

SENATE BILL No. 358

By Legislative Educational Planning Committee

1-12

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 New Section 1. Appropriations to the state department of education
14 for special education and related services state aid under K.S.A. 72-978,
15 and amendments thereto, and for catastrophic state aid under K.S.A. 72-
16 983, and amendments thereto, shall be made as separate items of
17 appropriation.

18 Sec. 2. K.S.A. 72-983 is hereby amended to read as follows: 72-983.

19 (a) (1) In each school year, to the extent that appropriations are available,
20 each school district which has provided special education or related serv-
21 ices for an exceptional child whose IEP provides for services which cost
22 in excess of ~~\$25,000~~ *the base amount* for the school year is eligible to
23 receive ~~a grant of state moneys~~ *catastrophic state aid* in an amount equal
24 to 75% of that portion of the costs, incurred by the district in the provision
25 of special education or related services for the child, that is in excess of
26 ~~\$25,000~~ *the base amount*.

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

35 (b) In order to be eligible for ~~a grant of state moneys provided for by~~
36 ~~subsection (a)~~ *catastrophic state aid*, a school district shall submit to the
37 state board of education an application for ~~a grant~~ *such aid*, a description
38 of the special education or related services provided, ~~and~~ the name or
39 names of the child or children for whom provided *and the amount ex-*
40 *pended to provide such special education or related services. School dis-*
41 *tricts shall not be eligible for catastrophic state aid for amounts expended*
42 *but which are reimbursed or otherwise financed with state aid received*
43 *under K.S.A. 72-978, and amendments thereto. The application and de-*

1 description shall be prepared in such form and manner as the state board
2 shall require and shall be submitted at a time to be determined and
3 specified by the state board. Approval by the state board of applications
4 for ~~grants of state moneys~~ *catastrophic state aid* is prerequisite to the
5 award of ~~grants~~ *such aid*.

6 (c) Each school district which is awarded ~~a grant under this section~~
7 *catastrophic state aid* shall make such periodic and special reports of
8 statistical and financial information to the state board as it may request.

9 (d) All moneys received by a school district under authority of this
10 section shall be deposited in the general fund of the school district and
11 transferred to its special education fund.

12 (e) The state board of education shall:

13 (1) Prescribe and adopt criteria for identification and determination
14 of excessive costs attributable to the provision of special education and
15 related services for which an application for ~~a grant of state moneys~~ *cat-*
16 *astrophic state aid* may be made under this section;

17 (2) approve applications of school districts for ~~grants~~ *catastrophic*
18 *state aid*;

19 (3) determine the amount of ~~grants~~ *catastrophic state aid* and be
20 responsible for payment of such ~~grants~~ *aid* to school districts; and

21 (4) prescribe all forms necessary for reporting under this section.

22 (f) If the amount of appropriations for the payment of ~~grants under~~
23 ~~this section~~ *catastrophic state aid* is insufficient to pay in full the amount
24 each school district is determined to be eligible to receive for the school
25 year, the state board shall prorate the amount appropriated among all
26 school districts which are eligible to receive ~~grants of state moneys~~ *such*
27 *state aid* in proportion to the amount each school district is determined
28 to be eligible to receive.

29 Sec. 3. K.S.A. 72-983 is hereby repealed.

30 Sec. 4. This act shall take effect and be in force from and after its
31 publication in the Kansas register.