

1 A bill to be entitled
2 An act relating to education for children in shelter care
3 or foster care; amending s. 39.0016, F.S.; defining the
4 term "surrogate parent"; providing legislative intent;
5 providing conditions and requirements for district school
6 superintendent or court appointment of a surrogate parent
7 for educational decisionmaking for a child who has or is
8 suspected of having a disability; providing requirements
9 for educational placement; providing requirements relating
10 to qualifications and responsibilities of surrogate
11 parents; limiting liability; amending s. 39.202, F.S.;
12 providing for access to certain records to liaisons
13 between school districts and the Department of Children
14 and Family Services; amending s. 39.402, F.S.; requiring
15 access to a child's medical records and educational
16 records if a child is placed in a shelter; authorizing
17 appointment of a surrogate parent; amending s. 39.701,
18 F.S.; requiring the court and citizen review panel in
19 judicial reviews to consider testimony by a surrogate
20 parent for educational decisionmaking; providing for
21 additional deliberations relating to appointment of an
22 educational decisionmaker; requiring certain documentation
23 relating to the educational setting; amending s. 1003.21,
24 F.S.; providing access to free public education for
25 children known to the department; authorizing a temporary
26 exemption relating to school attendance; amending s.
27 1003.22, F.S.; authorizing a temporary exemption from

28 | school-entry health examinations for children known to the
 29 | department; providing an effective date.

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

33 | Section 1. Section 39.0016, Florida Statutes, is amended
 34 | to read:

35 | 39.0016 Education of abused, neglected, and abandoned
 36 | children; agency agreements; children having or suspected of
 37 | having a disability.--

38 | (1) DEFINITIONS.--As used in this section, the term:

39 | (a) "Children known to the department" means children who
 40 | are found to be dependent or children in shelter care.

41 | (b) "Department" means the Department of Children and
 42 | Family Services or a community-based care lead agency acting on
 43 | behalf of the Department of Children and Family Services, as
 44 | appropriate.

45 | (c) "Surrogate parent" means an individual appointed to
 46 | act in the place of a parent in educational decisionmaking and
 47 | in safeguarding a child's rights under the Individuals with
 48 | Disabilities Education Act and this section.

49 | (2) AGENCY AGREEMENTS.--

50 | (a)~~(3)~~ The department shall enter into an agreement with
 51 | the Department of Education regarding the education and related
 52 | care of children known to the department. Such agreement shall
 53 | be designed to provide educational access to children known to
 54 | the department for the purpose of facilitating the delivery of
 55 | services or programs to children known to the department. The

56 | agreement shall avoid duplication of services or programs and
 57 | shall provide for combining resources to maximize the
 58 | availability or delivery of services or programs.

59 | ~~(b)(4)~~ The department shall enter into agreements with
 60 | district school boards or other local educational entities
 61 | regarding education and related services for children known to
 62 | the department who are of school age and children known to the
 63 | department who are younger than school age but who would
 64 | otherwise qualify for services from the district school board.
 65 | Such agreements shall include, but are not limited to:

66 | ~~1.(a)~~ A requirement that the department shall:

67 | ~~a.1.~~ Enroll children known to the department in school.
 68 | The agreement shall provide for continuing the enrollment of a
 69 | child known to the department at the same school, if possible,
 70 | with the goal of avoiding disruption of education.

71 | ~~b.2.~~ Notify the school and school district in which a
 72 | child known to the department is enrolled of the name and phone
 73 | number of the child known to the department caregiver and
 74 | caseworker for child safety purposes.

75 | ~~c.3.~~ Establish a protocol for the department to share
 76 | information about a child known to the department with the
 77 | school district, consistent with the Family Educational Rights
 78 | and Privacy Act, since the sharing of information will assist
 79 | each agency in obtaining education and related services for the
 80 | benefit of the child.

81 | ~~d.4.~~ Notify the school district of the department's case
 82 | planning for a child known to the department, both at the time
 83 | of plan development and plan review. Within the plan development

84 or review process, the school district may provide information
85 regarding the child known to the department if the school
86 district deems it desirable and appropriate.

87 ~~2.(b)~~ A requirement that the district school board shall:

88 a.1. Provide the department with a general listing of the
89 services and information available from the district school
90 board, ~~including, but not limited to, the current Sunshine State~~
91 ~~Standards, the Surrogate Parent Training Manual, and other~~
92 ~~resources accessible through the Department of Education or~~
93 ~~local school districts~~ to facilitate educational access for a
94 child known to the department.

95 b.2. Identify all educational and other services provided
96 by the school and school district which the school district
97 believes are reasonably necessary to meet the educational needs
98 of a child known to the department.

99 c.3. Determine whether transportation is available for a
100 child known to the department when such transportation will
101 avoid a change in school assignment due to a change in
102 residential placement. Recognizing that continued enrollment in
103 the same school throughout the time the child known to the
104 department is in out-of-home care is preferable unless
105 enrollment in the same school would be unsafe or otherwise
106 impractical, the department, the district school board, and the
107 Department of Education shall assess the availability of
108 federal, charitable, or grant funding for such transportation.

109 d.4. Provide individualized student intervention or an
110 individual educational plan when a determination has been made
111 through legally appropriate criteria that intervention services

112 are required. The intervention or individual educational plan
113 must include strategies to enable the child known to the
114 department to maximize the attainment of educational goals.

115 ~~3.(e)~~ A requirement that the department and the district
116 school board shall cooperate in accessing the services and
117 supports needed for a child known to the department who has or
118 is suspected of having a disability to receive an appropriate
119 education consistent with the Individuals with Disabilities
120 Education Act and state implementing laws, rules, and
121 assurances. Coordination of services for a child known to the
122 department who has or is suspected of having a disability may
123 include:

124 ~~a.1.~~ Referral for screening.

125 ~~b.2.~~ Sharing of evaluations between the school district
126 and the department where appropriate.

127 ~~c.3.~~ Provision of education and related services
128 appropriate for the needs and abilities of the child known to
129 the department.

130 ~~d.4.~~ Coordination of services and plans between the school
131 and the residential setting to avoid duplication or conflicting
132 service plans.

133 ~~e.5.~~ Appointment of a surrogate parent, consistent with
134 the Individuals with Disabilities Education Act and pursuant to
135 subsection (3), for educational purposes for a child known to
136 the department who qualifies ~~as soon as the child is determined~~
137 ~~to be dependent and without a parent to act for the child. The~~
138 ~~surrogate parent shall be appointed by the school district~~
139 ~~without regard to where the child known to the department is~~

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140 ~~placed so that one surrogate parent can follow the education of~~
141 ~~the child known to the department during his or her entire time~~
142 ~~in state custody.~~

143 ~~f.6.~~ For each child known to the department 14 years of
144 age and older, transition planning by the department and all
145 providers, including the department's independent living program
146 staff, to meet the requirements of the local school district for
147 educational purposes.

148 ~~(c)(2)~~ The provisions of this subsection ~~section~~ establish
149 standards ~~goals~~ and not rights. This subsection ~~section~~ does not
150 require the delivery of any particular service or level of
151 service in excess of existing appropriations. A person may not
152 maintain a cause of action against the state or any of its
153 subdivisions, agencies, contractors, subcontractors, or agents
154 based upon this subsection ~~section~~ becoming law or failure by
155 the Legislature to provide adequate funding for the achievement
156 of these standards ~~goals~~. This subsection ~~section~~ does not
157 require the expenditure of funds to meet the standards ~~goals~~
158 established in this subsection ~~section~~ except funds specifically
159 appropriated for such purpose.

160 (3) CHILDREN HAVING OR SUSPECTED OF HAVING A DISABILITY.--

161 (a)1. The Legislature finds that disability is a natural
162 part of the human experience and in no way diminishes the right
163 of individuals to participate in or contribute to society.
164 Improving educational results for children with disabilities is
165 an essential element of our public policy of ensuring equality
166 of opportunity, full participation, independent living, and
167 economic self-sufficiency for individuals with disabilities.

168 2. The Legislature also finds that research and experience
 169 have shown that the education of children with disabilities can
 170 be made more effective by:

171 a. Having high expectations for these children and
 172 ensuring their access to the general education curriculum in the
 173 regular classroom, to the maximum extent possible.

174 b. Providing appropriate exceptional student education,
 175 related services, and aids and supports in the least restrictive
 176 environment appropriate for these children.

177 c. Having a trained, interested, and consistent
 178 educational decisionmaker for the child when the parent is
 179 determined to be legally unavailable or when the foster parent
 180 is unwilling, has no significant relationship with the child, or
 181 is not trained in the exceptional student education process.

182 3. It is, therefore, the intent of the Legislature that
 183 all children with disabilities known to the department,
 184 consistent with the Individuals with Disabilities Education Act,
 185 have available to them a free, appropriate public education that
 186 emphasizes exceptional student education and related services
 187 designed to meet their unique needs and prepare them for further
 188 education, employment, and independent living and that the
 189 rights of children with disabilities are protected.

190 (b)1. Each district school superintendent or dependency
 191 court must appoint a surrogate parent for a child known to the
 192 department who has or is suspected of having a disability, as
 193 defined in s. 1003.01(3), when:

194 a. After reasonable efforts, no parent can be located; or

195 b. A court of competent jurisdiction over a child under
196 this chapter has determined that no person has the authority
197 under the Individuals with Disabilities Education Act, including
198 the parent or parents subject to the dependency action, or that
199 no person has the authority, willingness, or ability to serve as
200 the educational decisionmaker for the child without judicial
201 action.

202 2. A surrogate parent appointed by the district school
203 superintendent or the court must be at least 18 years old and
204 have no personal or professional interest that conflicts with
205 the interests of the student to be represented. Neither the
206 district school superintendent nor the court may appoint an
207 employee of the Department of Education, the local school
208 district, a community-based care provider, the Department of
209 Children and Family Services, or any other public or private
210 agency involved in the education or care of the child as
211 appointment of those persons is prohibited by federal law. This
212 prohibition includes group home staff and therapeutic foster
213 parents. However, a person who acts in a parental role to a
214 child, such as a foster parent or relative caregiver, is not
215 prohibited from serving as a surrogate parent if he or she is
216 employed by such agency, willing to serve, and knowledgeable
217 about the child and the exceptional student education process.
218 The surrogate parent may be a court-appointed guardian ad litem
219 or a relative or nonrelative adult who is involved in the
220 child's life regardless of whether that person has physical
221 custody of the child. Each person appointed as a surrogate
222 parent must have the knowledge and skills acquired by

223 successfully completing training using materials developed and
224 approved by the Department of Education to ensure adequate
225 representation of the child.

226 3. If a guardian ad litem has been appointed for a child,
227 the district school superintendent must first consider the
228 child's guardian ad litem when appointing a surrogate parent.
229 The district school superintendent must accept the appointment
230 of the court if he or she has not previously appointed a
231 surrogate parent. Similarly, the court must accept a surrogate
232 parent duly appointed by a district school superintendent.

233 4. A surrogate parent appointed by the district school
234 superintendent or the court must be accepted by any subsequent
235 school or school district without regard to where the child is
236 receiving residential care so that a single surrogate parent can
237 follow the education of the child during his or her entire time
238 in state custody. Nothing in this paragraph or in rule shall
239 limit or prohibit the continuance of a surrogate parent
240 appointment when the responsibility for the student's
241 educational placement moves among and between public and private
242 agencies.

243 5. For a child known to the department, the responsibility
244 to appoint a surrogate parent resides with both the district
245 school superintendent and the court with jurisdiction over the
246 child. If the court elects to appoint a surrogate parent, notice
247 shall be provided as soon as practicable to the child's school.
248 At any time the court determines that it is in the best
249 interests of a child to remove a surrogate parent, the court may

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250 appoint a new surrogate parent for educational decisionmaking
251 purposes for that child.

252 6. The surrogate parent shall continue in the appointed
253 role until one of the following occurs:

254 a. The child is determined to no longer be eligible or in
255 need of special programs, except when termination of special
256 programs is being contested.

257 b. The child achieves permanency through adoption or legal
258 guardianship and is no longer in the custody of the department.

259 c. The parent who was previously unknown becomes known,
260 whose whereabouts were unknown is located, or who was
261 unavailable is determined by the court to be available.

262 d. The appointed surrogate no longer wishes to represent
263 the child or is unable to represent the child.

264 e. The superintendent of the school district in which the
265 child is attending school, the Department of Education contract
266 designee, or the court that appointed the surrogate determines
267 that the appointed surrogate parent no longer adequately
268 represents the child.

269 f. The child moves to a geographic location that is not
270 reasonably accessible to the appointed surrogate.

271 7. The appointment and termination of appointment of a
272 surrogate under this paragraph shall be entered as an order of
273 the court with a copy of the order provided to the child's
274 school as soon as practicable.

275 8. The person appointed as a surrogate parent under this
276 paragraph must:

277 a. Be acquainted with the child and become knowledgeable
278 about his or her disability and educational needs.

279 b. Represent the child in all matters relating to
280 identification, evaluation, and educational placement and the
281 provision of a free and appropriate education to the child.

282 c. Represent the interests and safeguard the rights of the
283 child in educational decisions that affect the child.

284 9. The responsibilities of the person appointed as a
285 surrogate parent shall not extend to the care, maintenance,
286 custody, residential placement, or any other area not
287 specifically related to the education of the child, unless the
288 same person is appointed by the court for such other purposes.

289 10. A person appointed as a surrogate parent shall enjoy
290 all of the procedural safeguards afforded a parent with respect
291 to the identification, evaluation, and educational placement of
292 a student with a disability or a student who is suspected of
293 having a disability.

294 11. A person appointed as a surrogate parent shall not be
295 held liable for actions taken in good faith on behalf of the
296 student in protecting the special education rights of the child.

297 (4) (5) TRAINING.--The department shall incorporate an
298 education component into all training programs of the department
299 regarding children known to the department. Such training shall
300 be coordinated with the Department of Education and the local
301 school districts. The department shall offer opportunities for
302 education personnel to participate in such training. Such
303 coordination shall include, but not be limited to, notice of
304 training sessions, opportunities to purchase training materials,

305 proposals to avoid duplication of services by offering joint
 306 training, and incorporation of materials available from the
 307 Department of Education and local school districts into the
 308 department training when appropriate. The department training
 309 components shall include:

310 (a) Training for surrogate parents to include how an
 311 ability to learn of a child known to the department is affected
 312 by abuse, abandonment, neglect, and removal from the home.

313 (b) Training for parents in cases in which reunification
 314 is the goal, or for preadoptive parents when adoption is the
 315 goal, so that such parents learn how to access the services the
 316 child known to the department needs and the importance of their
 317 involvement in the education of the child known to the
 318 department.

319 (c) Training for caseworkers and foster parents to include
 320 information on the right of the child known to the department to
 321 an education, the role of an education in the development and
 322 adjustment of a child known to the department, the proper ways
 323 to access education and related services for the child known to
 324 the department, and the importance and strategies for parental
 325 involvement in education for the success of the child known to
 326 the department.

327 (d) Training of caseworkers regarding the services and
 328 information available through the Department of Education and
 329 local school districts, including, but not limited to, the
 330 current Sunshine State Standards, the Surrogate Parent Training
 331 Manual, and other resources accessible through the Department of
 332 Education or local school districts to facilitate educational

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333 access for a child known to the department.

334 Section 2. Paragraph (p) of subsection (2) of section
335 39.202, Florida Statutes, is amended to read:

336 39.202 Confidentiality of reports and records in cases of
337 child abuse or neglect.--

338 (2) Except as provided in subsection (4), access to such
339 records, excluding the name of the reporter which shall be
340 released only as provided in subsection (5), shall be granted
341 only to the following persons, officials, and agencies:

342 (p) An employee of the local school district who is
343 designated as a liaison between the school district and the
344 department pursuant to an interagency agreement required under
345 s. 39.0016 and the principal of a public school, private school,
346 or charter school where the child is a student. Information
347 contained in the records which the liaison or the principal
348 determines are necessary for a school employee to effectively
349 provide a student with educational services may be released to
350 that employee.

351 Section 3. Subsection (11) of section 39.402, Florida
352 Statutes, is amended to read:

353 39.402 Placement in a shelter.--

354 (11) (a) If a child is placed in a shelter pursuant to a
355 court order following a shelter hearing, the court shall require
356 in the shelter hearing order that the parents of the child, or
357 the guardian of the child's estate, if possessed of assets which
358 under law may be disbursed for the care, support, and
359 maintenance of the child, to pay, to the department or
360 institution having custody of the child, fees as established by

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361 the department. When the order affects the guardianship estate,
362 a certified copy of the order shall be delivered to the judge
363 having jurisdiction of the guardianship estate. The shelter
364 order shall also require the parents to provide to the
365 department and any other state agency or party designated by the
366 court, within 28 days after entry of the shelter order, the
367 financial information necessary to accurately calculate child
368 support pursuant to s. 61.30.

369 (b) The court shall request that the parents consent to
370 provide access to the child's medical records and provide
371 information to the court, the department or its contract
372 agencies, and any guardian ad litem or attorney for the child.
373 If a parent is unavailable or unable to consent or withholds
374 consent and the court determines access to the records and
375 information is necessary to provide services to the child, the
376 court shall issue an order granting access. The court may also
377 order the parents to ~~The parent or legal guardian shall provide~~
378 all known medical information to the department and to any
379 others granted access under this subsection.

380 (c) The court shall request that the parents consent to
381 provide access to the child's educational records and provide
382 information to the court, the department or its contract
383 agencies, and any guardian ad litem or attorney for the child.
384 If a parent is unavailable or unable to consent or withholds
385 consent and the court determines access to the records and
386 information is necessary to provide services to the child, the
387 court shall issue an order granting access.

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388 (d) The court may appoint a surrogate parent or may refer
389 the child to the district school superintendent for appointment
390 of a surrogate parent if the child has or is suspected of having
391 a disability and the parent is unavailable pursuant to s.
392 39.0016(3) (b).

393 Section 4. Subsection (8) of section 39.701, Florida
394 Statutes, is amended to read:

395 39.701 Judicial review.--

396 (8) The court and any citizen review panel shall take into
397 consideration the information contained in the social services
398 study and investigation and all medical, psychological, and
399 educational records that support the terms of the case plan;
400 testimony by the social services agency, the parent, the foster
401 parent or legal custodian, the guardian ad litem or surrogate
402 parent for educational decisionmaking if one has been appointed
403 for the child, and any other person deemed appropriate; and any
404 relevant and material evidence submitted to the court, including
405 written and oral reports to the extent of their probative value.
406 These reports and evidence may be received by the court in its
407 effort to determine the action to be taken with regard to the
408 child and may be relied upon to the extent of their probative
409 value, even though not competent in an adjudicatory hearing. In
410 its deliberations, the court and any citizen review panel shall
411 seek to determine:

412 (a) If the parent was advised of the right to receive
413 assistance from any person or social service agency in the
414 preparation of the case plan.

415 (b) If the parent has been advised of the right to have

416 counsel present at the judicial review or citizen review
 417 hearings. If not so advised, the court or citizen review panel
 418 shall advise the parent of such right.

419 (c) If a guardian ad litem needs to be appointed for the
 420 child in a case in which a guardian ad litem has not previously
 421 been appointed or if there is a need to continue a guardian ad
 422 litem in a case in which a guardian ad litem has been appointed.

423 (d) Who holds the rights to make educational decisions for
 424 the child. If appropriate, the court may refer the child to the
 425 district school superintendent for appointment of a surrogate
 426 parent or may itself appoint a surrogate parent under the
 427 Individuals with Disabilities Education Act and s. 39.0016.

428 (e)-(d) The compliance or lack of compliance of all parties
 429 with applicable items of the case plan, including the parents'
 430 compliance with child support orders.

431 (f)-(e) The compliance or lack of compliance with a
 432 visitation contract between the parent and the social service
 433 agency for contact with the child, including the frequency,
 434 duration, and results of the parent-child visitation and the
 435 reason for any noncompliance.

436 (g)-(f) The compliance or lack of compliance of the parent
 437 in meeting specified financial obligations pertaining to the
 438 care of the child, including the reason for failure to comply if
 439 such is the case.

440 (h)-(g) Whether the child is receiving safe and proper care
 441 according to s. 39.6012, including, but not limited to, the
 442 appropriateness of the child's current placement, including
 443 whether the child is in a setting that is as family-like and as

444 close to the parent's home as possible, consistent with the
445 child's best interests and special needs, and including
446 maintaining stability in the child's educational placement, as
447 documented by assurances from the community-based care provider
448 that:

449 1. The placement of the child takes into account the
450 appropriateness of the current educational setting and the
451 proximity to the school in which the child is enrolled at the
452 time of placement.

453 2. The community-based care agency has coordinated with
454 appropriate local educational agencies to ensure that the child
455 remains in the school in which the child is enrolled at the time
456 of placement.

457 (i)~~(h)~~ A projected date likely for the child's return home
458 or other permanent placement.

459 (j)~~(i)~~ When appropriate, the basis for the unwillingness
460 or inability of the parent to become a party to a case plan. The
461 court and the citizen review panel shall determine if the
462 efforts of the social service agency to secure party
463 participation in a case plan were sufficient.

464 (k)~~(j)~~ For a child who has reached 13 years of age but is
465 not yet 18 years of age, the adequacy of the child's preparation
466 for adulthood and independent living.

467 (l)~~(k)~~ If amendments to the case plan are required.
468 Amendments to the case plan must be made under s. 39.6013.

469 Section 5. Paragraph (f) of subsection (1) and paragraph
470 (g) of subsection (4) of section 1003.21, Florida Statutes, are
471 amended to read:

472 1003.21 School attendance.--
 473 (1)
 474 (f) Homeless children, as defined in s. 1003.01, and
 475 children who are known to the department, as defined in s.
 476 39.0016, must have access to a free public education and must be
 477 admitted to school in the school district in which they or their
 478 families live. School districts shall assist homeless children
 479 and children who are known to the department to meet the
 480 requirements of subsection (4) and s. 1003.22, as well as local
 481 requirements for documentation.

482 (4) Before admitting a child to kindergarten, the
 483 principal shall require evidence that the child has attained the
 484 age at which he or she should be admitted in accordance with the
 485 provisions of subparagraph (1)(a)2. The district school
 486 superintendent may require evidence of the age of any child whom
 487 he or she believes to be within the limits of compulsory
 488 attendance as provided for by law. If the first prescribed
 489 evidence is not available, the next evidence obtainable in the
 490 order set forth below shall be accepted:

491 (g) If none of these evidences can be produced, an
 492 affidavit of age sworn to by the parent, accompanied by a
 493 certificate of age signed by a public health officer or by a
 494 public school physician, or, if neither of these is available in
 495 the county, by a licensed practicing physician designated by the
 496 district school board, which certificate states that the health
 497 officer or physician has examined the child and believes that
 498 the age as stated in the affidavit is substantially correct. A
 499 homeless child, as defined in s. 1003.01, and a child who is

500 known to the department, as defined in s. 39.0016, shall be
 501 given temporary exemption from this section for 30 school days.

502 Section 6. Subsection (1) and paragraph (e) of subsection
 503 (5) of section 1003.22, Florida Statutes, are amended to read:

504 1003.22 School-entry health examinations; immunization
 505 against communicable diseases; exemptions; duties of Department
 506 of Health.--

507 (1) Each district school board and the governing authority
 508 of each private school shall require that each child who is
 509 entitled to admittance to kindergarten, or is entitled to any
 510 other initial entrance into a public or private school in this
 511 state, present a certification of a school-entry health
 512 examination performed within 1 year prior to enrollment in
 513 school. Each district school board, and the governing authority
 514 of each private school, may establish a policy that permits a
 515 student up to 30 school days to present a certification of a
 516 school-entry health examination. A homeless child, as defined in
 517 s. 1003.01, and a child who is known to the department, as
 518 defined in s. 39.0016, shall be given a temporary exemption for
 519 30 school days. Any district school board that establishes such
 520 a policy shall include provisions in its local school health
 521 services plan to assist students in obtaining the health
 522 examinations. However, any child shall be exempt from the
 523 requirement of a health examination upon written request of the
 524 parent of the child stating objections to the examination on
 525 religious grounds.

526 (5) The provisions of this section shall not apply if:

527 (e) An authorized school official issues a temporary

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528 exemption, for a period not to exceed 30 school days, to permit
529 a student who transfers into a new county to attend class until
530 his or her records can be obtained. A homeless child, as defined
531 in s. 1003.01, and a child who is known to the department, as
532 defined in s. 39.0016, shall be given a temporary exemption for
533 30 school days. The public school health nurse or authorized
534 private school official is responsible for followup of each such
535 student until proper documentation or immunizations are
536 obtained. An exemption for 30 days may be issued for a student
537 who enters a juvenile justice program to permit the student to
538 attend class until his or her records can be obtained or until
539 the immunizations can be obtained. An authorized juvenile
540 justice official is responsible for followup of each student who
541 enters a juvenile justice program until proper documentation or
542 immunizations are obtained.

543 Section 7. This act shall take effect July 1, 2009.