

CRS Report for Congress

Received through the CRS Web

K-12 Education Programs: Recent Appropriations

Updated November 22, 2005

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Summary

Congress is currently considering FY2006 federal funding for K-12 education programs as a part of H.R. 3010, the Departments of Labor, Health and Human Services, and Education Appropriations, 2006. Questions continue to be asked about these appropriations, including the total amount of elementary and secondary funding, recent increases, and the major components counted in the K-12 total. K-12 education components traditionally include the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLBA), P.L. 107-110; the Individuals with Disabilities Education Act (IDEA); the Carl D. Perkins Vocational and Technical Education Act of 1998; and the Adult Education and Family Literacy Act (AEFLA). For ESEA and IDEA, issues extend to how much was “promised,” how much was provided, and the “shortfall.” This report will be updated as appropriations are enacted. *This report replaces CRS Report RS21947, K-12 Education Programs: Appropriations Summary.*

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K-12 Education Programs: Recent Appropriations

This report examines federal appropriations for K-12 education. It begins with the status of FY2006 appropriations currently being considered by Congress. It discusses which programs are considered to be included in K-12 education and the relationship between the No Child Left Behind Act of 2001 (NCLBA), P.L. 107-110, enacted January 8, 2002, and the Elementary and Secondary Education Act of 1965 (ESEA). The President's annual request is compared with the final appropriation for K-12 programs since FY2000. Funding levels for major components of K-12 education and major ESEA programs are shown since FY2001. Authorization levels specified for ESEA programs are compared with annual appropriations since FY2002; authorization levels are compared with appropriations since FY2005 for the Part B Grants for States program of the Individuals with Disabilities Education Act (IDEA). The ESEA and IDEA funding comparisons form a part of a continuing issue of whether there is a funding shortfall in these areas of K-12 education.

Action on FY2006 K-12 Education Appropriations

Table 1 shows legislation action on the FY2006 appropriations for K-12 education programs. It shows the President's FY2006 budget proposal and appropriations as passed by the House on June 24, 2005, and the Senate on October 27, 2005. Amounts from the FY2006 conference report on H.R. 3010 (H.Rept. 109-300, November 16, 2005) are shown; the conference agreement failed to pass the House on November 17, 2005, by a vote of 209 to 224.

Each FY2006 proposal — the President's request, the House- and Senate-passed amounts, and the conference agreement — would reduce overall K-12 funding compared to the FY2005 total, as shown in the table. The Congress and the President would accomplish these reductions by different means, however. The House and Senate proposals, as well as the conference agreement, would reduce the total for programs authorized by ESEA, while the President would eliminate federal support for vocational education and reduce adult education appropriations by more than half. Funding for special education would be increased under each of these proposals, as would funding for the ESEA Title I, Part A Grants to Local Educational Agencies (LEAs) program. The FY2006 budget request would increase funds for the Fund for the Improvement of Education (FIE) to a total of nearly \$2.0 billion, consisting of regular FIE funding of \$134 million and five FIE initiatives that total more than \$1.8 billion, including \$1.2 billion for a High School Intervention initiative that would focus on high-risk students. According to the Department of Education (ED) Budget Service table of February 7, 2005, the last time federal K-12 funding decreased from one year to the next was from FY1995 to FY1996. K-12 funding in FY1996 was \$14.6 billion, a decrease of 1.4% from the FY1995 amount of \$14.4 billion.

Table 1. Proposed Appropriations for K-12 Education, FY2006
(dollars in millions)

Program	FY2005 final	FY2006 request	FY2006 House- passed	FY2006 Senate- passed	FY2006 conf. report
Elementary and Secondary Education Act (ESEA) total	\$24,352	\$25,327	\$23,549	\$23,585	\$23,570
<i>Title I, Part A Grants to Local Educational Agencies (LEA)</i>	<i>12,740</i>	<i>13,342</i>	<i>12,840</i>	<i>12,840</i>	<i>12,840</i>
<i>21st Century Community Learning Centers (21CCLC)</i>	<i>991</i>	<i>991</i>	<i>991</i>	<i>991</i>	<i>991</i>
<i>Education Block Grant</i>	<i>198</i>	<i>100</i>	<i>198</i>	<i>100</i>	<i>100</i>
<i>School Choice</i>	<i>27</i>	<i>27</i>	<i>27</i>	<i>27</i>	<i>27</i>
<i>Fund for the Improvement of Education (FIE)</i>	<i>675</i>	<i>1,976</i>	<i>354</i>	<i>554</i>	<i>414</i>
Special education	11,674	12,126	11,814	11,775	11,771
<i>Part B Grants to States</i>	<i>10,590</i>	<i>11,098</i>	<i>10,740</i>	<i>10,690</i>	<i>10,690</i>
Vocational education	1,326	0	1,312	1,309	1,309
Adult education	585	216	585	589	585
All other K-12 programs	183	178	178	191	180
Total K-12 funding	\$38,120	\$37,847	\$37,438	\$37,449	\$37,415

Source: Data are compiled from the Department of Education (ED) Budget Service table of Nov. 17, 2005. The President submitted the FY2006 budget to Congress on February 7, 2005; the House passed H.R. 3010 on June 24, 2005; and the Senate amended and passed H.R. 3010 on Oct. 27, 2005. The H.R. 3010 conference report, H.Rept. 109-300 (Nov. 16, 2005), failed to pass the House on Nov. 17, 2005, by a vote of 209-224. For legislative action and background, see CRS Report RL32952, *Labor, Health and Human Services, and Education: FY2006 Appropriations*.

K-12 Education Authorization

K-12 education programs traditionally include the programs authorized under four acts:

- Programs authorized by ESEA, as amended by the No Child Left Behind Act (NCLBA);
- Special education programs authorized by the Individuals with Disabilities Education Act (IDEA);
- Vocational education programs authorized by Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins); and
- Adult education programs authorized by the Adult Education and Family Literacy Act (AEFLA).

A few K-12 education programs are authorized by other statutes, such as the Homeless Children and Youth Education program under Title VII of the McKinney-Vento Homeless Assistance Act. The Department of Education (ED) administers all of these programs.

NCLBA and ESEA Funding Provisions. Questions are regularly asked regarding the amount of funding provided by the No Child Left Behind Act of 2001 (P.L. 107-110, enacted January 8, 2002). *The NCLBA itself does not authorize or fund any program.* Rather, the NCLBA amended and extended other education laws, primarily ESEA. Annual funding for ESEA programs is easily tracked in the appropriations process. Funding for some non-ESEA programs amended by NCLBA, however, is not available on a comparable basis. In particular, some non-ESEA programs are operated by the Department of Interior, where discretionary funding levels are determined only after the start of the fiscal year. *Because the ESEA accounted for 99% of the appropriations in FY2002 for programs amended by NCLBA, this report tracks the ESEA appropriations total as the best proxy of the NCLBA funding total.*

Total K-12 Education Appropriations

Table 2 shows the annual, aggregate funding for K-12 education programs since FY2000, as well as the President's budget request for each of those years. Both the budget request and the appropriations enacted have increased annually, with one exception; the FY2006 request is for less than the FY2005 request. Federal K-12 education programs include those authorized by ESEA, as well as several non-ESEA programs such as special, vocational, and adult education.

Table 2. Total K-12 Education Appropriations, FY2000-FY2006
(dollars in billions)

Fiscal year	President's request	Appropriation
2000	\$22.3	\$23.1
2001	26.4	27.9
2002	29.3	32.7
2003	33.7	35.7
2004	34.9	37.5
2005	38.7	38.1
2006	37.8	Not yet enacted

Source: Department of Education Budget Service table of Feb. 7, 2005, except that the FY2005 appropriation and the FY2006 request are based on the table of Nov. 17, 2005. The FY2005 appropriation reflects the 0.80% reduction required of many FY2005 discretionary appropriations.

Appropriations for K-12 Components

Table 3 shows the funding for major components of K-12 education since FY2001, which was the last full year of funding for ESEA programs before they were amended by NCLBA.

Table 3. Appropriations for K-12 Components, FY2001-FY2006
(dollars in millions)

Major component	Fiscal year					
	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006 request
ESEA programs	\$18,442	\$21,954	\$23,610	\$24,275	\$24,352	\$25,327
Special education	7,440	8,673	9,957	11,161	11,674	12,126
Vocational education	1,243	1,321	1,326	1,328	1,326	0
Adult education	561	591	587	590	585	216
Other K-12 programs	197	158	244	184	183	178
Total K-12 funding	\$27,883	\$32,697	\$35,724	\$37,538	\$38,120	\$37,847

Source: ED Budget Service tables: for FY2001, Jan. 3, 2002; for FY2002, Feb. 20, 2003; for FY2003, Aug. 27, 2004; for FY2004, Dec. 9, 2004, and for FY2005 and the FY2006 request, Nov. 17, 2005. FY2005 funding reflects the required 0.80% reductions.

Table 3 shows that ESEA programs receive the majority of K-12 education funds. For example, ESEA programs are funded at \$24.4 billion in FY2005, or 64% of the total K-12 appropriation of \$38.1 billion. Significant amounts also are appropriated for non-ESEA programs, such as \$11.7 billion for special education programs authorized under IDEA for FY2005. Additional funds are appropriated for vocational and adult education programs. A few K-12 programs, such as Education for Homeless Children and Youth, receive funding as well. Appropriations have increased for each year shown for both ESEA and special education programs, and for K-12 funding in the aggregate. Under the FY2006 request, funding for ESEA and special education would be increased; vocational education would be eliminated; and adult education and the total for K-12 would be reduced.

Appropriations for Major ESEA Programs

Table 4 shows the appropriations for 12 of the ESEA programs with the highest funding levels since FY2001. Approximately 50% of all ESEA appropriations are allotted to the Title I, Part A Grants to Local Educational Agencies (LEAs) program for the education of disadvantaged children, which is funded at \$12.7 billion in FY2005. Also in FY2005, Reading First State Grants, Impact Aid, and Teacher Quality State Grants are each funded at more than \$1 billion; the 21st Century Community Learning Centers (21CCLC) program is funded at just under \$1 billion. Most programs shown in this table require appropriated funds to be distributed by formula. Most of the remaining ESEA programs — shown as “Other ESEA

programs” in the table — require the distribution of funds by discretionary grants through competition among eligible applicants. A few ESEA programs specify the distribution of funds to a single recipient.

**Table 4. Appropriations for
Major ESEA Programs, FY2001-FY2006**
(dollars in millions)

Major component	Appropriation year					
	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006 request
Title I, Part A Grants to LEAs	\$8,763	\$10,350	\$11,689	\$12,342	\$12,740	\$13,342
Reading First State Grants	0	900	994	1,024	1,042	1,042
Impact Aid	993	1,144	1,188	1,230	1,244	1,241
Teacher Quality State Grants	0	2,850	2,931	2,930	2,917	2,917
Education Technology State Grants	0	701	696	692	496	0
21 st Century Community Learning Centers (21CCLC)	846	1,000	999	999	991	991
Innovative Programs State Grants (Education Block Grant)	385	385	382	297	198	100
State Assessments	0	387	384	390	412	412
Rural Education	0	163	168	168	171	171
Fund for the Improvement of Education (FIE)	717	833	810	770	675	1,976
Safe and Drug-Free Schools State Grants	439	472	469	441	437	0
English Language Acquisition	296	664	684	681	676	676
All other ESEA programs	6,003	2,105	2,216	2,311	2,353	2,459
ESEA total	\$18,442	\$21,954	\$23,610	\$24,275	\$24,352	\$25,327

Source: ED Budget Service tables: for FY2001, Jan. 3, 2002; for FY2002, Feb. 20, 2003; for FY2003, Aug. 27, 2004; for FY2004, Dec. 9, 2004; and for FY2005 and the FY2006 request, Nov. 17, 2005. FY2005 funding reflects required 0.80% reductions. LEAs = Local Educational Agencies.

ESEA Authorizations and Appropriations

Table 5 shows the annual funding amounts authorized, requested, and appropriated for those programs with specified authorizations of appropriations under ESEA, as amended by NCLBA. All together, the ESEA includes provisions for 45 program authorizations for the six-year period FY2002-FY2007, as follows.

- Five of the 45 ESEA programs have specific amounts authorized to be appropriated for all six fiscal years; these programs are highlighted in **Table 5**.

- Another 24 programs have specific amounts authorized only for FY2002; funding for these programs is given in aggregate only in the FY2002 segment of **Table 5**. For FY2003 through FY2007, such sums as may be necessary are authorized for these programs.
- The remaining 16 ESEA programs have no specific amount authorized; that is, such sums as may be necessary are authorized for each program for each year during the period FY2002 through FY2007. **Table 5** does not include any funding information for these programs.

Many recent authorizations of education programs have not specified exact authorization levels, especially for the years following the first year of authorization or reauthorization. Instead, such sums as may be necessary are authorized to be appropriated. Authorization provisions for each of the 45 ESEA programs are listed in CRS Report RL31244, *K-12 Education Funding: Authorizations and Appropriations for FY2002*.

Table 5 shows that the President's budget request is less than the authorized amount for each program for each year with two exceptions: the FY2002 Education Block Grant and the FY2006 Fund for the Improvement of Education (FIE). Also for each year, the appropriation is less than the authorized amount, with the exception of FIE appropriations, which are higher than the authorized amount in each year. The FIE is a single authorization that includes 20 specific activities, as well as more general activities related to the improvement of K-12 education. For instance, appropriations are provided for general FIE activities and 17 separately specified activities within FIE in FY2005 (**Table 5** shows FIE funding only in the aggregate).

**Table 5. ESEA Authorizations and Appropriations,
FY2002-FY2007**
(dollars in millions)

FY2002 Programs, with ESEA Section Reference	Authorization	Request	Appropriation	Difference: App - Auth
Title I, Part A Grants to LEAs, §1002	\$13,500	\$9,061	\$10,350	-\$3,150
21 st Century Community Learning Centers (21CCLC), §4206	1,250	846	1,000	-250
Innovative Education Programs (Education Block Grant), §5146	450	472	385	-65
Voluntary Public School Choice, §5248	100	0	25	-75
Fund for the Improvement of Education (FIE), §5401	550	25	833	+283
<i>Five program subtotal</i>	\$15,850	\$10,404	\$12,593	-\$3,257
24 other specified programs	10,497	6,977	7,410	-3,087
FY2002 specified total	\$26,347	\$17,381	\$20,003	-\$6,344

FY2003 Programs	Authorization	Request	Appropriation	Difference: App - Auth
Title I, Part A Grants to LEAs	\$16,000	\$11,353	\$11,689	-\$4,311
21CCLC	1,500	1,000	994	-506
Education Block Grant	475	385	382	-93
School Choice	100	25	26	-74
FIE	575	134	810	+235
FY2003 specified total	\$18,650	\$12,897	\$13,901	-\$4,749

FY2004 Programs	Authorization	Request	Appropriation	Difference: App - Auth
Title I, Part A Grants to LEAs	\$18,500	\$12,350	\$12,342	-\$6,158
21CCLC	1,750	600	999	-751
Education Block Grant	500	385	297	-203
School Choice	100	25	27	-73
FIE	600	169	770	+170
FY2004 specified total	\$21,450	\$13,529	\$14,435	-\$7,015

FY2005 Programs	Authorization	Request	Appropriation	Difference: App - Auth
Title I, Part A Grants to LEAs	\$20,500	\$13,342	\$12,740	-\$7,760
21CCLC	2,000	999	991	-1,009
Education Block Grant	525	297	198	-327
School Choice	100	27	27	-73
FIE	625	264	675	+50
FY2005 specified total	\$23,750	\$14,929	\$14,631	-\$9,119

FY2006 Programs	Authorization	Request	Appropriation	Difference: Req - Auth
Title I, Part A Grants to LEAs	\$22,750	\$13,342	—	-\$9,408
21CCLC	2,250	991	—	-1,259
Education Block Grant	550	100	—	-450
School Choice	100	27	—	-73
FIE	650	1,976	—	+1,326
FY2006 specified total	\$26,300	\$16,436	—	-\$9,864

FY2007 Programs	Authorization	Request	Appropriation	Difference
Title I, Part A Grants to LEAs	\$25,000	—	—	—
21CCLC	2,500	—	—	—
Education Block Grant	600	—	—	—
School Choice	100	—	—	—
FIE	675	—	—	—
FY2007 specified total	\$28,875	—	—	—

Source: ED Budget Service tables of Jan. 3, 2002, Feb. 20, 2003, Jan. 28, 2004, Aug. 27, 2004, Dec. 9, 2004, and Nov. 17, 2005. FY2002 authorizations and appropriations are based on CRS Report RL31244, *K-12 Education Funding: Authorizations and Appropriations for FY2002*. Authorization levels for all years are based on ESEA, as amended by NCLBA. FY2005 funding reflects the required 0.80% reductions.

ESEA Funding Shortfall? Since the enactment of NCLBA in 2002, there has been a continuing discussion regarding the appropriations “promised” and the resulting “shortfall” when the enacted appropriations are compared to authorization levels. Some would contend that the ESEA authorizations of appropriations, as amended by NCLBA, represent a funding commitment that was promised in return for legislative support for the new administrative requirements made of state and local educational systems. They would contend that the authorized levels are needed for implementing the new requirements, and that the differences between promised and actual funding levels, as shown in **Table 5**, represent a shortfall of billions of dollars — \$9.1 billion for FY2005. Others would contend that the authorized funding levels represent no more than appropriations ceilings, and as such are no different from authorizations for most education programs. That is, when the authorization amount is specified, it represents only a maximum amount, with the actual funding level to be determined during the regular annual appropriations process. In the past, education programs with specified levels of authorization generally have been funded at lower levels; few have been funded at levels equal to or higher than the specified authorization amount.

IDEA Authorizations and Appropriations for Part B Grants to States

Table 6 shows the annual amounts authorized, requested, and appropriated for the Individuals with Disabilities Education Act (IDEA) Part B Grants to States program. The table begins with FY2005, the first year of authorizations specified by IDEA, as amended by P.L. 108-446, the Individuals with Disabilities Education Improvement Act of 2004, enacted December 3, 2004. **Table 6** shows that both the FY2005 and FY2006 requests were less than the amounts authorized, as was the FY2005 appropriation for Part B Grants to States.

Table 6. IDEA Authorizations and Appropriations for Part B Grants to States, FY2005-FY2007

(dollars in millions)

Fiscal year	Authorization	Request	Appropriation	Difference: appropriation (2005) or request (2006) and authorization
2005	\$12,358	\$11,068	\$10,590	-\$1,769
2006	14,649	11,098	—	-3,551
2007	16,939	—	—	—

Source: For authorizations, Section 611(i) of IDEA, as amended by P.L. 108-446. For budget requests and appropriations, Department of Education (ED) Budget Service tables of Dec. 9, 2004, and Nov. 17, 2005.

IDEA Funding Shortfall? From 1975 to 2004, the IDEA Part B Grants to States program authorized state payments up to a maximum amount of 40% of the national average per-pupil expenditure (APPE) times the number of children with disabilities ages three and above that each state serves. Appropriations were never sufficient to reach the 40% level. In FY2003, for example, the maximum authorized federal share of 40% was estimated to be \$20.2 billion, whereas the actual appropriation was \$8.9 billion, or a federal share of 17.5%, for a “shortfall” of \$11.3 billion for the Part B Grants to States program.

In 2004, the Congress addressed the Part B authorization issue in P.L. 108-446, which specified annual authorization ceilings for Part B Grants to States for FY2005 through FY2011. Annual increases in authorizations were specified in order to reach an estimated 40% federal share by FY2011. As shown in **Table 6**, the FY2005 authorization was \$12.4 billion, whereas the appropriation for that year was \$10.6 billion, or \$1.8 billion under the maximum level authorized. For FY2006, the authorization increased to \$14.6 billion, whereas the amount requested in the budget was \$11.1 billion, or nearly \$3.6 billion less. As with ESEA, some view these differences as funding shortfalls, while others see the maximum federal share and the specified authorizations as nothing more than appropriation ceilings. For additional information, please see CRS Report RL32085, *Individuals with Disabilities Education Act (IDEA): Current Funding Trends*