

STATE BOARD OF EDUCATION

Action Item

December 12, 2006

SUBJECT: Approval of Repeal of Rule 6A-6.03015, Special Programs for Students who are Physically Impaired and Approval of New Rules 6A-6.030151, Exceptional Student Education Eligibility for Students Who are Physically Impaired with Orthopedic Impairment; 6A-6.030152, Exceptional Student Education Eligibility for Students Who are Physically Impaired with Other Health Impairment; and 6A-6.030153, Exceptional Student Education Eligibility for Students Who are Physically Impaired with Traumatic Brain Injury

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

1001.01(1) and 1003.57(1)(e), Florida Statutes

BACKGROUND INFORMATION

Current Rule 6A-6.03015, FAC., is recommended for repeal and three new rules are proposed to address specific requirements related to the identification of students with disabilities who have physical impairments. Currently all three impairments are contained in one rule. For clarity and ease of understanding, it was determined that the rule should be broken into specific rules relating to the specific impairments -- orthopedic impairment, other health impairment, or traumatic brain injury. The new rules update and reflect current knowledge in the field and are consistent with the federal law, the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Chapter 33, and its implementing regulations. The proposed rules require that activities prior to referral and student evaluation must be conducted in accordance with Rule 6A-6.0331, FAC., and that evaluation procedures are to be included in districts' *Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students* in accordance with Rule 6A-6.03411, FAC. Rule 6A-6.030152, relating to other health impaired, is consistent with IDEA, to include attention deficit disorder (ADD), attention deficit hyperactivity disorder (ADHD), and Tourette syndrome in the definition of "other health impaired" as well as the criteria to be eligible for exceptional student education services. Rule 6A-6.03153, includes in the definition of traumatic brain injury the clarification that open or closed head injuries may be mild, moderate, or severe in nature. Also, the term anoxia due to trauma (near drowning) has been added to establish consistency with the Traumatic Brain Injury Act. Rule 6A-6.030151, relating to orthopedic impairment, states in the eligibility criteria that the areas affected include ambulation, hand movements, coordination, or daily living skills.

Supporting Documentation Included: Rules 6A-6.03015, Special Programs for Students who are Physically Impaired; 6A-6.030151, FAC., Exceptional Student Eligibility for Students Who Are Physically Impaired with Orthopedic Impairment; 6A-6.030152, FAC., Exceptional Student Eligibility for Students Who Are Physically Impaired with Other Health Impairment; and 6A-6.030153, FAC., Exceptional Student Education Eligibility for Students Who Are Physically Impaired with Traumatic Brain Injury

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