

6A-6.03027 Special Programs for Children Three Through Nine ~~Five~~—Years Old who are Developmentally Delayed.

(1) Definition. A child who is developmentally delayed is three (3) through nine (9) ~~five (5)~~ years of age, or through the student's completion of grade 2, whichever occurs first, and is delayed in one (1) or more of the following areas:

- (a) Adaptive or self-help development;
- (b) Cognitive development;
- (c) Communication development;
- (d) Social or emotional development; and,
- (e) Physical development including fine, or gross, or perceptual motor.

(2) Criteria for eligibility. A child is eligible for the special program for children who are developmentally delayed when the following criteria are met:

(a) The child is three (3) through nine (9) ~~five (5)~~ years of age, unless the child has completed grade 2.

(b) Documentation of one of the following:

1. A score of two (2) standard deviations (SD) below the mean or a twenty-five (25) percent delay on measures yielding scores in months in at least one (1) area of development; or

2. A score of 1.5 standard deviations (SD) below the mean or a twenty (20) percent delay on measures yielding scores in months in at least two (2) areas of development; or

3. ~~For children six (6) or younger and based on information and data informed clinical opinion~~, the eligibility staffing committee makes a recommendation that a developmental delay exists and exceptional student education services are needed.

(c) The eligibility staffing committee in accordance with subsection 6A-6.0331(6), F.A.C., has made a determination concerning the effects of the environment, cultural differences, or economic disadvantage.

(3) ~~Procedures prior to initial evaluation for prekindergarten children shall be in accordance with subsection 6A-6.0331(2), F.A.C.~~ General education interventions and activities for all students ~~in kindergarten~~ shall be in accordance with Rule subsection 6A-6.0331(4), F.A.C.

(4) Procedures for evaluation.

(a) Delay is documented by a multidisciplinary team utilizing multiple measures of assessment which include:

1. Standardized instruments, formal and informal judgement-based assessments, criterion referenced

instruments, systematic observation, functional skills assessments, or other procedures selected in consultation with the parent(s); or

2. ~~Informed clinical opinion utilizing Q~~Qualitative and quantitative information to determine the need for early intervention services; and,

3. Parent report which can confirm or modify information obtained and describe behavior in environments that the district may not be able to access.

(b) When a developmental delay cannot be verified by the use of standardized instruments, the delay(s) may be established through observation of atypical functioning in any one (1) or more of the developmental areas. A report shall be written documenting the evaluation procedures used, the results obtained, the reasons for overriding those results from standardized instruments, and the basis for recommending eligibility.

(5) Instructional program.

(a) As appropriate, the family support plan or individual educational plan (IEP) shall be developed through interagency collaboration with the family and other providers of services to the child and family and in accordance with Rules 6A-6.03026, 6A-6.03028 and 6A-6.03029, F.A.C.

(b) Because of the rapid development of young children, on-going observations and assessments shall be conducted as needed to plan for family support plans or IEP modifications.

(6) Continued eligibility. Continued eligibility for special programs shall be determined before the child is ten ~~(10) six (6)~~ years old.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3), 1003.57, 1003.571 FS. Law Implemented 1003.01(3), 1003.57, 1003.571 FS. History—New 7-13-93, Amended 12-15-09.