

HOUSE BILL NO. 480

INTRODUCED BY DONALDSON

BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

IN THE HOUSE

January 25, 1985	Introduced and referred to Committee on Education and Cultural Resources.
February 14, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
February 16, 1985	Second reading, pass consideration.
February 18, 1985	Second reading, do pass.  Considered correctly engrossed.
February 19, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

February 21, 1985	Introduced and referred to Committee on Education and Cultural Resources.
March 26, 1985	Committee recommend bill be concurred in. Report adopted.
March 29, 1985	Second reading, concurred in.
March 30, 1985	Third reading, concurred in. Ayes, 49; Noes, 0.  Returned to House.

IN THE HOUSE

March 30, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1                                    HOUSE BILL NO. 480  
 2 INTRODUCTION BY Amendments  
 3 BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW ANY UNEXPENDED  
 6 BALANCE FROM THE FIRST YEAR OF A BIENNIAL APPROPRIATION FOR  
 7 SPECIAL EDUCATION TO BE EXPENDED IN THE SECOND YEAR; TO  
 8 CLARIFY THE APPROVAL PROCESS FOR SPECIAL EDUCATION ALLOWABLE  
 9 COSTS; AMENDING SECTION 20-7-431, MCA."  
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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 20-7-431, MCA, is amended to read:

13 "20-7-431. Allowable cost schedule for special  
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 15 accounting. (1) For the purpose of determining the  
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 20 request purposes and by the superintendent of public  
 21 instruction in his review and approval of the budget (for  
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 23 maximum-budget-without-a-vote for special education for the  
 24 district, and as used in this schedule, "full-time special  
 25 pupil" and "regular ANB" are to be determined in accordance

1 with 20-9-311 and 20-9-313):

2 (a) instruction: salaries, benefits, supplies,  
 3 textbooks, and other expenses including:

4 (i) salaries and benefits of special program teachers,  
 5 regular program teachers, teacher aides, special education  
 6 supervisors, audiologists, and speech and hearing  
 7 clinicians--the entire cost if employed full time in the  
 8 special program; if such personnel are shared between  
 9 special and regular programs--a portion of the entire cost  
 10 corresponding to the entire working time which each such  
 11 person devotes to the special program;

12 (ii) teaching supplies and textbooks if used  
 13 exclusively for special programs--the actual total cost;

14 (iii) other expenses:

15 (A) contracted services, including fees paid for  
 16 professional advice and consultation regarding special  
 17 students or the special program, and the delivery of special  
 18 education services by public or private agencies--the actual  
 19 total cost;

20 (B) transportation costs for special education  
 21 personnel who must travel on an itinerant basis from school  
 22 to school or district to district or to in-state child study  
 23 team meetings or in-state individualized education program  
 24 meetings--the actual cost to the district calculated on the  
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-2- INTRODUCED BILL  
 HB 480

1 reimbursement purposes;

2 (b) supportive services, including:

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9 supportive personnel may include counselors, social workers,  
10 psychologists, psychometrists, physicians, nurses, and  
11 physical and occupational therapists.

12 (ii) salaries and benefits of clerical personnel for  
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15 personnel are shared between special and regular programs--a  
16 portion of the entire cost corresponding to the entire  
17 working time which each such person devotes to the special  
18 program;

19 (c) equipment:

20 (i) equipment--the actual total cost;

21 (ii) special equipment for district-owned school buses  
22 necessary to accommodate special students--the actual total  
23 cost;

24 (iii) special equipment for school buses contracted to  
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4 (d) room and board costs when the special pupil has to  
5 attend a program at such a distance from his home that  
6 commuting is undesirable as determined by the superintendent  
7 of public instruction.

8 (2) The superintendent of public instruction shall,  
9 prior to September 1, 1977, revise the rules in accordance  
10 with the policies of the board of public education for:

11 (a) keeping necessary records for supportive and  
12 administrative personnel and any personnel shared between  
13 special and regular programs;

14 (b) defining the total special program caseload that  
15 shall be assigned to specific support persons and the kinds  
16 of professional specialties to be considered relevant to the  
17 program before the district may count an allowable cost  
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19 (c) defining the kinds or types of equipment whose  
20 costs may be counted under subsection (1)(c)(i) of this  
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22 (3) An annual accounting of all expenditures of school  
23 district general fund moneys for special education shall be  
24 made by the district trustees on forms furnished by the  
25 superintendent of public instruction. The superintendent of

1 public instruction shall make rules for such accounting.

2 (4) If a board of trustees chooses to exceed the  
3 budget approved by the superintendent of public instruction,  
4 costs in excess of the approved budget may not be reimbursed  
5 under the maximum-budget-without-a-vote for special  
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7 (5) Allowable costs prescribed in this section do not  
8 include the costs of the teachers' retirement system, the  
9 public employees' retirement system, the federal social  
10 security system, or the costs for unemployment compensation  
11 insurance.

12 (6) (a) Notwithstanding other provisions of the law,  
13 the superintendent of public instruction shall not approve a  
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15 exceeds legislative appropriations; however, any unexpended  
16 balance from the first year of a biennial appropriation may  
17 be spent in the second year of the biennium in addition to  
18 the second year appropriation.

19 (b) If the total allowable cost of the special  
20 education budgets ~~approved-by-the-superintendent-of-public~~  
21 ~~instruction~~ exceeds legislative appropriations available for  
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23 share of the available appropriations based upon prioritized  
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APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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