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Glover  
3/16/15

**CS FOR HOUSE BILL NO. 102(EDC)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE EDUCATION COMMITTEE

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act providing for funding and standards of educational services for students in  
2 residential 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 in the school district;

12 (2) the student is admitted to the center

13 (A) under a court order;

14 (B) by the Department of Health and Social Services under

AS 47.10.087 or AS 47.12.255; or

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

(3) the educational services are provided by a teacher who possesses a valid teacher certificate and meets additional training requirements under AS 14.30.250;

(4) special education services are administered by a person who possesses a valid administrative certificate and meets other training requirements under AS 14.30.255;

(5) the center administers student assessments required by the department;

(6) the center has adopted a certificated employee evaluation system based on professional performance standards for evaluation and improvement of the performance of the center's teachers and educational services administrators;

(7) the center follows procedures established by the department to comply with federal law, including 20 U.S.C. 1400 - 1482 (Individuals with Disabilities Education Act);

(8) the center complies with all state and federal requirements for the receipt and use of public money;

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

(10) within five business days after admitting the student, the center notifies the school district where the student is enrolled, in writing, that the center will provide educational services to the student while the student resides at the center.

(b) For each student receiving educational services at a residential psychiatric treatment center, the school district where the student is enrolled shall pay the center an amount equal to the amount generated by the student receiving educational services at the center less administrative costs retained by the local school district, determined by applying the indirect cost rate approved by the department. The amount generated by the student receiving educational services at the center is to be determined in the

1 same manner as it would be for a student attending a public school in that school  
2 district and includes federal impact aid, the required local contribution under  
3 AS 14.17.410(b)(2), the local contribution under AS 14.17.410(c), special needs  
4 funding under AS 14.17.420(a)(1), intensive services funding under  
5 AS 14.17.420(a)(2), secondary school vocational and technical instruction funding  
6 under AS 14.17.420(a)(3), and other appropriations for the purpose.

7 (c) The school district shall prorate the total amount calculated under (b) of  
8 this section for a student by the number of days the student is admitted to the  
9 residential psychiatric treatment center and receives educational services provided by  
10 the center.

11 (d) If the amount appropriated to the school district is reduced under  
12 AS 14.17.400(b), the school district shall reduce the funding provided to the  
13 residential psychiatric treatment facility as necessary.

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