

Mercedes Toural, Chief Education Officer
and Deputy Superintendent of Schools

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

**COMMITTEE: LEGISLATIVE RELATIONS, PUBLIC RELATIONS AND
PERSONNEL SERVICES**

This item is submitted for consideration by the Board to amend School Board rule 6Gx13-6A-1.331, Procedures for Providing Special Education for Exceptional Students, and a section to the document, **Special Programs and Procedures for Exceptional Students, Effective Dates: 2000-2001 through 2002-2003**, which is incorporated by reference and a part of this rule.

The proposed amendment to the document consists of revised pages to the section related to Speech and Language eligibility and services, a new signature page, and extends the 2000-2001 through 2002-2003 document through 2003-2004, in accordance with the required revisions from the Florida Department of Education (FDOE).

Section 1003.57(4), Florida Statutes, requires that school boards submit proposed procedures for the provision of special instruction and services for exceptional students to the FDOE once every three years. Rule 6A-6.03441, Florida Administrative Code (FAC), requires the approval of this document by the FDOE as a prerequisite for utilizing weighted cost factors under the Florida Education Finance Program. This document also serves as the basis for the identification, evaluation, eligibility determination, and placement of students in special education programs.

This amendment to Speech and Language and the extension of the document are to comply with specifications from the FDOE. This document will be in effect 2000-2001 through the 2003-2004 school year or until a new document is forwarded by the FDOE and approved by the Board.

Attached are the Notice of Intended Action, the proposed amended rule, and the section, Programs for Students Who Are Identified as Speech and Language Impaired of the document, **Special Programs and Procedures for Exceptional Students, Effective Dates: 2000-2001 through 2002-2003**. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of Board Rule 6Gx13- 6A-1.331, Procedures for Providing Special Education for Exceptional Students.

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-1.331, Procedures for Providing Special Education for Exceptional Students, and the document, **Special Programs and Procedures for Exceptional Students, Effective Dates: 2000-2001 through 2002-2003**, which is incorporated and a part of this rule.

RKF/BB:ap

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on December 10, 2003, its intention to amend Board Rule 6Gx13- 6A-1.331, Procedures for Providing Special Education for Exceptional Students, at the meeting of January 14, 2004.

PURPOSE AND EFFECT: The purpose of the amendment is to submit to the Florida Department of Education the amended Board Rule 6Gx13- 6A-1331, Procedures for Providing Special Education for Exceptional Students, and the amended document, **Special Programs and Procedures for Exceptional Students, Effective Dates: 2000-2001 through 2002-2003**, which is incorporated by reference and is a part of this Board Rule, by reflecting the revised pages to the section related to Speech and Language eligibility and services, and to extend the document's effective dates 2000-2001 through 2002-2003 to 2003-2004.

SUMMARY: The Board Rule 6Gx13- 6A-1.331, and the document, **Special Programs and Procedures for Exceptional Students Effective Dates: 2000-2001 through 2003-2004**, which is incorporated by reference and made part of this rule, serves as the basis for the identification, evaluation, eligibility determination, and placement of students in special education programs.

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1000.01(4); 1001.43(3)(d); 1001.51(5)(6)(8); 1003.01(3)(a) and (b); 1003.02 F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF January 14, 2004, 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 January 7, 2004 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: Ms. Brucie Ball
Supervisor: Mr. Ronald K. Felton
Date: December 1, 2003

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 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 **Special Programs and Procedures for Exceptional Students, Effective Dates: 2000-2001 through ~~2002-2003~~ 2003-2004**, is a part of and incorporated into this rule and will be submitted to the Florida Department of Education.

Copies of **Special Programs and Procedures for Exceptional Students, Effective Dates: 2000-2001 through ~~2002-2003~~ 2003-2004**, are on file in the Office of Board Recording Secretary and the Citizen Information Center.

Specific Authority: 230.22(2); 230.23(22); 1001.41(1)(2); 1001.42(22); 1001.43(10), F.S.
Law Implemented, Interpreted, or Made Specific: 228.041(19); 1000.01(4);
1001.43(3)(d); 1001.51(5)(6)(8);
1003.01(3)(a) and (b); 230.23(4)(m)
and (n); 230.23005(3)(d) 1003.02;
230.33(6), 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; 3-17-99; 1-12-00; 12-12-01

Special Programs and Procedures for Exceptional Students

Effective Dates:

2000-2001 through 2002-2003 2003-2004



**Miami-Dade County
Public Schools**
giving our students the world

Miami-Dade County Public Schools

Education

**Office of Exceptional Student Education
and Psychological Services Student/Career Services**

C-23

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

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OFFICE OF EXCEPTIONAL STUDENT EDUCATION
AND STUDENT/CAREER SERVICES

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

C. PROGRAMS FOR STUDENTS WHO ARE IDENTIFIED AS SPEECH AND LANGUAGE IMPAIRED

basis, are screened for language, articulation, fluency and voice disorders prior to staffing for eligibility.

Student evaluation

1. Minimum student evaluations as required in Rule 6A-6.03012(4)(a)-(c), FAC, are:
 - a. Speech-language pathologists shall be responsible for implementing and conducting diagnostic assessments of language, articulation, fluency, or voice disorders.
 - b. A case history shall be included as part of the assessment data when determined appropriate by the speech-language pathologist.
 - c. Medical and psychological evaluations shall, be requested by the speech-language pathologist when appropriate.
2. Evaluations or tests administered may include but are not limited to:
 - a. Language:
Qualified Evaluator: speech-language pathologist
See Appendix A for a list of suggested evaluations
 - b. Articulation:
Qualified Evaluator: speech-language pathologist
See Appendix A for a list of suggested, evaluations
 - c. Fluency:
Qualified Evaluator: speech-language pathologist
See Appendix A for a list of suggested evaluations
 - d. Voice:
Qualified Evaluator: speech-language pathologist
See Appendix A for a list of suggested evaluations
 - e. Case history: (See A. above)
Qualified Evaluators:

Social Worker

- f. Medical evaluation: (See A. above)
Qualified Evaluator: physician
- g. Psychological evaluation: (See A. above)
Qualified Evaluator: psychologist
See Appendix A for a list of suggested evaluations

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Determining eligibility

A speech-language pathologist is a member of any eligibility staffing committee reviewing speech and language evaluation data.

Providing an Individual Educational Plan

A speech-language pathologist is involved in the development of the individual educational plans for eligible speech and language students.

Dismissal criteria

Upon following the reevaluation process, the IEP team determined that the student

- a. is successful in the general education curriculum without special education support; or
- b. the disability no longer interferes with the student's ability to participate in the educational program; or

(Additional criteria may be included.)

~~A student will be dismissed from the Programs for Speech and Language Impaired when:~~

- ~~1. there is documentation of satisfactory achievement in the general curriculum without support, and/or~~
- ~~2. the disability no longer interferes with the student's ability to participate in the educational program, (pre-academic, academic or vocational).~~

At the time of transition to the three-five year program, speech and/or language services previously received through B-2 program as a related service, shall be discontinued and eligibility must be met to receive speech and/or language intervention in the prekindergarten program.

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

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Instructional program

1. Philosophy

Each student with a disability is entitled to receive a free appropriate public education in the least restrictive environment, which will enable the student to progress in the general curriculum to the maximum extent appropriate. Special education and related services are designed to meet the unique needs of the student! and includes specially designed instruction, supportive services, and accommodations and modifications as needed by the student. A range of service delivery options is available to meet the student's special needs. Teachers are trained to provide the unique services identified for each student and are provided with administrative support to assure reasonable class size, adequate funds for materials and inservice training.

(Additional information may be included)

The improvement of communication skills is emphasized within the curriculum of many exceptional student classrooms. When language instruction is integrated throughout the daily activities of the classroom, students acquire more relevant language skills and are therefore better able to generalize those skills to other environments. The emphasis should be placed on establishing or improving functional communication skills recognizing that, in many instances, the exceptionality may preclude establishing normal speech and language.

Determining eligibility for the Programs for Language Impaired is a two-step process. For students ages three to five, the first step is documentation of a language impairment based on criteria in the test manual and at least one of the following:

1. a significant difference of 30% or more between language age scores and other developmental behavior age scores (e.g., cognitive or pre-academic skills), or,
2. a significant difference of 30% or more between receptive language age scores and expressive language age scores measuring similar aspects of language.

(Continued under Curriculum section on page 98.)

2. Curriculum

Appropriate curriculum addresses students' communication disorders, physical abilities, and educational needs. The curriculum for each student with a disability will be determined by the IEP team and will be initiated with the assumption of access to the general curriculum (Sunshine State Standards) with appropriate accommodations. The Sunshine State Standards for Special Diploma provide curriculum direction for the modification of the Sunshine State Standards and provide the other educational needs that are unique skills needed by some students with disabilities. Curriculum decisions reflect progress toward a standard high school diploma for most students with disabilities and progress toward a special diploma only for those students with cognitive disabilities who need a functional curriculum to address appropriate outcomes.

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Students will access the Sunshine State Standards through appropriate programming with support from the exceptional student education teacher. Students will access Sunshine State Standards for Special Diploma as outlined in "Florida Course Descriptions: Exceptional Student Education Grades 6-8" and "Florida Course Descriptions: Exceptional Student Education Grades 9-12." These course descriptions provide instruction in strategies to enable students with disabilities to access the general curriculum through regular class placement or access functional skills needed for adult life as determined by the IEP team.

(Additional information may be included)

In determining eligibility for students ages five and above, the first step is documenting a language impairment ~~greater than one standard deviation (SD) of one and a half or more standard deviations~~ below the mean of a standardized test for the student's chronological age, and,

1. a significant difference of one and a half standard deviations or more between language performance and nonverbal performance, or
2. a significant difference of one and a half standard deviations or more between receptive and expressive language scores, or
3. two or more, but not all components of the language system, are rated moderately or severely impaired on a language severity rating scale.

In determining eligibility for Programs for the Speech Impaired (articulation/phonology), the term "significant difference," is defined as a pattern of:

1. three or more consonantal error sounds delayed by at least one year in either initial or final position, or
2. two or more consonantal error sounds delayed by at least two years in the initial or final position, or
3. one error consonantal sound delayed by at least three years in the initial or final position, or
4. disordered error patterns characterized by atypical phonological patterns which would not be expected as substitutions distortions, or omission patterns for children of younger ages.

Suggested programs for sequential objectives are available in the ~~region offices~~ ACCESS Centers for each of the defined areas of communication disorders. Program designs may include, but not be limited to, the following:

1. Language
 - a) Handbooks of Exercises for Language Processing (HELP)
 - b) Manual of Exercises for Language Processing (HELP)
 - c) Daily Communication – Strategies for the Language Disordered Adolescent
 - d) Activities for Children Involving Everyday Vocabulary (ACHIEV)
 - e) Expressive Language Kit
 - f) Stimulus Pictures for Assessment, Remediation and Carryover (SPARC)
2. Articulation
 - a) Remediation of Common Phonological Processes
 - b) Let's Articulate!
 - c) SPARC Artic Scenes
 - d) SPARC for Phonology
 - e) Webber Phonology Cards
3. Fluency
 - a) Systematic Fluency Training for Young Children
 - b) Easy Does It (H&H) for Fluency: Preschool/Primary
 - c) Easy Does It for Fluency: Intermediate
4. Voice
 - a) Remediation of Vocal Hoarseness
 - b) Symptomatic Voice Therapy
 - c) Easy Does It for Voice

A library shall be maintained in each ~~region~~ ACCESS Center; which includes diagnostic tools, professional books, and periodicals.

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

C. PROGRAMS FOR STUDENTS WHO ARE IDENTIFIED AS SPEECH AND LANGUAGE IMPAIRED

3. Instructional support

Students receive instructional support through the special education and related services provided as determined through the IEP process. Special education teachers provide:

- a. instruction in special education including curriculum and learning strategies, independent functioning, social/emotional behavior, and communication, and
- b. skill development through related services including orientation and mobility, physical therapy, and occupational therapy

Other instructional support services include:

- a. audiology
- b. counseling provided by qualified personnel
- c. early identification and assessment
- d. medical services to determine medically related disability resulting in the need for special education
- e. parent counseling and training
- f. psychological services
- g. recreation
- h. rehabilitation counseling
- i. school health services
- j. social work
- k. transportation

These support services are provided in coordination with local school district student services and community agencies, the Florida Diagnostic & Learning Resources System Associate Centers and Specialized Centers, the Florida School for the Deaf and Blind, special projects funded by the Bureau of Instruction Support and Community Services, and other agencies of state and local government including the Division of Blind Services, Children's Medical Services, Department of Children and Families, and Vocational Rehabilitation.

(Additional information may be included)

There is no additional information at this time.

The School Board of Miami-Dade County, Florida, adheres to a policy of nondiscrimination in employment and educational programs/activities and programs/activities receiving Federal financial assistance from the Department of Education, and strives affirmatively to provide equal opportunity for all as required by:

Title VI of the Civil Rights Act of 1964 - prohibits discrimination on the basis of race, color, religion, or national origin.

Title VII of the Civil Rights Act of 1964, as amended - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.

Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of gender.

Age Discrimination in Employment Act of 1967 (ADEA), as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40.

The Equal Pay Act of 1963, as amended - prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against the disabled.

Americans with Disabilities Act of 1990 (ADA) - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.

The Family and Medical Leave Act of 1993 (FMLA) - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

The Pregnancy Discrimination Act of 1978 - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.

Florida Educational Equity Act (FEEA) - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

Florida Civil Rights Act of 1992 - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

School Board Rules 6Gx13- 4A-1.01, 6Gx13- 4A-1.32, and 6Gx13- 5D-1.10 - prohibit harassment and/or discrimination against a student or employee on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, pregnancy, or disability.

Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.