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Zhuse BILL NO. 355 INTRODUCED BY Alusault osay
[By Request]

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO EDUCATION OF CHILDREN IN NEED OF SPECIAL EDUCATION OUTSIDE OF THE DISTRICT OF RESIDENCE, ALLOWING THE BOARD OF TRUSTEES OF THE DISTRICT OF RESIDENCE TO ARRANGE THE ATTENDANCE OF A CHILD IN NEED OF SPECIAL EDUCATION IN ANOTHER DISTRICT WITHOUT THE PAYMENT OF THITTON, PROVIDING THAT THE TUITION FOR EDUCATION OUT OF THE STATE OF MONTANA SHALL BE INCLUDED IN THE MAXIMUM - BUDGET - WITHOUT - A - VOTE FOR SPECIAL EDUCATION; AMENDING SECTIONS 75-7808 AND 75-5809, R.C.M. 1947."

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-7603. R.C.M. 1947. is amended to

16 read as follows:

> "75-7833. Providing--twition--in--lies--of--a--special education -- class-or-program. Arranging attendance in another district in lieu of a special education program. In lieu of providing special education in the district, the trustees may arrange for the attendance of a child in need of special education in a special education eless-or program approved by the superintendent of public instruction and offered in another district within the state of Montana. Arrangements for the attendance of a child in need of special education

are not subject to the laws governing the attendance of pupils in schools outside the district and no tuition shall be charged the district of residence. Attendance-at--such--a class--or--program--shall--be--approved--or--disapproved--in accordance-with-the-laws-governing-the-attendence-of--parils in-schools-outside-of-the-district-

Whenever-a-child-resides-in-one-elementery-district-but haz--approval-to-attend-a-special-education-class-or-program of-another-Montana--elementary--district---the--district--in which-the-child-resides--shall--pay--the--tuition--to-the elementary-district-operating-the-class-or--program--in--the same-mannor-asy-but-at-twice-the-tuition-ratey-prescribed-in section-75-7281-for-the-payment-of-thition-

Whenever--a--child--has--apyroval--to--attend-a-special education-class-or-program-of-a-hontana-high-school-district outside-his-county-of-residence--the--county--is--which--the child-resides--shall--pay--the--tuition--to-the-high-school district-operating-the-class-or-program-in-the--same--manner asy--put--at--twice--the-twition-ratey-prescribed-in-section 75-6317-for-the-payment-of-twition-"

21 Section 2. Section 75-7809, R.C.M. 1947, is amended to 22 read as follows:

23 "75-7809. Out-of-state tuition for special education children. The trustees of any district may arrange for the 24 attendance of a child in need of special education in a

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special education eless-or program offered outside of the state of Montana. Attendance-at-such-e-class-or-program shall-be-approved-or-disapproved-by-the-trustees-and-the county-superintendent-for-elementary-classes-or-programs; or by-the-county-superintendent-for-high-school-classes-or programs. Such approvals arrangements shall not be subject to the out-of-state attendance provisions of the laws governing the attendance of pupils in schools outside the state of Montana.

Whenever the attendance of a child at an out-of-state special education class-or program is approved arranged, the officials board of trustees authorized—to—approve—such attendance may negotiate the amount and manner of payment of tuition. The sudgeting-provisions-of—sections—75-7203—and 75-6317—shell—apply—to—these—payments—of—out-of-state tuition: The amount of tuition shall be included as a contracted service in section 75-7813.1 (b) (iv) (A) in the maximum — without — a — vote for special education."

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Approved by Committee on Public Health, Welfare & Safety

1 Zhua BILL NO. 355

INTRODUCED BY Alusault Cosey

By Request J

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO EDUCATION OF CHILDREN IN NEED OF SPECIAL EDUCATION OUTSIDE OF THE DISTRICT OF RESIDENCE, ALLOWING THE BOARD OF TRUSTEES OF THE DISTRICT OF RESIDENCE TO ARRANGE THE ATTENDANCE OF A CHILD IN NEED OF SPECIAL EDUCATION IN ANOTHER DISTRICT WITHOUT THE PAYMENT OF TUITION, PROVIDING THAT THE TUITION FOR EDUCATION OUT OF THE STATE OF MONTANA SHALL BE INCLUDED IN THE MAXIMUM - BUDGET - WITHOUT - A - VOTE FOR SPECIAL EDUCATION;

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

AMENDING SECTIONS 75-7808 AND 75-5809, R.C.M. 1947.

Section 1. Section 75-7808, R.C.M. 1947, is amended to read as follows:

"75-7808. Providing-tuition-in-lieu-of-a-special education-class-or-program. Arranging attendance in another district in lieu of a special education program. In lieu of providing special education in the district, the trustees may arrange for the attendance of a child in need of special education in a special education elass-or program approved by the superintendent of public instruction and offered in another district within the state of Montana. Arrangements for the attendance of a child in need of special education

are not subject to the laws governing the attendance of

pupils in schools outside the district and no tuition shall

be charged the district of residence. Attendance-at-such-a

class-or-program-shall-be-approved-or-disapproved-in

accordance-with-the-laws-governing-the-attendance-of-papils

in-schools-outside-of-the-district.

Whenever-a-child-resides-in-one-elementary-district-but
has-approval-to-attend-a-special-education-class-or-program
of-another-Montana-elementary-district7--the--district--in
which--the--child--resides--shall--pay--the--tuition--to-the
elementary-district-operating-the-class-or--program--in--the
same-manner-as7-but-at-twice-the-tuition-rate7-prescribed-in
section-75-7201-for-the-payment-of-tuition-

Whenever--a--child--has--approval--to--attend-a-special education-class-or-program-of-a-Montana-high-school-district outside-his-county-of-residence,-the--county--in--which--the child--resides--shall--pay--the--tuition--to-the-high-school district-operating-the-class-or-program-in-the--same--manner asy--but--at--twice--the-tuition-rate,-prescribed-in-section 75-6317-for-the-payment-of-tuition-*

21 Section 2. Section 75-7809, R.C.M. 1947, is amended to 22 read as follows:

23 "75-7809. Out-of-state tuition for special education 24 children. The trustees of any district may arrange for the 25 attendance of a child in need of special education in a

1 special education class-or program offered outside of the 2 state of Montana. Attendance-at--such--a--class--er--program 3 shall--be--approved--or--disapproved-by-the-trustees-and-the county-superintendent-for-elementary-elasses-or-programs,-or 5 by-the-county-superintendent--for--high--school--classes--or 6 programs. Such approvals arrangements shall not be subject 7 to the out-of-state attendance provisions of the laws governing the attendance of pupils in schools outside the 9 state of Montana. 10 Whenever the attendance of a child at an out-of-state 11 special education elass-or program is approved arranged, the 12 efficials board of trustees authorized -- to -- approve-such 13 attendance may negotiate the amount and manner of payment of 14 tuition. The-budgeting-provisions-of--sections--75-7203--and

-End-

maximum - without - a - vote for special education."

75-6317--shall--apply--to--these--payments--of--out-of-state
twition: The amount of tuition shall be included as a

contracted service in section 75-7813.1 (b) (iv) (A) in the

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1	Zeuce BILL NO. 355
2	INTRODUCED BY housault cosey
3	[By Request]
4	A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO EDUCATION
5	OF CHILDREN IN NEED OF SPECIAL EDUCATION OUTSIDE OF THE
Ó	DISTRICT OF RESIDENCE, ALLOWING THE BOARD OF TRUSTEES OF THE
7	DISTRICT OF RESIDENCE TO ARRANGE THE ATTENDANCE OF A CHILD
8	IN NEED OF SPECIAL EDUCATION IN ANOTHER DISTRICT WITHOUT THE
9	PAYMENT OF TUITION, PROVIDING THAT THE TUITION FOR EDUCATION
.0	OUT OF THE STATE OF MONTANA SHALL BE INCLUDED IN THE MAXIMUM
.1	- BUDGET - WITHOUT - A - VOTE FOR SPECIAL EDUCATION;
.2	AMENDING SECTIONS 75-7808 AND 75-5809, R.C.M. 1947.
.3	
.4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
.5	Section 1. Section 75-7808, R.C.M. 1947, is amended to
.6	read as follows:
.7	"75-7808. Providingtuitioninlieuofaspecial
.8	education class-or-program. Arranging attendance in another
.9	district in lieu of a special education program. In lieu of
0	providing special education in the district, the trustees
1	may arrange for the attendance of a child in need of special
2	education in a special education elass-or program approved
.3	by the superintendent of public instruction and offered in
4	another district within the state of Montana. Arrangements
.5	for the attendance of a child in need of special education

1	are not subject to the laws governing the attendance of
2	pupils in schools outside the district and no tuition shall
3	be charged the district of residence. Attendance-atsucha
4	classorprogramshallbeapprovedordisapprovedin
5	accordance-with-the-laws-governing-the-attendance-ofpupils
6	in-schools-outside-of-the-district+
7	Whenever-a-child-resides-in-one-elementary-district-but
8	hasapproval-to-attend-a-special-education-elass-or-program
9	of-another-Montana-elementary-districty-the-district-in
10	which-the-child-resides-shall-pay-the-tuition-to-the
11	elementary-district-operating-the-class-orprograminthe
12	same-manner-asy-but-at-twice-the-tuition-ratey-prescribed-in
13	section-75-7201-for-the-payment-of-tuition.
14	Wheneverachildhasapprovaltoattend-a-special
15	education-class-or-program-of-a-Montana-high-school-district
16	outside-his-county-of-residencey-thecountyinwhichthe
17	child-resides-shallpaythetuitionto-the-high-school
18	district-operating-the-class-or-program-in-thesamemanner
19	asybutattwicethe-tuition-ratey-prescribed-in-section
20	75-6317-for-the-payment-of-twition."
21	Section 2. Section 75-7809, R.C.M. 1947, is amended to
22	read as follows:
23	*75-7809. Out-of-state tuition for special education
24	children. The trustees of any district may arrange for the
25	attendance of a child in need of special education in a

special education elase-or program offered outside of the state of Montana. Attendance at-such-a-class-or program shall be approved or disapproved by the trusteed and the seamty superintendent for elementary classes or programs, or by the county superintendent for high school classes or programs. Such approveds arrangements shall not be subject to the out-of-state attendance provisions of the laws governing the attendance of pupils in schools outside the state of Montana.

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Whenever the attendance of a child at an out-of-state special education class-or program is approved arranged, the officials board of trustees authorized to approve such attendance may negotiate the amount and manner of payment of tuition. The budgeting provisions of sections 75-7203 and 75-6317 shall apply to those payments of state tuitions. The amount of tuition shall be included as a contracted service in section 75-7813.1 (b) (iv) (A) in the maximum - without - a - vote for special education."

-End-

на 0355/02 44th Legislature HB 0355/02

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1	HOUSE BILL NO. 355
2	INTRODUCED BY DUSSAULT, CASEY
3	(BY REQUEST)
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO EDUCATION
6	OF CHILDREN IN NEED OF SPECIAL EDUCATION OUTSIDE OF THE
7	DISTRICT OF RESIDENCE, ALLOWING THE BOARD OF TRUSTEES OF THE
8	DISTRICT OF RESIDENCE TO ARRANGE THE ATTENDANCE OF A CHILD
9	IN NEED OF SPECIAL EDUCATION IN ANOTHER DISTRICT WITHOUT THE
10	PAYMENT OF TUITION, PROVIDING THAT THE TUITION FOR EDUCATION
11	OUT OF THE STATE OF MONTANA SHALL BE INCLUDED IN THE MAXIMUM
12	- BUDGET - WITHOUT - A - VOTE FOR SPECIAL EDUCATION;
13	AMENDING SECTIONS 75-7808 AND 75-5809, R.C.M. 1947."
14	
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
16	Section 1. Section 75-7808, R.C.M. 1947, is amended to
17	read as follows:
18	"75-7308. Providingtuitioninlieuofaspecial
19	education class-or-program: Arranging attendance in another
20	district in lieu of a special education program. In lieu of
21	providing special education in the district, the trustees
22	may arrange for the attendance of a child in need of special
23	education in a special education elass-or program approved
24	by the superintendent of public instruction and offered in
25	another district within the state of Montana. Arrangements

1	for the attendance of a child in need of special education
2	are not subject to the laws governing the attendance of
3	pupils in schools outside the district and no tuition shall
4	be charged the district of residence. Attendance-atsuch
5	elassorprogramshallbeapprovedordisapprovedir
6	accordance-with-the-laws-governing-the-attendance-ofpupils
7	in-schools-outside-of-the-district-
8	Whenever-a-child-resides-in-one-elementary-district-but
9	hasapproval-to-attend-a-special-education-class-or-program
10	of-another-Montanaelementarydistrictythedistrictin
11	whichthechildresidesshallpaythetuitionto-the
12	elementary-district-operating-the-class-orprograminthe
13	same-manner-asy-but-at-twice-the-tuition-ratey-preseribed-in
14	section-75-7201-for-the-payment-of-tuition-
15	Whenever-achildhasapprovaltoattend-a-special
16	education-class-or-program-of-a-Montana-nigh-school-district
17	outside-nis-county-of-residence;-thecountyinwhichthe
18	child-residesshallpaythetuitionto-the-high-school
19	district-operating-the-class-or-program-in-thesamemenner
20	asybutattwicethe-tuition-ratey-prescribed-in-section
-	

Section 2. Section 75-7809, R.C.M. 1947, is amended to

"75-7809. Out-of-state tuition for special education children. The trustees of any district may arrange for the -2-

HB 355

75-6317-for-the-payment-of-tuition."

read as follows:

1	attendance of a child in need of special education in
2	special education elass er program offered outside of the
3	state of Montana. Attendence-etsucheelasserprogram
4	shallbeapprovedordisapproved-by-the-trustees-and-the
5	county-superintendent-for-elementary-classes-or-programs,-or
6	by-the-county-superintendentforhighschoolclasseses
7	programs: Such approvals arrangements shall not be subject
8	to the out-of-state attendance provisions of the laws
9	governing the attendance of pupils in schools outside the
10	state of Montana.
11	Whenever the attendance of a child at an out-of-state
12	special education class-or program is approved arranged, the

special education elass-or program is approved arranged, the
officials board of trustees authorized--to--approve-such
tuition. The budgeting-provisions-of--sections--75-7203--and
formula trustees authorized--to--approve-such
tuition. The budgeting-provisions-of--sections--75-7203--and
formula trustees authorized--to--approve-such
tuition. The amount of tuition shall be included as a
contracted service in section 75-7813.1 (b) (iv) (A) in the
maximum - without - a - vote for special education."

-End-