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HOUSE BILL NO. 221**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education

on February 3, 2014)

(Patron Prior to Substitute—Delegate Bell, Richard P.)

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-3.5, relating to students admitted to certain children's residential facilities.*

Be it enacted by the General Assembly of Virginia:

1. **That the Code of Virginia is amended by adding a section numbered 22.1-3.5 as follows:**

§ 22.1-3.5. Students admitted to certain children's residential facilities.

A. *For the purposes of this section, "school division of residence" means the school division in which the student's parents reside.*

B. *Each student enrolled in a public elementary or secondary school who is admitted under a physician's order, due to medical necessity and not solely for school purposes, to a children's residential facility licensed by the Department of Behavioral Health and Developmental Services and the Board of Education shall immediately be enrolled in an education program that is comparable to that which is provided in the school division of residence. Children's residential facilities licensed and certified by the Board of Education may provide such education programs, provided that the Board of Education periodically monitors the education programs delivered in children's residential facilities that it licensed and certified.*

C. *Each student admitted to a children's residential facility pursuant to this section shall be counted in the average daily membership of the school division of residence for as long as such student remains in the children's residential facility. The school division of residence shall transfer on a monthly basis to each children's residential facility that admits a student pursuant to this section funds necessary to cover the expenses of providing a comparable education program for such student.*

D. *The school division of residence shall help facilitate the discharge of each student admitted to a children's residential facility pursuant to this section and, upon discharge, shall facilitate the reenrollment of each such student in the appropriate school in the school division.*