

Amendment No. 1 to SB1803

Watson  
Signature of Sponsor

**AMEND Senate Bill No. 1803**

**House Bill No. 1607\***

by deleting all language after the enacting clause and substituting instead the following:

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

(a) As used in this section, "educational facility" or "facility" means:

(1) A facility that operates as a Category I special purpose school pursuant to state board of education rules;

(2) The facility provides a minimum of thirty-two (32) hours per week of educational instructional services to students admitted pursuant to this section; and

(3) The facility is a recipient of a juvenile justice prevention grant.

(b) The state board of education shall promulgate rules to ensure the education of students who are not in the custody of the department of children's services, are attending an educational facility, and are admitted to the facility under a signed, written order of a qualified juvenile judge or magistrate of a juvenile court in this state based upon the juvenile judge or magistrate's assessment that admittance is in the best interest of the student and the community.

(c) The rules developed under this section shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and shall include, at a minimum, procedures for the funding in an amount equal to the per pupil state and local funds received by the LEA in which the student was enrolled in the

**Senate Finance, Ways and Means Committee 1**

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academic year immediately preceding admission to the facility and is enrolled at the time of admittance on a prorated daily basis for the length of the student's stay.

(d) The funding specified in subsection (c) is in addition to funds allocated pursuant to federal law and regulation, including, but not limited to, Title I and ESEA funds.

(e) This section shall not be used or construed to circumvent the requirements of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §§ 1400 - 1482).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.