

POLICIES AND PROCEDURES FOR THE PROVISION OF SPECIALLY DESIGNED INSTRUCTION AND RELATED SERVICES FOR EXCEPTIONAL STUDENTS

Effective: 2007-2008 School Year

The final federal regulations promulgated to implement the 2004 amendments to the Individuals with Disabilities Education Act (IDEA 2004) became effective on Friday, October 13, 2006. The Department of Education is in the process of preparing an initial draft of revised State Board of Education rules applicable to the education of students with disabilities in the state of Florida. These rules will incorporate the provisions of IDEA 2004 and its final regulations.

Until Florida's rules are promulgated, current State Board of Education rules remain in effect. Where there is a discrepancy between the requirements of the federal law/regulations and Florida's rules, the school districts must follow the requirements that provide more protection or entitlements to the student and/or his/her parents.

The attached identifies amendments to the 2004-2005 through 2006-2007 *Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students (SP&P)* document. Some items reflect explicit additions and/or deletions in the language of the SP&P, such as when a new section was added or a section has been rewritten. Others are descriptive statements designed to provide general guidance to school districts in their implementation of federal and state requirements. Each school district must obtain district school board approval of the attached revisions and submit the *Certification of Approval* to the following address:

Kim C. Komisar, Program Director
Exceptional Student Education Monitoring
Bureau of Exceptional Education and Student Services
Florida Department of Education
325 West Gaines Street, Suite 614
Tallahassee, FL 32399
(850) 245-0476

The attached *Certification of Approval* must be received by the Bureau by **August 31, 2007**. If a district's school board approval process requires an extension to this date, please contact Dr. Komisar by e-mail at kim.komisar@fldoe.org or by telephone, at (850) 245-0476.

POLICIES AND PROCEDURES FOR THE PROVISION OF SPECIALLY DESIGNED INSTRUCTION AND RELATED SERVICES FOR EXCEPTIONAL STUDENTS

CERTIFICATION OF APPROVAL

School district or agency: _____

Administrator of Exceptional Student Education: _____

The attached document amends the SP&P developed for the 2004-2005 through 2006-2007 school years. The amended SP&P document is in effect through the 2007-2008 school year.

CERTIFICATION OF APPROVAL

I, _____, do hereby certify that each of the statements below is true:

SPECIAL PROGRAMS AND PROCEDURES

This document, the *Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students*, was approved by the governing body for submission to the Florida Department of Education (DOE) on the date indicated.

The contents of this document, which include the existing SP&P 2004-2005 through 2006-2007 and amendments provided by the DOE, have not been altered in any way.

The school district shall implement the requirements of all state statutes or State Board of Education rules affecting programs for exceptional students during the effective dates of this document.

The school district shall implement the requirements of the Individuals with Disabilities Education Act of 2004 (P.L. 108-447) as reflected in this document and the requirements of Sections 300, 301, and 303 of Title 34 of the Code of Federal Regulations.

Signature of Superintendent of School District
or Authorized Representative
of Governing Body or Agency

Date of
Board Approval

FLORIDA DEPARTMENT OF EDUCATION
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SP&P SECTION	AMENDMENT	CITATION Title 34, Code of Federal Regulations
PART I. PROVISION OF SERVICES	<p>See NOTE section: "For students who have not graduated with a standard diploma or GED, the options of"</p> <p>The reference to GED has been removed and the statement now reads:</p> <p>"NOTE: For students with disabilities who have not graduated with a standard diploma, the school district has the options of</p> <ul style="list-style-type: none"> a) providing services to students until the end of the school year in which they turn 22; b) providing services until the day the student turns 22; or, c) providing services to students until the end of the semester in which the student turns 22." 	§300.102(a)(3)(iv)
PART II. GENERAL PROCEDURES G. 1. <u>Considerations in IEP development, review and revision</u>	<p>THE FOLLOWING PARAGRAPHS HAVE BEEN ADDED AT THE END OF SECTION G. 1:</p> <p>The federal regulations include an exception to required services that applies to children with surgically implanted devices, including cochlear implants. That exception states that related services do not include a medical device that is surgically implanted, the optimization of that device's functioning (e.g., mapping), maintenance of that device, or the replacement of that device.</p> <p>Nothing in the previous statement limits the right of a child with a surgically implanted device (e.g., cochlear implant) to receive related services that are determined by the IEP Team to be necessary for the child to receive FAPE; limits the responsibility of a public agency to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school or is at school; or prevents the routine checking of an external component of a surgically implanted device to make sure it is functioning properly, as required in §300.113(b) of Title 34 of the Code of Federal Regulations.</p>	§300.34 (b)
PART II. GENERAL PROCEDURES G. 2. a. <u>Content of the IEP</u>	The federal regulations add that the IEP must contain a statement of the student's present levels of academic achievement and functional performance.	§300.320(a)(1)
PART II. GENERAL PROCEDURES G. 2. c. <u>Content of the IEP (cont.)</u>	The federal regulations add that the statement of specially designed instruction, related services, and supplementary aids and services must be based on peer-reviewed research to the extent practicable.	§300.320(a)(4)

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PART II. GENERAL PROCEDURES G. 2. f. <u>Content of the IEP</u> (cont.)	The federal regulations revised the requirement to include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on statewide and districtwide assessments. Section 1008.22(3)(c)6, F.S. and Rule 6A-6.03028(7)(e), FAC., add that a parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such accommodations.	§300.320(a)(6)
PART II. GENERAL PROCEDURES G. 2. g. <u>Content of the IEP</u> (cont.)	The federal regulations revised the provision regarding participation in assessments by providing that, if the IEP Team determines that the child must take an alternate assessment instead of the FCAT or districtwide assessment of student achievement, the IEP must include a statement of why the child cannot participate in the regular assessment and the particular alternate assessment selected is appropriate for the child. Section 1008.22(3)(c)6, F.S., and Rule 6A-6.03028(7)(e), FAC., add further that if the student does not participate in the FCAT, the school district must notify the student's parent and provide the parent with information regarding implications of such nonparticipation in accordance with Florida law.	§300.320(a)(6)(ii)
PART II. GENERAL PROCEDURES G. 3. <u>Transition services</u>	With respect to transition requirements for students age 16, the federal regulations add that beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include (1) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and (2) the transition services (including courses of study) needed to assist the student in reaching those goals The federal regulations add to the requirement that school districts invite a representative of any other agency that may be responsible for providing or paying for transition services the statement that the parents or a student who has reached the age of majority must give consent to invite such a representative.	§300.320(b) §300.321(b)(3)
PART II. GENERAL PROCEDURES	The federal regulations modify the notice requirement to ensure that for a student with a disability beginning not later than the first IEP	§300.322(b)(2)

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G. 3. a. <u>School to post-school transition</u>	to be in effect when the child turns 16 , or younger if determined appropriate by the IEP Team, the notice also must indicate that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the student, and that the agency will invite the student and will identify any other agency that will be invited to send a representative.	
PART II. GENERAL PROCEDURES G. 3. b. <u>Early intervention programs to prekindergarten transition</u>	The federal regulations add that the written notice of IEP meeting must advise the parents that they may request that the school district invite a Part C service coordinator or other representatives of the Part C system to the initial IEP Team meeting for a child previously served under Part C of IDEA.	§300.321(f)
PART II. GENERAL PROCEDURES G. 5. <u>Review and revision of the IEP</u>	The federal regulations provide that, in making changes to a student's IEP after the annual IEP meeting for a school year, the parent of a student with a disability and the school district may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the student's current IEP. If changes are made to the student's IEP in this manner, the school district must ensure that the student's IEP Team is informed of those changes. To the extent possible, the school district must encourage the consolidation of reevaluation meetings for the student and other IEP Team meetings for the student. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or by amending the IEP via agreement rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.	§300.324(a)(6)
PART II. GENERAL PROCEDURES G. 7. <u>IEP team participants</u>	The federal regulations provide that a member of the IEP Team is not required to attend an IEP Team meeting, in whole or in part, if the parent of a student with a disability and the school district agree, in writing, that the attendance of the member is not necessary because the member's area of curriculum or related services is not being modified or discussed in the meeting. A member of the IEP Team may be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if (a) the parent, in writing, and the school district consent to the excusal; and (b) the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.	§300.321(e)(2)
PART II. GENERAL PROCEDURES	The Florida rules and the federal regulations provide that reevaluation is not required for a student before termination of	§300.305(e)(3)

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K. 4. <u>Determination of need for specially designed instruction and related services</u>	eligibility due to graduation with a regular diploma or exiting school upon reaching the student's twenty-second birthday. However, the federal requirements add that a school district must provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.	
PART II. GENERAL PROCEDURES O. 3. <u>Informed parental consent</u>	<p>Because the federal law allows for parents to conclusively refuse consent for initial placement in special education and does not allow school districts to initiate mediation or a hearing to override parental refusal to consent, the law also provides that, in the area of discipline, a student whose parent has refused services or not allowed an evaluation is not considered to be a child with a disability for purposes of discipline. The federal provisions control; when a parent has refused consent for services or an evaluation, the student will not be deemed a student with a disability.</p> <p>The federal regulations require a school district to document its reasonable efforts to obtain parental consent in the same manner as it keeps records of its attempts to arrange a mutually-agreed-upon time and place for IEP Team meetings.</p>	<p>§300.534</p> <p>§300.300(d)(5)</p>
PART II. GENERAL PROCEDURES O. 9. <u>State complaint procedures</u>	<p>The federal requirements add to the SEA complaint requirements set forth in the Florida rules in several ways. The SEA must provide the school district with the opportunity to respond to the complaint, including, at a minimum – (a) (i) at the discretion of the school district, a proposal to resolve the complaint; and (ii) an opportunity for a parent who has filed a complaint and the school district to voluntarily engage in mediation; (b) the SEA's procedures also must permit an extension of the 60-day time limit if the parent (or individual or organization) and the school district involved agree to extend the time to engage in mediation.</p> <p>The federal regulations also set forth additional remedies for a finding of denial of appropriate services by providing that, on resolving a complaint in which the SEA has found a failure to provide appropriate services, an SEA, pursuant to its general supervisory authority under Part B of IDEA, must address</p> <ol style="list-style-type: none"> (1) the failure to provide appropriate services, including corrective action appropriate to address the needs of the child (such as compensatory services or monetary reimbursement); and (2) appropriate future provision of services for all children with disabilities. 	<p>§300.151 §300.152 §300.153</p>

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PART II. GENERAL PROCEDURES S. 2. <u>Hearing rights for all parties</u>	<p>Any party may present a complaint that sets forth an alleged violation that occurred not more than two (2) years before the date the parent or school district knew or should have known about the alleged action that forms the basis of the complaint or if the State has an explicit time limitation for presenting a complaint under this part, in such time as State law allows. The limitations period will not apply to the parent if the parent was prevented from requesting the hearing due to specific misrepresentation by the school district that it had resolved the problem forming the basis of the complaint or by the school district's withholding from the parent information that was required to be provided.</p> <p>Either party presenting the complaint or the attorney representing the party is required to provide a due process complaint notice to the other party and forward a copy of the notice to the state education agency (SEA). The notice content requirements are essentially as they appear in the Florida rules, except the federal law adds that if there is no notice, the party may not have a due process hearing until the notice is filed that meets the specified requirements. A complaint notice shall be deemed sufficient, unless the party receiving the notice notifies the administrative law judge and the other party in writing that it believes that the notice does not meet all of the requirements. The party providing an administrative law judge with notice of insufficiency shall provide the notification within 15 days of receiving the complaint. Within five (5) days of receipt of the notification of insufficiency, the administrative law judge shall make a determination on the face of the notice of whether the notification is sufficient and shall immediately notify the parties in writing of such determination.</p> <p>A party may amend its due process complaint notice only if the other party consents in writing to such amendment and is given the opportunity to resolve the complaint through a resolution session (as described below) or the administrative law judge grants permission. However, the administrative law judge may only grant such permission at any time not later than five (5) days before a due process hearing occurs.</p> <p>If the school district has not sent a prior written notice to the parent regarding the subject matter contained in the parent's due process complaint notice, the school district shall, within 10 days of receiving the complaint, send to the parent a response that shall include all of the requirements of prior written notice. The noncomplaining party shall, within 10 days of receiving the complaint, send to the complainant a response that specifically addresses the issues raised</p>	§300.508 §300.510

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PART II. GENERAL PROCEDURES S. 2. <u>Hearing rights for all parties</u> (cont.)	<p>in the complaint.</p> <p>Prior to the opportunity for a due process hearing, the school district shall convene a meeting with the parents and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the complaint. The session must be convened within 15 days of receiving notice of the parents' complaint, and the meeting shall include a representative of the agency who has decision-making authority on behalf of such agency. In addition, the meeting cannot include the school district's attorney unless the parent is accompanied by an attorney.</p> <p>The meeting will be one where the parents of the child discuss their complaint and the facts that form the basis of the complaint and the school district is provided the opportunity to resolve the complaint. The meeting must be held unless the parents and the school district agree in writing to waive such meeting or agree to use the mediation process. The federal regulations provide that the failure of a parent filing a due process complaint to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held. In addition, if the school district is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made and documented, the school district may, at the conclusion of the 30-day resolution period, request that the administrative law judge dismiss the parent's due process complaint.</p> <p>The applicable timeline for a due process hearing shall recommence at the time the party files an amended notice, if required, including the timeline for holding a resolution session. In addition, if the school district has not resolved the complaint to the satisfaction of the parents within 30 days of the receipt of the complaint, the due process hearing may occur, and all of the applicable timelines for a due process hearing shall commence. The federal regulations clarify further that the 45-day timeline for a due process hearing starts the day after one of the following events: (A) both parties agree in writing to waive the resolution meeting; (B) after either the mediation or resolution meeting starts but before the end of the 30-day period, the parties agree in writing that no agreement is possible; or (C) if both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later the parent or school district withdraws from the mediation process.</p> <p>Where agreement is reached at the meeting, the parties shall execute a legally binding agreement that is signed by both the parent and the representative of the agency who has the authority to bind the agency. The agreement is enforceable in any state court of</p>	

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	competent jurisdiction or in a federal district court. If the parties execute such an agreement, a party may void it within three (3) business days of the agreement's execution.	
PART II. GENERAL PROCEDURES T. <u>PROCEDURES FOR PROVIDING SERVICES FOR STUDENTS WITH DISABILITIES ENROLLED IN PRIVATE SCHOOLS</u>	The federal requirements related to the provision of equitable services to parentally placed private school students were revised. Notable changes/revisions to consider in light of the current Florida rules include the following: (1) The school district where the private school is located is responsible for child find and child count activities and the provision of equitable services via the services plan. (2) In calculating the proportionate share of federal funds to be spent on the provision of equitable services, the school district, after timely and meaningful consultation with representatives of children with disabilities parentally placed in private schools, shall conduct a thorough and complete child find process to determine the number of parentally placed children with disabilities attending private schools located in the school district. In so doing, the school district must undertake activities similar to those activities undertaken for the school district's public school children, and such child find process must be completed in a time period comparable to that for other students attending public schools in the school district. The cost of carrying out the child find requirements, including individual evaluations, cannot be considered in determining whether the school district has met its obligation to private school children. (3) To ensure timely and meaningful consultation, a school district shall consult with private school representatives and representatives of parents of parentally placed private school children during the design and development of special education and related services for these children. (4) A private school official shall have the right to submit a complaint to the SEA that the school district did not engage in consultation that was meaningful and timely, or did not give due consideration to the views of the private school official. (5) If the private school official wishes to submit a complaint, the official shall provide the basis of the noncompliance by the school district to the SEA and the school district shall forward the appropriate documentation to the SEA. If the private school official is dissatisfied with the decision of the SEA, such official may submit a complaint to the U.S. Secretary by providing the basis of the noncompliance by the school district to the Secretary, and the SEA shall forward the appropriate documentation to the Secretary.	§300.132 §300.133 §300.134

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	(6) The provision of services to private school children shall be provided by employees of a school district or through contract by the school district with an individual, association, agency, organization, or other entity. Special education and related services provided, including materials and equipment, shall be secular, neutral, and nonideological.	
PART II. GENERAL PROCEDURES W. <u>PROCEDURES FOR DISCIPLINE FOR STUDENTS WITH DISABILITIES</u>	The federal regulations provide for an expedited hearing that may be initiated by a school district or parent. The federal requirement differs from current Florida rules and requires such a hearing to occur within 20 school days of the date the hearing is requested and to result in a determination within 10 school days after the hearing.	§300.532(c)(2)
PART II. GENERAL PROCEDURES Y. <u>AGENCY ACCESS TO A STUDENT'S PUBLIC BENEFITS OR INSURANCE</u>	<p>THIS REPRESENTS A NEW SECTION.</p> <p>The federal regulations contain provisions not found in the current Florida rules regarding agency access to a student's public benefits or insurance. Specifically, a school district may use Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under the IDEA, as permitted under the public benefits or insurance program, except as provided below.</p> <p>With regard to services required to provide FAPE to an eligible child, the school district</p> <ol style="list-style-type: none"> (1) may not require parents to sign up for or enroll in public benefits or insurance programs in order for their child to receive FAPE under Part B of IDEA; (2) may not require parents to incur an out-of-pocket expense, such as the payment of a deductible or co-pay amount incurred in filing a claim for services provided, but may pay the cost that the parent otherwise would be required to pay; (3) may not use a child's benefits under a public insurance program if that use would decrease available lifetime coverage or any other insured benefit; result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time the child is in school; increase premiums or lead to the discontinuation of benefits or insurance; or risk loss of eligibility for home- and community-based waivers, based on aggregate health-related expenditures; and (4) must obtain informed written parental consent each time that 	§300.154(d)

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PART II. GENERAL PROCEDURES Y. <u>AGENCY ACCESS TO A STUDENT'S PUBLIC BENEFITS OR INSURANCE</u> (cont.)	<p>access to public benefits or insurance is sought; must obtain parental consent, consistent with §300.9, each time that access to public benefits or insurance is sought; and must notify parents that the parents' refusal to allow access to their public benefits or insurance does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents.</p> <p>With regard to services required to provide FAPE to an eligible child, a school district may access a parent's private insurance proceeds only if the parent provides informed consent. Each time the school district proposes to access the parent's private insurance proceeds, the agency must</p> <ol style="list-style-type: none"> (1) obtain parental consent; and (2) inform the parents that their refusal to permit the school district to access their private insurance does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents. <p>If a school district is unable to obtain parental consent to use the parents' private insurance, or public benefits or insurance when the parents would incur a cost for a specified service required under this part, to ensure FAPE the school district may use its Part B funds to pay for the service. To avoid financial cost to parents who otherwise would consent to use private insurance, or public benefits or insurance if the parents would incur a cost, the school district may use its Part B funds to pay the cost that the parents otherwise would have to pay to use the parents' benefits or insurance (e.g., the deductible or co-pay amounts).</p> <p>With respect to obtaining consent each time a school district accesses benefits or insurance, the U.S. DOE has clarified that a school district may obtain one consent for all of the projected times within a particular time period that benefits will be accessed.</p>	
PART III. PROCEDURES FOR SPECIFIC PROGRAMS B. <u>MENTALLY HANDICAPPED</u>	<p>See Eligibility Criteria section: "Students are eligible for TMH/PMH [trainable mentally handicapped/profoundly mentally handicapped] services from birth and EMH [educable mentally handicapped] services from their third birthday until they graduate (receive a standard diploma or G.E.D.) or until they reach the age of 22."</p> <p>The reference to GED has been removed and the statement now reads:</p> <p>"Students are eligible for services as trainable mentally</p>	N/A

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	handicapped/profoundly mentally handicapped (TMH/PMH) from birth and for services as educable mentally handicapped (EMH) from their third birthday until they graduate with a standard diploma or until age 22.”	
PART III. PROCEDURES FOR SPECIFIC PROGRAMS C. <u>SPEECH AND LANGUAGE IMPAIRED</u>	See Eligibility Criteria section: “A student is eligible for special programs in speech and language from age three until they graduate (with a standard diploma or GED)” The reference to GED has been removed and the statement now reads: “Students are eligible for services as speech and/or language impaired from age three until they graduate with a standard diploma or until age 22.”	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS D. <u>DEAF OR HARD- OF-HEARING</u>	<u>D. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE DEAF OR HARD-OF-HEARING</u> This section has been rewritten to align with revised Rule 6A-6.03013, FAC., ESE Eligibility for Students Who Are Deaf or Hard-of-Hearing, with the exception of the sections related to qualified evaluators and dismissal criteria (see Attachment 1).	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS E. <u>VISUALLY IMPAIRED</u>	See Eligibility Criteria section: “Students are eligible for services from birth until they graduate (receive a standard diploma or GED)....” The reference to GED has been removed and the statement now reads: “Students are eligible for services as visually impaired from birth until they graduate with a standard diploma or until age 22.”	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS F. <u>PHYSICALLY IMPAIRED</u>	NOTE: “Programs for Students Who are Identified as Physically Impaired” has been replaced with three sections. F-a <u>EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH ORTHOPEDIC IMPAIRMENT</u> This section has been rewritten to align with revised Rule 6A-6.030151, FAC., ESE Eligibility for Students Who Are Physically Impaired with Orthopedic Impairment, with the exception of the sections related to qualified evaluators and dismissal criteria (see Attachment 2).	N/A

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PART III. PROCEDURES FOR SPECIFIC PROGRAMS F. <u>PHYSICALLY IMPAIRED</u> (cont.)	<p>NOTE: “Programs for Students Who are Identified as Physically Impaired” has been replaced with three sections.</p> <p>F-b <u>EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH OTHER HEALTH IMPAIRMENT</u></p> <p>This section has been rewritten to align with revised Rule 6A-6.030152, FAC., ESE Eligibility for Students Who Are Physically Impaired with Other Health Impairment, with the exception of the sections related to qualified evaluators and dismissal criteria (see Attachment 3).</p>	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS F. <u>PHYSICALLY IMPAIRED</u> (cont)	<p>NOTE: “Programs for Students Who are Identified as Physically Impaired” has been replaced with three sections.</p> <p>F-c <u>EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH TRAUMATIC BRAIN INJURY</u></p> <p>This section has been rewritten to align with revised Rule 6A-6.030153, FAC., ESE Eligibility for Students Who Are Physically Impaired with Traumatic Brain Injury, with the exception of the sections related to qualified evaluators and dismissal criteria (see Attachment 4).</p>	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS G. <u>EMOTIONALLY HANDICAPPED AND SEVERELY EMOTIONALLY DISTURBED</u>	<p>G. <u>EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH EMOTIONAL/BEHAVIORAL DISABILITIES</u></p> <p>This section has been rewritten to align with revised Rule 6A-6.03016, FAC., ESE Eligibility for Students with Emotional/Behavioral Disabilities, with the exception of the sections related to qualified evaluators and dismissal criteria (see Attachment 5).</p>	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS H. <u>SPECIFIC LEARNING DISABLED</u>	<p>When determining SLD eligibility, the multidisciplinary evaluation team will follow the procedures and use the SLD criteria for eligibility currently set forth in Rule 6A-6.03018, FAC. The federal regulations add that the team determining SLD eligibility must also find that:</p> <p>(1) The child does not achieve adequately for the child’s age in order to meet state-approved grade-level standards in at least one of the seven skill areas related to reading, writing and mathematics already set forth in Rule 6A-6.03018, FAC., and the additional area of reading fluency, when provided with</p>	§300.307 §300.308 §300.309 §300.310 §300.311

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	<p>learning experiences and instruction appropriate for the child's age or state-approved grade-level standards; or</p> <p>(2) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of an SLD, using appropriate assessments, consistent with the law; and</p> <p>(3) The team's findings above are not primarily the result of the conditions/disabilities already set forth in Rule 6A-6.03018, FAC., to include the addition of limited English proficiency and a change in wording from cultural differences to cultural factors.</p> <p>The federal regulations added the following requirements regarding data collection as part of the eligibility process to ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math. Specifically, the team must consider as part of the eligibility process:</p> <p>(1) Data that demonstrate that prior to, or as a part of the referral process, the child was provided appropriate instruction in regular education settings delivered by qualified personnel; and</p> <p>(2) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.</p> <p>The federal regulations add provisions relative to seeking parental consent for an evaluation in the area of SLD by clarifying that a local education agency (LEA) must promptly request parental consent to evaluate a child to determine if the child needs special education and related services and must adhere to evaluation timelines, unless extended by mutual written agreement between the child's parents and the multidisciplinary team:</p> <p>(1) If prior to a referral, a child has not made adequate progress after an appropriate period of time when provided instruction, as described in the additional data collection provisions above; and</p> <p>(2) Whenever a child is referred for an evaluation.</p> <p>The federal regulations add to the observation requirements specifically as follows:</p> <p>(1) A school district must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and</p>	

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PART III. PROCEDURES FOR SPECIFIC PROGRAMS H. <u>SPECIFIC LEARNING DISABLED</u> (cont.)	<p>behavior in the areas of difficulty;</p> <p>(2) The multidisciplinary team must use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation; or</p> <p>(3) Have at least one member of the multidisciplinary team conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent is obtained;</p> <p>(4) In the case of a child of less than school age or out of school, a team member must observe the child in an environment appropriate for a child of that age.</p> <p>While continuing the use of the severe discrepancy model, the Florida requirements for the preparation of and components to be included in an SLD eligibility report continue to apply. The federal regulations provide that the following additional components be included in an SLD eligibility report:</p> <p>(1) Whether the child does not achieve adequately for the child's age or to meet state-approved grade-level standards consistent with the new requirements set forth above and whether the child does not make sufficient progress to meet age- or state-approved grade level standards consistent with the new requirements above; or</p> <p>(2) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards or intellectual development consistent with the new requirements above.</p>	
PART III. PROCEDURES FOR SPECIFIC PROGRAMS H. <u>SPECIFIC LEARNING DISABLED</u> (cont.)	<p>See Eligibility Criteria section: "A student is eligible for services from their third birthday until they graduate (receive a standard diploma or GED)"</p> <p>The reference to GED has been removed and the statement now reads:</p> <p>"Students are eligible for services as specific learning disabled from their third birthday until they graduate with a standard diploma or until age 22."</p>	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS K. <u>DUAL SENSORY IMPAIRED</u>	<p>See Eligibility Criteria section: "Students are eligible for services from their third birthday until they graduate (receive a standard diploma or G.E.D) or through the school year in which they turn 22."</p> <p>The reference to GED has been removed and the statement now reads:</p>	N/A

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	"Students are eligible for services as dual sensory impaired from birth until they graduate with a standard diploma or until age 22."	
PART III. PROCEDURES FOR SPECIFIC PROGRAMS L. <u>AUTISTIC</u>	L. <u>EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH AUTISM SPECTRUM DISORDER</u> This section has been rewritten to align with revised Rule 6A-6.03023, FAC., ESE Eligibility for Students with Autism Spectrum Disorder, with the exception of the sections related to qualified evaluators and dismissal criteria (see Attachment 6).	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS M. <u>PHYSICAL THERAPY</u>	See Eligibility Criteria section: "Students are eligible for services from birth until they graduate (receive a standard diploma or G.E.D) or through the school year in which they turn 22." The reference to GED has been removed and the statement now reads: "Students are eligible for physical therapy services from birth until they graduate with a standard diploma or until age 22."	N/A
PART III. PROCEDURES FOR SPECIFIC PROGRAMS N. <u>OCCUPATIONAL THERAPY</u>	See Eligibility Criteria section: "Students are eligible for services from birth until they graduate (receive a standard diploma or G.E.D) or through the school year in which they turn 22." The reference to GED has been removed and the statement now reads: "Students are eligible for occupational therapy services from birth until they graduate with a standard diploma or until age 22."	N/A
PART IV. ASSURANCES G. 3. Consent	THE FOLLOWING PARAGRAPHS HAVE BEEN ADDED AT THE END OF SECTION G. 3: The federal regulations provide that parental consent or the consent of an eligible child, who has reached the age of majority, must be obtained before personally identifiable information is released to officials of participating agencies that provide or pay for transition services. In addition, parental consent or the consent of an eligible child, who has reached the age of majority, must be obtained before any personally identifiable information about a child is released between school district officials where a private school is located and officials in the school district of the parent's residence in situations involving parentally placed private school students.	§300.622

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PART IV. ASSURANCES K. <u>EARLY INTERVENING SERVICES</u>	<p>THIS SECTION REPRESENTS AN ADDITION TO THE CURRENT SP&P.</p> <p>K. <u>EARLY INTERVENING SERVICES</u></p> <p>The school district assures, as applicable, if the school district has been determined to have disproportionate data by race/ethnicity with respect to the 1) identification of children with disabilities, 2) placement of these children in particular educational settings, and 3) disciplinary actions, including suspensions and expulsions, the Florida Department of Education must require that the school district reserve the maximum allowed for intervening services (15%) to provide comprehensive coordinated early intervening services to serve children in the school district, particularly, but not exclusively, children in those groups that were significantly overidentified. School districts must publicly report on the revision of policies, practices, and procedures with respect to identification, placement, and disciplinary actions taken of these children.</p>	§300.646(b)
PART IV. ASSURANCES L. <u>EARLY INTERVENING SERVICES (VOLUNTARY)</u>	<p>THIS SECTION REPRESENTS AN ADDITION TO THE CURRENT SP&P.</p> <p>L. <u>EARLY INTERVENING SERVICES (VOLUNTARY)</u></p> <p>The school district assures that no more than 15% of funds may be used to develop and implement activities that support coordinated early intervening services for students in grade K-12 who have not been identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment. In addition to direct services to students, activities may include professional development for teachers to support delivery of scientifically based academic instruction and behavioral interventions. Annual reports identifying the number of children served and the number of children served who subsequently received special education and related services are required. (Note: The amount of funds expended by the school district for early intervening services shall count toward the maximum amount of expenditures the school district may reduce under this flexibility rule.)</p>	§300.226
PART IV. ASSURANCES M. <u>NATIONAL INSTRUCTIONAL MATERIALS ACCESS CENTER</u>	<p>THIS SECTION REPRESENTS AN ADDITION TO THE CURRENT SP&P.</p> <p>M. <u>NATIONAL INSTRUCTIONAL MATERIALS ACCESS CENTER</u></p> <p>The school district assures compliance with 20 U.S.C. 1413 (a)(6), to provide instructional materials to blind persons or other persons</p>	§300.172

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PART IV. ASSURANCES M. <u>NATIONAL INSTRUCTIONAL MATERIALS ACCESS CENTER</u> (cont.)	with print disabilities in a timely manner. Instructional materials may be purchased through the National Instructional Materials Access Center (NIMAC) in the same manner and conditions as authorized by the state. School districts may choose not to coordinate with the NIMAC, but must ensure that children with disabilities who need instructional materials in accessible formats receive those materials in a timely manner.	
PART V. APPENDICES APPENDIX A: <u>EVALUATION INSTRUMENTS</u>	This section has been replaced with the new Evaluation Instruments pages (see Attachment 7).	N/A

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

D. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE DEAF OR HARD-OF-HEARING

Definition

A student who is deaf or hard-of-hearing has a hearing loss, aided or unaided, that impacts the processing of linguistic information and that adversely affects performance in the educational environment. The degree of loss may range from mild to profound.

Statutory and Regulatory Citations

Title 34 Code of Federal Regulations (CFR) §§300.8(c)(3), 300.8(c)(5), 300.34(b), 300.34(c), 300.42, 300.113, 300.114, 300.116, 300.172, 300.324(a)(2)(iv), 300.324(a)(2)(v)
 Sections 1003.01(3)(a), 1003.55, 1003.57, 1003.575, and 1003.576, Florida Statutes (F.S.)
 Rules 6A-6.03013, 6A-6.0331, and 6A-2.0010, Florida Administrative Code (FAC.)

Eligibility Criteria

A student who is deaf or hard-of-hearing is eligible for exceptional student education if all of the following criteria are met:

1. Medical: An audiological evaluation documents a permanent or fluctuating hearing threshold level that interferes with progress in any one (1) of the following areas: developmental skills or academic performance, social-emotional development, or linguistic and communicative skills as evidenced by:
 - a. 25 decibel (dB) \pm 5 dB or greater based on pure tone average of 500, 1000, and 2000 Hz unaided in the better ear; or
 - b. A high frequency hearing threshold level of 25 dB \pm 5 dB or greater based on pure tone average of 1000, 2000, and 3000 Hz unaided in the better ear; or
 - c. A unilateral hearing threshold level of 50 dB \pm 5 dB or greater based on pure tone average of 500, 1000, and 2000 Hz unaided; or
 - d. Auditory Evoked Potential responses evidencing permanent hearing loss at multiple frequencies equivalent to or in excess of the decibel hearing loss threshold criteria for pure tone audiometric testing specified above; and
2. Educational: The student needs special education as defined in Rule 6A-6.03411(1)(c), FAC.

Student Evaluation

Selection of assessment instruments shall take into consideration the student's functioning level, degree of hearing loss, and method of communication. Accommodations shall be provided in accordance with Rule 6A-6.0331(4)(j), FAC.

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D. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE DEAF OR HARD-OF-HEARING

In addition to the provision in subsection 6A-6.0331(4), FAC., the minimum evaluations necessary for determining eligibility shall include all of the following components:

1. Audiological evaluation,
2. Evaluation of developmental skills or academic achievement, including information on the student's academic strengths and weaknesses,
3. Evaluation of social development,
4. Evaluation of receptive and expressive communication, and
5. Individual assessment of intellectual functioning, including comprehensive non-verbal or developmental scales if more appropriate for students under age six (6).

Reevaluation

A reevaluation shall occur at least every three (3) years and shall include at a minimum an audiological evaluation.

Instructional Program

1. Philosophy

Each student with a disability is entitled to receive a free appropriate public education in the least restrictive environment which will enable the student to progress in the general curriculum to the maximum extent possible. Special education, which refers to specially designed instruction and related services, is provided to meet the unique needs of the student that result from the student's disability and to prepare the student for further education, employment, and independent living. Specially designed instruction means adapting, as appropriate, the content, methodology, and/or delivery of instruction. It may employ universal design for learning principles that include assistive technology, accommodations, and modifications.

2. Curriculum

Students will access the Sunshine State Standards through appropriate programming, support from special education and regular education teachers, support in the use of assistive technology, and through the use of universal design principles to maximize accessibility to the curriculum. For most students with disabilities, these supports enable progress toward a standard high school diploma.

3. Instructional Support

Students receive instructional support through specially designed instruction and related services as determined through the IEP process. Teachers are trained in how to design and implement individualized programs to address the learning needs of each student. Teachers are provided with administrative support to assure reasonable class size/workload, adequate funds for materials, and professional development. Teachers provide instruction in the unique skills considered necessary for students to access and benefit from the core curriculum. These skills include, but are not limited, to curriculum and learning strategies, compensatory skills, independent functioning, social/emotional behavior, use of assistive technology, and communication. A range of service delivery

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options is available to meet the student's needs, including consultative, itinerant, resource, special class, residential placement, hospitals, community-based or home services.

School districts may provide related services to students and professional development for teachers in coordination with community agencies, the Florida School for the Deaf and the Blind, discretionary projects funded by the Bureau of Exceptional Education and Student Services, and other agencies of state and local government including, but not limited to, the DOE, Division of Blind Services, and Division of Vocational Rehabilitation; the Department of Children and Families; and the Department of Health, Children's Medical Services, as appropriate.

Unique Philosophical, Curricular, or Instructional Considerations

In accordance with State Board of Education Rule 6A-6.03013(5), FAC., all students who are identified as deaf or hard-of-hearing will be screened for Usher syndrome at least one time between the grades of 6 and 12.

Students shall have access to instruction using the method of communication most readily understood by the student. Each student who is deaf or hard-of-hearing shall have the opportunity to develop expressive and receptive language skills using any or all of the following:

- Residual hearing
- Speech reading
- Manual communication systems
- Speech
- Appropriate amplification

In accordance with 34 CFR §300.324(a)(2)(iv), the school district shall consider the communication and language needs of students who are deaf or hard of hearing, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.

In accordance with 34 CFR §300.113, 34, routine checking of hearing aids worn in school by students with hearing loss and the external components of surgically implanted medical devices (i.e., cochlear implants) is required to ensure that these devices are functioning properly.

In accordance with 34 CFR §§300.5 and 300.6, the definitions of assistive technology and related services do not include a medical device that is surgically implanted, or the replacement of such device. However, 34 CFR §300.34(b)(2) states that, although cochlear implants are not considered assistive technology, children with cochlear implants maintain the right to receive related services that are determined by the IEP Team to be necessary for the student. School districts are responsible for providing appropriate services for the

PART III. PROCEDURES FOR SPECIFIC PROGRAMS**D. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE DEAF OR HARD-OF-HEARING**

students. In accordance with IDEA 2004, however, appropriate services do not include maintaining, optimizing (i.e., mapping), or replacing cochlear implants.

In accordance with 34 CFR §300.34(c)(4), interpreting services includes – (i) The following, when used with respect to children who are deaf or hard of hearing: Oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and TypeWell; and (ii) special interpreting services for children who are deaf-blind.

Each learning environment shall have appropriate acoustic treatment (re: ANSI s12.60-2002), lighting, and auditory amplification equipment to meet the individual needs of each student. Auditory equipment shall be made available through the school district (e.g., Personal or Soundfield FM systems, infrared systems, induction loop systems, and other assistive listening devices). Auditory equipment will be calibrated annually, maintained, and considered for replacement on a five (5) year cycle. Visual alarm devices shall be provided in all areas where students who are deaf or hard of hearing may be separated from persons with normal hearing—group bathrooms, corridors, specific areas designated for the deaf, etc.—in accordance with State Board of Education Rule 6A-2.0010, FAC.

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

F-a. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH ORTHOPEDIC IMPAIRMENT

Definition

Orthopedic impairment means a severe skeletal, muscular, or neuromuscular impairment. The term includes impairments resulting from congenital anomalies (e.g., including but not limited to skeletal deformity or spina bifida) and impairments resulting from other causes (e.g., including but not limited to cerebral palsy or amputations).

Regulatory Citations

Title 34 Code of Federal Regulations (CFR) §300.300.8(c)(8)
 Sections 1003.01(3)(a) and 1003.57, Florida Statutes (F.S.)
 Rules 6A-6.030151 and 6A-6.0331, Florida Administrative Code (FAC.)

Eligibility Criteria

A student with an orthopedic impairment is eligible for exceptional student education if all of the following criteria are met:

1. There is evidence of an orthopedic impairment that adversely affects the student's performance in the educational environment in any of the following: ambulation, hand movement, coordination, or daily living skills, and
2. The student needs special education as defined in rule 6A.6-03411(1)(c), FAC.

Student Evaluation

In addition to the provisions in subsection 6A-6.0331(4), FAC., the minimum student evaluations shall include all of the following:

1. A report of a medical examination, within the previous twelve-month (12) period, from a Florida licensed physician(s) (in accordance with Chapter 458 or 459, Florida Statutes) who is qualified to assess the student's orthopedic impairment. The physician's report must provide a description of the impairment and any medical implications for instruction; and
2. An educational evaluation that identifies educational and environmental needs.

Instructional Program

1. Philosophy
 Each student with a disability is entitled to receive a free appropriate public education in the least restrictive environment which will enable the student to progress in the general curriculum to the maximum extent possible. Special education, which refers to specially designed instruction and related services, is provided to meet the unique needs of the student that result from the student's disability and to prepare the student for further

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education, employment, and independent living. Specially designed instruction means adapting, as appropriate, the content, methodology, and/or delivery of instruction. It may employ universal design for learning principles that include assistive technology, accommodations, and modifications.

2. Curriculum

Students will access the Sunshine State Standards through appropriate programming, support from special education and regular education teachers, support in the use of assistive technology, and through the use of universal design principles to maximize accessibility to the curriculum. For most students with disabilities, these supports enable progress toward a standard high school diploma.

3. Instructional Support

Students receive instructional support through specially designed instruction and related services as determined through the IEP process. Teachers are trained in how to design and implement individualized programs to address the learning needs of each student. Teachers are provided with administrative support to assure reasonable class size/workload, adequate funds for materials, and professional development. Teachers provide instruction in the unique skills considered necessary for students to access and benefit from the core curriculum. These skills include, but are not limited to curriculum and learning strategies, compensatory skills, independent functioning, social/emotional behavior, use of assistive technology, and communication. A range of service delivery options is available to meet the student's needs, including consultative, itinerant, resource, special class, residential placement, hospitals, community-based or home services.

School districts may provide related services to students and professional development for teachers in coordination with community agencies, the Florida School for the Deaf and the Blind, discretionary projects funded by the Bureau of Exceptional Education and Student Services, and other agencies of state and local government including, but not limited to, the DOE, Division of Blind Services, and Division of Vocational Rehabilitation; the Department of Children and Families; and the Department of Health, Children's Medical Services, as appropriate.

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F-b. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH OTHER HEALTH IMPAIRMENT

Definition

Other health impaired means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli that results in limited alertness with respect to the educational environment that is due to chronic or acute health problems. This includes, but is not limited to, asthma, attention deficit disorder or attention hyperactivity disorder, Tourette syndrome, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and acquired brain injury.

Regulatory Citations

Title 34 Code of Federal Regulations (CFR) §300.300.8(c)(9)
 Sections 1003.01(3)(a) and 1003.57, Florida Statutes (F.S.)
 Rules 6A-6.030152 and 6A-6.0331, Florida Administrative Code (FAC.)

Eligibility Criteria

A student with a health impairment is eligible for exceptional student education if the following criteria are met:

1. There is evidence of a health impairment that results in reduced efficiency in schoolwork and adversely affects the student's performance in the educational environment; and
2. The student needs special education as defined in rule 6A-6.03411(1)(c).

Student Evaluation

In addition to the provisions in subsection 6A-6.0331(4), FAC., the minimum student evaluations shall include all of the following:

1. A report of a medical examination, within the previous twelve-month (12) period, from a Florida licensed physician(s) (in accordance with Chapter 458 or 459, Florida Statutes) who is qualified to assess the student's health impairment. The physician's report must provide a description of the impairment and any medical implications for instruction; and
2. An educational evaluation that identifies educational and environmental needs.

Instructional Program

1. Philosophy
 Each student with a disability is entitled to receive a free appropriate public education in the least restrictive environment which will enable the student to progress in the general curriculum to the maximum extent possible. Special education, which refers to specially designed instruction and related services, is provided to meet the unique needs of the student that result from the student's disability and to prepare the student for further

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F-b. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH OTHER HEALTH IMPAIRMENT

education, employment, and independent living. Specially designed instruction means adapting, as appropriate, the content, methodology, and/or delivery of instruction. It may employ universal design for learning principles that include assistive technology, accommodations, and modifications.

2. Curriculum

Students will access the Sunshine State Standards through appropriate programming, support from special education and regular education teachers, support in the use of assistive technology, and through the use of universal design principles to maximize accessibility to the curriculum. For most students with disabilities, these supports enable progress toward a standard high school diploma.

3. Instructional Support

Students receive instructional support through specially designed instruction and related services as determined through the IEP process. Teachers are trained in how to design and implement individualized programs to address the learning needs of each student. Teachers are provided with administrative support to assure reasonable class size/workload, adequate funds for materials, and professional development. Teachers provide instruction in the unique skills considered necessary for students to access and benefit from the core curriculum. These skills include, but are not limited to curriculum and learning strategies, compensatory skills, independent functioning, social/emotional behavior, use of assistive technology and communication. A range of service delivery options is available to meet the student's needs, including consultative, itinerant, resource, special class, residential placement, hospitals, community-based or home services.

School districts may provide related services to students and professional development for teachers in coordination with community agencies, the Florida School for the Deaf and the Blind, discretionary projects funded by the Bureau of Exceptional Education and Student Services, and other agencies of state and local government including, but not limited to, the DOE, Division of Blind Services, and Division of Vocational Rehabilitation; the Department of Children and Families; and the Department of Health, Children's Medical Services, as appropriate.

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F-c. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH TRAUMATIC BRAIN INJURY

Definition

A traumatic brain injury means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term applies to mild, moderate, or severe open or closed head injuries resulting in impairments in one (1) or more areas, such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, or speech. The term includes anoxia due to trauma. The term does not include brain injuries that are congenital, degenerative, or induced by birth trauma.

Regulatory Citations

Title 34 Code of Federal Regulations (CFR) §300.300.8(c)(12)
 Sections 1003.01(3)(a) and 1003.57, Florida Statutes (F.S.)
 Rules 6A-6.030153 and 6A-6.0331, Florida Administrative Code (FAC.)

Eligibility Criteria

A student with a traumatic brain injury is eligible for exceptional student education if all of the following criteria are met:

1. There is evidence of a traumatic brain injury that impacts one or more of the areas listed in the student evaluation, section 2 below; and
2. The student needs special education as defined in rule 6A.6-03411(1)(c), FAC.

Student Evaluation

In addition to the provisions in subsection 6A-6.0331(4), FAC., the minimum student evaluations shall include all of the following:

1. A report of a medical examination, within the previous twelve-month (12) period, from a Florida licensed physician(s) (in accordance with [Chapter 458](#) or [459](#), Florida Statutes) who is qualified to assess the student's traumatic brain injury. The physician's report must provide a description of the traumatic brain injury and any medical implications for instruction; and
2. Documented evidence by more than one person, including the parent, guardian, or primary caregiver, in more than one situation. The documentation shall include evidence of a marked contrast of pre- and post-injury capabilities in one or more of the following areas: cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual, and motor abilities, psychosocial behavior, physical functions, information processing or speech; and

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

F-c. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WHO ARE PHYSICALLY IMPAIRED WITH TRAUMATIC BRAIN INJURY

3. An educational evaluation that identifies educational and environmental needs.
4. The evaluation may also include a neuropsychological evaluation when requested by the ESE administrator or designee.

Instructional Program

1. Philosophy
Each student with a disability is entitled to receive a free appropriate public education in the least restrictive environment which will enable the student to progress in the general curriculum to the maximum extent possible. Special education, which refers to specially designed instruction and related services, is provided to meet the unique needs of the student that result from the student's disability and to prepare the student for further education, employment, and independent living. Specially designed instruction means adapting, as appropriate, the content, methodology, and/or delivery of instruction. It may employ universal design for learning principles that include assistive technology, accommodations, and modifications.
2. Curriculum
Students will access the Sunshine State Standards through appropriate programming, support from special education and regular education teachers, support in the use of assistive technology, and through the use of universal design principles to maximize accessibility to the curriculum. For most students with disabilities, these supports enable progress toward a standard high school diploma.
3. Instructional Support
Students receive instructional support through specially designed instruction and related services as determined through the IEP process. Teachers are trained in how to design and implement individualized programs to address the learning needs of each student. Teachers are provided with administrative support to assure reasonable class size/workload, adequate funds for materials, and professional development. Teachers provide instruction in the unique skills considered necessary for students to access and benefit from the core curriculum. These skills include, but are not limited to curriculum and learning strategies, compensatory skills, independent functioning, social/emotional behavior, use of assistive technology, and communication. A range of service delivery options is available to meet the student's needs, including consultative, itinerant, resource, special class, residential placement, hospitals, community-based or home services.

School districts may provide related services to students and professional development for teachers in coordination with community agencies, the Florida School for the Deaf and the Blind, discretionary projects funded by the Bureau of Exceptional Education and Student Services, and other agencies of state and local government including, but not limited to, the DOE, Division of Blind Services, and Division of Vocational Rehabilitation; the Department of Children and Families; and the Department of Health, Children's Medical Services, as appropriate.

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

G. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH EMOTIONAL/BEHAVIORAL DISABILITIES

Definition

A student with an emotional/behavioral disability (E/BD) has persistent (is not sufficiently responsive to implemented evidence-based interventions) and consistent emotional or behavioral responses that adversely affect performance in the educational environment that cannot be attributed to age, culture, gender, or ethnicity.

Regulatory Citations

Title 34 Code of Federal Regulations (CFR) §300.8(4)(i)
 Sections 1003.01(3) and 1003.57, Florida Statutes (F.S.)
 Rules 6A-6.0331 and 6A-6.03016, Florida Administrative Code (FAC.)

Eligibility Criteria

A student is eligible for a special program for emotional/behavioral disabilities if the following criteria in (1), (2), and (3) are met.

1. A student with an emotional/behavioral disability must demonstrate an inability to maintain adequate performance in the educational environment that cannot be explained by physical, sensory, socio-cultural, developmental, medical, health (with the exception of mental health) factors; and must demonstrate one or more of the following characteristics, in 1.a or 1.b:
 - a. Internal factors characterized by:
 1. Feelings of sadness or frequent crying or restlessness or loss of interest in friends and/or school work, or mood swings, or erratic behavior; or
 2. The presence of symptoms, such as fears, phobias, or excessive worrying and anxiety, regarding personal or school problems; or
 3. Behaviors that result from thoughts and feelings that are inconsistent with actual events or circumstances, or difficulty maintaining normal thought processes, or excessive levels of withdrawal from persons or events; or
 - b. External factors characterized by:
 1. An inability to build or maintain satisfactory interpersonal relationships with peers, teachers, and other adults in the school setting; or
 2. Behaviors that are chronic and disruptive, such as noncompliance, verbal and/or physical aggression, and/or poorly developed social skills, and are manifestations of feelings, symptoms, or behaviors as specified above, in section 1.a.
2. The characteristics as described in (1) (a) or (b) must be present for a minimum of six (6) months duration and in two or more settings, including, but not limited to, school,

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

G. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH EMOTIONAL/BEHAVIORAL DISABILITIES

educational environment, transition to and/or from school, or home/community settings. At least one setting must be school.

3. The student needs special education as defined in rule 6A-6.03411(1)(c), FAC.
4. In extraordinary circumstances, activities prior to referral for evaluation and the criteria for eligibility described in 2 above may be waived when immediate intervention is required to address an acute onset of an internal emotional/behavioral characteristic as listed in 1.a. above.

Student Evaluation

1. In addition to the provisions in subsection 6A-6.0331(4), FAC., the minimum evaluation shall include the following in a – d:
 - a. a review of the functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions. The FBA should identify the conditions under which the behavior is most and least likely to occur, the functions of the student's behavior, and document the student's response to implemented interventions. It may be necessary to revise the FBA as part of the evaluation. If a formal FBA has not been completed, one must be completed as part of the evaluation.
 - b. a psychological evaluation conducted in accordance with Rule 6A-6.0031(4)(a), FAC. The psychological evaluation should include assessment procedures necessary to identify the factors contributing to the development of an emotional/behavioral disability, which include behavioral observations and interview data relative to the referral concerns, and assessment of emotional and behavioral functioning, and may also include information on developmental functioning and skills. The psychological evaluation shall include a review of evidence-based interventions that have already been implemented and the criteria used to evaluate their success, and;
 - c. a review of educational data which includes information on the student's academic levels of performance, and the relationship between the student's academic performance and the emotional/behavioral disability; additional academic evaluation may be completed if needed; and,
 - d. a social/developmental history compiled from a structured interview with the parent or guardian that addresses developmental, familial, medical/health, and environmental factors impacting learning and behavior, and which identifies the relationship between social/developmental and socio-cultural factors, and the presence or non-presence of emotional/behavioral responses beyond the school environment.

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

G. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH EMOTIONAL/BEHAVIORAL DISABILITIES

2. A medical evaluation must be conducted when it is determined by the administrator of the exceptional student program or the designee that the emotional/behavioral responses may be precipitated by a physical problem.

Instructional Program

1. Philosophy

Each student with a disability is entitled to receive a free appropriate public education in the least restrictive environment which will enable the student to progress in the general curriculum to the maximum extent possible. Special education, which refers to specially designed instruction and related services, is provided to meet the unique needs of the student that result from the student's disability and to prepare the student for further education, employment, and independent living. Specially designed instruction means adapting, as appropriate, the content, methodology, and/or delivery of instruction. It may employ universal design for learning principles that include assistive technology, accommodations, and modifications.

2. Curriculum

Students will access the Sunshine State Standards through appropriate programming, support from special education and regular education teachers, support in the use of assistive technology, and through the use of universal design principles to maximize accessibility to the curriculum. For most students with disabilities, these supports enable progress toward a standard high school diploma.

3. Instructional Support

Students receive instructional support through specially designed instruction and related services as determined through the IEP process. Teachers are trained in how to design and implement individualized programs to address the learning needs of each student. Teachers are provided with administrative support to assure reasonable class size/workload, adequate funds for materials, and professional development. Teachers provide instruction in the unique skills considered necessary for students to access and benefit from the core curriculum. These skills include, but are not limited to curriculum and learning strategies, compensatory skills, independent functioning, social/emotional behavior, use of assistive technology, and communication. A range of service delivery options is available to meet the student's needs, including consultative, itinerant, resource, special class, residential placement, hospitals, community-based or home services.

School districts may provide related services to students and professional development for teachers in coordination with community agencies, the Florida School for the Deaf and the Blind, discretionary projects funded by the Bureau of Exceptional Education and Student Services, and other agencies of state and local government including, but not limited to, the DOE, Division of Blind Services, and Division of Vocational Rehabilitation; the Department of Children and Families; and the Department of Health, Children's Medical Services, as appropriate.

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

G. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH EMOTIONAL/BEHAVIORAL DISABILITIES

Unique Philosophical, Curricular, or Instructional Considerations

When making a distinction between students with internalized or externalized characteristics, the IEP Teams will consider these presenting manifestations as they determine the needs of the students when recommending: (1) goals; (2) objectives/benchmarks; (3) specially designed instruction and related services; and (4) the location of such services.

Services for students with emotional/behavioral disabilities (E/BD) provide an integrated curriculum of academic, affective, and behavioral interventions. These services are designed to support the improvement of academic and social functioning through academic (e.g., differentiated instruction, mastery learning), affective (e.g., individual or group counseling, parent education and support), and behavioral (e.g., behavior support, and consultation from mental health, medical, or other professionals) interventions. Student improvement is measured through continuous progress monitoring of responses to intervention. A critical component of effective E/BD services is parent involvement and on-going communication about implementation and outcomes of interventions.

When students with emotional/behavioral disabilities receive services for the full school week in a comprehensive public school or center school setting, the results of prior interventions and progress monitoring data support the need for: a lower adult-to-pupil ratio than offered in other ESE delivery models; a highly structured academic and affective curriculum; extensive support services that shall include individual or group counseling, and parent education and support; and, when appropriate, consultation from mental health, medical, or other professionals. The IEP team must determine that services cannot be provided in a less restrictive environment.

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

L. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH AUTISM SPECTRUM DISORDER

Definition

Autism spectrum disorder is defined as a range of pervasive developmental disorders that adversely affects a student's functioning and results in the need for specially designed instruction and related services. Autism spectrum disorder is characterized by an uneven developmental profile and a pattern of qualitative impairments in social interaction and communication and the presence of restricted repetitive and/or stereotyped patterns of behavior, interests, or activities. These characteristics may manifest in a variety of combinations and range from mild to severe. Autism spectrum disorder may include autistic disorder, pervasive developmental disorder not otherwise specified, Aspergers syndrome, or other related pervasive developmental disorders.

Regulatory Citations

Title 34 Code of Federal Regulations (CFR) §300.8(c) (1)
 Sections 1003.01(3)(a) and 1003.57, Florida Statutes (F.S.)
 Rules 6A-6.03023 and 6A-6.0331, Florida Administrative Code (FAC.)

Eligibility Criteria

The following criteria, consistent with the definition, shall be used to determine each student's eligibility for a special program:

1. Evidence of all of the following:
 - a. *Uneven developmental profile* as evidenced by inconsistencies in the development of language, social interaction, adaptive behavior, and/or cognitive skills. These inconsistencies can be evidenced across or within these developmental domains; and,
 - b. *Impairment in social interaction* as evidenced by the delay, difference, absence, or abnormality in the ability to relate to people or the environment. These may include one or more of the following behavioral indicators, such as: limited joint attention and limited use of facial expressions directed toward others; lack of showing or bringing things to others to indicate an interest in the activity; difficulties in relating to people, objects, and events; a gross impairment in ability to make and keep friends; significant vulnerability and safety issues due to social naiveté; preference for isolated or solitary activities; misinterpretation of others' behaviors and social cues; and
 - c. *Impairment in verbal and/or nonverbal language or social communication skills* as evidenced by one or more behavioral indicators, such as: lack of spontaneous imitations or lack of varied imaginative play; absence or delay of spoken language; limited understanding and use of nonverbal communication skills, such as gestures, facial expressions, or voice tone; odd production of speech including intonation, volume, rhythm, or rate; repetitive or idiosyncratic language or inability to initiate or maintain a conversation when speech is present; lack of using a finger to point or request; and

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

L. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH AUTISM SPECTRUM DISORDER

- d. *Restricted repetitive and/or stereotyped patterns of behavior, interests, or activities* as evidenced by one or more behavioral indicators such as: insistence on following rules or rituals; demonstration of distress or resistance to changes in activity; repetitive hand or body mannerisms; lack of true imaginative play versus reenactment; over-reaction or under-reaction to sensory stimuli; rigid or rule-bound thinking; encompassing preoccupation with one or more stereotyped or restricted patterns of interest that are abnormal either in intensity or focus; and

- 2. The student needs special education as defined in Rule 6A-6.03411 (1)(c), FAC.

Student Evaluation

- 1. In addition to the procedures identified in subsection 6A-6.0331(4), FAC., the minimum student evaluations shall include all of the following:
 - a. Documented and dated behavioral observations conducted by members of the evaluation team targeting social interaction, communication skills, and stereotyped patterns of behavior, interests, or activities, across settings. Activities conducted prior to referral may be used to meet this criterion, if the activities address the elements identified in this section; and
 - b. A comprehensive social/developmental history compiled with the parents(s) or guardian(s) that addresses the core features of autism spectrum disorder; and
 - c. A comprehensive psychological evaluation to identify present levels of performance and uneven patterns of development in language, social interaction, adaptive behavior, and cognitive skills; and
 - d. A comprehensive speech/language evaluation.
- 2. Medical information provided shall be considered.

Instructional Program

- 1. Philosophy

Each student with a disability is entitled to receive a free appropriate public education in the least restrictive environment which will enable the student to progress in the general curriculum to the maximum extent possible. Special education, which refers to specially designed instruction and related services, is provided to meet the unique needs of the student that result from the student's disability and to prepare the student for further education, employment, and independent living. Specially designed instruction means adapting, as appropriate, the content, methodology, and/or delivery of instruction. It may employ universal design for learning principles that include assistive technology, accommodations, and modifications.
- 2. Curriculum

Students will access the Sunshine State Standards through appropriate programming, support from special education and regular education teachers, support in the use of assistive technology, and through the use of universal design principles to maximize

PART III. PROCEDURES FOR SPECIFIC PROGRAMS

L. EXCEPTIONAL STUDENT EDUCATION ELIGIBILITY FOR STUDENTS WITH AUTISM SPECTRUM DISORDER

accessibility to the curriculum. For most students with disabilities, these supports enable progress toward a standard high school diploma.

3. Instructional Support

Students receive instructional support through specially designed instruction and related services as determined through the IEP process. Teachers are trained in how to design and implement individualized programs to address the learning needs of each student. Teachers are provided with administrative support to assure reasonable class size/workload, adequate funds for materials, and professional development. Teachers provide instruction in the unique skills considered necessary for students to access and benefit from the core curriculum. These skills include, but are not limited to curriculum and learning strategies, compensatory skills, independent functioning, social/emotional behavior, use of assistive technology, and communication. A range of service delivery options is available to meet the student's needs, including consultative, itinerant, resource, special class, residential placement, hospitals, community-based or home services.

School districts may provide related services to students and professional development for teachers in coordination with community agencies, the Florida School for the Deaf and the Blind, discretionary projects funded by the Bureau of Exceptional Education and Student Services, and other agencies of state and local government including, but not limited to, the DOE, Division of Blind Services, and Division of Vocational Rehabilitation; the Department of Children and Families; and the Department of Health, Children's Medical Services, as appropriate.

Unique Philosophical, Curricular, or Instructional Considerations

While students with autism spectrum disorder (ASD) share instructional needs with other students, there are characteristics that are specific to ASD, including the development and use of language and communication skills, the development of appropriate social skills, and the development of appropriate behavioral skills. The need to tailor instruction to the individual learning styles and needs of each student requires that teachers of students with ASD be knowledgeable in a variety of educational strategies.

Inherent in the program for students with ASD is the recognition that ASD is a developmental disability that severely impacts the student's communication, social, and behavioral skills. It is important to take into consideration the student's strengths and needs in all three areas when tailoring an educational program for the student.

PART V. APPENDICES

APPENDIX A: EVALUATION INSTRUMENTS

The purpose of *Evaluation Instruments* appendix is to provide school districts with a *representative* list of individually administered, standardized instruments available for conducting a comprehensive evaluation. The instruments listed were selected based on their technical adequacy (e.g., reliability, validity), appropriateness of standardization, and recency of test development. There are multiple distributors for many of the evaluation instruments listed but the listing has attempted to identify the publisher of the test instrument.

This appendix is organized by cognitive and developmental areas and, with the exception of *Specialized Evaluations*, does not correspond to a specific disability classification. The determination of what constitutes a comprehensive evaluation is made by a team of individuals based on the reason for referral, student history, and other relevant information. Depending on the purpose of the assessment, there may be a number of professionals competent to administer the test.

School districts are not limited to, or required to use, the instruments included in this appendix.

School districts are responsible for using the current edition of the instrument and administering evaluation instruments in accordance with the test publisher's instructions, IDEA evaluation procedures (34 CFR §300.304), and ethical/professional standards (e.g., *Standards for Educational and Psychological Testing*).

IDEA requires that school districts use a variety of assessment tools and strategies to gather information, use technically sound instruments, and not use any single assessment tool as the sole criteria for determining eligibility. The evaluation procedures used should assist in determining whether the student is a student with a disability and the educational needs of the student. Standardized evaluation instruments (e.g., test instruments listed) should be used in conjunction with informal assessment strategies, data used in monitoring student progress and response to intervention, and with other available evaluation data when making decisions about eligibility and educational need.

In the selection and administration of evaluation instruments (34 CFR §300.305), school districts must ensure that the formal and informal evaluation methods used are:

- Selected and administered so as not to be discriminatory on a racial or cultural basis
- Administered in the child's native language and in the form likely to yield accurate information on what the child knows and can do
- Used for the purposes for which the assessments are valid and reliable
- Administered by trained and knowledgeable personnel
- Administered in accordance with instructions provided by the test developer

For children with known impairments (i.e., sensory, manual, or speaking), the school district must ensure that assessment results accurately reflect the child's aptitude or achievement rather than reflecting the impaired sensory, manual, or speaking skills. [34 CFR §300.304 (c) (3)]

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APPENDIX A: EVALUATION INSTRUMENTS

INTELLIGENCE & COGNITIVE ABILITY

Evaluation Instrument	Publisher	Ages
<i>Cognitive Assessment System (CAS) 1997</i>	<i>Riverside Publishing</i>	<i>5 to 17.11</i>
<i>Differential Abilities Scales – Second Edition (DAS-II) 2006</i>	<i>Harcourt/PsychCorp</i>	<i>2.5 to 17.11</i>
<i>Kaufman Adolescent and Adult Intelligence Test (KAIT) 1993</i>	<i>AGS/Pearson Assessments</i>	<i>11 to 85+</i>
<i>Kaufman Assessment Battery for Children, Second Edition (KABC-II) 2004</i>	<i>AGS/Pearson Assessments</i>	<i>3 to 18</i>
<i>Reynolds Intellectual Assessment Scale (RIAS) 2003</i>	<i>PAR</i>	<i>3 to 94</i>
<i>Stanford-Binet Intelligence Scale – Fifth Edition (SB5) 2003</i>	<i>Riverside Publishing</i>	<i>2 to 85+</i>
<i>Stanford-Binet Intelligence Scales for Early Childhood – Fifth Edition (Early SB5) 2005</i>	<i>Riverside Publishing</i>	<i>2 to 7.3</i>
<i>Wechsler Adult Intelligence Scale – Third Edition (WAIS-III) 1997</i>	<i>Harcourt/PsychCorp</i>	<i>16 to 89</i>
<i>Wechsler Intelligence Scale for Children – Fourth Edition (WISC-IV) 2003</i>	<i>Harcourt/PsychCorp</i>	<i>6 to 16.11</i>
<i>Wechsler Preschool and Primary Scale of Intelligence, Third Edition (WPPSI-III) 2002</i>	<i>Harcourt/PsychCorp</i>	<i>2.6 to 7.3</i>
<i>Woodcock-Johnson III Tests of Cognitive Abilities (WJIII) 2001</i>	<i>Riverside Publishing</i>	<i>2 to 90</i>

PART V. APPENDICES
APPENDIX A: EVALUATION INSTRUMENTS

NONVERBAL TESTS OF INTELLIGENCE/NONVERBAL ABILITY

Evaluation Instrument	Publisher	Ages
<i>Comprehensive Test of Nonverbal Intelligence (C-TONI) 1996</i>	<i>ProEd</i>	<i>6 to 18.11</i>
<i>Leiter International Performance Scale – Revised (Leiter-R) 1997</i>	<i>Stoelting Company</i>	<i>2 to 18</i>
<i>Naglieri Nonverbal Ability Test – Individual Administration 2003</i>	<i>Harcourt/PsychCorp</i>	<i>4 to 17.11</i>
<i>Ravens Progressive Matrices – Colored (CPM) and Standard (SPM) Progressive Matrices 1998</i>	<i>Harcourt/PsychCorp</i>	<i>5 to adult</i>
<i>Test of Nonverbal Intelligence-3 (TONI-3)1997</i>	<i>ProEd</i>	<i>6.0 to 85.11</i>
<i>Universal Nonverbal Intelligence Test (UNIT) 1998</i>	<i>Riverside Publishing</i>	<i>5.0 to 17.11</i>
<i>Wechsler Nonverbal Scale of Ability (WNV) 2006</i>	<i>Harcourt/PsychCorp</i>	<i>4.0 to 21.11</i>

ADAPTIVE BEHAVIOR

Evaluation Instrument	Publisher	Ages/Grades
<i>AAMR Adaptive Behavior Scales – School, Second Edition (ABS-S:2) 1993</i>	<i>ProEd</i>	<i>3 to 18.11</i>
<i>Adaptive Behavior Assessment System, Second Edition (ABAS, 2nd) 2003</i>	<i>Harcourt/PsychCorp</i>	<i>5 to 21</i>
<i>Scales of Independent Behavior – Revised (SIB-R) 1996</i>	<i>Riverside Publishing</i>	<i>infancy to 80+</i>
<i>Vineland Adaptive Behavior Scales – Second Edition (Vineland-II) 2005</i>	<i>AGS/Pearson Assessments</i>	<i>birth to 90</i>

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APPENDIX A: EVALUATION INSTRUMENTS

EARLY CHILDHOOD/DEVELOPMENTAL

Evaluation Instrument	Publisher	Ages
<i>Battelle Developmental Inventory (BDI-2, Fall 2004)</i>	<i>Riverside Publishing</i>	<i>birth to 8</i>
<i>Bayley Scales of Infant Development, Third Edition (BSID-III) 2005</i>	<i>Harcourt/PsychCorp</i>	<i>1 to 42 months</i>
<i>Bracken Basic Concept Scale – Third Edition: Expressive (BBCS-3:E) 2006</i>	<i>Harcourt/PsychCorp</i>	<i>3 to 6.11</i>
<i>Bracken Basic Concept Scale – Third Edition: Receptive (BBCS-3:R) 2006</i>	<i>Harcourt/PsychCorp</i>	<i>3 to 6.11</i>
<i>Brigance Inventory of Early Development – Revised 1999</i>	<i>Curriculum Associates</i>	<i>birth to 7</i>
<i>Developmental Assessment of Young Children (DAYC)</i>	<i>ProEd</i>	<i>birth to 5.11</i>
<i>Developmental Profile 3 (DP-3) 2007</i>	<i>Western Psychological Services</i>	<i>birth to 12.11</i>
<i>Kaufman Survey of Early Academic and Language Skills (K-SEALS) 1993</i>	<i>AGS/Pearson Assessments</i>	<i>3.0 to 6.11</i>
<i>Mullen Scales of Early Learning 1995</i>	<i>AGS/Pearson Assessments</i>	<i>birth to 68 months</i>
<i>Peabody Developmental Motor Scale, Second Edition (PDMS-2) 2000</i>	<i>ProEd</i>	<i>birth to 6.11</i>

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APPENDIX A: EVALUATION INSTRUMENTS

NEUROPSYCHOLOGICAL, VISUAL-MOTOR-PERCEPTUAL

Evaluation Instrument	Publisher	Ages/Grades
<i>Behavior Rating Inventory of Executive Function (BRIEF) 2000</i>	PAR	5 to 18
<i>Bender Visual-Motor Gestalt Test, Second Edition (Bender-Gestalt II) 2003</i>	Riverside Publishing	4 to 85
<i>BOT-2: Bruininks-Oseretsky Test of Motor Proficiency, 2nd Edition</i>	AGS/Pearson Assessments	4 to 21
<i>Children's Memory Scale (CMS) 1997</i>	Harcourt/PsychCorp	5 to 16
<i>Dean-Woodcock Neuropsychological Battery (DW) 2003</i>	Riverside Publishing	4 to adult
<i>Delis-Kaplan Executive Function System (D-FES) 2001</i>	Harcourt/PsychCorp	8 to 89
<i>Developmental Test of Visual-Motor Integration, 5th Edition (VMI-5) 2003</i>	AGS/Pearson Assessments	2 to 18
<i>NEPSY: A Developmental Neuropsychological Assessment 1997</i>	Harcourt/PsychCorp	3 to 12
<i>Scales of Cognitive Ability for Traumatic Brain Injury (SCATBI) 1993</i>	ProEd	3 to 9.0
<i>Test of Auditory-Processing Skills – 3rd Edition (TAPS-3)</i>	ProEd	4 to 13
<i>Test of Visual-Perceptual Skills – 3rd Edition (TVPS-3)</i>	Academic Therapy Publications	4 to 13
<i>Wide Range Assessment of Memory & Learning, 2nd Edition (WRAML2) 2003</i>	PAR	5 to 90
<i>Wide Range Assessment of Visual Motor Ability (WRAVMA)</i>	PAR	3 to 17.11

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GENERAL ACHIEVEMENT

Evaluation Instrument	Publisher	Ages/Grades
<i>Basic Achievement Skills Inventory (BASI)</i>	<i>AGS/Pearson Assessments</i>	<i>8 to 80</i>
<i>Brigance Comprehensive Inventory of Basic Skills – Revised (CIBS-R)</i>	<i>Curriculum Associates</i>	<i>pre-K to 9</i>
<i>Diagnostic Achievement Battery – Third Edition (DAB-3) 2001</i>	<i>ProEd</i>	<i>6 to 14.11</i>
<i>Kaufman Test of Educational Achievement, Second Edition (KTEA-II) 2004</i>	<i>AGS/Pearson Assessments</i>	<i>4.6 to 90</i>
<i>Wechsler Individual Achievement Test - Second Edition (WIAT-II) 2001</i>	<i>Harcourt/PsychCorp</i>	<i>4 to 85</i>
<i>Wide Range Achievement Test 4 (WRAT4) 2006</i>	<i>PAR</i>	<i>5 to 94</i>
<i>Woodcock – Johnson III Tests of Achievement (WJ-III) 2001</i>	<i>Riverside Publishing</i>	<i>2 to 90</i>

MATH ACHIEVEMENT

Evaluation Instrument	Publisher	Ages/Grades
<i>Early Math Diagnostic Assessment (EMDA) 2001</i>	<i>Harcourt/PsychCorp</i>	<i>pre-K to 3</i>
<i>Key Math Revised (NU): A Diagnostic Inventory of Essential Mathematics</i>	<i>AGS/Pearson Assessments</i>	<i>grades K to 9</i>
<i>Test of Early Mathematics – Second Edition (TEMA-2) 1990</i>	<i>ProEd</i>	<i>3.0 to 8.11</i>
<i>Test of Mathematical Abilities (TOMA-2) 1994</i>	<i>Riverside Publishing</i>	<i>8.0 to 18.11</i>

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APPENDIX A: EVALUATION INSTRUMENTS

READING/ORAL & WRITTEN LANGUAGE

Evaluation Instrument	Publisher	Ages/Grades
READING/LITERACY		
<i>Comprehensive Test of Phonological Processing (CTOPP) 1999</i>	<i>ProEd</i>	<i>5.0 to 24.11</i>
<i>Dynamic Indicators of Basic Early Literacy Skills (DIBELS)</i>	<i>University of Oregon FCRR</i>	<i>grades K to 6</i>
<i>Early Reading Diagnostic Assessment, Second Edition (ERDA) 2003</i>	<i>Harcourt/PsychCorp</i>	<i>grades K to 3</i>
<i>Gray Oral Reading Tests: Fourth Edition (GORT-4) 2001</i>	<i>ProEd</i>	<i>6.0 to 18.11</i>
<i>Test of Phonological Awareness – Second Edition Plus (TOPA-2+) 2004</i>	<i>ProEd</i>	<i>grades K to 2</i>
<i>Test of Reading Comprehension – Third Edition (TORC-3) 1995</i>	<i>ProEd</i>	<i>7.0 to 17.11</i>
<i>Test of Word Reading Efficiency (TOWRE) 1999</i>	<i>ProEd</i>	<i>6.0 to 24.11</i>
<i>The Phonological Awareness Test, Second Edition 2007</i>	<i>LinguiSystems</i>	<i>5 to 10 +</i>
<i>Woodcock Diagnostic Reading Battery (WDRB) 1997</i>	<i>Riverside Publishing</i>	<i>4 to adult</i>
<i>Woodcock Reading Mastery Tests – Revised (WRMT-R/NU) 1998</i>	<i>AGS/Pearson Assessments</i>	<i>5 to adult</i>
WRITTEN LANGUAGE		
<i>Oral and Written Language Scales (OWLS) 1996</i>	<i>AGS/Pearson Assessments</i>	<i>3 to 21</i>
<i>Test of Early Written Language – Second Edition (TEWL-2) 1996</i>	<i>ProEd</i>	<i>3 to 10.11</i>
<i>Test of Written Language – Third Edition (TOWL-3) 1996</i>	<i>ProEd</i>	<i>6 to 18</i>

PART V. APPENDICES
APPENDIX A: EVALUATION INSTRUMENTS

READING/ORAL & WRITTEN LANGUAGE (cont.)

Evaluation Instrument	Publisher	Ages/Grades
LANGUAGE/ORAL LANGUAGE		
<i>Clinical Evaluation of Language Fundamentals, 4th Edition (CELF-4) 2006</i>	<i>Harcourt/Psych Corp</i>	<i>3.6 to 6</i>
<i>Comprehensive Assessment of Spoken Language (CASL) 1999</i>	<i>AGS/Pearson Assessments</i>	<i>3 to 21</i>
<i>Comprehensive Receptive and Expressive Vocabulary Test, 2nd Edition (CREVT-2) 2002</i>	<i>ProEd</i>	<i>4 to 89</i>
<i>Expressive Language Test (ELT) 1998</i>	<i>LinguiSystems</i>	<i>5 to 11</i>
<i>Expressive One-Word Picture Vocabulary Test (EOWPVT-R) 2000</i>	<i>AGS/Pearson Assessments</i>	<i>2.0 to 18.11</i>
<i>Expressive Vocabulary Test, 2nd Edition (EVT-II) 2006</i>	<i>AGS/Pearson Assessments</i>	<i>2.6 to 90</i>
<i>Language Processing Test, 3rd Edition: Elementary (LPT-3:Elementary) 2005</i>	<i>LinguiSystems</i>	<i>5 to 11</i>
<i>Oral and Written Language Scales (OWLS) 1996</i>	<i>AGS/Pearson Assessments</i>	<i>3.0 to 21.11</i>
<i>Peabody Picture Vocabulary Test – Fourth Edition (PPVT-IV) 2006</i>	<i>AGS/Pearson Assessments</i>	<i>2.6 through 90</i>
<i>Preschool Language Scale, 4th Edition (PLS-4) 2002</i>	<i>Harcourt/PsychCorp</i>	<i>birth through 6.11</i>
<i>Receptive One Word Picture Vocabulary Test (ROWPVT) 2000</i>	<i>AGS/Pearson Assessments</i>	<i>2 to 18.11</i>
<i>Test of Adolescent & Adult Language – Fourth Edition (TOAL-4) 2007</i>	<i>ProEd</i>	<i>12 to 24.11</i>
<i>Test of Auditory Comprehension of Language – Third Edition (TACL-3) 1999</i>	<i>AGS/Pearson Assessments</i>	<i>3.0 to 9.11</i>
<i>Test of Early Language Development – Third Edition (TELD-3) 1999</i>	<i>ProEd</i>	<i>2 to 7.11</i>
<i>Test of Language Development – Intermediate (TOLD-I:3) 1997</i>	<i>ProEd</i>	<i>8.0 to 12.11</i>

PART V. APPENDICES
APPENDIX A: EVALUATION INSTRUMENTS

READING/ORAL & WRITTEN LANGUAGE (cont.)

Evaluation Instrument	Publisher	Ages/Grades
LANGUAGE/ORAL LANGUAGE (cont.)		
<i>Test of Language Development - Primary (TOLD-P:3) 1997</i>	<i>ProEd</i>	<i>4 to 8.11</i>
<i>Test of Pragmatic Language (TOPL) 1992</i>	<i>Harcourt</i>	<i>5 to 13</i>
<i>Test of Semantic Skills – Primary (TOSS-P) 2002</i>	<i>LinguiSystems</i>	<i>4 to 8</i>
<i>Test of Word Finding, Second Edition (TWF-2) 2000</i>	<i>AGS/Pearson Assessments</i>	<i>6.6 to 12.11</i>
<i>Token Test for Children, 2nd Edition (TTCF-2) 2007</i>	<i>ProEd</i>	<i>3.0 to 12.11</i>
<i>Utah Test of Language Development – Fourth Edition (UTLD-4)</i>	<i>ProEd</i>	<i>3.0 to 9.11</i>
<i>Woodcock Language Proficiency Battery – Revised), (WLPB-R) 1991</i>	<i>Riverside Publishing</i>	<i>2 to adult</i>
<i>Word Test – 2: Elementary 2004</i>	<i>ProEd</i>	<i>6.0 to 11.11 12.0 and up</i>
<i>Word Test – 2: Adolescent 2005</i>	<i>ProEd</i>	<i>6.0 to 11.11 12.0 and up</i>

PART V. APPENDICES
APPENDIX A: EVALUATION INSTRUMENTS

SOCIAL/EMOTIONAL AND BEHAVIORAL

Evaluation Instrument	Publisher	Ages/Grades
<i>Achenbach System of Empirically Based Assessment (ASEBA) 2003</i>	ASEBA	1.5 to 59
<i>Beck Youth Inventories – 2nd Edition (BYI-II) 2005</i>	Harcourt/PsychCorp	7 to 18.11
<i>Behavior Assessment System for Children, Second Edition (BASC-II) 2004</i>	AGS/Pearson Assessments	4 to 18
<i>Behavior Rating Profile – 2 (BRP-2)</i>	ProEd	6.6 to 18.6
<i>Conners Rating Scales – Revised (CRS-R) 1997 Parent, Teacher</i>	MHS	3 to 17
<i>Clinical Assessment of Behavior (CAB) 2004</i>	PAR	5 to 18
<i>Devereaux Scales of Mental Disorders (DSMD) 1994</i>	Harcourt/PsychCorp	5 to 18
<i>Emotional Disturbance Decision Tree (EDDT) 2007</i>	PAR	5 to 18
<i>Social Skills Rating System (SSRS) 1990</i>	AGS/Pearson Assessments	3 to 18.11

PART V. APPENDICES
APPENDIX A: EVALUATION INSTRUMENTS

ARTICULATION, VOICE, AND FLUENCY

Evaluation Instrument	Publisher	Ages/Grades
<i>Arizona Articulation Proficiency Scale, 3rd Edition (Arizona-3) 1999</i>	<i>ProEd</i>	<i>1.5 to 18.0 years</i>
<i>Clinical Assessment of Articulation and Phonology (CAAP) 2004</i>	<i>ProEd</i>	<i>2.6 to 8.11 years</i>
<i>Goldman – Fristoe Test of Articulation-2 (G-FTA-2) 2000</i>	<i>ProEd</i>	<i>2 to 21 years</i>
<i>Kahn-Lewis Phonological Analysis, 2nd Edition (KLPA-2) 2002</i>	<i>AGS/Pearson Assessments</i>	<i>2 to 21 years</i>
<i>Photo-Articulation Test, 3rd Edition (PAT-3) 1997</i>	<i>Harcourt Assessment</i>	<i>3 to 8 years</i>
<i>*Boone Voice Program for Children, 2nd Edition 1980</i>	<i>ProEd</i>	<i>3 to 14 years</i>
<i>Voice Assessment Protocol for Children and Adults (VAP) 1987</i>	<i>ProEd</i>	<i>all ages</i>
<i>*Cooper Personalized Fluency Control Therapy for Children, Third Edition (PFCT-3) 2002</i>	<i>ProEd</i>	<i>preschool and school-age children</i>
<i>Stuttering Prediction Instrument for Young Children (SPI) 1981</i>	<i>ProEd</i>	<i>3 to 8 years</i>
<i>Stuttering Severity Instrument for Children and Adults, 3rd Edition (SSI-3) 1994</i>	<i>ProEd</i>	<i>2.10 years through adult</i>

***Please note that some of the evaluation instruments listed are part of a comprehensive program, involving evaluation and treatment.**

PART V. APPENDICES**APPENDIX A: EVALUATION INSTRUMENTS****SPECIALIZED EVALUATIONS**

Evaluation Instrument	Publisher	Ages/Grades
<i>AUTISM SPECTRUM DISORDERS (ASD)</i>		
<i>Autism Diagnostic Interview – Revised (ADI-R) 1994</i>	<i>Western Psychological Services</i>	<i>2 to adult</i>
<i>Autism Diagnostic Observation Schedule (ADOS) 1989</i>	<i>Western Psychological Services</i>	<i>2 to adult</i>
<i>Asperger Syndrome Diagnostic Scale (ASDS) 2000</i>	<i>ProEd</i>	<i>5 to 18</i>
<i>CARS: Childhood Autism Rating Scale (CARS) 1999</i>	<i>Western Psychological Services</i>	<i>2 to adult</i>
<i>GADS: Gilliam Asperger’s Disorder Scale (GADS) 2000</i>	<i>ProEd</i>	<i>3 through 22</i>
<i>GARS-2: Gilliam Autism Rating Scale-Second Edition (GARS-2) 1995</i>	<i>ProEd</i>	<i>3 through 22</i>
<i>PEP–3: Psychoeducational Profile – Third Edition (PEP-3) 2005</i>	<i>ProEd/Western Psychological Services</i>	<i>6 months to 6.11</i>
<i>Pervasive Developmental Disorders Screening Test–II (PDDST–II) 2004</i>	<i>Harcourt/PsychCorp</i>	<i>18 months to 48 months</i>
<i>Social Responsiveness Scale (SRS)</i>	<i>Western Psychological Services</i>	<i>4 to 18</i>
<i>GIFTED</i>		
<i>Gifted and Talented Evaluation Scales (GATES)</i>	<i>ProEd</i>	<i>5 to 18</i>
<i>Gifted Evaluation Scale (GES) 1998</i>	<i>Hawthorne</i>	<i>5 to 18</i>
<i>Gifted Rating Scale (GRS) 2003</i>	<i>Harcourt/PsychCorp</i>	<i>4 to 13.11</i>
<i>Scales for Rating the Behavioral Characteristics of Superior Students (SRBCSS)</i>	<i>Creative Learning Press</i>	<i>grades 3 to 12</i>

PART V. APPENDICES**APPENDIX A: EVALUATION INSTRUMENTS****SPECIALIZED EVALUATIONS (cont.)**

Evaluation Instrument	Publisher	Ages/Grades
DEAF/HARD OF HEARING		
<i>Carolina Picture Vocabulary Test 1985</i>	<i>ProEd</i>	<i>4 to 11.5</i>
<i>Checklist for Expressive and Receptive Modes of Communication and Functional Pragmatic Use of Language</i>	<i>Texas Education Agency</i>	<i>children</i>
<i>Checklist for Language Skills</i>	<i>Texas Education Agency</i>	<i>children</i>
<i>Craig Lipreading Inventory 1971</i>	<i>Western Pennsylvania School for the Deaf</i>	<i>2 to 15</i>
<i>Grammatical Analysis of Elicited Language</i> - <i>Pre-Sentence Level (GAEL-PS) 1983</i> - <i>Simple Sentence Level (GAEL-S) 1985</i> - <i>Complex Sentence Level (GAEL-C) 1980</i>	<i>Central Institute for the Deaf</i>	<i>3 to 12</i>
<i>Phonetic Phonologic Speech Evaluation 2002</i>	<i>A.G. Bell Association</i>	<i>children</i>
<i>Scales of Early Communication Skills for Hearing Impaired Children 1975</i>	<i>Central Institute for the Deaf</i>	<i>2 to 8</i>
<i>Test of Early Reading Ability – Deaf or Hard-of-Hearing 1991</i>	<i>ProEd</i>	<i>grades 3 to 9</i>
<i>Total Communication Receptive Vocabulary Test 1981</i>	<i>Mental Health and Deafness Resources</i>	<i>5 to 18</i>
VISION		
<i>Assessment of Braille Literacy Skills (ABLS) 1995</i>	<i>Region IV Education Service Center</i>	<i>All</i>
<i>Assessment Kit 1997</i>	<i>Texas School for the Blind and Visually Handicapped</i>	<i>All</i>
<i>Callier-Azusa Scale: G Edition 1978</i> <i>Callier-Azusa Scale: H Edition 1984</i>	<i>University of Texas-Dallas</i>	<i>pre-K to 12</i> <i>(deaf-blind and multiply handicapped)</i>

PART V. APPENDICES

APPENDIX A: EVALUATION INSTRUMENTS

SPECIALIZED EVALUATIONS (cont.)

Evaluation Instrument	Publisher	Ages/Grades
<i>VISION (cont.)</i>		
<i>Functional Vision and Learning Media Assessment</i>	<i>Consultants for the Visually Impaired</i>	<i>all</i>
<i>Learning Media Assessment 1993</i>	<i>Texas School for the Blind and Visually Handicapped</i>	<i>all</i>
<i>Minnesota Braille Skills Inventory 1995</i>	<i>Minnesota Dept of Education</i>	<i>all</i>
<i>Oregon Project for Visually Impaired and Blind Preschool Children 1986</i>	<i>Jackson County Educational Service District, Medford, Oregon</i>	<i>grades pre-K to 2</i>
<i>Program to Develop Efficiency in Visual Functioning: Diagnostic Assessment Procedure (DAP) 1978</i>	<i>American Printing House for the Blind</i>	<i>all</i>
<i>Reynell-Zinken Scales: Developmental Scales for Young Visually Impaired Children Part 1 – Mental Development 1979</i>	<i>NFER – Nelson Publishing Company</i>	<i>15 months to 7 years</i>
<i>SIB-R Short Form for the Visually Impaired 1996</i>	<i>Riverside Publishing</i>	<i>infancy to 80+</i>
<i>TAPS: Orientation Mobility Curriculum for Students with Visual Impairments 1993</i>	<i>Texas School for the Blind & Visually Impaired</i>	<i>3 to 21</i>
<i>Visual Functioning Assessment Tool (VFAT) 1989</i>	<i>Stoelting Company</i>	<i>all</i>

PART V. APPENDICES**APPENDIX A: EVALUATION INSTRUMENTS****BILINGUAL/SPANISH**

Evaluation Instrument	Publisher	Ages/Grades
<i>Adaptive Behavior Assessment System, Second Edition (ABAS, 2nd) 2003</i>	<i>Harcourt/PsychCorp</i>	<i>5 to 21</i>
<i>Assessment of Basic Skills – Revised (ABS-R) (Brigance CIBS-R Spanish Edition)</i>	<i>Curriculum Associates</i>	<i>K to 8</i>
<i>Behavior Assessment System for Children (BASC-2) 2003 PRS, SRP, SDH</i>	<i>AGS/Pearson Assessments</i>	<i>2.0 to 21.11</i>
<i>Bateria III Woodcock-Muñoz 2005</i>	<i>Riverside Publishing</i>	<i>2.0 to 90</i>
<i>Battelle Developmental Inventory (BDI-2 Spanish) 2005</i>	<i>Riverside Publishing</i>	<i>birth to 7.11</i>
<i>Bilingual Verbal Ability Test – Normative Update (BVAT-NU) 2005</i>	<i>Riverside Publishing</i>	<i>5.0 to adult</i>
<i>Bracken Basic Concept Scale Third Edition (BBCS-E:R) and Bracken Basic Concept Scale: Receptive (BBCS:E) 2002</i>	<i>Harcourt/PsychCorp</i>	<i>3.0 through 6.11</i>
<i>Bracken School Readiness Assessment (BSRA) 2002</i>	<i>Harcourt/PsychCorp</i>	<i>2.6 to 7.11</i>
<i>Clinical Evaluation of Language Fundamentals (CELF-4 Spanish) 2006</i>	<i>Harcourt/PsychCorp</i>	<i>5 to 21</i>
<i>Expressive and Receptive One Word Picture Vocabulary Tests (EOWPVT) & (ROWPVT) 2000</i>	<i>Academic Therapy</i>	<i>2 to 18.11</i>
<i>Pervasive Developmental Disorders Screening Test–II (PDDST–II) 2004</i>	<i>Harcourt/PsychCorp</i>	<i>18 months to 48 months</i>
<i>Preschool Language Scale, Spanish Edition (PLS-4) 2002</i>	<i>Harcourt/PsychCorp</i>	<i>birth through 6.11</i>
<i>Test de Vocabulario en Imagenes Peabody (TVIP) 1990</i>	<i>AGS/Pearson Assessments</i>	<i>2.6 to 17.11</i>
<i>Test of Phonological Awareness in Spanish (TPAS)</i>	<i>ProEd</i>	<i>4.0 to 10.11</i>

PART V. APPENDICES**APPENDIX A: EVALUATION INSTRUMENTS****BILINGUAL/SPANISH (cont.)**

Evaluation Instrument	Publisher	Ages/Grades
<i>Wechsler Intelligence Scale for Children – Fourth Edition Spanish (WISC-IV Spanish) 2004</i>	<i>Harcourt/PsychCorp</i>	<i>6.0 to 16.11</i>
<i>Woodcock Language Proficiency Battery – Revised Spanish Form (WLPB-R Sp) 1995</i>	<i>Riverside Publishing</i>	<i>2 to adult</i>
<i>Woodcock-Muñoz Language Survey-Revised (WMLS-R) 2005</i>	<i>Riverside Publishing</i>	<i>2.0 to adult</i>