



# Administrators' Management Meeting

BEES Updates

September 2016



FLORIDA DEPARTMENT OF  
**EDUCATION**  
fldoe.org

[www.FLDOE.org](http://www.FLDOE.org)

From Preschool to Post-School Outcomes  
*Preparing Florida's Students to Become  
College and Career Ready*

*Equity, Access and Attainment*



# Moving from Access to Attainment: Statewide Equity and Excellence

## Increase Number of Students Graduating College and Career Ready

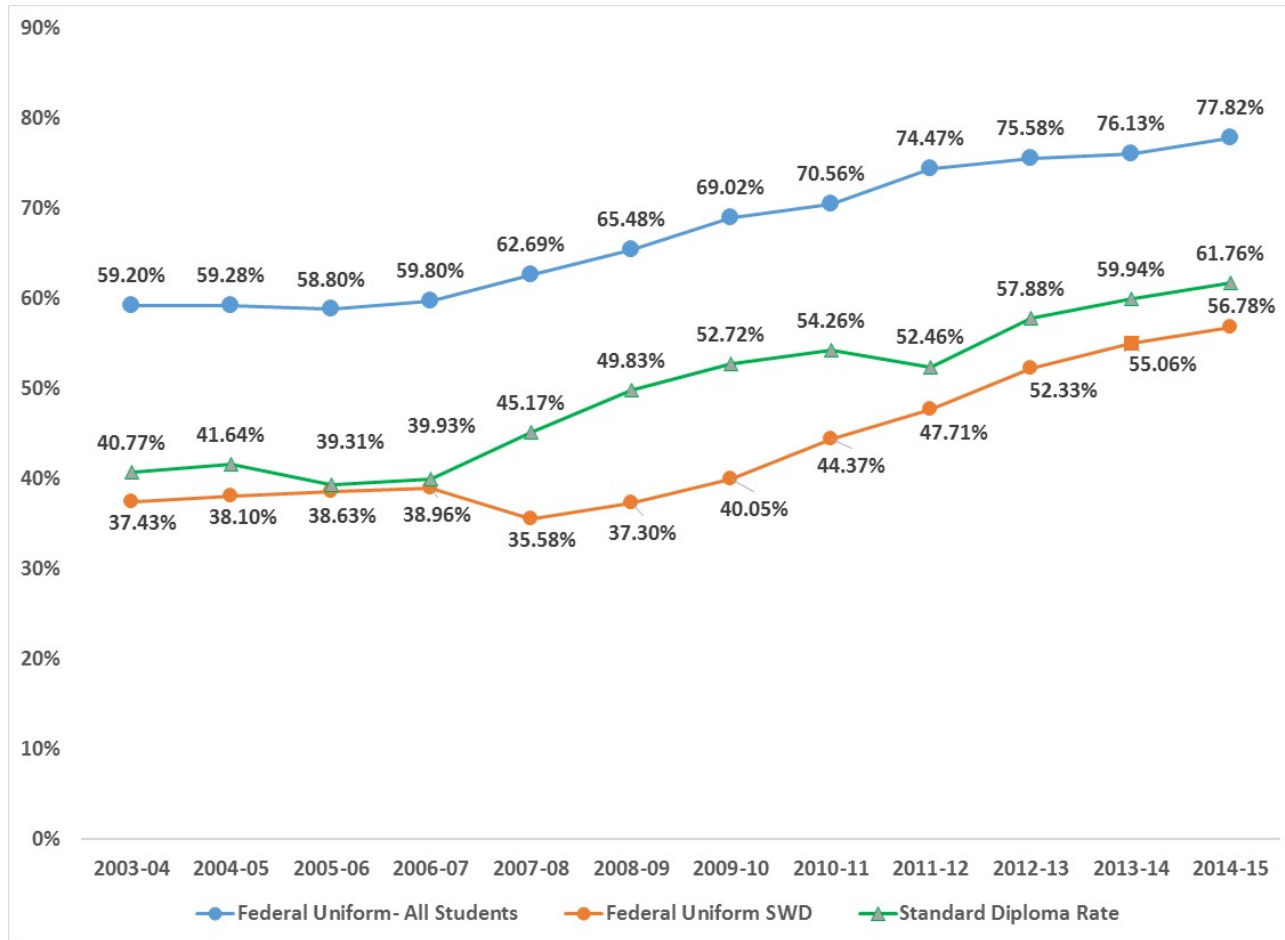
- Improve Graduation Rate
- Decrease Dropout Rate
- Improve Post-School Outcomes Results

# Florida's State-Identified Measurable Result (SIMR)

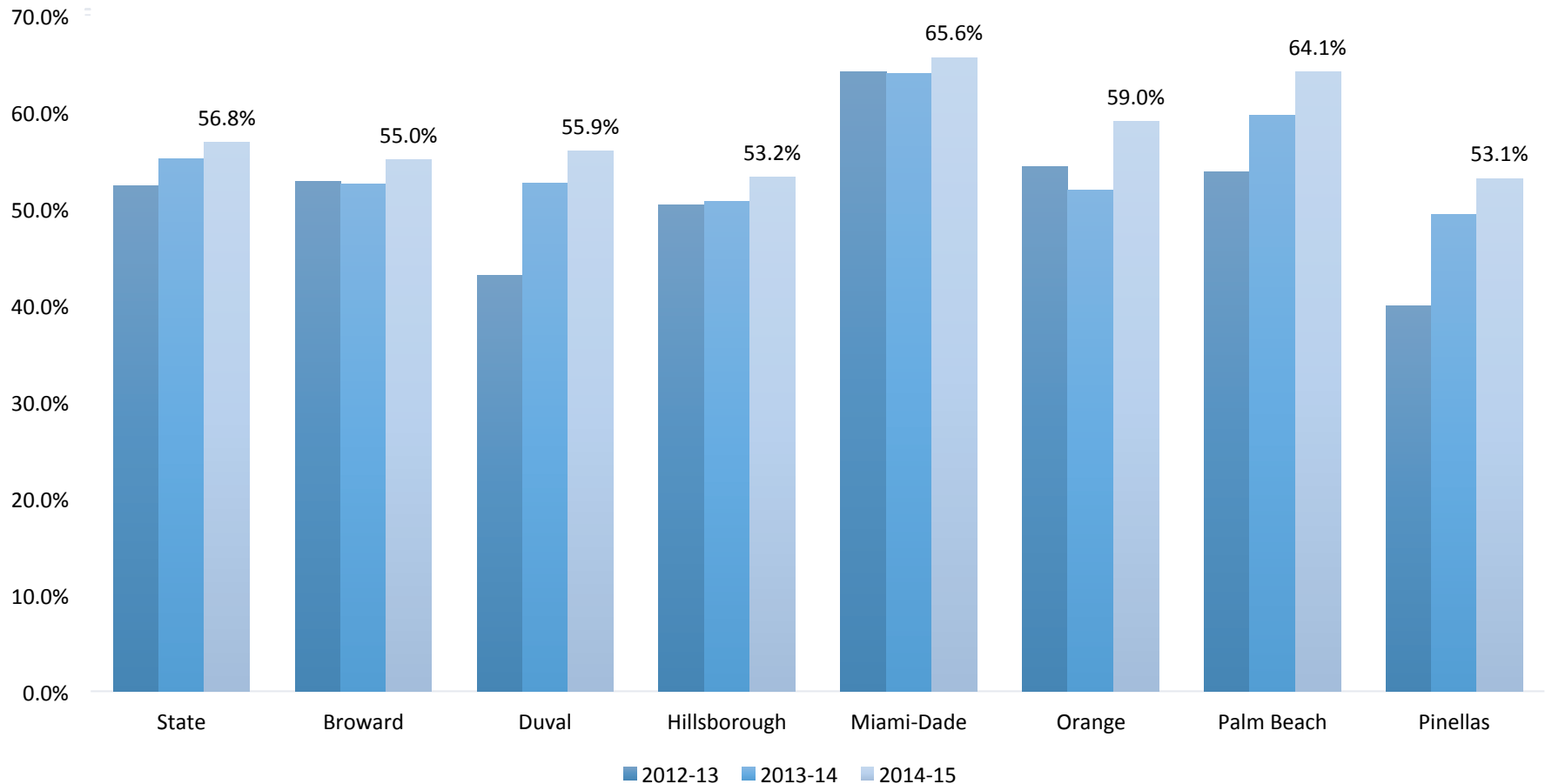
FDOE, in collaboration with its internal and external stakeholders, has identified the measurable result of

- increasing the statewide graduation rate for students with disabilities from 52.3% (2012-13 graduates) to 62.3% (2017-18 graduates) and
- closing the graduation gap (baseline 23.2 percentage points in 2012-13) for students with disabilities in half (< 11.6 points).

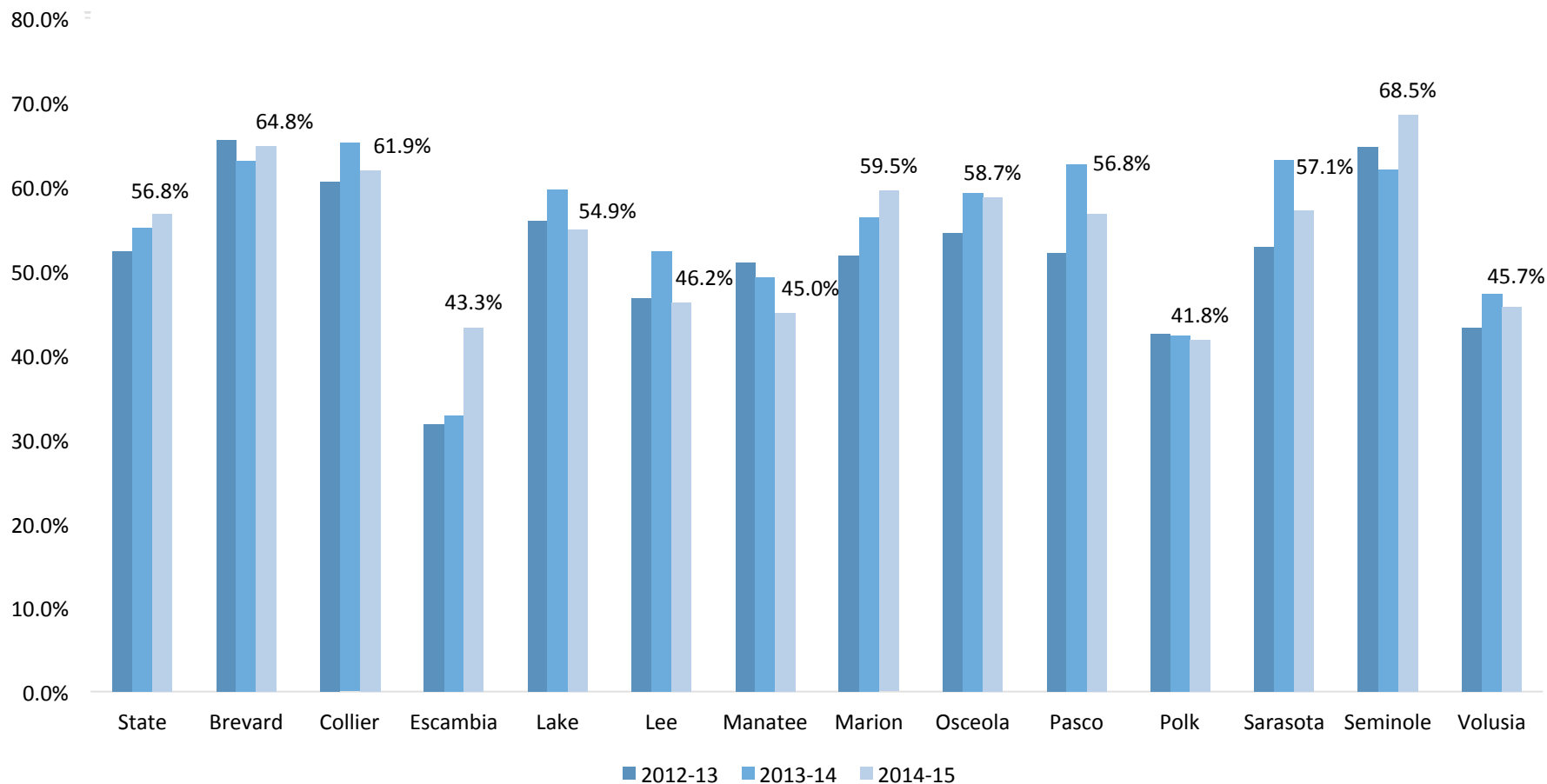
# Standard Diploma Graduation Rates



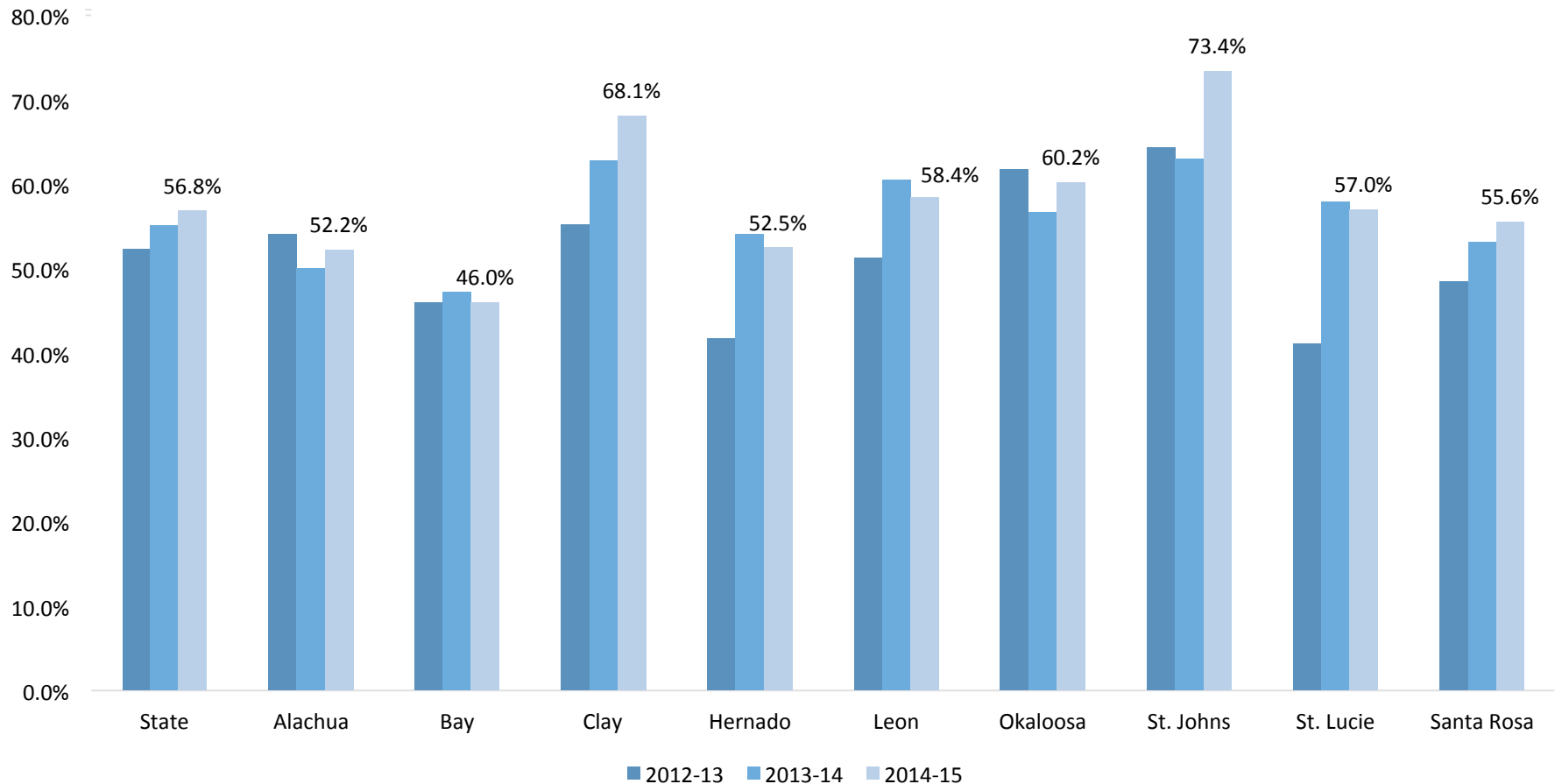
## Federal Uniform High School Graduation Rate Size-Alike Comparison of Very Large School Districts 2012-13 through 2014-15



## Federal Uniform High School Graduation Rate Size-Alike Comparison of Large School Districts 2012-13 through 2014-15

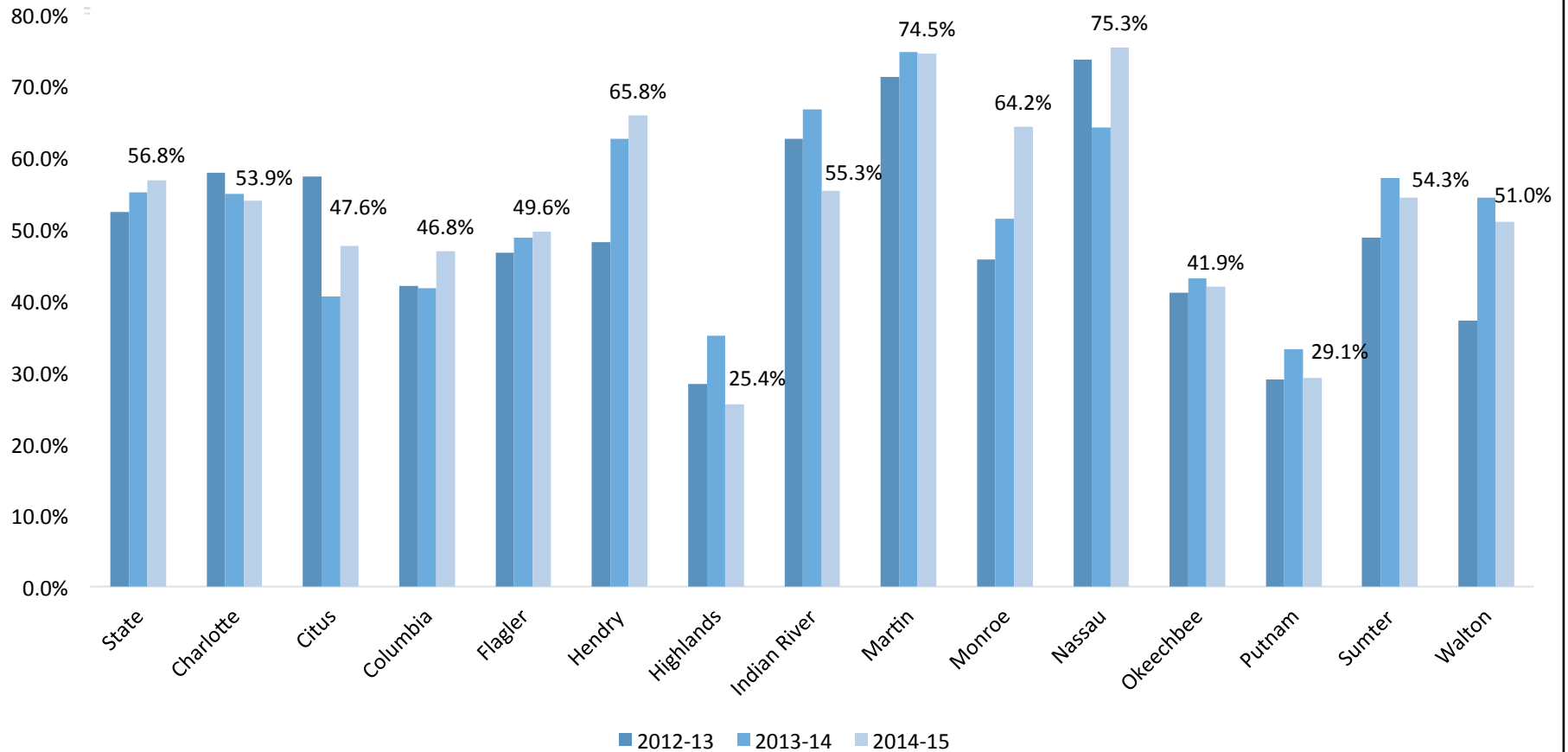


## Federal Uniform High School Graduation Rate Size-Alike Comparison of Medium School Districts 2012-13 through 2014-15

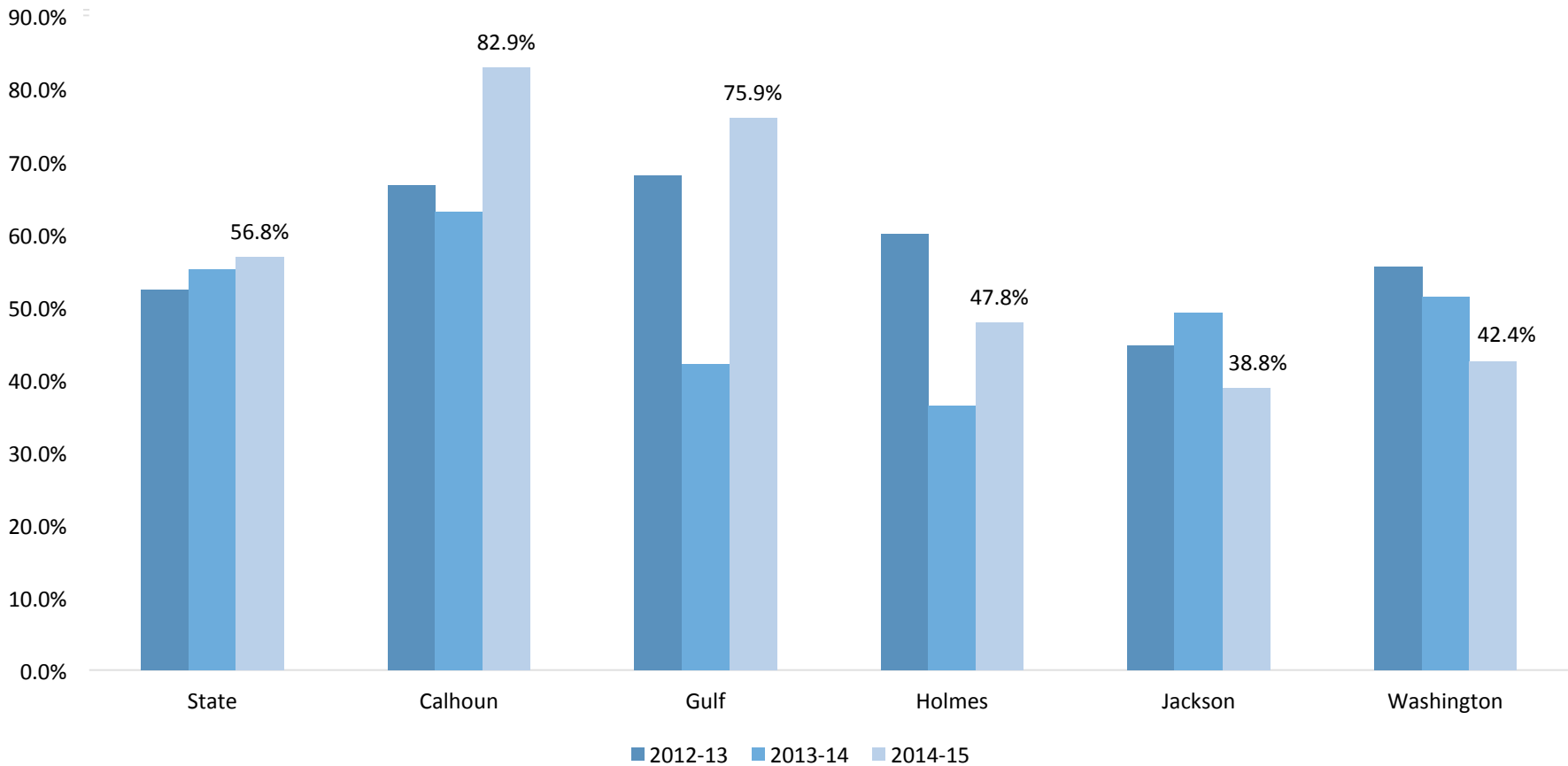




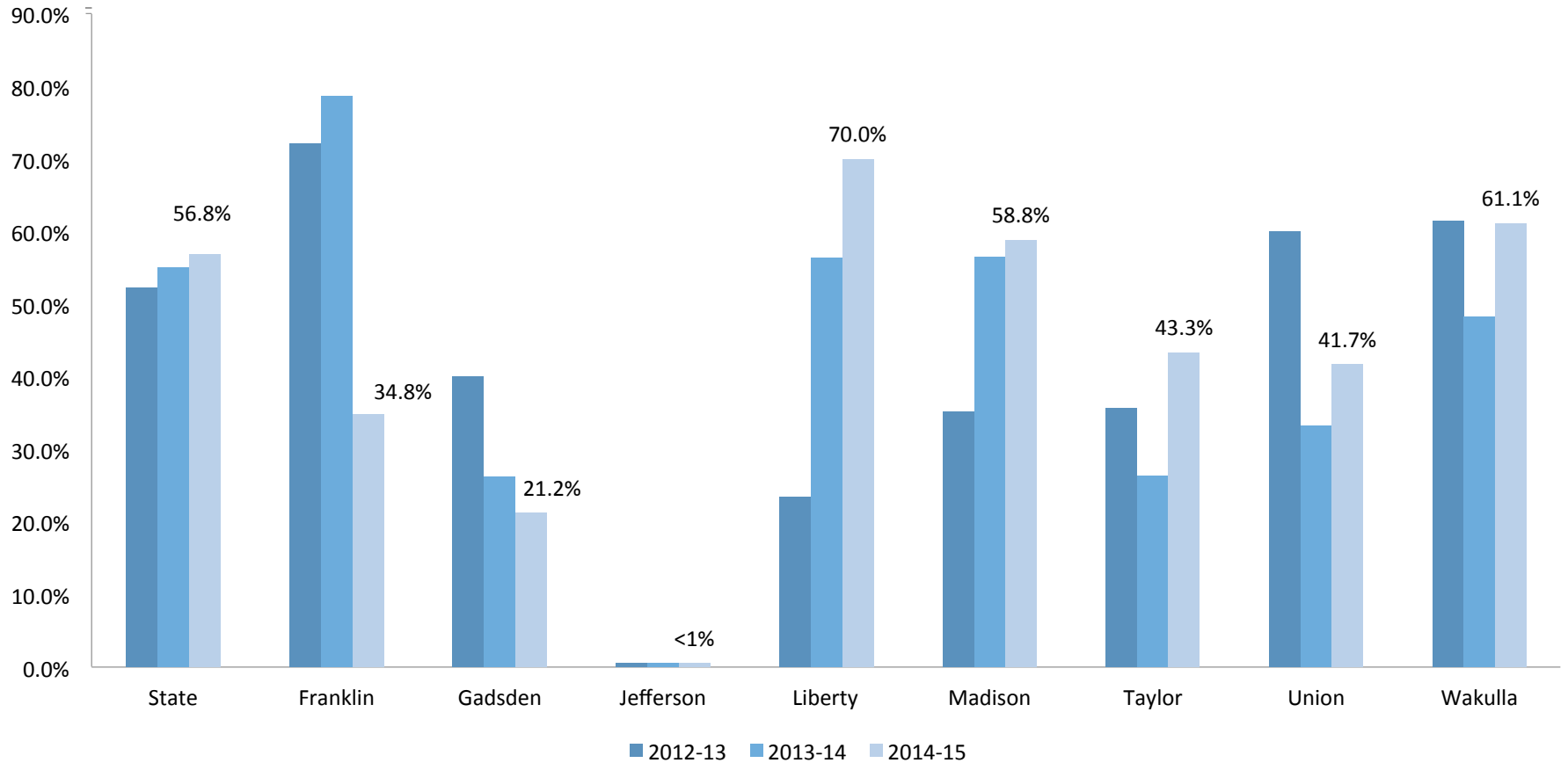
## Federal Uniform High School Graduation Rate Size-Alike Comparison of Medium to Small School Districts 2012-13 through 2014-15



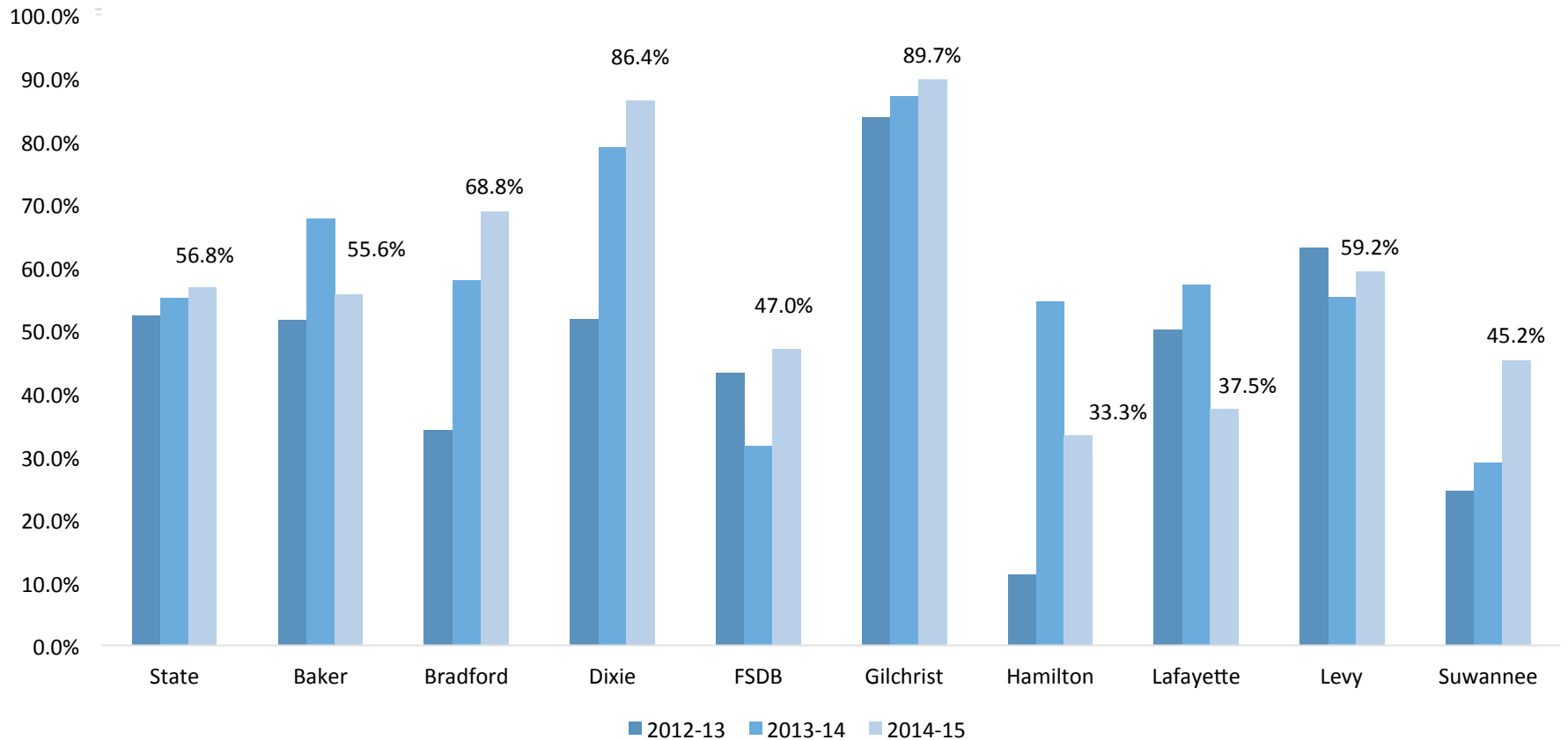
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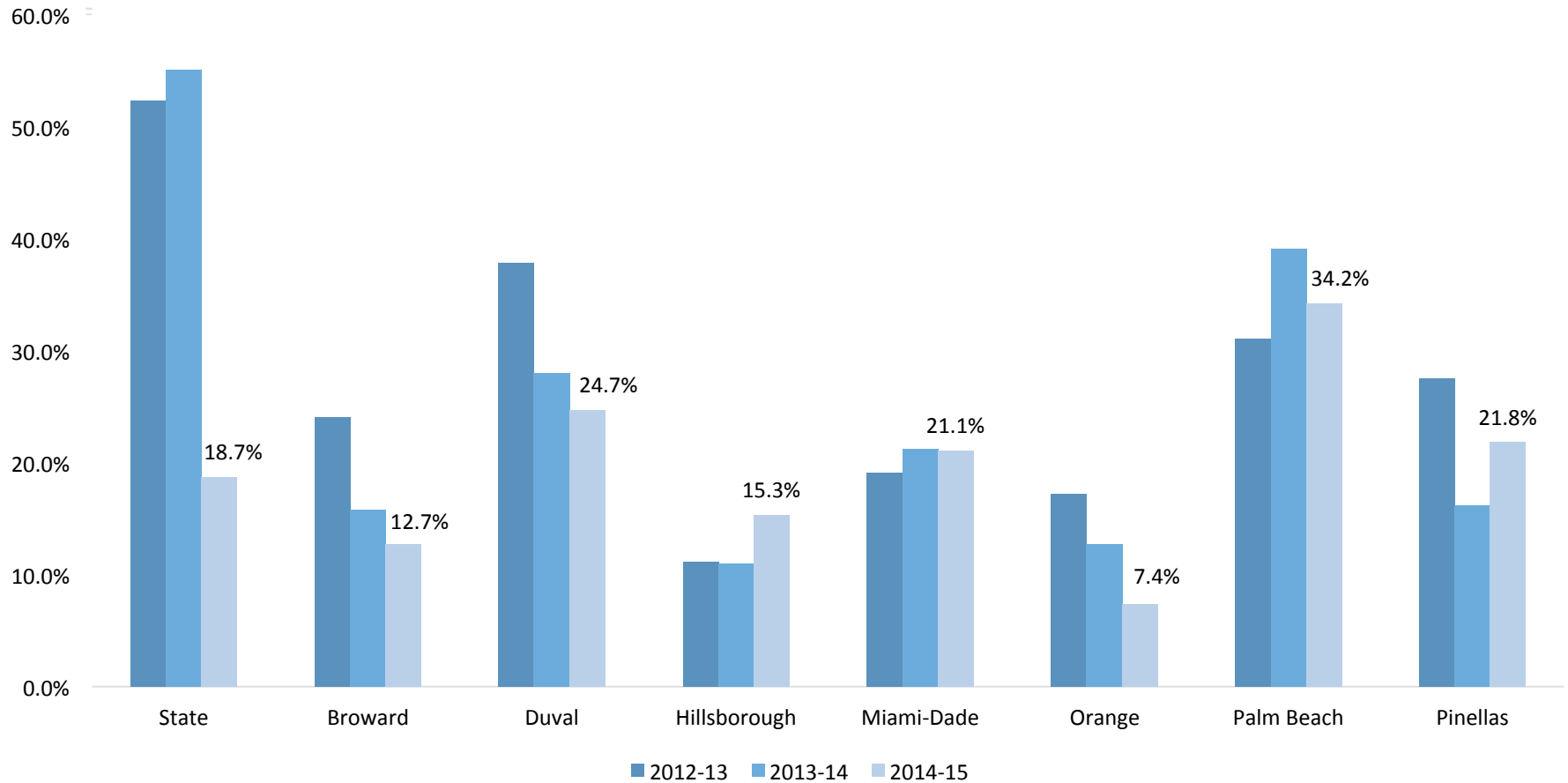
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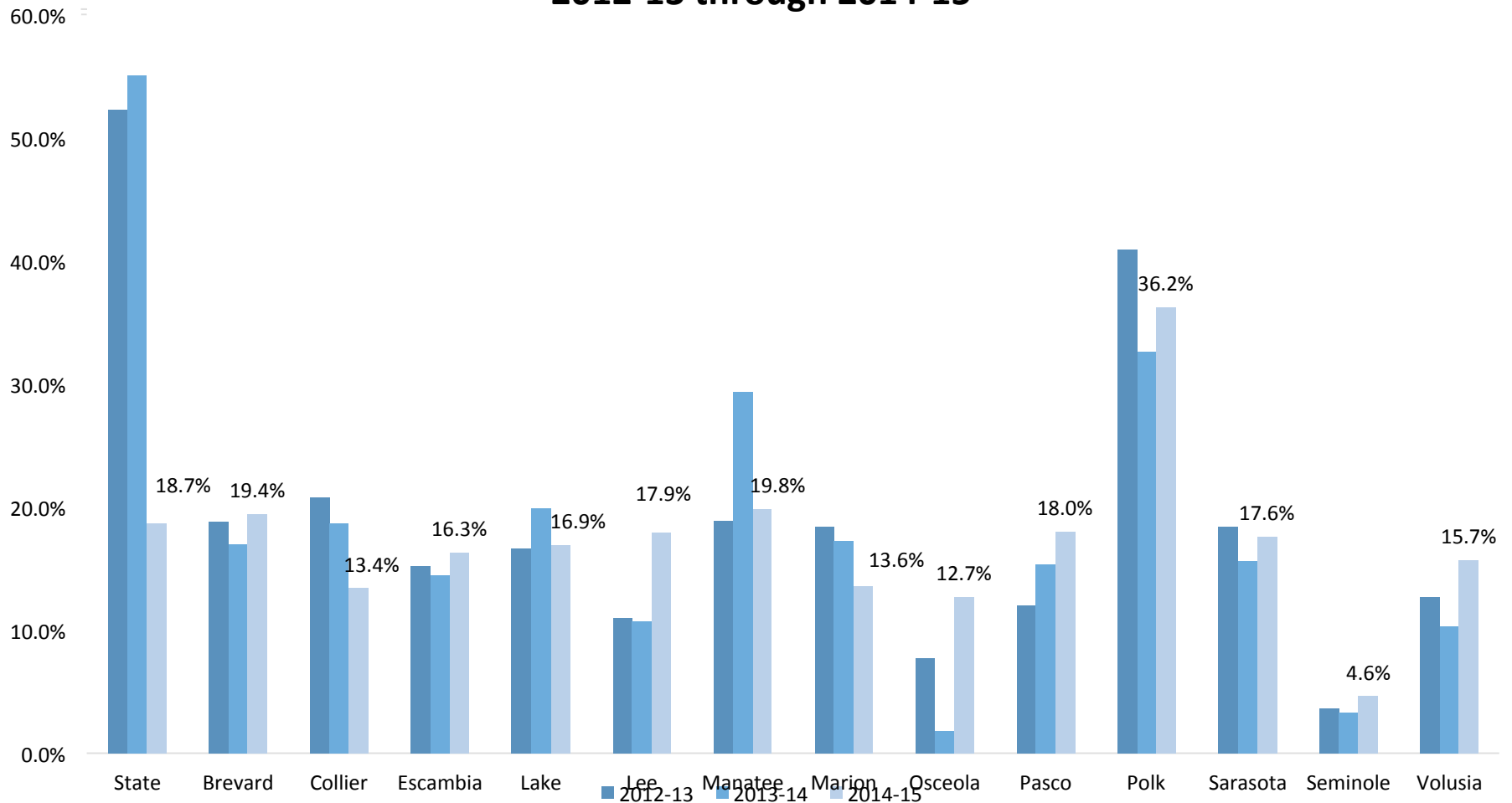
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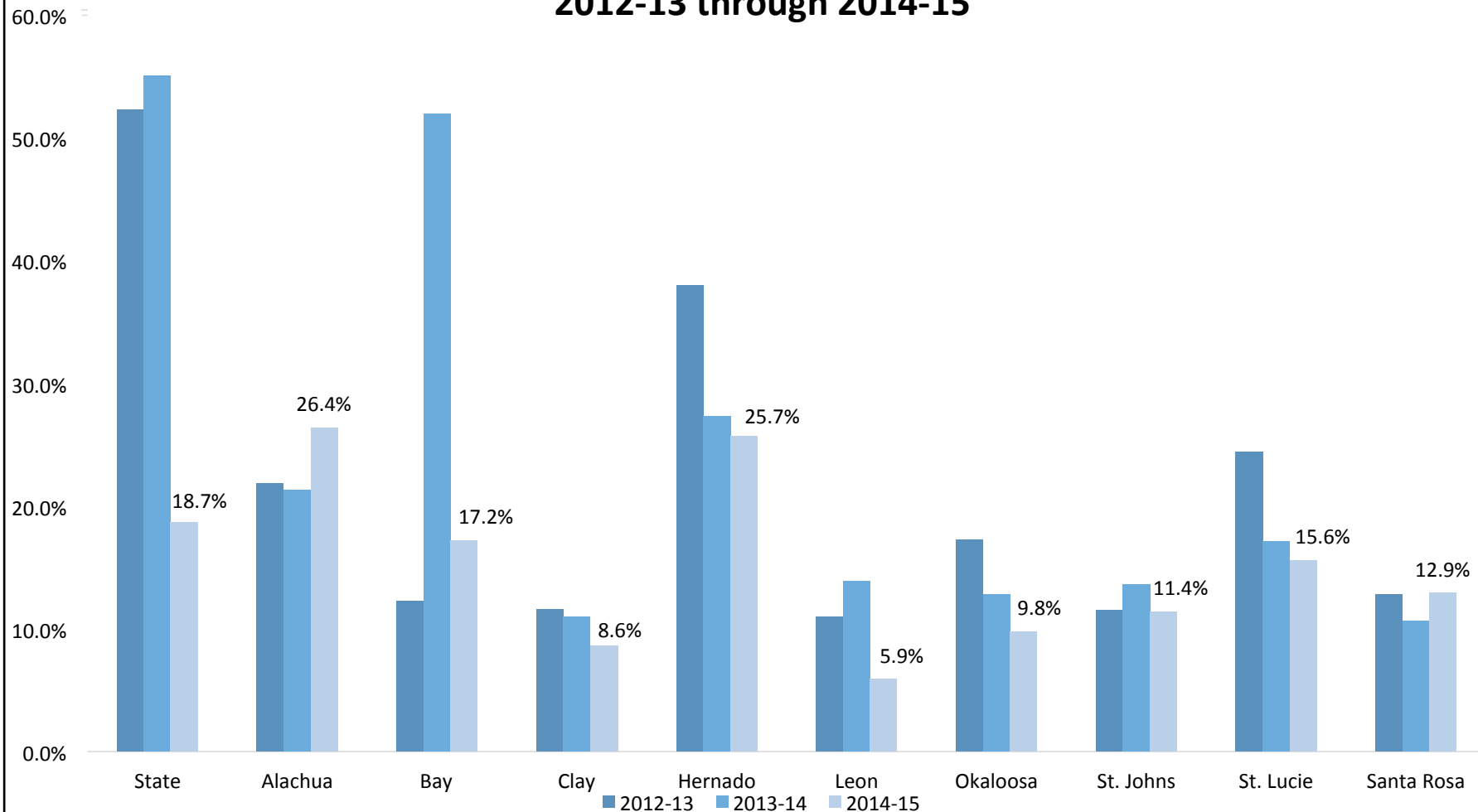
## EdFacts Dropout Rate Size-Alike Comparison of Very Large School Districts 2012-13 through 2014-15



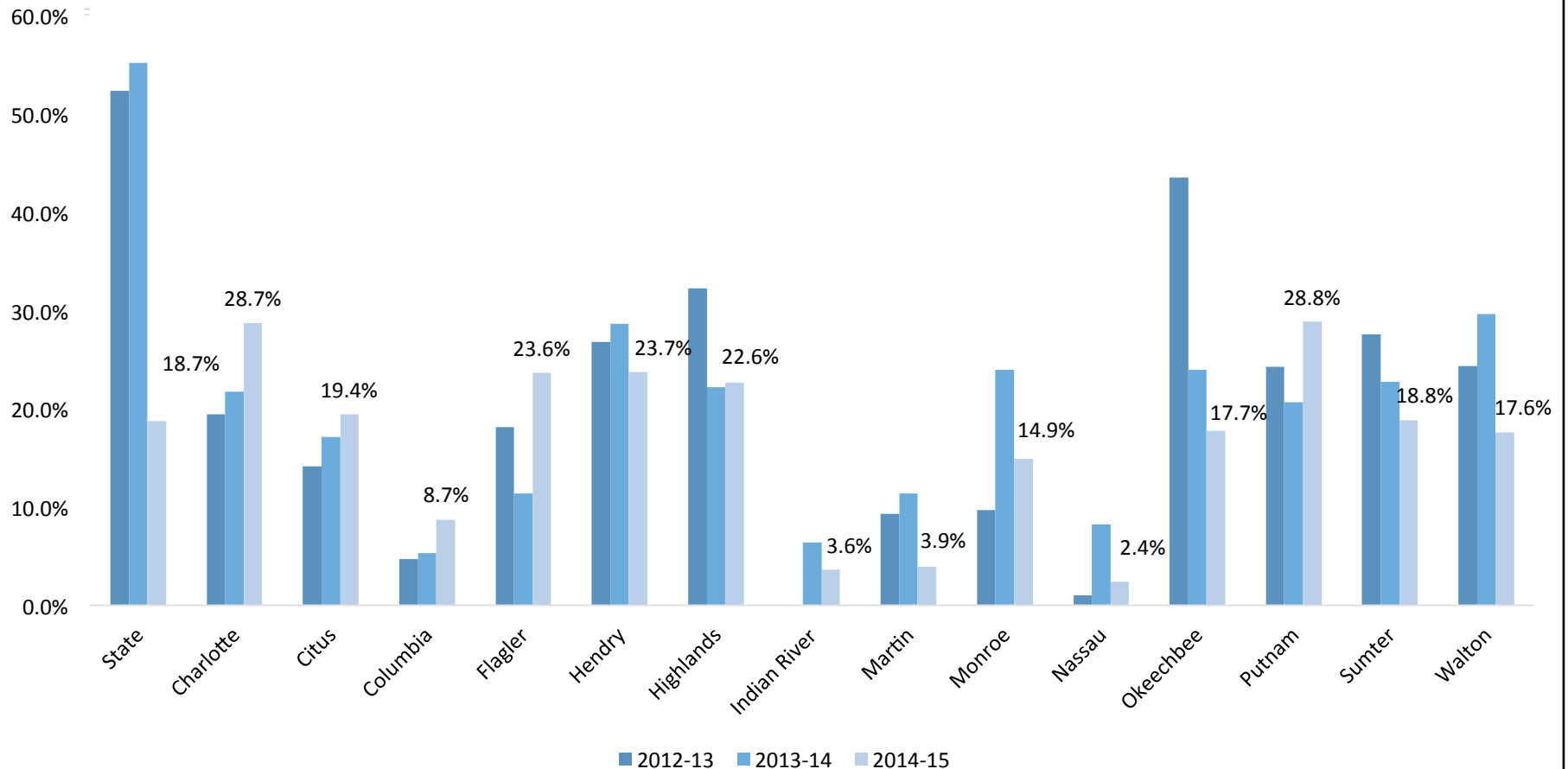
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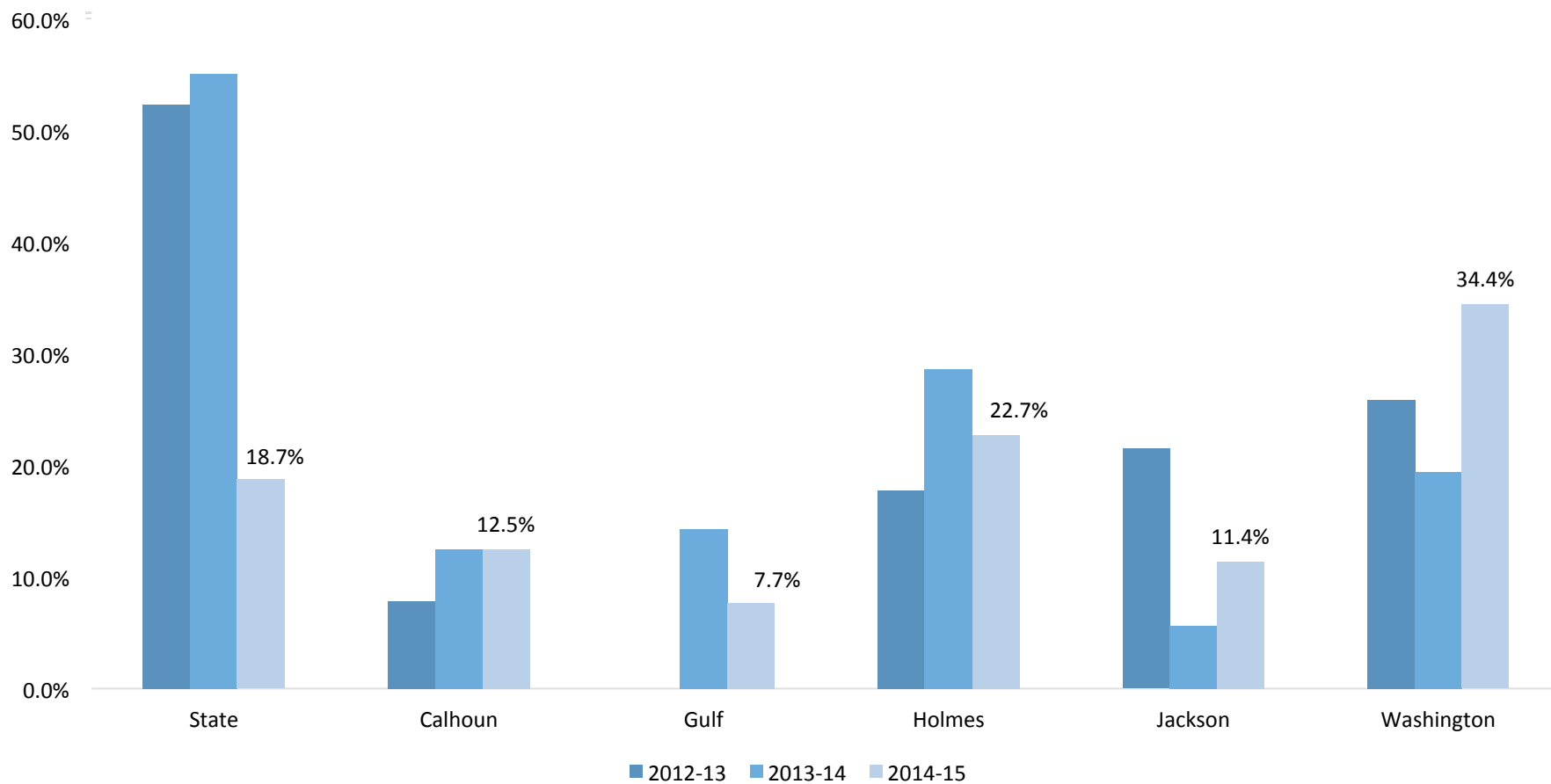


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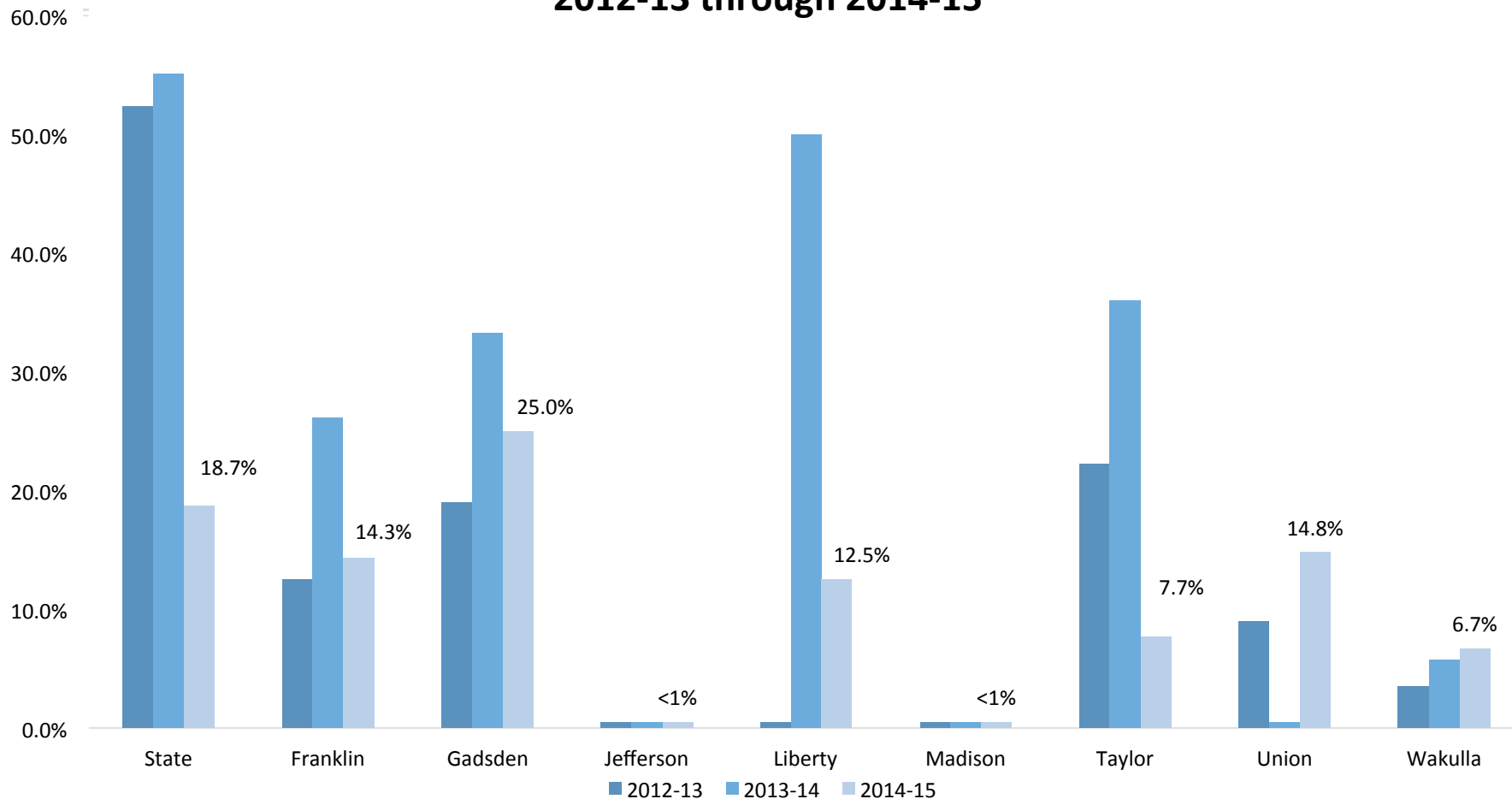




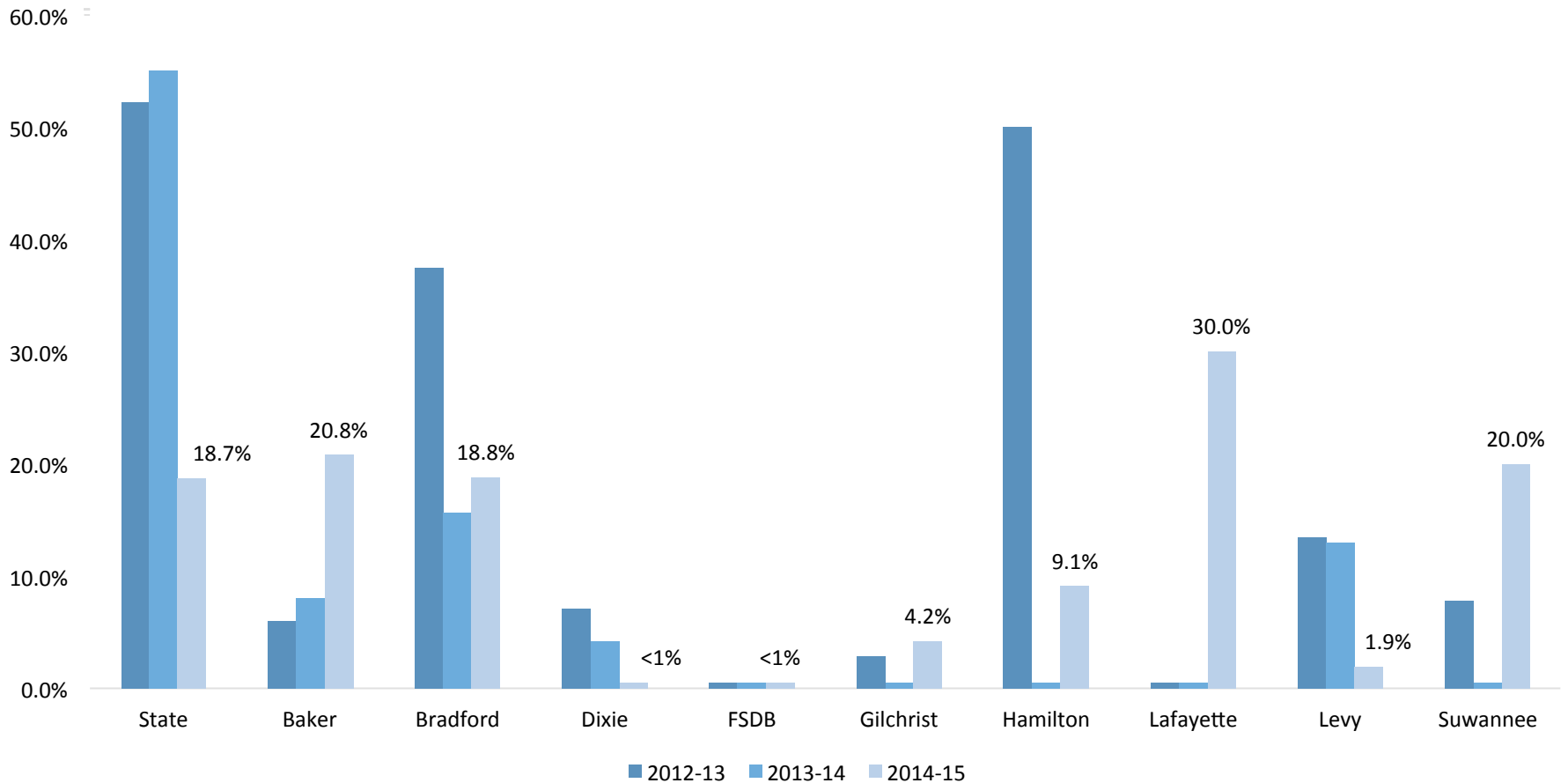
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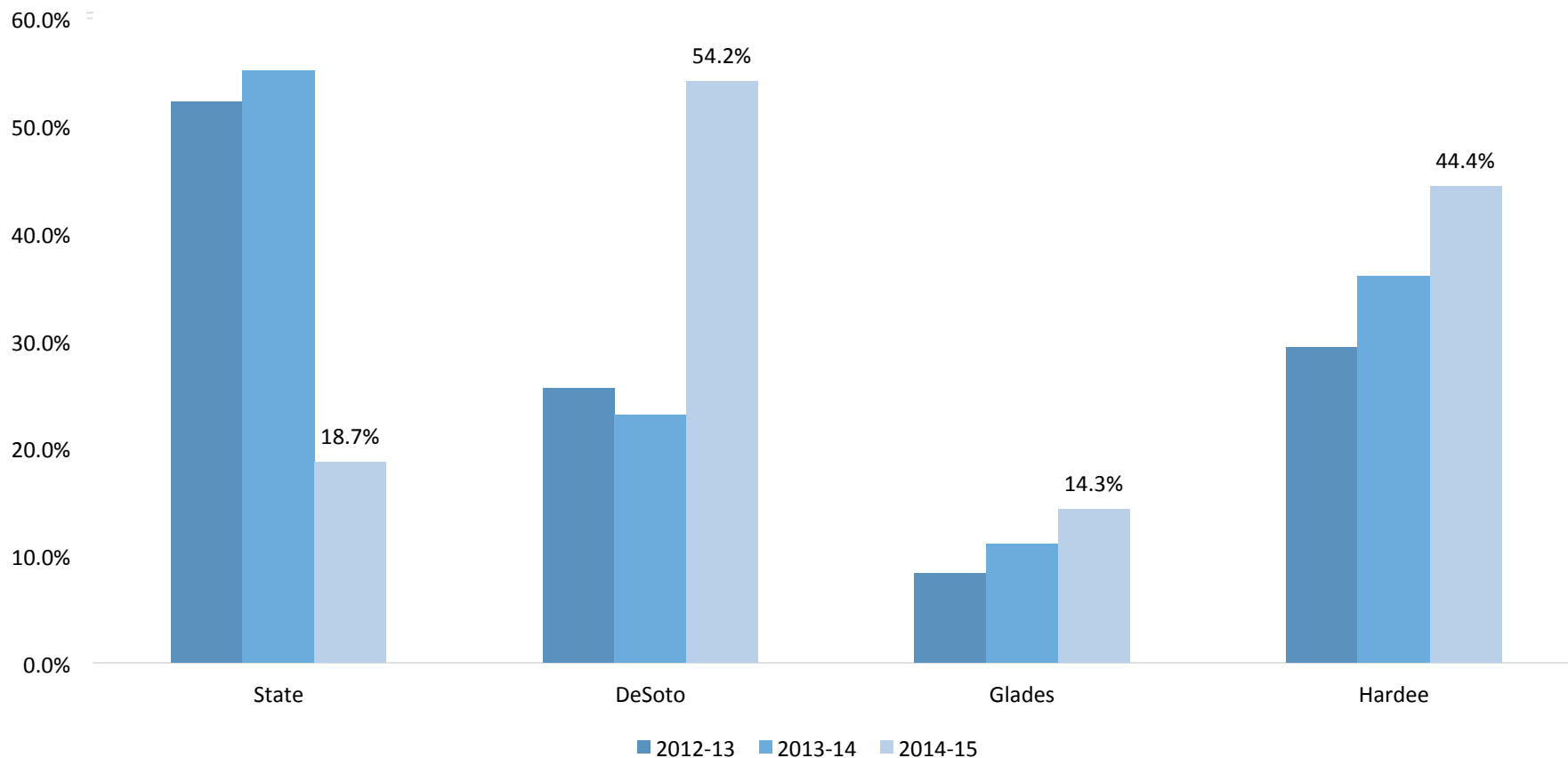
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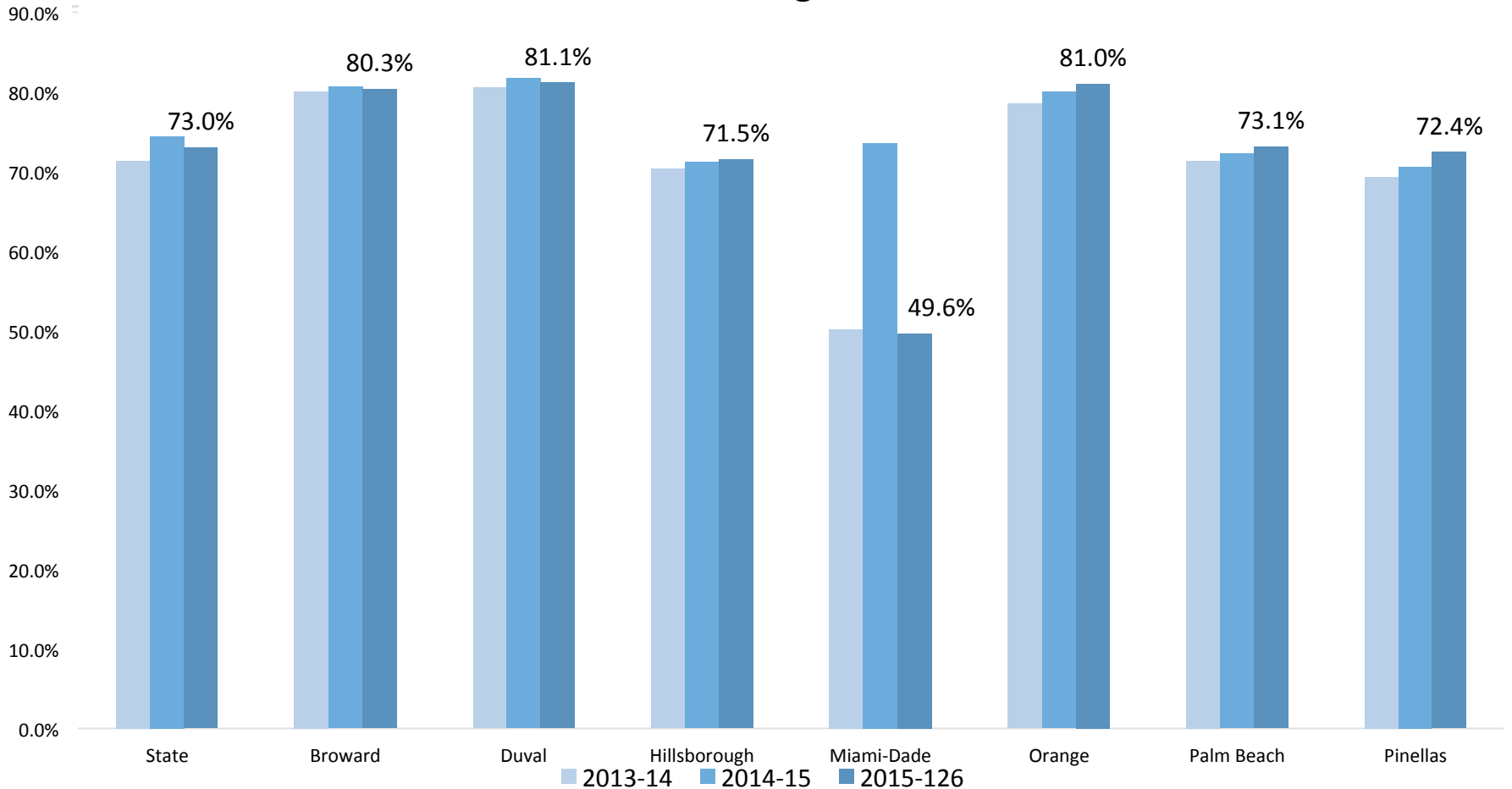
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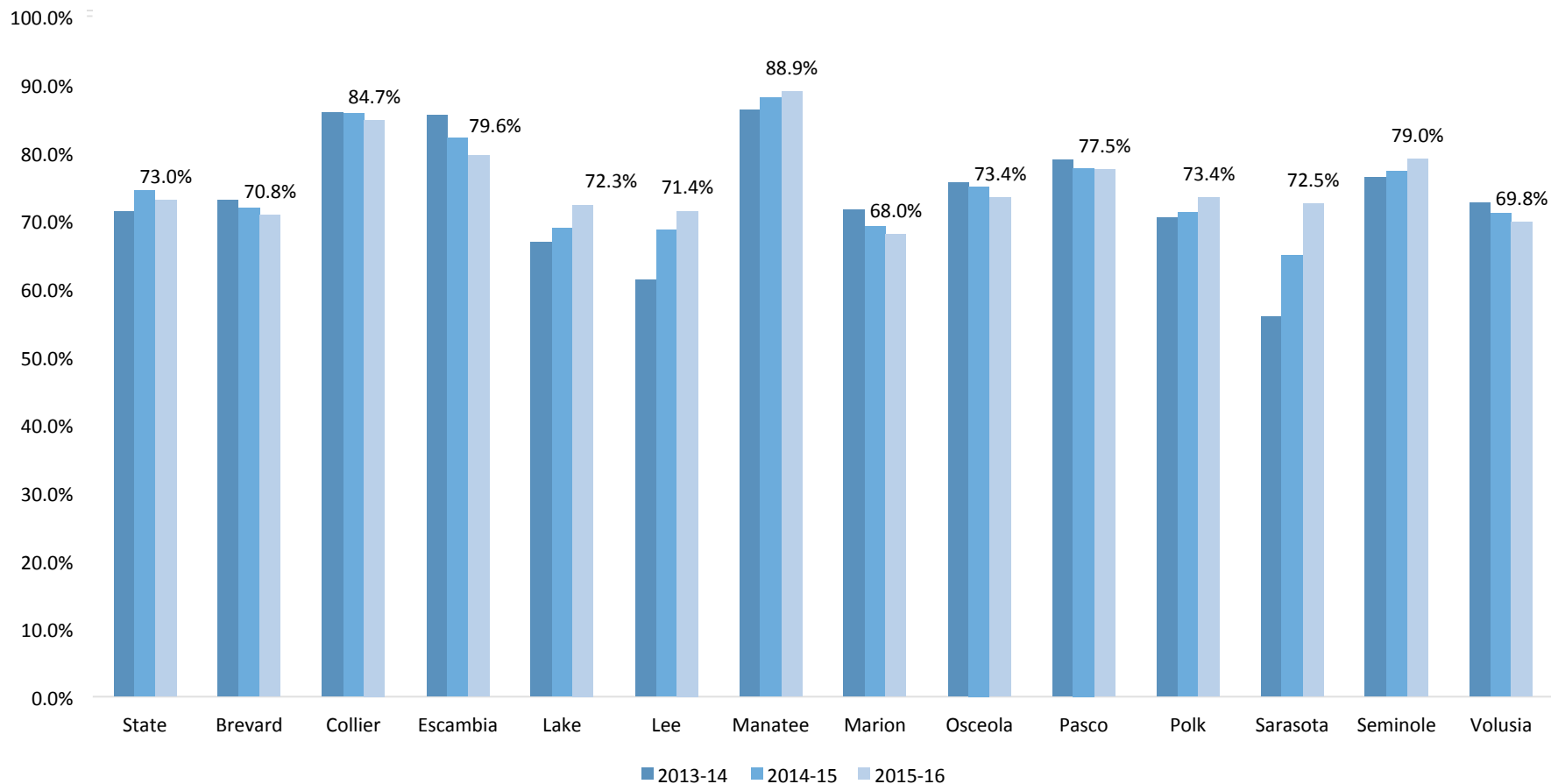
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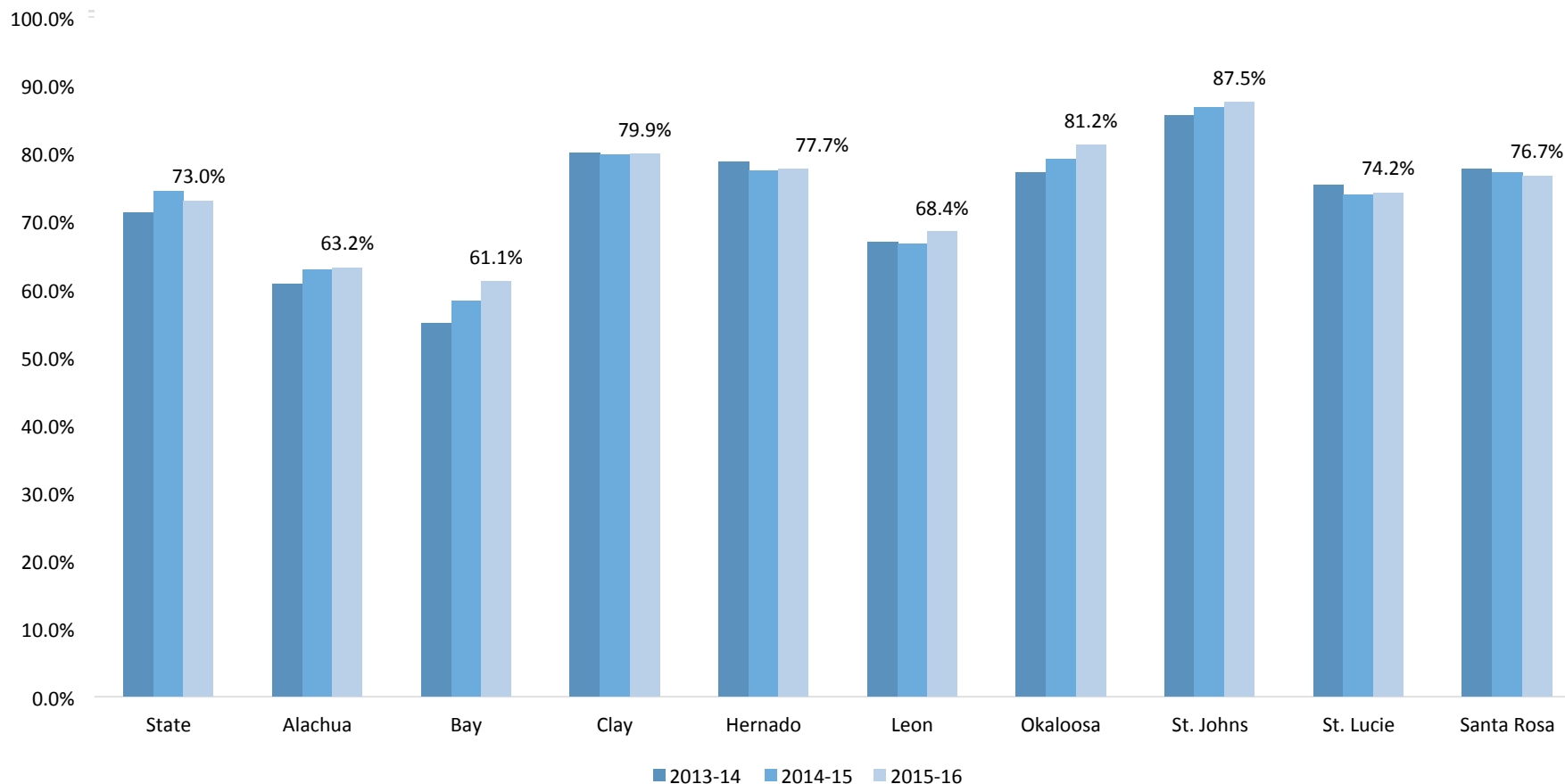
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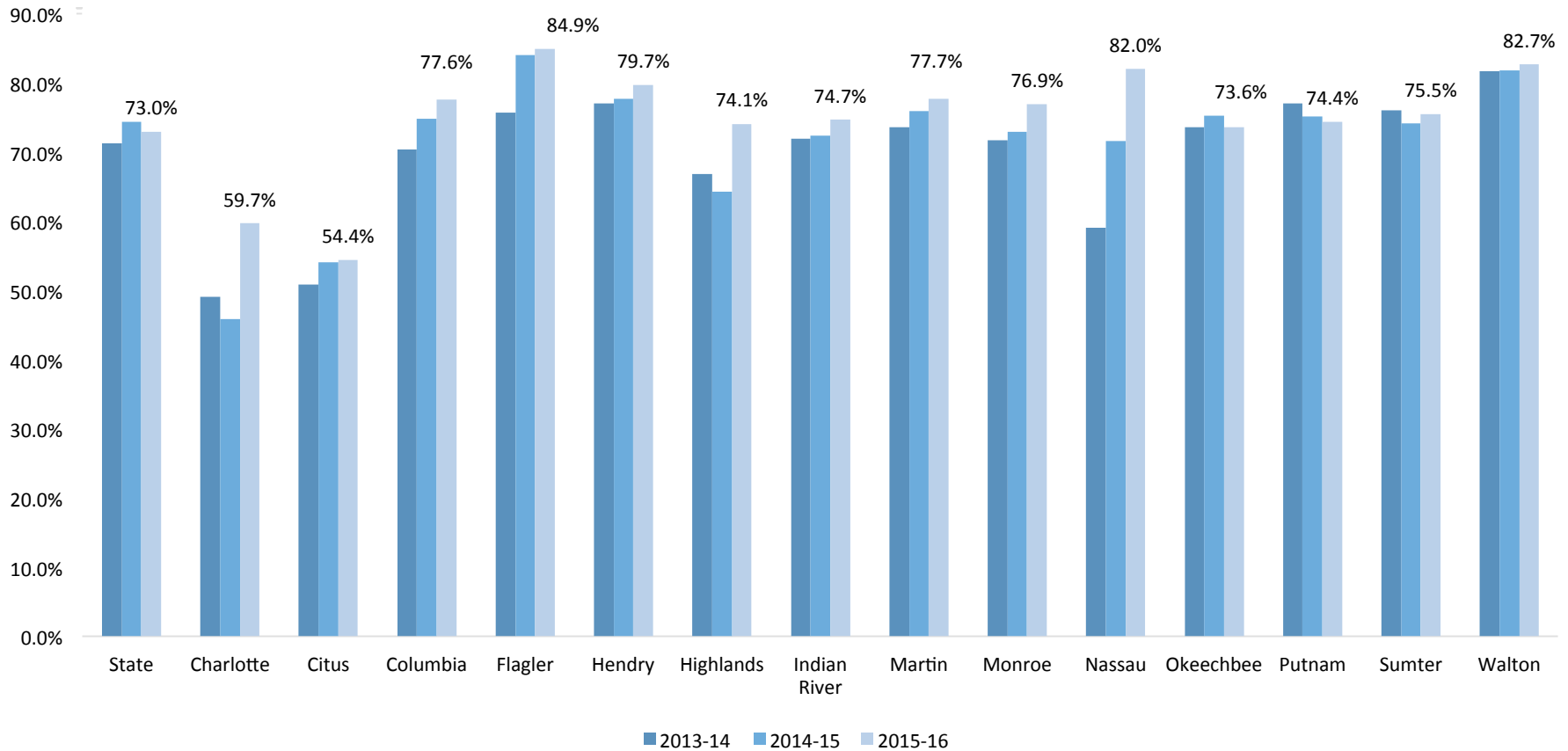
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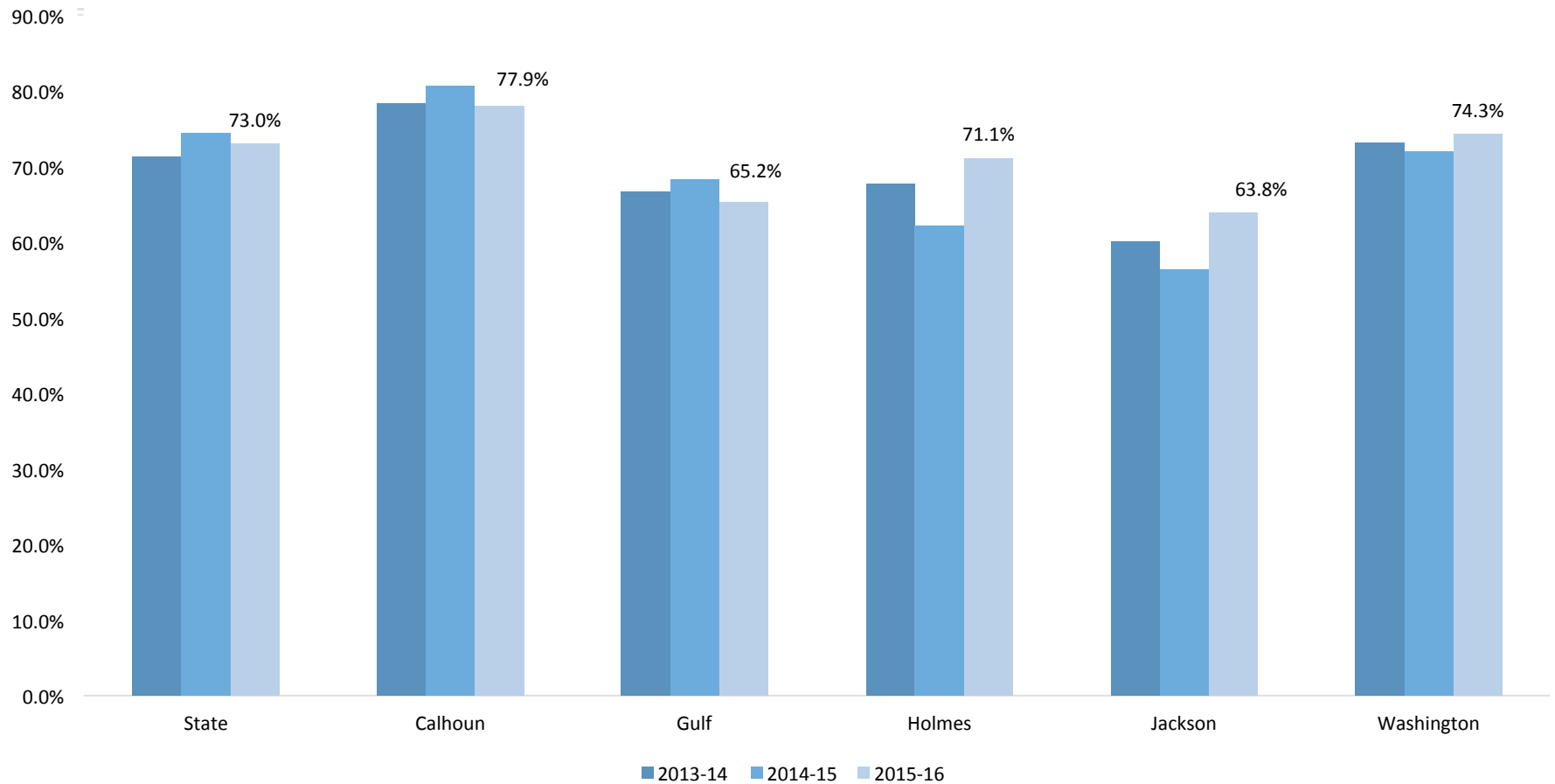


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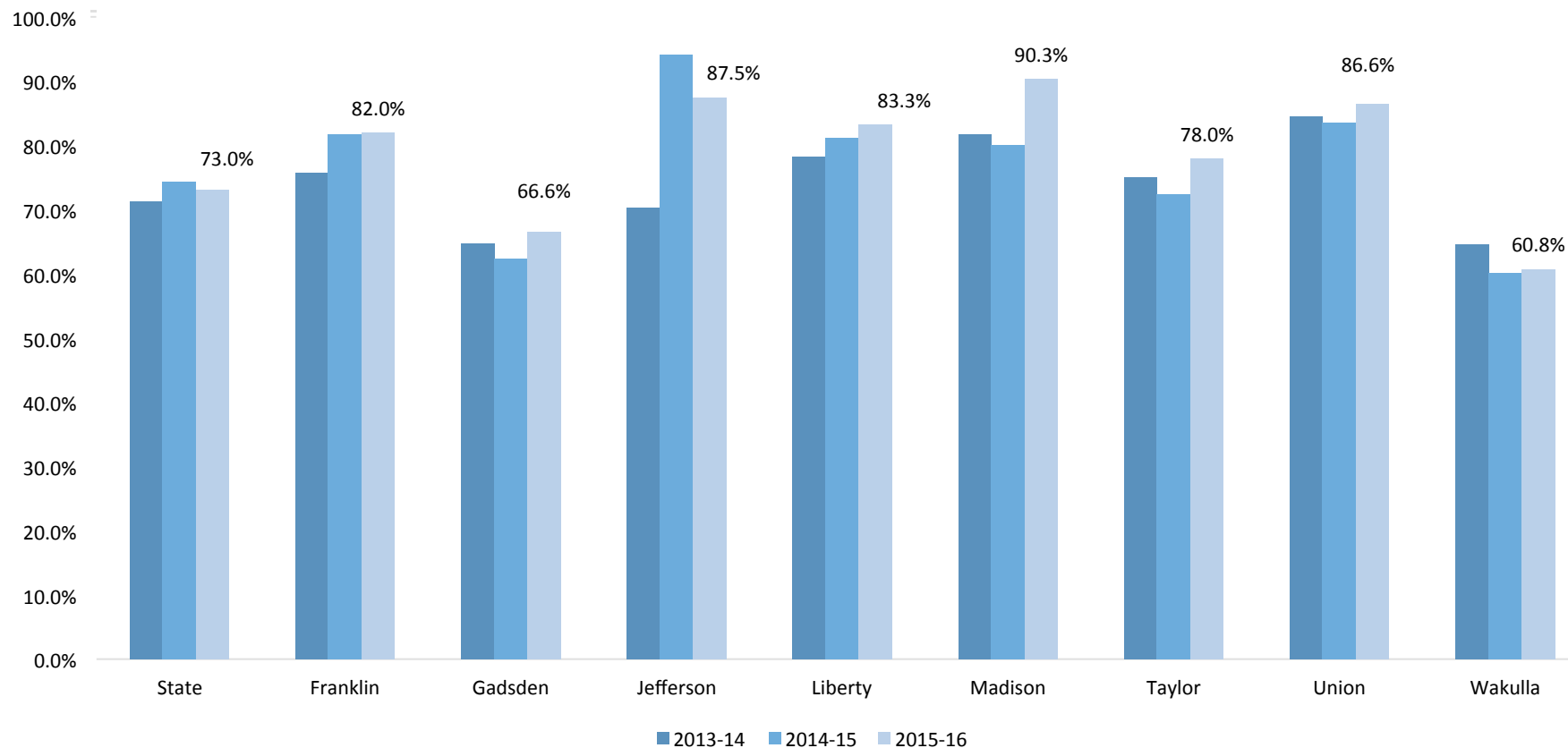




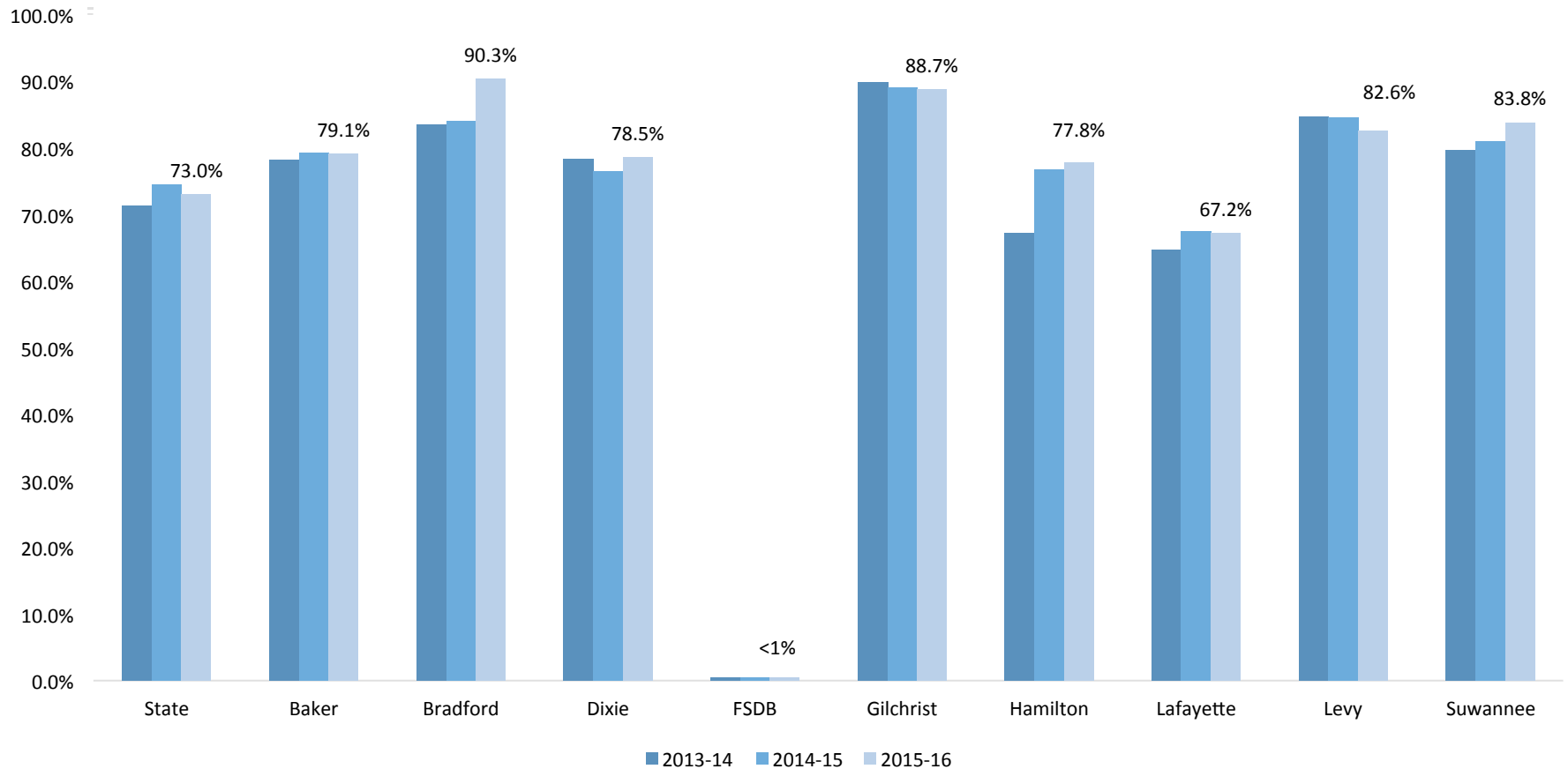
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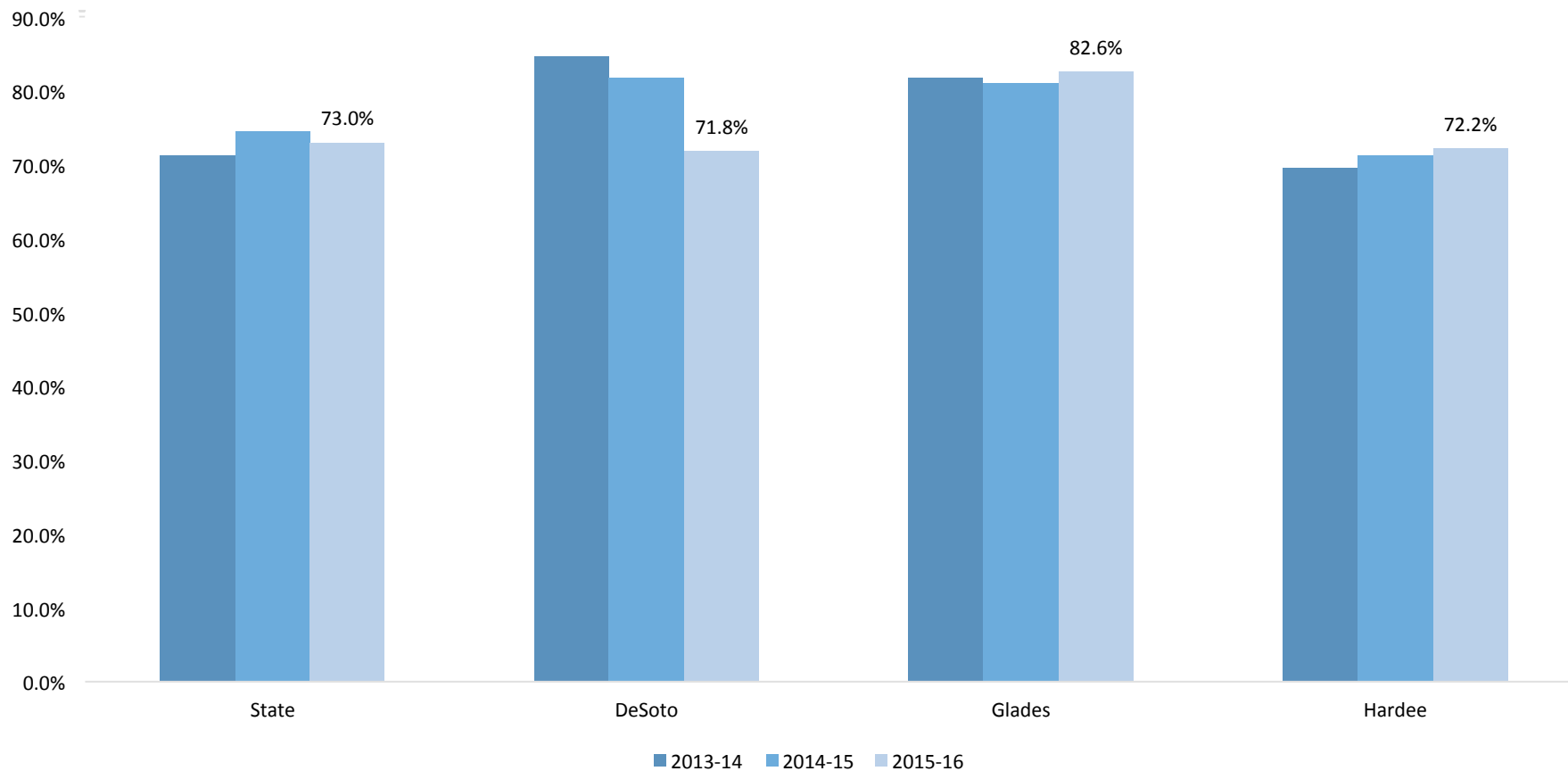
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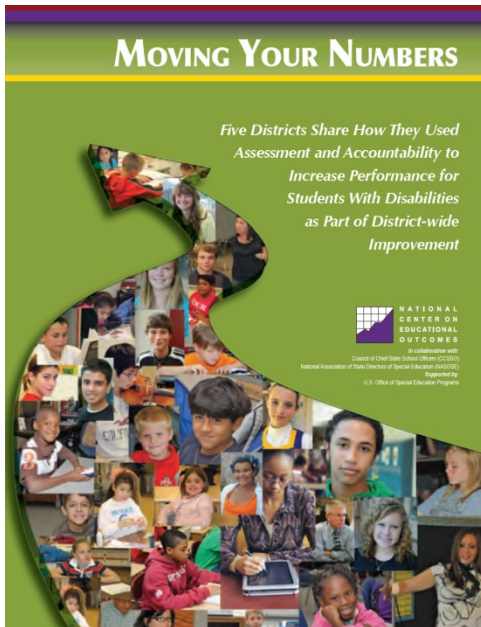
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# What Matters Most for SEAs and LEAs



- Focus on **what adults do** – intentionally and collectively – to include and assist all students in learning at higher levels.

Initiated and funded by the National Center on Educational Outcomes (**NCEO**)

# What Matters Most: Key Practices

- Use Data Well
- Focus Your Goals
- Select and Implement Shared Instructional Practices
- Implement Deeply
- Monitor and Provide Feedback and Support
- Inquire and Learn

# What Matters Most Survey Results

- SEA Survey: Administered May 2014 to reflect on Strategic Plan Implementation 2013-14, including BEESS on-site visits. All Strategic Plan members were invited to respond.
- LEA Survey: Administered March 2016 to districts via CASE. Participants included ESE and Student Services Directors, Title 1 Coordinator, Assistant Superintendent which represented northwest, north, central, and south regions of the state and sizes ranging from small and rural to large.

## SEA STRENGTHS

- Key Practice #1:  
Use Data Well
- Key Practice #2:  
Focus Your Goals

## LEA STRENGTHS

- Key Practice #2:  
Focus Your Goals
- Key Practice #6:  
Inquire and Learn



## SEA - HIGHEST NEED

- Key Practice #5:  
Monitor and  
Provide Feedback  
and Support
- Key Practice #6:  
Inquire and Learn

## LEA - HIGHEST NEED

- Key Practice #1: Use  
Data Well
- Key Practice #4:  
Implement Deeply

# “All IN”

- Identify an “all in” example of action your district has taken to improve outcomes for SWD?
- Where do you want to go next?
- What is needed to make that happen?
- How do the six key practices support this work?

Use Data Well

Focus Your Goals

Select and Implement Shared Instructional Practices

Implement Deeply

Monitor and Provide Feedback and Support

Inquire and Learn



# 2016 LEGISLATIVE REVIEW

FLORIDA DEPARTMENT OF EDUCATION



# Legislative Summary Resources

- Legislative Update Presentation
- Legislative Implementation Overview Chart
- Legislative Review Book
- Technical Assistance and Notification Memos

Governmental Relations: [www.fldoe.org/gr](http://www.fldoe.org/gr)

Questions: [Legislation@fldoe.org](mailto:Legislation@fldoe.org)

# **House Bill 229**

## **Bullying and Harassment Policies in Schools**

Signed into Law - March 25, 2016

Effective - July 1, 2016

# **HB 229**

## **Bullying and Harassment**

The bill amends section 1006.147, Florida Statutes (F.S.), requiring a review of each district policy prohibiting bullying and harassment of a student or employee every three years

# House Bill 241

## Children and Youth Cabinet

Signed into Law - March 8, 2016

Effective – July 1, 2016

# **HB 241**

## **Children and Youth Cabinet**

The bill amends section 402.56, F.S.; revising the membership of the cabinet to add a superintendent.



# Senate Bill 450

# Physical Therapy

Signed into Law and effective

March 23, 2016

## **SB 450**

# **Physical Therapy**

The bill amends section 486.021, Florida Statutes (F.S.), related to the provision of services for physical therapy to increase the time frame from 21 days to 30 days for which a physical therapist can provide physical therapy treatment for a condition not previously assessed by a practitioner of record or a physician licensed in another state.

# Senate Bill 672

## Educational Options

- Signed into Law – January 21, 2016
  - Effective Date – July 1, 2016

## **SB 672 - Florida Postsecondary Comprehensive Transition Program Act” (s. 1004.6495, F.S.)**

- Outlines a process through which postsecondary institutions in Florida can voluntarily seek approval to offer a Florida Postsecondary Comprehensive Transition Program (FPCTP) for students with intellectual disabilities
- Creates the FPCTP Scholarship for students who meet the student eligibility requirements
- To be eligible to enroll in an a student must:
  - Be a “student with an intellectual disability” as defined in 20 U.S.C. s. 1140 (2);
  - Physically attend the eligible institution; and
  - Submit documentation regarding his/her intellectual disabilities.

## **SB 672 - Florida Center for Students with Unique Abilities (UCF)**

- Creates the Florida Center for Students with Unique Abilities
- Located at the University of Central Florida
- Responsibilities:
  - Disseminate information re: programs, services, resources, employment opportunities, etc., for students with disabilities and their parents
  - Coordinate, facilitate and oversee statewide implementation of FPCTP
  - Review initial and renewal applications for approval as FPCTP
  - Provide technical assistance to eligible institutions

## **SB 672 - Students Attired for Education (SAFE) Act**

- Provides an incentive payment for school districts and charter schools that implement a standard student attire policy for all students in kindergarten through grade 8
- Provides purpose for the standard student attire policy as providing a safe environment for students that fosters learning and improves school safety and discipline

## SB 672

# Gardiner Scholarship Program

- Formerly Personal Learning Scholarship Account Program (PLSA)
- Broadens eligibility to include:
  - students diagnosed with autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-V)
  - three- and four-year old children
  - children with muscular dystrophy

# SB 672 – Gardiner Scholarship

- Expands the definition of curriculum to include associated online instruction
- Provides partial scholarships for late-filed applications
- Clarifies how and when accounts are closed



# SB 672 – Gardiner Scholarship

- Three and four year olds:
  - Students receiving services funded through FEFP would be considered enrolled in public school and not eligible for Gardiner Scholarship
  - Students participating in Gardiner Scholarship program would not be eligible to participate in VPK and would not receive additional funding

# SB 672 – Gardiner Scholarship

- Revises parental obligations for program participation
- Clarifies that program funds must be used to meet the individual educational needs of the student
- Removes the requirement that students attending an eligible private school maintain a portfolio of work.
- Provides that continued eligibility and participation of a “high risk child” beyond age six requires diagnosis of a disability and not just a designation of “high risk” status.

# SB 672 – Gardiner Scholarship

- Expands the list of authorized uses of program funds
  - Training and maintenance associated with assistive technology devices
  - Fees associated with enrollment in a home education program
  - Contributions to the Florida College Savings Program
  - Fees for a summer education or after-school program
  - Transition services provided by a job coach
  - Fees for annual evaluation by a Florida certified teacher for a home education program student choosing this option

# SB 672 – Gardiner Scholarship

- Expands types of tuition and fees that can be paid with program funds
  - Tuition and fees for part-time tutoring services by a person who holds a permanent or adjunct teaching certificate or someone who has demonstrated a mastery of subject area knowledge
  - Tuition and fees for programs offered by approved Voluntary Prekindergarten and school readiness providers.
  - Tuition or fees associated with enrollment in a program offered by an eligible postsecondary institution

# SB 672 – Gardiner Scholarship

- A parent of student with a disability who seeks an initial IEP or reevaluation of an existing IEP may request an IEP meeting and evaluation from the school district in order to obtain or revise a matrix of services.
- Scholarship Funding Organization (SFO) shall notify the parents about the availability of an IEP reevaluation and matrix review
- School district shall complete the IEP meeting and matrix of services within 30 days after receiving the parent's request

# SB 672 – Gardiner Scholarship

- School shall provide matrix level to DOE, in addition to parent, 10 *calendar* days after completion (formerly school days)
- DOE shall notify parent of amount of funds awarded 10 days after receiving matrix level
- School districts have authority to change a matrix of services only when the change is a result of IEP reevaluation or to correct a technical, typographical or calculation error

# SB 672 – Gardiner Scholarship

- DOE must:
  - Cross-check Gardiner Scholarship participants throughout the school year to ensure they are not enrolled in public school or participating in another scholarship program
  - Compare Gardiner Scholarship students with VPK student lists
  - Maintain list of approved providers on the website

# SB 672 – Gardiner Scholarship

## Management of Funds

- Requires the SFO to account for interest accrued in established accounts and include the interest in funds available to the parent.
- Provides schedule of proration of scholarship funds to be awarded based on date of eligibility determination.
- Prohibits reduction of scholarship award for debit card or electronic payment fees.
- Establishes procedures for return of funds by the SFO to the state upon closing of a PLSA account.
- Provides for up to three percent of each scholarship amount for administrative expenses to eligible SFOs that meet specific criteria.



# SB 672 – Gardiner Scholarship

- Scholarship payments would continue unless:
  - The parent does not renew;
  - The SFO determines the student is not eligible;
  - The commissioner denies, suspends, or revokes program participation or use of funds; or
  - Student enrolls in a public school, graduates from high school, or attains 22 years of age (whichever comes first)

# SB 672 – Gardiner Scholarship

- A scholarship account must be closed and funds returned, including contributions to Florida Prepaid College Program and earnings from or contributions made to the Florida College Savings Program made with program funds upon:
  - Denial or revocation of program eligibility by the commissioner due to fraud or abuse; or
  - After any three consecutive years after high school completion during which the student has not been enrolled in an eligible postsecondary program.

# SB 672 – 2016-2017 Appropriations

- Florida Postsecondary Comprehensive Transition Program -- \$8 million
- Florida Comprehensive Transition Program Scholarship -- \$3.5 million
- FPCTP start-up and enhancement grants -- \$3 million
- Florida Center for Students with Unique Abilities (UCF ) -- \$1.5 million
- Standard Student Attire Incentive Program -- \$14 million
- Gardiner Scholarship Accounts -- \$71.2 million
- Administrative expense requests from SFOs -- \$2,136,000

# House Bill 837

## Education Programs for Individuals with Disabilities

- Signed into Law – March 28, 2016
  - Effective Date – July 1, 2016

# **HB 837**

## **Education Programs for Individuals with Disabilities**

- Amends s. 1002.39, F.S., McKay Scholarship to:
  - Allow foster students to qualify without the prior year in attendance in a Florida public school
  - Establishes the transition to work program

# **HB 837**

## **Education Programs for Individuals with Disabilities**

- Amends s. 1002.41, F.S., to:
  - Require diagnostic and resource centers to provide testing and evaluation services for home education students to include students with disabilities

## **HB 837**

# **Education Programs for Individuals with Disabilities**

- Clarifies that school districts have the option to provide ESE-related services to home education students who enroll in a public school for the purpose of receiving services. The district would report the student as a full-time equivalent (FTE) student.

# **HB 837**

## **Education Programs for Individuals with Disabilities**

- Amends s. 1007.271, F.S., Dual enrollment program to:
  - Clarify that home education students participating in dual enrollment includes students with disabilities



# **Senate Bill 7040**

## **Federal Workforce Innovation and Opportunity Act (WIOA)**

- Signed into law – April 8, 2016
- Effective Date – July 1, 2016

## **SB 7040**

# **Federal Workforce Innovation and Opportunity Act**

- Modifies Florida's current program for workforce services to implement the federal Workforce Innovation and Opportunity Act (WIOA) of 2014
- Requires coordination between core programs (CareerSource, Division of Vocational Rehabilitation [VR], Blind Services, Career and Adult Education) in the delivery of workforce services

## **SB 7040**

# **Federal Workforce Innovation and Opportunity Act**

- Provides membership guidelines for the state workforce board, CareerSource Florida, to include membership representation for each of the core programs and the vice chair of Enterprise Florida, Inc.
- Changes methods of measuring performance accountability and preparing the state plan

## **SB 7040**

# **Federal Workforce Innovation and Opportunity Act**

- Requires FDOE to enter into a memorandum of understanding (MOU) with CareerSource
- Requires local workforce boards to enter into MOUs with one-stop delivery partners regarding sharing costs by July 1, 2017
- Makes technical conforming changes

# House Bill 585

## Student Instruction for Hospital Homebound Students

- Signed into law – April 14, 2016
- Effective Date – July 1, 2016

# **HB 585**

## **Student Instruction for Hospital Homebound Students**

- Requires each district program to provide instruction to homebound or hospitalized students in accordance with the law and State Board of Education rules that, at a minimum, must establish the following:
  - Criteria for the eligibility of K-12 homebound or hospitalized students for specially designed instruction
  - Procedures for determining student eligibility
  - A list of appropriate methods for providing instruction to homebound or hospitalized students

# **HB 585**

## **Student Instruction for Hospital Homebound Students**

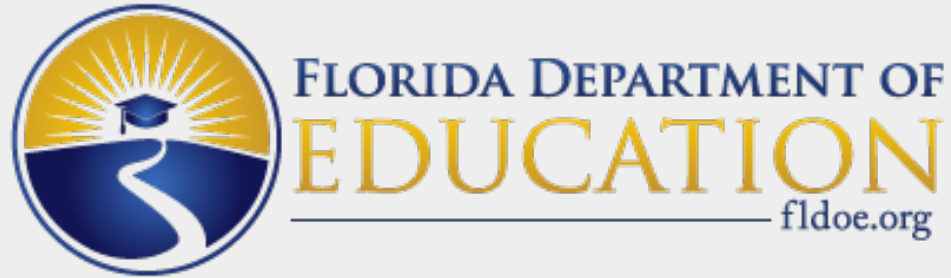
- Eligible students receiving treatment in a children's specialty hospital licensed in accordance with Chapter 395, Part I, F.S., must be provided educational instruction from the school district in which the hospital is located until the school district in which the hospital is located enters into an agreement with the school district in which the student resides

# **HB 585**

## **Student Instruction for Hospital Homebound Students**

- Requires FDOE to develop a standard agreement for use by school districts, to provide seamless educational instruction to students who transition between school districts while receiving treatment in the children's specialty hospital





# Hospital Homebound

## 6A-6.03020, F.A.C.

# Criteria for Eligibility for Students who are Homebound or Hospitalized

- Certification from a licensed physician that the student is expected to be absent:
  - at least 15 consecutive school days (for physical or psychiatric condition); or
  - at least 15 non-consecutive school days ( due to a chronic condition,
    - Consider equivalent on the block schedule

## Criteria for Eligibility for Students who are Homebound or Hospitalized

- **The student is:**
  - Confined to home or hospital;
  - Able to participate in/benefit from an instructional program;
  - Under medical care for illness or injury which is acute, catastrophic, or chronic in nature; and,
  - Able to receive instructional services without endangering the health and safety of the instructor / other students with whom the instructor may come in contact.
- **The parents:**
  - Signs agreement re: H/H policies and cooperation
- **Individual educational plan (IEP):**
  - developed or revised prior to assignment to the homebound or hospitalized program placement

## Evaluation Procedures for Students who are Homebound or Hospitalized

- annual medical statement from a licensed physician(s) including a description of the disabling condition or diagnosis with any medical implications for instruction.
- may require additional evaluation data must be provided at no cost to the parent.
- physical reexamination and a medical may be requested on a more frequent basis - provided at no cost to the parent.

## **Instructional Settings for Students who are Homebound or Hospitalized**

- **Instruction in a home**
  - a responsible adult is present
  - schedule takes into account the student's medical condition
- **Instruction in a hospital:**
  - Appropriate space for the teacher and student to work
- **Instruction through telecommunications or computer devices:**
  - Open, uninterrupted telecommunication link during the instructional period
  - No additional cost to the parent

# House Bill 7029

## School Choice

- Signed into Law – April 14, 2016
- Effective Date – July 1, 2016

# HB 7029: School Choice

## Section Breakdown

**Section 1- Membership Associations**

**Section 2- Visitation in Schools**

**Section 3- Distinguished Florida College System (FCS)**

**Section 4- Student and Parent Rights**

**Section 5- Controlled Open Enrollment**

**Section 6- Voluntary Prekindergarten Program**

**Section 7- Charter Schools**

**Section 8- High-Performing Charter Schools**

**Section 9- FCS Performance-Based Incentive**

**Section 10- Emerging Preeminent Universities**

**Section 11- University Boards of Trustees**

**Section 12- University Performance-Based Incentive**

**Section 13- Online Course Requirement**

**Section 14- Charter Capital Outlay**

**Section 15- Special Facilities Construction**

**Account**

**Section 16- FLVS**

**Section 17- Auditory-Oral**

**Section 18- Virtual Instruction Programs**

**Section 19- Transfer to Another Classroom Teacher**

**Section 20- Credit Acceleration Program**

**Section 21- Adults with Disabilities Workforce Pilot**

**Section 22- Student Athlete Eligibility**

**Section 23- School Board Eligibility Determination**

**Section 24- Athletics**

**Section 25- Florida Partnership for Minority and Underrepresented Students**

**Section 26- Benacquisto Scholarship**

**Section 27- Minimum Term Funding**

**Section 28- CAPE Funding/Federally Connected Students**

**Section 29- District School Tax**

**Section 30- Teaching Out-of-Field**

**Section 31- Professional Development Certification and Education Competency Program**

**Section 32- Suicide Prevention**

**Section 33- Education Practices Commission/Recruiting**

**Section 34- Complaints Against Teachers/Recruiting**

**Section 35- School District Construction Flexibility**

**Section 36- VPK Readiness Rate**

**Section 37- Rehiring Retirees**

**Section 38- Vocational Rehabilitation**

**Section 39- Pledge of Allegiance**

**Section 40- Florida Seal of Biliteracy Program**

## **HB 7029: School Choice Office Student and Parent Rights, Section 4**

- Provides that parents of public school students have the right to a school financial report that indicates the average amount of money expended per student in the school
- Provides that a student be immediately eligible to participate in high school athletic competitions in the school the student first enrolls each school year



## **HB 7029: School Choice Office Controlled Open Enrollment, Section 5**

- Beginning in 2017-18, each district and charter school must adopt a controlled open enrollment plan that allows a student to enroll in any public school in the state that has not reached capacity (subject to maximum class size requirements)
- Districts must incorporate the specifications, plans, elements and commitments contained in the school district educational facilities plan and the long-term work programs required under s. 1013.35, F.S., into their capacity determinations

## **HB 7029: School Choice Office Controlled Open Enrollment, Section 5**

- Districts must provide preferential treatment to several groups
- Charters may provide preferential treatment to groups identified in s. 1002.33(10), F.S.
- Students residing in the district may not be displaced by a student from another district
- Prohibits districts and charter schools from delaying eligibility or preventing participation in interscholastic or intrascholastic activities
- Prohibits student from participating in a sport if the student participated in same sport at another school during the same year, with exceptions

## **HB 7029: Division of Public Schools Virtual Education, Section 16**

- Revises provisions s. 1002.37, F.S., regarding FTE students (including homeschool students)

## **HB 7029: Division of Public Schools Auditory-Oral Education, Section 17**

- Requires each school district to add four special consideration points to the matrix of services for students who are deaf and enrolled in an auditory-oral education program beginning in the 2017-18 school year

## **HB 7029: Division of Public Schools Classroom Transfers**

- Each school district must establish a transfer process for a parent to request his or her child be transferred to another classroom teacher
- An explanation of the transfer process must be made available in the student handbook or similar publication
- School districts must approve or deny the request and transfer the student to a different classroom teacher within two weeks if an in-field teacher for the course or grade level is employed by the school and the transfer does not violate maximum class size provisions
- If a request is denied, the school must notify the parent and specify the reasons for the denial
- School districts must report out-of-field teachers on their website within 30 days before the beginning of each semester

## **HB 7029: Division of Public Schools Youth Suicide Awareness and Prevention, Section 32**

- Requires FDOE, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop list of approved youth suicide awareness and prevention training materials for K-12 instructional personnel
- Requires training to include identification of appropriate mental health services and how to refer students and families for those services
- A school that chooses to incorporate two hours of approved training for all instructional personnel shall be designated as a “Suicide Prevention Certified School”

## **HB 7029: Vocational Rehabilitation (VR) VR Performance Improvement Plan, Section 38**

- Requires VR to develop and implement a performance improvement plan to achieve specified goals, primarily incorporating federal WIOA measures
- Requires VR to submit a performance report with specified data by December 1st of each year to the governor, the president of the senate and the speaker of the house of representatives



# RULE UPDATES



# Rules Approved by Florida State Board of Education (SBOE)

December 2015

# Revised Rules

- Rule 6A-6.0253, Florida Administrative Code (F.A.C.)  
Diabetes Management
- 6A-6.030121, F.A.C. (eligibility for language impaired)
- 6A-6.03018, F.A.C. (eligibility for specific learning disabilities (SLD))
- 6A-6.03019, F.A.C. (educational plans for students who are gifted)
- 6A-6.03028, F.A.C. (individual educational plan (IEP))
- 6A-6.03313, F.A.C. (procedural safeguards – students who are gifted)

# Repealed Rules

- Rule 6A-6.03032, Procedural Safeguards for Children with Disabilities Ages Birth Through Two Years (DOH, as the lead agency, incorporated the language in a DOH policy.)
- Rule 6A-6.0713, Habitual Truancy: Inter-Agency Agreements (The rule duplicates present statutory language, and is no longer needed.)

# Rule 6A-6.0253, F.A.C.

Incorporates the most recent “Individualized HealthCare Plan” format recommended by the National Association of School Nurses

# Rule 6A-6.030121 (6)(a), F.A.C.

Removes redundant language also found in Rule 6A-6.0331, F.A.C., with regard to when to obtain parental consent for evaluation.

# Rule 6A-6.03018 (4)(a)2.b. and (6), F.A.C.

- Deletes language that became obsolete on July 1, 2010
  - This language was related to the now obsolete criteria for eligibility related to patterns of strengths and weaknesses in performance and/or achievement
  - Removes reference that districts include information in their ESE Policies and Procedures document regarding the process (i.e., consideration of patterns of strengths and weaknesses)

# Rule 6A-6.03019, F.A.C.

Clarifies that EPs are used when a student is only identified as a student who is gifted.

–IEP must be used for students who are “twice exceptional”

# Rule 6A-6.03028 (3), F.A.C.

Clarifies that for students who have a disability and are gifted, the IEP must address both areas



# Rule 6A-6.03028 (3)(c)4., F.A.C.

Amends the composition of the IEP team to include at least one teacher of the gifted if the team is developing an IEP for students with a disability who are also identified as gifted

# Rule 6A-6.03028 (3)(g)5., F.A.C.

Expands what must be considered in the development, review and revision of an IEP of students also identified as gifted

-

# Rule 6A-6.03028 (3)(h)1., F.A.C.

Amends the content of the present level of academic and functional performance of students also identified as gifted.

The academic and functional performance must include the students' strengths, interests and needs beyond the general curriculum that result from the students' giftedness.

## Rule 6A-6.03028 (3)(h)2., F.A.C.

Amends requirements related to measurable annual goals for students also identified as gifted.

The IEP must include a statement of measurable annual goals that result from the students' giftedness.

# Rule 6A-6.03313, F.A.C.

Clarifies that when a student has a disability and is also identified as gifted, the procedural safeguards for students with disabilities apply

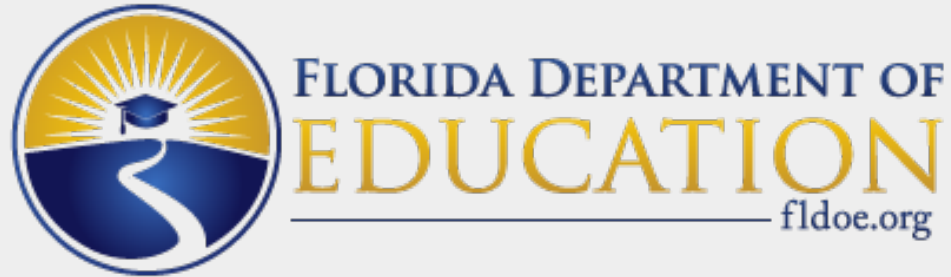
**Rule 6A-6.03028(3)(c), F.A.C**  
Amends rule with regard to inviting other participating agencies with regard to the provision of transition services.

Workforce Innovation and Opportunity Act (WIOA) requires Vocational Rehabilitation to provide pre-employment services to students with disabilities.

Career counseling and job experiences that are appropriate for any student with a disability.

# Rule 6A-6.03028(3)(g)12., F.A.C.

- Amends rule to include factors IEP teams must consider related to a student's need for extended school year services (ESY)
  - Related to a statewide systemic complaint regarding ESY that was filed with the bureau in 2014
  - As part of the corrective action, the bureau indicated that a rule revision would be proposed



# Extended School Year

## 6A-6.03028, F.A.C.



## Extended School Year (ESY)

- The IEP Team shall determine at least annually, whether ESY services are necessary for the provision of a FAPE
- School districts may not limit ESY to particular categories of disability or unilaterally limit the type, amount, or duration of those services

## Extended School Year (ESY)

- The IEP Team must consider likelihood of significant regression in the following areas:
  - Academics or for prekindergarten children with disabilities, developmentally appropriate pre-academic skills;
  - Communication;
  - Independent functioning and self-sufficiency; and,
  - Social or emotional development or behavior.

## Extended School Year (ESY)

- The IEP Team must consider :
  - whether the student is at a crucial stage in the development of a critical life skill or an emerging skill and a lapse in services would substantially jeopardize the student’s chances of learning that skill;
  - whether the nature or severity of the student’s disability is such that the student would be unlikely to benefit from their education without of ESY services; and,
  - extenuating circumstances pertinent to the student’s current situation that indicate the likelihood that FAPE would not be provided without ESY services.

# Rule 6A-1.09414, F.A.C.

## Course Requirements - Grades PK-12 Exceptional Student Education

- Two courses were added:
  - Access Algebra II  
<http://www.cpalms.org/Public/PreviewCourse/Preview/14399>
  - Access Physical Science  
<http://www.cpalms.org/Public/PreviewCourse/Preview/14397>
- To view the final proposed rule, go to  
<https://app1.fldoe.org/rules/default.aspx>

# Rule Repeals

- Rule 6A-6.0312, F.A.C., Course Modifications for Exceptional Students
- Rule 6A-1.0402, F.A.C., School and District Annual Reports (reporting attendance)

Similar language in other existing rules



# Dyslexia Overview

<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>

# Dyslexia

## Definition adopted by the International Dyslexia Association:

“Dyslexia is a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.”

## Dear Colleague Letter – October 23, 2015

- Dyslexia, dyscalculia, & dysgraphia are conditions that could qualify with a SLD under IDEA
- LEA must conduct an evaluation to determine whether student meets IDEA SLD eligibility criteria
- MTSS may be used to...
  - Support students with additional academic and behavioral needs
  - Identify students suspected of having a SLD
- Students who do not, or minimally, respond to interventions must be referred for an evaluation
- MTSS or RTI may not be used to deny or delay an evaluation.



## Dear Colleague Letter (cont.)

- LEA must conduct comprehensive evaluation which requires use of variety of assessment tools & strategies to gather relevant functional, developmental, and academic information about the student.
- Nothing in IDEA prohibits use of the term or reference to “dyslexia” in evaluation, eligibility or IEP documentation.
- IDEA does not dictate services or accommodations provided to individual children based solely on the disability category.
- Encourages SEAs and LEAs to consider situations where it would be appropriate to use the terms Dyslexia, dyscalculia, & dysgraphia to describe the child’s unique needs.

# Dyslexia and the Individuals with Disabilities Education Act (IDEA)

## Section 300.8(c)(10) of Title 34, Code of Federal Regulations

Dyslexia is included in the definition of a specific learning disability under IDEA:

(10) Specific learning disability. (i) General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

# Dyslexia: What does it look like?

- The most common symptoms associated with dyslexia include weaknesses in:
  - Word reading
  - Word decoding
  - Oral reading fluency
  - Spelling
- In addition, students with dyslexia may have weaknesses in:
  - Conventions in writing (orthography)
  - Phonological coding (phonemic awareness)
  - Rapid automatic naming
  - Attention



Information taken from the IDA Fact sheet: Understanding Dysgraphia (<http://eida.org/understanding-dysgraphia/>)

# Dyslexia: What does it look like?

- Additional characteristics of students with dyslexia may include:
  - Does not read for pleasure
  - takes excessive time to complete assignments
  - difficulties in remembering procedures or formulas
  - difficulty mastering math facts
  - difficulty with multistep direction



# Accommodations and Strategies

## Classroom and Assignments

- Peer note taker or provide students with a copy of lecture notes or important information
- Allow sufficient time to read and comprehend material
- Software with text-to-speech and speech-to-text options
- Break up a large assignment into smaller parts
- Provide study guides
- Audio books

## Exams

- Extended time
- Alternate testing site with reduced distractions
- Oral exam
- Use of calculator
- Allow student to dictate answers to essay and short answer questions

## Organization and Planning

- Multimodal methods to present material
- Create visual graphic organizers and/or timelines to help organize information
- Use illustrations with informational text
- Schedules, rules and assignments written on board
- Work with student to set achievable goals

# Accommodations and Strategies

## Reading

- Use marker or highlighting tape to highlight important textbook sections
- Assign peer reading buddies
- Review vocabulary prior to reading
- Do not require the student to read aloud
- Use text summaries to reduce the amount of content in a text so students can focus on core ideas
- Use of graphic organizers

## Writing

- Extended time
- Allow use of a keyboard when appropriate
- Focus on content vs. spelling and handwriting
- Student held accountable for spelling words that have been mastered only
- Use of graphic organizers
- Speech-to-text software

## Math

- Allow use of a calculator
- Use visuals and concrete examples
- Use grid paper to help correctly line up math problems
- Present information and problems in small increments
- Read story problems aloud

# Dyslexia and Student Strengths

“Dyslexia is a weakness in a sea of strengths.”

Sally Shaywitz, M.D.

“The strengths are as important to find and address as the deficits. ... All too often we focus on the deficit and not the asset, and we really need to focus on that as well.”

E. Emmerson Dickman, J.D., former president of IDA



FLORIDA DEPARTMENT OF  
**EDUCATION**  
fldoe.org

# MEETING THE COMMUNICATION NEEDS OF STUDENTS WITH HEARING, VISION, OR SPEECH DISABILITIES

[Dear Colleague Letter](#)

[Frequently Asked Questions](#)

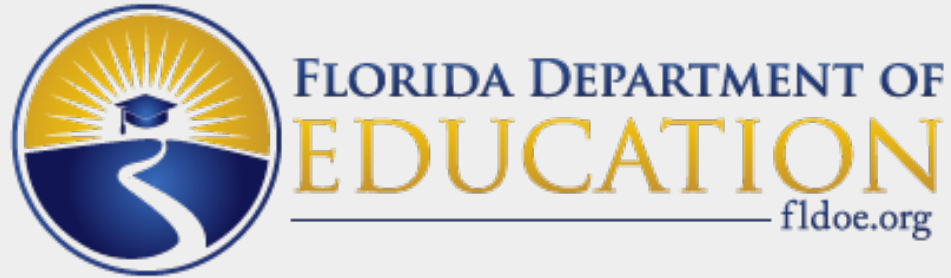
November 12, 2014

[www.FLDOE.org](http://www.FLDOE.org)



Under Title II, what must public school districts do to provide effective communication to students with hearing, vision or speech disabilities?

- Require districts to ensure that communication with students with hearing, vision or speech disabilities is as effective as communication with students without disabilities.
- Requires public schools to give “primary consideration” to the auxiliary aid or service requested by the student with the disability when determining what is appropriate for the student.



# CLARIFICATION OF FREE APPROPRIATE PUBLIC EDUCATION (FAPE) AND ALIGNMENT WITH STATE ACADEMIC STANDARDS

[Dear Colleague Letter](#)

November 16, 2015

Source: U.S. Department of Education Daily Digest Bulletin

# Implications for Florida's Students with Disabilities

- IEP goals must be aligned to Florida's academic content standards
- Providing FAPE is providing high quality instruction and supports in the same curriculum as for students without disabilities in the grade for which a student is enrolled
- IEP must include specially designed instruction to address unique needs of the student
- Emphasis on high expectation to prepare students for success in college and careers

# Implications for Florida's Students with Significant Cognitive Disabilities

- Students would continue to access the Florida Standards with access points
- IEP goals should reflect high expectations
- IEP must include specially designed instruction to address unique needs of the student

# Next Steps for Florida IEPs

- Standards-based IEPs will be covered in professional development opportunities
- Information will be incorporated in the Quality IEP Training



# COMPLIANCE/COMPLAINTS

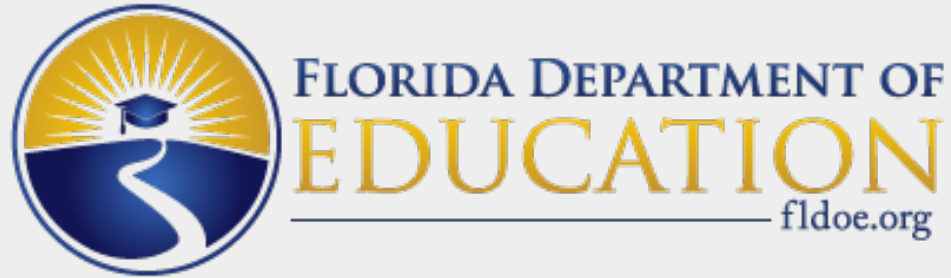
# Common Issues and Trends in Complaints

- Identification, location and evaluation of students to determine if the students are students with a disability in need of special education and related services
  - Conducting evaluations within 60 days
  - Evaluating in all areas of suspected disability
- Implementation of IEP (accommodations, behavior intervention plans, services)
- Needs of students with autism
- Hospital homebound services
- Provision of prior written notice
- Parent participation
- Following policies/procedures for implementing Multi-Tiered System of Supports (MTSS) and Response to Intervention (RtI)
  - Lack of data re: student response to intervention.
  - Appropriate general education interventions

# Findings

- Districts failed to:
  - Initiate the evaluation process while having prior knowledge or suspicion that a student may be a student with a disability
  - Follow the MTSS process correctly
  - Include parents in the MTSS problem-solving process and not communicate RtI progress monitoring results and data
  - Analyze RtI data correctly and use appropriate evidence-based interventions for suspected areas of disability
  - Complete evaluations in a timely manner





# FACILITATED IEP INITIATIVE

# Facilitated IEP (FIEP) Initiative

Think of the use of FIEPs in a multitiered system of support framework.

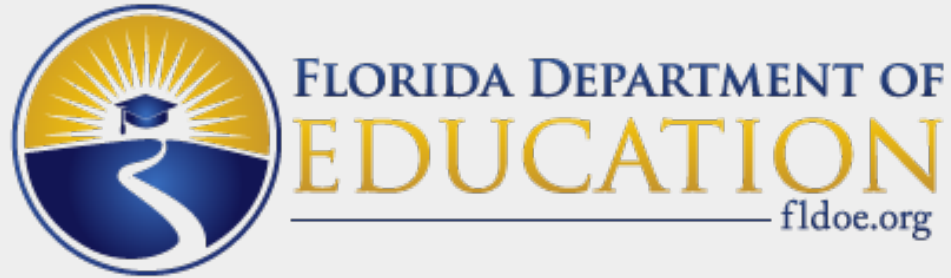
- Tier one—All personnel using good facilitation skills for all IEP meetings. IEP meetings use:
  - Collaborative attitude
  - Facilitative process
  - Facilitation tools (i.e., agendas, consensus, clear communication and action planning)
  - A team member who may serve as facilitator

# FIEP Initiative

- Tier two—The use of a facilitator for an IEP meeting who is not a member of the IEP team
- Tier three—State-sponsored FIEP
  - Used when the parent or district requests a neutral third party from outside the district in order to move forward
  - Contact BEESS for assistance

# The Florida Diagnostic & Learning Resources System (FDLRS) Training

Beginning with the 2016-17 school year, each FDLRS center will have at least two trainers who can provide professional development on the FIEP.



# BEES Complaint Process Improvements

# Goals/Expected Outcomes of Improvements

- Meet IDEA requirements (process and timelines)
- Address complainant issues appropriately and adequately
- Develop concise, legally sufficient reports and correspondence
- Use plain language so that people at all levels, including parents, are able to read and understand
- Create clear expectations for all
- Ensure accountability for all

# Complaint Process Improvements

(begun March 2016)

## One initial letter

- Acknowledgement and Issue letters no longer separate
- Acknowledgement /documentation request letter:
  - Sent within three to five days of receipt of complaint
  - Includes complainant's proposed resolution
  - Asks whether district will agree to complainant's resolution, propose a different resolution, or would like to attempt resolution through mediation
  - States that if neither is feasible, documentation must be sent

# Complaint Process Improvements

- Earlier request for and receipt of documentation
  - Attempt to simplify and clarify document requests
    - Specific to allegations
  - May ask for additional documentation
    - As early in the process as possible
- BEESS team discussion and decision-making related to specific issues early in the process

Extensions are considered based on individual circumstances (e.g., mediation scheduling problems, complex issues, etc.)



# Complaint Process Improvements

- New BEESS complaint email address:  
[BEESScomplaints@fldoe.org](mailto:BEESScomplaints@fldoe.org)
- Updated complaint form
  - [http://www.fldoe.org/core/fileparse.php/7675/urlt/statecomplaint\\_fillableform BEESS.doc](http://www.fldoe.org/core/fileparse.php/7675/urlt/statecomplaint_fillableform_BEESS.doc)
  - Updated header
  - Space for student address
  - Placement and formatting to clarify:
    - Must send to district
    - Must propose a resolution

## Future Improvements

- Concise, streamlined Report of Inquiry format
- Streamlined follow-up regarding corrective actions

Consider relationships between processes

*(Can one inform another?)*

- Complaints
- Self-assessment
- On-site monitoring
- SP&P



# Pre-K Service Delivery Options and IDEA Environment Coding

## Pre-K Coding

- Elements Used for Reporting 3-5 Environments
  - Time, Total School Week
  - Time with Nondisabled Peers
  - IDEA Educational Environment
- Time, Total School Week
  - Data Base Definition: The total amount of time a student is scheduled to attend school each week. This should be reported in minutes per week. All scheduled time i.e., class time, recess, lunch, and time between classes must be included in the total.

## Pre-K Coding

- Federal reporting requires that Time, Total School Week reflect *all* programs the child is attending including:
  - Public preschool classes or kindergarten
  - Head Start
  - Private kindergartens or preschools
  - Childcare
  - Home services
  - Service provider locations (public or private clinician's office or outpatient hospital facilities)

## Pre-K Coding

- Time with Nondisabled :
  - Data Base Definition: The total amount of time that a student with a disability is with non-disabled peers, including time with school and work place peers. This should be reported in minutes per week. Include class time, lunch, recess, and time between classes if this time is spent with non-disabled peers.

## Pre-K Coding

- Time :
  - Because information about the minutes in the child’s total school week (if the child participates in programs outside the public school setting) may be difficult to obtain districts will have to rely on their best judgment.

## Pre-K Coding

- IDEA Educational Environment, Ages 3-5:
  - Code K: A child with a disability spending any amount of time in an early childhood setting and receiving the majority of their special education services ***in that setting***.
    - For reporting to USDOE, these students will be further broken down into those with
      - $\geq 10$  hours per week, Time with Nondisabled Peers
      - $< 10$  hours per week, Time with Nondisabled Peers



## Pre-K Coding

- Educational Environment, Ages 3-5:
  - Code M: A child with a disability spending any amount of time in an early childhood setting but receiving the majority of their special education services ***outside of that setting.***
    - For reporting to USDOE, these students will be further broken down into those with
      - $\geq 10$  hours per week, Time with Nondisabled Peers
      - $< 10$  hours per week, Time with Nondisabled Peers

## Pre-K Coding

- Students coded as K must meet the following criteria:
  - Participate in a full or part time pre-k or kindergarten **program** where **the majority** of students do not have disabilities (i.e. regular education early childhood program).
  - Receive the **majority** of their special education or related services in the regular education early childhood **program** versus some other location.
    - Note: The IDEA regulations refer to program, not classroom.
- This clarification will impact **reporting** for certain student schedules with an anticipated increase of schedules identified as K and a decrease of schedules identified as M. This will more accurately reflect data regarding services provided in regular education early childhood programs.

## Pre-K Coding

- IDEA Educational Environment, Ages 3-5:
  - Other codes have remained the same:
    - Code L: Special Education Program at a Regular School Campus or Community Based Setting
    - Code S: Special Education Program in a Separate School
    - Code B: Special Education Program in a Residential Facility
    - Code A: Home
    - Code J: Service Provider



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