



### **POLICY 8.13**

**4-C** I recommend that the Board approve the proposed revised Policy 8.13, entitled “Educational Alternative Programs.”

[Contact: Derri Parkey, PX 44131]

#### **Development**

#### **CONSENT ITEM**

- This revision updates statutory references and the version of the Educational Alternatives manual that is incorporated by reference, which includes the new middle school multiple-retention program.
- The Program Information and Procedures Manual has been rewritten to accurately reflect the changes in programs provided by the Department of Educational Alternatives.
- Included are the programs for elementary, middle, and high-school students.

1 POLICY 8.13

2  
3 EDUCATIONAL ALTERNATIVE PROGRAMS  
4

5 1. Alternative Educational Alternatives Programs

- 6 a. The District school system provides alternative programs designed to  
7 meet the needs of students who are unmotivated, academically  
8 unsuccessful, or disruptive in the regular school environment.
- 9 b. Programs may be long-term or short-term and may take any form  
10 approved by the School Board pursuant to state statutes and Rules of the  
11 State Board of Education.
- 12 c. The *Alternative Educational Alternatives Program Information and*  
13 *Procedures Manual FY 2005-2006 ~~2001-2002~~* is incorporated herein by  
14 reference and made a part of this policy. Said Manual shall be filed with  
15 the Clerk of the School Board as a part of this Policy and shall be  
16 available for public inspection in the Office of Public Affairs. These  
17 procedures must be referred to in conjunction with all provisions of this  
18 policy.

19 2. Student Eligibility for Alternative Educational Alternatives Programs

- 20 a. Eligibility of students may be determined by the criteria stated within Fla.  
21 Stat. § 1003.53(1) ~~230.2316(3)~~, Fla. Stat., and/or State Board of  
22 Education Rule 6A-6.0524, including:
- 23 i. Evidence of lack of academic success such as low test scores,  
24 retention, failing grades, low grade point average, falling behind in  
25 earning credits, or not meeting the state or District proficiency  
26 levels in reading, mathematics, or writing;
- 27 ii. Being identified as having a pattern of excessive absenteeism or  
28 being a habitual truant; or
- 29 iii. Having a pattern of disruptive behavior in school; or
- 30 iv. Having committed an offense that warrants out-of-school  
31 suspension or expulsion under the District Code of Student  
32 Conduct.

33 3. Student Voluntary Placement in Educational Alternatives Dropout Prevention and  
34 Academic Intervention Programs

- 35 a. Except as provided in Section 4 below, placement in dropout prevention  
36 and academic intervention programs shall be voluntary.

- 37           b. "Voluntary" is defined as assignment of students to a program only with  
38           custodial parent/guardian or adult student permission.
- 39           c. Prior to the District's voluntary placement of a student in an educational  
40           alternative ~~education~~ program, the principal/designee shall provide written  
41           notice of placement or ~~alternative academic~~ services by certified mail,  
42           return receipt requested, to the student's custodial parent/guardian.
- 43           d. Except as otherwise provided in State Board of Education Rule 6A-  
44           6.0524(6), when a student has not been returned to the regular  
45           educational program within a specified time after voluntary assignment to  
46           an educational alternative program that is designed to return unsuccessful  
47           or disinterested students to the regular program, the student shall be  
48           referred to the Child Study Team to determine if an evaluation for eligibility  
49           for services under the Individuals With Educational Disabilities Act  
50           ("IDEA") is needed.

51           4. Student Involuntary Placement in Dropout Prevention Educational Alternatives  
52           Programs

- 53           a. The District may assign students to programs for disruptive, delinquent,  
54           substance abusing, neglected, or state dependent students as provided in  
55           Fla. Stat. §§ 1003.52 230.2316 and through 1003.53 230.23161, F.S., and  
56           State Board of Education Rules 6A-6.0526 through 6A-6.05281.
- 57           b. "Assigned placement" is defined placement that is required by the District  
58           without need for custodial parent/guardian or adult student permission.
- 59           c. Pursuant to Fla. Stat. § 1003.53(5) 230.2316(7), F.S., and State Board of  
60           Education Rule 6A-6.0521(2)(e), the custodial parent/guardian of a  
61           student assigned to an educational alternatives ~~education~~ program shall  
62           be notified in writing and is entitled to an administrative review under  
63           Chapter 120, F.S., of any action by school personnel relating to such  
64           placement. Such notice shall be given within five (5) school days of the  
65           placement as required by Fla. Stat. § 1003.53(5) 230.2316(7), F.S., and  
66           State Board of Education Rule 6A-6.0521(2)(f)6.
- 67           d. Pursuant to State Board of Education Rules 6A-6.0524(7) and 6A-  
68           6.0527(8), the written notice of a student's assignment to any educational  
69           alternatives ~~education~~ program for unsuccessful, disinterested, or  
70           disruptive students shall advise of the custodial parent/guardian's right to  
71           request an evaluation to determine eligibility for exceptional student  
72           education. Prior to conducting an evaluation, the school must document  
73           pre-referral activities.
- 74           e. Any student assigned to an educational alternatives ~~education~~ program for  
75           disruptive students which is designed to return the student to the

76 conventional educational program shall be referred to the Child Study  
77 Team for an evaluation of eligibility for exceptional student educational  
78 services if not returned to the regular program after a specified time,  
79 except as otherwise provided in State Board of Education Rule 6A-  
80 6.0527(7).

81 f. As required by Fla. Stat. § 1003.53(1)(d)~~7 230.2316(3)(d)(7), F.S.~~,  
82 students assigned to second-chance schools must be evaluated by the  
83 school's Child Study Team before placement in a second chance school.  
84 The Child Study Team shall verify ~~ensure~~ that students are not eligible for  
85 placement in a program for emotionally disturbed children.

86 **5. Teenage Parent Programs**

87 a. Pursuant to Fla. Stat. § 1003.54 ~~230.23166, F.S.~~, and State Board of  
88 Education Rule 6A-0525, the Board has implemented a teenage parent  
89 program designed to provide a specialized curriculum and other services  
90 to meet the needs of students who are pregnant, students who are  
91 mothers or fathers, and children of such students.

92 b. The program is designed to provide comprehensive educational and  
93 ancillary services to facilitate the parenting students' completion of high  
94 school.

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

99 **6. Department of Juvenile Justice Programs and Other Agencies**

100 a. The Board provides educational programs pursuant to Fla. Stat. § 1003.52  
101 ~~230.23161, F.S.~~, and State Board of Education Rules 6A-6.0528 and 6A-  
102 6.05281 for students participating in a detention, commitment, or  
103 rehabilitation program under the jurisdiction of the Florida Department of  
104 Juvenile Justice or other state agency or sponsored by a community-  
105 based agency.

106 b. These students shall have an individual academic plan and shall be  
107 eligible for services that are afforded to students otherwise enrolled in  
108 programs under Fla. Stat. § 1003.53 ~~230.2316, F.S.~~, and corresponding  
109 State Board of Education Rules.

110 c. Upon completion of detention or a court-adjudicated placement, the  
111 placement in an alternative program must be reevaluated by the District.

112 **7. Students Eligible for Services Under IDEA/Section 504/ADA/LEP**

- 113 a. Students who are eligible for services under the Individuals with  
114 Educational Disabilities Act ("IDEA") and are assigned via the ~~Alternative~~  
115 Educational Alternatives Information and Procedures Manual to alternative  
116 education programs according to the procedures set forth in the  
117 ~~Alternative Educational Alternatives~~ Information and Procedures Manual  
118 must receive the program and services delineated in the Individualized  
119 Education Plan ("IEP").
- 120 b. Students who are eligible for services under Section 504 of the  
121 Rehabilitation Act ("Section 504") or the Americans with Disabilities Act  
122 ("ADA") and are assigned via the Alternative Educational Alternatives  
123 Information and Procedures Manual to alternative education programs  
124 according to the procedures in the ~~Alternative Educational Alternatives~~  
125 Information and Procedures Manual must receive the program and  
126 services delineated in the Section 504 accommodation plan.
- 127 c. Students who are eligible for English for Speakers of Other Languages  
128 ("ESOL") services and are assigned to alternative education programs  
129 must receive the program and services delineated in the Limited English  
130 Proficiency ("LEP") accommodation plan.

131 8. Interagency Coordination and Student Records Confidentiality

- 132 a. Educational alternatives programs will be coordinated with social services,  
133 law enforcement, the State Attorney's Office, the Florida Department of  
134 Juvenile Justice, and other state agencies or private providers.
- 135 b. Information contained in student records may be exchanged pursuant to  
136 Policy 5.50(3), but the receiving agency must use the information only for  
137 official purposes in connection with the administration and placement or  
138 withdrawal of students in alternative education programs and must  
139 maintain the confidentiality of the information pursuant to Fla. Stat. §  
140 1002.22 228.093, F.S., unless otherwise specifically provided by law.

141  
142 STATUTORY AUTHORITY: §§ 1001.41(1), (2); 1001.43(1); 1003.53(2) 230.22(1);  
143 230.22(2); 230.2316(4), Fla. Stat.

144 LAWS IMPLEMENTED: §§ 1001.42(4)(l), (m), (n); 1003.52; 1003.53; 1003.54  
145 230.23(4)(n); 230.23(4)(p); 230.2316; 230.23161; 230.23166, Fla. Stat.

146 STATE BOARD RULES SUPPLEMENTED: 6A-6.0521; 6A-6.0523; 6A-6.0524; 6A-  
147 6.0525; 6A-6.0526; 6A-6.0527; 6A-6.0528; 6A-6.05281; 6A-6.05292, Fla. Admin. Code.

148 HISTORY: 2/7/79; 5/5/82; 4/6/83; 01/14/2002;     /    /2006

149

149

Legal Signoff:

The Legal Department has reviewed proposed Policy 8.13 and finds it legally sufficient for development by the Board.

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date