

HOUSE BILL No. 2613

By Committee on Education

2-5

1 AN ACT concerning education; relating to the provision of assistive
2 technology, sign language and Braille services; amending K.S.A. 2017
3 Supp. 72-3462 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2017 Supp. 72-3462 is hereby amended to read as
7 follows: 72-3462. (a) Every school district shall provide special education
8 services for exceptional children who reside in the school district and
9 attend a private, nonprofit elementary or secondary school, whether such
10 school is located within or outside the school district, upon request of a
11 parent or guardian of any such child for the provision of such services. No
12 school district shall be required to provide such services outside the school
13 district. ~~Any~~ Every school district ~~may~~ shall provide special education
14 services for exceptional children who attend a private, nonprofit
15 elementary or secondary school located within the school district, whether
16 or not all such children reside in the school district.

17 (b) Special education services which are provided under this section
18 for exceptional children who attend a private, nonprofit elementary or
19 secondary school ~~which~~ that is located in the school district may be
20 provided in the private, nonprofit elementary or secondary school or in the
21 public schools of the school district. The site for the provision of special
22 education services under this section for an exceptional child shall be
23 determined by the school district in consultation with the parent or
24 guardian of the child and with officials of the private, nonprofit elementary
25 or secondary school, *except that the provision of assistive technology, sign
26 language interpreting services or Braille materials shall be provided at
27 the private, nonprofit elementary or secondary school where the
28 exceptional child attends in order to make accessible or to translate the
29 classroom discussion and curriculum of the private, nonprofit elementary
30 or secondary school. During a consultation between the school district
31 and the parent or guardian, the school district shall provide
32 documentation demonstrating how the average cost, if any, and the actual
33 cost to the school district for the provision of special education services in
34 the public schools of the school district for children within the same
35 category of exceptionality is calculated.*

36 (c) Special education services provided under this section for

1 exceptional children who attend a private, nonprofit elementary or
2 secondary school are subject to the following requirements: ~~(a)~~ (1) If the
3 services are provided ~~for~~ in the private, nonprofit elementary or secondary
4 school, amounts expended for the provision of such services shall not be
5 required to exceed the average cost to the school district for the provision
6 of the same services in the public schools of the school district for children
7 within the same category of exceptionality, *except if the average cost of*
8 *such services cannot be determined, then the amounts expended for the*
9 *provision of such services shall not exceed the actual cost to the school*
10 *district for the provision of the same services in the public schools of the*
11 *school district for children within the same category of exceptionality; ~~(b)~~
12 (2) if the services are provided ~~for~~ in the public schools of the school
13 district, the services shall be provided on an equal basis with the provision
14 of such services for exceptional children attending the public schools; and
15 ~~(c)~~ (3) if the services are provided in the public schools of the school
16 district, transportation to and from such public school shall be provided by
17 the school district.*

18 Sec. 2. K.S.A. 2017 Supp. 72-3462 is hereby repealed.

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