

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE NO. **236**

January 22, 2007

Authored by Greiling and McFarlane

The bill was read for the first time and referred to the Committee on E-12 Education

1.1 A bill for an act
1.2 relating to education finance; authorizing school districts to delay the
1.3 implementation of special education tuition billing for an additional two years;
1.4 amending Laws 2006, chapter 263, article 3, section 15.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Laws 2006, chapter 263, article 3, section 15, is amended to read:

1.7 Sec. 15. **SPECIAL EDUCATION TUITION BILLING FOR FISCAL YEARS**
1.8 **2006 AND, 2007, AND 2008.**

1.9 (a) Notwithstanding Minnesota Statutes, sections 125A.11, subdivision 1, paragraph
1.10 (a), and 127A.47, subdivision 7, paragraph (d), for fiscal year 2006 an intermediate
1.11 district, special education cooperative, or school district that served as an applicant agency
1.12 for a group of school districts for federal special education aids for fiscal year 2006 is not
1.13 subject to the uniform special education tuition billing calculations, but may instead
1.14 continue to bill the resident school districts for the actual unreimbursed costs of serving
1.15 pupils with a disability as determined by the intermediate district.

1.16 (b) Notwithstanding Minnesota Statutes, section 125A.11, subdivision 1, paragraph
1.17 (c), for fiscal ~~year~~ years 2007 and 2008 only, ~~an applicant~~ a school district, cooperative
1.18 district, intermediate school district, or applicant agency may apply to the commissioner
1.19 for a waiver from the uniform special education tuition calculations and aid adjustments
1.20 under Minnesota Statutes, sections 125A.11, subdivision 1, paragraph (b), and 127A.47,
1.21 subdivision 7, paragraph (e). The commissioner must grant the waiver within 30 days of
1.22 receiving the ~~following information~~ waiver request from the school district, cooperative
1.23 district, applicant agency, or intermediate district.

2.1 ~~(1) a detailed description of the applicant district's methodology for calculating~~
2.2 ~~special education tuition for fiscal years 2006 and 2007, as required by the applicant~~
2.3 ~~district to recover the full cost of serving pupils with a disability;~~

2.4 ~~(2) sufficient data to determine the total amount of special education tuition actually~~
2.5 ~~charged for each student with a disability, as required by the applicant district to recover~~
2.6 ~~the full cost of serving pupils with a disability in fiscal year 2006; and~~

2.7 ~~(3) sufficient data to determine the amount that would have been charged for each~~
2.8 ~~student for fiscal year 2006 using the uniform tuition billing methodology according~~
2.9 ~~to Minnesota Statutes, sections 125A.11, subdivision 1, or 127A.47, subdivision 7, as~~
2.10 ~~applicable;~~

2.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.