

1 ENGROSSED HOUSE  
2 BILL NO. 3170

By: Hickman of the House

and

Marlatt of the Senate

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7 An Act relating to schools; amending 70 O.S. 2001,  
8 Section 13-107, which relates to federal funds for  
9 special education; clarifying statutory language;  
10 directing the State Board of Education to develop a  
11 certain funding mechanism; requiring funding  
12 mechanism to distribute federal funds in a certain  
13 manner; and declaring an emergency.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 70 O.S. 2001, Section 13-107, is  
16 amended to read as follows:

17 Section 13-107. A. The State Board of Education is hereby  
18 empowered to accept and disburse any grants or funds that may be  
19 matched by or received from the federal government for the education  
20 of exceptional children and to make necessary rules ~~and regulations~~  
21 for such purpose.

22 B. The State Board of Education shall develop a funding  
23 mechanism for the disbursement of federal funds to reimburse local  
24 educational agencies for the excessive costs of high-need students.

1 The excess cost funding mechanism shall divide the available federal  
2 funds evenly between funding for:

3 1. Out-of-state residential placements for students with  
4 special needs who have an individual education program (IEP) that  
5 calls for an out-of-state residential placement in order to provide  
6 a free and appropriate public education; and

7 2. Other high-need students with excessive costs to the local  
8 education agency, which costs are at least three times the average  
9 per pupil expenditure in Oklahoma and the total excessive costs of  
10 all high-need students are at least ten percent (10%) of the flow-  
11 through allocation for the local education agency.

12 SECTION 2. It being immediately necessary for the preservation  
13 of the public peace, health and safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

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