

Rule 6A-6.0908 is amended to read:

6A-6.0908 Equal Access for English Language Learners ~~Limited English Proficient Students~~ to Programs Other Than English for Speakers of Other Languages (ESOL).

(1) English Language Learners (ELL) ~~Limited English proficient students~~, including refugees and other immigrants, racial and national origin minority students, shall be entitled to equal access to programs and services other than ESOL, such as, but not limited to compensatory, exceptional, early childhood, pre-first grade, vocational, adult education, ~~Chapter 2~~, dropout prevention, extended day, and supportive services regardless of the funding sources.

(2) School-to-Home Communication ~~Home school communication~~. All written and oral communication between a school district's personnel and parents of current or former English Language Learners ~~limited English proficient students~~ shall be in the parents' primary language or other mode of communication commonly used by the parents unless clearly not feasible.

(3) National origin minority or English Language Learners ~~limited English proficient students~~ shall not be subjected to any disciplinary action because of their use of a language other than English.

(4) Any person or organization may file a complaint alleging violation of Rules 6A-6.0900 through 6A-6.0909, F.A.C., with the Florida Department of Education.

(a) Complaints shall be specific and in writing.

(b) Findings shall be reported to the district and complainant within sixty days after receipt of the complaint.

(c) Corrective actions shall be required for any confirmed violation.

(d) The complaint process is independent of an individual's rights under state and federal laws.

(5) Exceptional student education referral. The school district shall ensure that an exceptional student referred for placement into programs for English Language Learners ~~limited-English proficient students~~ shall have an individual educational plan; (IEP); review prior to that placement. A staff representative of the ELL LEP ~~ELL LEP~~ Committee shall be invited to participate in that review.

Specific Authority 1001.02 FS. Law Implemented 1003.56 FS., ~~as amended by Chapter 2002-387, Laws of Florida.~~ History–New 10-30-90, Amended