

Bill No. SB 768

Barcode 660744

CHAMBER ACTION

Senate

House

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The Committee on Children and Families (Lynn) recommended the following amendment:

Senate Amendment (with title amendment)

On page 4, line 3, through
page 5, line 7, delete those lines

and insert:

(2)(a) An exceptional student with a disability who resides in a residential facility and receives special instruction or services is considered a resident of the state in which the student's parent or guardian is a resident. The cost of such instruction, facilities, and services for a nonresident student with a disability shall be provided by the placing authority in the student's state of residence, such as a public school entity, other placing authority, or parent. A nonresident student with a disability may not be reported by any school district for FTE funding in the Florida Education Finance Program.

(b) The Department of Education shall provide to each school district a statement of the specific limitations of the

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1 district's financial obligation for exceptional students with
 2 disabilities under federal and state law. The department shall
 3 also provide to each school district technical assistance as
 4 necessary for developing a local plan to impose on a student's
 5 home state the fiscal responsibility for educating a
 6 nonresident exceptional student with a disability.

7 (c) The Department of Education shall develop a
 8 process by which a school district must, before providing
 9 services to an exceptional student with a disability who
 10 resides in a residential facility in this state, review the
 11 residency of the student. The residential facility, not the
 12 district, is responsible for billing and collecting from a
 13 nonresidential student's home state payment for the student's
 14 educational and related services.

15 (d) This subsection applies to any nonresident student
 16 with a disability who resides in a residential facility and
 17 who receives instruction as an exceptional student with a
 18 disability in any type of residential facility in this state,
 19 including, but not limited to, a private school, a group home
 20 facility as defined in s. 393.063, an intensive residential
 21 treatment program for children and adolescents as defined in
 22 s. 395.002, a facility as defined in s. 394.455, an
 23 intermediate care facility for the developmentally disabled or
 24 ICF/DD as defined in s. 393.063 or s. 400.960, or a community
 25 residential home as defined in s. 419.001.

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

29 And the title is amended as follows:

30 On page 1, lines 6-12, delete those lines

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1 and insert:

2 exceptional student with a disability;
3 requiring the student's placing authority or
4 parent to pay the cost of such instruction,
5 facilities, and services; providing
6 responsibilities of the Department of
7 Education; providing responsibilities of
8 residential facilities that educate exceptional
9 students with disabilities; providing
10 applicability; amending s.

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