

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

SUBJECT: **INITIAL READING: PROPOSED AMENDMENTS TO SCHOOL BOARD POLICIES 2210, CURRICULUM DEVELOPMENT, 2370.01, VIRTUAL INSTRUCTION, 2410, SCHOOL HEALTH SERVICES PROGRAM, AND 2623, STUDENT ASSESSMENT**

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

LINK TO STRATEGIC PLAN: **RELEVANT, RIGOROUS, & INNOVATIVE ACADEMICS**

Consistent with the Board's statutory responsibility to periodically review and update policies to conform to legislative changes and District practices, authorization is requested for the Superintendent to initiate rulemaking proceedings to amend Board Policies 2210, *Curriculum Development*, 2370.01, *Virtual Instruction*, 2410, *School Health Services Program*, and 2623, *Student Assessment*.

Policy 2210, *Curriculum Development*, is proposed for amendment as a result of SB 2524 (2022) amending F.S. 1011.62, *Funds for Operation of Schools*, which now requires the School Board to approve the District's comprehensive reading plan to be submitted to the Florida Department of Education (FDOE). The amendments specify that annually, by a date determined by the FDOE, the District shall submit a Board-approved K-12 comprehensive reading plan to the FDOE for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis.

Policy 2370.01, *Virtual Instruction*, is proposed for amendment as a result of SB 1048 and SB 2524 (2022), specifying that the District is required to provide virtual instruction options for students residing in the District and requiring students in virtual instruction to participate in the coordinated screening and progress monitoring system under F.S. 1008.25.

Policy 2410, *School Health Services Program*, is proposed for amendment as a result of HB 173 (2022), which created F.S. 1006.0626, *Care of Students with Epilepsy or Seizure Disorders*. The amendments highlight chronic health conditions to be addressed by the policy, including but not limited to epilepsy and seizure disorders, and contain procedures for providing individualized student healthcare plans and training for individuals whose duties include regular contact with the student during school or school-sponsored events and activities. The amendments also address HB 899 (2022), amending F.S. 1011.62(14) to require that agreements with community-based agencies for mental health services contain specific

assessment timelines and information to parents and other individuals living in households with a student receiving services under the agreement.

Policy 2623, *Student Assessment*, is proposed for amendment as a result of SB 1048 (2022) amending F.S. 1008.25, *Public school student progression; student support; coordinated screening and progress monitoring; reporting requirements*. The proposed policy amendments reflect the new requirement that a coordinated screening and monitoring system be implemented to identify the educational strengths and needs of students. The amendments also specify that the District will not schedule more than five percent (5%) of a student's total school hours in a school year to administer statewide, standardized assessments, the coordinated screening and progress monitoring system under F.S. 1008.25(8)(b)2., and District-required local assessments. The amendments specify that the District shall provide parents with their student's performance results on state and locally required District-required local assessments in a timely manner and format required by F.S. 1008.25(8)(c); and that required information will be published on the District website annually.

The policy amendments were drafted in collaboration with, and reviewed by the Superintendent, Cabinet, and District staff. The Notice of Intended Action and policies with strikethroughs and underlines are attached.

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 Policies 2210, *Curriculum Development*, 2370.01, *Virtual Instruction*, 2410, *School Health Services Program*, and 2623, *Student Assessment*.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on November 16, 2022, its intention to amend Board Policies 2210, *Curriculum Development*, 2370.01, *Virtual Instruction*, 2410, *School Health Services Program*, and 2623, *Student Assessment*, at its meeting of January 18, 2023.

PURPOSE AND EFFECT: Board Policies 2210, *Curriculum Development*, 2370.01, *Virtual Instruction*, 2410, *School Health Services Program*, and 2623, *Student Assessment*, are proposed for amendment as a result of statutory amendments.

SUMMARY: Policy 2210, *Curriculum Development*, is proposed for amendment as a result of SB 2524 (2022) amending F.S. 1011.62, *Funds for Operation of Schools*, which now requires the School Board to approve the District's comprehensive reading plan to be submitted to the Florida Department of Education (FDOE). The amendments specify that annually, by a date determined by the FDOE, the District shall submit a Board-approved K-12 comprehensive reading plan to the FDOE for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis. Policy 2370.01, *Virtual Instruction*, is proposed for amendment as a result of SB 1048 and SB 2524 (2022), specifying that the District is required to provide virtual instruction options for students residing in the District and requiring students in virtual instruction to participate in the coordinated screening and progress monitoring system under F.S. 1008.25. Policy 2410, *School Health Services Program*, is proposed for amendment as a result of HB 173 (2022), which created F.S. 1006.0626. The amendments highlight chronic health conditions to be addressed by the policy, including but not limited to epilepsy and seizure disorders, and contain procedures for providing individualized student healthcare plans and training for individuals whose duties include regular contact with the student during school or school-sponsored events and activities. The amendments also address HB 899 (2022), amending F.S. 1011.62(14) to require that agreements with community-based agencies for mental health services contain specific assessment timelines and information to parents and other individuals living in households with a student receiving services under the agreement. Policy 2623, *Student Assessment*, is proposed for amendment as a result of SB 1048 (2022) amending F.S. 1008.25. The proposed policy amendments reflect the new requirement that a coordinated screening and monitoring system be implemented to identify the educational strengths and needs of students. The amendments also specify that the District will not schedule more than five percent (5%) of a student's total school hours in a school year to administer statewide, standardized assessments, the coordinated screening and progress monitoring system under F.S. 1008.25(8)(b)2., and District-required local assessments. The amendments specify that the District shall provide parents with their student's performance results on state and locally required District-required local assessments in a timely manner and format required by F.S. 1008.25(8)(c); and that required information will be published on the District website annually.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: Fla. Stat. ss. 1001.41(1), (2); 1001.42(13), (18); 1001.43(8).

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: Fla. Stat. ss. 1008.25; 1006.062; 1006.0626; 1011.62.

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF January 18, 2023, 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 in Section 120.54(1), F.S., must do so in writing by December 14, 2022, to the Superintendent, 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)

COPIES OF THE PROPOSED AMENDED POLICY are 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.



Book	Policy Manual
Section	November 16, 2022 - <u>Initial</u> Reading
Title	CURRICULUM DEVELOPMENT
Code	2210
Status	<u>Initial</u> Reading

2210 - **CURRICULUM DEVELOPMENT**

The Superintendent shall develop and evaluate curriculum and prepare courses of study. The Superintendent shall also coordinate the appropriate personnel, materials, and supplies for curriculum exploration, development, and implementation.

Annually, by a date determined by the Florida Department of Education~~May 1st~~, the District shall submit a Board-approved K-12 comprehensive reading plan to the Department for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis~~for review and approval by the State.~~

The Superintendent may conduct innovative programs as necessary for the continuing growth of the instructional program and to accomplish the District's educational goals.

Effective 7/1/11

Legal References: F.S. 1001.215, 1001.41, 1001.42, 1001.51, ~~1004.64~~,
1008.22, 1008.34, 1011.62
Chapter I of Education Consolidation and Improvement Act of
1981
P.L. 97-35

Adoption Date: **05.11**
Classification:
Revised Dates: ;



Book	Policy Manual
Section	November 16, 2022 - <u>Initial Reading</u>
Title	VIRTUAL INSTRUCTION
Code	2370.01
Status	<u>Initial Reading</u>

2370.01 - **VIRTUAL INSTRUCTION**

The following options are available to students residing within the District interested in part-time or full-time virtual instruction, Kindergarten through Grade 12:

- A. courses delivered in the traditional school setting by instructional staff providing direct instruction through either virtual instruction or by blending traditional and online instruction;
- B. participation in the District-operated part-time or full-time virtual instruction programs (VIP) organized under F.S. 1002.45(1);
- C. enrollment in the Florida Virtual School;
- D. enrollment in an online course offered by any other Florida school district.

The District shall provide access to enroll in courses available through one of the District options for virtual instruction, and shall award credit for successful completion. Access to online courses is available to students during and after the normal school day and through summer school enrollment. A District student will not be required to take an online course outside the regular school day in addition to the student's courses for a given semester or on school grounds.

The purpose of the options above is to make instruction available to District students using online and distance education technology in either a traditional classroom or a nontraditional classroom (i.e., primarily outside of public school buildings). If the student and his/her parents select part-time or full-time instruction, they will have the right to select from the list of approved providers offered by the District.

The District may offer a full time or part time program for grade 9-12 students enrolled in dropout prevention, academic intervention, Department of Juvenile Justice (DJJ), core courses to meet class size requirements, or community colleges.

Student Eligibility

All students, including home education and private school students, are eligible to participate in the School District operated full-time kindergarten through grade 12 virtual instruction programs under F.S. 1002.45(1)(b).

Student Participation Requirements

Students participating in a virtual instruction program must take Statewide standardized assessments pursuant to F.S. 1008.22 [and participate in the coordinated screening and progress monitoring system under F.S. 1008.25](#).

Notification of Virtual Instruction Program and Enrollment Period

Within the first week of each school year, the District shall provide notification to parents and students about a student's right and choice to participate in a virtual instruction program and in courses offered by the Florida Virtual School under State law. The enrollment period for the District-operated full-time virtual instruction program, Miami-Dade Online Academy, opens in the spring of each school year for a minimum of ninety (90) days and closes thirty (30) days before the first day of the school year. The District shall provide timely written notice to parents of the enrollment period.

Online Course Requirements for Graduation

Online course requirements for graduation are set forth in Policy 5460, Graduation Requirements.

Revised 4/25/18

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Legal References:	F.S. 1000.04
	F.S. 1001.20
	F.S. 1001.42
	F.S. 1002.20
	F.S. 1002.321
	F.S. 1002.37
	F.S. 1002.45
	F.S. 1002.455
	F.S. 1003.02
	F.S. 1003.32(1)
	F.S. 1003.4282
	F.S. 1003.498
	F.S. 1003.499
	F.S. 1006.29
	F.S. 1007.27
	F.S. 1011.62
	F.A.C. 6A-6.0981

Adoption Date: **03.17**

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Revised Dates: ; **04.18**



Book	Policy Manual
Section	November 16, 2022 - <u>Initial</u> Reading
Title	SCHOOL HEALTH SERVICES PROGRAM
Code	2410
Status	<u>Initial</u> Reading

2410 - **SCHOOL HEALTH SERVICES PROGRAM**

The health services provided by the District shall supplement, not replace, parental responsibility, and shall appraise, protect, and promote student health. These services shall be designed to encourage parents to devote attention to child health, to discover health problems, and to encourage the use of the services of physicians, dentists, and community health agencies as needed.

The School Board shall cooperate with the Miami-Dade County Health Department in providing professional medical supervision in all school health matters as required by the School Health Services Act F.S. 381.0056.

I. School Health Services Plan

The District, the local school health advisory council, and the Miami-Dade County Health Department shall jointly develop a school health services plan. The plan shall be completed biennially. Upon recommendation of the Superintendent, the plan shall be submitted to the Board for approval. Following Board approval, the plan shall be signed by the Superintendent and Board Chairperson, County Health Department medical director or administrator and the District administrator of the County Health Department.

The plan shall be reviewed each year for the purpose of updating the plan. Amendments to the plan shall be submitted to the Board for approval and signed by the Superintendent and the County Health Department medical director or administrator. The services provided shall be dependent on the statutory requirements, local priorities and availability of resources.

The plan shall include the provisions required by Florida statutes and Department of Health rules.

The District shall directly notify the parents of students, at the beginning of the school year, of each healthcare service offered at their student's school, as provided for in the District health services plan, as well as of the specific or approximate dates during the school year when the services are scheduled or expected to be scheduled, and the option to withhold consent or decline any specific service. Parental consent to a health care service does not waive the parent's right to access his/her student's educational or health records or to be notified about a change in his/her student's services or monitoring as provided in F.S. 1001.42(8).

If there is a need for an invasive physical examination or screening, the consent of the student's parent shall be obtained in writing prior to the procedure. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, scoliosis, or body mass index (BMI) screening. Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the District will provide the questionnaire or form to the parent and obtain the permission of the parent.

A student will be exempt from any of the provided health services if his or her parent requests such an exemption in writing unless the physical examination or screening is permitted or required by an applicable State law.

II. **Mental Health Services**

The Board shall identify a mental health coordinator for the District. The mental health coordinator shall serve as the District's primary point of contact regarding the District's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting. The mental health coordinator is responsible for:

- A. Coordinating with the Office of Safe Schools, established pursuant to F.S. 1001.212.
- B. Maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation under F.S. 1011.62(14).
- C. Facilitating the implementation of District policies relating to the respective duties and responsibilities of the District, the Superintendent, and District Principals.
- D. Coordinating with the School Safety Specialist on the staffing and training of threat assessment teams and facilitating referrals to mental health services, as appropriate, for students and their families.
- E. Coordinating with the School Safety Specialist on the training and resources for students and District staff relating to youth mental health awareness and assistance.
- F. Reviewing annually the District's policies and procedures related to student mental health for compliance with Florida law and alignment with current best practices and make recommendations, as needed, for amending such policies and procedures to the Superintendent and the Board.

Mental health counseling services, case management services, and human and social services may be provided to students at a school site under mutual agreements with community-based public or private agencies. Each service provided shall be on a case-by-case basis with prior written approval of the student's parent. Students who may be at risk for mental health disorders and are referred under such agreements shall be assessed within fifteen (15) days of referral. Mental health services must be initiated within fifteen (15) days after identification and assessment, and support must be initiated within thirty (30) days after the school or District makes a referral.

Parents of a student receiving services under such agreements shall be provided information about other behavioral health services available through the student's school or local community-based behavioral health services providers by providing information about and Internet addresses for web-based directories or guides for local behavioral health services.

Individuals living in a household with a student receiving services under such agreements shall be provided information about behavioral health services available through other delivery systems or payors for which such individuals may qualify if such services appear to be needed or enhancements in those individuals' behavioral health would contribute to the improved well-being of the student.

The Superintendent shall assist schools in providing information to children and families by providing community referral sources for professional mental health services for children and families in need of

such services. All schools should maintain information on available community resources, such as the Florida Department of Children and Families and Thriving Mind South Florida, *Consumer and Family Resource Manual for Miami-Dade and Monroe Counties*, and provide information to families as needed.

School safety officers must complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

III. **Involuntary Examinations of Students**

The Superintendent shall annually report to the Florida Department of Education the number of involuntary examinations, as defined in F.S. 394.455, which are initiated at a school, on school transportation, or at a school-sponsored activity.

Principals shall make a reasonable attempt to notify a parent of a student before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463. "Reasonable attempt to notify" means the exercise of reasonable diligence and care by the principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the principal must take the following actions:

- A. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student;
- B. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt.

The principal who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent or caregiver must be contacted. All such information must be in compliance with Federal and State law.

The principal may delay notification for no more than twenty-four (24) hours after the student is removed if the principal deems the delay to be in the student's best interest and if a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect, or the principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student. Before contacting a law enforcement officer, principals must verify that de-escalation strategies have been utilized and outreach to an available mobile response team has been initiated unless the principal or the principal's designee reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others. This requirement does not supersede the authority of a law enforcement officer to act under F.S. 394.463.

In a student crisis situation, school or law enforcement personnel must make a reasonable attempt to contact a mental health professional who may initiate an involuntary examination pursuant to F.S. 394.463, unless the child poses an imminent danger to themselves or others, before initiating an involuntary examination pursuant to F.S. 394.463. Contact with the mental health professional may be in person or using telehealth as defined in F.S. 456.467. The mental health professional may be available to the District either by contracts or interagency agreements with the managing entity, one or more local community behavioral health providers, or the local mobile response team or be a direct or contracted District employee.

This requirement does not supersede the authority of a law enforcement officer to act under F.S. 394.463.

IV. Care of Students with Chronic Health Conditions

A. Chronic Health Conditions

Students with chronic health conditions will be provided with a free appropriate public education. Some students with chronic health conditions also require specially designed instruction and the student's health needs may be documented in an Individualized Education Plan (IEP). Those who do not require an IEP may be eligible for a Section 504 accommodation plan if the chronic health condition substantially limits one or more major life activities in the school or classroom setting, curriculum, or other school-related activities. Students with chronic health conditions shall also receive an Individualized Health Care Plan (IHP) for school or school-related activities, as needed.

"Chronic health conditions," for the purposes of this policy, shall include, but are not limited to:

- Allergies (including but not limited to peanut and other food allergies)
- Asthma
- Diabetes
- Epilepsy and seizure disorders

B. School Health Practices & Management

1. School health practices shall provide students with chronic health conditions the opportunity for:
 - a. full participation in physical activities when students are well;
 - b. modified activities as indicated by the student's individual health care plans (IHP), Section 504 plan, or IEP;
 - c. access to preventative medications before activity (as prescribed by their medical providers) and immediate access to emergency medications during activity; and
 - d. communication regarding the student's health status between parents, physicians/medical providers, teachers, and all individuals whose duties include regular contact with the student during school or school-sponsored events and activities.

2. The District will coordinate school health practices for the management of a chronic health condition and shall provide for:
 - a. identification of individuals with chronic health conditions;
 - b. development of IHPs;
 - c. coordination of health care management activities by school staff;
 - d. communication among school staff who interact with children with chronic health conditions;
 - e. development of protocols to prevent exposure/episodic reactions; and
 - f. awareness and training of school staff regarding acute and routine management of chronic health conditions, information on signs and treatment of chronic health conditions, medication and administration, and emergency protocols for dealing with reactions during atypical situations such as field trips.

3. Healthcare management activities shall include:
 - a. records review to identify students with chronic health conditions;
 - b. procedures to obtain, maintain, and utilize written IHPs specific to the student's condition, signed by the student's parents and physician/medical provider, for each student with a chronic health condition;

- c. a standard emergency protocol in place for students experiencing a distress reaction if they do not have a written ICHP on site;
- d. student-specific training for all individuals whose job duties include regular contact with a student with a chronic health condition, to address the individual needs of the student, including for example:
 - communication strategies
 - immediate access to medications in accordance with Policy 5330, *Student Use of Medications*, that allows students to self-care and self-administer medications, inhalers, and Epi-pens, as prescribed by a physician/medical provider and approved by parent/guardian
 - prevention strategies to avoid causal elements
- e. procedures for students with frequent school absences, school health office visits, emergency department visits, or hospitalizations due to chronic health conditions; and,
- f. management and care of the student's chronic health condition in the classroom, in any area of the school or school grounds, or at any school-related activity or event.

C. Training of Staff

1. Training for school staff about chronic health conditions will be conducted at least every two (2) years at the school site.
2. Student-specific training for all individuals whose job duties include regular contact with a student with a chronic health condition will be conducted at least annually at the school site.
3. Designated staff who have responsibility for specialized services shall be provided training by a licensed health professional specific to the procedures, at least annually.
4. The principal shall maintain a copy of the training program and the records of training completed by school employees.

D. Administrative procedures shall provide guidance for the implementation of this policy.

V. Emergency Allergy Treatment Educational Training Programs

Educational training programs in the District pertaining to emergency allergy treatment required by state law must be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or an entity or individual approved by the Department of Health. The curriculum must include at a minimum:

- A. recognition of the symptoms of systemic reactions to food, insect stings, and other allergens; and,
- B. the proper administration of an epinephrine auto-injector.

VI. Individualized Seizure Action Plans (ISAPs)

A. Creation and Implementation of an ISAP.

To initiate the implementation of an ISAP, a student's parent must submit to the principal an ISAP that meets the following requirements:

1. An ISAP must be developed and signed by a medical professional, in consultation with the student's parent;
2. Written orders from the student's medical professional outlining the student's epilepsy or seizure disorder recommended care;
3. The parent's signature;

4. The student's epilepsy or seizure disorder symptoms;
5. Any accommodations the student requires for school trips, after-school programs and activities, class parties, and any other school-related activities;
6. When and whom to call for medical assistance;
7. The student's ability to manage, and the student's level of understanding of, his/her epilepsy or seizure disorder;
8. How to maintain communication with the student, the student's parent, and the student's health care team, school nurse, and educational staff;
9. Any rescue medication prescribed by the student's medical professional and how and when to administer the medication;
10. The ISAP should be submitted before or at the beginning of the school year, upon enrollment, or as soon as practicable following a diagnosis of a seizure disorder for a student; and
11. The provisions of a student's ISAP remain in effect until the student's parent submits a revised ISAP, signed by a medical professional, identifying any changes based on the student's condition. A school may implement training and student supports outlined in this policy regardless of whether a parent submits an ISAP.

B. School Response to Receipt of an ISAP

1. The school nurse or an appropriate school employee that receives an ISAP shall:
 - a. In accordance with F.S. 1006.062, coordinate the provision of epilepsy and seizure disorder care at the school for the student, including administering anti-seizure and rescue medications as outlined in the ISAP; and
 - b. Verify that each school employee whose duties include regular contact with the student has completed training in the care of students with epilepsy and seizure disorders. The training must include how to recognize the symptoms of and provide care for epilepsy and seizure disorders.
2. The school shall provide each school employee whose duties include regular contact with the student with all of the following:
 - a. Notice of the student's condition;
 - b. Information from the ISAP on how to provide the recommended care for the student if he or she shows symptoms of the epilepsy or seizure disorder; and
 - c. The contact information for the student's parent and emergency contacts.

VII. Confidentiality

All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Policy 8330, *Student Records*, and Policy 8350, *Confidentiality*.

Effective 7/1/11
Revised 4/29/20
Revised 12/9/20
Revised 12/15/21

Revised 10/19/22

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Legal References:

- F.S. 39.201
- F.S. 381.0056
- F.S. 394.463
- F.S. 1001.42(8)
- F.S. 1002.20(3)(l)
- F.S. 1002.33(9)(q)
- F.S. 1003.22
- F.S. 1006.07(10)
- F.S. 1006.12
- F.S. 1011.62(16)
- F.A.C. 6A-1.094125
- F.A.C. 64F-6.002
- 20 U.S.C. 1232h
- [F.A.C. 6A-6.0253](#)

Adoption Date: **05.11**
Classification:
Revised Dates: ; **10.22**



Book	Policy Manual
Section	November 16, 2022 - <u>Initial</u> Reading
Title	STUDENT ASSESSMENT
Code	2623
Status	<u>Initial</u> Reading

2623 - **STUDENT ASSESSMENT**

Student assessment shall comply with the law and State Board of Education rules to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of the District.

I. State-Mandated Testing/Progress Monitoring

State-mandated tests (e.g., diagnostic assessments and achievement tests), including the coordinated screening and progress monitoring system required by F.S. 1008.25(8)(b)2., shall be administered to all eligible students at the times designated by the State Board of Education. However, the regular program of study may not be interrupted to administer practice tests or engage in other test-preparation activities with the exception of the following activities to:

- A. provide individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curriculum, for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment or a student who is identified as having a deficiency in the content knowledge and skills assessed; and
- B. distribute to students sample test materials books and answer keys that are published-provided by the Florida Department of Education;
- C. administer a practice test or engage in other test preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the test terms, and the test directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education.

II. District Testing Program

At least annually, the staff members will assess the academic achievement and learning needs of each student. Procedures for such assessments may include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standardized testing programs, the coordinated screening and progress monitoring system under F.S. 1008.25(8)(b)2., and physical examinations.

The Superintendent shall develop a program of testing that may include, but not be limited to:

- A. state-mandated achievement tests;
- B. end-of-course tests at appropriate grade levels to measure achievement of performance objectives in designated courses;
- C. diagnostic testing and alternative assessments.

III. Procedures

The District and its schools shall adhere to the following applicable procedures to ensure appropriate administration, participation, and reporting of results:

- A. inform parents and the community of the District's Board-approved testing program and of the tests that are to be administered to their children by posting the testing calendar on the District's website;

The District's Testing Calendar shall be published on the District's website, to include all state and locally required assessments. The District shall not schedule more than five percent (5%) of a student's total school hours in a school year to administer statewide, standardized assessments, the coordinated screening and progress monitoring system under F.S. 1008.25(8)(b)2., and District-required local assessments. The District shall secure written consent from a student's parent before administering District-required local assessments that, after applicable statewide, standardized assessments and coordinated screening and progress monitoring are scheduled, exceed the five percent (5%) test administration limit for a student. The five percent (5%) test administration limit may be exceeded as needed to provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in a program operated in accordance with an approved English language learner district plan pursuant to F.S. 1003.56.

- B. ensure mandatory participation by all eligible District students as defined by State Board of Education rules;
- C. provide students not enrolled ~~full-time~~full-time in District schools but eligible to test within the District, as mandated in Florida statutes, with access to District testing facilities and dates and times of administration;
- D. report school and District achievement test results, including gap analyses, to the Board and public annually. The District shall provide parents with their student's performance results on state and locally required District-required local assessments in a timely manner and format required by F.S. 1008.25(8)(c);

~~D.E.~~ provide reading and mathematics remediation services to any student based on statutory request;

~~E.F.~~ ensure participation of all English Language Learners in Statewide assessment programs based on State requirements with allowable accommodations; and

~~F.G.~~ ensure participation of all students with disabilities in the Statewide assessment program based on State requirements without accommodations unless the individual educational plan (IEP) team or the team that develops the Section 504 plan determines and documents that the student requires allowable accommodations during instruction and for participation in a Statewide assessment. The decision for a student with a significant cognitive disability to participate in the Statewide alternate assessment is made by the IEP team and recorded on the IEP. Questions to guide the decision-making process to determine how a student with disabilities will participate in the Statewide assessment program are incorporated in the IEP process. Decisions regarding permissible

exemptions from statewide testing programs are recommended by the IEP team, and subject to approval by the Superintendent and/or Commissioner, as established in Florida statutes.

Appropriate and necessary action shall be taken against any employee who knowingly and willfully violates test security rules adopted by the Department of Education for any State-mandated assessment.

IV. Annual Publication

The following will be annually published on the official District website:

- A. The provisions of F.S. 1008.25 relating to public school student progression and the Board's policies and procedures on student retention and promotion.
- B. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the Statewide, standardized English language arts assessment.
- C. By grade, the number and percentage of all students retained in kindergarten through grade 10.
- D. Information on the total number of students who were promoted for good cause, by each category of good cause as specified in F.S. 1008.25.
- E. Any revisions to the Board's policies and procedures on student retention and promotion from the prior year.

V. Classroom Evaluation of Students

Evaluation devices are to be used for assessment purposes to show each student, the parent and the students' teacher(s), what the student has mastered, where the student needs help, and how to motivate the student for continued learning.

Teachers' oral and written tests, group discussions, written work, student portfolios, checklists, and observations are ways to determine student progress within the classroom. Examinations or units shall be averaged as part of the grading period evaluation in which the examinations or unit tests are given.

The regulations for classroom examinations are:

- A. examinations should not be formally organized in the lower elementary grades.
- B. each secondary school will develop its own schedule for giving semester and/or final exams. Except under unusual circumstances, no student should be required to take more than two (2) examinations on a given day.
- C. where appropriate, examinations must include a reasonable number of questions which require an essay response.
- D. all secondary semester examination papers must be retained in the school for at least one (1) year.
- E. deviations from these procedures or remission from semester examinations in a school may be authorized by the Regional Center Superintendent.

The Superintendent shall develop administrative procedures for test security and confidentiality of student results that maintains the integrity of District and State assessments. These procedures are found in the document, *Miami-Dade County Public Schools: Standards, Guidelines, and Procedures for Test Administration and Test Security*.

Effective 7/1/11
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Revised 4/17/19
Revised 6/23/21

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Legal References: F.S. 1002.37
F.S. 1002.395
F.S. 1003.4282
F.S. 1008.212
F.S. 1008.22
F.S. 1008.23
F.S. 1008.24
F.S. 1008.25
F.A.C. 6A-1.09422
F.A.C. 6A-1.0943
F.A.C. 6A-1.09430
F.A.C. 6A-1.09431
F.A.C. 6A-1.09432

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