A bill for an act

relating to education finance; defining local education agency for certain special education purposes; amending Minnesota Statutes 2008, section 125A.01; proposing coding for new law in Minnesota Statutes, chapter 125A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 125A.01, is amended to read:

125A.01 DEFINITIONS.

Subdivision 1. **Terms defined.** For purposes of this chapter, the words defined in section 120A.05 have the same meaning.

Subd. 2. **Local education agency.** "Local education agency" means a public board of education or other public authority legally constituted within the state for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the state, or for a combination of school districts in the state as an administrative agency for its public elementary and secondary schools. Local education agency includes a fiscal host. The Minnesota Department of Education must continue to recognize fiscal hosts for purposes of paying Minnesota's special education aids and calculating tuition billing amounts.

Sec. 2. **[125A.015] FISCAL HOST; FREE AND APPROPRIATE PUBLIC EDUCATION.**

Notwithstanding any law to the contrary, a school district may provide special education services to its students through a fiscal host provided that a district that is

a member of a fiscal host continues to be responsible for free and appropriate public education services for the students within its district.