

1                                   A bill to be entitled  
 2           An act relating to exceptional students; amending ss.  
 3           1003.57 and 1003.58, F.S.; providing responsibility for  
 4           the cost of providing educational services to an  
 5           exceptional student with a disability who receives such  
 6           services in a school district other than his or her  
 7           assigned school district; providing an effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1. Paragraph (b) of subsection (1) of section  
 12   1003.57, Florida Statutes, is amended to read:

13           1003.57 Exceptional students instruction.--

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

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

HB 557

2007

29 such services shall be borne by the school district in which the  
30 parent maintained residence at the time the student last resided  
31 with the parent.

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

34 1003.58 Students in residential care facilities.--Each  
35 district school board shall provide educational programs  
36 according to rules of the State Board of Education to students  
37 who reside in residential care facilities operated by the  
38 Department of Children and Family Services or the Agency for  
39 Persons with Disabilities.

40 (3) The district school board shall have full and complete  
41 authority in the matter of the assignment and placement of such  
42 students in educational programs. The parent of an exceptional  
43 student shall have the same due process rights as are provided  
44 under s. 1003.57(1)(e). If the residential care facility in  
45 which an exceptional student with a disability resides is  
46 located in a school district other than the student's assigned  
47 school district, the cost of providing educational services to  
48 such student shall be borne by the school district in which the  
49 parent maintained residence at the time the student last resided  
50 with the parent.

51  
52 Notwithstanding the provisions herein, the educational program  
53 at the Marianna Sunland Center in Jackson County shall be  
54 operated by the Department of Education, either directly or  
55 through grants or contractual agreements with other public or

HB 557

2007

56 | duly accredited educational agencies approved by the Department  
57 | of Education.

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