

IN THE SENATE

SENATE BILL NO. 1097

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1002B, IDAHO CODE, TO ESTABLISH
2 PROVISIONS RELATING TO CERTAIN SCHOOL AGE EDUCATION STUDENTS FROM OUT-
3 SIDE THE STATE OF IDAHO AND TO MAKE A TECHNICAL CORRECTION.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 33-1002B, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 33-1002B. PUPIL TUITION-EQUIVALENCY ALLOWANCES. 1. Districts which
9 educate pupils placed by Idaho court order in licensed homes, agencies,
10 institutions or juvenile detention facilities shall be eligible for an al-
11 lowance equivalent to forty-two percent (42%) of the previous year's gross
12 per pupil cost calculated on a daily basis. This district allowance shall be
13 in addition to support unit funding and included in district apportionment
14 payments, subject to approval of district applications by the state superin-
15 tendent of public instruction.

16 2. Districts which educate pupils placed by Idaho court order in a ju-
17 venile detention facility with a summer school program shall be eligible for
18 an allowance equivalent to one-half (1/2) of forty-two percent (42%) of the
19 previous year's gross per pupil cost calculated on a daily basis. This dis-
20 trict allowance shall be in addition to support unit funding and included in
21 district apportionment payments, subject to approval of district applica-
22 tions by the state superintendent of public instruction.

23 3. Districts which educate school age special education students who,
24 due to the nature and severity of their disabilities, are residing in li-
25 censed public or private residential facilities or homes, and whose parents
26 are not patrons of the district, shall be eligible for an allowance equiva-
27 lent to forty-two percent (42%) of the previous year's gross per pupil cost
28 per child plus the excess cost rate that is annually determined by the state
29 superintendent of public instruction. This district allowance shall be in
30 addition to exceptional education support unit funding and included in dis-
31 trict apportionment payments, subject to approval of district applications
32 by the state superintendent of public instruction.

33 4. For school age special education students from outside the state of
34 Idaho who, due to the nature and severity of their disabilities, are resid-
35 ing in licensed public or private residential facilities or homes within the
36 state of Idaho, the local school district shall provide education services
37 to such students if requested by the licensed public or private residential
38 facility or home, provided that the local school district has been given the
39 opportunity to provide input on any federally required education plans for
40 any such students. A local school district providing education services for
41 such students shall sign a contract with any such licensed public or private
42 residential facilities or homes, which contract shall delineate the educa-

1 tion services to be provided by the local school district and the amount to
2 be paid by the licensed public or private residential facility or home. The
3 amount paid shall be equal to the local school district's full cost of pro-
4 viding the education services delineated by the contract, as determined by
5 the local school district. Such students shall be excluded from all average
6 daily attendance and other reports provided to the state that would result in
7 the distribution of state funding to the local school district.

8 5. For school age nonspecial education students from outside the state
9 of Idaho who are residing in licensed public or private residential facili-
10 ties or homes within the state of Idaho, the local school district may pro-
11 vide education services to such students if requested by the licensed pub-
12 lic or private residential facility or home. A local school district provid-
13 ing education services for such students shall sign a contract with any such
14 licensed public or private residential facilities or homes, which contract
15 shall delineate the education services to be provided by the local school
16 district and the amount to be paid by the licensed public or private resi-
17 dential facility or home. The amount paid shall be equal to the local school
18 district's full cost of providing the education services delineated by the
19 contract, as determined by the local school district. Such students shall
20 be excluded from all average daily attendance and other reports provided to
21 the state that would result in the distribution of state funding to the local
22 school district.