

# legislative bulletin

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To: All School Committee Members and Superintendents

From: Stephen J. Finnegan, Esq.

Date: May 19, 2005

**Subject: *The Senate Ways and Means Budget, S. 2100***

## **Senate Ways and Means and the House Budget Add \$50.00 per Student to Chapter 70**

The Senate Ways and Means Committee recommended increasing Chapter 70 by \$77 million to meet the requirements of the foundation budget formula, and by adding approximately \$29 million to guarantee that every district sees an increase of at least \$50.00 per student. The House voted the same Chapter 70 appropriation. Amendments will be offered during next week's Senate debate to further increase Chapter 70 funding.

The Ways and Means Committee also created a \$55 million reserve for education aid to school districts only to be allocated upon enactment of future legislation. These funds will ensure that towns of similar wealth and income receive similar aid from the state.

## **Regional School Transportation and Metco Funding Increased Over House 1**

The Governor's Budget recommended level funding Regional School Transportation at \$38 million. S. 2100 recommends, as did the Budget passed by the House, an increase of \$4.5 million for Regional Transportation. Amendments to increase that \$42.5 million account will be offered during the Senate Budget debate.

The Senate recommended a \$2 million increase in the Metco appropriation to a total of \$17.6 million, which was the same amount included in the House Budget.

The statute governing out of district vocational transportation was amended twice during F.Y. 05. Currently the statute (G. L. c. 74 § 8A) allows, subject to appropriation, for reimbursement to the full extent of the amount expended for out of district transportation. The House Budget and S. 2100 have funded this account at \$1.6 million.

## **Sped Circuit Breaker Funding**

The Sped Circuit Breaker account, that provides reimbursement for extraordinary special education costs has been level funded at \$201 million. I have been told by DOE that through April the anticipated needs of the Circuit Breaker will be met within the recommended level of funding. We will monitor this account for the final two months of the fiscal year to ensure that the DOE projections are correct.

The Senate, as did the House, earmarked \$300,000 of Circuit Breaker money to fund a new pilot program that will reform the current decentralized and costly system of special education student transportation. The new plan will transport students to out-of-district placements at a lower cost and with improved quality of service by coordinating the planning and contracting to educational collaboratives across the state.

## **Pothole Account**

The so called Pothole account was funded in F.Y. 05 in the amount of \$6.8 million. This account provides funding for school districts that experience extraordinary increases in enrollment and significant prior reductions in Chapter 70, among other criteria. The House funded this account at \$2.5 million and the Senate Ways and Means Committee recommended \$6.8 million.

## **Charter School Reimbursements**

The House budget reimbursed sending school districts for charter school tuition in the amount of \$50 million pursuant to chapter 71, § 89. For F.Y. 05 this line item was funded at \$37.7 million. The Governor had proposed the same funding as the House, but had made \$12.4 million contingent upon the removal of charter school tuition cap for school districts that place in the lowest 10% of all districts statewide for two consecutive years, a contingency that was eliminated by the Senate and the House. The Senate Ways and Means Budget recommends \$46.7 million for the sending school committees.

The House Budget also included \$14.7 million to ensure that no charter school receives less funding in tuition payments in F.Y. 2006 than it received in F.Y. 2005. The Senate has proposed funding this account at the level of \$11.8 million.

## **MCAS Remediation and Test Expansion**

In the F.Y. 05 budget MCAS Remediation Grants were funded at about \$15 million. House 1 had proposed increasing the funding to \$20 million. The House Budget recommended a reduction in this account to \$10 million and Senate Ways and Means has concurred with the House.

Funding for student and school assessments including the administration of MCAS has been increased from the \$20 million recommended by the Governor to \$23 million contained

*(over)*

in the House Budget. The increase in this account appears, in part, to allow for grants to districts to develop portfolio assessments for certain special education students. The Senate has funded this account at the same level as the House.

### **Smart Growth School Cost Reimbursement**

For each fiscal year commencing with fiscal year 2007, any city or town that has established one or more smart growth zoning districts shall receive smart growth school cost reimbursement from the commonwealth. The reimbursement shall be calculated separately for each municipality and shall be equal to the positive difference, if any, between (i) total education cost for eligible students, and (ii) the sum of local smart growth revenues for education and additional chapter 70 aid.

### **Tuition for Special Education Private Schools**

Notwithstanding any general or special law to the contrary, the operational services division shall authorize fiscal year 2006 prices for programs under chapter 71B of the General Laws, in accordance with its regulations, and shall authorize fiscal year 2006 annual prices by increasing the final fiscal year 2005 price by the estimated rate of inflation determined by the division on December 1, 2004. Programs for which prices in fiscal year 2005 were lower than the full amount either permitted or calculated by the division shall have fiscal year 2006 annual prices authorized by increasing the full price calculated for fiscal year 2005 by the rate of inflation determined by the division on December 1, 2004. The division shall also authorize a minimum price for the program to charge out-of-state purchasers by identifying the most recent price calculated for the program and apply the estimated rates of inflation determined by the division on December 1, 2004 in a compounded manner for each fiscal year following the most recent calculated price.

## **COMING SOON TO YOUR MAILBOX**

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- **Massachusetts General Laws 2005 Edition**
- **Management Information for School Committees  
2004 Year End Report**

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