

HCS HB 827 -- CHILDREN IN LICENSED RESIDENTIAL CARE FACILITIES  
(Muschany)

COMMITTEE OF ORIGIN: Special Committee on Student Achievement

This substitute requires that the educational needs of certain children committed to the guardianship of the Department of Social Services are to be considered by the child's family support team and invites the local school district to be represented on the team. When a child who is not receiving special education services is placed in a licensed residential care facility by the department, the facility is responsible for the child's educational services, unless the child's plan of treatment indicates that the child is able to attend public school. The substitute addresses the use of homebound instruction; alternative settings; and reimbursement for educational services for facilities with their own school and staff, facilities with their own school room using school district staff, and facilities with neither school facilities nor teachers of their own.

Any child under the care of a facility whose plan of treatment supports attendance at a public school but who subsequently is suspended or otherwise demonstrates school failure will receive educational services as specified in the substitute.

Facilities with schools on site may contract with the local school district to provide educational services at the facility, and districts may contract with facilities to provide services. Residential care facilities are not obligated to create an on-site school. The school district and facility must file a plan annually, describing the general methods by which educational services will be supplied to children in a variety of circumstances.

FISCAL NOTE: No impact on General Revenue Fund in FY 2008, FY 2009, and FY 2010. Estimated Cost on Other State Funds of Unknown but Greater than \$100,000 in FY 2008, FY 2009, and FY 2010.