



### **POLICY 8.13**

**5-A** I recommend that the Board approve development of the proposed revised Policy 8.13, entitled “The Department Of Alternative Education Programs..”

[Contact: Alexandra Deveroux, PX 44131]

#### **Development**

#### **CONSENT ITEM**

- This revision updates statutory references and the version of the Department of Alternative Education Procedural Manual that is incorporated by reference as part of the policy.
- The revision also incorporates by reference as part of the policy the relevant procedural forms.
- The policy includes the elements required by the State Board of Education rules as to the programs.

POLICY 8.13

EDUCATIONAL ALTERNATIVE PROGRAMS THE DEPARTMENT OF  
ALTERNATIVE EDUCATION PROGRAMS

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3  
4 1. Alternative Educational Programs

5 a. The District school system provides alternative education programs designed  
6 to meet the needs of students who are unmotivated, academically  
7 unsuccessful, or disruptive in the regular school environment.

8 b. Programs may be long-term or short-term and may take any form approved by  
9 the School Board pursuant to State Statutes and Rules of the State Board of  
10 Education.

11 c. The March 2008 revision to the Department of Alternative Education Program  
12 Information and Procedurales Manual FY 2001-2002 is incorporated herein by  
13 reference and made a part of this policy. Said Manual shall be filed with the  
14 Clerk of the School Board as a part of this Policy and shall be available for  
15 public inspection in the Office of Public Affairs and on the District's Educational  
16 Alternatives Department website at:  
17 <http://www.palmbeach.k12.fl.us/alternatieveed>. These procedures within this  
18 manual must be referred to in conjunction with all provisions of this policy, and  
19 both shall be interpreted consistently with federal and state law.

20 d. All forms referred to within the Department of Alternative Education Procedural  
21 Manual (hereinafter referred to as the "Manual") are incorporated herein by  
22 reference as a part of this Policy and may be obtained from the Department of  
23 Alternative Education ("the Department") or can be found on the School  
24 District's Records Management web site at:  
25 <http://www.palmbeach.k12.fl.us/Records/FormSearch.asp>.

26 e. A master list of current Alternative Education programs, site locations, and  
27 supporting program criteria will be maintained and updated on the Department  
28 of Alternative Education's website located at:  
29 <http://www.palmbeach.k12.fl.us/alternatieveed>.

30 2. Student Eligibility for Alternative Education Programs

31 a. ~~Eligibility of students may be determined by the criteria stated within Fla. Stat.~~  
32 ~~§230.2316(3), Fla. Stat., and/or State Board of Education Rule 6A-6.0524,~~  
33 ~~including:~~

34 i. ~~Evidence of lack of academic success such as low test scores, retention,~~

- 35                    ~~failing grades, low grade point average, falling behind in earning credits,~~  
36                    ~~or not meeting the State or District proficiency levels in reading,~~  
37                    ~~mathematics, or writing;~~
- 38                    ii.   ~~Being identified as having a pattern of excessive absenteeism or being a~~  
39                    ~~habitual truant; or~~
- 40                    iii.   ~~Having a pattern of disruptive behavior in school; or~~
- 41                    iv.   ~~Having committed an offense that warrants out-of-school suspension or~~  
42                    ~~expulsion under the District Code of Student Conduct.~~

43    3.   Student Voluntary Placement in Dropout Prevention and Academic Intervention  
44        Programs

- 45                    a.   ~~Except as provided in Section 4 below, placement in dropout prevention and~~  
46                    ~~academic intervention programs shall be voluntary.~~
- 47                    b.   ~~"Voluntary" is defined as assignment of students to a program only with~~  
48                    ~~custodial parent/guardian or adult student permission.~~
- 49                    c.   ~~Prior to the District's voluntary placement of a student in an alternative~~  
50                    ~~education program, the principal/designee shall provide written notice of~~  
51                    ~~placement or alternative academic services by certified mail, return receipt~~  
52                    ~~requested, to the student's custodial parent/guardian.~~
- 53                    d.   ~~Except as otherwise provided in State Board of Education Rule 6A-6.0524(6),~~  
54                    ~~when a student has not been returned to the regular educational program~~  
55                    ~~within a specified time after voluntary assignment to an alternative program~~  
56                    ~~that is designed to return unsuccessful or disinterested students to the regular~~  
57                    ~~program, the student shall be referred to the Child Study Team to determine if~~  
58                    ~~an evaluation for eligibility for services under the Individuals With Educational~~  
59                    ~~Disabilities Act ("IDEA") is needed.~~

60    4.   2. Student Involuntary Placement in Dropout Prevention Alternative Education  
61        Programs

- 62                    a.   ~~The District may assign students to programs for disruptive, delinquent,~~  
63                    ~~substance abusing, neglected, or state dependent students as provided in~~  
64                    ~~§§230.2316 through 230.23161, F.S., and State Board of Education Rules 6A-~~  
65                    ~~6.0526 through 6A-6.05281.~~
- 66                    b.   ~~"Assigned placement" is defined placement that is required by the District,~~  
67                    ~~without need for custodial parent/guardian or adult student permission.~~
- 68                    c.   a. Pursuant to The school principal/designee shall, prior to placement in an

69 alternative education program, provide written notice of the placement and  
70 review rights to the student's parent and follow the applicable procedures.  
71 The Alternative Education Director shall provide an annual notice as required  
72 by law. See Fla. Stat. § 1003.53(5) 230.2316(7), F.S., and State Board of  
73 Education Rule 6A-6.0521(2)(e), the custodial parent/guardian of a student  
74 assigned to an alternative education program shall be notified in writing and is  
75 entitled to an administrative review under Chapter 120, F.S., of any action by  
76 school personnel relating to such placement. Such notice shall be given within  
77 five (5) school days of the placement as required by Fla. Stat. §230.2316(7),  
78 F.S., and State Board of Education and Rule 6A-6.0521(2)(f)6.

79 d. ~~Pursuant to State Board of Education Rules 6A-6.0524(7) and 6A-6.0527(8),~~  
80 ~~the written notice of a student's assignment to any alternative education~~  
81 ~~program for unsuccessful, disinterested, or disruptive students shall advise of~~  
82 ~~the custodial parent/guardian's right to request an evaluation to determine~~  
83 ~~eligibility for exceptional student education. Prior to conducting an evaluation,~~  
84 ~~the school must document pre-referral activities.~~

85 e. ~~Any student assigned to an alternative education program for disruptive~~  
86 ~~students which is designed to return the student to the conventional~~  
87 ~~educational program shall be referred to the Child Study Team for an~~  
88 ~~evaluation of eligibility for exceptional student educational services if not~~  
89 ~~returned to the regular program after a specified time, except as otherwise~~  
90 ~~provided in State Board of Education Rule 6A-6.0527(7).~~

91 f. ~~As required by §230.2316(3)(d)(7), F.S., students assigned to second-chance~~  
92 ~~schools must be evaluated by the school's Child Study Team before~~  
93 ~~placement in a second chance school. The Child Study Team shall ensure that~~  
94 ~~students are not eligible for placement in a program for emotionally disturbed~~  
95 ~~children.~~

96 5. Teenage Parent Programs

97 a. ~~Pursuant to §230.23166, F.S., and State Board of Education Rule 6A-6.0525,~~  
98 ~~the Board has implemented a teenage parent program designed to provide a~~  
99 ~~specialized curriculum and other services to meet the needs of students who~~  
100 ~~are pregnant, students who are mothers or fathers, and children of such~~  
101 ~~students.~~

102 b. ~~The program is designed to provide comprehensive educational and ancillary~~  
103 ~~services to facilitate the parenting students' completion of high school.~~

104 c. ~~As provided in State Board of Education Rule 6A-6.0525(2)(a), participation in~~  
105 ~~a teenage parent program shall be voluntary, and no one may be assigned to~~  
106 ~~the program without annual custodial parent/guardian or adult student~~  
107 ~~permission.~~

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6. Department of Juvenile Justice Programs and Other Agencies

- a. ~~The Board provides educational programs pursuant to § 230.23161, F.S., and State Board of Education Rules 6A-6.0528 and 6A-6.05281 for students participating in a detention, commitment, or rehabilitation program under the jurisdiction of the Florida Department of Juvenile Justice or other state agency or sponsored by a community-based agency.~~
- b. ~~These students shall have an individual academic plan and shall be eligible for services that are afforded to students otherwise enrolled in programs under §230.2316, F.S., and corresponding State Board of Education Rules.~~
- c. ~~Upon completion of detention or a court-adjudicated placement, the placement in an alternative program must be reevaluated by the District.~~

7. 3. Students Eligible for Services Under IDEA/Section 504/ADA/LEP ELL

- a. Students who are eligible for services under the Individuals with Educational Disabilities Act ("IDEA") and are assigned via the *Alternative Educational Alternatives Information and Procedures Manual* to alternative education programs according to the procedures set forth in the *Alternative Education Information and Procedures Manual* must receive the program and services delineated in the Individualized Education Plans ("IEPs").
- b. Students who are eligible for services under Section 504 of the Rehabilitation Act ("Section 504") or the Americans with Disabilities Act ("ADA") and are assigned via the *Alternative Education Information and Procedures Manual* to alternative education programs according to the procedures in the *Alternative Education Information and Procedures Manual* must receive the program and services delineated in the Section 504 accommodation plans.
- c. Students who are eligible for ~~English for Speakers of Other Languages~~ ("ESOL") English Language Learners ("ELLS") services and are assigned to alternative education programs must receive the program and services delineated in the ~~Limited English Proficiency ("LEP")~~ English Language Learners ("ELLS") accommodation plans.

8. 4. Interagency Coordination and Student Records Confidentiality

- a. Alternative Education programs will be coordinated, as applicable, with social services, law enforcement, the State Attorney's Office, the Florida Department of Juvenile Justice, and other state agencies or private providers.
- b. Information contained in student records may be exchanged pursuant to School Board Policy 5.50(9), but the receiving agency must use the

144 information only for official purposes in connection with the administration and  
145 placement or withdrawal of students in alternative education programs and  
146 must maintain the confidentiality of the information pursuant to Fla. Stat. §  
147 1002.22 228.093, F.S., unless otherwise specifically provided by law.

148 9. 5. Individual Program Plans for Academic Intervention, Substance Abuse,  
149 Disciplinary and Youth Services Programs

- 150 a. Agency coordination. (See agency coordination provisions on Pages 4-5, 18  
151 and 25 of the Manual.)
- 152 b. Specific outcome objectives. (See applicable outcome objectives provisions  
153 on Pages 13, 16, 18, 26, 28 and 29 of the Manual.)
- 154 c. Evaluation. (See applicable evaluation provisions and statements on Pages  
155 14, 15, 17, 19, 26, 28 and 29 of the Manual.)
- 156 d. Specific student eligibility criteria. (See applicable student eligibility  
157 requirement provisions on Pages 7 through 13, 16, 17, 18, 19, 20, 25, 26, 28  
158 and 29 of the Manual.)
- 159 e. Student admission procedures. (See applicable student referral and packet  
160 requirement provisions on Pages 7 through 14, 16, 17, 18, 20, 25, 28 and 29  
161 of the Manual.)
- 162 f. Program operating procedures to include:
- 163 i. Curriculum (See applicable Curriculum provisions on Pages 6 and 28 of  
164 the Manual.)
- 165 ii. Special strategies (See applicable Strategies provisions on Page 6 of the  
166 Manual.)
- 167 iii. Equal access for eligible exceptional and limited English proficient  
168 students (See applicable Access provisions on Pages 6 and 26 of the  
169 Manual.)
- 170 iv. Student services -- The Alternative Education Principal facilitates student  
171 services provided to students who are enrolled in district-run middle/high  
172 schools, including those established to Cooperative Agreements and  
173 contracted programs. Services are based on the needs of the students  
174 and may include related services such as Speech and Language  
175 Therapy, Occupational Therapy, and Physical Therapy.
- 176 v. Grade levels of students served. (See applicable grade level statements  
177 on Pages 7, 14, 16, 17, 18, 25, 28 and 29 of the Manual.)
- 178 vi. Implementation sites. (See Paragraph (1) (e) above in this Policy.)
- 179 g. Total dropout prevention FTE student membership projected based on:
- 180 i. Number and length of class periods. (See applicable instructional periods  
181 provisions on Pages 13, 16, 19, 26, 27, 28 and 29 of the Manual.)

- 182 ii. Average class size -- This item varies between programs. In general  
183 these programs offer smaller class sizes and a variation of class times.  
184 Please see individual program description on this Department's web site  
185 for information specific to each program.
- 186 iii. Length of stay. (See applicable length of stay and exit option provisions  
187 on Pages 10 through 17, 19, 20, 21, 26, 27, 28 and 29 of the Manual.)
- 188 iv. Total number of students served. -- The projected number of students  
189 served will be reflected in a report located on this Department's web site  
190 based on the above factors and the capacity of the programs.
- 191 h. Personnel qualifications. -- Alternative Education schools and program  
192 administrators ensure that highly qualified personnel meet Florida Department  
193 of Education (DOE) requirements for certification. Following district  
194 procedures, teachers assigned to these programs possess the affective,  
195 pedagogical, and content-relate skills necessary to meet the needs of these  
196 students. (1003.53(4), Florida Statutes)
- 197 i. Staff development activities. -- The Department of Alternative Education  
198 provides training activities that include curriculum updates and special  
199 strategies to meet students' needs and are scheduled throughout the school  
200 year. The Alternative Education training plan consists of administrator,  
201 instructional, and non-instructional training which includes following areas:  
202 computer based instruction, competency based instruction, classroom  
203 management, learning styles inventories and reading instruction models.
- 204 10. 6. Individual Program Plans for Teenage Parents
- 205 a. Agency coordination. (See agency coordination provisions on Pages 4-5 of  
206 the Manual.)
- 207 b. Specific outcome objectives. (See outcome objectives provisions on Page 22  
208 of the Manual.)
- 209 c. Evaluation. (See Evaluation provisions on Pages 23-24 of the Manual.)
- 210 d. Specific student eligibility criteria. (See student eligibility provisions on Page  
211 23 of the Manual.)
- 212 e. Student admission procedures. (See student admission procedure provisions  
213 on Pages 7 and 23 of the Manual.)
- 214 f. Program operating procedures to include:



- 215 i. Pregnancy- and parenting-related curriculum. (See applicable Curriculum  
216 provisions and statements on Pages 6 and 23-24 of the Manual.)
- 217 ii. Special strategies. (See applicable Strategies provisions on Page 6 of  
218 the Manual.)
- 219 iii. Equal access for eligible exceptional and limited English proficient  
220 students. (See applicable Access provision on Pages 6 and 22 of the  
221 Manual.)
- 222 iv. Student services.
- 223 A. Description of child care services. (See child care provisions on  
224 Pages 23 and 24 of the Manual.)
- 225 B. Description of health services. (See health services provisions on  
226 Page 24 of the Manual.)
- 227 C. Description of social services. (See social services provisions on  
228 Page 24 of the Manual.)
- 229 D. Description of transportation. (See transportation provisions on  
230 Page 24 of the Manual.)
- 231 E. Other services which may be provided to participants. -- The  
232 Alternative Education Principal facilitates student services provided  
233 to students who are enrolled in district-run middle/high schools,  
234 including those established to Cooperative Agreements and  
235 contracted programs. Services are based on the needs of the  
236 students and may include related services such as Speech and  
237 Language Therapy, Occupational Therapy, and Physical Therapy.
- 238 v. Implementation sites. (See Paragraph (1) (e) above in this Policy.)
- 239 vi. Length of stay in program for students and their children. (See length of  
240 stay, instructional period, and exit option provisions on Pages 22, 23, and  
241 24 of the Manual.)
- 242 vii. Total teenage parent program FTE projected for students and their  
243 children. (The projected number of students served will be reflected in a  
244 report located on this Department's web site based on the above factors  
245 and the capacity of the programs.)

246 g. Personnel qualifications. -- Alternative Education schools and program  
247 administrators ensure that highly qualified personnel meet Florida Department  
248 of Education (DOE) requirements for certification. Following district  
249 procedures, teachers assigned to these programs possess the affective,  
250 pedagogical, and content-relate skills necessary to meet the needs of these  
251 students. (1003.53(4), Florida Statutes)

252 h. Staff development activities. -- The Department of Alternative Education  
253 provides training activities that include curriculum updates and special  
254 strategies to meet students' needs and are scheduled throughout the school  
255 year. The Alternative Education training plan consists of administrator,  
256 instructional, and non-instructional training which includes following areas:  
257 computer based instruction, competency based instruction, classroom  
258 management, learning styles inventories and reading instruction models.

259 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32(2); 1001.41(1), (2); 1001.43(1);  
260 1003.53(2) 230.22(1); 230.22(2); 230.2316(4)

261 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.42(4)(l), (m), (n); 1003.52; 1003.53; 1003.54  
262 230.23(4)(n); 230.23(4)(p); 230.2316; 230.23161; 230.23166

263 HISTORY: 2/7/79; 5/5/82; 4/6/83; 01/14/2002;     /    /2008

Legal Signoff:

The Legal Department has reviewed proposed Policy 813 and finds it legally sufficient for development by the Board.

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Attorney

Date

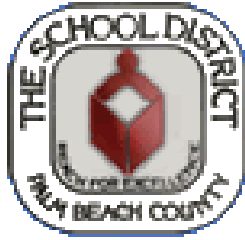
**Department of  
Alternative Education**



*"Lighting a Pathway to Success"*

# Procedural Manual

*Revised March 2008*



# Department of Alternative Education Revised March 2008

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Alexandra Deveroux

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# Chapter 1

## Introductory Information

The *Department of Alternative Education Procedural Manual* (Manual) has been updated for compliance with the most current Federal laws, Florida Statutes, and Florida Administrative Code Rules (the Florida Administrative Code Rules cited herein were promulgated or adopted by the State Board of Education). In addition, these updates ensure consistency with current School Board of Palm Beach County (School Board) policies and practices.

This Manual shall be interpreted in reference to and compliance with Federal and Florida laws. Forms referenced in this Manual can be found on the Alternative Education web site at [www.palmbeach.k12.fl.us/alternativeed/](http://www.palmbeach.k12.fl.us/alternativeed/) and on the District's web site at [www.palmbeach.k12.fl.us/records/formssearch.asp](http://www.palmbeach.k12.fl.us/records/formssearch.asp). Hard copies can be obtained from the Department of Alternative Education (DAE).

### Goals of Alternative Education Programs

1. To improve graduation within the Alternative Education arena.
2. To return students to home school with academic and social skills

### Available Programs: (Fla. Admin. Code Rule 6A-6.0521(1))

- ❖ Academic Intervention
- ❖ Behavior Intervention Programs
- ❖ Teenage Parent Programs
- ❖ Juvenile Justice Programs
- ❖ Residential Treatment Programs

Alternative Education programs may be offered at alternative sites, regular school campuses, or any location approved by the district's school board as a school center. Programs may be offered full-time or part-time. This manual is not intended to create any rights toward the continuation of these current specific programs, sites and/or administrators relating to these programs.

The DAE web site at [www.palmbeach.k12.fl.us/alternativeed](http://www.palmbeach.k12.fl.us/alternativeed) details specific information as to current administrative staff, site locations, and programs to be found at each site. Each Alternative Education program listed on the web site addresses specific student eligibility criteria, specific student outcomes, evaluation process, projected enrollment, school improvement plans, staff development, instructional schedule and program design elements. **Hard copies of the web site information may be obtained from DAE.**

### Agency Coordination

The DAE has access to a host of community agencies and services available to assist our students and families in need. These community agencies are made available through approved cooperative agreements with The School District of Palm Beach County (School District). These agencies are required to update security and insurance information, as well as obtain a current vendor badges issued by school police annually. Any agency representative on site participating as a School-Based Team member or providing individual, group or therapeutic services to a student(s) at any Alternative Education site must have available his/her current vendor badge.

The following is a suggested agency list including, but not limited to, community agencies which may assist the various segments of Alternative Education program criteria if the services meet the needs of the student(s) and/or the students' family. Additional agencies can be located on DAE's web site.

Aid to Victims of Domestic Abuse, Inc  
Big Brothers/Big Sisters of Palm Beach County  
Boys and Girls Club of Palm Beach County  
Camelot Community Care, Inc.  
Bureau  
Center for Family Services of Palm Beach County  
Center for Group Counseling (South County)  
Children's Home Society  
Drug Abuse Treatment Association, Inc.  
Families First (formerly CCMO)  
Girls and Boys Town of South Florida  
Healthy Mothers/ Healthy Babies

Hearts and Hope  
Multilingual Psychotherapy Centers, Inc.  
Oakwood Center of the Palm Beaches  
Palm Beach County Youth Services

Parent Child Center  
South County Mental Health Center  
Urban League of Palm Beach County  
Department of Juvenile Justice (DJJ)  
(through a cooperative agreement)  
Division of Children & Families (DCF)  
(through a cooperative agreement)

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## Chapter 2

### Operating Procedures

#### Curriculum

The curriculum at Alternative Education sites is individualized to meet the needs of students. The goal is to enable students to progress to their next grade level and/or graduate from high school with a regular or special diploma. As allowed under Fla. Admin. Code Rule 6A-6.05291, modifications to the courses listed in the Florida Course Code Directory and the amount of in-class instruction required for a student to earn a credit may be lengthened or shortened, including competency based learning.

#### Support Strategies

Alternative Education Programs will include, as needed and applicable, strategies not limited to:

- Behavior Modification curriculum
- Career and Vocational education
- Career exploration
- Character education
- Competency based instruction based on Sunshine State Standards
- Computer assisted learning
- FCAT Preparation
- GED exit option
- Graduation Status Plan
- Individual and group counseling
- Individualized Student Performance Plan
- Integrated computer skills
- Job Coaching
- Low pupil to teacher ratio
- Pre/Post Academic Assessment
- Restorative Justice
- Service Learning
- Social Skills Development
- Speech-Language, Occupational or Physical Therapy
- Test-taking and study skills
- Variety of individual instructional strategies

#### Equal Access

Alternative Education District Schools provide equal access to students who are eligible for Exceptional Student Education (ESE) and English Language Learners (ELL).

## Chapter 3

### Student Referral Process

The referral of any elementary or secondary student to an Alternative Education Program requires, at minimum, the following steps and procedures:

- Meeting must be scheduled at SAC school with Area Liaison in attendance
- PBSO Forms 1051 and 1546, and, depending upon the needs of the student, 1848 (special needs students only) and 1891 and/or 1892 must be completed with all required signatures at the meeting
- Complete referral packet must be submitted to the Alternative Education office for review
- Area Superintendent must be notified of the referral for placement (This consists of a signature by the Area Superintendent after being reviewed for compliance by DAE to verify appropriate student assignment)
- Parent, SAC School, and Receiving school will receive notification of approval

Additional steps, as stated below, may be required based on the needs of the student (ESE, ELL, teen parent, etc.) or the type of program the referral is being completed for (e.g., Academic, Behavioral)

#### **ACADEMIC INTERVENTION PACKET REQUIREMENTS**

##### Secondary Students: General Education, ESE, and 504 students

The referral of secondary students to an Alternative Education Academic Intervention Program requires the general AE referral procedure listed above. ESE, ELL, or Section 504 (504) students being referred to Academic Intervention Programs must also include PBSO Form 1895 and/or PBSO Form 1896.

All students must meet one or more of the following academic eligibility criteria, as well as any gender or age considerations for the particular program:

- Student has been retained.
- Student has failing grades or grades not commensurate with documented ability levels.
- Student has low GPA.
- Student has fallen behind on credits.
- Student has not met State or District proficiency levels in reading, math or writing.
- Student has high absenteeism.
- Student has performed successfully in an Alternative Education program and wishes to remain in such program.
- ESE/ELL students will be considered if IEP team and/or ELL team recommends placement and student needs can appropriately be met.

The home school is responsible for arranging any necessary transportation and informing the student and his/her parent/guardian that the student may enroll in the recommended program. The school principal or his/her designee shall, prior to placement in an academic intervention program, provide written notice of placement or services by certified mail, return receipt requested, to the student's parent. Fla. Stat. § 1003.53(5).

The parent of the student shall sign an acknowledgment of the notice of placement or service and return the signed acknowledgment to the principal within 3 days after receipt of the notice. The student may enroll after notification of approval. See also Fla. Admin. Code Rule 6A-6.0521(2)(e), Rule 6A-6.0521(2)(f)(6).

## **BEHAVIOR INTERVENTION PACKET REQUIREMENTS**

### General Education Elementary and Secondary Students (including 504 students):

Placement in these programs involves:

When a student (grades 3-12) is identified as behaviorally at-risk, the student is referred to the School-Based Team (SBT), Child Study Team (CST), Section 504 Committee (504 Committee), ELL Committee, Individualized Education Plan (IEP) Team, ELL or 504 Committee, with behavior concerns.

The Team or Committee convenes and recommends research-based interventions involving a variety of educational and student services that are implemented for a reasonable period of time, unless the student committed an expellable offense as stated within Fla. Admin. Code Rule 6A-6.0527(4). If the interventions are successful, the child is monitored at the school site. If interventions are not successful the appropriate team reconvenes to discuss options. Non-ESE students must be referred to CST if further options are to include recommendation to a Discipline Alternative Education Program.

If the child is eligible for ESE, a referral to the IEP Team is issued to schedule and hold a meeting to discuss if placement in a Behavior Intervention Program is appropriate. See pages 12 through 15 of this Manual for Interim Alternative Educational Setting (IAES) procedures under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) for ESE students.

Procedures for placements of students pending expulsion, felony suspension, or IAES 45-day placements are found in this manual later in this Chapter.

### **The Alternative Education administrator (or designee) must be invited to consider Alternative Education Placement.**

The referral of elementary and secondary students to an Alternative Education Behavior Intervention Program requires the general AE referral procedure listed on page 7. ESE, ELL, or 504 students being referred to Behavior Intervention programs must also include PBS Form 1550, and PBS Form 2104.

A student must meet one or more of the following eligibility criteria:

- History of chronic or severe disruptive behavior which interferes with his/her own or others' educational program(s) or results in frequent conflicts of a disruptive nature in or out of the classroom while the student is under the jurisdiction of the school
- Student severely threatens the general welfare of others
- Student requires assistance in behavior modification beyond that which can be provided in the traditional class
- Student has committed an offense which would warrant out-of-school suspension
- Repeated out-of-school suspensions
- Student is a habitual truant

In addition to the above criteria, a student may qualify for behavior interventions under the following situations:

- Pending expulsion
- Expelled by School Board action
- ESE/IAES 45-day placement
- Re-entry from a Juvenile Justice or community control program
- Felony suspension

Prior to a behavioral referral to a Behavior Intervention Program, all elementary students must also be evaluated for ESE services at the comprehensive school site. If the student is found to qualify for ESE services, the ESE student placement process must also be followed. If the student does not qualify for ESE services, the pre-referral interventions can be applied:

### ESE Students

The placement of ESE students in an Alternative Education Program requires the same documentation as general education placements. In addition, a complete and updated Functional Behavioral Assessment (FBA) and Behavioral Intervention Program must be included in the referral packet. The following must also occur or be included in the packet, in addition to regular education procedures:

- For Incident-Based Placement (ESE and 504 students): a Manifestation Determination Review (MDR) must occur prior to placement consideration. If the incident is deemed to be a manifestation of the student's disability following the MDR, then alternative education placement cannot be a consideration for that particular incident.
- Copies of the current/updated IEP, matrix, FBA/BIP (PBSD Form 1549), FAPE, last psycho-educational report, and most recent reevaluation.

For ESE student behavior referrals, see also School Board Policy 5.725 and the incorporated document entitled: "Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students," Part II, Section W.

### Felony Suspension Procedures

(Fla. Stat. § 1006.09(2); Fla. Admin. Code Rule 6A-1.0956)

Suspension Action: As authorized by Florida Statute, the school principal may suspend a student, other than a student with disabilities, enrolled at his/her school who has been **formally charged** by a proper prosecuting attorney with a felony or with a delinquent act committed **off school property**, that would be a felony if committed by an adult. Such a suspension is not automatic. The continued enrollment of the student must pose a threat to the safety of the student or others, or must cause a serious disruption to the educational environment. (School Board Policy 5.80(5).)

Placement: Following appropriate due process procedures specified in School Board Policy 5.80(5) for Felony Suspension, and notice to the parent through PBSD Forms 1923 and 1924, a student so charged off the school property may be assigned by the principal, with approval of the area Superintendent, to receive educational services at another school, another program, or an alternative program.

ESE Students: The Florida Statute pertaining to felony suspensions is inapplicable to ESE students with disabilities. Per state law, "If the student is a student with a disability, the disciplinary action must comply with the procedures set forth in state board rule." Fla. Stat. § 1003.31(3).

ESE students with disabilities may not be unilaterally placed in an Alternative Education setting due to a felony suspension. The IEP Team may, however, make a recommendation and document the need for an Alternative Education placement.

504 Students: Felony suspension proceedings, in accordance with School District Policy, may be imposed against a student with an active 504 Accommodation Plan. A MDR must be convened to determine if the incident was a manifestation of the student's disability.

ELL Students: All letters to the custodial parent/guardian and forms he/she is asked to read or sign must be in the custodial parent/guardian's native language. In addition, a translator must be present at the hearing.

District Support for Facilitating Felony Suspensions:

- The principal must send DAE the required information and documentation regarding all felony suspensions. The DAE will contact the School District's Office of Chief Counsel, Department of Legal Services (Legal Services) if there is a need for interpretation of statute or other law regarding the status of alternative placements for felony suspensions.
- DAE makes the arrangements to enroll students at an appropriate designated site and ensures that the documentation supports State and District compliance requirements. The home school arranges transportation. The Senior Transportation Coordinator at the Area Compound may request that a student be assigned to a site outside the student's SAC Area due to availability of transportation.

Exit Options & Procedures for Felony Suspension

- ♦ If a regular education student is adjudicated guilty by the court, the principal may recommend to the School Board that the student be expelled through the regular expulsion procedures.
- ♦ If a student is not adjudicated guilty by the court or is found guilty of a lesser charge that is not a felony, the area Superintendent/designee shall recommend appropriate placement.

**Expulsion Procedures**

(Fla. Stat. §§ 1003.01(6), 1006.09(1)(c))

Expulsion Recommendation: (Fla. Stat. § 1006.09(1)(c); School Board Policy 5.1817)

The school principal is the only person who may request that the Superintendent recommend to the School Board that a student be expelled. Students recommended for expulsion are to continue receiving educational services in an Alternative Education program after the suspension period for the offense. After the suspension period, students recommended for expulsion are assigned to an appropriate site.

The School District's Expulsion Screening Committee (ESC), authorized in School Board Policy 5.1817(3)(d), decides on whether an expulsion moves forward or not. If the ESC decides not to move forward with expulsion recommendation to the School Board, then the Area Superintendent decides on the placement for the student.

The Area Superintendent may assign these students to a Behavior Intervention site as follows:

- ◆ Student is awaiting the outcome of the ESC.
- ◆ Student is awaiting outcome of School Board action on recommendation for expulsion.
- ◆ Student has been expelled by School Board action.
- ◆ The expelled student is entering the district from another school system.

Forms required for expulsion recommendation include: Alternative Education Eligibility/Consent for Placement (PBSD 1546), Student Suspension Letter (PBSD 0215), Recommendation for Expulsion Letter to Parent (PBSD 0262), Summary of Incident, and a copy of the student referral.

*Note:* For elementary school students being considered for expulsion, the home school must schedule and conduct a Child Study Team (CST) meeting during the 10-day out-of-school suspension period. Elementary expulsion referrals only: Signed Parent Consent for Individual Student Evaluation (PBSD 0297). The CST meeting must include a parent/guardian and appropriate staff. At that meeting, consent for ESE testing and all interventions that have been attempted at the home school will be obtained. On the eleventh (11<sup>th</sup>) day of out-of-school suspension, the student is eligible to begin an Alternative Education placement.

#### Support for Facilitating Expulsion Recommendations:

- ◆ Legal Services receives the required information and documentation from the principal regarding all recommendations for expulsion. Legal Services maintains contact with the Superintendent's Office and with Alternative Education regarding the status of all recommendations.
- ◆ DAE makes arrangements to enroll students at an appropriate Alternative Site and ensures that documentation supports State and School District compliance requirements.
- ◆ Transportation is provided for the expelled elementary student. Secondary students will be issued a Palm Tran pass. The Senior Transportation Coordinator at the Area Compound may request that a student be assigned to a site outside the student's SAC Area due to availability of transportation.
- ◆ Each Area Office will monitor recommendations for expulsion. If the principal needs additional assistance, the Area Superintendent should be contacted.

#### Exit Options & Procedures for Expelled Students

At the completion of the expulsion period, a placement meeting is held in compliance with School Board Policy 5.1817(8). Students whose expulsion periods have expired shall return to a School District school site.

Action required thirty (30) days prior to the expiration of the expulsion period:

1. DAE notifies the Area Superintendent that the student's expulsion period is expiring.
2. The Area Superintendent consults with the Area Alternative Education Placement Liaison (Area Liaison) regarding the post-expulsion placement of the student.

3. The Area Liaison informs the student and parent/guardian of the student's post-expulsion placement as follows:
- ◆ For students enrolled in a District Alternative Education program during the expulsion period, a placement meeting is held at the student's Alternative Education site.
  - ◆ In addition to inviting the individuals listed on the Student Exit Report (PBSD Form 1605), the Area Liaison invites (if appropriate) the Juvenile Justice caseworker and the Alternative Education contact of the receiving school if different from the home school.
  - ◆ A Student Support Plan is completed during the meeting (PBSD Form 2007). If the parent/guardian does not attend the meeting, the Area Liaison sends to the student's parent/guardian a certified letter from the Area Superintendent that indicates the student's assigned school, the start date, and instructions for enrollment.
  - ◆ For students who are **not enrolled** in a District Alternative Education Program, the Area Liaison sends to the student's parent/guardian a certified letter from the Area Superintendent that indicates the student's assigned school, the start date, and instructions for enrollment, with a copy to the receiving school.

Early Reinstatement from Expulsion: The School District allows for a student to apply for Early Reinstatement from Expulsion (ERE). To request ERE, a parent must contact Legal Services and complete required paperwork and complete the required paperwork during the timeframe designated by Legal Services. Early Reinstatement may only occur at the beginning of each semester. See School Board Policy 5.1818. ERE may only occur at the beginning of each semester. For further explanation, see School Board Policy 5.1818.

### **ESE/Interim Alternative Education Setting Placement Procedures**

*Note:* Florida has incorporated the Federal special education guidelines of the Individuals with Disabilities Improvement Act of 2004 (IDEA) into the Florida Statutes (§ 1003.57) and the Florida Administrative Code (Chapter 6A-6).

#### **ESE/Interim Alternative Educational Setting Placement:**

A principal may move a student eligible to receive services under the IDEA to an Interim Alternative Educational Setting (IAES) for up to 45 school days, without the consent of the custodial parent/guardian, for certain specific offenses involving drugs, weapons, or the infliction of serious bodily injury. The IDEA refers to these offenses "special circumstances." This is the only time a principal, with Area Superintendent approval, may unilaterally move an ESE student without an Individualized Education Plan (IEP) Team meeting. (School Board Policy 5.189).

*Note:* On the date on which the decision is made to unilaterally move an ESE student to an IAES placement, the school must notify the parents of that decision, and provide the parents a procedural safeguards notice.

Requirements for an IAES placement:

- The home school must contact the Director of Alternative Education or the designee and complete the IAES request for placement form and electronically transmit to Alternative Education designee.

- Alternative Education reviews and (if the request is found legally sufficient) will notify the home school to discuss the student's IEP to ensure that services can be delivered at the Alternative Education site
- Home school must arrange transportation.
- Alternative Education notifies home school principal, receiving school of date of placement.
- Student can enroll the next day or as soon as transportation is arranged.

The following meetings must be held in regard to an IAES placement:

1. If applicable, the student must have exhausted or declined all opportunities for district-provided alternative to out-of-school suspension for drug offenses.
2. Within ten (10) days of placement in the IAES, an IEP Team must convene to review the IEP, determine if the behavior was a manifestation of the student's disability, and determine whether the IEP can be implemented at the Alternative Education site. This process is called the Manifestation Determination Review (MDR). *Note: Even if the student's behavior is determined to be a manifestation of disability, the IEP Team is legally authorized, and may decide, to place the student in the IAES for the remainder of the 45-day period.*
3. The IEP Team must also review the student's behavioral intervention plan, if one exists, and revise the plan as necessary. If there is no behavioral plan in place, the IEP Team must obtain custodial parent/guardian consent to conduct a Functional Behavioral Assessment (FBA) and subsequently develop an appropriate behavioral plan. When appropriate, this meeting will take place at the Alternative Education site.
4. Prior to the end of the 45-school day IAES placement, the IEP Team must convene to determine an appropriate setting for the implementation of the IEP upon expiration of the 45-school day placement.

The student must continue to receive a free appropriate public education (FAPE), as required by the IDEA and state law during the IAES period. This includes implementation of the student's IEP and any behavioral plan. The IAES placement must allow the student to access the general curriculum. The student must also continue to receive those services and modifications, including those described in the student's current IEP, that will enable the child to meet the goals set out in that IEP.

If a parent disagrees with the MDR and/or the IAES placement, the parent may file an expedited request for a Due Process Hearing (DPH) with the state's Department of Administrative Hearings (DOAH). An expedited Hearing must be held within 20 school days from the date the Due Process request was filed with DOAH. An ALJ from DOAH will then decide the issue(s). DOAH must issue a final order within 10 school days after the Hearing concludes.

An ALJ's final order will generally take the form of one of the following:

1. Determine that the MDR and IAES placement are appropriate and deny the challenge to the school's action.
2. Determine that the MDR and IAES placement are appropriate because maintaining the current placement is substantially likely to result in injury to the student or to other persons.
3. Require the student to return to the placement from which the student was removed, if the ALJ determines the removal violated the Federal or State law.



4. Determine the student's behavior was a manifestation of the child's disability and order the student to return to the home school.

See 34 C.F.R. §§ 300.530, 532(b) (IDEA Part B Regulations).

IDEA Definitions: The IDEA defines the "special circumstances" offenses involving illegal drugs and weapons that the principal must consider before making the recommendation for a 45-day IAES, as follows:

- ◆ **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in Section 202(c) of the Controlled Substance Act [21 USC 812(c)].
- ◆ **Illegal drug** means a controlled substance, but does not include a substance that is legally possessed or used under the supervision of a health care professional or that is legally possessed or used under any other authority under the [IDEA] or under any other provision of Federal law.
- ◆ **Dangerous Weapon** is an instrument, material, substance or device that is used for, or readily capable of, causing death or serious bodily injury, except that this does not include a pocket knife with a blade of less than 2 ½ inches in length. Note: This "dangerous weapon" definition applies to IAES placements only.

#### Support of IAES Placements

- ◆ DAE is contacted by the school principal/designee for ALL cases requiring an ESE/IAES 45-day placement. Legal Services maintains contact with DAE regarding the status of all ESE/IAES recommendations.
- ◆ DAE arranges to enroll the student at an Elementary Behavior or a Secondary Behavior Intervention school site and ensures that documentation supports State and School District compliance requirements.
- ◆ The Senior Transportation Coordinator at the Area Compound may request that a student be assigned to a site outside the student's SAC Area due to availability of transportation.
- ◆ The Area Office monitors ESE/IAES placements. If the principal needs assistance with the ESE/IAES placement from the Area Office, the Area ESE Team Leader should be contacted.
- ◆ The following forms must be completed for an ESE/IAES Placement Packet: PBSO Forms 1546 (Consent for Placement), 0215 (Student Suspension Letter), and 1897 (Procedures Checklist of ESE/IAES Placement).

#### Exit Options & Procedures for IAES Students

Prior to the end of the IAES-removal period, the IAES site must schedule and conduct a follow-up IEP meeting to determine an appropriate placement upon the expiration of the 45-school day period. *As a best practice, DAE strongly recommends that the follow-up IEP meeting date be scheduled during the first IEP meeting.*

At the IAES exit meeting, the IEP Team must plan for the student's successful return to a comprehensive campus. If the IEP Team recommends continuation at the Alternative Education placement, the following documents must be present:

- Documentation of unsuccessful interventions attempted by the home school prior to the IAES placement (PBSD Form 2104)
- Results from data showing implementation of FBA/BIP for targeted behaviors (PBSD Form 1549) and PBSD Forms 1546, 1891, 1051, updated IEP (0659), FAPE 1723, matrix 2000.

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## Chapter 4

### Academic Intervention Programs

(Fla. Stat. § 1003.53; Fla. Admin. Code Rule 6A-6.0524)

Academic intervention programs may be housed at other program sites. These Alternative Education programs are designed to serve students in grades 6-12 who are unmotivated or unsuccessful and have strong emphasis in appropriate agency coordination, as specified in Fla. Admin. Code Rule 6A-6.052(2)(b). Participation is voluntary. Students are not assigned to these programs without parental or guardian permission. Fla. Admin. Code Rule 6A-6.0524(1).

#### **Outcome Objectives**

##### Program Objectives

Academic Intervention programs provide academically challenged students the opportunity to:

- Stay in school and/or accumulate credits towards earning a high school diploma
- Improve socialization skills
- Improve Academic performance
- Improve attendance
- Successfully move through Pupil Progression

Fla. Admin. Code Rule 6A-6.05292(1)(a)(1-4).

##### Student Outcome Objectives

Instructional models, classroom activities, and program components are designed to ensure positive, successful school experiences.

Student outcome objectives also include:

- Earning credits towards high school graduation
- Improving academic performance, GPA, or meeting state proficiency standards
- Improving attendance
- Achieving grade level promotion

##### Instructional Periods

Instruction shall be provided for at least two (2) instructional periods per day, unless the student participates in a student support and assistance component rather than the standard drop-out prevention program. Fla. Admin. Code Rule 6A-6.0524(3).

##### Length of stay

In order for the student to fully benefit from an Academic Intervention Program, a student should commit to a minimum of one semester. Programs may vary based on program specific criteria.

## Evaluations

Any student assigned to a Alternative Education program for unsuccessful or disinterested students, which is “designed to return the student to the conventional educational program, shall be referred for an evaluation of eligibility for exceptional student educational services if not returned to the regular program after a specified period of time. Fla. Admin. Code Rule 6A-6.0524(6). Students identified according to Rule 6A-6.0524 as unsuccessful or disinterested shall be referred after a total of one hundred twenty (120) days of participation. Participation under this provision must occur within any two (2) consecutive school semesters.

These provisions shall not apply to students in other eligibility categories or to students in programs designated to offer a comprehensive multi-year alternative to conventional public schools and for which student participation is entirely optional.

## Student Eligibility Criteria

Eligibility is based upon one or more of the following criteria, including those within Fla. Admin. Code Rule 6A-6.0524(2)(a-e). It is voluntary to students who choose to enroll in a program. *Note:* students must also meet any age and/or gender requirements of the particular site.

- Student has been retained
- Student has failing grades or grades not commensurate with documented ability levels
- Student has high absenteeism
- Low GPA
- Falling Behind on credits
- Not meeting State or District proficiency levels in reading, math, or writing
- Student has low achievement test scores
- Student has preformed successfully in an educational alternative program and wishes to remain enrolled in such program
- According to District criteria, student exhibits behavior of a non-disciplinary nature which interferes with school success. This behavior shall be documented by student services personnel.

Fla. Admin. Code Rule 6A-6.0524(1)(2); Fla. Stat. § 1003.53(1)(c).

## Exit Options & Procedures

The parents, student, or the SBT, CST, 504, ELL or IEP Team may recommend a return to the regular school program. The Team/Committee will consider these recommendations and act accordingly at the meeting. Best practice recommends regular education students exit at the end of the semester based on the School District calendar. ESE\ELL students will be exited in accordance with ELL\IEP Team recommendations.

Prior to or during the exit staffing, the SBT, CST, 504, ELL, or IEP Team will review student progress and document its recommendations on the Student Exit Report (PBSD Form 1605) and the Student Support Plan (PBSD Form 2007).

If a regular education student fails to adhere to the Academic Intervention schools' Code of Conduct, upon the recommendation of the SBT, CST, 504 Committee, or ELL Committee, he/she may be exited to the home school following the meeting, based on the severity of the infraction and past behavior.

## Chapter 5

### **Behavior Intervention Programs**

(Fla. Stat. § 1003.53(1)(c)(3); Fla. Admin. Code § 6A-6.0527)

Disciplinary Program (DP) is the term Florida law gives to programs designed to serve students who are who are disruptive in the traditional school environment. Fla. Admin. Code Rule 6A-6.0527. DPs include both out-of-school and in-school suspensions.

The law defines DPs as programs that are “longer than ten days in duration.” However, Rule 6A-6.0527 also states that “In-school suspension programs may be less than ten days in duration,” as specified in Fla. Stat. § 1003.01(5)(b). The law emphasizes that DPs “must place strong emphasis on appropriate agency coordination.” Fla. Admin. Code Rule 6A-6.0521(2).

DAE programs address disruptive student behavioral issues through Behavior Intervention Programs (BIP) utilizing specific instruction and outcome objectives, as further described below.

Participation in an Alternative Education BIP is assigned. Assigned participation means that the placement is required by the School District, administrative order, courts, or other agencies. The School District does not have any voluntary BIPs.

Students in grades 3-12 who are identified as behaviorally at-risk and have undergone the Alternative Education placement procedure are eligible for BIPs. These programs also serve students in grades K-12 who have undergone the Alternative Education placement procedure due to a pending expulsion, an expulsion, felony suspension, or an ESE/IAES 45-day placement.

#### **Outcome Objectives**

##### Program Objectives

A BIP’s objective is to provide educational opportunities for a student with behavioral challenges in order to allow that student to continue making academic progress, while also instilling the foundation and skills needed to make appropriate behavioral choices.

BIPs will incorporate a positive program that includes but is not limited to, provisions for student success, regular feedback on academic and behavioral progress, counseling, other student services, evaluation strategies and special educational strategies that differ from the traditional approach.

##### Student Outcome Objectives

- Staying in school or earning a high school diploma
- Reduced number of expulsions
- Return to a general education setting
- Reduce number of discipline referrals
- Reduce number of suspensions
- Grade level promotion
- Improve attendance
- Improve academic performance
- Improve social-interpersonal skills

Fla. Admin. Code Rule 6A-6.05292(1)(d).

## Instructional Periods

The instructional program shall consist of instruction full-time, part-time or on a variable schedule as needed to deliver the curriculum. Whether the program is full-time or part-time, all students shall receive a minimum of five (5) hours of instruction per day.

## Length of stay

▶ Elementary: Regular education students are placed in the Behavior Intervention Program for a minimum of two (2) trimesters. ESE students are also placed for a minimum of two (2) trimesters, unless determined otherwise by the IEP team.

▶ Secondary: Regular education students are placed in the Behavior Intervention Program for a minimum of one (1) semester. ESE students are also placed for a minimum of one semester or as determined by the IEP team. Students continue in a basic academic program. The intent is to exit students to the home school upon the successful completion of individualized performance-based requirements that have targeted the behavioral issues.

Regular education students are placed in a behavior intervention program for expulsion for a maximum of one calendar year from the date of their placement in Dropout Prevention/Alternative Education.

## **Evaluations**

“Any student assigned to an Alternative Education program for disruptive students which is designed to return the student to the conventional educational program, shall be referred for an evaluation of eligibility for exceptional student educational services if not returned to the regular program after a specified period of time.

Students identified according to Fla. Admin. Code Rule 6A-6.0524, shall be referred after a total of ninety (90) days of participation in an Alternative Education program. Participation applicable to this provision must occur within any two (2) consecutive school semesters.

These provisions shall not apply to students in other eligibility categories or to students in programs designated to offer a comprehensive multiyear alternative to conventional public schools and for which student participation is entirely optional.” Fla. Admin. Code Rule 6A-6.0527(7).

## **Student Eligibility Criteria**

Following an unsuccessful intervention period (which does not apply if the student committed an expellable offense), the student must exhibit at least one of the following behaviors:

- History of chronic or severe disruptive behavior which interferes with his/her own or others' educational program(s) or results in frequent conflicts of a disruptive nature in or out of the classroom while the student is under the jurisdiction of the school
- Student severely threatens the general welfare of others
- Student requires assistance in behavior modification beyond that which can be provided in the traditional class
- Student has committed an offense which would warrant out-of-school suspension or expulsion
- Repeated out-of-school suspensions
- The student is a habitual truant

In addition to the above criteria, a student may qualify for behavior interventions under the following situations:

- Pending expulsion
- Expelled by School Board action
- ESE/IAES 45-day placement
- Re-entry from a DJJ or community control program
- Felony suspension

## **Student Admission Procedures**

BIP referrals may be based on the following reasons:

Behavior: The student continues to exhibit serious or chronic disruptive or aggressive behavior, even after documented, appropriate, researched based behavioral interventions recommended by the Team or Committee have been sufficiently implemented over time.

Single Incident: The student is involved in a single incident that could constitute an “expellable” offense according to School Board Policy 5.1812 or 5.1813 and **is not consistent with the student’s behavior history**. The student may be referred for a Disciplinary Behavior placement after the first meeting of the SBT/CST/IEP/504/ELL Team; the referral must include manifestation determination (not dependent on number of out of school suspension days) of ESE and 504 students prior to disciplinary behavior placement consideration.

Criteria to consider after single incident occurrences:

- Continued enrollment of the student interferes with the student’s own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide
- Results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom
- Severely threatens the general welfare of students or others with whom the student comes into contact.

Fla. Stat. § 1003.53(3)(a)(b).

DJJ Re-Entry Placements: Students who are involved in the judicial system may be recommended for placement by the IEP/SBT/CST/IEP/504/ELL Team for a Behavior Interventions Program under the following conditions:

- Attendance at the home school by a student with an open felony charge or felony conviction would disrupt the educational process.
- Student is re-entering public school from a juvenile justice commitment program and/or has been adjudicated to a community control program.

## **Exit Options & Procedures**

Elementary Behavior Intervention Exit Criteria:

Students may be considered for exit at the end of two (2) complete trimesters of attendance, as determined by the current School District calendar. The program exit criterion takes into consideration the student’s progress in the Behavior Intervention program.

### Secondary Behavior Intervention Exit Criteria:

Regular education students in a BIP are required to attend for a minimum of one (1) semester as determined by the district calendar. The program exit criterion takes into consideration the student's progress in the behavior management plan. If a regular education student meets the exit criteria listed below, the SBT, CST, 504, or ELL Team, including a representative from the home school, conducts an exit staffing meeting to determine and make recommendations for the placement of the student.

### Exit Criteria

- Students are eligible for exit at the natural academic break (at quarter for middle school and semester for high school).
- Cumulative GPA of 2.0 or higher during the last quarter of placement.
- No unexcused absences.
- No suspensions (bus/in-school/out-of-school) for last quarter/trimester of placement.

Prior to or during the exiting staff meeting, the Alternative Education School, in consultation with the receiving school should complete the Student Support Plan (PBSD Form 2007). The committee will document its recommendations on the Student Exit Report (PBSD Form 1605).

ESE students can only be placed in accordance with the IEP Team's recommendations.

For expelled students, see Chapter 3 of this Manual.



## Chapter 6

### Teenage Parent Programs

(Fla. Stat. § 1003.54; Fla. Admin. Code Rule 6A-6.0525)

Students served in Teenage Parent Programs shall retain the right to earn the number and type of credits required for a standard or special diploma pursuant to Section 1003.54, Florida Statutes. As stated within Fla. Admin. Code Rule 6A-6.0521(2) and 6A-6.0524(1), ESE students referred for enrollment in a Teenage Parent Program shall have an Individual Education Plan review prior to enrollment. A staff representative of the Teenage Parent Program in the district shall participate in the review.

Limited English Proficient students meeting the eligibility criteria for the Teenage Parent Program shall be considered for enrollment in the Teenage Parent Program based on student needs. Parents shall be notified annually in writing of students participating in a Teenage Parent Program and of their right to review any action relating to such enrollment.

#### **Outcome Objectives**

##### Program Objectives

The Teenage Parent Program objectives are to provide pregnant students and teenage parent participants' instruction in the areas of prenatal and postnatal health care, parenting skills, the benefits of sexual abstinence, and the consequences of subsequent pregnancies, as well as to provide ancillary services and child care. Fla. Admin. Code Rule 6A-6.05292(1)(b) The Teenage Parent Program supports the continuation of the academic program while the student is being served by the Teenage Parent Program. The basic program objectives include:

- Staying in school or earning a high school diploma.
- Continuation of academic program during placement in the Teenage Parent Program.
- Improved parenting skills.
- Reducing repeat pregnancies.
- Increasing the number of infants with a birth weight at or above 5.5 pounds.

Fla. Admin. Code Rule 6A-6.05292 (1)(b).

##### Student Outcome Objectives

Students served in Teenage Parent Programs are encouraged to continue their education despite perceived obstacles. Eligible teenage parents may remain in the program until they graduate or reach the maximum age of enrollment as set forth in the Student Progression Plan, adopted in School Board Policy 8.01. Students will have the opportunity to:

- Acquire and/or improve parenting skills
- Improve attendance
- Improve academic performance
- Advance to the next grade (MS)
- Accrue credits with eventual program completion resulting in a high school diploma

## Instructional Periods

The instructional program shall be provided to participants a minimum of five (5) hours per day. It may be offered on a variable schedule as needed to deliver the curriculum. Fla. Admin. Code Rule 6A-6.0526(3).

## Length of stay

The program shall consist of instruction to participants full-time, part-time or on a variable schedule as needed to deliver the pregnancy or parenting-related curriculum as specified in Fla. Stat. § 1003.54(3)(b). Children of teenage parent students enrolled in Teenage Parent Programs shall be served during the time that the parent student is earning credit towards a standard or special diploma, pursuant to Fla. Stat. §§ 1003.429-438.

## **Student Eligibility Criteria**

Teenage Parent programs serve school-aged parents or pregnant students who meet the criteria for placement in the specified program. Participation in a Teenage Parent Program is voluntary. Pregnant students, teenage parent students, and their children shall not be assigned to the program without annual parental or adult student permission.

To be eligible to participate in the Teenage Parent Program; teenage parents or pregnant students must:

- Voluntarily commit to attend for a minimum of one (1) semester.
- Be pregnant, or be a teenage parent.
- Children of parenting students and teenage parent program completers.
- Provide one of the following documents: a certification of pregnancy from either the county health unit or a private physician or the child's birth certificate, copy of application of birth certificate, hospital records, or a notarized affidavit of fatherhood signed by mother and father.
- Provide evidence of parent's Teenage Parent Program completion and documentation of child's birth.

Fla. Admin. Code Rule 6A-6.0525(2)(b-c).

## **Student Admission Procedures**

Standard Alternative Education Academic Placement Packet procedures are followed. In addition, students must provide proof of pregnancy from a private physician, any County Health Department or the child's birth certificate. Students who are teenage parents or who are pregnant, and have dropped out of school, may be eligible for enrollment in a Teenage Parent Program by re-enrolling at their home school and following the appropriate placement procedures for a standard Alternative Education program.

## **Evaluation**

The Teenage Parent Program will include, but is not limited to providing:

- Pregnant or teenage parents enrolled in the School District receive a full range of health and social services, in addition to the education component
- Flexible class schedules, where applicable

- An opportunity to learn strong parenting skills and educational training
- An accelerated credit recovery program, and/ or the GED Exit Option Model, where available, if eligibility criteria are met
- The right to earn the number and type of credits required by standard and special diplomas
- On-site infant and child care (where available)
- On-going parenting skills, health and nutrition curriculum including pre and post assessments of parenting skills

### **Exit Options & Procedures**

Parents, students, the SBT, CST, ELL, 504, or the IEP Team may recommend a return to a regular school program. The Team will consider these recommendations and act accordingly at their meeting. Best practice recommends regular education students exit at the end of the semester based on the District calendar. ESE/ELL /504 students will be exited in accordance with ELL/IEP/504 Team recommendations.

If a provisionally placed regular education student fails to adhere to Teenager Parent Program school's code of conduct, upon the recommendation of the SBT, CST, 504 Committee, or ELL Committee, he/she may be exited to the home school following the meeting, based on the severity of the infraction and the student's past behavior. Prior to or during the exit staffing, the SBT, CST, 504 Committee, ELL Committee, or IEP Team will review student progress and document its recommendations on the Student Exit Report (PBSD 1605) and Student Support Plan (PBSD 2007).

### **Ancillary and Child Care Services**

Developmentally appropriate learning activities for the children of Teenage Parent Program participants and completers during the hours when the child's teenage parent(s) is earning credit pursuing a standard or special diploma. Fla. Admin. Code Rule 6A-6.0525(5). Graduation and credit requirements are set forth in Fla. Stat. §§ 1003.429-438.

#### Health services

Health services include a referral to health and nutrition education and routine prenatal and postnatal health checkups during the time that the teenage parent student is reported for FTE in the Teenage Parent Program. Routine check-ups for the children of Teenage Parent Program participants and completers, including immunizations, shall be provided or coordinated during the time those children are reported for FTE in the Teenage Parent Program.

#### Social services

Social services include counseling assistance or case coordination related to economic assistance, during the time that the teenage parent students or their children are reported for FTE in a Teenage Parent Program. The Teen parent program refers students to social services agencies as needed.

#### Transportation

Transportation includes transportation for Teenage Parent Program participants, program completers who have returned to their home schools, and their children regardless of distance from school. Fla. Stat. § 1011.68(1)(b). Transportation shall be provided for teenage parents and their children to and from home and the school and the child care facility, as required for the parent's educational activities in credit earning hours.

## Chapter 7

### **Youth Service (Department of Juvenile Justice) Programs** **Day Treatment, Detention, Commitment Programs**

(Fla. Admin. Code Rule 6A-6.0528, Rule 6A-6.05281; Fla. Stat. § 1003.52)

Youth services programs are programs designed to serve students who are assigned to a detention, commitment or rehabilitation program operated by a state or community-based agency or through the Department of Health and Rehabilitative Services or the Department of Juvenile Justice (DJJ).

These programs must place a strong emphasis on appropriate agency coordination, as specified in Fla. Admin. Code Rule 6A-6.0521(2)(b). Participation in a youth service program is assigned. Assigned participation means that the placement is required by the courts or other agencies pursuant to Chapter 39, Laws of Florida. Schools do not determine placement to these programs. Fla. Admin. Code Rule 6A-6.0528(1).

Youth Services Programs are divided into three categories:

1. **Day Treatment**: Youth in a day treatment setting are court adjudicated or referred. Day treatment programs are non-residential programs operated by or under contract with DJJ. Day treatment programs include prevention, intensive probation, and conditional release programs that have educational services that are provided on site.
2. **Detention**: Detention centers are juvenile facilities operated by DJJ that detain students while they are awaiting their court appearances or awaiting placement in a commitment facility.
3. **Commitment**: The court determines when a youth is assigned to a commitment program. Residential commitment programs include low, moderate, high, and maximum risk DJJ programs. Students temporarily reside in these programs while committed to DJJ.

#### **Specific Eligibility Criteria**

Students in Youth Service Programs (Fla. Admin. Code Rule 6A-6.05281(1) (a-d) and Rule 6A-6.0528(2)) are:

- Students who have been court-adjudicated to a detention, commitment, rehabilitation, or day treatment. Commitment means any facility where the courts have adjudicated youth or have recommended placement.
- In varying levels of commitment, and are awaiting trial or sentencing, or who are deemed neglected, dependent, or delinquent.
- Schools do not determine placement to these programs.

Students who do not attend a local public school due to their placement in a DJJ detention, commitment, day treatment, or early delinquency intervention program shall be provided high quality and effective educational programs by PBCSD in which the DJJ facility is located, or by a DJJ provider through a contract with the local school district.

If any student in these DJJ facilities has filed an intent to terminate school enrollment, the district shall notify these students of the option of enrolling in a program to attain a general education diploma (GED) per Florida Statute.

All students placed in a DJJ program who meet the eligibility criteria for exceptional student education shall be provided a free appropriate public education consistent with the requirements of Fla. Admin. Code Ch. 6A-6. Students with a mental or physical impairment that substantially limits a major life activity are protected from discriminatory acts under 504. Such students may be entitled to certain accommodations. The School District will ensure eligible 504 students are provided necessary aids and services.

All Limited English Proficient students placed in a DJJ program shall have equal access to entitled services, including assessment and appropriate strategies consistent with the requirements of Fla. Admin. Code Ch. 6A-6.

### **Outcome Objectives**

The primary goal of Youth Service Programs is to provide the highest level of education to our students, while providing a safe, secure, and nurturing environment. There will be academic assessment and the provision of appropriate educational services. Fla. Admin. Code Rule 6A-6.05292(1)(e). See in general, Fla. Admin. Code Ch. 6A-6.

### **Student Outcome Objectives**

Student's objective is the continuation in an education program and completion of adjudication. Students will have an opportunity to do at least one of the following:

- Improve academic performance
- Advance to next grade
- Accrue credits with program completion resulting in a high school diploma
- Improve socialization skills

### **Instructional Periods**

The instructional program shall be provided a minimum of five (5) hours per day and shall consist of intensive counseling, conflict resolution training, behavior modification, therapy, appropriate academic, vocational or exceptional curricula and related services under the supervision of a qualified teacher as specified in Fla. Admin. Code Rule 6A-6.0501. Student will follow, as closely as possible, a basic academic program with the intent to exit the student to the home school or an Alternative Education program at the end of commitment period.

### **Evaluations & Special Education (Fla. Admin. Code Rule 6A-6.05281)**

All students placed in a DJJ program who meet the eligibility criteria for exceptional student education shall be provided a free appropriate public education consistent with the requirements of Fla. Admin. Code Ch. 6A-6. Students with a mental or physical impairment that substantially limits a major life activity are protected from discriminatory acts under 504. Such students may be entitled to certain accommodations. The School District will ensure eligible 504 students are provided necessary aids and services.

All entry assessments under Rule 6A-6.05281(3) are followed in the Department of Dropout Prevention/Alternative Education school sites.

## **Exit Options & Procedures**

Pursuant to Fla. Admin. Code Rule 6A-6.05281(6)(a), the instructional program shall consist of two hundred fifty (250) days of instruction, ten (10) of which may be used for teacher planning, distributed over twelve (12) months, as required by Fla. Stat. § 1003.01(11)(a).

The DJJ program or the judicial system determines when a student exits a commitment program. When a student has been identified for exit, the program sends notification to the Alternative Education Juvenile Justice Resource Teacher thirty (30) days prior to the planned release. The Alternative Education Juvenile Justice Resource Teacher notifies the Area Placement Liaison, who schedules an exit staffing at the home school. The SBT, CST, IEP, ELL, or 504 Team recommends the school or program placement.

Exiting students may be recommended to return to the home school or other appropriate program. However, if there are documented circumstances that show that the student's presence would disrupt the educational process or pose a threat to the exiting student or another individual at the home school, the student may be recommended for placement in an alternative school or Academic or Behavior Intervention Alternative Education Program.

### Youth Service (DJJ) Programs Re-Entry Procedures

Students who have completed a court-ordered commitment program at a DJJ facility are required to attend school and are entitled to return to their geographically assigned home school unless the re-entry counselor or juvenile probation officer recommends follow-up care in a day treatment program.

Transition services are provided pursuant to Fla. Admin. Code Rule 6A-6.05281(5). The student's re-entry counselor or juvenile probation officer is expected to contact DAE's transition Resource Teacher thirty (30) days prior to the student's release from the commitment program. Provided this contact occurs, the Transition Resource Teacher would then contact the appropriate Alternative Education Area Liaison or Area Alternative Education ESE Resource Teacher to schedule a meeting of the re-entry meeting of the School-Based Team (SBT), Child Study Team (CST), IEP Team, Limited English Proficient (LEP) Committee, or 504 Committee at the home school to determine appropriate placement for the student.

Under these circumstances, because DJJ requires re-entry students to attend school immediately upon exit from the commitment program, the parent/guardian would then enroll the student at the home school on the day of the re-entry meeting.

However, if the principal has good cause to believe that the student's presence will pose a threat to the safety of the student or others, or will cause a serious disruption to the educational environment, the principal may request that the IEP Team or 504 Committee consider an Alternative Education placement for the re-entering student. The IEP Team or 504 Committee will follow the appropriate procedures set forth in this manual for the type of Alternative Education program that is being considered (Academic Intervention or Disciplinary Behavior Programs).

## Chapter 8

### Residential Treatment Programs

The School District does not direct the placement of students in these programs. Attendance at these sites is voluntary and strictly based on parent, individual student, outside agency or court-ordered referral. Only the academic component of these schools is managed by DAE.

The Residential Treatment programs are divided into three categories:

1. Substance Abuse Residential Treatment Programs
2. Family & Behavior Counseling Residential Programs
3. Behavior Treatment Residential Programs

#### **Substance Abuse Programs (Fla. Admin. Code Rule 6A-6.0526)**

##### Program Goals/Objectives

The goal of these programs is to provide students with an environment that encourages non-substance use and counselors that focus on rehabilitation.

Agreements between the district and outside providers are in place to provide educational services to students who are experiencing varying degrees of substance abuse. These programs serve students who have a documented substance abuse problem. District personnel do not determine placement in these programs.

##### Eligibility Criteria (may include one or more of the following):

- Student usually is between 13-18 years old; and
- Student has documented drug-related or alcohol-related problem; or
- Student has immediate family members who have documented drug-related problems that adversely affect student's performance in school.

Each program may have additional criteria for admission. Please contact the program directly for its criteria for entry.

##### Curriculum and Instructional Period

The instructional program shall be provided to participants a minimum of five (5) hours per day and may be offered on a variable schedule as needed to deliver the curriculum. The program administered by the providers includes instruction designed to deter substance abuse. Fla. Admin. Code Rule 6A-6.0526(3). Each program may vary based on program specific criteria. District does not determine how long the student stays in the program as the provider makes the determination when the student completes the program or is dismissed.

Students typically return to their home school upon program completion or dismissal. **Whenever possible**, the Dropout Prevention/Alternative Education liaison will notify the student's home school ten (10) days before a planned exit from the Substance Abuse Program so that the home school may create a support plan.

Substance Abuse Programs may be offered in a non-school-based residential or day substance abuse treatment program facility such as alternative sites, regular school campuses, or in any location approved by the School Board. Fla. Admin. Code Rule 6A-6.0526(4).

### **Residential Treatment Program**

The PBC Sheriff's Office Youth Eagle Academy is a residential (Mon-Fri) program operated by the Sheriff's office. Eagle Academy is a three (3) phase model:

- Phase one-military model in self-esteem and team/building
- Phase two- personal growth, life skills training, vocational and educational skills development
- Phase three-after care follow-up process

### **Eligibility Criteria and Placement**

Enrollment must be voluntary and have parental and student consent. Schools do not determine placement. Candidates must commit to attend for a minimum of one semester, exhibit one of the at-risk characteristics listed below, and must be 13-16\* years old:

- Excessive absenteeism and tardiness
- Inconsistent attendance
- Poor grades or grades that do not reflect potential
- Credit deficiency
- Poor or inconsistent peer relationships and/or poor social skills
- Lack of motivation

\*Student may return for an additional semester if successful in the program even if the student is 17 years of age.

### **Instructional Period and Exit**

Instruction shall be provided for a minimum of five (5) hours of instruction per day, unless the student participates in a student support and assistance component rather than the standard drop-out prevention program. In order for the student to fully benefit from this program, a student should commit to a minimum of one semester.

Best practice recommends regular education students exit at the **end of the semester**, based on the current School District calendar. ESE/ELL students will be exited in accordance with ELL/IEP Team recommendations. Prior to or during the exit staffing, the SBT, CST, 504, ELL, or IEP Team will review student progress and document their recommendations on the Student Exit Report (PBSD Form 1605) and the Student Support Plan (PBSD Form 2007).



## Chapter 9

### Administrative Review Procedures

According to the “Dropout Prevention/Alternative Education and Academic Intervention Act,” the parent or guardian of students assigned to an Alternative Education program... shall be entitled to an administrative review of any action by school personnel relating to such pursuant to the provisions of Chapter 120.” Fla. Stat. § 1003.53.

Procedures to follow when a parent/guardian requests an administrative review:

The principal/designee, along with an area representative:

- 1) Meets with the parent/guardian to review the student’s record. This may include the student’s attendance, academic, and behavior concerns.
- 2) Reviews documentation of the reason for placement.
- 3) Reviews relevant District policies (e.g., Code of Student Conduct, School Board Policy 8.13), if necessary.
- 4) Reviews school-based interventions.
- 5) Reviews meeting notes of the School Based Team, Child Study Team, IEP Team, ELL Team or 504 Team.
- 6) Obtains formal documentation of the administrative review (PBSD Form 1051), complete with parent signature. (This would not indicate that the parent/ guardian agree, only that the review took place and the parent/guardian had an opportunity to participate.)
- 7) Files the PBSD form in the student’s cumulative folder and forwards copies to the Alternative Education and the Area Office.

## Appendix A

### **Federal Law:**

- Individuals with Disabilities Education Improvement Act of 2004
- Section 504 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990\*  
*\*ADA Title II regulations cover "public entities," which include any State or local government and any of its departments, agencies, or other instrumentalities.*

### **Florida Statutes:**

1002.20(2)(d)	K-12 student and parent rights
1002.30(6)(a)	Dropout Prevention/Alternative Education
1003.52	Department of Juvenile Justice
1003.53	Dropout Prevention/Alternative Education and Academic Intervention
1003.54	Teenage Parent Program
1003.57	ESE Instruction

### **Florida Administrative Code (State Board of Education Rules (SBER))**

6A-6.03312	Discipline Procedures for Students with Disabilities
6A-6.052	Dropout Prevention/Alternative Education Programs
6A-6.0521	Definitions and Requirements Which Apply to All Dropout Prevention/Alternative Education Programs
6A-6.05221	Student Support and Assistance Component
6A-6.0523	Comprehensive Dropout Prevention/Alternative Education Plans
6A-6.0524	Educational Alternatives Programs
6A-6.0525	Teenage Parent Programs
6A-6.0526	Substance Abuse Programs
6A-6.0527	Disciplinary Programs
6A-6.0528	Youth Services Programs
6A-6.05281	Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, Day Treatment, or Early Delinquency Intervention Programs
6A-6.05291	Course Modification
6A-6.05292	Common Objective Criteria and Evaluation of Dropout Prevention/Alternative Education Programs

### **School Board Policies**

5.725	Policies and Procedures for ESE Students
8.13	Dropout Prevention/Alternative Education Programs
5.189	Discipline of Students under IDEA
5.1891	Discipline of Students under Section 504
5.18	Student Code of Conduct
5.1812	Student Code of Conduct for Elementary Students
5.1813	Student Code of Conduct for Secondary Students
5.1817	Student Expulsion
5.1818	Student Early Reinstatement
8.01	Student Progression Plans