

STATE BOARD OF EDUCATION

March 16, 2004

SUBJECT: Rule 6A-6.03312, FAC, Discipline Procedures for Students with Disabilities

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Sections 1001.02(1)(2)(n), 1003.01(3)(a)(b), and 1003.57(5), Florida Statutes

BACKGROUND INFORMATION

Rule 6A-6.03312, FAC, Discipline Procedures for Students with Disabilities, was developed to incorporate the new requirements of the Individuals with Disabilities Act, 1997 (IDEA) regarding discipline. The rule includes specific procedures related to manifestation determinations (i.e., examines the relationship between the student's disability and a specific behavior that may result in disciplinary action); addresses the provision of a free appropriate public education for students with disabilities who are suspended or expelled; and, requires the Florida Department of Education to examine data regarding suspension and expulsion rates, and if determined necessary, ensures that revisions are made in the policies, procedures and practices to comply with IDEA.

The rule was the subject of statewide rule development workshops in January 2000, March 2000, October/November 2001, and October 2003 to solicit public comment. The rule was properly noticed in the Florida Administrative Weekly on February 13, 2004.

Supporting Documentation Included:

Rule 6A-6.03312, FAC, Discipline Procedures for Students with Disabilities

Facilitators/Presenters: