

**SENATE BILL No. 260**

By Legislative Educational Planning Committee

1-9

1 AN ACT concerning school districts; relating to special education state  
2 aid; amending K.S.A. 2011 Supp. 72-978 and repealing the existing  
3 section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2011 Supp. 72-978 is hereby amended to read as  
7 follows: 72-978. (a) Each year, the state board of education shall determine  
8 the amount of state aid for the provision of special education and related  
9 services each school district shall receive for the ensuing school year. The  
10 amount of such state aid shall be computed by the state board as provided  
11 in this section. The state board shall:

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

14 (2) subtract from the amount determined in paragraph (1) the total  
15 amount attributable to assignment of transportation weighting, program  
16 weighting, special education weighting and at-risk pupil weighting to  
17 enrollment of all school districts;

18 (3) divide the remainder obtained in paragraph (2) by the total  
19 number of full-time equivalent pupils enrolled in all school districts on  
20 September 20;

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

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

26 (6) determine the amount of federal funds received by all school  
27 districts for the provision of special education and related services;

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

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

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

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

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

2 The computed amount is the amount of state aid for the provision of  
3 special education and related services aid a school district is entitled to  
4 receive for the ensuing school year.

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

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

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

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

25 (4) ~~subject to the provisions of subsection (f) and~~ except for those  
26 school districts entitled to receive reimbursement under subsection (c) or  
27 (d), after subtracting the amounts of reimbursement under paragraphs (1),  
28 (2) and (3) of this subsection (a) from the total amount appropriated for  
29 special education and related services under this act, an amount which  
30 bears the same proportion to the remaining amount appropriated as the  
31 number of full-time equivalent special teachers who are qualified to  
32 provide special education or related services to exceptional children and  
33 are employed by the school district for approved special education or  
34 related services bears to the total number of such qualified full-time  
35 equivalent special teachers employed by all school districts for approved  
36 special education or related services.

37 Each special teacher who is qualified to assist in the provision of  
38 special education or related services to exceptional children shall be  
39 counted as  $\frac{2}{5}$  full-time equivalent special teacher who is qualified to  
40 provide special education or related services to exceptional children.

41 (c) Each school district which has paid amounts for the provision of  
42 special education and related services under an interlocal agreement shall  
43 be entitled to receive reimbursement under subsection (b)(4). The amount

1 of such reimbursement for the district shall be the amount which bears the  
2 same relation to the aggregate amount available for reimbursement for the  
3 provision of special education and related services under the interlocal  
4 agreement, as the amount paid by such district in the current school year  
5 for provision of such special education and related services bears to the  
6 aggregate of all amounts paid by all school districts in the current school  
7 year who have entered into such interlocal agreement for provision of such  
8 special education and related services.

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

20 (e) No time spent by a special teacher in connection with duties  
21 performed under a contract entered into by the Kansas juvenile  
22 correctional complex, the Atchison juvenile correctional facility, the  
23 Larned juvenile correctional facility, or the Topeka juvenile correctional  
24 facility and a school district for the provision of special education services  
25 by such state institution shall be counted in making computations under  
26 this section.

27 ~~(f) (1) In school year 2012-2013 and in each school year thereafter,~~  
28 ~~the state board of education shall determine the minimum and maximum~~  
29 ~~amount of state aid that a school district may receive under paragraph (4)~~  
30 ~~of subsection (b) for the current school year as follows:~~

31 ~~(A) Determine the total amount of moneys appropriated as state aid~~  
32 ~~for the provision of special education and related services to all school~~  
33 ~~districts for the current school year;~~

34 ~~(B) subtract the amount of moneys paid to all school districts under~~  
35 ~~paragraphs (1), (2) and (3) of subsection (b) of this section, K.S.A. 72-983~~  
36 ~~and K.S.A. 2011 Supp. 72-998, and amendments thereto, for the current~~  
37 ~~school year;~~

38 ~~(C) divide the remainder obtained under (B) by the total full-time~~  
39 ~~equivalent enrollment of all school districts in the current school year;~~

40 ~~(2) (A) multiply the quotient obtained under (1) (C) by the full-time~~  
41 ~~equivalent enrollment of the school district in the current school year;~~

42 ~~(B) multiply the product obtained under (2) (A) by .75. The product is~~  
43 ~~the minimum amount of state aid the district may receive under paragraph~~

1 ~~(4) of subsection (b) for the current school year;~~

2 ~~(C) multiply the quotient obtained under (2) (A) by 1.50. The product~~  
3 ~~is the maximum amount of state aid the district may receive under~~  
4 ~~paragraph (4) of subsection (b) for the current school year.~~

5 ~~(3) If the amount determined under paragraph (4) of subsection (b) is~~  
6 ~~less than the product obtained under (2)(B), the district shall receive state~~  
7 ~~aid in an amount equal to the product obtained under (2)(B), plus any~~  
8 ~~amount determined under paragraph (5) of this subsection.~~

9 ~~(4) If the amount determined under paragraph (4) of subsection (b),~~  
10 ~~plus any amount determined under paragraph (5) of this subsection, is~~  
11 ~~greater than the product obtained under (2)(C), the district shall receive~~  
12 ~~state aid in an amount equal to the product obtained under (2)(C). The~~  
13 ~~balance of state aid remaining after determining the amount of state aid~~  
14 ~~payable to districts under this paragraph shall be reallocated to districts as~~  
15 ~~provided by paragraph (5) of this subsection.~~

16 ~~(5) The balance of state aid remaining after determining the amount~~  
17 ~~of state aid payable to districts under paragraph (4) of this subsection shall~~  
18 ~~be reallocated to districts which have not received state aid in an amount~~  
19 ~~equal to the product obtained under (2)(B). Such state aid shall be~~  
20 ~~reallocated to such districts in the same manner as the original allocation.~~  
21 ~~If the balance is insufficient to pay each such district the minimum amount~~  
22 ~~specified in this subsection, the state board shall prorate the balance~~  
23 ~~among such districts.~~

24 ~~(6) The provisions of this subsection (f) shall expire on June 30,~~  
25 ~~2014.~~

26 Sec. 2. K.S.A. 2011 Supp. 72-978 is hereby repealed.

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

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