

SENATE BILL 202

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 37;
Title 49 and Title 71, Chapter 3, relative to funding
of education services for children in state custody.

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

SECTION 1. Tennessee Code Annotated, Section 49-3-363, is amended by designating the current language as subsection (a) and adding the following language as new subsections:

(b) Notwithstanding subsection (a), a residential mental health facility that contracts with the department of children's services (DCS) for the provision of services to children in state custody shall receive from DCS the educational funding provided by the commissioner pursuant to subsection (a) if:

(1) The facility is approved to operate as a Category I special purpose school pursuant to state board of education rules and regulations; and

(2) The facility provides a minimum of sixteen and one-half (16 ½) hours per week of educational instructional services to the students admitted pursuant to this part.

(c) If a child in state custody receives services from a contracted residential mental health facility described in subsection (b) but continues to attend its local school, then the contracted residential mental health facility shall not receive the educational funding for that child from DCS.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.