

2010 -- H 7313

LC00887

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO EDUCATION -- RESIDENCE OF CHILDREN FOR SCHOOL PURPOSES

Introduced By: Representatives Lima, Naughton, Giannini, Williams, and Shallcross Smith

Date Introduced: February 02, 2010

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-64-1.3 of the General Laws in Chapter 16-64 entitled
2 "Residence of Children for School Purposes" is hereby amended to read as follows:

3 **16-64-1.3. Educational responsibility for children in group homes and other**
4 **residential placements.** -- (a) The city or town in which a foster home, group home, or other
5 residential facility that does not include the delivery of educational services is located shall be
6 responsible for the free appropriate public education of any child residing in those placements,
7 including all procedural safeguards, evaluation, and instruction in accordance with regulations
8 under chapter 24 of this title, for any period during which a child is residing in the city or town.
9 The city or town shall coordinate its efforts with any other city or town to which a child moves
10 when exiting the city or town responsible under this subsection. In the event that a child is
11 moved to another foster home, group home or other residential facility located in a different city
12 or town during a school year, that child shall be entitled to remain in the school system located in
13 the former city or town for the remainder of the school year provided that transportation be
14 provided either by the current foster parent, group home or residential facility. A child is also
15 entitled to remain in the original school system during the subsequent school years provided that
16 there is space available, the school system agrees to educate the child, and transportation is
17 provided by the current resident placement of the child.

18 (b) The city or town responsible for payment under section 16-64-1.1(c) for payment of a
19 city or town's per pupil special education cost to DCYF for a child placed in a residential facility,

1 group home, or other residential facility that includes the delivery of educational services shall be
2 responsible for the free, appropriate public education, including all procedural safeguards,
3 evaluation and instruction in accordance with regulations under chapter 24 of this title.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would permit a child in a residential placement to remain in his/her original
2 school system should the child be moved to another residential placement located in a different
3 city or town.

4 This act would take effect upon passage.

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