

FILED JAN 19 1999

SENATE FILE 21

BY BLACK

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act providing for the elimination of special education
2 deficits incurred by school districts, making an
3 appropriation, and including an effective date and
4 applicability provision.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 21
EDUCATION

1 Section 1. There is appropriated from the general fund of
2 the state to the department of education for the fiscal year
3 beginning July 1, 1999, and ending June 30, 2000, the
4 following amount, or so much thereof as is necessary, to be
5 used for the purpose designated:

6 For the elimination of certified negative balances in
7 school district funds raised for special education instruction
8 programs for the school budget year beginning July 1, 1998,
9 and ending June 30, 1999:

10 \$16,500,000

11 Sec. 2. The funds appropriated in section 1 of this Act
12 shall be allocated by the department to the school budget
13 review committee for distribution to school districts for
14 which the committee, pursuant to section 257.31, subsection
15 14, has certified to the director of the department of
16 management a negative balance of funds for the school budget
17 year beginning July 1, 1998, and ending June 30, 1999. The
18 funds appropriated shall be considered supplemental aid and
19 added to the supplemental aid otherwise payable and
20 distributed pursuant to section 257.31, subsection 14,
21 paragraph "b". For purposes of the funds appropriated in
22 section 1, however, the provisions of section 257.31,
23 subsection 14, paragraph "b", relating to supplemental aid
24 being payable in an amount equal to the state aid portion of a
25 school district's negative balance, and eligibility to receive
26 funds being contingent on an increase in allowable growth for
27 the year following the budget year, respectively, shall not
28 apply.

29 If the funds appropriated in section 1 of this Act are
30 insufficient to fully eliminate the negative special education
31 balances for all school districts, distribution shall be made
32 on a pro rata basis in proportion to the ratio which the
33 negative special education balance for a school district bears
34 to the sum of the negative special education balances for all
35 school districts reporting such balances to the school budget

1 review committee for the budget year beginning July 1, 1998,
2 and ending June 30, 1999. School districts receiving prorated
3 distributions may apply to the school budget review committee
4 for supplemental aid pursuant to section 257.31, subsection 5,
5 paragraph "h", in an amount equal to the difference between
6 the distribution received and the negative special education
7 balance certified.

8 Sec. 3. Pursuant to section 257.31, subsection 12, the
9 school budget review committee within 30 days of the effective
10 date of this section shall review the special education
11 weighting plan in effect for the school budget year beginning
12 July 1, 1999, and ending June 30, 2000, and adjust the
13 weighting levels to eliminate special education negative
14 balance projections. In reviewing the weighting plan, the
15 committee shall utilize the most recent information available
16 regarding special education instruction program funding
17 balances and the average costs of providing instruction for
18 children requiring special education in the categories of the
19 weighting plan.

20 Sec. 4. Section 3 of this Act, being deemed of immediate
21 importance, takes effect upon enactment and applies to special
22 education funding calculations for the school budget year
23 beginning on July 1, 1999.

24 EXPLANATION

25 This bill appropriates \$16.5 million from the general fund
26 of the state to the department of education for the fiscal
27 year beginning July 1, 1999, and ending June 30, 2000. The
28 appropriated funds shall be allocated by the department to the
29 school budget review committee for distribution to school
30 districts which incurred a negative balance of funds for
31 special education instruction for the school budget year
32 beginning July 1, 1998, and ending June 30, 1999, and shall be
33 considered supplemental aid distributed pursuant to Code
34 section 257.31, subsection 14, paragraph "b".

35 If the appropriated funds are not sufficient to fully

1 eliminate the negative special education balances for all
2 school districts, the bill provides that distribution shall be
3 made on a pro rata basis in proportion to the ratio which the
4 negative special education balance for a school district bears
5 to the sum of the negative special education balances for all
6 school districts for the budget year beginning July 1, 1998,
7 and ending June 30, 1999. The bill provides that school
8 districts receiving prorated distributions may apply to the
9 school budget review committee for supplemental aid, pursuant
10 to Code section 257.31, subsection 5, paragraph "h".

11 The bill additionally directs the school budget review
12 committee, within 30 days of the effective date of this
13 portion of the bill, to review the special education weighting
14 plan in effect for the school budget year beginning July 1,
15 1999, and ending June 30, 2000, and to adjust the weighting
16 levels to eliminate special education negative balances
17 projected for that school budget year, utilizing the most
18 recent information available regarding special education
19 instruction program funding balances and costs. The bill
20 would take effect upon enactment with regard to these special
21 education weighting level review and adjustment provisions.

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