

Dr. Sylvia J. Diaz, Chief Academic Officer
Office of Academics and Transformation

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

**COMMITTEE: ACADEMICS, INNOVATION, EVALUATION AND
TECHNOLOGY**

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

At its February 10, 2021, regular meeting, the Board approved 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: 2017-2018 through 2019-2020*, incorporated therein by reference, and promulgating the new document *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2020-2021 through 2022-2023*. 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)4, Florida Statutes, Board review and approval of the SP&P is required 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 ss.1002.20, 1003.57, and 1008.22, F.S. as well as to update current practices relating to:

- Review of data and reporting procedures
- Plan to eliminate the use of seclusion
- General education interventions
- Independent educational evaluations
- Programs for students with Specific Learning Disabilities
- Individual Educational Plan
- Discipline
- Participation in state and district assessments
- District plan to increase participation of underrepresented students in programs for students who are gifted
- District procedures during a declared state of emergency

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 February 16, 2021, 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=9DJsyuzn66aAPZkO/CM0Nkf865TfsZZfdW/Bic1onrg=&app=AttachmentManager>

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=9DJsyuzn66aEvOXuiGht4yR9Og9dcKMzTXvtEuQZD6URQyFbP~!7GKEsrwB0UpKoIDeoDMo0fWkKrtDkhFrT~!UA=&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 March 17, 2021; and
2. authorize the Superintendent to submit the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Dates: 2020-2021 through 2022-2023*, to the Florida Department of Education.

SJD/MCA/ag

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on February 10, 2021, its intention to amend Board Policy 2460, Exceptional Student Education, by repealing the document, *Exceptional Student Education Policies and Procedures (SP&P) Effective Date: 2017-2018 through 2019-2020*. and promulgating the new document *Exceptional Student Education Policies and Procedures (SP&P) Effective Date: 2020-2021 through 2022-2023*, at its meeting of March 17, 2021.

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: 2020-2021 through 2022-2023*, 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: 2020-2021 through 2022-2023*, reflect revisions related to ss. 1003.57, 1003.571, 1003.573, 1006.07, 1008.25 F.S. The new SP&P document reflects changes to documenting and reporting incidents of restraint and seclusion, reducing the use of seclusion, general education interventions, independent educational evaluations, Specific Learning Disabilities, Individualized Educational Plans, Discipline, State and District Assessments. Additionally, the District plan to increase participation of underrepresented students in programs for gifted and the District procedures during a declared state of emergency are included. 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=9DJsyuzn66aAPZkO/CM0Nkf865Tf sZZfdW/Bic1onrg=&app=AttachmentManager>

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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: 1003.57; 1003.571; 1003.573, 1006.07(2), F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF March 17, 2021, which begins at 11:00 a.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 10, 2021, 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.