



FLORIDA DEPARTMENT OF
EDUCATION
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Exceptional Student Education for Students with Disabilities

Jacob Oliva
Vice Chancellor of Public Schools

Major Tenets of the Individuals with Disabilities Education Act (IDEA) 2004

1. No student with a disability may be excluded from a free and appropriate public education (FAPE).
2. Schools must conduct a full, individual evaluation for all referred students who are suspected of having a disability to determine if extra supports are needed to ensure FAPE.
3. Evaluation must include a variety of assessment tools to collect functional, developmental and academic information on the student suspected of having a disability.
4. Students determined to have a disability must be educated with their non-disabled peers to the maximum extent appropriate.
5. When determining whether a student has a disability, the school and school district must ensure parental and student involvement.

Individual Educational Plan Key Points

1. After the evaluation of a student suspected of having a disability, the school conducts a meeting to determine eligibility or ineligibility for specialized services and interventions.
2. If the student is deemed eligible, the school team (designated school staffs), referred to as the Individual Educational Plan (IEP) team, parent and student meet to complete an IEP and determine which special services, supports and interventions the student needs in order to meet established goals.
3. The IEP team will decide and implement progress monitoring provisions for the selected strategies and supports and, at least once per 12 months, develop a new IEP.

Individual Educational Plan Components

1. Present level of academic achievement and functional performance
2. Measurable annual goals
3. Special education and related services
4. Frequency, duration, location of those services
5. Accommodations
6. Participation in statewide assessment

Individual Educational Plan Provisions of Service

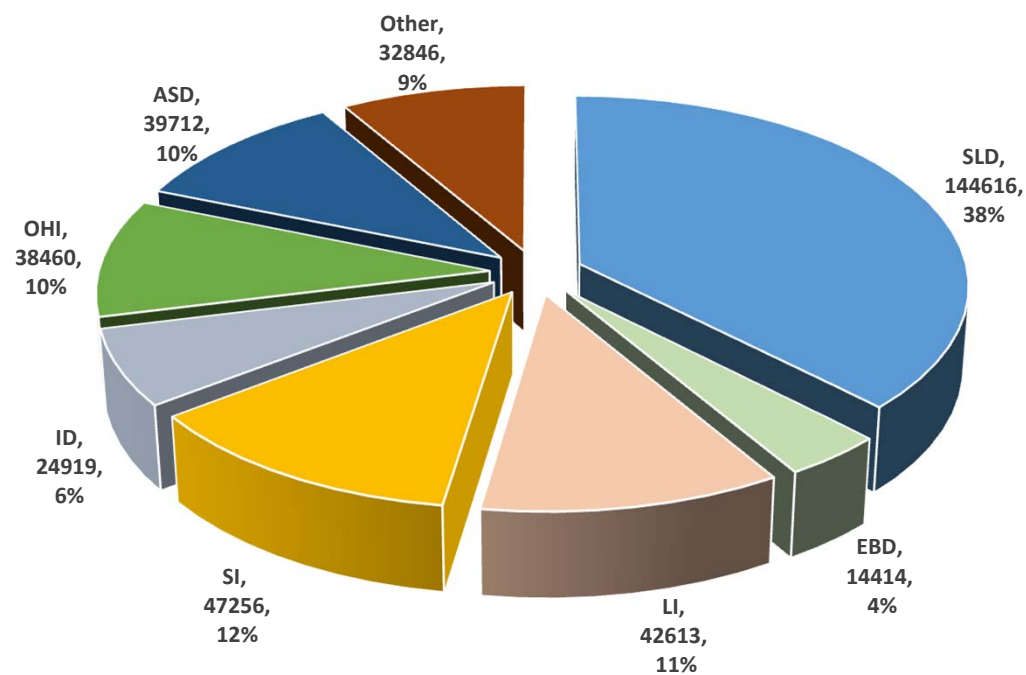
Services and interventions can include the following:

1. Special teaching methods, materials and strategies
2. Adaptive equipment and technology
3. Therapy services (e.g., counseling, behavior, speech)
4. Special provisions for bus transportation
5. Educational curriculum accommodations and/or modifications

Categories of Eligibility

- Specific Learning Disabilities (SLD)
- Intellectual Disabilities (InD)
- Emotional/behavioral disabilities (E/BD)
- Visually Impaired (VI)
- Deaf or Hard-of-Hearing (DHH)
- Dual Sensory (DSI)
- Speech or Language impaired (SI or LI)
- Autism Spectrum Disorder (ASD)
- Other Health Impaired (OHI)
- Traumatic Brain Injury (TBI)
- Orthopedically Impaired (OI)
- Developmentally Delayed (DD)
- Established condition

Florida's Students with Disabilities Fall 2017



Source: Final Survey 2, 2017-18

Students Who Exhibit Emotional/Behavioral Disabilities (E/BD) Definition and Services

- A student with an emotional/behavioral disability has persistent (is not sufficiently responsive to implemented evidence based interventions) and consistent emotional or behavioral responses that adversely affect performance in the educational environment that cannot be attributed to age, culture, gender or ethnicity.
- Students who exhibit E/BD are best addressed through a school-wide system of positive behavioral supports where interventions are developed through a problem-solving process, and data are used to monitor and evaluate intervention effectiveness and inform decisions.
- Development of evidence-based interventions with sufficient intensity to match the student's needs should be performed by a school-based problem-solving/intervention team.
- Many students with E/BD will respond to evidence-based interventions developed through a problem-solving process and implemented with fidelity.

Students Who Exhibit Emotional/Behavioral Needs

- Some students, not limited to students with emotional/behavioral needs, will require additional supports in the form of specially designed instruction and related services beyond general education resources and supports.
- Students requiring individual interventions, should have a functional behavioral assessment (FBA) conducted, and individual interventions should be developed and implemented based on the FBA. There should be documentation that interventions have been implemented as designed prior to referring for an evaluation.
- An FBA is a process for developing useful understandings on how a student's behavior relates to his or her environment, equipping school staffs with data to make informed decisions for appropriate interventions.
- Specific interventions for the student should be documented on a Behavior Intervention Plan (BIP) on the IEP or a separate document.

Discipline Procedures for Students with Disabilities

- For students with disabilities whose behavior impedes their learning or the learning of others, strategies, including positive behavioral interventions and supports to address that behavior, must be considered in the development of their IEPs.
- School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the requirements and procedures, is appropriate for a student with a disability who violates a code of student conduct.
- Section 615(k)(1)(A); 34 CFR §300.530(e) IDEA 2004
- Rule 6A-6.03312, Florida Administrative Code (F.A.C.)

Manifestation Determination

- A manifestation determination is a process by which the relationship between the student's disability and a specific behavior that may result in disciplinary action is examined.
- A manifestation determination must be made within ten (10) school days of any decision to **change the placement** of a student with a disability because of a violation of a code of student conduct.
- Section 615(k)(4); 34 CFR §300.530(e) IDEA 2004

Change of Placement

Change of Placement Because of Disciplinary Removals

For the purpose of removing a student with a disability from the student's current educational placement as specified in the student's IEP under Rule 6A-6.03312, F.A.C., a change of placement occurs when:

- The removal is for more than ten (10) consecutive school days, or
- The student has been subjected to a series of removals that constitutes a pattern that is a change of placement because:
 - the removals cumulate to more than ten (10) school days in a school year;
 - the student's behavior is substantially similar to the behavior in previous incidents that resulted in the series of removals; and
 - additional factors, such as the length of each removal, total amount of time the student has been removed, and the proximity of the removals to one another.

Section 615(k)(1)(E); 34 CFR §300.530(e) IDEA 2004

Discretionary Projects and Resources for Students Who Exhibit Emotional/Behavioral Disabilities

- **Florida Advancing Wellness and Resilience in Education (AWARE)**
 - Florida AWARE is committed to assisting school districts in developing safer schools, improving school climate, increasing awareness of mental health issues, and developing a continuum of social, emotional and behavioral supports that ensures improved outcomes for all students.
 - The project implements the Youth Mental Health First Aid (YMHFA) training component of the “Now is the Time” Project AWARE state educational agency (NITT AWARE SEA) grant by coordinating mental health literacy and response training for adults serving youth within the three Florida AWARE LEAs (Duval, Pinellas and Polk Counties). Florida AWARE coordinates with the SEA Florida School Climate Transformation (SCT) and expands current Bureau of Exceptional Education and Student Services initiatives focused on integrating social and emotional supports within Multi-tiered Systems of Support.
 - **Website:** <http://www.samhsa.gov/nitt-ta/project-aware-grant-information>
 - **Contact:** Donald Kincaid, kincaid@usf.edu

Discretionary Projects and Resources for Students Who Exhibit Emotional/Behavioral Disabilities

- **Multiagency Network for Students with Emotional or Behavioral Disabilities (SEDNET)**
 - SEDNET regional projects provide an intensive integrated educational program to include a continuum of mental health treatment services to enable students with or at risk of emotional or behavioral disabilities (E/BD) to develop appropriate behaviors and demonstrate academic and career education skills.
 - SEDNET is a network of 19 regional projects that are comprised of the major child-serving agencies, community-based service providers, and students and their families.
 - Local school districts serve as fiscal agents for each local regional project. Within this framework, SEDNET focuses on developing interagency collaboration and sustaining partnerships among professionals and families in the education, mental health, substance abuse, child welfare and juvenile justice systems serving children and youth with and at risk of E/BD.
 - **Website:** <http://www.sednetfl.info/>
 - **Contacts:** <http://www.sednetfl.info/Regions.aspx>

The Multiagency Network for Students with Emotional/Behavioral Disabilities



- Created by the Florida Legislature in 1984
- A statewide discretionary project funded by the Department of Education
- Works with other agencies to create and facilitate a network of stakeholders committed to providing quality care to children with or at risk of E/BD
- 19 regions across the state
- www.sednetfl.info

Florida Department of Education SEDNET Regions



SEDNETFL.INFO

The Multiagency Network for Students with Emotional/Behavioral Disabilities (SEDNET) creates and facilitates a network of key stakeholders committed to assisting in the provision of a quality system of care for students with or at-risk of emotional and/or behavioral challenges.

Training:

- Emotional Disabilities
- Trauma Informed Care
- Behavior Management
- Crisis De-escalation
- Self Regulation
- Restorative Practices
- Compassion Fatigue
- Resiliency
- Youth Mental Health First Aid

Services:

- Local Resource Guides
- Community and Systems of Care facilitation
- Data review and recommendations
- Interagency Collaboration
- Student Suicide Prevention
- Youth Mental Health First Aid
- DJJ Re-entry Team Support
- Access to System of Care: Wrap-around Services
- Family Assistance and Resources
- Participate in Interagency State, Regional and Local Review Teams

PROCESS FRAMEWORK

COORDINATING LOCAL,
REGIONAL & STATEWIDE SUPPORT
SERVICES FOR CHILDREN AND FAMILIES



AGENCY/SCHOOL REVIEW PROCESS

Agency/School Review Teams Working for Resolution of Child/Student Needs

INTERAGENCY REVIEW PROCESS

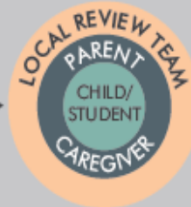
Local, Regional and State Review Teams Working for Resolution of Child/Student Needs



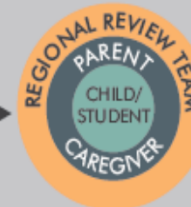
If unable to resolve,
seek assistance from
Multi-Disciplinary Team



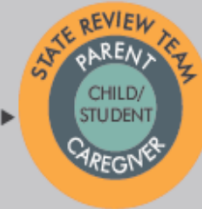
If unable to resolve,
seek assistance through
formal request to
Local Review Team



If unable to resolve,
seek assistance through
formal request to
Regional Review Team



If unable to resolve,
seek assistance through
formal request to
State Review Team



If unable to resolve,
**agency executive
management** will be
notified and will continue to
work collaboratively for
resolution

LOCAL REVIEW TEAM

Local agency, SEDNET
Project Mgr, School Rep, &
contractors/providers,
as appropriate

REGIONAL REVIEW TEAM

Regional agency, SEDNET
Administration, School District
Rep, & contractors/ providers,
as appropriate

STATE REVIEW TEAM

State agency leadership,
FL Children & Youth Cabinet
Reps., & other state level
stakeholders, as appropriate



Each Review Team communicates information/resolution **back** to all involved stakeholders

Discretionary Projects and Resources for Students Who Exhibit Emotional/Behavioral Disabilities

- **Florida Positive Behavioral Interventions and Support: Multi-tiered Systems of Support (FLPBIS: MTSS)**
 - Because significant behavior problems contribute to unsafe school environments and to reductions in student performance, the FLPBIS: MTSS Project is committed to building the capacity of school districts so that they may better assist schools to develop effective discipline, social skills teaching and behavior support strategies for all students.
 - **Website:** <http://flpbs.fmhi.usf.edu>
 - **Contact:** Donald Kincaid, kincaid@fmhi.usf.edu
- **Florida School Climate Transformation (Florida SCT)**
 - Florida SCT state educational agency grant significantly expands Florida's statewide system of behavioral support by providing training and technical assistance to local educational agencies in implementing an evidence-based, multi-tiered behavior framework for improving behavioral outcomes and learning conditions for all students.
 - **Website:** <http://cfs.cbcs.usf.edu/projects-research/detail.cfm?id=492>
 - **Contact:** Heather George, hgeorge@usf.edu



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