

Office of the General Counsel
Walter J. Harvey, General Counsel

SUBJECT: FINAL **READING: REPEAL AND REPLACEMENT OF SCHOOL BOARD POLICY 2451, ALTERNATIVE SCHOOL PROGRAMS**

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

LINK TO STRATEGIC PLAN: **SAFE, HEALTHY & SUPPORTIVE LEARNING ENVIRONMENTS**

Consistent with the Board's statutory responsibility to periodically review and update policies to conform to legislative changes and District practices, authorization is requested to repeal Policy 2451, *Alternative School Programs*, and replace it with a new Policy 2455, "Dropout Prevention and Academic Intervention."

The proposed repeal and replacement will better align the Board's policies with section 1003.53, Florida Statutes, upon which Policy 2451 was originally based. The proposed replacement Policy 2455 will additionally incorporate the requirements of the recently amended State Board of Education rule 6A-6.0521 (Nov. 2023), which now provides: (a) that students enrolled in or receiving services under a dropout prevention and academic intervention program must have an academic intervention plan established within 30 days of the student entering the program; (b) that parents must be notified within 5 days of their children being enrolled in or receiving services under a dropout prevention and academic intervention program; and (c) that credit recovery courses provided to students under dropout prevention and academic intervention programs must meet the criteria specified in the rule and must be taught by qualified instructors.

The Notice of Intended Action was published in the Miami Herald on February 20, 2024, and posted in various places for public information and mailed to various organizations representing persons affected by the adopted and amended Board policies and individuals requesting notification. The time to request a hearing or protest the adoption and amendment of these policies has elapsed.

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

RECOMMENDED: That The School Board of Miami-Dade County, Florida repeal Policy 2451, *Alternative School Programs*, and replace it with a new Policy 2455, "Dropout Prevention and Academic Intervention", and authorize the Superintendent to file the policy with The School Board of Miami-Dade County, Florida, to be effective April 17, 2024.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on February 13, 2024, its intention to repeal and replace School Board Policy 2451, *Alternative School Programs*, at its meeting of April 17, 2024.

PURPOSE AND EFFECT: Policy 2451, *Alternative School Programs*, is proposed for repeal and replacement to better align the policy with F.S. 1003.53 and as a result of State Board of Education rulemaking.

SUMMARY: Policy 2451, *Alternative School Programs*, is proposed for repeal and replacement to better align the Board's policies with F.S. 1003.53, the statute upon which Policy 2451 was originally based. The replacement Policy 2455, "Dropout Prevention and Academic Intervention," will additionally incorporate the requirements of State Board of Education rule 6.0521, which was recently amended to require that academic intervention plans be developed within 30 days of student receiving services under a dropout intervention and academic intervention program; that parents be notified within 5 days of their children being enrolled in or receiving services under such programs; and that credit recovery courses provided as part of such programs meet specific criteria and be taught by qualified instructional personnel.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: Fla. Stat. ss. 1001.32(2); 1001.41(1), (2); 1001.42(5), (6), (8).

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: Fla. Stat. s. 1003.53; F.A.C. 6A-6.0521 (Nov. 2023).

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF April 17, 2024, 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 March 13, 2024, 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 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.

2451 - **ALTERNATIVE SCHOOL PROGRAMS**

The Superintendent may provide alternative education programs for students who, in the opinion of the Superintendent, will benefit from this educational option. Participation in an alternative program does not exempt the student from complying with school attendance rules or the Code of Conduct.

Effective 07.01.2011

Legal References:

F.S. 1003.01
F.S. 1003.53
F.S. 1006.13
F.A.C. 6A-6.0524
F.A.C. 6A-6.0527

Adoption Date: 05.11.2011



Book	Policy Manual
Section	April 17, 2023 - <u>Final</u> Reading
Title	DROPOUT PREVENTION AND ACADEMIC INTERVENTION PROGRAMS
Code	2455
Status	<u>Final</u> Reading

2455 - **Dropout Prevention and Academic Intervention Programs**

I. **Introduction**

The Superintendent may provide dropout prevention and academic intervention programs to eligible students who, in the opinion of the Superintendent, will benefit from such programs. Participation in a dropout prevention and academic intervention program is voluntary and does not exempt a student from complying with school attendance rules or the Code of Conduct.

II. **Dropout Prevention and Academic Intervention Programs**

- A. "Dropout prevention and academic intervention programs" is defined as a variety of programs designed to lead to improved academic achievement, attendance and discipline for a student who has been identified as academically unsuccessful, having a pattern of excessive absenteeism or truancy, a history of disruptive behavior, or identified by a school's early warning system.
- B. The District shall establish and implement dropout prevention and academic intervention program eligibility for students in grades 1-12 based on academic achievement, attendance, and discipline criteria in accordance with F.S. 1003.53. An Academic Intervention Plan (AIP) must be developed no more than thirty (30) days after each student's entry into a dropout prevention and academic intervention program. The AIP must include measurable objectives and related services to address the student's needs and transition goals to support the student's next educational placement or postsecondary option. An

Exceptional Student Education (ESE) student's AIP must be consistent with his or her Individualized Education Program (IEP).

- C. The District shall establish course standards, including credit recovery course procedures as defined by F.A.C. 6A-6.0521, and require that teachers assigned to dropout prevention and academic intervention programs possess the necessary effective, pedagogical, and content-related skills to meet the needs of the students.

III. **Parent Notification and Administrative Review**

- A. At least five (5) days before a student is initially enrolled in or initially receives services under a dropout prevention and academic intervention program, the principal or principal's designee shall provide written notice of the placement or provision of services to the student's parent. The parent will then have three (3) days to acknowledge this notice through a signed, written acknowledgment.
- B. Notices made to parents under this section shall be made by certified mail, return receipt requested, and shall be made in the parent's primary language or other mode of communication commonly used by the parent unless clearly not feasible pursuant to F.A.C. 6A-6.0908. After the initial notice, the parent must be notified annually.
- C. The parent of a student who is involuntarily assigned to a dropout prevention and academic intervention program is entitled to an administrative review of any action by school personnel relating to the student's placement.

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Legal References:

F.S. 1003.01
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