

STATE BOARD OF EDUCATION

Consent Item

March 27, 2018

SUBJECT: Approval of Amendment to Rule 6A-7.0335, Regional Centers for Implementing Services to Individuals with Autism, Pervasive Developmental Disorders, Autistic-like Disabilities, Dual Sensory Impairments, or Sensory Impairment with Other Disabling Conditions

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Section 1004.55, Florida Statutes

EXECUTIVE SUMMARY

Rule 6A-7.0335, F.A.C., currently states the purpose of the regional centers and defines the population they serve. The rule includes specific information to be included in each centers plan for the year and the information to be included in the end-of-the-year report.

The proposed rule amendment will update the language to:

- Remove the term "significant" when determining eligibility. The language is not defined in the Individuals with Disabilities Education Act or the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition.
- Clarify the criteria used by the Florida Department of Education (FDOE) in deciding whether to approve a project plan. The current language does not stipulate that the criteria is required for project approval.
- Remove the reference to Department of Health and Rehabilitative Services and Department of Labor and Employment Security. The references are outdated and any state agency or any other entity may make referrals.
- Expand constituency board definition to include language from s. 1004.55, F.S. The current language in the subsection was modified from s. 1004.55(2), F.S.

13

Supporting Documentation Included: Proposed Rule 6A-7.0335, F.A.C.

Facilitator/Presenter: Jacob Oliva, Executive Vice Chancellor, K-12 Public Schools

6A-7.0335 Regional Centers for Implementing Services to Individuals with Autism, Pervasive Developmental Disorders, Autistic-like Disabilities, Dual Sensory Impairments, or Sensory Impairment with Other Disabling Conditions.

(1) Eligibility. Individuals of all ages ~~with significant communication or significant behavior problems~~ are eligible for regional center services if they have an individual has been diagnosed as having autism as defined in Section 393.063(1), F.S., pervasive developmental disorder that is not otherwise specified, autistic-like disability, dual sensory impairment, or sensory impairment with other disabling conditions. The centers shall verify the disabling condition(s) of the individual. Such verification may consist of the most recent information from state and local agencies and individuals, and may include, but not be limited to, medical and psychological records. However, the center shall not defer services to the individual and family while awaiting receipt of such information.

(2) No change.

(3) Regional center plan. Each center shall prepare and submit, for approval by the Department, a project plan for services. The following criteria is required for project approval to include:

(a) through (d) No change.

(4) Referral. Referrals are requests for assistance (e.g., training, consultation) for a particular individual. Referrals may be made by any person (e.g., family member, teacher, administrator, any state agency or any other entity) ~~appropriate persons in the Departments of Education, Health and Rehabilitative Services, Labor and Employment Security, providers of services for those departments, or the identified individual~~ who is responsible for or involved with the individual. In order for the centers to provide direct assistance, including program planning and direct consultation, the individual or the individual's family or legal guardian must provide a request or consent for such assistance. A preliminary screening will be conducted to determine eligibility. If the individual referred meets the eligibility criteria, assistance will be provided by the regional center within available resources. If the individual referred does not meet the eligibility criteria, the referred individual will be matched with alternative services. The centers will respond to three (3) basic referrals and requests within available resources:

(a) through (c) No change.

(5) Constituency boards. Each regional center shall have a constituency board of no fewer than six (6) members, each of whom is either an individual who has a disability that is described in subsection (1) of this rule as defined in Section 1004.55, F.S., or is a member of a family that includes a person who has such a disability, who are selected

by each university president from a list that has been developed by the Autism Society of Florida and other relevant constituency groups that represent persons who have sensory impairments as described ~~individuals as defined~~ in subsection (1) of this rule as defined in Section 1044.55, F.S. This board shall meet quarterly with the center staff to provide advice on policies, priorities, and activities. Each board shall elect a chairperson and secretary. It shall be the responsibility of the chairperson to communicate regularly with the regional center director on pertinent issues affecting the operation and delivery of services by the center. Each board member shall be appointed for a three (3) year term, with two (2) members being appointed each year. The initial term rotation will be determined by lot, with one-third of the members serving for one (1) year, one-third of the members serving for two (2) years, and one-third of the members serving for three (3) years. A board member may serve for only two (2) consecutive full terms, but shall continue to serve until his/her successor is named. Whenever possible, the appointment of a new member shall be from the same constituency group as the member retiring from the board. The procedure for appointing an individual to fill an unexpired term is the same as that used to make regular appointments. Members of the constituency boards shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses as provided in Section 112.061, F.S. Payment may be authorized for pre-approved expenses such as mailing, telephone, or photocopying. Chairs of the constituency boards shall meet twice a year to coordinate board activities. One of these meetings shall be with regional center staff to plan the annual conference and the other meeting shall be at the conference. Each constituency board, after review and comment from regional center staff, shall submit by September 1 to the respective university president and the Department an annual report that evaluates the activities and accomplishments of its center during the preceding year.

(6) through (9) No change.

Rulemaking Authority 1004.55 FS. Law Implemented 1004.55 FS. History—New 10-18-94, Amended.