

711-138AX-08

Bill No. CS for SB 364, 1st Eng.

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Ryan offered the following:

**Amendment (with title amendment)**

On page 1, lines 26-29,  
remove: all of said lines

and insert:

Section 1. Subsections (8), (42), and (50) of section 393.063, Florida Statutes, are amended to read:

393.063 Definitions.--For the purposes of this chapter:

(8) "Comprehensive transitional education program" means a group of jointly operating centers or units, the collective purpose of which is to provide a sequential series of educational care, training, treatment, habilitation, and rehabilitation services to persons who have developmental disabilities, as defined in subsection (12), and who have severe or moderate maladaptive behaviors. However, nothing in this subsection shall require comprehensive transitional education programs to provide services only to persons with developmental disabilities, as defined in subsection (12).

711-138AX-08

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1 All such services shall be temporary in nature and delivered  
2 in a structured residential setting with the primary goal of  
3 incorporating the normalization principle to establish  
4 permanent residence for persons with maladaptive behaviors in  
5 facilities not associated with the comprehensive transitional  
6 education program. The staff shall include psychologists and  
7 teachers, and such staff personnel shall be available to  
8 provide services in each component center or unit of the  
9 program. The psychologists shall be individuals who are  
10 licensed in this state and certified as behavior analysts in  
11 this state, or individuals who meet the professional  
12 requirements established by the department for district  
13 behavior analysts and are certified as behavior analysts in  
14 this state.

15 (a) Comprehensive transitional education programs  
16 shall include a minimum of two component centers or units, as  
17 defined in this paragraph, one of which shall be either an  
18 intensive treatment and educational center or a transitional  
19 training and educational center, which provide services to  
20 persons with maladaptive behaviors in the following sequential  
21 order:

22 1. Intensive treatment and educational center. This  
23 component is a self-contained residential unit providing  
24 intensive psychological and educational programming for  
25 persons with severe maladaptive behaviors, whose behaviors  
26 preclude placement in a less restrictive environment due to  
27 the threat of danger or injury to themselves or others.

28 2. Transitional training and educational center. This  
29 component is a residential unit for persons with moderate  
30 maladaptive behaviors, providing concentrated psychological  
31 and educational programming emphasizing a transition toward a

711-138AX-08

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Amendment No. \_\_\_\_ (for drafter's use only)

1 less restrictive environment.

2 3. Community transition residence. This component is  
3 a residential center providing educational programs and such  
4 support services, training, and care as are needed to assist  
5 persons with maladaptive behaviors to avoid regression to more  
6 restrictive environments while preparing them for more  
7 independent living. Continuous-shift staff shall be required  
8 for this component.

9 4. Alternative living center. This component is a  
10 residential unit providing an educational and family living  
11 environment for persons with maladaptive behaviors, in a  
12 moderately unrestricted setting. Residential staff shall be  
13 required for this component.

14 5. Independent living education center. This  
15 component is a facility providing a family living environment  
16 for persons with maladaptive behaviors, in a largely  
17 unrestricted setting which includes education and monitoring  
18 appropriate to support the development of independent living  
19 skills by the students.

20 (b) Centers or units that are components of a  
21 comprehensive transitional education program are subject to  
22 the license issued to the comprehensive transitional education  
23 program and may be located on either single or multiple sites.

24 (c) Comprehensive transitional education programs  
25 shall develop individual education plans for each person with  
26 maladaptive behaviors who receives services therein. Such  
27 individual education plans shall be developed in accordance  
28 with the criteria included in Pub. L. No. 94-142, 20 U.S.C.  
29 ss. 401 et seq., and 34 C.F.R. part 300.

30 (d) In no instance shall the total number of persons  
31 with maladaptive behaviors being provided services in a

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1 comprehensive transitional education program exceed 120.  
 2 (e) This subsection shall authorize licensure for  
 3 comprehensive transitional education programs which by July 1,  
 4 1989:  
 5 1. Are in actual operation; or  
 6 2. Own a fee simple interest in real property for  
 7 which a county or city government has approved zoning allowing  
 8 for the placement of the facilities described in this  
 9 subsection, and have registered an intent with the department  
 10 to operate a comprehensive transitional education program.  
 11 However, nothing shall prohibit the assignment by such a  
 12 registrant to another entity at a different site within the  
 13 state, so long as there is compliance with all criteria of the  
 14 comprehensive transitional education program.

===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 1, line 3, after the second semicolon,

21 insert:

22 revising a grandfathering provision relating to  
 23 the comprehensive transitional education  
 24 program;