

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 122

Exceptional Students with a Disability/ Private Residential Care by Senator Constantine

Defines agency as the Department of Children and Family Services or its contracted lead agency, the Agency for Persons with Disabilities, and the Agency for Health Care Administration.

Requires, within 10 business days after an exceptional student is placed in a private residential care facility by an agency, that the agency, or facility licensed by the agency, provide written notification to the school district where the student is currently counted for funding purposes and the receiving school district. Provides that the requirement applies when the placement is for the primary purpose of addressing residential or other noneducational needs and the placement crosses school district lines.

Requires the school district to review the student's individual educational plan (IEP) to determine if the plan can be implemented by the school district or by a provider or facility under contract with the school district. Requires that the school district provide educational instruction to the student, contract with another provider or facility to provide the educational instruction, contract with the private residential care facility in which the student resides, or decline to provide or contract for educational instruction. Provides that if the school district declines, the school district that is located within the legal residence of the student shall provide or contract for the educational instruction.

Requires that the school district providing or contracting to provide educational instruction shall report the student for funding purposes.

Requires the Department of Education, in consultation with the agencies and school districts to develop procedures regarding the placement of an exceptional student in a residential care facility. Specifies the content of the procedures, requires the State Board of Education to adopt them by rule, and requires agency implementation. Provides an exception. (See bill for details)