

February 24, 1999

Education
Joseph H. Mathos, Deputy Superintendent

SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: FINAL READING 6Gx13-6A-1.331, PROCEDURES FOR PROVIDING SPECIAL EDUCATION FOR EXCEPTIONAL STUDENTS

STRATEGIC PLANNING GOAL: II - STUDENT ACHIEVEMENT/PREPARATION FOR POST-SECONDARY EXPERIENCES

The School Board of Miami-Dade County, Florida, announced on February 10, 1999, its intention to amend Board Rule 6Gx13- 6A-1.331, Procedures for Providing Special Education for Exceptional Students, at the meeting of March 17, 1999. The proposed amendment reflects the replacement of the document, **Amendment to the Special Programs and Procedures for Exceptional Students, Effective Dates: 1997-98**, with the document, **Amendment to the Special Programs and Procedures for Exceptional Students Effective Date: 1998-99**, to be incorporated by reference into Board Rule 6Gx13- 6A-1.331.

The Florida Department of Education has prepared this document to be used as an addendum to the **Special Programs and Procedures for Exceptional Students 1996-97**, to reflect the revisions to procedures required by the 1997 Amendments to the Individuals with Disabilities Education Act (IDEA). The revisions to IDEA include procedures for notifying students of their rights before reaching the age of majority, regular education teacher participation at Individual Educational Plan (IEP) meetings, procedural safeguards notice, and independent evaluations. This document, **Amendment to the Special Programs and Procedures for Exceptional Students Effective Dates: 1998-99**, will be in effect through the 1998-99 school year or until a new document is forwarded by the Florida Department of Education and approved by The School Board of Miami-Dade County, Florida.

The Notice of Intended Action was published in the *Miami Daily Business Review* on February 16, 1999, posted in various places for public information, and mailed to various organizations representing persons affected by the amended rule, and to individuals requesting notification.

The time to request a hearing or protest the adoption of this rule has elapsed.

Attached are the Notice of Intended Action, the amended rule, and the document, **Amendment to the Special Programs and Procedures for Exceptional Students Effective Dates: 1998-99**, which is incorporated by reference and is a part of this rule.

Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted. A copy of the **Amendment to the Special Programs and Procedures for Exceptional Students Effective Dates: 1998-99**, has been forwarded to the School Board Members under separate cover prior to the School Board meeting of March 17, 1999, and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida, 33132.

RECOMMENDED: That The School Board of Miami-Dade County, Florida:

1. adopt amended Board Rule 6Gx13- 6A-1.331, Procedures for Providing Special Education for Exceptional Students, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective March 17, 1999; and
2. authorize the Superintendent to submit the document, **Amendment to the Special Programs and Procedures for Exceptional Students Effective Dates: 1998-99**, to the Florida Department of Education for approval.

RKF:as

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on February 10, 1999, its intention to amend Board Rule 6Gx13- 6A-1.331, Procedures for Providing Special Education for Exceptional Students, at the meeting of March 17, 1999.

PURPOSE AND EFFECT: To submit to the Florida Department of Education the amended Board Rule, in order that the document, **Special Programs and Procedures for Exceptional Students, 1996-97**, which is incorporated by reference and is a part of this Board Rule, be amended and the **Amendment to the Special Programs and Procedures for Exceptional Students Effective Dates: 1998-99**, be adopted, to comply with State Board of Education Rules and requirements for completion of the document issued by the Florida Department of Education.

SUMMARY: The Board Rule 6Gx13- 6A-1.331 and by reference, the document **Special Programs and Procedures for Exceptional Students, 1996-97**, provides procedures for the identification, evaluation, and provision of educational programs and related services for exceptional students and programs for exceptional students with limited English proficiency. The document has been amended to reflect changes made to the Individuals with Disabilities Education Act (IDEA) by the 1997 Amendments.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(17), F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 228.041(19); 230.23(4)(m) and (n); 230.23005(3)(d); 230.33(6), F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF March 17, 1999, which begins at 1:00 p.m. in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida, 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by March 9, 1999, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida, 33132.

Originator: Mr. Ronald K. Felton
Supervisor: Mr. Joseph H. Mathos
Date: February 24, 1999

Instruction--Elementary and Secondary**PROCEDURES FOR PROVIDING SPECIAL EDUCATION FOR EXCEPTIONAL STUDENTS**

As a primary goal, it is the policy of The School Board of Miami-Dade County, Florida to provide access for exceptional students to specialized instruction and related services that are individually designed to provide educational benefit to children with disabilities. An exceptional student shall be defined as any student who, because of physical, mental, emotional or learning disability is unable to receive an appropriate educational program without specialized instruction and, if appropriate, related services. This instruction may be provided in a regular class, a special class, or in a special facility. The term exceptional student shall also be applied to those students identified as gifted.

The Board will provide special educational programs to students who show eligibility and require special education in one or more of the following areas: deaf or hard-of-hearing; visually impaired; physically impaired; trainable and educable mentally handicapped; emotionally handicapped; specific learning disabled; speech and language impaired; homebound or hospitalized; profoundly handicapped, which includes the autistic, dual sensory impaired, profoundly mentally handicapped, and severely emotionally disturbed. Services are also provided for the gifted student.

Exceptional Student Education is an integral part of the Miami-Dade County Public Schools. Regular schools, special centers, special services, related state and local agencies, and resources are all utilized. All of the facilities and services of the regular school are made available to the exceptional student.

The document entitled **Dade County - Special Programs and Procedures for Exceptional Students, 1996-97**, and the **Amendment to the Special Programs and Procedures for Exceptional Students Effective Dates: ~~1997-98~~ 1998-99**, are a part of and incorporated in this rule and will be submitted to the Florida State Department of Education.

Copies of **Dade County - Special Programs and Procedures for Exceptional Students, 1996-97**, and the **Amendment to the Special Programs and Procedures for Exceptional Students Effective Dates: ~~1997-98~~ 1998-99**, are on file in the Board Office and in the Citizen Information Center.

Specific Authority: 230.22(2); 230.23(17), F.S.

Law Implemented, Interpreted, or Made Specific: 228.041(19); 230.23(4)(m) and (n);
230.23005 (3)(d); 230.33(6)(~~t~~), F.S.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 11-28-79

Amended: 1-14-81; 9-23-81; 2-17-82; 12-8-82; 10-19-83; 4-11-84; 1-9-85; 8-21-85;
7-23-86; 11-19-86; 9-30-87; 12-7-88; 1-10-90; 1-9-91; 6-5-91; 3-4-92; 4-14-93; 6-22-94;
7-12-95; 3-27-96; 4-16-97; 4-15-98