Overview

This bill proposes to charge a serving district the costs of providing special instruction and services to a disabled child when the child enrolls in the nonresident district under an enrollment options program. Under current law, a resident district remains financially responsible for any unreimbursed special education costs attributable to a resident student who enrolls in another district. Consequently, the resident district must pay the nonresident district's unreimbursed costs of providing special instruction and services to a disabled child who enrolls under an enrollment options program regardless of whether the resident district is able to provide appropriate instruction and services to the child at less cost.

Section

1 Special instruction for children with a disability. Exempts disabled children who enroll in a nonresident district under the state's open enrollment program from the requirement that resident school districts provide special instruction and services, either within the district or another district, for disabled children.

2 Method of special instruction. Gives a disabled child's resident district the primary responsibility for providing special instruction and services, regardless of the method used, unless the child enrolls in a nonresident district under the state's open enrollment program, in which case the district providing special instruction is responsible for educating the child.

3 Nonresident tuition rate; other costs. Exempts disabled children who enroll in a nonresident district under an enrollment options program from the requirement that the resident district pay for instruction and services, board and lodging, and tuition outside the district.

4 Nonresident transportation. Requires the serving district to provide transportation for disabled children who enroll in a nonresident day program under an enrollment options program.

5 District responsibility for a child who enrolls in another district. Makes a serving district responsible for the actual costs of providing instruction and services to a disabled child who
enrolls in the district under an enrollment options program. Prohibits the serving district from charging the resident district for the disabled child's tuition costs.

6 **Appropriation.** Appropriates an unspecified amount in fiscal year 2000 from the general fund to the department of children, families and learning for the Westonka school district for unreimbursed special education tuition bills.

7 **Effective date.** Makes sections 1 to 6 effective July 1, 1999.