

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

SUBJECT: **INITIAL READING: PROPOSED AMENDMENTS TO SCHOOL BOARD POLICY 2455, DROPOUT PREVENTION AND ACADEMIC INTERVENTION PROGRAMS, AND REPEAL OF POLICY 5465, GENERAL EDUCATION DEVELOPMENT (GED) TESTS**

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

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

Consistent with the Board's responsibility to periodically review and update policies to conform to legislative changes, authorization is requested for the Superintendent to initiate rulemaking proceedings to amend Policy 2455, *Dropout Prevention and Academic Intervention Programs*, and repeal Policy 5465, *General Education Development (GED) Tests*.

Policy 2455, *Dropout Prevention and Academic Intervention Programs*, is proposed for amendment to incorporate the requirements of 2024 Florida House Bill 1285 and the recently amended State Board of Education rule 6A-6.0521 (effective Sept. 24, 2024). Pursuant to these authorities, the policy would be amended to provide: (a) that dropout prevention and academic intervention programs must utilize instructional teaching methods and student services that lead to improved student behavior as appropriate to the specific needs of the student; (b) that Academic Intervention Plans (AIPs) for such programs will be developed to address eligibility for student placement and to provide individualized student goals and progress monitoring procedures; (c) that teachers assigned to such programs must be certified pursuant to F.S. 1012.55; and (d) that the District shall submit information through an annual report to the Florida Department of Education's database documenting the extent to which each of these programs is successful in the areas of graduation rate, dropout rate, attendance rate, and retention/promotion rate. Additionally, the policy would provide that parents may agree to receive required notices in a manner other than through certified mail.

Policy 5465, *General Education Development (GED) Tests*, is proposed to be repealed in response to 2024 Florida Senate Bill 7004, which provides that students who are at least 16 years old may take the GED test upon filing a formal declaration of intent to terminate school enrollment pursuant to F.S. 1003.21(1)(c) without obtaining a waiver for extraordinary circumstances. Because this legislative change renders much of Policy 5465 obsolete, and policies and procedures for taking the GED test are already found in Policy 5410, *Student Progression Plan*, Policy 5465 is proposed for repeal.

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

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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 Policy 2455, *Dropout Prevention and Academic Intervention Programs*, and repeal Policy 5465, *General Education Development (GED) Tests*.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on October 16, 2024, its intention to amend Policy 2455, *Dropout Prevention and Academic Intervention Programs*, and repeal Policy 5465, *General Education Development (GED) Tests*, at its meeting of November 20, 2024.

PURPOSE AND EFFECT: Policy 2455, *Dropout Prevention and Academic Intervention Programs*, is proposed for amendment to incorporate the requirements of 2024 Florida House Bill 1285 ("H.B. 1285") and State Board of Education rule 6A-6.0521. Policy 5465, *General Education Development (GED) Tests*, is proposed to be repealed in response to 2024 Florida Senate Bill 7004 ("S.B. 7004").

SUMMARY: Policy 2455, *Dropout Prevention and Academic Intervention Programs*, is proposed for amendment to incorporate the requirements H.B. 1285 and the recently amended State Board of Education rule 6A-6.0521 (effective Sept. 24, 2024), which specify how dropout prevention and academic intervention programs and Academic Intervention Plans must be developed, which teachers may be assigned to such programs, and what information must be submitted to the Florida Department of Education. Policy 5465, *General Education Development (GED) Tests*, is proposed to be repealed in response to S.B. 7004, which provides that students at least 16 years old may take the GED test upon filing a formal declaration of intent to terminate school enrollment without obtaining a waiver for extraordinary circumstances. Policies and procedures on GED tests are instead found in Policy 5410, *Student Progression Plan*.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: F.S. ss. 1001.32(2), 1001.41(1)–(2), 1001.42(5)–(6), (8).

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: F.S. ss. 1003.435, 1003.53; Fla. Admin. Code r. 6A-6.0521.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING OF November 20, 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 120.541(1), F.S., must do so in writing by November 13, 2024, 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 based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED AND REPEALED POLICIES are 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.



Book	Policy Manual
Section	October 16, 2024 – <u>Initial</u> Reading
Title	DROPOUT PREVENTION AND ACADEMIC INTERVENTION PROGRAMS
Code	2455
Status	<u>Initial</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 may be 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~~ are 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. Such programs shall utilize instructional teaching methods and student services that lead to improved student behavior as appropriate to the specific needs of the student.

B.C. For each student enrolled in a dropout prevention and academic intervention program, an Academic Intervention Plan (AIP) shall be developed to address eligibility for placement in the program and to provide individualized student goals and progress monitoring procedures. The 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, and monitoring procedures 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.D.~~ 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 are certified pursuant to F.S. 1012.55 and possess the necessary effective, pedagogical, and content-related skills to meet the needs of the students.

III. **Parent Notification**, ~~and~~ **Administrative Review**, and Reporting

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, or in another manner agreed to in writing between the parent and the District. ~~and Notices~~ 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.

~~C.D.~~ The District shall submit information through an annual report to the Florida Department of Education's database documenting the extent to which each of the dropout and prevention and academic intervention programs has been successful in the areas of graduation rate, dropout rate, attendance rate, and retention/promotion rate.

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Adoption Date: 04.17.2024

Legal References:

F.S. 1003.01

F.S. 1003.53

F.S. 1006.13

F.A.C. 6A-6.0521

5465 - **GENERAL EDUCATION DEVELOPMENT (GED) TESTS**

A person who is at least sixteen (16) years of age and not enrolled in an elementary or secondary school may be permitted to take the GED test if approved by the District. Applicants must complete the District GED Underage Waiver Application form and submit it along with all required documentation to the Superintendent for consideration. Applicants are required to demonstrate extraordinary circumstances as follows:

- A. the candidate justifies a need to be employed which would prevent school attendance;
- B. the candidate justifies health condition(s) which would prevent school attendance;
- C. the candidate desires to enter a vocational program, a college or university, or military service; or
- D. other as determined based on the individual circumstances.

If the Superintendent approves the applicant's District GED Underage Waiver Application, the applicant must complete the GED registration process (<http://www.ged.com>). Failure of the applicant to complete the GED registration process will delay the District's ability to submit required documentation to the Florida Department of Education.

Effective 07.01.2011
Revised 03.15.2017

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Legal References:
F.S. 1003.435

Adoption Date: 05.11.2011