

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EXCEPTIONAL STUDENT EDUCATION

4.12+

Definition: An exceptional student shall mean any student who has been determined eligible for a special program in accordance with rules of the State Board of Education. The term includes students who are gifted and students with disabilities who have an intellectual disability; autism spectrum disorder; a speech impairment; a language impairment; an orthopedic impairment; any other health impairment; traumatic brain injury; a visual impairment; an emotional or behavioral disability; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; students who are deaf or hard of hearing or dual sensory impaired; students who are hospitalized or homebound; children with developmental delays ages birth through 9 years or through the student's completion of grade 2, whichever occurs first, or children, ages birth through 2 years, with established conditions that are identified in State Board of Education rules pursuant to s. 1003.21(1)(e).

- I. In accordance with state statute, the District will submit to the Florida Department of Education (FDOE) proposed procedures for the provision of special instruction and services for exceptional students once every three years.
- II. The plan for special programs and procedures for exceptional students shall include: screening procedures; General Education Intervention Procedures; referral procedures; eligibility criteria; program placement; program dismissal; and descriptions of program organization and operations.
- III. The plan for exceptional student education shall be subject to the approval of the State Department of Education.
- IV. The exceptional student education program shall function in accordance with the provisions of law, State Board of Education rules, and other applicable provisions of Board rules.
- V. Every parent, as defined by Florida Statutes, of an exceptional student shall be informed about the services that are available and appropriate for the student's disability. The Superintendent shall provide the student's parent with a summary of the student's rights.
- VI. At least 1 year before the student reaches the age of majority, the district shall provide information and instruction to the student and his or her parent/guardian on self-determination and the legal rights and responsibilities regarding the educational decisions that transfer to the student upon attaining the age of 18. The information must include the ways in which the student may provide informed consent to allow his or her parent to continue to participate in educational decisions, including:
 1. Informed consent to grant permission to access confidential records protected under the Family Educational 64 Rights and Privacy Act (FERPA) as provided in s. 1002.22.

2. Powers of attorney as provided in chapter 709.
3. Guardian advocacy as provided in s. 393.12.
4. Guardianship as provided in chapter 744.
5. Supported decision- making agreements as provided in F.S. 709.2209

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 1001.42, 1001.43, 1003.57, 1003.5176,
1006.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.0331, 6A-6.03411

HISTORY: **ADOPTED:** 08/31/01
REVISION DATE(S): 09/16/03, 11/12/07, 07/21/09, 04/02/19,
02/20/2024, 06/2024

FORMERLY: NEW

NOTES:
Please Refer To: E.S.E. District Procedures