

Senate Bill 191 – Revise School Tuition Laws Related to Special Needs Students

This Bill deals with special education, and specifically with the current situation under which a School District can use their tuition fund to send a special needs student to another district (and pay the costs from the tuition fund), but the School cannot use that fund if they choose to keep the student in District.

The problem is that currently a School District are discouraged from keeping the student in their own district because the additional costs they may face would come out of their general fund budget, not the tuition fund.

This bill would allow a district to keep a special education student in-district and have a source (the tuition fund) to pay for costs over and above what federal and state support they would already receive to educate that student.

Currently, many districts wwill chose to send the child to another district, and pay for educating the student from their tuition fund, – with all of the money going out-of-district.

This legislation will allow school districts to choose to impose a permissive increase, in the tuition levy, to pay for the costs of a Special Needs situation.

Provides for a Cap of sorts

This legislation is drafted to allow a district to impose a levy to pay for the difference between the actual costs of service under each applicable student’s IEP,...minus state special education aid, federal education aid, and the regular education costs of educating the student that is already provided under the student’s per-ANB amount and prorated portion of the district’s Basic Entitlement amount.

THUS, on page 2, Lines 22- 27 there is a cap of sorts...in that the ability to levy would be limited by the following formula:

Total cost minus:

1. state special education aid,
2. federal education aid,
3. regular education costs of educating the student already provided under the student’s per-ANB amount and prorated portion of the district’s Basic Entitlement amount.

By comparison, under current law, a school district sending a special needs student to another district has an unlimited authority to levy in its tuition fund to pay for the full costs as charged by the receiving district, with no limit.

So, we are trying to provide a change in law that would allow districts to keep those students in district and levy only the difference between actual costs and other funding sources for that student.