

**HOUSE BILL NO. 102**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE HOUSE EDUCATION COMMITTEE

Introduced: 2/11/15

Referred: Education, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act providing for funding of educational services for students in residential  
2 psychiatric treatment centers."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 14.16 is amended by adding a new section to read:

5 **Article 3. Educational Programs Operated by Residential Psychiatric Treatment**  
6 **Centers.**

7 **Sec. 14.16.300. Education funding for students in residential psychiatric**  
8 **treatment centers.** (a) A school district shall provide funding under this section to a  
9 residential psychiatric treatment center for educational services provided to a student  
10 admitted to the center if

11 (1) the student is enrolled or eligible for enrollment in the school  
12 district;

13 (2) the student is admitted to the center

14 (A) under a court order;

1 (B) by the Department of Health and Social Services under  
2 AS 47.10.087 or AS 47.12.255; or

3 (C) by private placement under the written orders of a licensed  
4 physician or mental health professional finding that the placement is medically  
5 necessary;

6 (3) the educational services are of the type and quality offered in the  
7 community, are provided by qualified personnel, and include special education  
8 services, if appropriate;

9 (4) the center is approved by the Department of Health and Social  
10 Services; and

11 (5) within five business days after admitting the student, the center  
12 notifies the school district, in writing, that the center will provide educational services  
13 to the student while the student resides at the center.

14 (b) For each student receiving educational services at a residential psychiatric  
15 treatment center, the school district shall pay the center an amount equal to the amount  
16 generated by the student receiving educational services at the center less  
17 administrative costs retained by the local school district, determined by applying the  
18 indirect cost rate approved by the Department of Education and Early Development.  
19 The amount generated by the student receiving educational services at the center is to  
20 be determined in the same manner as it would be for the student if enrolled in and  
21 attending a public school in that school district and includes federal impact aid, the  
22 required local contribution under AS 14.17.410(b)(2), the local contribution under  
23 AS 14.17.410(c), special needs funding under AS 14.17.420(a)(1), intensive services  
24 funding under AS 14.17.420(a)(2), secondary school vocational and technical  
25 instruction funding under AS 14.17.420(a)(3), and other appropriations for the  
26 purpose.

27 (c) A school district shall prorate the total amount calculated under (b) of this  
28 section for a student by the number of days the student is admitted to the residential  
29 psychiatric treatment center and receives educational services provided by the center.

30 (d) If the amount appropriated to the school district is reduced under  
31 AS 14.17.400(b), the school district shall reduce the funding provided to the

1 residential psychiatric treatment facility as necessary.

2 (e) In this section, "residential psychiatric treatment center" or "center" means  
3 a secure or semi-secure facility, or an inpatient program in another facility, that  
4 provides, under the direction of a physician, psychiatric diagnostic, evaluation, and  
5 treatment services on a 24-hour-a-day basis to an individual with severe emotional or  
6 behavioral disorders.