An Act To Establish a Special Education Circuit Breaker
Reimbursement Program

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Presented by Representative RUDNICKI of Fairfield.
Cosponsored by Representatives: ARATA of New Gloucester, BRADSTREET of Vassalboro,
GRIFFIN of Levant, WHITE of Waterville.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §15689, sub-§16 is enacted to read:

16. Special education circuit breaker reimbursement program. The special education circuit breaker reimbursement program is established. Beginning in fiscal year 2019-20 and in each subsequent year, the department shall in accordance with this subsection reimburse school administrative units, for a student whose eligible special education costs exceed 4 times the statewide EPS per-pupil rate, 75% of the amount of the special education costs that are above 4 times the statewide EPS per-pupil rate.

A. For purposes of this subsection, "special education costs" include only those costs directly attributable to providing the special education services in a student's individual education plan and do not include transportation costs.

B. To be eligible for reimbursement under this program, a school administrative unit must:

1. Include an estimate of a student's special education costs that the school administrative unit expects to be eligible for reimbursement under this program in the school administrative unit's school budget document prepared pursuant to section 15693;

2. Annually report special education costs eligible for reimbursement under this subsection to the department for each eligible student on forms provided by the department; and

3. Notify the department within 30 days of any change in previously approved special education costs, including but not limited to any changes in a student's enrollment status or individual education plan.

C. The department shall distribute reimbursements on a quarterly basis.

D. Funds received by a school administrative unit pursuant to this subsection must be deposited in a separate revolving account and may be spent only on eligible special education costs.

E. The department may not reimburse a school administrative unit for a student's special education costs for which a school administrative unit has otherwise received or expects to receive payment under this chapter, including but not limited to payment received pursuant to section 15689-A.

SUMMARY

This bill establishes the special education circuit breaker reimbursement program, in which the Department of Education reimburses school administrative units, for a student whose eligible special education costs exceed 4 times the statewide EPS per-pupil rate, 75% of the amount of the special education costs that are above 4 times the statewide EPS per-pupil rate. The bill requires the department to distribute reimbursements to eligible school administrative units on a quarterly basis, and the reimbursements must be
deposited in a separate revolving account that may be spent only on approved special education services.