

2021 Kansas Statutes

72-3425. **Catastrophic state aid; computation of amounts; apportionment; limitations.** (a) In school year 2010-2011 and in each school year thereafter, to the extent that appropriations are available, each school district which has provided special education or related services for an exceptional child is eligible to receive catastrophic state aid in an amount determined by the state board. The state board shall:

- (1) Determine the cost of providing special education and related services to an exceptional child in the school district for which an application for catastrophic state aid has been submitted;
- (2) determine the amount of state aid the district received under K.S.A. 72-3422, and amendments thereto, in the current school year for such exceptional child;
- (3) subtract the amount determined under (2) from the amount determined under (1);
- (4) determine the amount of state aid paid per special teacher under K.S.A. 72-3422, and amendments thereto, in the preceding school year;
- (5) multiply the amount determined under (4) by 2;
- (6) subtract the product obtained under (5) from the difference obtained under (3);
- (7) multiply the difference obtained under (6) by .75. The product is the amount of catastrophic state aid the district is eligible to receive for such exceptional child.

(b) In order to be eligible for catastrophic state aid, a school district shall submit to the state board of education an application for such aid, a description of the special education or related services provided, the name or names of the child or children for whom provided and the amount expended to provide such special education or related services. School districts shall not be eligible for catastrophic state aid for amounts expended but which are reimbursed or otherwise financed with state aid received under K.S.A. 72-3422 or K.S.A. 72-3440, and amendments thereto, or aid received under federal law. The application and description shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of applications for catastrophic state aid is prerequisite to the award of such aid.

(c) Each school district which is awarded catastrophic state aid shall make such periodic and special reports of statistical and financial information to the state board as it may request.

(d) All moneys received by a school district under authority of this section shall be deposited in the general fund of the school district and transferred to its special education fund.

(e) The state board of education shall:

- (1) Prescribe and adopt criteria for identification and determination of excessive costs attributable to the provision of special education and related services for which an application for catastrophic state aid may be made under this section;
- (2) approve applications of school districts for catastrophic state aid;
- (3) determine the amount of catastrophic state aid and be responsible for payment of such aid to school districts; and
- (4) prescribe all forms necessary for reporting under this section.

(f) If the amount of appropriations for the payment of catastrophic state aid is insufficient to pay in full the amount each school district is determined to be eligible to receive for the school year, the state board shall prorate the amount appropriated among all school districts which are eligible to receive such state aid in proportion to the amount each school district is determined to be eligible to receive.

(g) The state board shall determine the amount of moneys each school district is eligible to receive under this section prior to determining the amount of moneys each school district is eligible to receive under K.S.A. 72-3422, and amendments thereto.

(h) In school year 2009-2010 and to the extent that appropriations are available, each school district which has provided special education or related services for an exceptional child whose IEP provides for services which cost in excess of \$36,000 for such school year is eligible to receive catastrophic state aid in an amount equal to 75% of that portion of the costs, incurred by the district in the provision of special education or related services for the child, that is in excess of \$36,000. School districts shall not be eligible for catastrophic state aid for amounts expended but which are reimbursed or otherwise financed with state aid received under K.S.A. 72-3422 or K.S.A. 72-3440, and amendments thereto, or aid received under federal law.

History: L. 1994, ch. 307, § 10; L. 1999, ch. 116, § 29; L. 2001, ch. 215, § 13; L. 2010, ch. 127, § 1; Apr. 29.