HOUSE BILL 13

Introduced by Cobb

6/16	Introduced
6/16	Fiscal Note Requested
6/19	Referred to Education & Cultural
	Resources
6/20	Hearing
	Died in Committee

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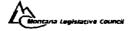
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1	BILL NO. 13
2	INTRODUCED BY COBB
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE AS ALLOWABLE
5	COSTS FOR SPECIAL EDUCATION PROGRAMS THE COSTS OF THE
6	TEACHERS' RETIREMENT SYSTEM, THE PUBLIC EMPLOYEES'
7	RETIREMENT SYSTEM, THE FEDERAL SOCIAL SECURITY SYSTEM, OR
8	THE COSTS FOR UNEMPLOYMENT COMPENSATION INSURANCE; AMENDING
9	SECTION 20-7-431, MCA; AND PROVIDING A DELAYED EFFECTIVE
10	DATE."
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HOUSE

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

Section 1. Section 20-7-431, MCA, is amended to read: *20-7-431. Allowable cost schedule for special programs -- superintendent to make rules -- annual accounting. (1) For the purpose of determining maximum-budget-without-a-vote for special education as defined in 20-9-321, the following schedule of allowable costs shall must be followed by the school district in preparation of its special education budget for state aid request purposes and by the superintendent of public instruction in his review and approval of the budget (for purposes of determining the amount of maximum-budget-without-a-vote for special education for the district, and as used in this schedule, "full-time special



- pupil" and "regular ANB" are to be determined in accordance with 20-9-311 and 20-9-313):
- (a) instruction: salaries, benefits, supplies,
 textbooks, and other expenses including:
- 5 (i) salaries and benefits of special program teachers. regular program teachers, teacher aides, special education 7 supervisors, audiologists. and speech and hearing clinicians -- the entire cost if employed full time in the special program; if such personnel are shared between 10 special and regular programs -- a portion of the entire cost 11 corresponding to the entire working time which each such 12 person devotes to the special program;
- 13 (ii) teaching supplies and textbooks if used 14 exclusively for special programs—the actual total cost;
- 15 (iii) other expenses:

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- 16 (A) contracted services, including fees paid for
 17 professional advice and consultation regarding special
 18 students or the special program, and the delivery of special
 19 education services by public or private agencies—the actual
 20 total cost;
 - (B) transportation costs for special education personnel who must travel on an itinerant basis from school to school or district to district or to in-state child study team meetings or in-state individualized education program meetings—the actual cost to the district calculated on the

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- same mileage rate used by the district for other travel
 reimbursement purposes;
 - (b) supportive services, including:

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- personnel—the entire cost if employed full time in the special program; if such personnel are shared between special and regular programs—a portion of the entire cost corresponding to the entire working time which each such person devotes to the special program. Professional supportive personnel may include counselors, social workers, psychologists, psychometrists, physicians, nurses, and physical and occupational therapists.
- who assist professional personnel in supportive services—the entire cost if employed full time in the special program; if such personnel are shared between special and regular programs—a portion of the entire cost corresponding to the entire working time which each such person devotes to the special program;
 - (c) equipment:
 - (i) equipment -- the actual total cost;
- 22 (ii) special equipment for district-owned school buses
 23 necessary to accommodate special students--the actual total
 24 cost;
- 25 (iii) special equipment for school buses contracted to

- transport special students--that portion of the contract
 price attributable to the cost of special equipment or
 personnel required to accommodate special students--the
 actual special cost;
 - (iv) repair and maintenance of equipment--the actual
 total cost;
 - (d) room and board costs when the special pupil has to attend a program at such a distance from his home that commuting is undesirable as determined by the superintendent of public instruction.
 - (2) The superintendent of public instruction shall; prior-to-September--1; --1977; --revise--the adopt rules in accordance with the policies of the board of public education for:
 - (a) keeping necessary records for supportive and administrative personnel and any personnel shared between special and regular programs;
 - (b) defining the total special program caseload that shall must be assigned to specific support persons and the kinds of professional specialties to be considered relevant to the program before the district may count an allowable cost under subsection (1)(b) of this section; and
- 23 (c) defining the kinds or types of equipment whose 24 costs may be counted under subsection (1)(c)(i) of this 25 section.

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effective July 1, 1990.

(3) An annual accounting of all expenditures of school district general fund moneys money for special education shall must be made by the district trustees on forms furnished by the superintendent of public instruction. The superintendent of public instruction shall make rules for such the accounting.

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- 7 (4) If a board of trustees chooses to exceed the budget approved by the superintendent of public instruction, costs in excess of the approved budget may not be reimbursed the maximum-budget-without-a-vote for under 11 education.
 - (5) Allowable costs prescribed in this section do--not include the costs of the teachers' retirement system, the public employees' retirement system, the federal social security system, or the costs for unemployment compensation insurance.
 - (6) (a) Notwithstanding other provisions of the law, the superintendent of public instruction shell may not approve a maximum-budget-without-a-vote for education which that exceeds legislative appropriations; however, any unexpended balance from the first year of a biennial appropriation may be spent in the second year of the biennium in addition to the second year appropriation.
 - (b) If the total allowable cost of the special education budgets exceeds legislative appropriations

available for special education, each district shall receive 2 a pro rata share of the available appropriations based upon 3 prioritized budget items as established bν the superintendent of public instruction. The amount of the 5 approved budgets in excess of the available appropriations 6 may not be reimbursed under the maximum-budget-without-a-vote for special education and is 7 the responsibility of the school district."

-End-

NEW SECTION. Section 2. Effective date. [This act] is