

1 ENGROSSED HOUSE
2 BILL NO. 2116

By: Hickman of the House

3 and

4 Marlatt of the Senate

5
6
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 funding mechanism for federal funds for certain high-
12 need student costs; requiring funding mechanism to
13 distribute federal funds in a certain manner; and
14 declaring an emergency.

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

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

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

23 B. The State Board of Education shall develop a funding
24 mechanism for the disbursement of federal funds to reimburse local
educational agencies for the excessive costs of high-need students
who have an individual education program (IEP). The excess cost-

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

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

7 2. Other excessive costs to the local education agency for
8 high-need students, 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.

16
17
18
19
20
21
22
23
24

1 Passed the House of Representatives the 14th day of March, 2011.

2
3
4 Presiding Officer of the House of
Representatives

5
6 Passed the Senate the ____ day of _____, 2011.

7
8
9 Presiding Officer of the Senate