

§15681-A. Other subsidizable costs

The following are other subsidizable costs: [PL 2005, c. 2, Pt. D, §44 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

1. Bus purchases. Bus purchase costs; [PL 2005, c. 2, Pt. D, §44 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

2. Special education costs. A school administrative unit receives an additional weight of 1.50 for each special education student identified on the annual December 1st child count as required by the federal Individuals with Disabilities Education Act for the most recent year, up to a maximum of 15% of the school administrative unit's resident pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1). For those school administrative units in which the annual December 1st child count for the most recent year is less than 15% of the school administrative unit's resident pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1), the special education child count percentage may not increase more than 0.5% in any given year, up to a maximum of 1.0% in any given 3-year period. For each special education student above the 15% maximum, the unit receives an additional weight of .38. In addition, each school administrative unit must receive additional allocations:

A. For lower staff-student ratios and expenditures for related services for school administrative units with fewer than 20 special education students identified on the annual December 1st child count as required by the federal Individuals with Disabilities Education Act for the most recent year; [PL 2005, c. 2, Pt. D, §44 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

B. For high-cost in-district special education placements. Additional funds must be allocated for each student estimated to cost 3 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 3 times the statewide special education EPS per-pupil rate; [PL 2005, c. 2, Pt. D, §44 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

C. [PL 2017, c. 284, Pt. C, §37 (RP); PL 2017, c. 284, Pt. C, §66 (AFF).]

D. Beginning July 1, 2018, to ensure the school administrative unit meets the federal maintenance of effort requirement for receiving federal Individuals with Disabilities Education Act funds in accordance with recommendations of any legislative task force established in the First Regular Session of the 128th Legislature to identify special education cost drivers and innovative approaches to services; and [PL 2017, c. 284, Pt. C, §37 (AMD); PL 2017, c. 284, Pt. C, §66 (AFF).]

E. A separate allocation must be determined for high-cost out-of-district special education placements in accordance with this paragraph.

(1) For private school placements, additional funds must be allocated for each student estimated to cost 4 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 4 times the statewide special education EPS per-pupil rate.

(2) For public school placements, additional funds must be allocated for each student estimated to cost 3 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 3 times the statewide special education EPS per-pupil rate.

(3) For public regional special education program placements, additional funds must be allocated for each student estimated to cost 2 times the statewide special education EPS per-

pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 2 times the statewide special education EPS per-pupil rate. Resident students for the fiscal agent of the regional special education program are considered out-of-district placements for purposes of this determination. The commissioner may expend and disburse funds pursuant to section 15689, subsection 9 for direct contractual agreements to provide legal services, facilitation services and other services to assist a school administrative unit with planning and implementing a regional special education program. [PL 2017, c. 284, Pt. C, §37 (NEW); PL 2017, c. 284, Pt. C, §66 (AFF).]

The commissioner shall develop an appeals procedure for calculated special education costs for school administrative units;

[PL 2017, c. 284, Pt. C, §37 (AMD); PL 2017, c. 284, Pt. C, §66 (AFF).]

2-A. Reduction for fiscal year 2008-09.

[PL 2017, c. 284, Pt. C, §38 (RP).]

3. Transportation costs. For fiscal year 2006-07, the commissioner, using information provided by a statewide education policy research institute, shall establish for each school administrative unit a predicted per-pupil transportation cost as defined in section 15672, subsection 22-A. The established predicted per-pupil transportation cost multiplied by the number of the school administrative unit's resident students for each school administrative unit must be no less than 90% of the most recent year's reported net transportation expenditures. Beginning in fiscal year 2007-08, and for each subsequent fiscal year, the per-pupil transportation costs for each school administrative unit are its predicted per-pupil transportation cost for the most recent year adjusted by the Consumer Price Index or other comparable index, except that the established predicted per-pupil transportation cost multiplied by the number of the school administrative unit's resident students for each school administrative unit must be no less than 90% of the most recent year's reported net transportation expenditures. The commissioner shall develop an appeals procedure for established per-pupil transportation costs for school administrative units;

[PL 2005, c. 519, Pt. AAAA, §8 (RPR).]

3-A. Reduction for fiscal year 2008-09.

[PL 2017, c. 284, Pt. C, §39 (RP).]

4. Career and technical education costs. Career and technical education costs in the base year adjusted to the year prior to the allocation year. This subsection does not apply to the 2018-19 funding year and thereafter; and

[PL 2017, c. 284, Pt. C, §40 (AMD).]

4-A. Costs of plans for middle school career and technical education exploration programs.

Beginning in fiscal year 2018-19, and in each subsequent fiscal year, costs approved pursuant to chapter 313 attributable to establishing and operating career and technical education exploration programs for middle school students. The commissioner may establish an allocation to school administrative units for plans under this subsection. The plans must be implemented within the school administrative unit; and

[PL 2017, c. 420, §7 (NEW).]

5. Gifted and talented education costs. Gifted and talented education costs in the base year adjusted to the year prior to the allocation year.

[PL 2005, c. 2, Pt. D, §44 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

SECTION HISTORY

PL 2005, c. 2, §D44 (NEW). PL 2005, c. 2, §§D72,74 (AFF). PL 2005, c. 12, §UU3 (AMD). PL 2005, c. 12, §§UU12,13,WW 18 (AFF). PL 2005, c. 397, §D3 (REV). PL 2005, c. 519, §AAAA8

(AMD). PL 2007, c. 240, Pt. XXXX, §§27, 28 (AMD). PL 2013, c. 368, Pt. C, §10 (AMD). PL 2013, c. 595, Pt. C, §4 (AMD). PL 2015, c. 267, Pt. C, §9 (AMD). PL 2017, c. 284, Pt. C, §§37-40 (AMD). PL 2017, c. 284, Pt. C, §66 (AFF). PL 2017, c. 420, §7 (AMD).

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