

Remove the cap on special education funding

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Who is working on this issue?

The Arc of Washington,
and other chapters of The Arc

Advocacy areas

Civil rights, K-12 education

The problem we are solving:

- An arbitrary limit on special education funding is unconstitutional and disproportionately harms students in rural and economically distressed areas.

Districts are cut off if they have “too many” students qualifying for special education services. Right now, the state sends per-student allocations to districts who have up to 16% of students enrolled in special education services.

Each district pools their allocations, then uses that pool of funds to cover their special education costs. If they have “too many” students qualifying, their funding is capped and they must spread their funds more thinly. Legally, districts can’t deny services to students with disabilities who require them, but practically, the state gives districts an incentive to cap their special education enrollment or delay services.



Our proposed solution:

- End unconstitutional limitations on special education funding and ensure that students have access to the resources and funding they need.
- Improve accountability and transparency metrics for special education program outcomes.
- Ensure funding follows students into the least restricted environment and is not used to unnecessarily segregate students from peers without disabilities.

Why is this a good solution?

The cap on funding compounds barriers for rural and BIPOC students with disabilities. Students from diverse cultural and linguistic backgrounds with disabilities also experience additional barriers to receiving an education.



Underfunded and ill-equipped school districts struggle to provide essential special education services for students and their families.

- Affected communities often can't afford the enrichment levies wealthy districts use to fund special education.
- Parents requiring interpretation services often rely on their students to communicate with special teachers and administrators rather than credentialed interpreters

The cap is arbitrary and limits resources for students who most need them.

- 37 school districts serve a special education enrollment of more than 16%
- Most of these districts are in rural communities, where disability rates for children are higher, nationally

Over the past few years, the state has increased the funded enrollment cap from 13.5% to 16% of student enrollment. But arbitrary limits still harms vulnerable and at-risk students who need special education services to succeed

What is the fiscal impact?	Is there a bill number?	Is there a legislator working on this issue?
The estimated impact (per OSPI) \$18 million FY 2025-26; \$24.9 million FY 26-27	Not yet	Rep. Gerry Pollet (46th LD (Seattle