rebuild the supply of diverse, well-prepared educators. The bill would also provide technical assistance to states to attract, prepare, and retain a well-prepared and diverse workforce.

ATTRACT

Use targeted marketing campaigns to reach potential candidates, including through social media, job fairs, and community events. Establish partnerships with universities and colleges to create a pipeline of well-prepared special education teachers. This can include offering internships, student teaching opportunities, and collaborative research projects.

PREPARE

A shortage of special education faculty in higher education contributes to the special educator personnel shortage and further limits the capacity of higher education to address this significant problem. Enrollment in teacher preparation programs has dropped by 45%, resulting in over 300,000 fewer students and foreshadowing an insufficient pipeline of special education teachers.

By underwriting the cost of completing high-quality preparation programs and addressing other barriers to completing preparation, policymakers can ensure personnel are better prepared for successful, long-term careers. Fully prepared educators are more effective and are more likely to remain in the field than those who enter through abbreviated or fast-track routes. Educators who are fully prepared, including through access to opportunities for extensive fieldwork, can provide high-quality instruction—which results in greater achievement gains for infants, toddlers, children, and youth with disabilities.

RETAIN

Offering robust professional development opportunities helps special education personnel stay updated with the latest special education practices and techniques. Establishing mentorship programs for new staff can provide valuable support and guidance, helping them to acclimate and grow in their roles. Ensuring manageable caseloads and class sizes can reduce burnout and make the job more attractive. Recognize and celebrate the achievements of special educators.

FAST FACTS ON EDUCATOR SHORTAGES

- According to the U.S. Department of Education, over 7.8 million (roughly 15%) of individuals with disabilities were served under IDEA during the 2024 school year. An additional 406,000 infants and toddlers were served through Part C (OSEP, 2024).
- As of 2024–25, over thirty states report shortages in early childhood special education (ECSE).
- In 2023–2024, over thirty-five states reported shortages in areas such as speech-language pathology and school psychology.
- According to a report from the U.S. Department of Education, 72% of schools with special education vacancies reported difficulty filling them.
- Approximately 55,000 special education positions were vacant, and another 270,000 were filled by teachers who were not fully qualified,
- Enrollment in teacher preparation programs declined 45% in just one decade, resulting in about 300,000 fewer prepared teachers annually.
- Special education teachers leave the teaching profession at nearly twice the rate of their general education colleagues.
- For the 2024-25 school year, 48 States, Puerto Rico and the District of Columbia projected a shortage of qualified teachers in special education, more than for any other teacher shortage area by an eight-state margin (U.S. Department of Education)

ISSUE BRIEF: MENTAL HEALTH - Building Positive Climates for Learning

OVERVIEW

To ensure all children can learn, schools must provide safe and healthy environments that support and enhance skills essential for school readiness and academic success. To accomplish this goal, every school must have dedicated, highly qualified school mental health professionals—vital school team members available to work with all children. Professionals in schools and early childhood programs who provide these services and interventions are key to creating positive systems that support a sense of belonging and success. Without these professionals, academic and nonacademic outcomes suffer.

According to the School Pulse Panel (National Center for Education Statistics, March 2024), 58% of public schools reported an increase in students seeking school-based mental health services over the previous school year. The Centers for Disease Control and Prevention's most recent Youth Risk Behavior Survey (YRBS) demonstrates the urgency of mental health challenges in schools. According to the YRBS, more than 4 in 10 students experienced symptoms of depression in the past year, and 10% attempted suicide during that same period. One in three high school students reported poor mental health in the past month. These statistics continue to indicate that children, youth, and staff need access to mental health services provided by well-trained school mental health professionals.

Behavioral and mental health interventions are critical to addressing the impact of traumatic experiences on child development and must be integrated into a comprehensive and cohesive system of care delivered in schools, early childhood programs, transition programs, and community health and mental health systems. Investment in recruiting and retaining school mental health professionals and identifying and implementing evidence-based mental health interventions in all tiers is essential to achieving successful outcomes for all children and youth.

Members of Congress are Urged to:

Direct the U.S. Department of Education to reinstate funding for MHSP and SMBH grants to ensure students working toward graduate degrees in school psychology, school counseling, and school social work under these grants can complete their programs and work in high-need school districts.

Provide, at a minimum, funding at the FY 2025 level for Safe Schools National Activities divided between the School-Based Mental Health Services Professional Demonstration Grant program and the School-Based Mental Health Services Grant program to address severe shortages of school-based mental health professionals (school psychologists, school social workers, and school counselors).

- These grants are critical to ensuring school districts have dedicated funding to address shortages of school-based mental health professionals trained to address students' challenges.

RECRUITING AND RETAINING HIGH-QUALITY PROFESSIONALS

Building a positive climate in schools and early childhood programs requires highly skilled school social workers, psychologists, and counselors. Collectively, these individuals make a difference in the lives of children and youth, resulting in positive developmental, academic, and social outcomes. The National Association of School Psychologists recommends a minimum ratio of one school psychologist for every 500 students. The American School Counselor Association and School Social Work Association of America each recommend a ratio of one professional for every 250 students. However, national ratios for all school mental health professionals are more than double those recommendations. Persistent shortages of these professionals result in a dearth of mental health promotion, prevention, and early intervention services—vital lifelines for students. These shortages can be particularly devastating in underserved areas such as rural communities, where schools may be the only source of mental health services.

CRITICAL FEDERAL INVESTMENTS

Federal investments are necessary to help ensure sufficient numbers of mental health professionals specifically trained to meet the needs of all children and youth in schools and early intervention settings. Recently, the U.S. Department of Education announced the non-continuation of over 200 grants in 34 states funded through the Mental Health Service Professional Demonstration Grant (MHSP) and the School-Based Mental Health Services Grant (SMBH). These grants, originally funded under the Bipartisan Safer Communities Act, are critical to building the pipeline from higher education training programs for school mental health professionals to high-need school districts, increasing the number of students entering and continuing in these professions. A substantial amount of federal funding has already been invested in the current cohort of graduate students, many of whom will not be able to complete their programs without MHSP and SMBH grants. The need for services coupled with the shortages of professionals indicates these grants are vital to assisting children and youth to be mentally healthy and ready to learn.

FAST FACTS ON CHILDREN'S MENTAL HEALTH

- 59% of public schools reported an insufficient number of school mental health professionals to meet student needs
(National Center for Education Statistics, 2024-25).
- One in six children have a mental health condition, but only half receive any mental health services.
- Nearly 20% of children aged 3-17 have a mental, emotional, developmental, or behavioral disorder
(2022 National Healthcare Quality & Disparities Report).
- 16.1% of children aged 12-17 have been diagnosed with anxiety.
(National Survey of Children's Health, 2024).
- 8.9% of children aged 3-17 (approximately 5.5 million) have a diagnosed behavior problem.
(Centers for Disease Control and Prevention)
- Between 2016 and 2023, the prevalence of diagnosed mental or behavioral health conditions among adolescents increased by 35% (from 15% to 20.3%)
(National Survey of Children's Health, 2024).
- In 2021, suicide was the second most common cause of death among youth aged 10-14.
(Centers for Disease Control and Prevention)