

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 3297

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DATE
02/21/2022

D-PG

Introduction and first reading
Referred to Education Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to education finance; special education; establishing a special education
1.3 legislative working group; requiring a report.

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

1.5 Section 1. **LEGISLATIVE WORKING GROUP ON SPECIAL EDUCATION**
1.6 **TUITION BILLING.**

1.7 Subdivision 1. Membership; chair. (a) The legislative working group on special
1.8 education tuition billing must consist of eight members as follows:

1.9 (1) four members of the house of representatives, two members appointed by the speaker
1.10 of the house and two members appointed by the house minority leader; and

1.11 (2) four members of the senate, two members appointed by the senate majority leader
1.12 and two members appointed by the senate minority leader.

1.13 (b) Appointing authorities must make appointments by June 15, 2022.

1.14 (c) If a vacancy occurs, the appointing authority for the vacated position must fill the
1.15 vacancy.

1.16 (d) The speaker and the majority leader must each designate one working group member
1.17 from each respective body to serve as chair. The chair must rotate after each meeting. The
1.18 person appointed as chair by the speaker must convene the first meeting of the working
1.19 group by June 30, 2022.

1.20 Subd. 2. Duties. (a) The working group must study requirements and practices relating
1.21 to tuition billing for special education and general education services provided to a student

2.1 with a disability by a nonresident school district; cooperative as defined in Minnesota
2.2 Statutes, section 123A.24, subdivision 2; or charter school, including a charter school that
2.3 serves a high percentage of students with individualized education programs. The billing
2.4 costs considered must include special education costs, general education costs, facility costs,
2.5 and access fees charged by a cooperative to a nonmember school district. The working
2.6 group must review data from the Department of Education relating to special education
2.7 services billed to resident school districts, third-party billing data, and other relevant data
2.8 provided by school districts, cooperatives, charter schools, and families of children with
2.9 individualized education programs.

2.10 (b) The working group must solicit input from the Department of Education including
2.11 the School Finance Division, school districts, cooperatives, charter schools, special education
2.12 school administrators, families of children with individualized education programs, and
2.13 other interested stakeholders.

2.14 (c) The working group must determine what statutory changes to special education
2.15 billing are necessary to adequately and equitably fund school districts, cooperatives, and
2.16 charter schools in meeting the needs of students with individualized education programs.

2.17 Subd. 3. **Assistance.** (a) The Department of Education must provide the working group
2.18 with all available data necessary to analyze special education billing costs to school districts,
2.19 including the effect of potential changes to special education billing requirements.

2.20 (b) The Legislative Coordinating Commission must provide technical and administrative
2.21 assistance to the working group upon request.

2.22 Subd. 4. **Recommendations; report.** The working group must issue a report to the
2.23 governor and chairs and ranking minority members of the legislative committees with
2.24 jurisdiction over kindergarten through grade 12 education by January 31, 2023.

2.25 Subd. 5. **Expiration.** The working group expires February 1, 2023.

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