

By Senator Constantine

22-1050-07

See HB 557

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A bill to be entitled
An act relating to exceptional students;
amending ss. 1003.57 and 1003.58, F.S.;
providing responsibility for the cost of
providing educational services to an
exceptional student with a disability who
receives such services in a school district
other than his or her assigned school district;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (1) of section
1003.57, Florida Statutes, is amended to read:

1003.57 Exceptional students instruction.--

(1) Each district school board shall provide for an
appropriate program of special instruction, facilities, and
services for exceptional students as prescribed by the State
Board of Education as acceptable, including provisions that:

(b) The district school board provide the special
instruction, classes, and services, either within the district
school system, in cooperation with other district school
systems, or through contractual arrangements with approved
private schools or community facilities that meet standards
established by the commissioner. If an exceptional student
with a disability receives educational services in a school
district other than his or her assigned school district, the
cost of providing such services shall be borne by the school
district in which the parent of the student maintains
residence or, if the student no longer resides with the
parent, the cost of providing such services shall be borne by

1 the school district in which the parent maintained residence
2 at the time the student last resided with the parent.

3 Section 2. Subsection (3) of section 1003.58, Florida
4 Statutes, is amended to read:

5 1003.58 Students in residential care facilities.--Each
6 district school board shall provide educational programs
7 according to rules of the State Board of Education to students
8 who reside in residential care facilities operated by the
9 Department of Children and Family Services or the Agency for
10 Persons with Disabilities.

11 (3) The district school board shall have full and
12 complete authority in the matter of the assignment and
13 placement of such students in educational programs. The parent
14 of an exceptional student shall have the same due process
15 rights as are provided under s. 1003.57(1)(e). If the
16 residential care facility in which an exceptional student with
17 a disability resides is located in a school district other
18 than the student's assigned school district, the cost of
19 providing educational services to such student shall be borne
20 by the school district in which the parent maintained
21 residence at the time the student last resided with the
22 parent.

23
24 Notwithstanding the provisions herein, the educational program
25 at the Marianna Sunland Center in Jackson County shall be
26 operated by the Department of Education, either directly or
27 through grants or contractual agreements with other public or
28 duly accredited educational agencies approved by the
29 Department of Education.

30 Section 3. This act shall take effect July 1, 2007.
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