



ADMINISTRATIVE RULES OF MONTANA



10.16.3803 DEFINITIONS

The following definitions apply to rules affecting the funding of special education programs:

- (1) "Advance reimbursement on special education allowable cost payments" means a loan to a district to offset a severe economic hardship caused by exceptional special education costs to the district. This advance on a district's ensuing fiscal year's special education allowable cost payment must be repaid in the ensuing fiscal year.
- (2) "Appropriation" means an annual amount set by the Superintendent of Public Instruction for distribution to schools and cooperatives such that:
 - (a) the amount does not exceed legislative appropriation;
 - (b) the sum of amounts that are set for each of the fiscal years of a biennial appropriation total the biennial appropriation; and
 - (c) the amount distributed to schools may be less than the appropriated amount to compensate for additional ANB count.
- (3) "Average number belonging" or "ANB" means a student count for each school district that is used for school funding purposes. The count is performed according to ARM 10.20.102, et seq.
- (4) "Certified local match" means the local matching funds that a district is required to contribute toward special education costs to avoid any reversions against its special education allowable cost payments. This number is certified by the Superintendent of Public Instruction.
- (5) "Cooperative" and "special education cooperative" means a full service education cooperative or joint board established under 20-7-451, MCA, to provide special education services.
- (6) "Cooperative administrative costs" means the costs cooperatives incur for operations, maintenance, travel, support services, recruitment, and administration.
- (7) "Current fiscal year" means the period between July 1 and June 30 during which calculations for the ensuing fiscal year are made.
- (8) "Eligible district" means a district that has a special education program as defined in ARM 10.16.3810.
- (9) "Ensuing fiscal year" means the fiscal year for which a calculation is being made.
- (10) "Instructional block grant" means the portion of the special education allowable cost payment based on statewide special education instructional expenditures and calculated as a per student rate times the number of students per district.

- (11) "Low incidence disability services" means services to students whose disability occurs in less than one percent of the statewide public school population, presents a need for very intensive special education services, and costs for the services exceed the average costs for other students with disabilities.
- (12) "Minimum special education expenditure to avoid reversions" means a district's instructional block grant plus a district's related services block grant plus the district's certified required local match. If the district is a participating member of a cooperative, the related services block grant is not included in the minimum special education expenditure to avoid reversions.
- (13) "Reimbursement" and "reimbursement for disproportionate costs" mean the portion of the special education allowable cost payment that is calculated based on district's prior special education expenditures to offset disproportionately high special education expenditures.
- (14) "Related services block grant" means the portion of the special education allowable cost payment based on statewide special education related services expenditures and calculated as a per student rate times the number of students per district. If a district is a special education cooperative member, this portion of the special education allowable cost payment is awarded to the cooperative.
- (15) "Special education allowable cost payment" and "allowable cost payment" means the amount of the state special education appropriation distributed to districts or special education cooperatives for special education programs.
- (16) "Special education allowable cost expenditures" means expenditures for certain allowable costs associated with the provision of special education services to a child with disabilities as defined in 20-7-401, MCA.

Authorizing statute(s): 20-7-402, 20-7-431, 20-7-457, MCA

Implementing statute(s): 20-7-414, 20-7-431, 20-7-457, 20-9-321, MCA

History: NEW, 1995 MAR p. 356, Eff. 3/17/95; AMD & TRANS, 2000 MAR p. 1048, Eff. 7/1/00; AMD, 2002 MAR p. 1740, Eff. 6/28/02; AMD, 2007 MAR p. 678, Eff. 5/25/07; AMD, 2011 MAR p. 2262, Eff. 10/28/11.