

**6A-6.0331 General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation and the Provision of Exceptional Student Education Services.**

The state's goal is to provide full educational opportunity and a free appropriate public education (FAPE) to all students with disabilities ages three (3) through twenty-one (21) and to students who are gifted in grades kindergarten through 12. School districts have the responsibility to ensure that students suspected of having a disability are subject to general education intervention procedures. They must ensure that all students with disabilities or who are gifted and who are in need of exceptional student education (ESE) as defined in paragraph 6A-6.03411(1)(n), F.A.C., are identified, located, and evaluated, and FAPE is made available to them if it is determined that the student meets the eligibility criteria specified in Rules 6A-6.03011, 6A-6.03012, 6A-6.030121, 6A-6.03013, 6A-6.03014, 6A-6.030151, 6A-6.030152, 6A-6.030153, 6A-6.03016, 6A-6.03018, 6A-6.03019, 6A-6.03020, 6A-6.03022, 6A-6.03023, paragraph 6A-6.03026(1)(b) and Rule 6A-6.03027, F.A.C. ESE includes specially designed instruction as defined in paragraph 6A-6.03411(1)(jj), F.A.C.; special education as defined in paragraph 6A-6.03411(1)(kk), F.A.C.; and related services as defined in paragraph 6A-6.03411(1)(dd), F.A.C. These requirements apply to all students, including those who are homeless or are wards of the state or who attend private schools, regardless of the severity of their disability. Additionally, school districts may elect to serve children with disabilities below the age of three (3) years in collaboration with the Part C Early Steps Program. The procedures and criteria for general education interventions, identification, evaluation, and determination of eligibility of students with disabilities and gifted students by school districts shall be set forth in the school district's ESE Policies and Procedures document consistent with the following requirements.

(1) through (2) No change.

(3) Initial evaluation. Each school district must conduct a full and individual initial evaluation before the initial provision of ESE. Either a parent of a kindergarten through grade 12 student or child age three (3) to kindergarten entry age, or a school district may initiate a request for initial evaluation to determine if the student is a student with a disability. Either a parent of a kindergarten through grade 12 student or a school district may initiate a request for initial evaluation to determine if a student is gifted.

(a) through (f) No change.

(g) ~~Beginning July 1, 2015, T~~he school district shall ensure that initial evaluations of students and preschool age children age three (3) through kindergarten entry age suspected of having a disability are completed within sixty

(60) calendar days after the school district's receipt of parent consent for evaluation. For the purposes of this rule, the following calendar days shall not be counted toward the sixty (60) calendar day requirement:

1. No change.

2. The summer vacation period beginning the day after the last day of school for students and ending on the first day of school for students in accordance with the calendar adopted by the district school board as required by Section 1001.42(4), F.S. However, the school district is not prohibited from conducting evaluations during the summer vacation period; ~~and,~~

3. ~~The days in the circumstance~~ when a student is absent for more than eight (8) school days in the sixty (60) calendar day period; ~~and, the student's absences shall not be counted toward the sixty (60) calendar day requirement.~~

4. The number of days the school district is closed due to inclement weather/natural disasters, if services for all students have ceased during the closure, and all requirements listed in sub-subparagraphs a.-d. are met:

a. The Governor authorizes the closure of the district's schools through an emergency order issued pursuant to chapter 252, F.S.:

b. The school district maintains ongoing communication with the parents of any student whose initial evaluation was pending during the school district closure or whose initial evaluation was delayed as a result of the closure;

c. One day or more of the sixty (60) days to conduct an initial evaluation occurred during the school district's inclement weather/natural disaster closure; and

d. Any extension granted at the school district to the sixty (60) days to conduct an initial evaluation is limited to the number of days the district was closed due to inclement weather/natural disaster.

(h) through (i) No change.

(j) School districts must report the information described in subparagraphs 1.-5. in the district's Program Accountability Assessment and Data Systems ShareFile on the schedule for reporting posted at [www.fldoe.org/academics/exceptional-student-edu/data/](http://www.fldoe.org/academics/exceptional-student-edu/data/). The following information is required:

1. Each student for whom the evaluation was not completed within the 60-day timeline described in subsection (3):

2. The reason the timeline was exceeded;

3. The number of days the timeline was exceeded;

4. The date parental consent was received; and

5. The date when the initial evaluation was completed.

(4) through (10) No change.

*Rulemaking Authority 1001.02(1), (2)(n), 1003.4282, 1003.57, 1003.571, 1003.5715 FS. Law Implemented*

*1003.01(9)(a), (b), 1003.4282, 1003.57, 1003.571, 1003.5715 FS. History New 6-17-74, Amended 12-5-74, 7-1-77,*

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