

HOUSE BILL No. 2409

By Legislative Post Audit Committee

1-4

9 AN ACT concerning school districts; relating to special education;
10 amending K.S.A. 72-983 and repealing the existing section.

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

13 Section 1. K.S.A. 72-983 is hereby amended to read as follows: 72-
14 983. (a) (1) In each school year, to the extent that appropriations are
15 available, each school district which has provided special education or
16 related services for an exceptional child whose IEP provides for services
17 which cost in excess of ~~\$25,000~~ *the base amount* for the school year is
18 eligible to receive a grant of state moneys in an amount equal to 75% of
19 that portion of the costs, incurred by the district in the provision of special
20 education or related services for the child, that is in excess of ~~\$25,000~~ *the*
21 *base amount*.

22 (2) *For school year 2009-2010, the base amount shall be \$36,000. For*
23 *school year 2010-2011 and each school year thereafter, the base amount*
24 *shall be increased by an amount equal to the percentage increase in the*
25 *CPI (urban) during the preceding school year as certified to the state*
26 *board by the director of the budget on August 15 of each year. If there is*
27 *a percentage decrease or no change in the CPI (urban) during the pre-*
28 *ceding fiscal year, the base amount shall be equal to the base amount in*
29 *the preceding fiscal year.*

30 (b) In order to be eligible for a grant of state moneys provided for by
31 subsection (a), a school district shall submit to the state board of education
32 an application for a grant, a description of the special education or related
33 services provided, ~~and~~ *the name or names of the child or children for*
34 *whom provided and the amount expended to provide such special edu-*
35 *cation or related services. School districts shall not be eligible for a grant*
36 *of state moneys under this section for amounts expended but which are*
37 *reimbursed or otherwise financed with state aid received under K.S.A.*
38 *72-978, and amendments thereto.* The application and description shall
39 be prepared in such form and manner as the state board shall require
40 and shall be submitted at a time to be determined and specified by the
41 state board. Approval by the state board of applications for grants of state
42 moneys is prerequisite to the award of grants.

43 (c) Each school district which is awarded a grant under this section

- 1 shall make such periodic and special reports of statistical and financial
2 information to the state board as it may request.
- 3 (d) All moneys received by a school district under authority of this
4 section shall be deposited in the general fund of the school district and
5 transferred to its special education fund.
- 6 (e) The state board of education shall:
- 7 (1) Prescribe and adopt criteria for identification and determination
8 of excessive costs attributable to the provision of special education and
9 related services for which an application for a grant of state moneys may
10 be made under this section;
- 11 (2) approve applications of school districts for grants;
- 12 (3) determine the amount of grants and be responsible for payment
13 of such grants to school districts; and
- 14 (4) prescribe all forms necessary for reporting under this section.
- 15 (f) If the amount of appropriations for the payment of grants under
16 this section is insufficient to pay in full the amount each school district is
17 determined to be eligible to receive for the school year, the state board
18 shall prorate the amount appropriated among all school districts which
19 are eligible to receive grants of state moneys in proportion to the amount
20 each school district is determined to be eligible to receive.
- 21 *(g) The state board shall determine the amount of moneys each school*
22 *district is eligible to receive under this section prior to determining the*
23 *amount of moneys each school district is eligible to receive under K.S.A.*
24 *72-978, and amendments thereto.*
- 25 Sec. 2. K.S.A. 72-983 is hereby repealed.
- 26 Sec. 3. This act shall take effect and be in force from and after its
27 publication in the Kansas register.