

**157.226 Preschool program for disabled children.**

- (1) Effective with the 1991-92 school year, any child who has been identified as disabled in accordance with the Individuals with Disabilities Education Act, Public Law 101-476, or as exceptional by KRS 157.200(1)(a) to (m) and corresponding administrative regulations, and who is three (3) or four (4) years of age, or who may become five (5) years of age after October 1 of the current year, shall be eligible for a free and appropriate preschool education and related services.
- (2) The General Assembly shall provide funds to be used for preschool education programs and related services for children with disabilities. Appropriations shall be separate from all other state funds appropriated to the Department of Education and shall be administered in accordance with applicable state statutes and administrative regulations and the Individuals with Disabilities Education Act, Public Law 101-476.
- (3) Eligible local school districts shall receive funds based on the number of appropriately identified preschool children with disabilities being served on December 1 of the prior year. Program funding shall be adjusted proportionately when enrollment data in any district for the first two (2) months of the current school year is more than five percent (5%) above or below the number of children being served in the previous year. A supplemental enrollment count shall be taken after December 1 to allow partial funding for children with disabilities who become three (3) years of age after December 1 and consequently begin to receive services after that date. Local school districts may develop cooperative arrangements with other school districts or organizations in accordance with KRS 157.280.
- (4) The Kentucky Board of Education shall adopt administrative regulations related to the administration and supervision of programs, eligibility criteria, personnel requirements, and the allocation and use of funds.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 362, sec. 6, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 377, sec. 3, effective July 14, 1992. -- Created 1990 Ky. Acts ch. 476, Pt. I, sec. 17, effective July 13, 1990.