

FIFTIETH LEGISLATURE  
FIRST SESSION, 2011

SB 142/a

February 14, 2011

Mr. President:

Your **EDUCATION COMMITTEE**, to whom has been referred

**SENATE BILL 142**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 4, line 2, after "that", insert ", except as provided in Subsection D of this section,".
2. On page 4, line 3, after "personnel", insert "to be".
3. On page 4, between lines 13 and 14, insert the following new subsection:

"D. The secretary may waive the limitation on full-time-equivalent ancillary service and diagnostic service personnel provided for in Subsection C of this section if the school district or charter school seeking the waiver can demonstrate that the number of full-time-equivalent positions are warranted and prudent and that the number of special education students is reasonable and valid. The school district or charter school shall provide detailed data on the school district's or charter school's special education students, including their ages, their disabilities and their level of disabilities; individualized education program data; recent employment, termination and discharge of and contracts with ancillary staff; and any other information that the department requests to validate the reasons that the school district or charter school must exceed the guidelines established in Subsection C of this section. School districts and charter schools that do not meet the 1.5 cost differential cap shall develop a two-year phase-out plan and submit it to the department."

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4. Reletter the succeeding subsection accordingly.,  
and thence referred to the **FINANCE COMMITTEE**.

Respectfully submitted,

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Cynthia Nava, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Fischmann, Kernan, Pinto

Absent: None

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