

THE HOUSE OF REPRESENTATIVES
Wednesday, February, 24, 2010

Committee Substitute for
House Bill No. 3170

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3170 - By: HICKMAN of the House.

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

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 13-107, is amended to read
2 as follows:
3 Section 13-107. A. The State Board of Education is hereby empowered to accept
4 and disburse any grants or funds that may be matched by or received from the federal
5 government for the education of exceptional children and to make necessary rules ~~and~~
6 ~~regulations~~ for such purpose.
7 B. The State Board of Education shall develop a funding mechanism for the
8 disbursement of federal funds to reimburse local educational agencies for the excessive
9 costs of high-need students. The excess cost funding mechanism shall divide the
10 available federal funds evenly between funding for:

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

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

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

11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
12 dated 02-23-10 - DO PASS, As Amended.