

**157.280 Special education program furnished by district other than that of child's residence, or privately -- Sharing costs -- Transportation -- Transportation to and from state schools for the deaf and blind.**

- (1) If the number of children of school age in one (1) classification of exceptionality in a district is not sufficient to justify a special education program for that exceptionality in that district, or if a school district does not provide a special education program for that exceptionality, the board shall provide a program by contract with another county or independent district or private organization that maintains a special education program approved by the Kentucky Board of Education for that exceptionality. When a district or private organization undertakes, under operation of a tuition contract or of law, to provide in its classes for these pupils residing in another district, the district of residence of these pupils shall share the total cost of the special education program in proportion to the number of pupils or in accordance with contract agreement between the two (2) districts or district and private organization.
- (2) If a local school district's admissions and release committee determines that a child requires placement in a special education program operated by another county or independent district or private organization, the resident local school district shall assume responsibility for the payment of the costs incurred in educating the child. The school board of the school district in which any child resides shall pay for his transportation to and from the program in the other school district or to the private organization. However, if the school board of the other district or the private organization providing the program also provides transportation, the cost of transportation shall be included in the total cost.
- (3) If a local school district's admission and release committee determines that the local school district has an appropriate educational program for a child and a parent chooses to place the child in a program or facility in another county or independent district or private organization, the parent shall assume responsibility for payment of the costs incurred in educating the child.
- (4) If a child of school age is admitted for resident instruction at the Kentucky School for the Deaf or the Kentucky School for the Blind, under regulation of the Kentucky Board of Education and under provisions of KRS 167.015 to 167.170, the district in which the child resides shall provide transportation to and from the school on a regularly scheduled basis, at weekly intervals while the child is enrolled, either by individual district or in cooperation with other school districts on a regional basis, as approved by the Kentucky Board of Education upon recommendation of the chief state school officer. Students who live more than two hundred (200) miles from either school shall not be required to go home more than twice each month. The Kentucky Board of Education shall promulgate administrative regulations to set forth the transportation schedule and the weekend activities for students who remain at school.
- (5) If a child of school age is admitted as a day school pupil for instruction at the Kentucky School for the Deaf or the Kentucky School for the Blind, under regulation of the Kentucky Board of Education and under provisions of KRS

167.015 to 167.150, the district in which the child resides may provide transportation to and from the school on a daily basis, either by individual district or in cooperation with other school districts on a regional basis, as approved by the Kentucky Board of Education upon recommendation of the chief state school officer. School districts providing this transportation shall be reimbursed from the transportation fund of the foundation program at the same rate per trip as that which is calculated under subsection (4) of this section.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 362, sec. 6, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 376, sec. 4, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 257, sec. 1, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 108, sec. 1, effective July 13, 1990; and ch. 476, Pt. IV, sec. 184, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 225, sec. 1, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 119, sec. 2, effective July 15, 1982; and ch. 358, sec. 1, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 286, sec. 7, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 155, sec. 82, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 271, sec. 1. -- Amended 1974 Ky. Acts ch. 79, sec. 1. -- Amended 1962 Ky. Acts ch. 169, sec. 8. -- Created 1948 Ky. Acts ch. 4, sec. 9.