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29 (2) As used in this section, the term:
 30 (b) "Boarding school" means a school which is:
 31 1. accredited for academic programs by the Florida Council
 32 of Independent Schools, ~~or~~ the Southern Association of Colleges
 33 and Schools, by an accrediting association that is a member of
 34 the National Council for Private School Accreditation, or the
 35 Florida Association of Academic Nonpublic Schools,
 36 ~~2. which is~~ accredited for residential programs by the
 37 Council on Accreditation, the Commission on Accreditation of
 38 Rehabilitation Facilities, or the Coalition for Residential
 39 Education~~,~~ and
 40 ~~3. which is~~ registered with the Department of Education as
 41 a school which provides a residential service for students. ~~Its~~
 42 ~~program must follow established school schedules, with holiday~~
 43 ~~breaks and summer recesses in accordance with other public and~~
 44 ~~private school programs. The children in residence must~~
 45 ~~customarily return to their family homes or legal guardians~~
 46 ~~during school breaks and must not be in residence year-round,~~
 47 ~~except that this provision does not apply to foreign students.~~
 48 ~~The parents of these children retain custody and planning and~~
 49 ~~financial responsibility. A boarding school currently in~~
 50 ~~existence and a boarding school opening and seeking~~
 51 ~~accreditation have 3 years to comply with the requirements of~~
 52 ~~this paragraph. A boarding school must provide proof of~~
 53 ~~accreditation or documentation of the accreditation process upon~~
 54 ~~request. A boarding school that cannot produce the required~~
 55 ~~documentation or that has not registered with the Department of~~
 56 ~~Education shall be considered to be providing residential group~~

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57 | ~~care without a license. The department may impose administrative~~
 58 | ~~sanctions or seek civil remedies as provided under paragraph~~
 59 | ~~(11) (a).~~

60 | Section 2. Subsection (17) is added to section
 61 | 409.175, Florida Statutes, to read:

62 | 409.175 Licensure of family foster homes, residential
 63 | child-caring agencies, and child-placing agencies; public
 64 | records exemption.—

65 | (17) Boarding schools are subject to the following
 66 | requirements:

67 | (a) A boarding school currently in existence and a boarding
 68 | school opening and seeking accreditation have 3 years from the
 69 | date of registration with the Department of Education to
 70 | complete the accreditation requirements pursuant to (2) (b)

71 | (b) Effective July 1, 2013, the Department of Education
 72 | shall remove from registration and the website any boarding
 73 | school that has not completed the accreditation requirements of
 74 | (2) (b) or has not provided to the Department of Education and
 75 | the department, letters which verify application for
 76 | accreditation within 270 days of registration. The letters must
 77 | be provided by an accrediting agency from (2) (b)1. and (2) (b)2.

78 | (c) A boarding school must provide proof of accreditation
 79 | or documentation of the accreditation process upon request by
 80 | the department. The school must provide an annual report to the
 81 | department on the status of achieving accreditation required in
 82 | (2) (b). The first report is due 12 months after the date of
 83 | registration with the Department of Education. Boarding schools
 84 | which have obtained the required accreditations pursuant to

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85 (2)b)are not subject to the reporting requirements in this
 86 subsection.

87 (d) A boarding school that cannot produce the required
 88 documentation in accordance with this subsection or that has not
 89 registered with the Department of Education or has not obtained
 90 all required accreditation in accordance with (2)(b), shall be
 91 considered to be providing residential group care without a
 92 license. The department may impose administrative sanctions or
 93 seek civil remedies as provided under paragraph (11)(a).

94 (e) The boarding school program must require employees and
 95 contracted personnel with direct student contact, upon
 96 employment to be background screened. "Direct student contact"
 97 means unsupervised access to a student for whom the boarding
 98 school is responsible. The screening shall be conducted as
 99 provided in chapter 435, using level 2 standards for screening
 100 set forth in that chapter. The department may grant exemptions
 101 from disqualification from working with children as provided in
 102 s.435.07.

103 (f) The boarding school shall follow established school
 104 schedules, with holiday breaks and summer recesses in accordance
 105 with other public and private school programs. The children in
 106 residence must customarily return to their family homes or legal
 107 guardians during school breaks and must not be in residence
 108 year-round, except that this provision does not apply to
 109 students that are citizens of foreign countries. The parents of
 110 children attending a boarding school retain custody and planning
 111 and financial responsibility.

112 Section 3. Paragraphs (a) and (b) of subsection (10) of

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113 section 409.176, Florida Statutes, are amended to read:
 114 409.176 Registration of residential child-caring agencies
 115 and family foster homes.—

116 (10) (a) The qualified association shall notify the
 117 department within 24 hours when the qualified association finds
 118 there is a violation of any of the provisions of this section
 119 which threatens harm to any child or which constitutes an
 120 emergency requiring immediate action.

121 (b) The qualified association shall notify the department
 122 within 3 calendar days, when the qualified association finds
 123 ~~within 30 days after written notification by registered mail of~~
 124 ~~the requirement for registration~~, that a person or facility
 125 continues to care for children without a certificate of
 126 registration pursuant to this section, a license pursuant to
 127 s.409.175 or registration as a boarding school pursuant to
 128 409.175. The department shall notify the appropriate state
 129 attorney of the violation of law and, if necessary, shall
 130 institute a civil suit to enjoin the person or facility from
 131 continuing the care of children.

132 Section 4. Subsection (15) of section 409.176, Florida
 133 Statutes, is amended to read:

134 409.176 Registration of residential child-caring agencies
 135 and family foster homes.—

136 (15) The qualified association issuing certificates of
 137 registration for Type II facilities under this section shall
 138 annually report to the department the following:

139 (a) The number of Type II facilities registered during the
 140 most recent calendar year, the names and addresses of the

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141 facilities, and the name of each facility's administrator. ~~and~~

142 (b) The total number of children served by each facility
 143 during the calendar year.

144 (c) The average length of stay for children by Type II
 145 facility.

146 (d) The number of violations pursuant to (10) (a) by Type II
 147 facility.

148 (e) A list of persons or facilities, including the address,
 149 that applied for registration pursuant to this section and were
 150 denied or withdrew the request.

151
 152 The department may impose an administrative fine against the
 153 qualified association not to exceed \$250 per violation for
 154 failure to comply with the requirements of this section.

155
 156 The department may adopt rules necessary to implement this
 157 subsection.

158 Section 5. This act shall take effect July 1, 2013.