



# New Mexico State Legislature

STATE CAPITOL

Santa Fe

May 22, 2001

The Honorable George W. Bush  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear President Bush:

On behalf of the New Mexico State Legislature, we ask your assistance in addressing an issue that undermines the state-federal partnership that provides special education services to eligible students.

As you probably know, when the federal legislation mandating special education services was passed in 1975, Congress promised to pay 40 percent of the average per pupil expenditures (APPE) to shoulder its share of the cost to provide a "free and appropriate education" to all disabled children. Since that time, the actual congressional appropriation for special education has hovered between eight and ten percent of the national APPE. For FY 2001, the appropriation is estimated at 15 percent of APPE, which leaves an unfunded federal mandate on states and local school districts of about \$18 billion.

In the meantime, special education enrollments and costs have soared, crippling our state budgets. In the 1999-2000 budget year, New Mexico appropriated approximately \$275.8 million through our state equalization formula for special education. This amount accounted for approximately 90 percent of the state's APPE for special education services.

Last year the National Conference of State Legislatures (NCSL) passed a policy resolution calling upon Congress to fully fund its share of special education costs. Unfortunately, while individual members of Congress have been sympathetic to our predicament, Congress as a whole has largely ignored our pleas.