

Regular Session, 2012

SENATE BILL NO. 515

BY SENATOR WALSWORTH

SPECIAL EDUCATION. Provides relative to funding for educational services in residential facilities. (8/1/12)

1 AN ACT
2 To amend and reenact R.S. 17:1947(A), relative to funding for special education and related
3 services to students with exceptionalities; to require that funding be provided for all
4 educational services which are provided to students placed in a residential or intermediate
5 care facility; and to provide for related matters.
6 Be it enacted by the Legislature of Louisiana:
7 Section 1. R.S. 17:1947(A) is hereby amended and reenacted to read as follows:
8 §1947. Funding
9 A. Funding for public school ~~special~~ educational services as provided by
10 local education agencies shall be as follows:
11 (1) Each local education agency shall provide ~~special~~ education and related
12 services to students ~~with exceptionalities~~ who are located within its geographical
13 boundaries, including children who are placed in a private residential facility or an
14 intermediate care facility ~~for the developmentally disabled~~ for any reason by any
15 individual or agency; however, the agency shall pay the cost of such services only
16 for such students who are residents within the geographical boundaries of the
17 agency. Each local education agency shall provide child find and evaluation to

1 nonresident students who attend a parentally placed private elementary or secondary
2 school.

3 (2) If a local education agency provides ~~special~~ education and related services
4 to a student ~~with an exceptional~~ity who is located within the geographical boundaries
5 of such agency but is not a resident thereof, including children who are placed in a
6 private residential facility or an intermediate care facility for the developmentally
7 disabled for any reason by any individual or agency, the cost of any special
8 education and related services shall be reimbursed by the local education agency
9 within the boundaries of which the student resides, except as provided in
10 Paragraph(3) of this Subsection.

11 (3) If a student ~~with an exceptional~~ity is living in a private residential facility
12 in this state but the student is not a resident of this state, the local education agency
13 providing any special education and related services to that student shall be
14 reimbursed by the residential facility for the cost of providing those services.

15 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Present law, relative to special education, provides for funding for special educational services provided by local education agencies (LEAs) to students placed in a private residential facility or intermediate care facility for the developmentally disabled, as follows:

1. Requires LEAs to provide special education and related services to students with exceptionalities who are located within their geographic boundaries, including children who are placed in a private residential facility or intermediate care facility for the developmentally disabled.
2. Requires the LEA to pay the cost of such special education services for students who reside within its geographic boundaries.
3. Provides that the residential facility shall reimburse the cost of providing services to students with exceptionalities who are not residents of the state but live in a private residential facility in this state.

Proposed law removes the restriction that such funding is to be provided only for special education services provided to students with exceptionalities placed in a private residential facility or an intermediate care facility for the developmentally disabled and instead requires that LEAs provide all education and related services to students placed in any type of residential facility or intermediate care facility in the state.

SLS 12RS-885

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Effective August 1, 2012.

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