

By Senator Jones

35-00302-22

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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.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

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 been
15 determined eligible for a special program in accordance with
16 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).

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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, 2022.