

Maria 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:** **EDUCATION**

At its May 13, 2015, regular meeting, the Board approved Board Agenda Item C-100 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: 2013-2014 through 2015-2016*, 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: 2014-2015 through 2016-2017*. The document was amended and previously approved by the School Board at its meeting held on January 15, 2014. 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 student funds available through the Individuals with Disabilities Education Act (IDEA).

In accordance with the requirements set forth in Rule 6A-6.03411, Florida Administrative Code (F.A.C.), the SP&P must be submitted every three years to the Florida Department of Education (FDOE) as a prerequisite for the use of weighted cost factors under the Florida Education Finance Program (FEFP). Board review and approval of the SP&P is required by law every three years to be in compliance with new requirements set forth in Florida Statutes and revisions to State Board of Education Rules.

In particular, the following substantive changes to the SP&P were made as a result of legislation that became effective July 1, 2014, and changes in State Board of Education Rules effective in 2014-2015:

- Restraint and seclusion data collection
- Definition of general education intervention procedures
- Diploma and Post-Secondary Options for students with disabilities
- Initiating evaluation procedures
- Requirement of development of Model Communication Plan for deaf, hard of hearing or sensory impaired students
- IEP changes for transitional needs
- Inclusion of local data for students who are determined eligible for 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 *Miami Daily Business Review* on May 18, 2015, 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. Changes from the current policy are indicated by underscoring words to be added and ~~striking through~~ for words to be deleted.

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 158, 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=AR6qD9mHkfPa2H8h6o7kcYFyNqUy2pwLpY6Z9EZDvJ3XDGizu9ITyp6poiYk3pp9&app=AttachmentManager>

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=V9NFXd2E4orf9wynzR98juBhDku9zVjV&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 June 17, 2015; and
2. authorize the Superintendent to submit the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2014-2015 through 2016-2017*, to the Florida Department of Education.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 13, 2015, its intention to amend Board Policy 2460, Exceptional Student Education, by repealing the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2013-2014 through 2015-2016*, which is incorporated by reference and a part of this policy, and promulgating the new document *Exceptional Student Education Policies and Procedures (SP&P) Effective dates: 2014-2015 through 2016-2017*, at its meeting of June 17, 2015.

PURPOSE AND EFFECT: The purpose is to submit to the Florida Department of Education (FDOE) the amended Board Policy 2460, in order that the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2014-2015 through 2016-2017*, which is incorporated by reference and is a part of this Policy, be promulgated to ensure alignment with all federal and state laws, regulations, and rules and to comply with Florida Board of Education requirements for the document issued by the FDOE.

SUMMARY: School Board Policy 2460, and the document, *Exceptional Student Education, Policies and Procedures (SP&P) Effective Dates: 2014-2015 through 2016-2017*, reflect revisions to ss. 1002.20, 1003.57, 1008.212, and 1008.22, F.S., and revisions to several State Board of Education Rules. The new SP&P document reflects changes regarding restraint and seclusion data collection; definition of general education intervention procedures; diploma and post-secondary options for students with disabilities; initiating evaluation procedures; requirement of model communication plan for deaf, hard of hearing or sensory impaired students; IEP changes for transitional needs and inclusion of local data for students who are determined eligible for gifted. Rule 6A-6.03411, Florida Administrative Code (F.A.C.), requires the approval of this document by FDOE 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=AR6qD9mHkfPa2H8h6o7kcYFyNgUy2pwLpY6Z9EZDvJ3XDGizu9ITyp6poiYk3pp9&app=AttachmentManager>

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=V9NFXd2E4orf9wynzR98juBhDku9zVjV&app=AttachmentManager>

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1002.20(21)(a); 1003.57; 1003.5715; 1003.572; 1003.573; 1008.212; 1008.22(3)(c)(3)(b) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF June 17, 2015, 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 June 9, 2015, 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 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Dr. David K. Moore
Supervisor: Ms. Marie Izquierdo
Date: May 6, 2015

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EXCEPTIONAL STUDENT EDUCATION

2 The School Board shall provide a free, appropriate, public education for students
3 with disabilities according to State and Federal laws, rules, and regulations and
4 shall implement the procedures document entitled Exceptional Student Education
5 Policies and Procedures (SP & P), incorporated by reference.

6 F.S. 1001.41(1)(2), 1001.42(4)(1), 1002.20(21)(a), 1003.01(3), 1003.57, 1003.571
7 F.S. 1008.212, 1008.22(c)(3)(b)
8 F.A.C. 6A-6.03313 through 6A-6.0361
9 20 U.S.C. 1400 et seq.
10 34 C.F.R. 300.520

11 Revised 4/18/12
12 Revised 1/15/14

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