

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE BY
REQUEST OF THE INTERIM COMMITTEE
ON PRE-HIGHER EDUCATION

1 IN THE SENATE

2 SENATE BILL NO. 401

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to special education for exceptional
7 children."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.17.031(a)(3) is amended to read:

10 (3) the number of units from special education determined
11 from sec. 41(d) of this chapter as approved by the department; and

12 * Sec. 2. AS 14.17.041(d) is amended to read:

13 (d) Special education schedule:

14 ADM	No. Instructional Units
15 <u>Full-Time Equivalent</u>	
16 5 - 8	1
17 9 - 15	2
18 16 - 23	3
19 24 - 32	4
20 33 and over	4 plus 1 for each
	9 pupils or fraction
	of 9 [m]

23 * Sec. 3. AS 14.30.180 is amended to read:

24 Sec. 14.30.180. PURPOSE. It is the purpose of secs. 180 - 350
25 of this chapter to provide competent education services for the excep-
26 tional children [OF LEGAL SCHOOL AGE] in the state who are at least
27 three years of age and for whom the regular school facilities are
28 inadequate or not available.

29 * Sec. 4. AS 14.30.285 is repealed and re-enacted to read:

1 Sec. 14.30.285. TRANSFERS OF EXCEPTIONAL CHILDREN. (a) The
2 Department of Education shall institute a statewide program for the
3 education of exceptional children, to insure that whenever possible
4 children are educated in the state at locations in or near their
5 resident school district.

6 (b) The identified exceptional child may be sent to another
7 school district or in-state educational program if the child resides
8 in a district or school attendance area where an adequate program of
9 education for an exceptional child is not available and if the commis-
10 sioner of education determines that another school district or in-
11 state educational program is adequate to meet his needs. If the
12 school district approves the enrollment of the exceptional child in
13 another school district or in-state institution and the child is en-
14 rolled, the child's education expenses shall be paid as follows:

15 (1) the sending school district shall pay the receiving
16 district or institution an amount of money equal to the sending dis-
17 trict's local cost per pupil rate;

18 (2) The Department of Education shall pay the remainder of
19 the annual cost of the child's education above that provided for in
20 (1) of this subsection.

21 (c) The identified exceptional child may be sent out of the
22 state for special education if the child resides in a district or
23 school attendance area where the educational program offered is not
24 appropriate for the needs of the child and if the commissioner of
25 education determines it is not feasible for the child to be enrolled
26 in a special program in the state. If the Department of Education
27 approves the enrollment of an exceptional child in an out-of-state
28 institution and the child is enrolled in the institution, the child's
29 education expenses shall be paid as follows:

1 (1) The school district or the Board of Directors for
2 State-Operated Schools shall pay an amount equal to the local contri-
3 bution toward the cost of education per pupil.

4 (2) The Department of Education shall pay whichever of the
5 following amounts is less, but not to exceed \$6,000:

6 (A) 75 per cent of the annual cost of the child's
7 education; or

8 (B) an amount which, when added to the contribution in
9 (1) of this subsection, equals the total cost of the child's
10 education.

11 (3) The parent or guardian shall pay the remainder of the
12 cost unless the commissioner determines upon the basis of standards
13 set by him that the parent or guardian is unable to pay all or part of
14 the remainder of the cost. The Department of Education shall pay the
15 remainder of the cost which the parent or guardian is unable to pay.

16 (d) For the purposes of this section a child's education expen-
17 ses are limited to the actual cost of necessary care, transportation
18 and instruction, including room and board, while attending the
19 designated institution.

20 (e) The Department of Education shall establish, by regulation,
21 diagnostic procedures for the educational assessment of exceptional
22 children which is to be done before approval of the in-state transfer
23 or the out-of-state placement.

24 * Sec. 5. AS 14.30.295 is repealed.
25
26
27
28
29