

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

F. PHILIP HANDY, *Chairman*

T. WILLARD FAIR, *Vice Chairman*

Members

DONNA G. CALLAWAY

ROBERTO MARTÍNEZ

PHOEBE RAULERSON

KATHLEEN SHANAHAN

LINDA K. TAYLOR

John L. Winn
Commissioner of Education



MEMORANDUM

TO: District Superintendents

FROM: Cheri Pierson Yecke, Ph.D.

DATE: August 4, 2006

SUBJECT: EXCEPTIONAL EDUCATION STUDENTS IN RESIDENTIAL FACILITIES

Contact Information:

Karen Denbroeder
(850) 245-0475
Karen.denbroeder@fldoe.org
K12: 2006-113

Consistent with the Department of Education's goal to provide quality, efficient services, A++ legislation (House Bill (HB) 7087) passed during the 2006 legislative session provides clarification regarding funding of exceptional students served in residential facilities. HB 7087 states, "an exceptional student with a disability who resides in a residential facility and receives special instruction or services is considered a resident of the state in which the student's parent is a resident." The bill further indicates that nonresident students with a disability being served in residential facilities "may not be reported by any school district for FTE funding in the Florida Education Finance Program (FEFP)." Within the bill, residential facilities are defined as "...any type of residential facility in this state, including, but not limited to, a public school, a private school, a group home facility as defined in s. 393.063, an intensive residential treatment program for children and adolescents as defined in s. 395.002, a facility as defined in s. 394.455, an intermediate care facility for the developmentally disabled or ICF/DD as defined in s. 393.063 or s. 400.960, or a community residential home as defined in s. 419.001."

While Florida school districts require that parents submit proof of residency in order to enroll their child in a public school, the application of this procedure for students in residential facilities has been unclear. Due to the passage of the A++ legislation, districts must immediately take steps to ensure that nonresidential students, as defined, are no longer reported for FTE funding or included in FTE projections for subsequent years. Districts should contact residential facilities in their district and request that these facilities provide the district with proof of residency for each

CHERI PIERSON YECKE, PH.D.
CHANCELLOR, K-12 PUBLIC SCHOOLS

District Superintendents
August 4, 2006
Page Two

student's parent for whom FTE funding will be claimed. Residency documentation must be the same documents used by all parents when enrolling their child in the district. For students whose parents, as defined in S. 1000.21(5), Florida Statutes (F.S.), reside outside the state, the residential facility is responsible for billing and collecting payment for educational and related services from the parent or parent's state of residency.

HB 7087 does not provide for current residential students with disabilities to continue to be claimed for FTE under the FEFP. Additionally, there is no "grace period" established for residential facilities and/or school districts to communicate with other states to establish payment for special instruction or services during which current residential students would continue to receive FTE funding. The effective date of the bill was July 1, 2006, indicating that only students with disabilities whose parents have established residency in the state of Florida may continue to be claimed for FTE funding.

Information about the new requirement will be included in the FTE General Instructions for the 2006-07 School Year, and additional technical assistance will be forthcoming. If you have questions about FTE reporting, contact Glenda Todd, Administrator, Office of Funding and Financial Reporting, at (850) 245-0405 or glenda.todd@fldoe.org. All other inquiries should be directed to Karen Denbroeder, Section Administrator, Bureau of Exceptional Education and Student Services, at (850) 245-0475 or karen.denbroeder@fldoe.org.

CPY/ml

cc: District Exceptional Education Administrators
District Finance Officers
District FTE Administrators
Auditor General