

AMENDMENTS TO SENATE BILL NO. 1316

Sponsor: SENATOR PILEGGI

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1 Amend Bill, page 2, line 19, by inserting after "AREA."

2 The department shall develop guidelines for school districts
3 to report expenditures for students with disabilities as
4 required by this section no later than August 1, 2014.

5 Amend Bill, page 3, line 30, by inserting after "each"
6 school

7 Amend Bill, page 4, line 1, by striking out "clauses" and
8 inserting
9 clause

10 Amend Bill, page 4, line 2, by striking out "(3.3), (3.4),
11 (3.5) AND (3.6)"

12 Amend Bill, page 4, line 2, by striking out "provide" and
13 inserting
14 provides

15 Amend Bill, page 4, line 30, by inserting after "(ii)"
16 (A)

17 Amend Bill, page 5, by inserting between lines 6 and 7

18 (B) If there is a disagreement between the department and a
19 charter school with regard to the cost of providing an education
20 to a student as documented in unit (A), a charter school may
21 request that the costs attributed to the student be reviewed by
22 a special education cost review panel. The special education
23 cost review panel shall be made up of individuals experienced in
24 providing services to students with disabilities and shall
25 consist of a representative of the student's school district of
26 residence, a representative of the charter school and a third
27 party agreed upon by both the student's school district of
28 residence and the charter school. If the parties cannot agree
29 upon the third party panel member within fifteen days from the

1 date of the appeal, the department shall appoint the panel
2 member. Within thirty days from the date of the appeal, the
3 special education cost review panel shall render a decision
4 which shall be binding for the remainder of the school year.
5 Until a decision on the appeal is made by the panel, the charter
6 school shall be paid the rate based upon the department's
7 original determination with regard to the cost of providing an
8 education to the student.

9 Amend Bill, page 5, lines 7 through 13, by striking out "The
10 department shall annually adjust the weights" in line 7 and all
11 of lines 8 through 13 and inserting

12 For each weight provided in subclause (i) (A), (B) and (C)
13 for each school district, the department shall annually make the
14 following adjustment:

15 (A) Divide the school district's total expenditure for
16 special education programs and services excluding gifted
17 education by the number of special education students who reside
18 in the school district.

19 (B) Divide total expenditure for special education programs
20 and services excluding gifted education for all school districts
21 by the total number of special education students residing in
22 all school districts.

23 (C) Divide the quotient in unit (A) by the quotient in unit
24 (B).

25 (D) If the quotient in unit (C) is greater than one (1),
26 multiply the quotient by the weight to determine the school
27 district adjustment.

28 (E) In no case shall the adjustment made in subclause (i) (A)
29 and (B) result in a payment that exceeds the maximum amount
30 within the category's dollar range and in no case shall the
31 adjustment in subclause (i) (C) result in a payment that exceeds
32 the actual cost of providing an education to the student as
33 determined under subclause (ii).

34 Amend Bill, page 5, lines 22 through 30; pages 6 through 10,
35 lines 1 through 30; page 11, lines 1 through 3, by striking out
36 all of said lines on said pages and inserting

37 (3.2) To transition to the new student-based funding
38 methodology for special education students under clause (3.1), a
39 charter school shall receive for each student enrolled an amount
40 to be paid by the district of residence and determined as
41 follows:

42 (i) For each special education student under clause (3.1) (i)
43 (A) in Category 1, the following shall apply:

44 (A) Determine the number of special education students under
45 clause (3.1) (i) (A) from the school district who were enrolled in

1 a charter school with individualized education plans as required
2 under the Individuals with Disabilities Education Act (Public
3 Law 91-230, 20 U.S.C. § 1400 et seq.), as of May 31, 2014.

4 (B) Divide the number determined in unit (A) by the total
5 number of students enrolled in a charter school from the school
6 district under clause (3.1)(i)(A) as of October 1.

7 (C) Multiply the lesser of the quotient in unit (B) or one
8 (1) by the amount for the same special education student
9 determined in clause (3) for the 2013-2014 school year.

10 (D) Subtract the lesser of the quotient in unit (B) or one
11 (1) from one (1) and multiply the difference by the amount for
12 the same special education student in clause (3.1)(i)(A).

13 (E) Add the amounts in units (C) and (D) to determine the
14 amount paid by the school district.

15 (ii) For each special education student under clause (3.1)
16 (i)(B) in Category 2, the following shall apply:

17 (A) Determine the number of special education students under
18 clause (3.1)(i)(B) from the school district who were enrolled in
19 a charter school with individualized education plans as of May
20 31, 2014.

21 (B) Divide the number determined in unit (A) by the total
22 number of students enrolled in a charter school from the school
23 district under clause (3.1)(i)(B) as of October 1.

24 (C) Multiply the lesser of the quotient in unit (B) or one
25 (1) by the amount for the same special education student
26 determined in clause (3) for the 2013-2014 school year.

27 (D) Subtract the lesser of the quotient in unit (B) or one
28 (1) from one (1) and multiply the difference by the amount for
29 the same special education student in clause (3.1)(i)(B).

30 (E) Add the amounts in units (C) and (D) to determine the
31 amount paid by the school district.

32 (iii) For each special education student under clause (3.1)
33 (i)(C) in Category 3, the following shall apply:

34 (A) Determine the number of special education students under
35 clause (3.1)(i)(C) from the school district who were enrolled in
36 a charter school with individualized education plans as of May
37 31, 2014.

38 (B) Divide the number determined in unit (A) by the total
39 number of students enrolled in a charter school from the school
40 district under clause (3.1)(i)(C) as of October 1.

41 (C) Multiply the lesser of the quotient in unit (B) or one
42 (1) by the amount for the same special education student
43 determined in clause (3) for the 2013-2014 school year.

44 (D) Subtract the lesser of the quotient in unit (B) or one
45 (1) from one (1) and multiply the difference by the amount for
46 the same special education student in clause (3.1)(i)(C).

47 (E) Add the amounts in units (C) and (D) to determine the
48 amount paid by the school district.

49 (iv) In no case shall a payment made under subclause (iii)
50 exceed the amount allowed for the same student under clause
51 (3.1).

1 (v) At such time that the amount determined under subclause
2 (i) for a student in Category 1 is greater than the amount
3 determined for a student under clause (3) for the 2013-2014
4 school year, payment made by the school district of residence
5 shall be based on the provisions under clause (3.1) and the
6 transition under this clause shall expire.

7 (vi) The department shall develop guidelines to collect the
8 enrollment data required under this clause and calculate
9 estimated payments until such time as actual enrollments are
10 determined.