

1 A bill to be entitled
 2 An act relating to exceptional students; amending s.
 3 1003.57, F.S.; requiring notice to school districts by the
 4 Department of Children and Family Services, the Agency for
 5 Persons with Disabilities, and the Agency for Health Care
 6 Administration for certain exceptional student placements
 7 in or referrals to private residential facilities;
 8 requiring a review of a student's individual educational
 9 plan; providing for a determination of responsibility for
 10 educational instruction; requiring specified reporting of
 11 the student for funding purposes; providing an effective
 12 date.

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

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

18 1003.57 Exceptional students instruction.--

19 (3) (a) For purposes of this subsection, the term "agency"
 20 means the Department of Children and Family Services, the Agency
 21 for Persons with Disabilities, or the Agency for Health Care
 22 Administration.

23 (b) Within 10 days after an exceptional student with a
 24 disability is placed in or referred to a private residential
 25 care facility by an agency, the agency must provide written
 26 notice of the placement or referral to the school district in
 27 which the private residential care facility is located. This
 28 subsection applies when the placement or referral is for the

29 primary purpose of addressing residential or other
30 noneducational needs and the placement or referral crosses
31 school district lines.

32 (c) Within 10 days after receiving the notice, the school
33 district in which the private residential care facility is
34 located must review the student's individual educational plan to
35 determine if the student may benefit from instruction provided
36 by the school district or by a provider or facility under
37 contract with the school district. The school district shall
38 provide educational instruction to the student, contract with
39 another provider or facility to provide the educational
40 instruction, contract with the private residential care facility
41 in which the student resides to provide the educational
42 instruction, or decline to provide or contract for educational
43 instruction. If the school district declines to provide or
44 contract for the educational instruction, the school district in
45 which the student was enrolled prior to the placement in or
46 referral to the private residential care facility shall provide
47 or contract for the educational instruction to the student. The
48 school district that provides educational instruction or
49 contracts to provide educational instruction shall report the
50 student for funding purposes under s. 1011.62.

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