



State of Tennessee
PUBLIC CHAPTER NO. 426

SENATE BILL NO. 1707

By Tracy, Watson, Marrero, Yager, Ford

Substituted for: House Bill No. 1979

By Carr, Harry Brooks, Phillip Johnson

AN ACT to amend Tennessee Code Annotated, Title 33; Title 37; Title 41 and Title 49, relative to the funding of education services to children in residential treatment facilities or mental health facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 3, Part 3, is amended by adding the following as a new, appropriately designated section:

49-3-3__.

(a) A local board of education shall allocate funding in an amount equal to the per pupil state and local funds received by the LEA to state licensed residential mental health facilities on a prorated daily basis for the student's length of stay, provided all of the following criteria have been met:

(i) The residential mental health facility operates as a Category I special purpose school pursuant to State Board of Education rules and regulations;

(ii) The student admitted to the residential mental health facility is enrolled in the LEA; and

(iii) The student is admitted to the residential mental health facility under a licensed physician's written order and such order is based on medical necessity.

(b) The funding specified in subsection (a) shall be in addition to funds allocated pursuant to federal law and regulation, including, but not limited to, Title I and ESEA funds.

(c) The State Board of Education shall promulgate rules and regulations that provide for the determination of the allocation of funding as provided in this section. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

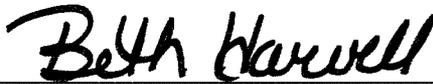
SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.

SENATE BILL NO. 1707

PASSED: May 20, 2011



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 6 day of June 2011



BILL HASLAM, GOVERNOR