

2022236er

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2 An act relating to children with developmental delays;  
3 amending s. 1003.01, F.S.; revising the definition of  
4 the term "exceptional student" to include additional  
5 students with developmental delays; amending s.  
6 1003.21, F.S.; conforming provisions to changes made  
7 by the act; providing an effective date.  
8

9 Be It Enacted by the Legislature of the State of Florida:  
10

11 Section 1. Paragraph (a) of subsection (3) of section  
12 1003.01, Florida Statutes, is amended to read:

13 1003.01 Definitions.—As used in this chapter, the term:

14 (3) (a) "Exceptional student" means any student who has been  
15 determined eligible for a special program in accordance with  
16 rules of the State Board of Education. The term includes  
17 students who are gifted and students with disabilities who have  
18 an intellectual disability; autism spectrum disorder; a speech  
19 impairment; a language impairment; an orthopedic impairment; an  
20 other health impairment; traumatic brain injury; a visual  
21 impairment; an emotional or behavioral disability; or a specific  
22 learning disability, including, but not limited to, dyslexia,  
23 dyscalculia, or developmental aphasia; students who are deaf or  
24 hard of hearing or dual sensory impaired; students who are  
25 hospitalized or homebound; children with developmental delays  
26 ages birth through 9 5 years or through the student's completion  
27 of grade 2, whichever occurs first, or children, ages birth  
28 through 2 years, with established conditions that are identified  
29 in State Board of Education rules pursuant to s. 1003.21(1)(e).

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30 Section 2. Paragraph (e) of subsection (1) of section  
31 1003.21, Florida Statutes, is amended to read:

32 1003.21 School attendance.—

33 (1)

34 (e) Consistent with rules adopted by the State Board of  
35 Education, children with disabilities who have attained the age  
36 of 3 years shall be eligible for admission to public special  
37 education programs and for related services. Children with  
38 disabilities younger than 3 years of age who are deaf or hard of  
39 hearing, visually impaired, dual sensory impaired,  
40 orthopedically impaired, or other health impaired or who have  
41 experienced traumatic brain injury, have autism spectrum  
42 disorder, have established conditions, or exhibit developmental  
43 delays or intellectual disabilities may be eligible for special  
44 programs and may receive services in accordance with rules of  
45 the State Board of Education. Rules for the identification of  
46 established conditions for children birth through 2 years of age  
47 and developmental delays for children birth through 9 ~~5~~ years of  
48 age or through the student's completion of grade 2, whichever  
49 occurs first, must be adopted by the State Board of Education.

50 Section 3. This act shall take effect July 1, 2022.