

HOUSE BILL No. 2587

By Representative Spalding

2-1

9 AN ACT concerning school districts; relating to reimbursements for the
10 cost of providing special education and related services; amending
11 K.S.A. 2009 Supp. 72-978 and repealing the existing section; also re-
12 pealing K.S.A. 2009 Supp. 72-998.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2009 Supp. 72-978 is hereby amended to read as
16 follows: 72-978. (a) Each year, the state board of education shall deter-
17 mine the amount of state aid for the provision of special education and
18 related services each school district shall receive for the ensuing school
19 year. The amount of such state aid shall be computed by the state board
20 as provided in this section. The state board shall:

21 (1) Determine the total amount of general fund and local option
22 budgets of all school districts;

23 (2) subtract from the amount determined in paragraph (1) the total
24 amount attributable to assignment of transportation weighting, program
25 weighting, special education weighting and at-risk pupil weighting to en-
26 rollment of all school districts;

27 (3) divide the remainder obtained in paragraph (2) by the total num-
28 ber of full-time equivalent pupils enrolled in all school districts on Sep-
29 tember 20;

30 (4) determine the total full-time equivalent enrollment of exceptional
31 children receiving special education and related services provided by all
32 school districts;

33 (5) multiply the amount of the quotient obtained in paragraph (3) by
34 the full-time equivalent enrollment determined in paragraph (4);

35 (6) determine the amount of federal funds received by all school dis-
36 tricts for the provision of special education and related services;

37 (7) determine the amount of revenue received by all school districts
38 rendered under contracts with the state institutions for the provisions of
39 special education and related services by the state institution;

40 (8) add the amounts determined under paragraphs (6) and (7) to the
41 amount of the product obtained under paragraph (5);

42 (9) determine the total amount of expenditures of all school districts
43 for the provision of special education and related services;

1 (10) subtract the amount of the sum obtained under paragraph (8)
2 from the amount determined under paragraph (9); and

3 (11) multiply the remainder obtained under paragraph (10) by 92%.

4 The computed amount is the amount of state aid for the provision of
5 special education and related services aid a school district is entitled to
6 receive for the ensuing school year, *except that no district shall be paid*
7 *state aid in excess of 92% of the actual amount expended by the district*
8 *for the provision of special education and related services.*

9 (b) Each school district shall be entitled to receive:

10 (1) Reimbursement for actual travel allowances paid to special teach-
11 ers at not to exceed the rate specified under K.S.A. 75-3203, and amend-
12 ments thereto, for each mile actually traveled during the school year in
13 connection with duties in providing special education or related services
14 for exceptional children; such reimbursement shall be computed by the
15 state board by ascertaining the actual travel allowances paid to special
16 teachers by the school district for the school year and shall be in an
17 amount equal to 80% of such actual travel allowances;

18 (2) reimbursement in an amount equal to 80% of the actual travel
19 expenses incurred for providing transportation for exceptional children to
20 special education or related services; such reimbursement shall not be
21 paid if such child has been counted in determining the transportation
22 weighting of the district under the provisions of the school district finance
23 and quality performance act;

24 (3) reimbursement in an amount equal to 80% of the actual expenses
25 incurred for the maintenance of an exceptional child at some place other
26 than the residence of such child for the purpose of providing special
27 education or related services; such reimbursement shall not exceed \$600
28 per exceptional child per school year; and

29 (4) except for those school districts entitled to receive reimbursement
30 under subsection (c) or (d), after subtracting the amounts of reimburse-
31 ment under paragraphs (1), (2) and (3) of this subsection (a) from the
32 total amount appropriated for special education and related services un-
33 der this act, an amount which bears the same proportion to the remaining
34 amount appropriated as the number of full-time equivalent special teach-
35 ers who are qualified to provide special education or related services to
36 exceptional children and are employed by the school district for approved
37 special education or related services bears to the total number of such
38 qualified full-time equivalent special teachers employed by all school dis-
39 tricts for approved special education or related services.

40 Each special teacher who is qualified to assist in the provision of special
41 education or related services to exceptional children shall be counted as
42 $\frac{2}{3}$ full-time equivalent special teacher who is qualified to provide special
43 education or related services to exceptional children.

1 (c) Each school district which has paid amounts for the provision of
2 special education and related services under an interlocal agreement shall
3 be entitled to receive reimbursement under subsection (b)(4). The
4 amount of such reimbursement for the district shall be the amount which
5 bears the same relation to the aggregate amount available for reimburse-
6 ment for the provision of special education and related services under the
7 interlocal agreement, as the amount paid by such district in the current
8 school year for provision of such special education and related services
9 bears to the aggregate of all amounts paid by all school districts in the
10 current school year who have entered into such interlocal agreement for
11 provision of such special education and related services.

12 (d) Each contracting school district which has paid amounts for the
13 provision of special education and related services as a member of a co-
14 operative shall be entitled to receive reimbursement under subsection
15 (b)(4). The amount of such reimbursement for the district shall be the
16 amount which bears the same relation to the aggregate amount available
17 for reimbursement for the provision of special education and related serv-
18 ices by the cooperative, as the amount paid by such district in the current
19 school year for provision of such special education and related services
20 bears to the aggregate of all amounts paid by all contracting school dis-
21 tricts in the current school year by such cooperative for provision of such
22 special education and related services.

23 (e) No time spent by a special teacher in connection with duties per-
24 formed under a contract entered into by the Kansas juvenile correctional
25 complex, the Atchison juvenile correctional facility, the Beloit juvenile
26 correctional facility, the Larned juvenile correctional facility, or the To-
27 peka juvenile correctional facility and a school district for the provision
28 of special education services by such state institution shall be counted in
29 making computations under this section.

30 Sec. 2. K.S.A. 2009 Supp. 72-978 and 72-998 are hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its
32 publication in the statute book.