

Regular Session, 2009

HOUSE BILL NO. 721

BY REPRESENTATIVE JOHNSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EDUCATION/SPECIAL: Provides relative to special educational services

1 AN ACT

2 To amend and reenact R.S. 17:1947(A)(3), relative to special educational services and
3 related issues, including but not limited to funding; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:1947(A)(3) is hereby amended and reenacted to read as follows:

7 §1947. Funding

8 A. Funding for public school special educational services as provided by
9 local education agencies shall be as follows:

10 * * *

11 (3) If a student with an exceptionality is living in a private residential facility
12 in this state ~~but~~ and the student is not a resident of this state ~~or~~ and the student is not
13 in the legal or permanent custody of a Louisiana state agency, the local education
14 agency providing any special education and related services to that non-Louisiana
15 student shall be reimbursed by the residential facility for the cost of providing those
16 services.

17 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Johnson

HB No. 721

Abstract: Provides relative to the funding of special education and related services for students living in private residential facilities who are neither La. residents nor in the permanent custody of a La. state agency.

Present law, relative to funding for public school special educational services as provided by local education agencies, provides the following with respect to students with exceptionalities:

- (1) For a student located within a local education agency's geographic boundaries, such agency shall pay the cost of such services only if the student is a resident within the agency's geographical boundaries.
- (2) For a student located within a local education agency's geographical boundaries who is not a resident thereof, the cost of special education and services shall be reimbursed by the agency within the boundaries of which the student resides, except for (3) below.
- (3) For a student living in a private residential facility in La. who is neither a La. resident nor in the custody of a state agency, the local education agency providing such education and services shall be reimbursed by the residential facility for the cost of providing those services.

Proposed law, relative to (3) above, specifically refers to a student not in the custody of a La. state agency and to such student as a "non-Louisiana" student; also makes technical changes. Otherwise retains present law.

(Amends R.S. 17:1947(A)(3))