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FISCAL IMPACT REPORT

SPONSOR Nava DATE TYPED 2/1/06 2/7/06 HB _____
 SHORT TITLE Resolve School Law & Reimbursement Issues SB SJM 7/aSRC/aSEC
 ANALYST Quezada

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

There were no responses from state agencies.

SUMMARY

Synopsis of SEC Amendment

The Senate Education Committee amendments change the title to request that that the Public Education Department collaborate with other departments to implement the intent of the memorial. The memorial is also amendment to request that the PED collaborate with the Department of Health, the Department of Human Services and school personnel to examine the applicable federal laws.

Synopsis of SRC Amendment

The Senate Rules Committee removes all specific references that (PED) examine charter school practices because their enrollment procedures pursuant to the 1999 Charter Schools Act make no provision for special needs populations.

Synopsis of Original Bill

Senate Joint Memorial 7 requests the Public Education Department examine issues regarding Federal and State laws and reimbursement to districts for educational services for non-district

students. This could ensure that students who have been placed in public or private facilities within district boundaries including residential treatment centers, foster care homes, domestic violence shelters, receive the educational services they are entitled to. The Public Education Department (PED) is requested to make recommendations regarding development of coherent uniform procedures, so school districts may provide these services. In addition, Public Education Department is requested to examine the practice of charter schools to assess their efforts in reaching out to special-needs populations. This will determine whether this complies with enrollment provisions under the 1999 Charter Schools Act. The Public Education Department is requested to report their findings and recommendations to the Legislative Education Study Committee by October 2006. Copies of Senate Joint Memorial 7 should be transmitted to the Secretary of Education and study of Legislative Education Study Committee for appropriate distribution.

Significant Issues

The Federal Individuals with Disabilities Education Improvement Act of 2004 stipulates each state ensure “a free and appropriate public education” This is available to all children that reside within the state.

FISCAL IMPLICATIONS

Senate Joint memorial 7 has no fiscal impact.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

The consequences of not resolving or amending this bill are children may not receive an education.

POSSIBLE QUESTIONS

If (PED) can't resolve the reimbursement issue will the state violate the federal Individuals with Disabilities Education Improvement Act of 2004?

JQ/mt