

HF965 - 1A - Special Education Recovery Services; COVID-19

Chief Author: **Heather Edelson**
 Committee: **Education Finance**
 Date Completed: **3/19/2021 9:43:50 AM**
 Agency: **Education Department**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Alyssa Holterman Rosas **Date:** 3/19/2021 9:43:50 AM
Phone: 651-284-6439 **Email:** alyssa.holterman.rosas@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2021	FY2022	FY2023	FY2024	FY2025
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

This bill requires school districts to provide special education recovery services and support plans for students with individualized education plans (IEP) who have been adversely impacted disruptions to on-site instruction due to COVID-19.

Subd. 2 states that IEP teams must meet as soon as possible but no later than 12/1/21 to discuss services/supports that are necessary. Services and supports may include, but are not limited to, extended school year services, additional IEP services, compensatory services and other appropriate services.

Subd. 2 also requires LEAs to report to the commissioner of MDE the services and supports provided to students with disabilities, including the cost of providing the services.

Subd. 2 (b) provides details as to who would qualify for the additional supports and services, including details and information LEAs should be evaluating for each student.

Funding for recovery services is available through June 30, 2023.

Assumptions

Minnesota Statute 125A.08, Subdivision 2 requires school districts to “develop a plan to address progress or skills lost due to disruptions to on-site instruction” for students with disabilities, and Minnesota Rule 3525.1100 already requires school districts to plan for providing instruction and related services upon request for all pupils as required by Minnesota Statutes 125A.03 to 125A.24 (students with disabilities and special education), including a description of the full range of available educational service alternatives. All of the requirements of this bill are already set forth in current statute.

The only additional cost beyond what current law requires would be to meet the 12/1/21 deadline. This is further outlined in the Local Fiscal Impact section. However, without conducting a study of all LEAs it would not be possible to forecast the additional cost to meet this deadline.

Since this bill no longer has the general education requirements, there won't be a fiscal note cost for LEAs.

MDE responsibilities outlined in the bill are to collect school district plans, distribute funds, create guidance and provide oversight.

The funding for IEP services required from this bill would be paid for with both regular state and federal special education funding. If the report submitted from every LEA which is to include the cost of providing services was to be paid separately, MDE would need to create a financial tracking and payment system along with provide significant training so that LEAs did not double report these costs as eligible special education costs for state and federal aid. If LEAs were just to report the cost of services to MDE but continue to report eligible special education costs as normal, MDE would be able to show how

much state special education aid was paid to each LEA.

If federal funds become available, districts can shift their spending to the federal funds. State spending cannot be cancelled as there are not new state costs as a direct result of the bill.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

Districts and charters will have significant obligations in planning, staffing and delivery of recovery services outlined in this bill. The requirement that all IEP teams meet to discuss need for recovery services by December 1, 2021 could be particularly challenging.

References/Sources

Agency Contact: Paul Ferrin 651-582-8864 & Robyn Widley

Agency Fiscal Note Coordinator Signature: Melissa Johnson

Phone: 651-582-8690

Date: 3/19/2021 9:41:50 AM

Email: melissa.r.johnson@state.mn.us