

1 **Browning Public Schools**

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3 Policy #

4 Policy Name: *Non-Voted Levy for Excess IDEA Costs*

5 *Regulation:*

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7 It is the policy of the District to increase the flexibility and efficiency of the District’s resources
8 by utilizing provisions in law that allow the District to levy amounts necessary to provide FAPE
9 to resident students with special needs.

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11 In addition to use of a tuition levy to pay tuition for out-of-district attendance of a resident pupil,
12 a school district may also include in its tuition levy an amount necessary to pay for the full costs
13 of providing a free appropriate public education to any child with a disability who lives in the
14 District. The amount of the levy imposed for the costs associated with educating each child with
15 a disability must be limited to the actual cost of service under the child's individualized education
16 program minus:

- 17
18 (A) the student's state special education payment;
19 (B) the student's federal special education payment;
20 (C) the student's per-ANB amount;
21 (D) the prorated portion of the district's basic entitlement for each qualifying student; and
22 (E) the prorated portion of the district's general fund payments in [20-9-327](#) through [20-9-330](#)
23 for each qualifying student.

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26 Legal Reference: 20-5-324(5)(a)(iii), MCA Tuition report and payment
27 provisions

28 20-9-327, MCA Quality Educator Payment

29 20-9-328, MCA At-Risk Student Payment

30 20-9-329, MCA Indian education for all payment

31 20-9-330, MCA American Indian achievement gap payment

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33 **Policy History:**

34 Adopted on: 1/10/17

35 Amended on:

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