



## Association of Metropolitan School Districts

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# AMSD Position on Special Education

**The Association of Metropolitan School Districts supports increased state funding for special education to ensure that all students have the resources and opportunities necessary to achieve state and federal standards. AMSD also supports better aligning state special education rules and laws with federal requirements to reduce burdensome paperwork and allow teachers to focus on teaching and meeting the needs of students.**

### AMSD BELIEVES

- Special education services provided by Minnesota's public schools are critical to the education and quality of life of students with special needs.
- The reductions in children's health services provided by the state and counties have created a system where public schools are the frontline of children's mental health services.
- A growing number of students are coming to school with increasingly complex special education disabilities and extraordinary mental health needs.
- State special education funding and policy must ensure a safe learning environment for both students and staff.
- Minnesota schools have been leaders in providing extracurricular opportunities to special education students outside of special education funding.

come close to providing that level of funding. The Special Education Expenditure Project (SEEP) estimates that it costs 1.9 times more to educate the average special education student than the average student without special needs.<sup>1</sup> According to SEEP, the federal government has never funded more than 17 percent of the national average of per-pupil expenditures. Minnesota started providing special education services in the 1950s, twenty years before the federal government mandate.

In March of 2013, the Minnesota Office of the Legislative Auditor (OLA) released a comprehensive evaluation report on special education. Among the key findings were that many school districts are diverting state general education aid and referendum revenue to pay for mandated special education costs and that the special education student population in MN has grown by 11 percent since 2000.<sup>2</sup>

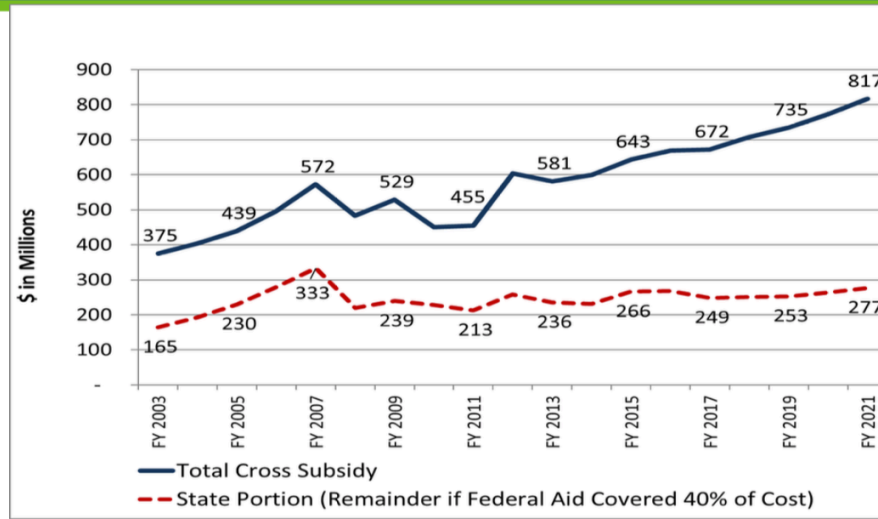
### BACKGROUND

The federal government first mandated special education in 1975 when Congress required states to provide a free and appropriate education in the least restrictive environment to all children with disabilities from the ages of 3 to 21. While the 1975 law authorized federal funding of "up to 40 percent of the national average per pupil expenditure for each special education student," the federal government has never

The 2013 Legislature made some progress in addressing these findings by approving \$40 million for special education cross subsidy aid and requiring the serving school district to pay 10 percent of the costs for the non-resident special education students they serve. Despite these recent actions, the graph on the next page clearly shows that the special education cross-subsidy continues to present enormous budget challenges for school districts.

**SPECIAL EDUCATION CROSS SUBSIDY, FY 2003 – FY 2021**  
 Total and State Portion-(if Fed Funding Covered 40% of Excess Cost)  
 Current \$ (Millions)

Figure 1



The special education cross-subsidy is the result of federal and state mandates, inadequate state and federal funding and the high level of services needed by and delivered to Minnesota’s special education students.<sup>3</sup> The Minnesota Department of Education’s FY 2017 cross-subsidy report shows that special education costs exceeded state and federal special education aid by more than \$427 million for AMSD member districts. Statewide, the cross-subsidy was \$672.3 million in FY 2017 and is projected to grow to nearly \$708 million by FY 2018 and nearly \$817 million by FY 2021.<sup>4</sup> Figure 1 shows the projected special education cross-subsidy from 2003-2021. There is a common misperception that the cross-subsidy is strictly due to the failure of the federal government to meet its funding obligation. However, as the graph in Figure 1 shows, the special education cross-subsidy would have been \$249 million in FY 2017 even if the federal government had met its goal of covering 40 percent of special education costs.

**Endnotes**

<sup>1</sup> Special Education Expenditure Project, “What Are We Spending on Special Education Services in the United States, 1999-2000?” June 2004, Report funded by the United States Department of Education.

<sup>2</sup> Minnesota Office of the Legislative Auditor, Evaluation Report: Special Education, available at: <http://www.auditor.leg.state.mn.us/ped/pedrep/sped.pdf>

<sup>3</sup>The special education cross-subsidy refers to the amount of general education revenue that a school district uses to pay for its special education program. In other words, the cross-subsidization estimate describes how much additional revenue a district needs to fund special education at the mandated level and still maintain funding for regular education programs. AMSD uses the adjusted net cross subsidy in its calculations.

<sup>4</sup> Minnesota Department of Education, “Special Education Cross-Subsidies Fiscal Year 2016: Report to the Legislature.” Available: <https://education.mn.gov/MDE/about/rule/leg/rpt/2018Reports/>