

CHAPTER NO. 470

HOUSE BILL NO. 295

INTRODUCED BY MARKS

IN THE HOUSE

| | |
|-------------------|---|
| January 22, 1979 | Introduced and referred to Committee on Education and Cultural Resources. |
| February 19, 1979 | Committee recommend bill do pass. Report adopted. |
| February 20, 1979 | Motion pass consideration. |
| February 22, 1979 | Second reading, do pass. Considered correctly engrossed. |
| February 23, 1979 | Third reading, passed. Transmitted to second house. |

IN THE SENATE

| | |
|-------------------|--|
| February 23, 1979 | Introduced and referred to Committee on Education. |
| March 20, 1979 | Committee recommend bill be concurred in as amended. Report adopted. |
| March 22, 1979 | Second reading, concurred in. |
| March 26, 1979 | Third reading, concurred in as amended. |

IN THE HOUSE

| | |
|----------------|---|
| March 27, 1979 | Returned from second house. Concurred in as amended. |
| March 28, 1979 | Second reading, amendments adopted. |
| March 29, 1979 | Third reading, amendments adopted. Sent to enrolling. Reported correctly enrolled. |

1 House BILL NO. 295
2 INTRODUCED BY Mark

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY RESIDENCY
5 REQUIREMENTS CONCERNING SPECIAL EDUCATION AND TO CLEARLY FIX
6 THE FINANCIAL RESPONSIBILITY FOR SPECIAL EDUCATION COSTS;
7 AMENDING SECTION 20-7-421, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Residency requirements for
11 financial responsibility for special education. (1) In
12 accordance with the provisions of 1-1-215, a child's
13 district of residence for special education purposes is the
14 residence of his parents or of his guardian unless otherwise
15 determined by the court. This applies to a child living at
16 home, in an institution, or under foster care. If the parent
17 has left the state, the parent's last known district of
18 residence is the child's district of residence.

19 (2) The district of residence is financially
20 responsible for all special education costs incurred on
21 behalf of the child if the costs are not paid by the state.

22 Section 2. Section 20-7-421, MCA, is amended to read:

23 "20-7-421. Arranging attendance in another district in
24 lieu of a special education program. With the approval of
25 the superintendent of public instruction, the trustees may

1 arrange for the attendance of a child in need of special
2 education in a special education program in another district
3 within the state of Montana. ~~Arrangements for the attendance~~
4 ~~of a child in need of special education are not subject to~~
5 ~~the laws governing the attendance of pupils in schools~~
6 ~~outside the district, and no tuition shall be charged the~~
7 ~~district of residence. However, tuition~~ tuition as required
8 under 20-5-303 may be charged as provided in [section 1] for
9 ~~children who are not considered full-time special education~~
10 ~~pupils as defined in 20-9-311."~~

-End-

HB 295
INTRODUCED BILL

1 HOUSE BILL NO. 295
2 INTRODUCED BY J. H. ...

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY RESIDENCY
5 REQUIREMENTS CONCERNING SPECIAL EDUCATION AND TO CLEARLY FIX
6 THE FINANCIAL RESPONSIBILITY FOR SPECIAL EDUCATION COSTS;
7 AMENDING SECTION 20-7-421, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Residency requirements for
11 financial responsibility for special education. (1) In
12 accordance with the provisions of 1-1-215, a child's
13 district of residence for special education purposes is the
14 residence of his parents or of his guardian unless otherwise
15 determined by the court. This applies to a child living at
16 home, in an institution, or under foster care. If the parent
17 has left the state, the parent's last known district of
18 residence is the child's district of residence.

19 (2) The district of residence is financially
20 responsible for all special education costs incurred on
21 behalf of the child if the costs are not paid by the state.

22 Section 2. Section 20-7-421, MCA, is amended to read:

23 "20-7-421. Arranging attendance in another district in
24 lieu of a special education program. With the approval of
25 the superintendent of public instruction, the trustees may

1 arrange for the attendance of a child in need of special
2 education in a special education program in another district
3 within the state of Montana. Arrangements for the attendance
4 of a child in need of special education are not subject to
5 the laws governing the attendance of pupils in schools
6 outside the district, and no tuition shall be charged the
7 district of residence. However, tuition tuition as required
8 under 20-5-303 may be charged as provided in [section 1] for
9 children who are not considered full-time special education
10 pupils as defined in 20-9-311."

-End-

1 HOUSE BILL NO. 295
 2 INTRODUCED BY MARKS
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY RESIDENCY
 5 REQUIREMENTS CONCERNING SPECIAL EDUCATION AND TO CLEARLY FIX
 6 THE FINANCIAL RESPONSIBILITY FOR SPECIAL EDUCATION COSTS;
 7 AMENDING SECTION 20-7-421, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Residency requirements for
 11 financial responsibility for special education. (1) In
 12 accordance with the provisions of 1-1-215, a child's
 13 district of residence for special education purposes is the
 14 residence of his parents or of his guardian unless otherwise
 15 determined by the court. This applies to a child living at
 16 home, in an institution, or under foster care. If the parent
 17 has left the state, the parent's last known district of
 18 residence is the child's district of residence.

19 (2) The district of residence is financially
 20 responsible for ~~all special education costs incurred on~~
 21 ~~behalf of the child if the costs are not paid by the state.~~
 22 TUITION AS ESTABLISHED UNDER 20-5-305 AND 20-5-312 FOR
 23 SPECIAL EDUCATION STUDENTS.

24 Section 2. Section 20-7-421, MCA, is amended to read:
 25 "20-7-421. Arranging attendance in another district in

1 lieu of a special education program. With the approval of
 2 the superintendent of public instruction, the trustees may
 3 arrange for the attendance of a child in need of special
 4 education in a special education program in another district
 5 within the state of Montana. ~~Arrangements for the attendance~~
 6 ~~of a child in need of special education are not subject to~~
 7 ~~the laws governing the attendance of pupils in schools~~
 8 ~~outside the district, and no tuition shall be charged the~~
 9 ~~district of residence. However, tuition~~ tuition as required
 10 under ~~20-5-303 20-5-305 AND 20-5-312~~ may be charged as
 11 provided in [section 1] for children who are not considered
 12 ~~full-time special education pupils as defined in 20-9-311."~~

-End-

March 20, 1979

SENATE STANDING COMMITTEE REPORT
(Education)

That House Bill No. 295, third reading bill, be amended as follows:

1. Page 1, lines 20 through 21.

Following: "for"

Strike: remainder of lines 20 through 21 in their entirety

Insert: "tuition as established under 20-5-305 and 20-5-312 for
special education students."

2. Page 2, line 8.

Following: "under"

Strike: "20-5-303"

Insert: "20-5-305 and 20-5-312"