

# SENATE BILL REPORT

## SB 6115

---

---

As of March 1, 2007

**Title:** An act relating to special education safety net awards.

**Brief Description:** Creating special education safety net awards.

**Sponsors:** Senators Brandland, Rasmussen, Holmquist, Kauffman, Clements, Hobbs, McCaslin, Berkey, Marr, Delvin, Shin, Roach, Regala, Stevens, Swecker, Benton, Hargrove, Spanel, Hewitt and Kline.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/28/07.

---

### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Kimberly Cushing (786-7421)

**Background:** Safety net funding is available to school districts with a demonstrated need for special education funding in excess of state and federal funding otherwise provided. Actual awards are based upon the cumulative need demonstrated on individual high-need student's worksheets. A state oversight committee for the special education safety net is established by rule and members are appointed by the Office of the Superintendent of Public Instruction (OSPI).

**Summary of Bill:** A state special education safety net oversight committee is established to be appointed by the Superintendent of Public Instruction (SPI). SPI must seek recommendations from specified associations and the Office of Financial Management (OFM). The oversight committee must have a maximum of 14 members, including one staff person from OSPI, one staff person from the Office of the State Auditor, and up to 12 representatives from school districts or educational service districts knowledgeable in special education programs and funding.

Safety net funds must be awarded by the oversight committee, subject to the following conditions and limitations: (1) the committee must consider unmet needs for districts that can convincingly demonstrate that all legitimate expenditures for special education exceed state funding; (2) the committee must then consider the extraordinary high-cost needs of one or more individual special education students; (3) the committee must then consider extraordinary costs associated with communities that draw a larger number of families with children in need of special education services; and (4) safety net awards must be adjusted for any audit findings or exceptions related to special education funding.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

SPI must develop rules necessary to administer the safety net award process to ensure that the application process is streamlined, submission timelines are not in conflict, feedback to school districts is timely and provides sufficient information, and approved awards are consistent. OSPI must also provide school districts with technical assistance for preparing and submitting safety net applications. Annually, SPI must survey districts regarding their satisfaction with the safety net process, incorporate the feedback, and, by December 1, report to OFM and the Legislature on the survey responses and resulting changes.

The oversight committee, with the assistance of OSPI, must evaluate issues raised in recent reports on special education excess cost accounting procedures. Specifically, the oversight committee must evaluate options for modifying or replacing the current accounting methodology. By November 1, 2008, the oversight committee must submit a report to OFM and the Legislature outlining the options for replacing the current cost method. One such option, to the maximum extent appropriate, will be based on a full cost accounting.

The sum of \$50 million dollars (\$25 million in each fiscal year 2008 and fiscal year 2009) is appropriated to OSPI for the purposes of special education safety net awards.

**Appropriation:** \$50 million.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The safety net application and accounting processes are very cumbersome for school districts. However, schools have to apply for the safety net because they need the money for students in special education. Each year hundreds of staff hours are spent applying for safety net funding. The processes need to be revised and an oversight committee needs to be created to include community input. This bill makes welcomed changes to the complex safety net process: 14 committee members on the oversight committee; a new category of funding to the safety net process; more technical assistance and feedback; and a new method for accounting. Increasing the money spent on special education will reduce schools' reliance on the safety net. It might be helpful to add a representative of the Washington Association of School Business Officials to the oversight committee.

CON: The entire basic education formula needs to be considered. Currently, the basic education revenue generated by each special education student is not counted or reported; the state accounting system makes it impossible to tell where the money goes.

**Persons Testifying:** PRO: Senator Brandland, prime sponsor; Senator Rasmussen, co-sponsor; Jennifer Priddy, OSPI; Tim Yeomants, Mount Baker School District; Barbara Mertens, Washington Association of School Administrators; Jean Leonard, School District Alliance for Adequate Special Education Funding; Mitch Denning, Alliance of Educational Associations.

CON: Christie Perkins, Washington State Special Education Coalition.