



Special Education Enrollment, Expenditure and Funding Trends State Special Education Aid Formula

House Education Finance Division

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January 30, 2019

Topics

1) Trends:

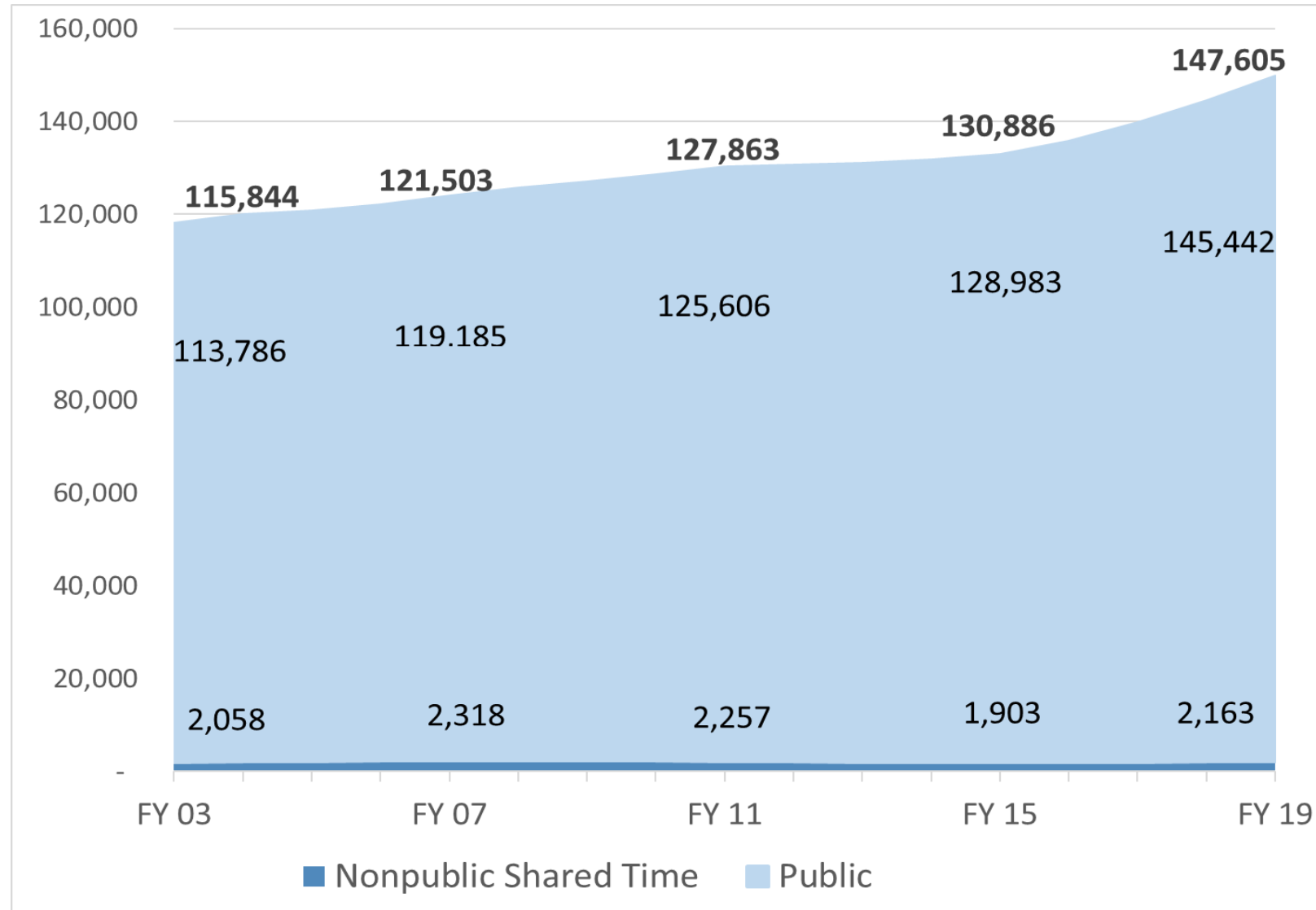
- Enrollment
- Expenditures
- Funding

2) State Special Education Aid Formula:

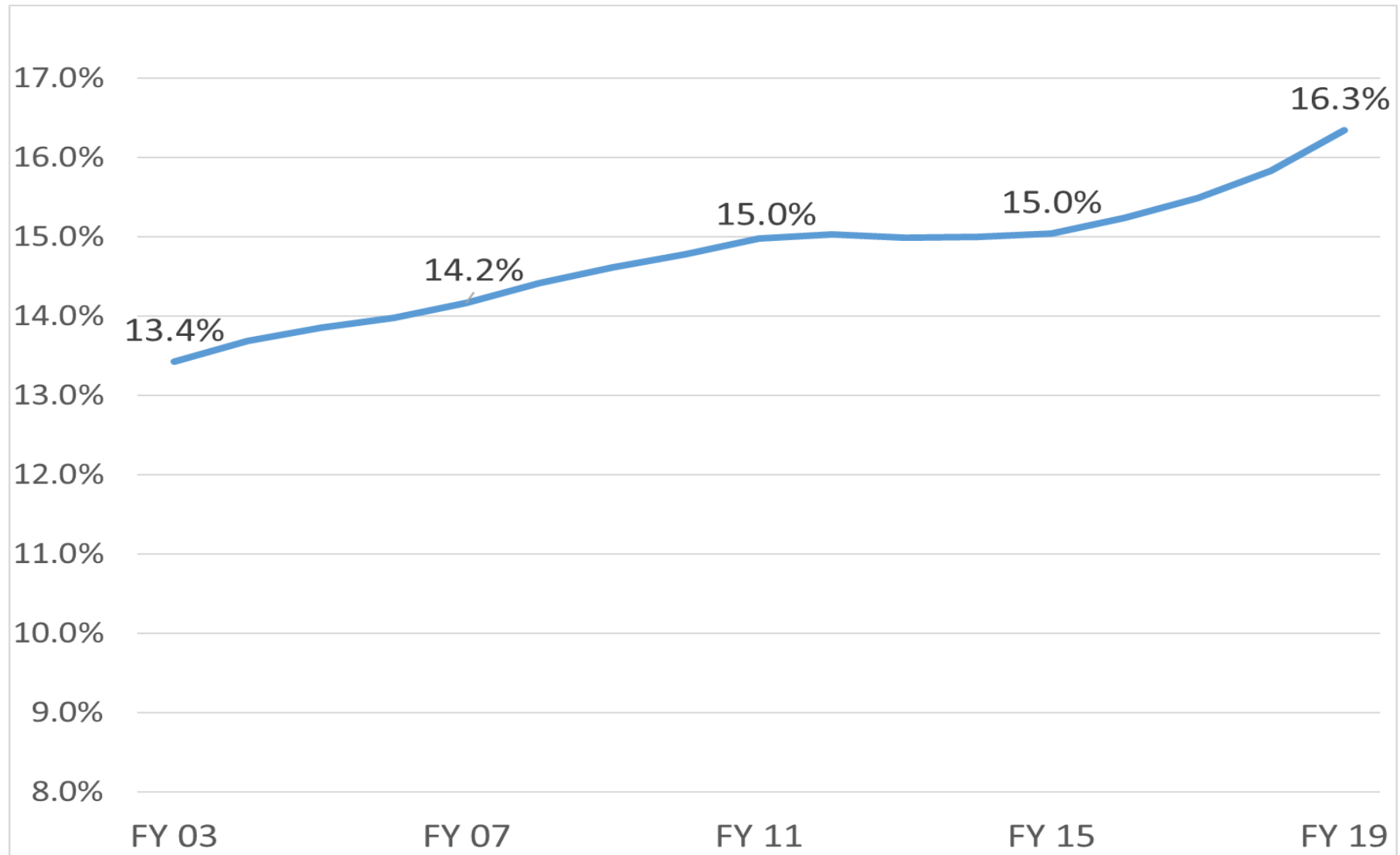
- "Old Formula" under 2012 statutes
- Education Finance Working Group recommendations, November 2012
- 2013 legislation
- "New Formula" effective in FY 2016
- Impact of new formula
- Concerns/issues with new formula and potential solutions

Special Education Enrollment, Birth–21

(Unduplicated December 1 Child Count – Public and Nonpublic Shared Time)

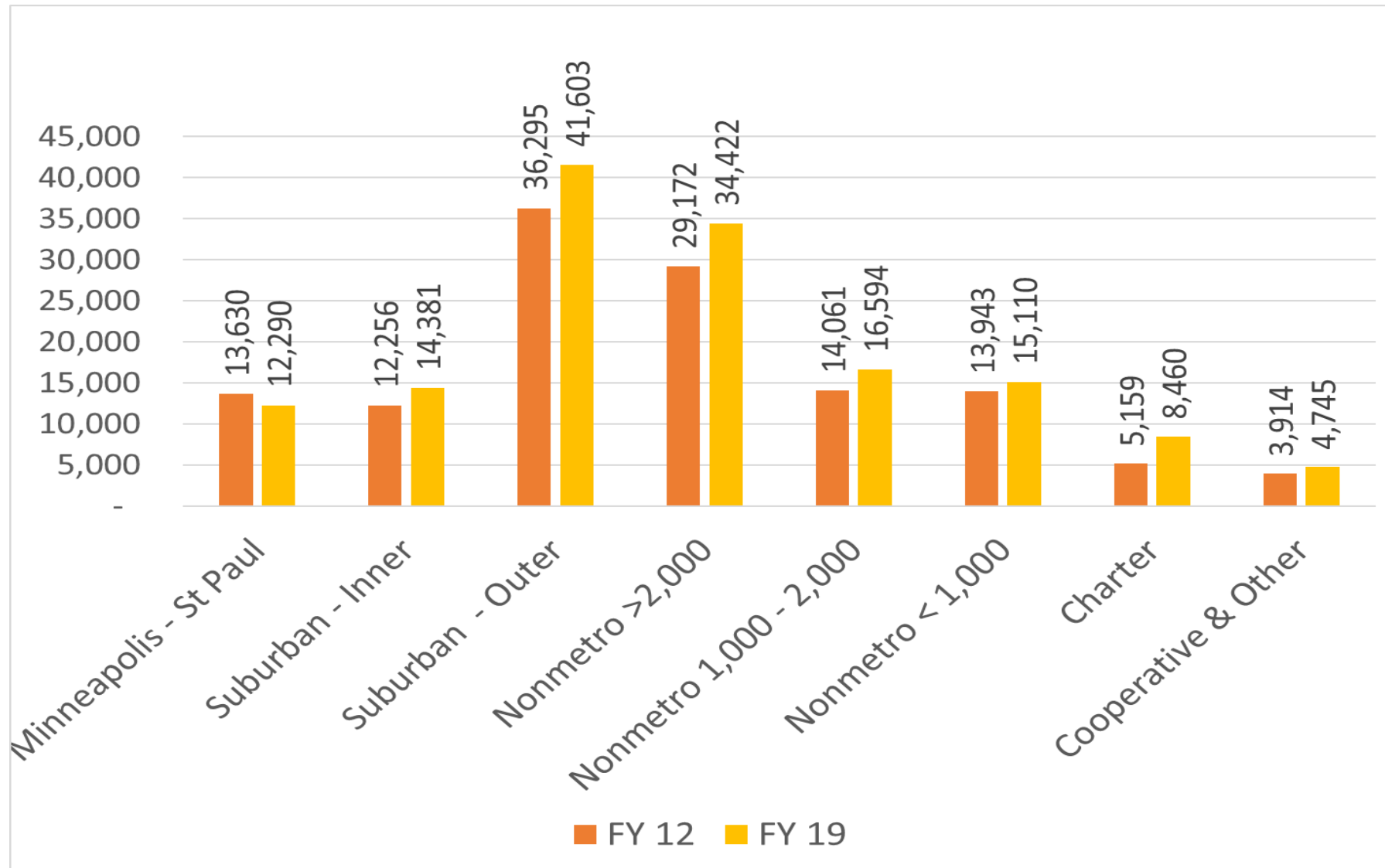


Special Education Enrollment as Percent of Total Enrollment Public School Students, Birth—21

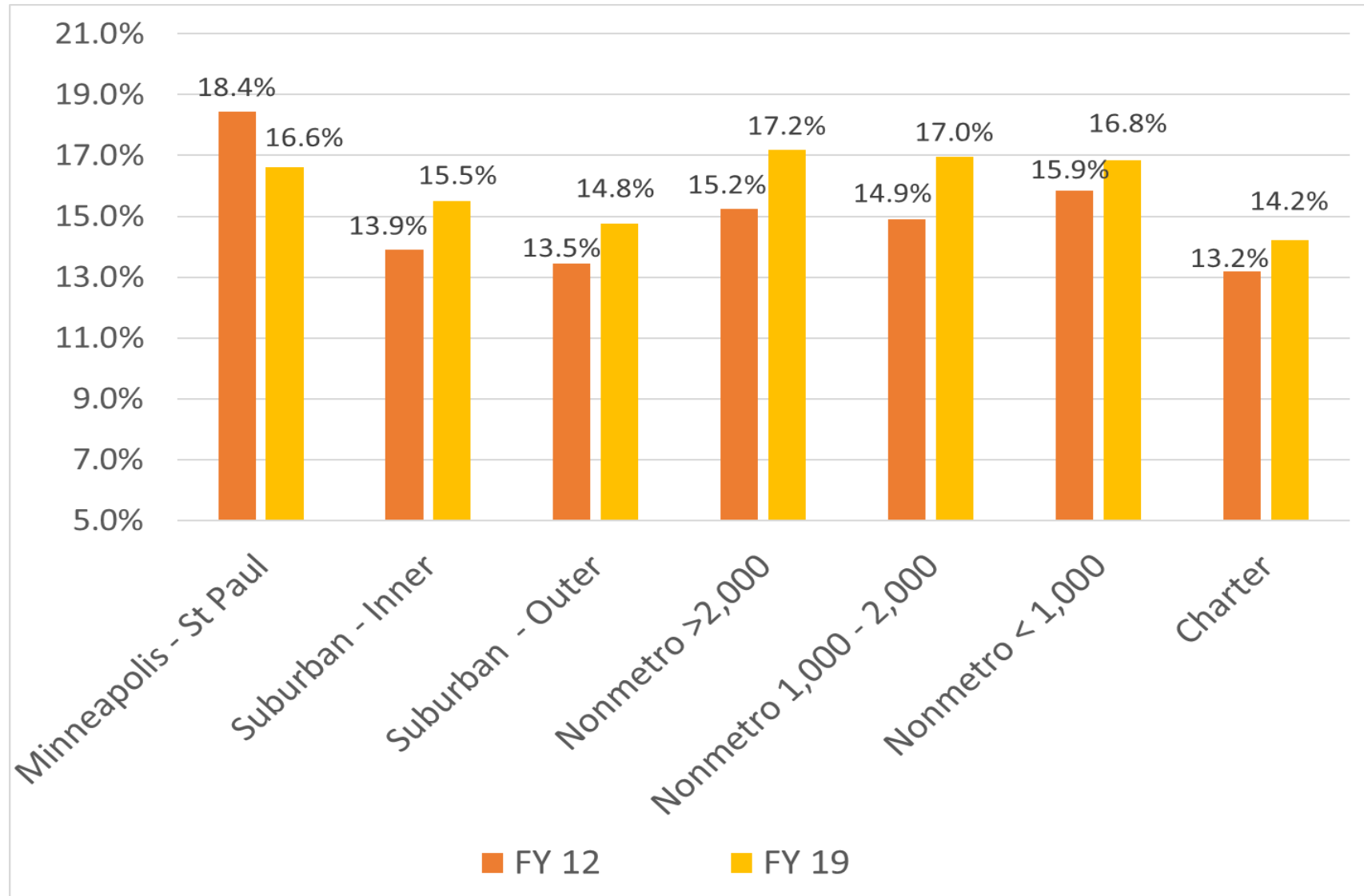


Special Education Enrollment by District Type, FY 12 and FY 19

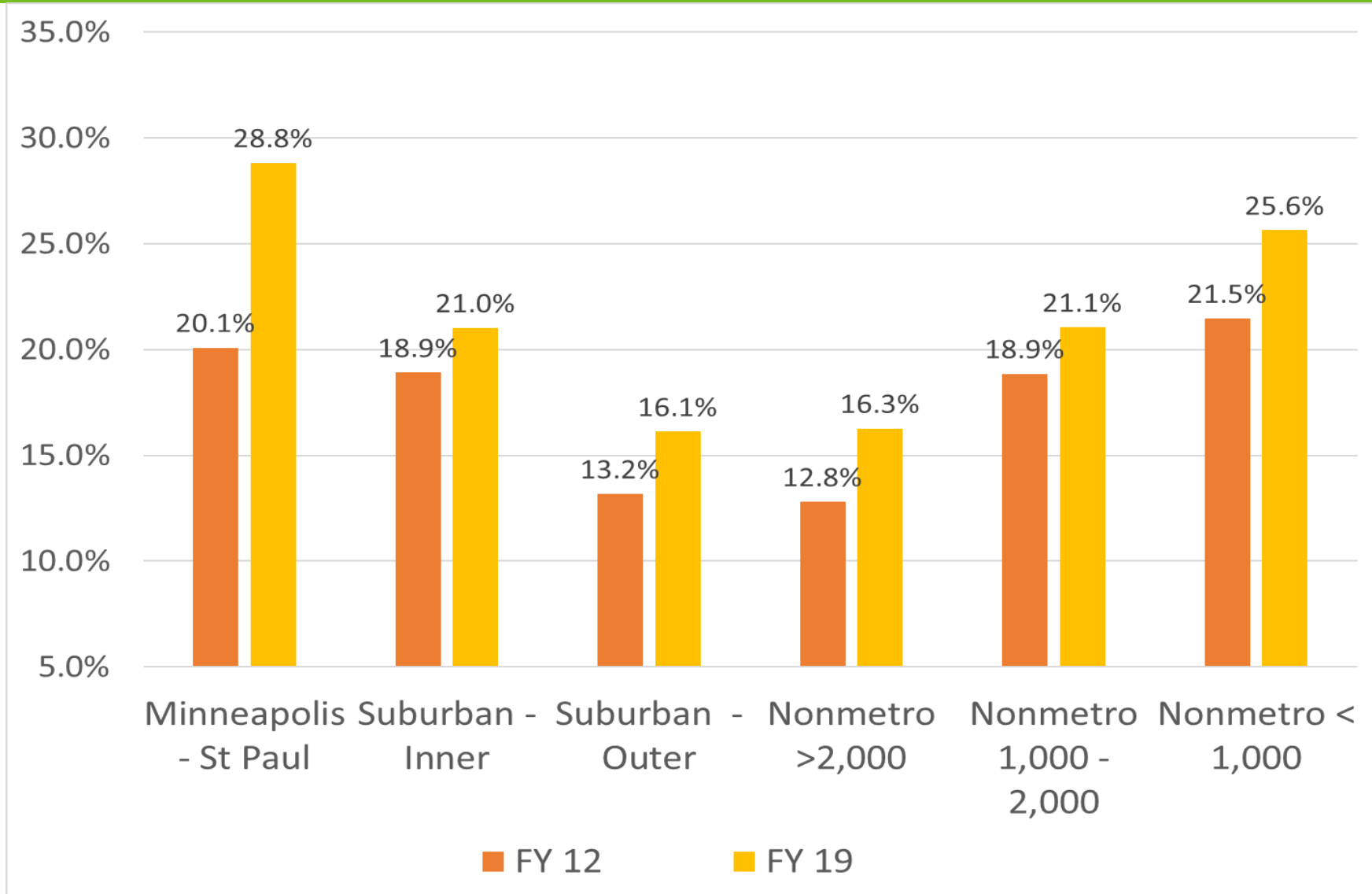
Public School and Nonpublic Shared-Time Students, Birth—21



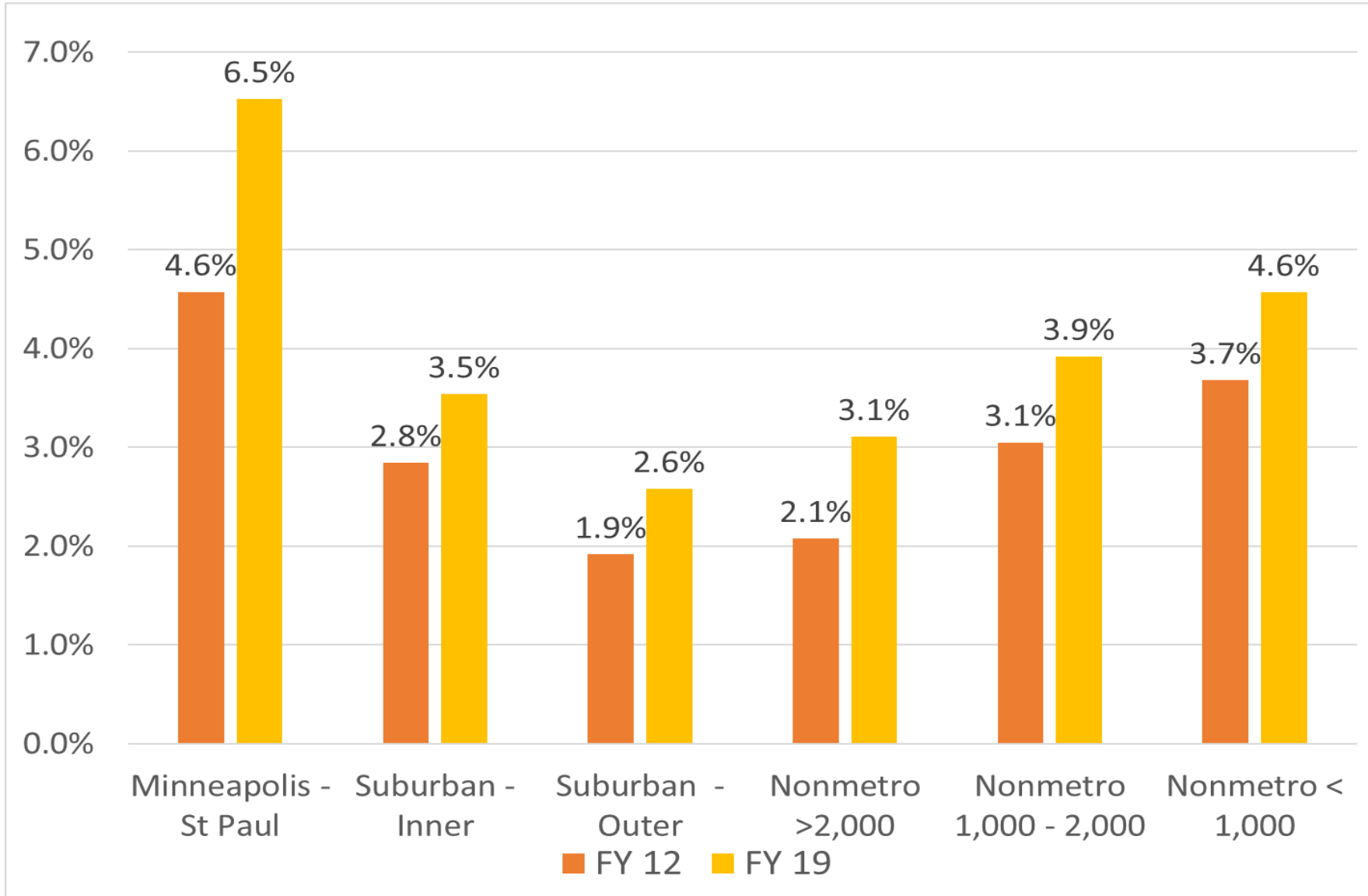
Special Education Enrollment as Percent of Total Enrollment By District Type Public School Students, Birth–21, FY 12 and FY 19



Percent of Resident Special Education Students Enrolled Elsewhere by District Type (Enrolled in Another District, Charter School, Intermediate District, or Cooperative) Public School Students, Birth–21, FY 12 and FY 19



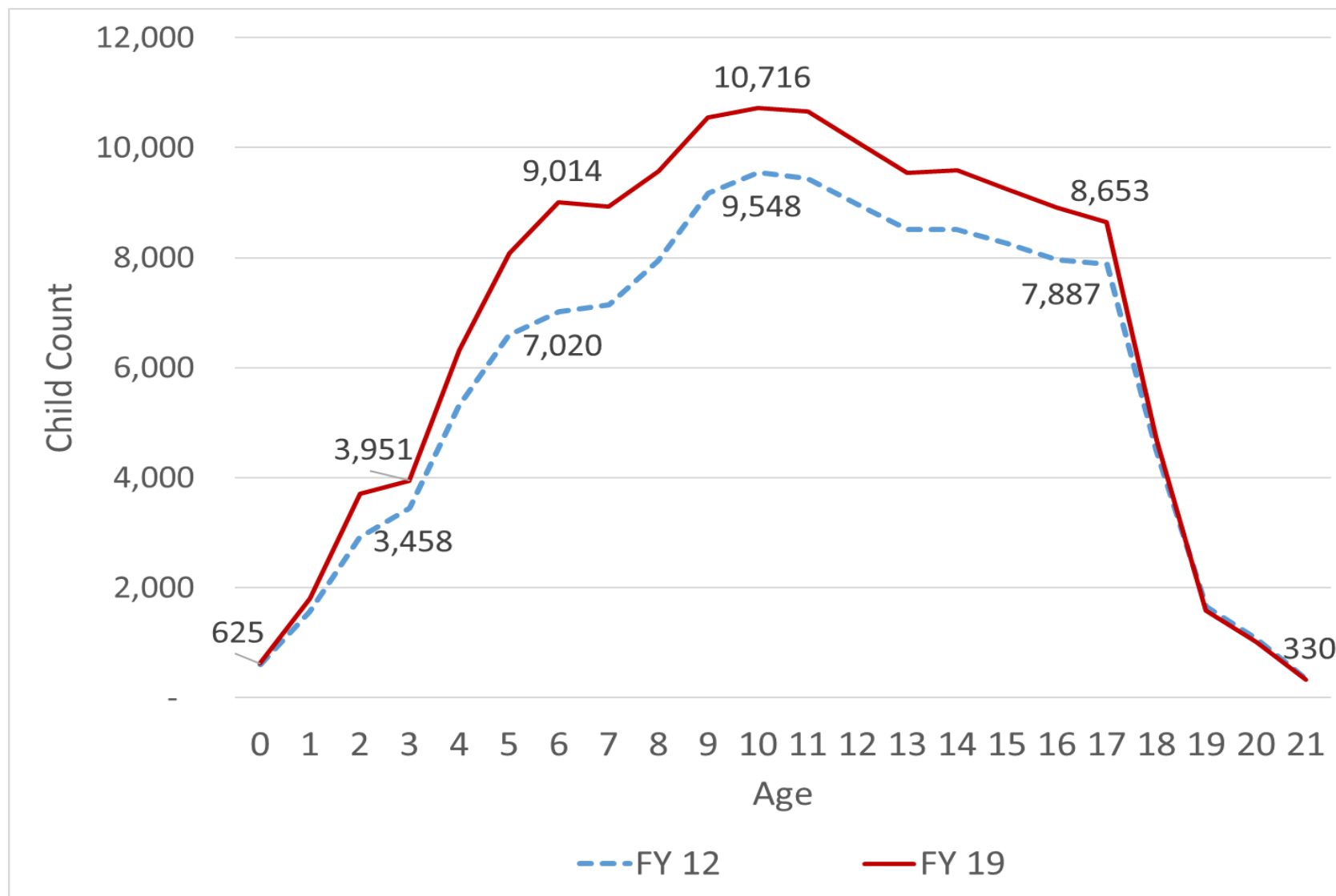
Resident Special Education Students Enrolled Elsewhere as Percent of Total (Enrolled in Another District, Charter School, Intermediate District, or Cooperative) Public School Students, Birth–21, FY 12 and FY 19



Special Education Enrollment by Age

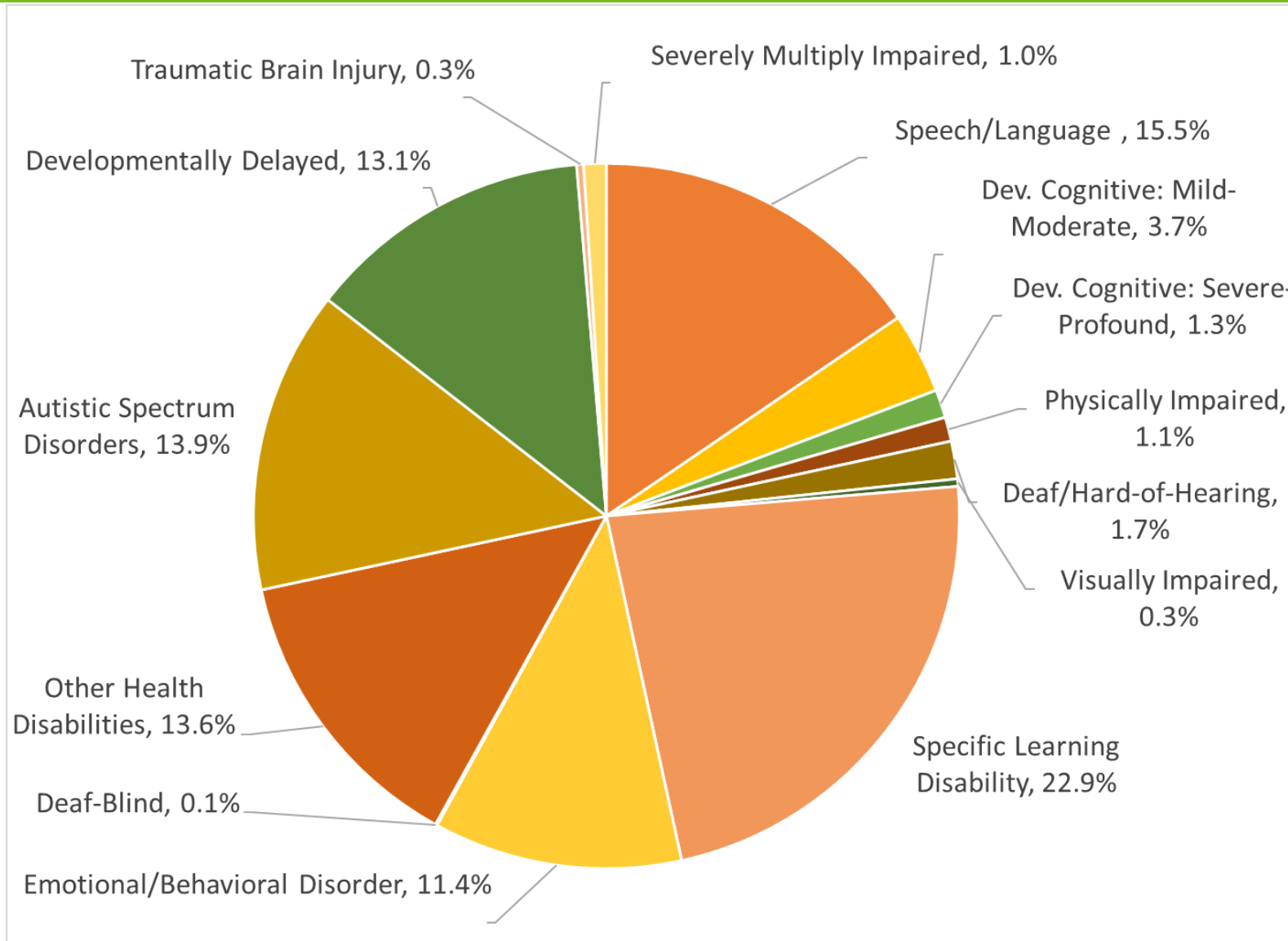
Public School and Nonpublic Shared-Time Students, Birth—21

FY 12 and FY 19



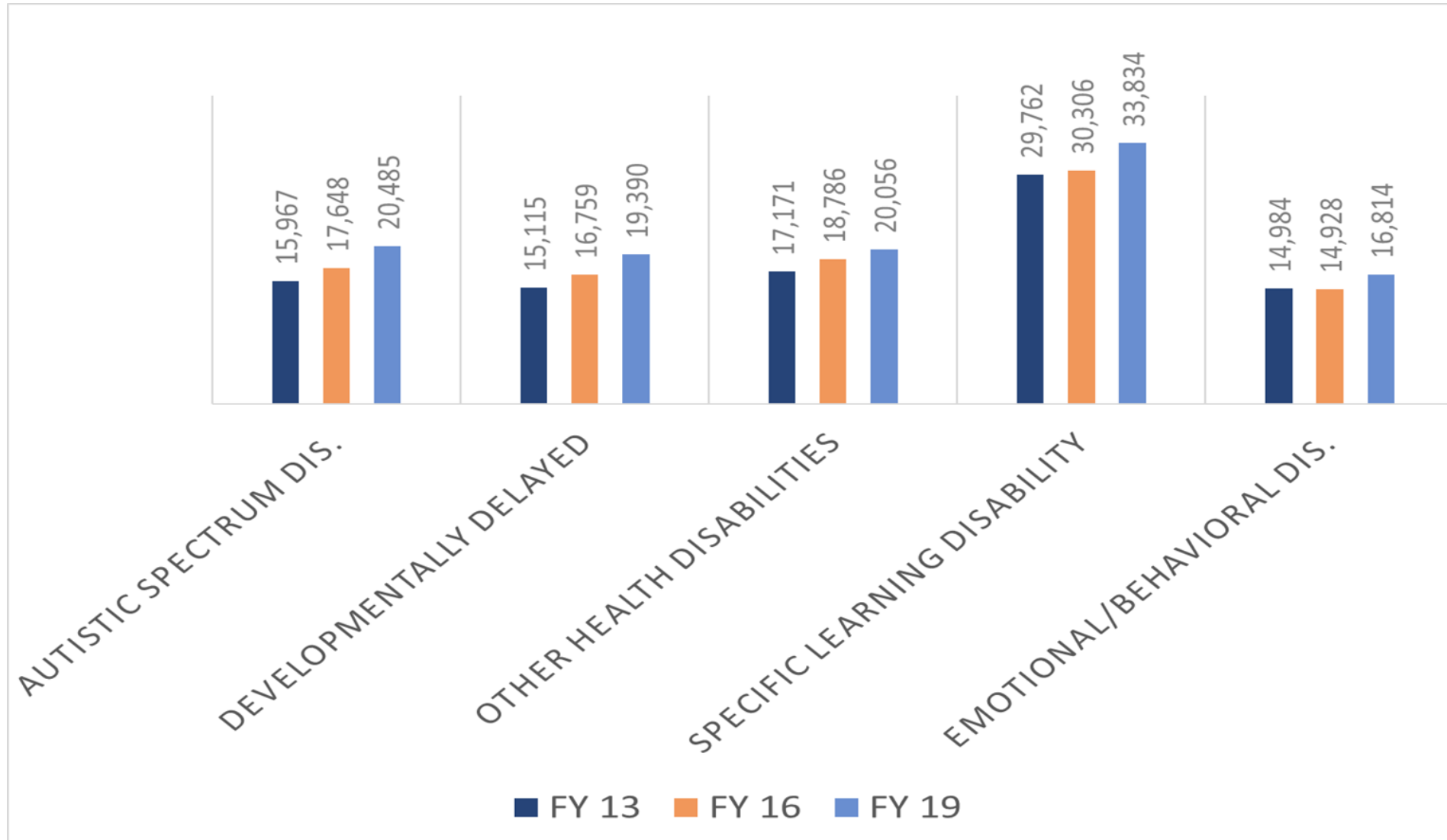
Special Education Enrollment by Primary Disability, FY 19

Public School and Nonpublic Shared-Time Students, Birth—21



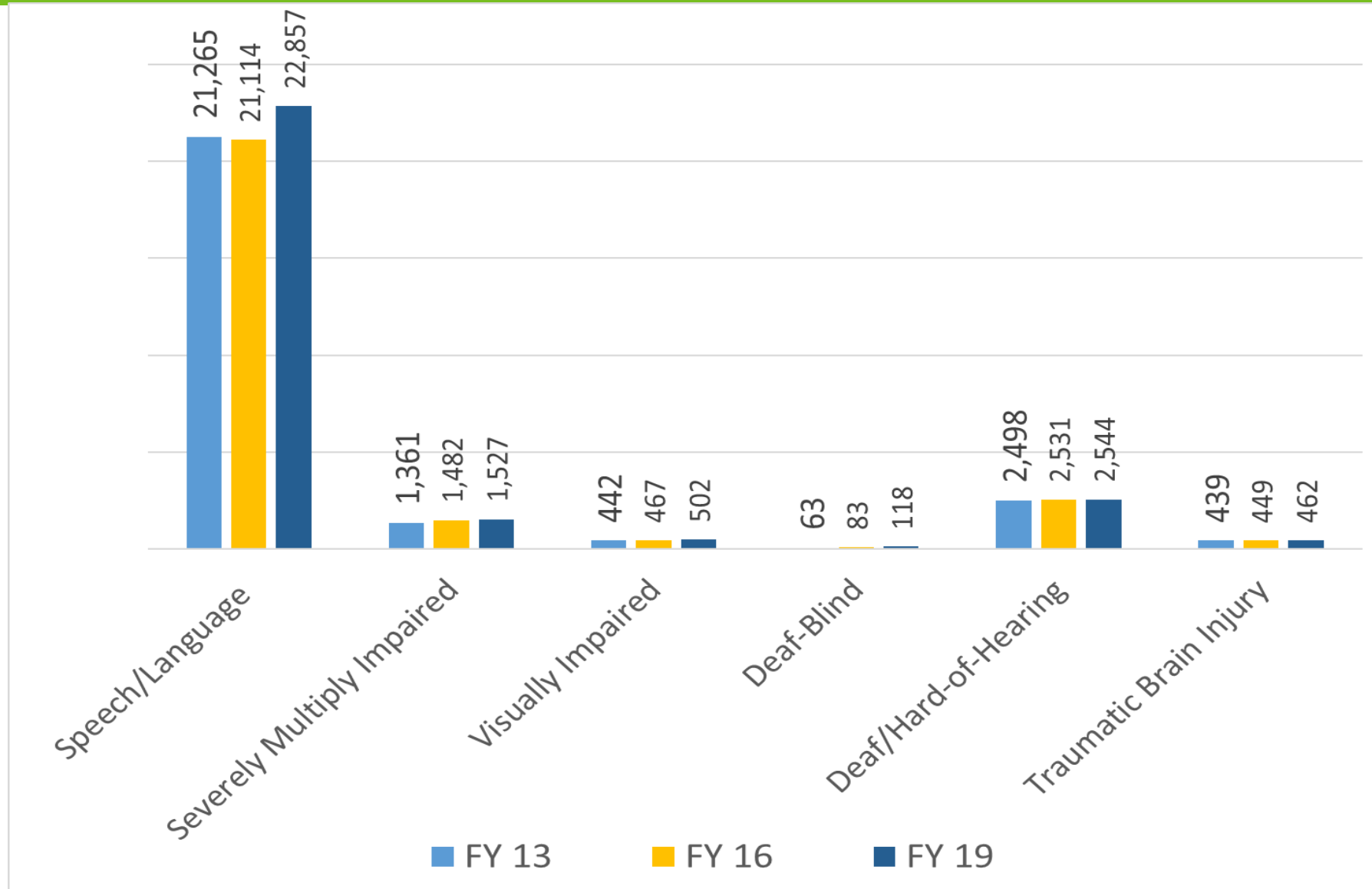
Primary Disabilities with Largest Enrollment Growth, FY 13, FY 16 and FY 19

Public School and Nonpublic Shared-Time Students, Birth—21



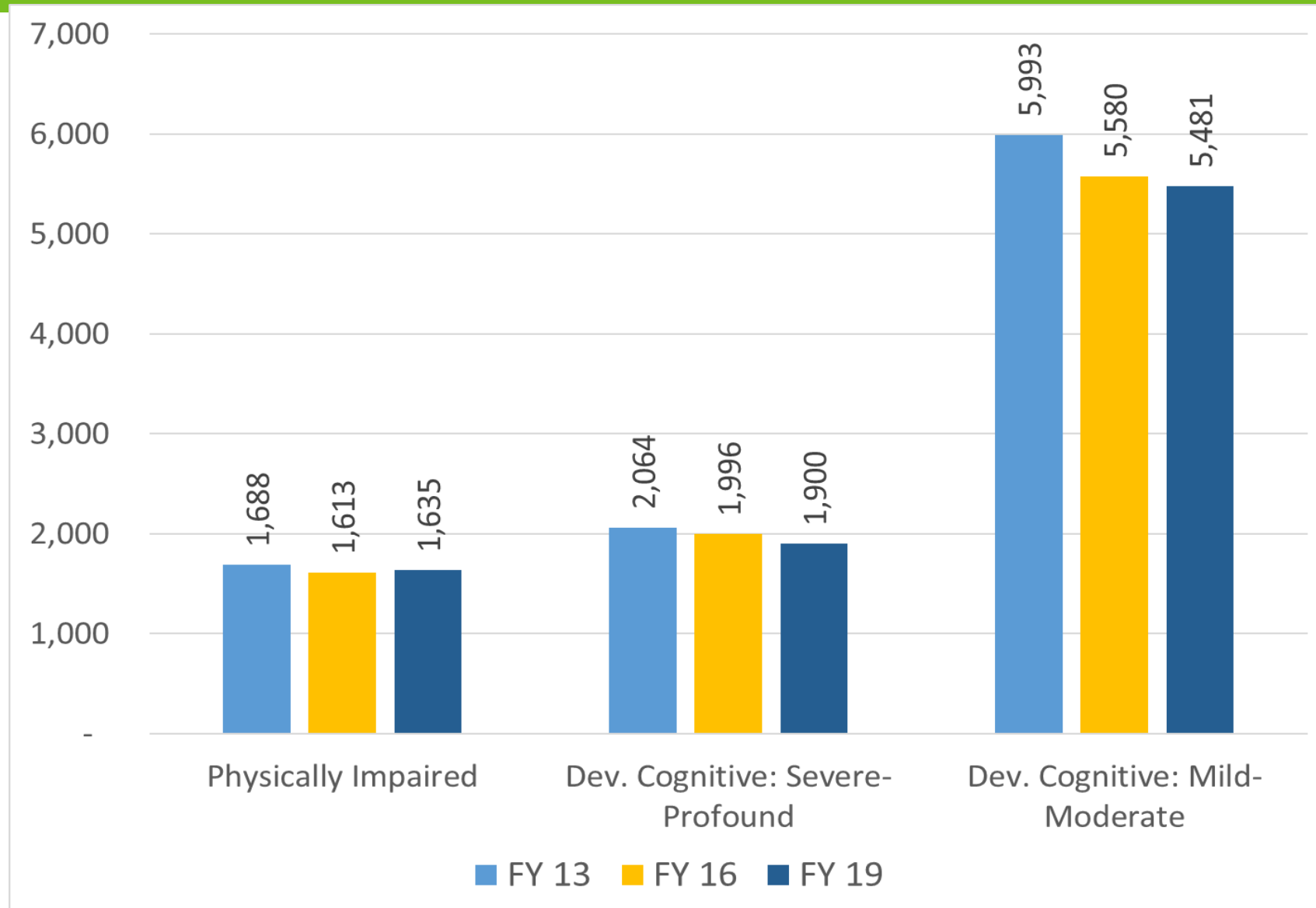
Other Primary Disabilities with Growing Enrollment, FY 13, FY 16 and FY 19

Public School and Nonpublic Shared-Time Students, Birth—21

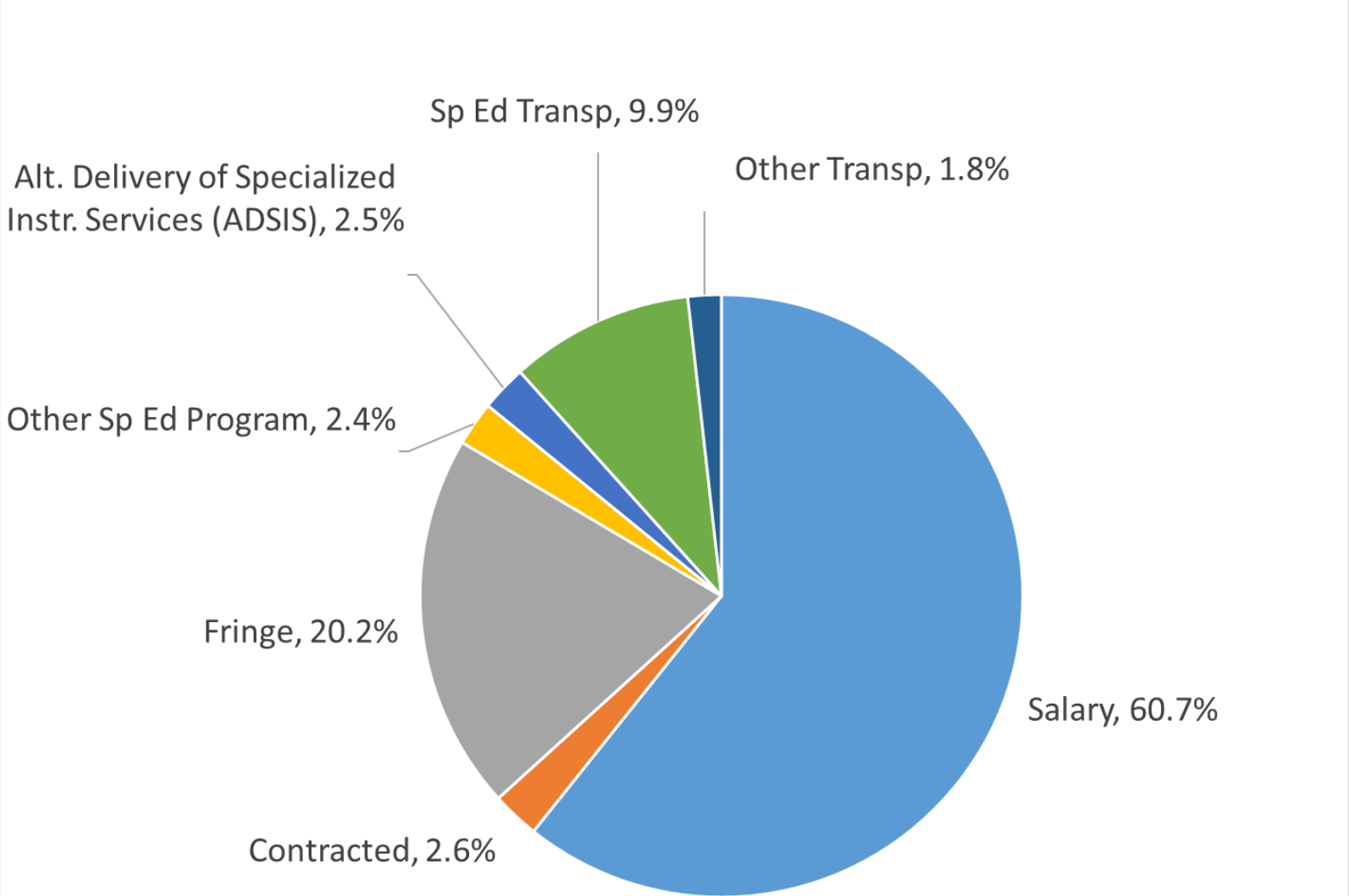


Primary Disabilities with Declining Enrollment, FY 13, FY 16 and FY 19

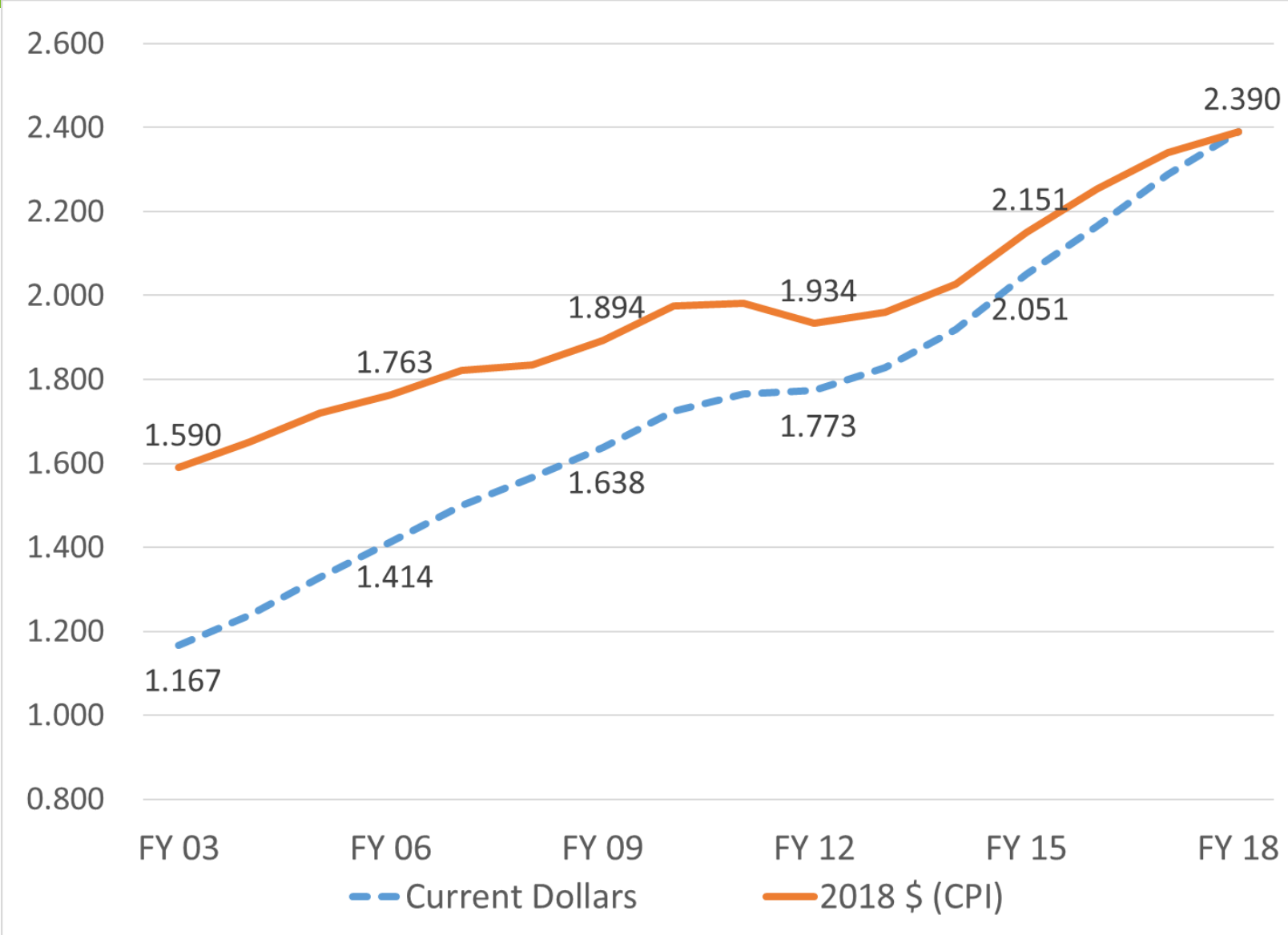
Public School and Nonpublic Shared-Time Students, Birth–21



Expenditures Eligible for State and Federal Special Education Aid by Expenditure Type, FY 18 (\$2.390 Billion)

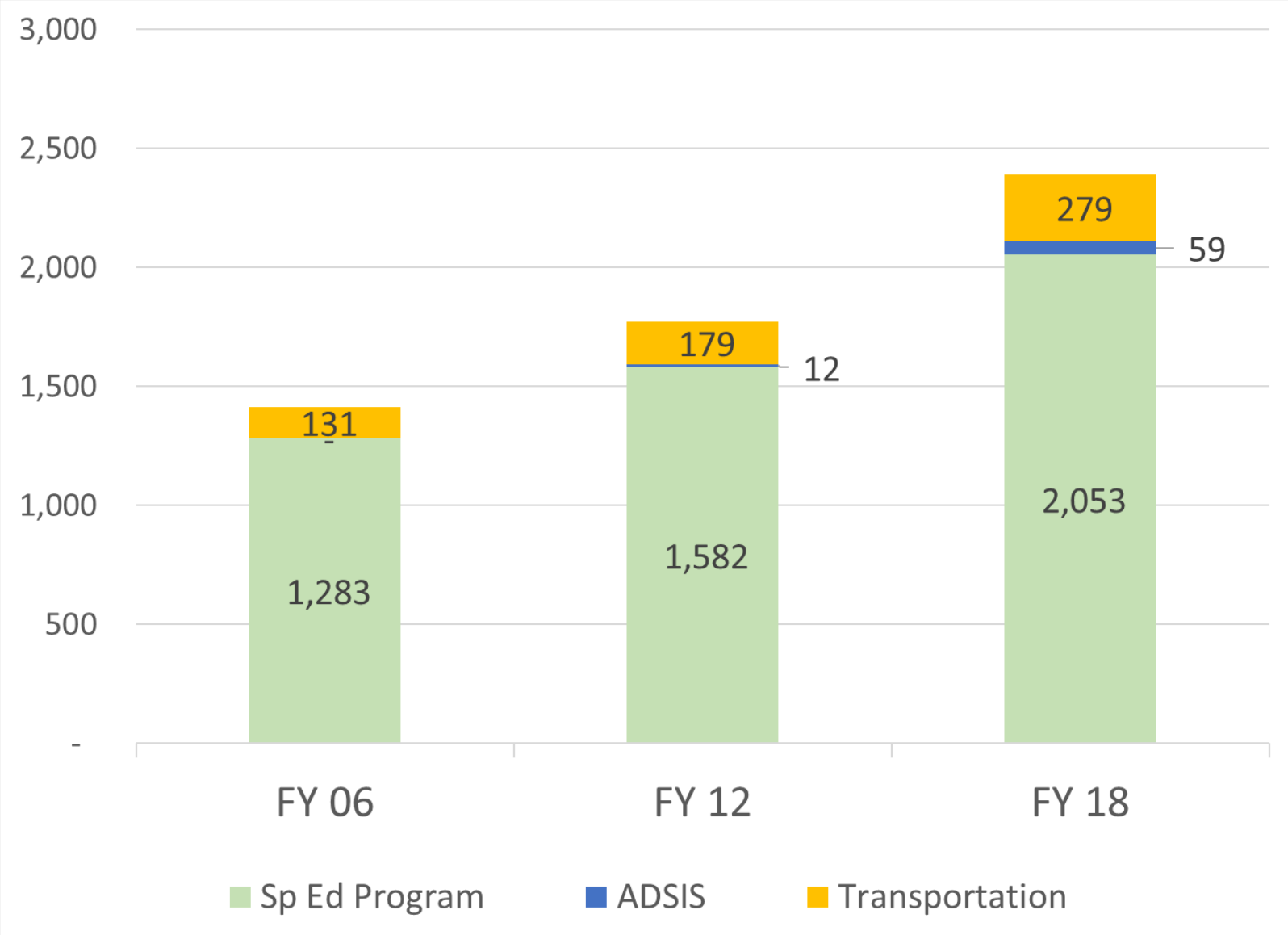


Expenditures Eligible for State and Federal Special Education Aid including Transportation and ADSIS (\$ in Billions FY 03 –FY 18)

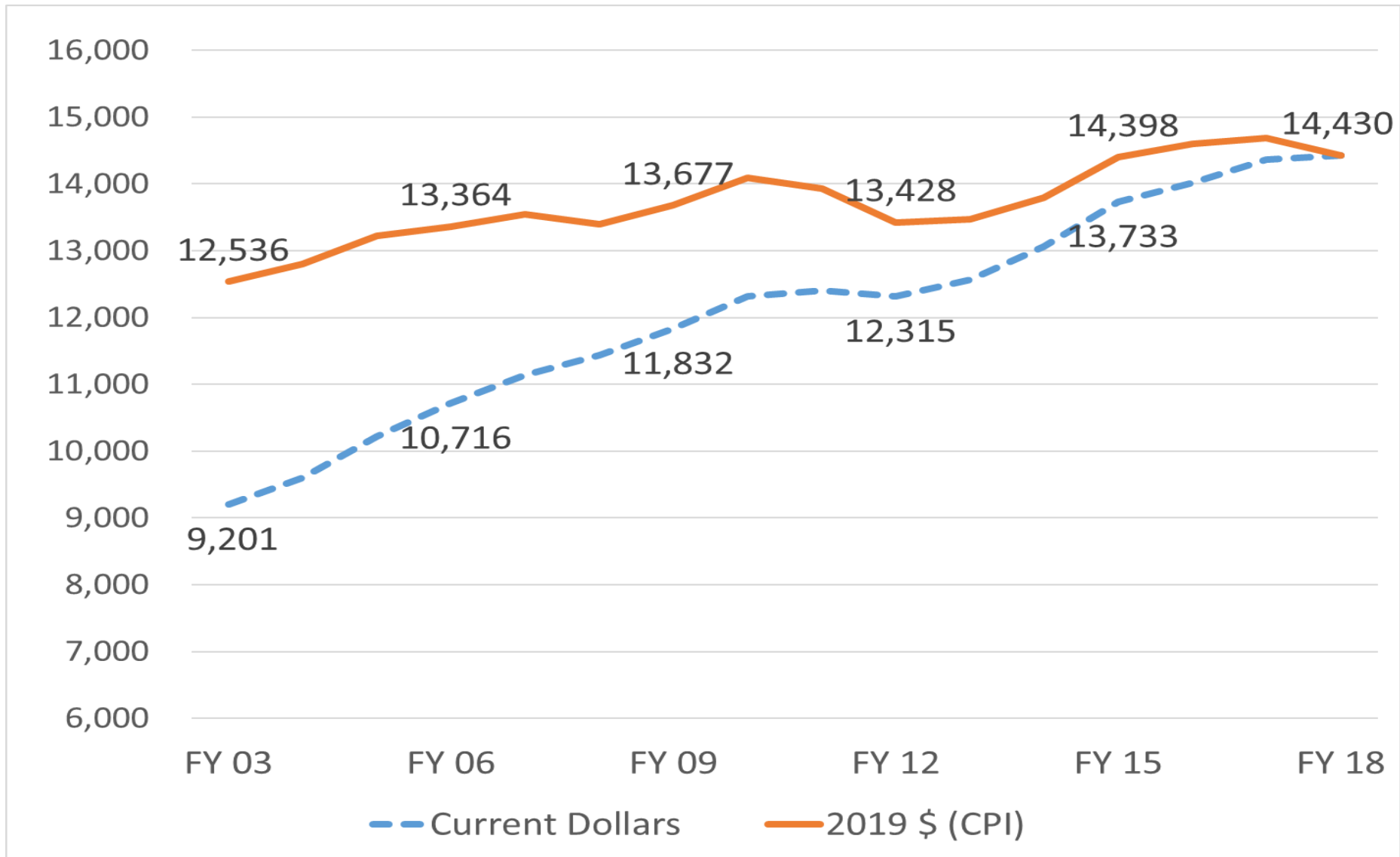


Expenditures Eligible for State and Federal Special Education Aid

Breakdown of Special Education program, ADSIS and Transportation Costs
\$ in Millions FY 06, FY 12 and FY 18)

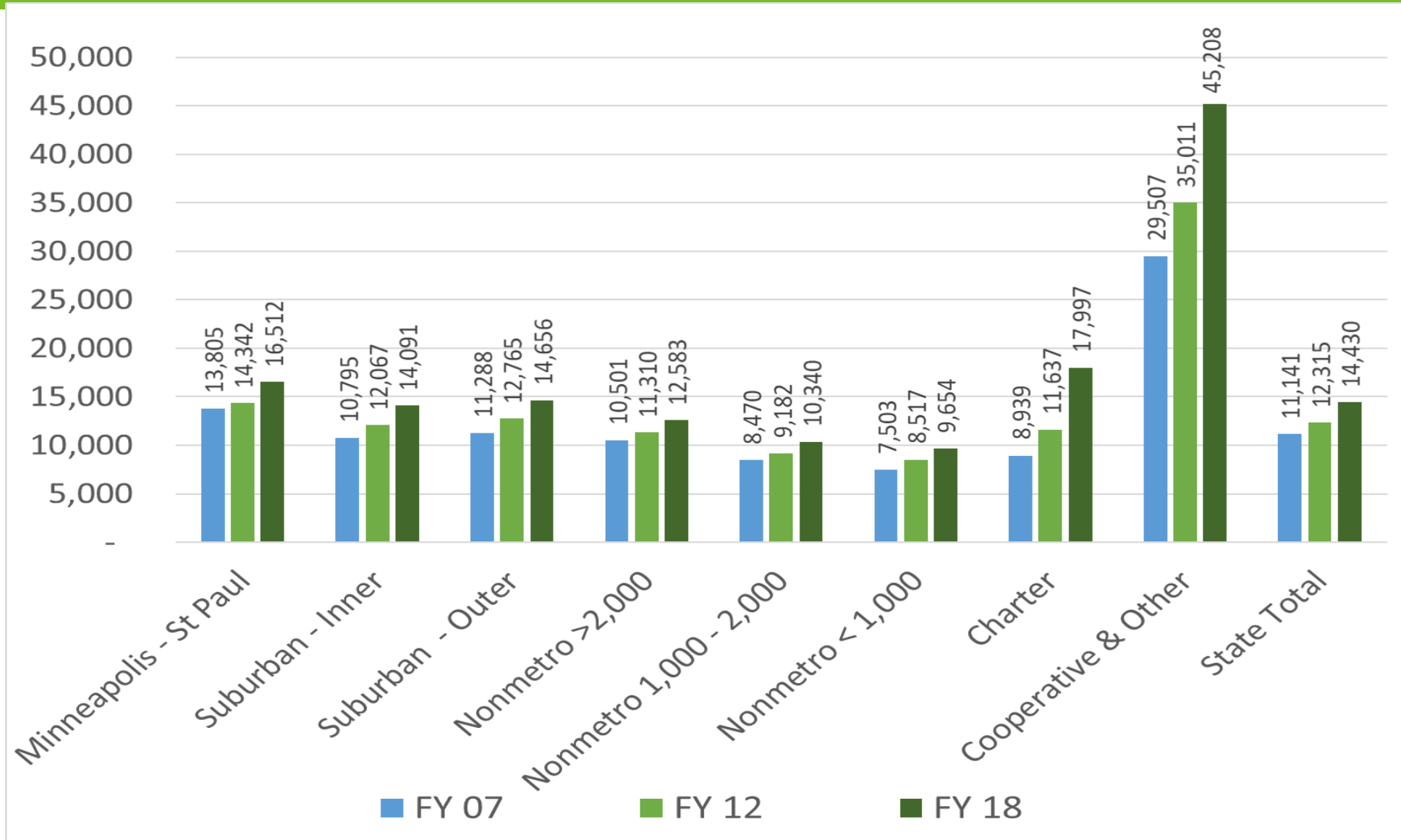


Average Special Education Expenditure per Special Education Student Eligible for State and Federal Funds, excluding Transportation and ADSIS



Average Special Education Expenditure per Special Education Student by District Type

Eligible for State and Federal Funds, excluding Transportation and ADSIS: FY 07, FY 12, FY 18



Special Education Expenditure per Student by Primary Disability

Highest Cost/Student (eligible for State and Federal Funds, excluding Transportation and ADSIS)

Primary Disability	FY 07	FY 18
Dev. Cognitive: Severe-Profound	46,321	49,018
Visually Impaired	23,140	26,399
Physically Impaired	28,095	25,189
Dev. Cognitive: Mild-Moderate	17,854	24,427
Deaf-Blind	8,451	23,993
Emotional/Behavioral Disorder	16,634	21,988
Severely Multiply Impaired	9,851	19,615

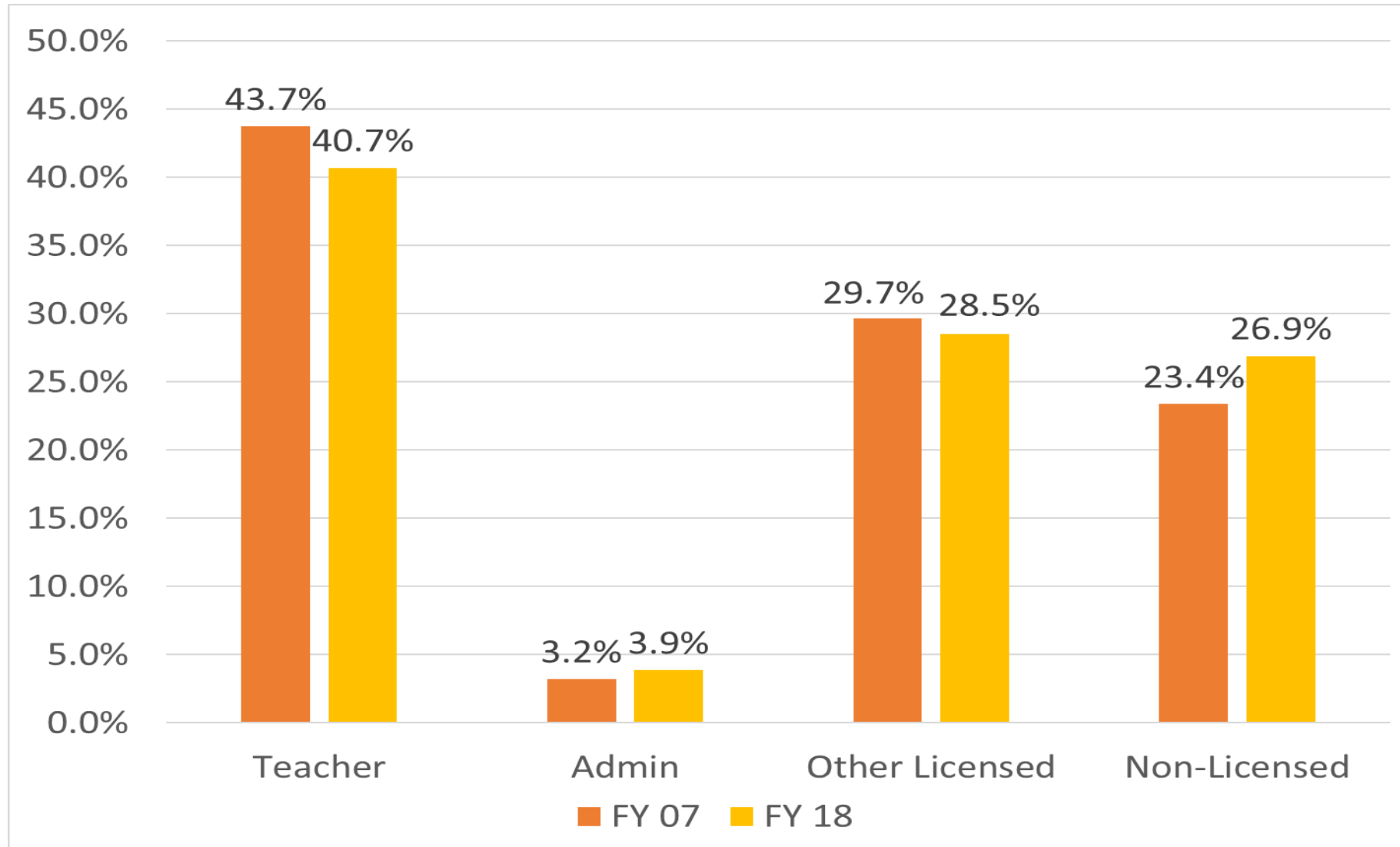
Special Education Expenditure per Student by Primary Disability

Lower Cost/Student (eligible for State and Federal Funds, excluding Transportation and ADSIS)

Primary Disability	FY 07	FY 18
Deaf/Hard-of-Hearing	16,327	18,240
Autistic Spectrum Disorders	11,695	16,045
Developmentally Delayed	11,134	13,265
Specific Learning Disability	8,818	10,914
Speech/Language	6,739	7,202
Traumatic Brain Injury	4,956	8,320
Other Health Disabilities	4,253	7,254

Special Education Salary Breakdown by Personnel Type

State and Federal Funds, FY 07 and FY 18



Special Education Salary Breakdown by Personnel Type and District Type

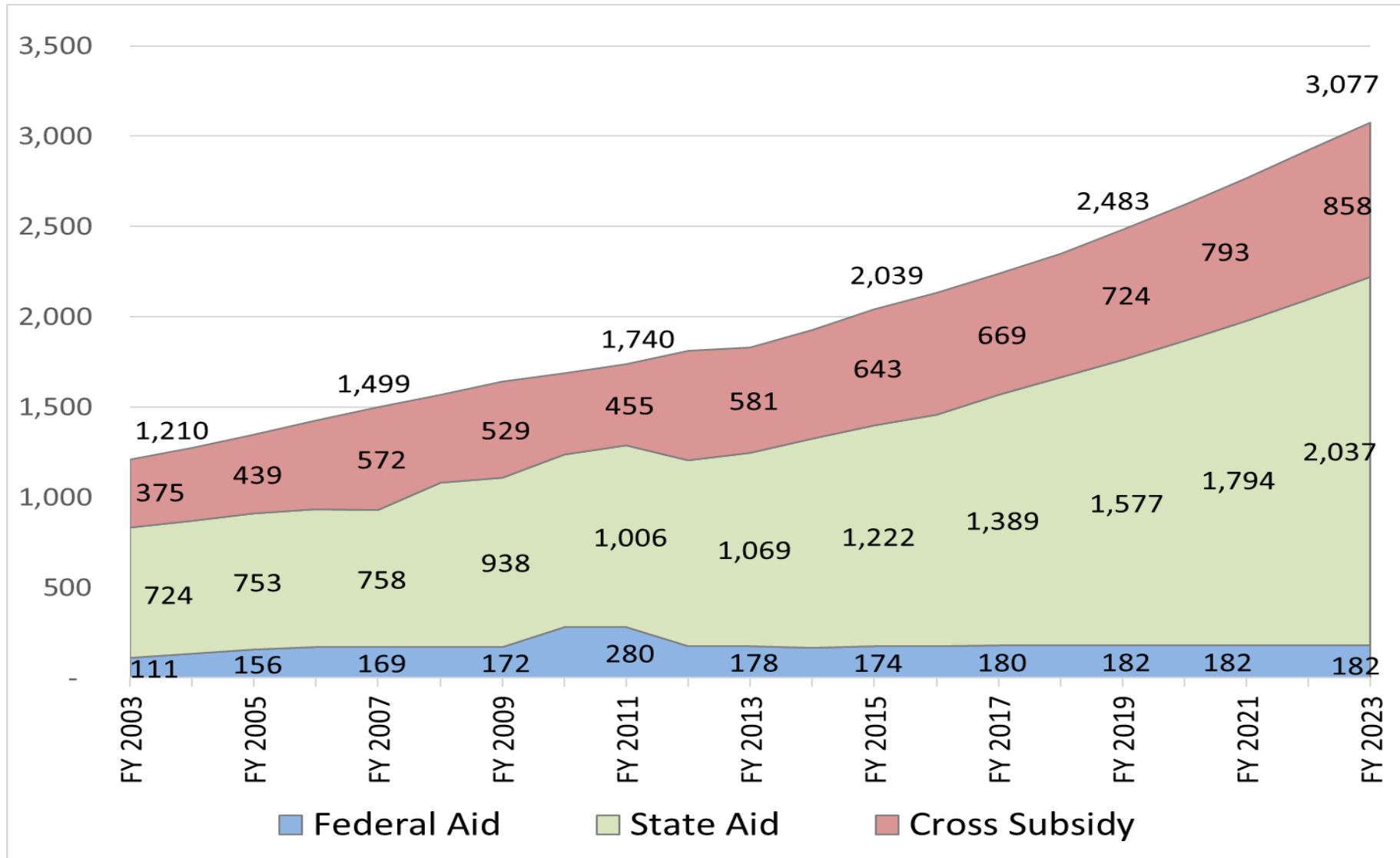
State and Federal Funds FY 18

	Teacher	Admin	Oth Licensed	Nonlicensed
Minneapolis - St Paul	41.7%	1.8%	35.8%	20.7%
Suburban - Inner	43.0%	4.7%	31.5%	20.8%
Suburban - Outer	41.8%	4.4%	30.8%	23.0%
Nonmetro >2,000	43.1%	2.4%	26.3%	28.2%
Nonmetro 1,000 - 2,000	43.1%	1.3%	23.2%	32.4%
Nonmetro < 1,000	43.1%	0.7%	22.3%	33.9%
Charter	29.7%	4.5%	28.2%	37.6%

Special Education Funding Trends, FY 03–FY 23

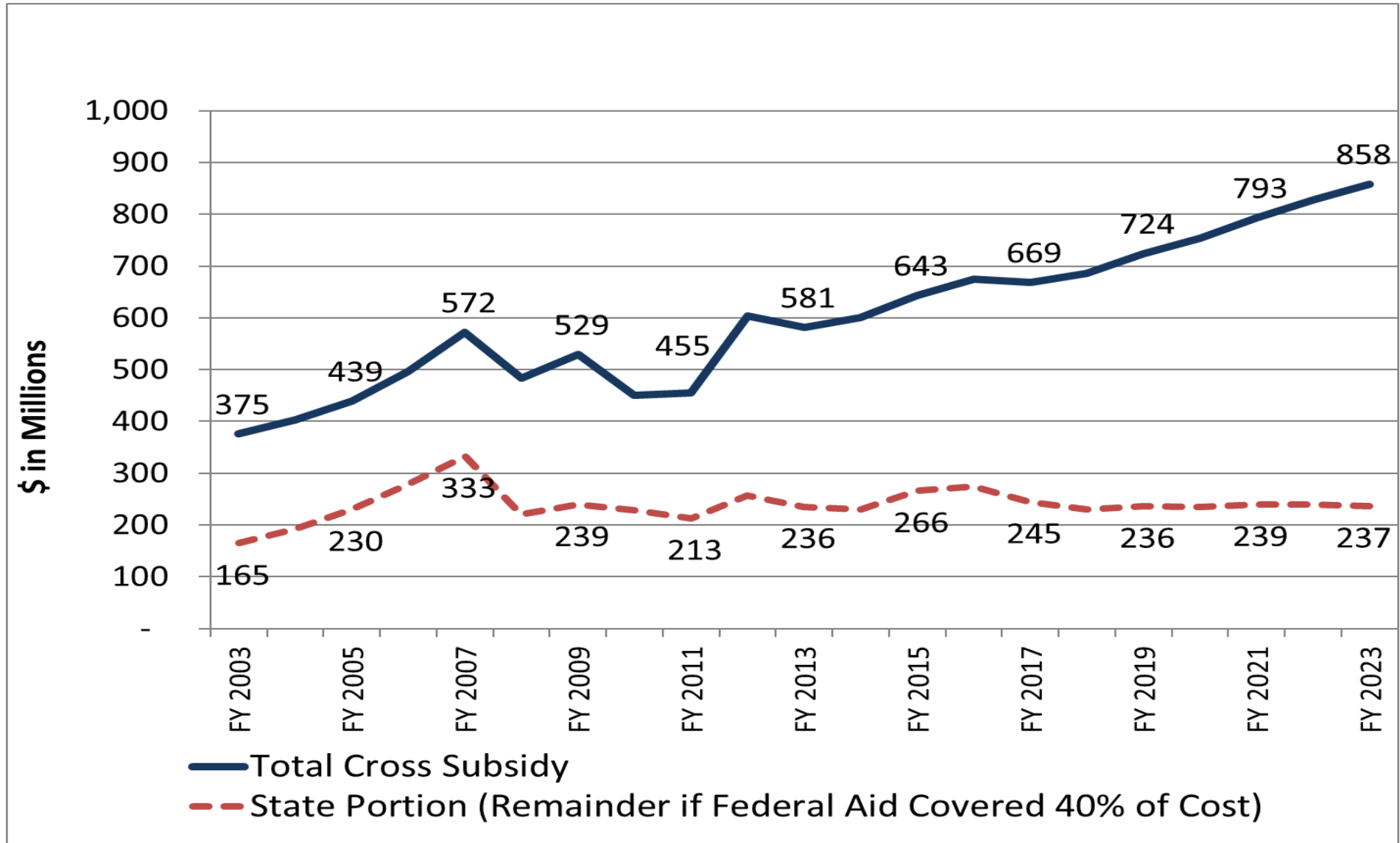
Federal Aid, State Aid and Cross Subsidy – Current \$ in Millions

November 2018 Forecast



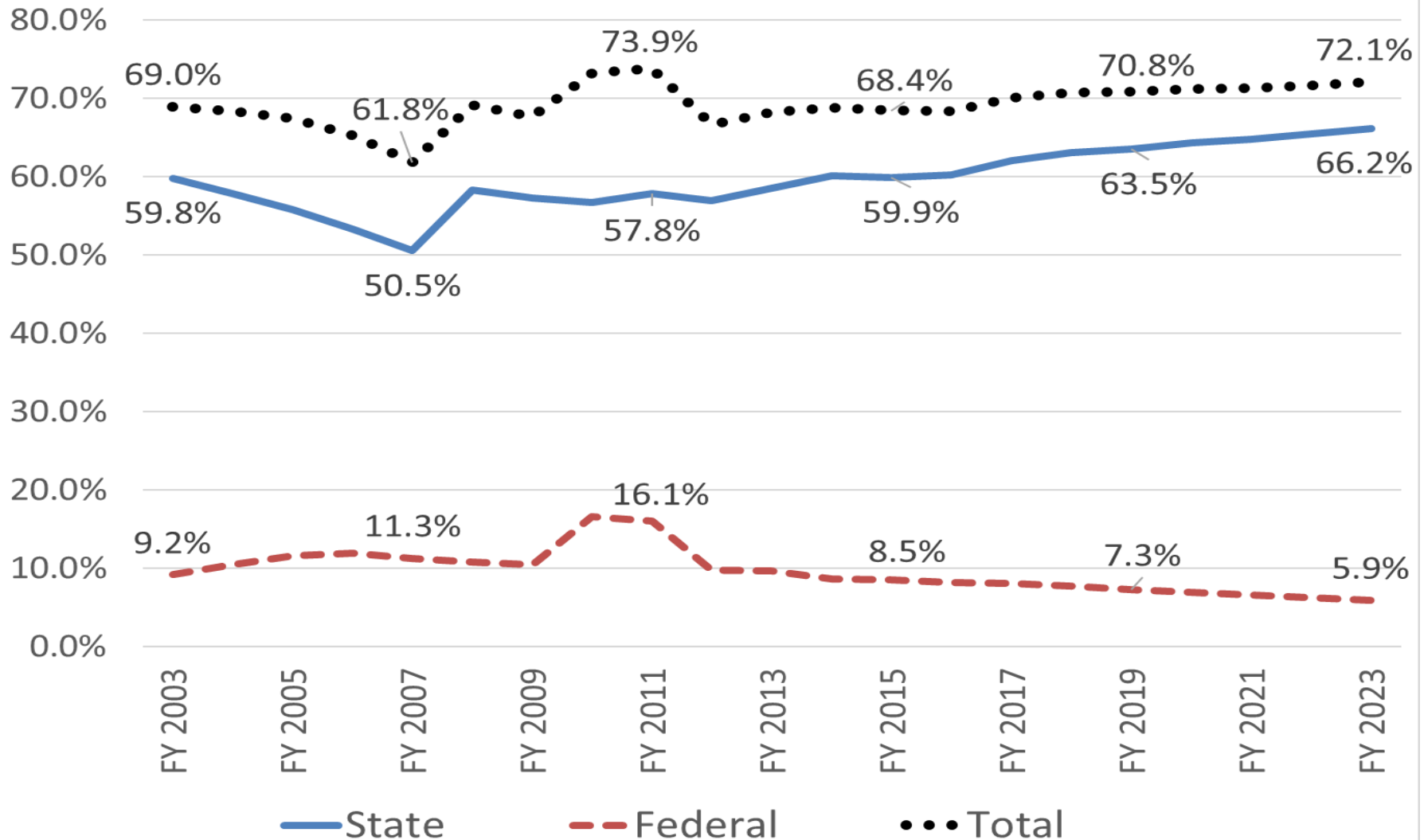
Special Education Cross Subsidy, FY 03–FY 23

Total and State Portion—(if Federal Funding Covered 40% of Excess Cost)
Current \$ (Millions)



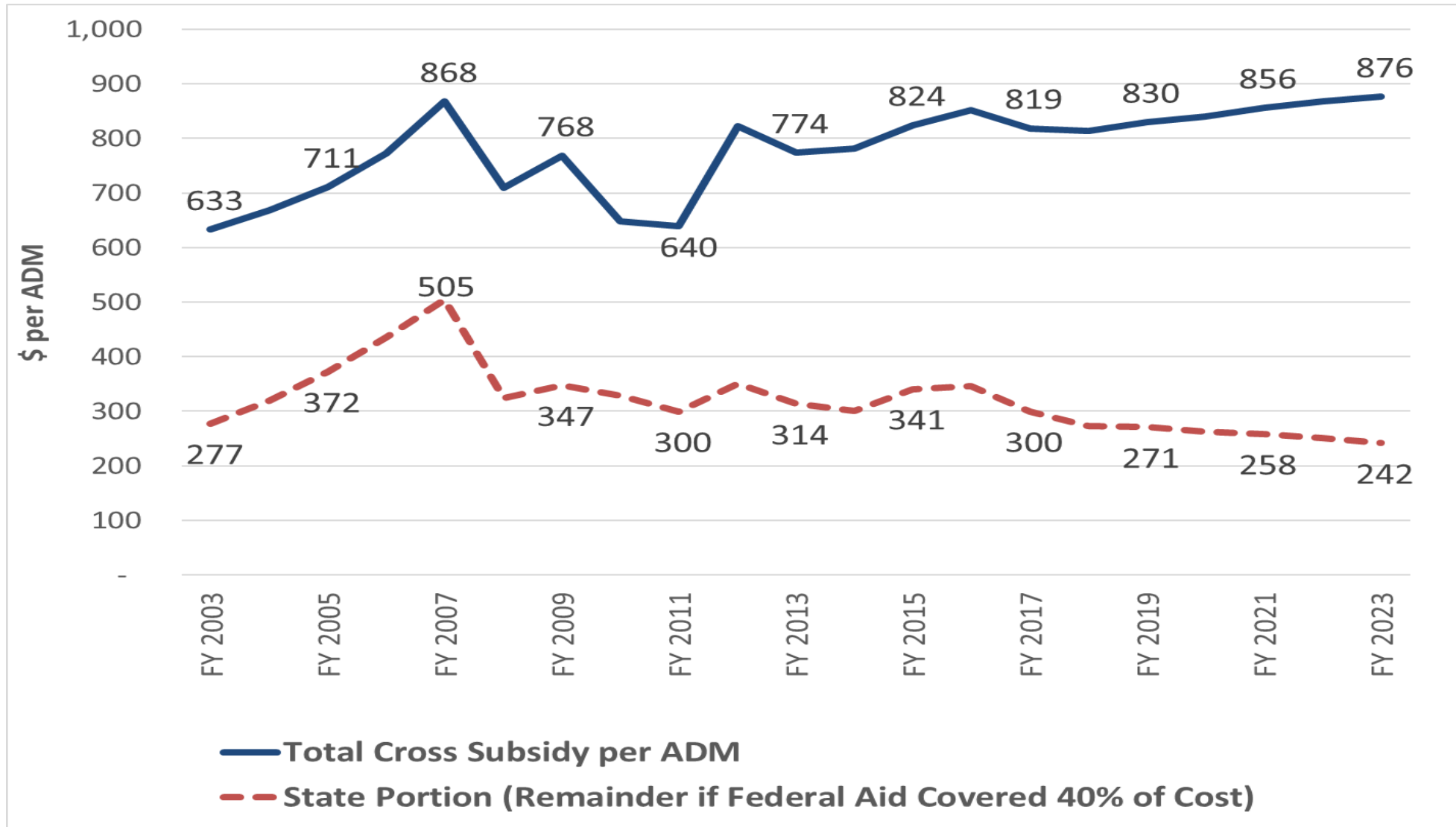
Special Education Funding Trends, FY 03–FY 23

State and Federal Aid as Percent of Special Education Cost

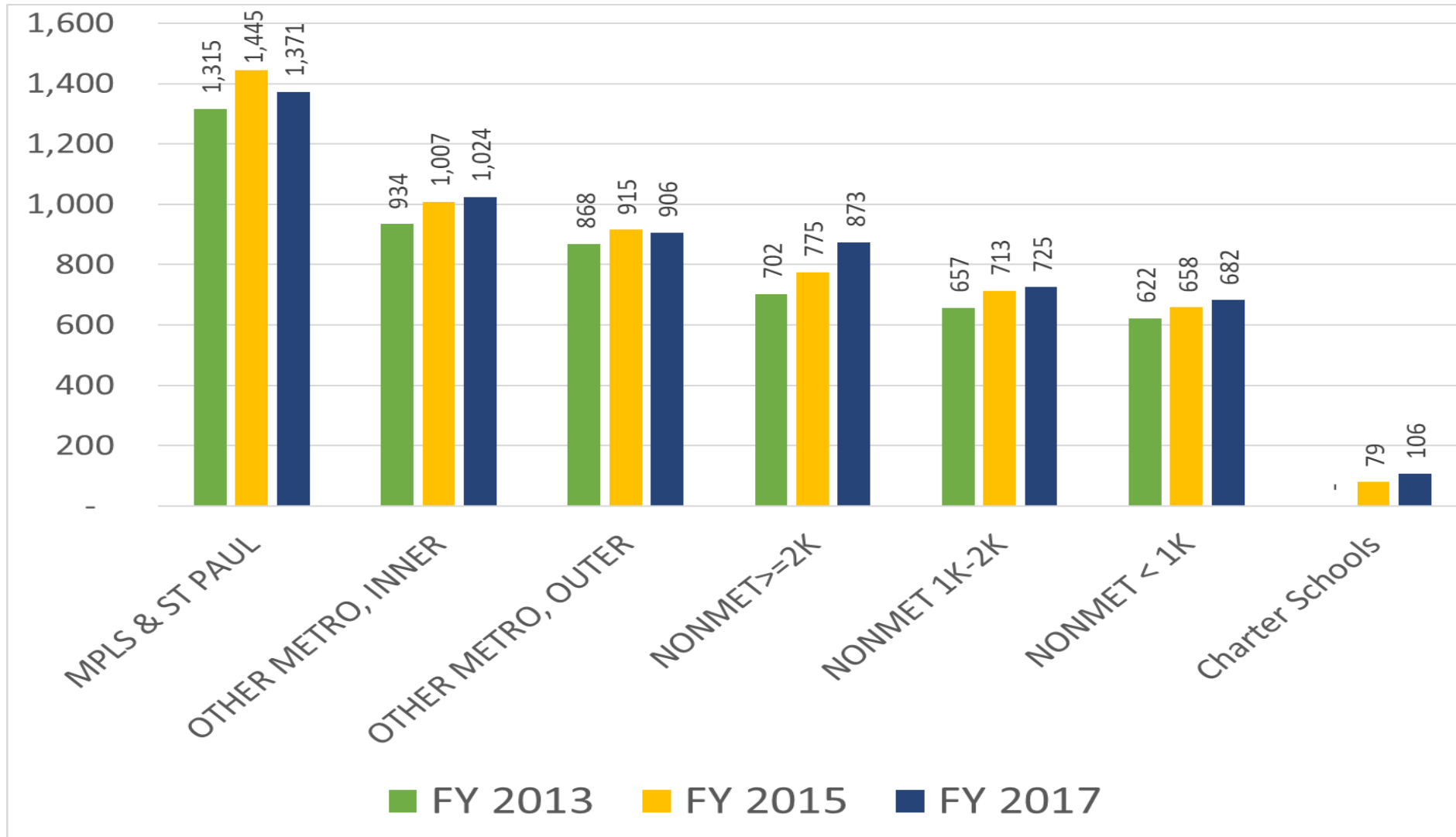


Special Education Cross Subsidy per ADM, FY 03–FY 23

Total and State Portion—(if Federal Funding Covered 40% of Excess Cost) Adjusted for Inflation (FY 19 \$)



Special Education Cross Subsidy per ADM by District Type, FY 13, FY 15 and FY 17 Adjusted for Inflation (FY 19 \$)



State Special Education Funding “Old Formula” (2012 Statutes)

- In effect through FY 15.
- Initial aid = 68% of eligible salaries +
52% of the difference between contracted service cost and
applicable general education revenue + (plus)
47% of special supplies and equipment.
- Excess cost aid = 75% of the difference between:
 - The sum of the district’s reimbursable expenditures not funded with initial aid and tuition payments for services eligible for initial aid, - (minus)
 - The sum of 4.36% of the district’s general education revenue and the district’s tuition receipts for services eligible for initial aid.
- Fringe benefit costs were not eligible for funding.

State Special Education Funding “Old Formula” (2012 Statutes)

- Legislation enacted in 1995 capped the state total initial aid and excess cost aid beginning in FY 1996 and based the aid calculations on second prior year data.
- Legislation enacted in 2003 eliminated inflation of the cap beginning in FY 04, creating a significant decrease in state aid as a percent of costs between FY 04 and FY 07.
- Legislation enacted in 2007 increased the cap significantly by fixed dollar amounts for FY 08–FY 11, and changed the aid calculations to use current year data. Beginning in FY 12, the cap was increased each year by 4.6%, and adjusted by the ratio of state total ADM in the current year to state total ADM in the prior year.
- The cap resulted in proration of initial aid and excess cost aid using a “statewide adjustment factor”.
- For FY 15, proration rates were 88.3% for initial aid and 67.6% for excess cost aid.

Special Education Funding

Education Finance Working Group (2012)

- MDE Commissioner Cassellius convened an Education Finance Working Group in June 2012.
- The working group was charged with developing a comprehensive set of school finance reforms, including special education finance.
- Membership on the working group consisted of parents, school officials, teachers, business representatives and members of the public and was determined by the commissioner.
- The working group held seven working meetings beginning on June 25, 2012, followed by 11 community outreach meetings throughout the state.
- Recommendations were adopted by two-thirds vote at the final meeting of the working group on November 27, 2012.

Special Education Funding

Education Finance Working Group Recommendations (November 2012)

- **Increase state special education aid by \$150—\$200 Million per year to reduce cross subsidies.**
- **Replace the old formula with a new formula to include the following changes:**
 - Eliminate the statewide cap on state special education aid, to reduce cross subsidies and make funding more predictable;
 - Make all special education costs not funded with federal aid (including fringe benefits) eligible for state aid, to improve the equity of special education aid allocations;
 - Calculate aid using prior year data, to improve predictability;
 - Allocate a portion of the aid based on student data, to begin aligning special education funding with general education funding (as done in most other states), to improve equity by making the funding per student by primary disability more comparable among districts; and,
 - Require the serving school district or charter school (excluding intermediate districts, cooperatives and charter schools with more than 70% of enrolled students with IEPs) to cover 10% of unfunded costs for open-enrolled students, to more equitably share cross subsidies between the resident and serving districts and provide an incentive for program efficiency in the nonresident serving district.

Special Education Funding

2013 Legislative Session

- Governor Dayton recommended adoption of the working group recommendations beginning in FY 15, with appropriation increases of \$125.8 Million for FY 15, \$158.9 Million for FY 16, and \$167.2 Million for FY 17.
- Neither the House nor the Senate included the governor's recommendations in their E-12 education bills, but the final legislation included a portion of the governor's recommendations:
 - A temporary cross-subsidy reduction aid was created for FY 14 and FY 15 only, based on the governor's recommendation to allocate a portion of special education aid based on student data, funded at \$11 Million for FY 14 and \$27.3 Million for FY 15.
 - A scaled-down version of the governor's recommendations for a new special education funding formula was enacted beginning in FY 16, funded with an increase of \$38.1 Million over the base for FY 16 and \$41 Million over the base for FY 17.
 - The governor's recommendation to require the serving school district or charter school to cover 10% of unfunded costs for open-enrolled students was enacted for FY 15 and later.

Special Education Funding

2013 Legislative Session

To move the special education funding formula in the direction of the governor's recommendations with a budget increase of about 25% of the governor's recommendation, the formula enacted in 2013 made the following changes from the governor's recommendations:

- Instead of calculating **Initial Aid** based solely on a student-driven formula, the Initial Aid is calculated using the **least** of a student-driven formula (with a lower aid percentage than recommended by the governor), a cost-driven formula based on old formula expenditures (excluding fringe benefits), or a cost-driven formula based on total nonfederal expenditures (including fringe benefits).
- Instead of calculating **excess cost aid** based solely on total nonfederal expenditures (including fringe benefits), excess cost aid is based on the greater of that formula (with a lower reimbursement percentage), or an excess cost formula based on old formula expenditures.
- A **hold-harmless** was added to ensure that no district will receive less than it would have received under the old formula based on FY 2016 data, and an individual district **growth cap** was added to limit a district's increase per ADM over what it would have received under the old formula.

Special Education Funding

New Formula Mechanics (FY 2016 and later): Initial Aid and Excess Cost Aid (Calculated using Prior Year Data)

Initial Aid equals the sum of 100% of special transportation cost plus the least of:

- 56% of the amount generated by a student-driven formula based on total ADM, number of students enrolled by primary disability, and statewide average cost per student by primary disability category;
- 62% of old formula cost (excluding fringe benefits); or,
- 50% of total nonfederal cost (including fringe benefits).

Excess Cost Aid equals the greater of:

- 62% of the difference between the old formula cost not reimbursed with initial aid and 2.5% of the product of the district's general education revenue and the ratio of \$5,831 to the prior year formula allowance; or,
- 56% of the difference between the total nonfederal cost not reimbursed with initial aid and 7% of the product of the district's general education revenue and the ratio of \$5,831 to the prior year formula allowance.

Special Education Funding

New Formula Mechanics: Student-Driven Formula Calculations

Student-driven funding = 56% of the sum of:

1) Census-based funding for higher-incidence, lower-cost primary disabilities

= Total ADM x (base rate + poverty adjustment + district size adjustment)

= Total ADM x (\$450 + \$400 x free and reduced-price lunch concentration + .008 x total ADM)

2) Child count-based funding for lower-incidence, higher-cost primary disabilities

= \$10,400 x child count for autism spectrum disorders, developmental delay, and severely multiply impaired

+ \$18,000 x child count for deaf and hard-of-hearing and emotional or behavioral disorders

+ \$27,000 x child count for developmentally cognitive mild-moderate, developmentally cognitive severe-profound, physically impaired, visually impaired, and deafblind

The amount computed above is adjusted for inflation at 4.6% per year for FY 17 and later.

Special Education Funding

New Formula Mechanics: Tuition Adjustments (Calculated using Current Year Data)

- For students placed by the resident district in a cooperative or intermediate district, or enrolled in a charter school with at least 70% special education students, 100% of the unfunded special education cost is added to the special education aid for the serving cooperative/school and subtracted from the aid for the resident district.
- For students open enrolling to another district or to a charter school with less than 70% special education students, 90% of the unfunded special education cost is added to the special education aid for the serving district/school and subtracted from the aid for the resident district.
- These are known as “tuition adjustments” because historically, the intermediate/cooperative/charter school/nonresident serving district would bill the resident district for its unreimbursed costs.
- For FY 17, special education tuition adjustments totaled about \$207 Million statewide.
- Districts may elect to use some of their federal special education aid to pay tuition bills rather than having the tuition deducted from their state special education aid, as long as they continue to meet federal Maintenance of Effort (MOE) requirements.

Special Education Funding

New Formula Mechanics: Hold Harmless and Growth Cap

- A **hold harmless** provision is included to ensure that no district will receive less aid than it would have received under the old formula for FY 16, adjusted in later years for inflation and enrollment change.
 - 70 districts received hold-harmless aid in FY 17 totaling \$6.1 Million
- A district-specific **growth cap** is included, which limits the increase a district can receive over what it would have received under the old formula for FY 16 to \$80 per ADM. For later years, the base for the cap is adjusted for inflation and enrollment change in the district, and the limit over the adjusted base is increased to \$100 per ADM in FY 17, with an annual increase of \$40 per ADM in later years.
 - 124 districts were limited by the growth cap in FY 17, with the reduction to aid totaling \$21.8 Million

Special Education Funding

Hold Harmless and Growth Cap Adjustments for FY 17 and Later

- FY 16 is the base for later years. (Old formula aid is not calculated for FY 17 and later.)
- **Hold harmless guarantee** for FY 17 and later =
 - FY 16 hold harmless guarantee, increased annually by 4.6% for inflation, x (times)
 - The ratio of district total ADM for the current year to district total ADM for FY 16.
- **Aid cap** for FY 17 and later =
 - Hold harmless guarantee, as adjusted above, plus aid increase limit of \$100/ADM for FY 17, with \$40 per ADM added each year thereafter.

Impact of New Formula

FY 17 New Formula Aid by Category as Percent of FY 17 Special Education Cost

	Initial & Excess Cost Aid	Tuition Adj - State	Tuition- Fed Funds	Hold Harmless	Growth Cap	Net Total
Totals	61.0%	0.0%	0.2%	0.3%	-1.0%	61.5%
MPLS & ST PAUL	63.9%	-13.2%	0.0%	0.0%	-0.4%	50.7%
OTHER METRO, INNER	61.3%	-10.7%	0.1%	0.1%	-1.5%	50.7%
OTHER METRO, OUTER	62.3%	-6.9%	0.1%	0.0%	-1.2%	55.5%
NONMET >=2K	60.3%	-4.9%	0.2%	0.6%	-1.3%	56.1%
NONMET 1K-2K	62.1%	-6.0%	0.2%	0.2%	-0.9%	56.5%
NONMET < 1K	61.7%	-6.5%	0.2%	1.8%	-1.4%	57.2%
CHARTER	54.2%	41.5%	0.6%	n/a	n/a	96.2%
COOPS	55.4%	60.7%	1.4%	n/a	n/a	117.5%

Impact of New Formula

FY 17 Increase in Aid per ADM over Old Formula by District Type
Percent of Districts by Increase Level

	Hold Harmless	Not on Hold Harmless or Growth Cap	Increase Limited by Cap (\$100)
STATE TOTAL	21%	42%	37%
MPLS & ST PAUL	0%	0%	100%
OTHER METRO, INNER	8%	46%	46%
OTHER METRO, OUTER	6%	47%	47%
NONMET ≥ 2K	10%	52%	38%
NONMET 1K-2K	12%	57%	32%
NONMET < 1K	32%	33%	35%

Concerns/Issues with New Formula and Potential Solutions

Funding Level and the Cross Subsidy

- **Funding is not sufficient to stop the growth of the cross subsidy.**
- Assuming special education expenditures increase at the rate projected in the November 2018 forecast:
 - To hold the average cross subsidy per ADM constant at the FY 19 level of \$830, an increase of \$78 Million in state appropriations for the FY 20–FY 21 biennium would be needed.
 - To buy down the average cross subsidy by \$50 per ADM in FY 20 and an additional \$50 per ADM in FY 21, an increase of \$200 Million in state appropriations for the FY 20–FY 21 biennium would be needed.

Concerns/Issues with New Formula and Potential Solutions

Pupil-Driven Portion of Initial Aid Calculation

- **The rates used in the pupil-driven portion of the initial aid formula are out of date.**
- The current rates are based on FY 11 data (the latest available when the formula was enacted in 2013), adjusted for inflation at 4.6% per year.
- Minnesota Statutes, section 125A.76, subdivision 2d., requires MDE to:
 - Annually calculate the state average special education expenditure per December 1 child count for the prior fiscal year by primary disability area and provide that information to all districts; and,
 - By January 15 of each odd-numbered year, identify options for aligning assignment of disability areas to costs categories, and adjusting rates for each cost category based on the latest data, and submit these options to the education finance committees of the Legislature.

Concerns/Issues with New Formula and Potential Solutions

Pupil-Driven Portion of Initial Aid Calculation

- The findings of the FY 18 cost study call for the following changes:
 - No changes in assignment of disability categories to cost levels.
 - The following changes in formula rates per student:
 - From \$10,400 to \$13,000 for cost level 2 (autism, developmental delay, severely multiply impaired)
 - From \$18,000 to \$18,300 for cost level 3 (Deaf and hard-of-hearing, emotional-behavioral disorders)
 - From \$27,000 to \$25,400 for cost level 4 (developmentally cognitive, physically impaired, visually impaired, deaf-blind)
- Implementing this change (with no other changes in the current formula) would increase total special education aid by an estimated \$2 Million per year (\$7.7 M increase in initial aid offset by \$4.4 M reduction in excess cost aid and \$1.3 M in savings on growth cap and hold harmless).

Concerns/Issues with New Formula and Potential Solutions

Hold Harmless and Growth Cap

By using FY 16 as a base year, the hold harmless and growth cap are unfair to districts where FY 16 costs were unusually low, or that have large cost increases in later years that are beyond their control. In general, this is a bigger problem for smaller districts where special education costs are more variable from year to year than for larger districts.

Potential solutions include:

1. Eliminating (or increasing) the growth cap

- Based on the November 2018 forecast, eliminating the growth cap would cost \$24.7 Million for the FY 20—FY 21 biennium.

2. Eliminating or phasing out the use of a base year and replacing the hold harmless and growth cap with a guarantee that the sum of the initial and excess cost aid (prior to tuition adjustments) will be at least a minimum percentage of current year costs, and no more than a maximum percentage of current year costs (e.g., 50% - 65%).

Concerns/Issues with New Formula and Potential Solutions

Tuition Billing

The resident district has little opportunity to control the cost of special education services provided to its students who open enroll out of the district, and the tuition bills are often higher than what the district's unfunded costs would be had it served these students within the district.

- Under the new formula, the resident district is responsible for covering 90% of the unfunded special education costs for resident students open enrolling to another district or to most charter schools.
- The resident district is responsible for 100% of the unfunded special education cost for resident students open enrolling in a charter school where at least 70% of the enrolled students have an Individualized Education Program (IEP).
- This raises the question of whether 90% is the appropriate share of unfunded costs for the resident district to cover, and if the resident district share should be lower, and whether the difference should be picked up by the state or the servicing district or charter school.

Concerns/Issues with New Formula and Potential Solutions

Complexity and Lack of Predictability

The new formula is complex, making it difficult for districts to budget accurately.

- Budgeting was especially difficult in FY 16 because it was the first year of a new formula and the base for the hold harmless and growth cap calculations had not yet been established.
 - The uncertainty was at its greatest in the Monticello district, where the change to the new funding formula was combined with a change from a host district structure to a joint powers cooperative in the same year.
- While the formula remains complex for later years, funding is much more predictable for FY 17 and later:
 - Initial and excess cost aid are calculated using prior year data, so actual aid can be calculated accurately as soon as prior year data for the district are cleaned up.
 - The hold harmless and growth cap are based on final FY 16 data, adjusted for ADM change and inflation. Districts generally have a good handle ADM projections.

Concerns/Issues with New Formula and Potential Solutions

Complexity and Lack of Predictability

Use of prior year data for initial and excess cost aid calculations together with current year data for tuition billing has contributed to the lack of predictability.

- The resident district doesn't have a good sense of how accurate the tuition billing estimates used for current aid payment are, since those are calculated by MDE based on estimates of current year data submitted by the serving district, charter school or cooperative.
- The serving district/charter school/cooperative has not always put a priority on accurate reporting of estimated current year costs, since the bulk of the aid is based on prior year data. As a result, estimated tuition bills used for current aid payments have often been inaccurate, and when actual data is reported, the final tuition bills swing wildly from the estimates, throwing the resident district's budget out of balance.

Potential solutions include:

- Using current year data for the initial and excess cost aid calculations to simplify the formula and stabilize tuition billing by ensuring a stronger focus on accurate reporting of current year estimates during the school year; and,
- Better training of district and charter school staff who report the data to MDE.

Thank you!

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