

Sonia Díaz, Deputy Superintendent
Curriculum and Instruction

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: INITIAL
READING- 6Gx13- 6A-1.332, PROCEDURES FOR SERVING
STUDENTS WITH SPECIAL NEEDS**

COMMITTEE: INSTRUCTIONAL EXCELLENCE & COMMUNITY ENGAGEMENT

This item is submitted for consideration by the Board to amend School Board Rule 6Gx13- 6A-1.332, to repeal the document, *Procedures for Serving Students with Special Needs*, which is incorporated by reference and is a part of this rule, and to promulgate a new document, *Section 504 Procedures for Students with Disabilities*. The document proposed for repeal is recommended in order to promulgate a new document with updated language and procedures for students with disabilities, pursuant to Section 504 of the Rehabilitation Act of 1973, and to include updated forms used to determine a student's eligibility for a Section 504 plan. The proposed amendment to the title of the rule, *Procedures for Serving Students with Special Needs to Section 504 Procedures for Students with Disabilities*, is recommended to provide the community easier access to Section 504 procedures.

Attached are the Notice of Intended Action and the proposed new rule. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Copies of the proposed repealed document, *Procedures for Serving Students with Special Needs*, which is incorporated by reference and is a part of this rule, and the proposed new document, *Section 504 Procedures for Students with Disabilities*, to be incorporated by reference and made part of this rule, will be forwarded to School Board members under separate cover 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.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of School Board Rule 6Gx13- 6A-1.332.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Rule 6Gx13- 6A-1.332, *Procedures for Serving Students with Special Needs*, to repeal the document, *Procedures for Serving Student with Special Needs*, and, to promulgate the new document *Procedures for Serving Student with Special Needs*, which will be incorporated by reference and made part of this rule.

Instruction--Elementary and Secondary

~~PROCEDURES FOR SERVING STUDENTS WITH SPECIAL NEEDS~~

SECTION 504 PROCEDURES FOR STUDENTS WITH DISABILITIES

The School Board of Miami-Dade County, Florida, adheres to a policy of nondiscrimination in educational programs/activities and employment and strives affirmatively to provide equal opportunity for all as required by law.

The District has established and implemented standards and procedures for the identification, evaluation, placement, and provision of a free appropriate public education program for students with disabilities pursuant to federal law. The document entitled ~~Procedures for Serving Students with Special Needs~~ **Section 504 Procedures for Students with Disabilities** is a part of and incorporated in this rule.

Copies of ~~Procedures for Serving Students with Special Needs~~ **Section 504 Procedures for Students with Disabilities** are on file in the Office of Board Recording Secretary, and the Citizen Information Center.

Specific Authority: ~~230.22(2)~~ 1001.41(1)(2); 1001.42(22); 1001.43(10)
Law implemented, Interpreted, or Made Specific; ~~228.2004~~ 1000.05 F.S.; 29 U.S.C.,
Section 794; 34 C.F. R. part 104; 42 U.S.C. Section 12101 et seq.

History :

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 11-2-94

Amended: 6-10-98

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 13, 2005, its intention to amend School Board Rule 6Gx13- 6A-1.332, to repeal the document, *Procedures for Serving Students with Special Needs*, which is incorporated by reference and a part of this rule, and promulgate a new document, *Section 504 Procedures for Students with Disabilities*, at its meeting of May 18, 2005.

PURPOSE AND EFFECT: The purpose of repealing the document, *Procedures for Serving Students with Special Needs*, and to promulgate a new document is to provide School Board employees with updated standardized procedures to use in the identification of students who are eligible for services under Section 504.

SUMMARY: The Board Rule 6Gx13- 6A-1.332, *Procedures for Serving Students with Special Needs*, has been amended in order to incorporate a new updated document, *Section 504 Procedures for Students with Disabilities*, which includes Section 504 definitions, clarified procedures, requirements, and specific grievance procedures as well as updated forms.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1)(2); 1001.42(22); 1001.43(10), F.S.

LAW IMPLEMENTED INTERPETED, OR MADE SPECIFIC: 1000.05 F.S.; 29 U.S.C., Section 794; 34 C.F. R. part 104; 42 U.S. C. Section 12101 et seq.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF May 18, 2005, 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 May 9, 2005, 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 286.015, Florida Statutes)

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

Originator: Ms. Brucie Ball
Supervisor: Dr. Sonia E. Díaz
Date: March 30, 2005