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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE NO. **786**

February 8, 2007

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to education finance; increasing funding for special education programs;
1.3 establishing an intensive intervention funding source; amending Minnesota
1.4 Statutes 2006, sections 125A.76, subdivisions 1, 3; 125A.79, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2006, section 125A.76, subdivision 1, is amended to
1.7 read:

1.8 Subdivision 1. **Definitions.** For the purposes of this section, the definitions in this
1.9 subdivision apply.

1.10 (a) "Base year" for fiscal year 1998 and later fiscal years means the second fiscal
1.11 year preceding the fiscal year for which aid will be paid.

1.12 (b) "Basic revenue" has the meaning given it in section 126C.10, subdivision 2.

1.13 For the purposes of computing basic revenue pursuant to this section, each child with a
1.14 disability shall be counted as prescribed in section 126C.05, subdivision 1.

1.15 (c) "Essential personnel" means teachers, cultural liaisons, related services, and
1.16 support services staff providing direct services to students. Essential personnel may also
1.17 include special education paraprofessionals or clericals providing support to teachers and
1.18 students by preparing paperwork and making arrangements related to special education
1.19 compliance requirements, including parent meetings and individual education plans.

1.20 (d) "Average daily membership" has the meaning given it in section 126C.05.

1.21 (e) "Program growth factor" means ~~1.046 for fiscal year 2003, and 1.0~~ 1.05 for
1.22 fiscal year ~~2004~~ 2008 and later.

1.23 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2008.

2.1 Sec. 2. Minnesota Statutes 2006, section 125A.76, subdivision 3, is amended to read:

2.2 Subd. 3. **Adjusted special education base revenue.** ~~For fiscal year 1997 and later,~~
 2.3 A district's adjusted special education base revenue equals the district's special education
 2.4 base revenue times the ratio of the ~~district's average daily membership for~~ number of
 2.5 children with an individual education plan served by the district in the current school
 2.6 year to the ~~district's average daily membership for~~ number of children with an individual
 2.7 education plan served by the district during the base year.

2.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2008.

2.9 Sec. 3. Minnesota Statutes 2006, section 125A.79, subdivision 1, is amended to read:

2.10 Subdivision 1. **Definitions.** For the purposes of this section, the definitions in this
 2.11 subdivision apply.

2.12 (a) "Unreimbursed special education cost" means the sum of the following:

2.13 (1) expenditures for teachers' salaries, contracted services, supplies, equipment, and
 2.14 transportation services eligible for revenue under section 125A.76; plus

2.15 (2) expenditures for tuition bills received under sections 125A.03 to 125A.24 and
 2.16 125A.65 for services eligible for revenue under section 125A.76, subdivision 2; minus

2.17 (3) revenue for teachers' salaries, contracted services, supplies, and equipment under
 2.18 section 125A.76; minus

2.19 (4) tuition receipts under sections 125A.03 to 125A.24 and 125A.65 for services
 2.20 eligible for revenue under section 125A.76, subdivision 2.

2.21 (b) "General revenue" means the sum of the general education revenue according to
 2.22 section 126C.10, subdivision 1, excluding alternative teacher compensation revenue, plus
 2.23 the total qualifying referendum revenue specified in paragraph (e) minus transportation
 2.24 sparsity revenue minus total operating capital revenue.

2.25 (c) "Average daily membership" has the meaning given it in section 126C.05.

2.26 (d) "Program growth factor" means ~~1.02 for fiscal year 2003, and 1.0~~ 1.10 for fiscal
 2.27 year ~~2004~~ 2008 and later.

2.28 (e) "Total qualifying referendum revenue" means two-thirds of the district's total
 2.29 referendum revenue as adjusted according to section 127A.47, subdivision 7, paragraphs
 2.30 (a) to (c), for fiscal year 2006, one-third of the district's total referendum revenue for fiscal
 2.31 year 2007, and none of the district's total referendum revenue for fiscal year 2008 and later.

2.32 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2008.

2.33 Sec. 4. **INTENSIVE INTERVENTION REVENUE.**

3.1 Subdivision 1. **Intensive intervention program goals.** It is the purpose of this
3.2 section to provide revenue for school districts operating programs which provide intensive
3.3 intervention services to students so that later needs for special education services are
3.4 reduced or eliminated.

3.5 Subd. 2. **District eligibility.** A school district is eligible for intensive intervention
3.6 revenue if the school board has adopted an intensive intervention program according to
3.7 subdivision 3.

3.8 Subd. 3. **Intensive intervention program requirements.** A school board may
3.9 adopt an intensive intervention program. The program must identify educational, physical
3.10 health, and mental health barriers that, if unaddressed, might otherwise qualify a student
3.11 for special education services.

3.12 Subd. 4. **Revenue.** A school district is eligible for intensive intervention revenue
3.13 equal to 50 percent of the salary costs for personnel working directly with students
3.14 who are likely to need special education services unless intensive intervention services
3.15 are provided to the student. The school district must report these salary costs to the
3.16 Department of Education in the form and manner and under the timelines established
3.17 by the Department of Education.

3.18 Subd. 5. **Special education eligibility unaffected.** A school district that provides
3.19 services to students under this section may not use the provisions of this section to deny
3.20 special education services to a child with a disability.

3.21 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2008.