

## Senate Bill No. 642

An act relating to public K-12 education; creating s. 1003.06, F.S.; authorizing the parent of multiple birth siblings to request certain classroom placement; providing a definition; providing exceptions to implementation of the requested placement; authorizing appeal of placement; specifying conditions under which provisions do not apply; providing an effective date.

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

Section 1. Section 1003.06, Florida Statutes, is created to read:

1003.06 Classroom placement of multiple birth siblings.—

(1) As used in this section, the term “multiple birth siblings” means twins, triplets, quadruplets, or other siblings resulting from a multiple birth.

(2)(a) The parent of multiple birth siblings who are assigned to the same grade level and school may request in writing that the school place the siblings in the same classroom or in separate classrooms. The request must be made no later than 5 days before the first day of each school year or 5 days after the first day of attendance of students during the school year if the students are enrolled in the school after the school year commences.

(b) The school may recommend to the parent the appropriate classroom placement for multiple birth siblings and may provide professional educational advice to assist the parent with the decision regarding appropriate classroom placement.

(3) Except as provided in subsection (4) or subsection (5), a school shall provide the multiple birth siblings with the classroom placement requested by the parent.

(4)(a) A school is not required to place multiple birth siblings in the same classroom if factual evidence of performance shows proof that the multiple birth siblings should be separated.

(b) A school is not required to place multiple birth siblings in separate classrooms if the request would require the school district to add an additional class to the grade level of the multiple birth siblings.

(5)(a) At the end of the first grading period following the multiple birth siblings’ enrollment in the school, if the principal of the school, in consultation with the teacher of each classroom in which the multiple birth siblings are placed, determines that the requested classroom placement is disruptive to the school, the principal may determine the appropriate classroom placement for the siblings.

(b) A parent may appeal the principal’s classroom placement of multiple birth siblings in the manner provided by school district policy. During an

appeal, the multiple birth siblings shall remain in the classroom chosen by the parent.

(6) This section does not affect:

(a) A right or obligation under s. 1003.57 or under the Individuals with Disabilities Education Act, 20 U.S.C. ss. 1400 et seq., regarding the individual placement decisions of the school district; or

(b) The right of a school district, principal, or teacher to remove a student from a classroom pursuant to school district student discipline policies.

Section 2. This act shall take effect July 1, 2008.

Approved by the Governor June 23, 2008.

Filed in Office Secretary of State June 23, 2008.