

By the Committee on Education Pre-K - 12; and Senator
Constantine

581-06500-08

2008318c1

1 A bill to be entitled

2 An act relating to exceptional students; amending s.
3 1003.57, F.S.; requiring notification to school districts
4 by the Department of Children and Family Services and the
5 Agency for Persons with Disabilities under certain
6 circumstances; requiring a review of a student's
7 individual educational plan; providing for a determination
8 of responsibility for educational instruction; requiring
9 the reporting of the student for funding purposes;
10 providing an effective date.

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

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14 Section 1. Subsection (3) is added to section 1003.57,
15 Florida Statutes, to read:

16 1003.57 Exceptional students instruction.--

17 (3) (a) Within 10 days after an exceptional student with a
18 disability is placed in or referred to a private residential care
19 facility by the Department of Children and Family Services or the
20 Agency for Persons with Disabilities, the department or agency as
21 appropriate, must provide notification of the placement or
22 referral to the school district in which the private residential
23 care facility is located. This subsection applies when the
24 placement or referral is for the primary purpose of addressing
25 residential or other noneducational needs and the placement or
26 referral crosses school district lines.

27 (b) Within 10 days after receiving the notification, the
28 school district in which the private residential care facility is
29 located must review the student's individual educational plan to

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30 determine if the student may benefit from instruction provided by
31 the school district or by a provider or facility under contract
32 with the school district. The school district shall provide
33 educational instruction to the student, contract with another
34 provider or facility to provide the educational instruction,
35 contract with the private residential care facility in which the
36 student resides to provide the educational instruction, or
37 decline to provide or contract for educational instruction. If
38 the school district declines to provide or contract for the
39 educational instruction, the school district in which the student
40 was enrolled prior to the placement in or referral to the private
41 residential care facility shall provide or contract for the
42 educational instruction to the student. The school district that
43 provides educational instruction or contracts to provide
44 educational instruction shall report the student for funding
45 purposes under s. 1011.62.

46 Section 2. This act shall take effect July 1, 2008.