

HOUSE RESEARCH

Bill Summary

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Subject: Defining the Term “Local Education Agency” for Certain Purposes

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Overview

Minnesota’s statutes encourage school districts to cooperate with one another when providing special education services. A number of different cooperative models are used to provide special education services including intermediate school districts, special education cooperatives, education districts, service cooperatives, joint powers agreements and fiscal host arrangements. The goal of these cooperative ventures is to effectively and efficiently provide special education services.

The federal government’s special education funding requirements generally recognize a “local education agency” as the primary recipient of federal special education funds and often impose certain responsibilities on the local education agency. The fiscal host arrangement that is used by some school districts does not fit neatly into the federal government’s definition of a local education agency. This bill attempts to define local education agency in a manner that includes fiscal hosts and states that while the fiscal host may receive federal funds, the resident districts remain responsible for certain aspects of providing a free and appropriate public education.

Section

- 1** **Definitions.** Defines “local education agency” to mean a school board or other public authority legally constituted within the state for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the state, or for a combination of school districts in the state as an administrative agency for its public elementary and secondary schools. Explicitly defines “local education agency” to include a fiscal host. Requires the Minnesota Department of Education to continue to recognize fiscal hosts for purposes of paying Minnesota’s special education aids and calculating tuition billing amounts.
- 2** **Fiscal host; free and appropriate public education.** Authorizes a school district to

provide special education services to its students through a fiscal host provided that a district that is a member of a fiscal host continues to be responsible for free and appropriate public education services for the students within its district.