

Marie Izquierdo, Chief Academic Officer
Office of Academics and Transformation

SUBJECT: **FINAL READING: PROPOSED AMENDMENT OF BOARD
POLICY 2460, EXCEPTIONAL STUDENT EDUCATION**

COMMITTEE: **ACADEMICS, EVALUATION & TECHNOLOGY**

**LINK TO STRATEGIC
FRAMEWORK:** **RELEVANT, RIGOROUS AND INNOVATIVE ACADEMICS**

At its November 20, 2018, regular meeting, the Board approved Board Agenda Item C-101 announcing its intention to amend School Board Policy 2460, Exceptional Student Education, by repealing the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2015-2016 through 2017-2018*, incorporated therein by reference and made part of the policy, and promulgating the new document *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2017-2018 through 2019-2020*. The SP&P serves as the basis for identification, evaluation, eligibility determination and placement of students in special education programs. The document is also a component of the District's application for supplemental educational funds available through the Individuals with Disabilities Education Act (IDEA).

In accordance with the requirements set forth in Section 1003.57(1)(b)(1) Florida Statutes, Board review and approval of the SP&P is required by law every three years. Rule 6A-6.03411, Florida Administrative Code (F.A.C.), provides that approval of the SP&P by the Florida Department of Education (FDOE) is a prerequisite to enable school districts to receive state or federal funding for special education.

Changes to the SP&P were made as a result of revisions related to F.S. 1003.57, 1003.571, 1003.573, and 1006.07(2), as well as to update current practices relating to:

- Review of data and reporting requirements
- Use of physical restraint and seclusion
- Evaluations and reevaluations
- General education interventions
- Best practices for inclusive education
- Disciplinary actions
- Extended School Year services
- Participation in programs for students who are gifted

The core content of the SP&P reflects the federal and state policies and procedures related to exceptional student education that apply to all districts.

The Notice of Intended Action was published in the *Daily Business Review* on November 26, 2018, in various places for public information and mailed to various organizations representing persons affected by the amended policy and to individuals requesting notification. The time to request a hearing or protest the promulgation of this policy has elapsed.

In accordance with the Administrative Procedure Act, the amended policy is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the policy in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action and the policy proposed for amendment. Copies of the documents will be available for inspection by the public in the Office of the Board Recording Secretary, Room 924, and the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.

The proposed new document and the repealed document may be viewed online at:

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=XKpbiNmYZ0A2m9ehK2zU0v12B2QuO9rrVm7Ybq71Fzk9tQCHMWfNie6/xh3PbtArH9ksZ2pp9PRpuhnyoTNewvO96hdL7RpeAnnX6JYMkj7myBitRv/NZM7U0qG/K5pUDXNSpG4MGiJV3K9DH9SZDrldyNnDPthV&app=AttachmentManager>

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=XKpbiNmYZ0A2m9ehK2zU0v12B2QuO9rrVm7Ybq71Fzk9tQCHMWfNie6/xh3PbtArH9ksZ2pp9PRpuhnyoTNewvO96hdL7RpeAnnX6JYMkj5BQwDRkzG0zmNisM7QE6nDWRIRKihmE69BoA3EVrIla82bSyAKR01T&app=AttachmentManager>

There is no additional cost to the District associated with this item.

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

1. adopt amended School Board Policy 2460, Exceptional Student Education, and authorize the Superintendent to file the policy with The School Board of Miami-Dade County, Florida, effective December 19, 2018; and
2. authorize the Superintendent to submit the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2017-2018 through 2019-2020*, to the Florida Department of Education.

MI/MCA/ag

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on November 20, 2018, its intention to amend Board Policy 2460, Exceptional Student Education, by repealing the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Date: 2015-2016 through 2017-2018*, and promulgating the new document *Exceptional Student Education Policies and Procedures (SP&P) Effective Date: 2017-2018 through 2019-2020*, at its meeting of December 19, 2018.

PURPOSE AND EFFECT: The purpose is to amend Board Policy 2460, Exceptional Student Education, and promulgate the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Date: 2017-2018 through 2019-2020*, which is incorporated by reference and is a part of this Policy. The effect is policy alignment with all federal and state laws, regulations, and rules and compliance with Florida Board of Education requirements.

SUMMARY: School Board Policy 2460, and the document, *Exceptional Student Education, Policies and Procedures (SP&P) Effective Dates: 2017-2018 through 2019-2020*, reflect revisions related to ss. 1003.57, 1003.571, 1003.573, and 1006.07(2), F.S. The new SP&P document reflects changes regarding procedures related to review of data and reporting requirements, use of physical restraint and seclusion, evaluations and reevaluations, best practices for inclusive education, disciplinary actions, Extended School Year services and participation in programs for students who are gifted. Section 1003.57(1)(b)(1) Florida Statutes and Rule 6A-6.03411, Florida Administrative Code (F.A.C.), require the approval of this document by FDOE once every three (3) years as a prerequisite for the District's use of weighted cost factors under the Florida Education Finance Program (FEFP).

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=TvsYglq5gKDM6M0Chr5DuD1vPxQMK1S0sXRvkCO0mS0=&app=AttachmentManager>

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=Vs6JEz83QR~!iZoQuDAG1IIQhIeXeLVs03LsHcRJ9gYInDgZLZd02gGo3KAskGroH&app=AttachmentManager>

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1) and (2); 1001.42(4)(I) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1003.57; 1003.571; 1003.573, 1006.07(2), F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF December 19, 2018, 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 December 17, 2018, 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 POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Dr. Magaly C. Abrahante
Supervisor: Ms. Marie Izquierdo
Date: November 7, 2018

