

Testimony of Representative Frank I. Smizik  
Before the Committee on Education  
In support of House Bill 594  
An Act Increasing Funding for Special Education in the Commonwealth

October 9, 2007

**What is the problem:** The total enrollment in special education in Massachusetts is increasing, from 15.15% in 2002-2003 to 16.35% in 2005-2006. Although there are many factors that may be causing this increase, the bottom line is that enrollment in special education is fast outstripping the state's commitment to supporting these students and the districts in which they are enrolled. Inadequate state funding for special educations means that local schools are often forced to divert funds from regular education programs to special education programs. The current Circuit Breaker Law caps state reimbursements at 75 percent of all approved costs that exceed four times the state average per pupil foundation budget. As we now know, that is simply not enough for children requiring high cost special education services.

**What this bill does:** This bill would increase the percentage of state reimbursements in the existing special education Circuit Breaker Law from 75 to 85 percent of all approved costs that exceed four times the state average per pupil foundation budget.

**Why this bill is important:** Increasing the Circuit Breaker rate of reimbursement will have the positive impact of supporting the learning needs of high cost special education students and alleviate the tension districts feel between deciding what services to provide to special education students and allocating funds to regular learners. It will also free up resources for regular learners in school systems across the state and thus will benefit all students in the Commonwealth.