

1 A bill to be entitled
2 An act relating to children with developmental delays;
3 amending s. 1003.01, F.S.; revising the definition of
4 the term "exceptional student" to include additional
5 students with developmental delays; amending s.
6 1003.21, F.S.; conforming provisions to changes made
7 by the act; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Paragraph (a) of subsection (3) of section
12 1003.01, Florida Statutes, is amended to read:

13 1003.01 Definitions.—As used in this chapter, the term:
14 (3) (a) "Exceptional student" means any student who has
15 been determined eligible for a special program in accordance
16 with rules of the State Board of Education. The term includes
17 students who are gifted and students with disabilities who have
18 an intellectual disability; autism spectrum disorder; a speech
19 impairment; a language impairment; an orthopedic impairment; an
20 other health impairment; traumatic brain injury; a visual
21 impairment; an emotional or behavioral disability; or a specific
22 learning disability, including, but not limited to, dyslexia,
23 dyscalculia, or developmental aphasia; students who are deaf or
24 hard of hearing or dual sensory impaired; students who are
25 hospitalized or homebound; children with developmental delays

26 | ages birth through 9 5 years or through the student's completion
 27 | of grade 2, whichever occurs first, or children, ages birth
 28 | through 2 years, with established conditions that are identified
 29 | in State Board of Education rules pursuant to s. 1003.21(1)(e).

30 | Section 2. Paragraph (e) of subsection (1) of section
 31 | 1003.21, Florida Statutes, is amended to read:

32 | 1003.21 School attendance.—

33 | (1)

34 | (e) Consistent with rules adopted by the State Board of
 35 | Education, children with disabilities who have attained the age
 36 | of 3 years shall be eligible for admission to public special
 37 | education programs and for related services. Children with
 38 | disabilities younger than 3 years of age who are deaf or hard of
 39 | hearing, visually impaired, dual sensory impaired,
 40 | orthopedically impaired, or other health impaired or who have
 41 | experienced traumatic brain injury, have autism spectrum
 42 | disorder, have established conditions, or exhibit developmental
 43 | delays or intellectual disabilities may be eligible for special
 44 | programs and may receive services in accordance with rules of
 45 | the State Board of Education. Rules for the identification of
 46 | established conditions for children birth through 2 years of age
 47 | and developmental delays for children birth through 9 5 years of
 48 | age or through the student's completion of grade 2, whichever
 49 | occurs first, must be adopted by the State Board of Education.

50 | Section 3. This act shall take effect July 1, 2021.