

6A-6.03011 Exceptional Student Education Eligibility for Students with Intellectual Disabilities

(1) Definition. Students with intellectual disabilities. An intellectual disability is defined as significantly below average general intellectual and adaptive functioning manifested during the developmental period, with significant delays in academic skills. Developmental period refers to birth to eighteen (18) years of age.

(2) General education interventions and activities. Prior to referral for evaluation the requirements in Rule 6A-6.0331(2), FAC., must be met.

(3) Evaluation – In addition to the procedures identified in Rule 6A-6.0331(4), FAC., the minimum evaluation for determining eligibility shall include all of the following:

(a) A standardized individual test of intellectual functioning individually administered by a professional person qualified in accordance with Rule 6A-4.0311, FAC., or licensed under Chapter 490, Florida Statutes;

(b) A standardized assessment of adaptive behavior to include parental input;

(c) An individually administered standardized test of academic or pre-academic achievement. A standardized developmental scale shall be used when a student's level of functioning cannot be measured by an academic or pre-academic test; and

(d) A social-developmental history which has been compiled directly from the parent, guardian, or primary caregiver.

(4) Criteria for eligibility. A student with an intellectual disability is eligible for exceptional student education if all of the following criteria are met:

(a) The measured level of intellectual functioning is more than two (2) standard deviations below the mean on an individually measured, standardized test of intellectual functioning;

(b) The level of adaptive functioning is more than two (2) standard deviations below the mean on the adaptive behavior composite or on two (2) out of three (3) domains on a standardized test of adaptive behavior. The adaptive behavior measure shall include parental input;

(c) The level of academic or pre-academic performance on a standardized test is consistent with the performance expected of a student of comparable intellectual functioning;

(d) The social/developmental history identifies the developmental, familial, medical/health, and environmental factors impacting student functioning and documents the student's functional skills outside of the school environment; and

(e) The student needs special education as defined in Rules 6A-6.0331, FAC. and 6A-6.03411, FAC.

(5) Documentation of determination of eligibility. Eligibility is determined by a group of qualified professionals and the parent in accordance with Rule 6A-6.0331(5) (a). The documentation of the determination of eligibility must include a written summary of the group's analysis of the data that incorporates the following information:

(a) The basis for making the determination, including an assurance that the determination has been made in accordance with Rule 6A-6.0331(5), FAC.;

(b) Noted behavior during the observation of the student and the relationship of that behavior to the student's academic and intellectual functioning;

(c) The educationally relevant medical findings, if any;

(d) The determination of the group concerning the effects on the student's achievement level of a visual, hearing, motor, or emotional/behavioral disability; cultural factors; environmental or economic factors, an irregular pattern of attendance or high mobility rate; classroom behavior; or limited English proficiency; and

(e) The signature of each group member certifying that the documentation of determination of eligibility reflects the member's conclusion. If it does not reflect the member's conclusion, the group member must submit a separate statement presenting the member's conclusion.

Specific Authority 1001.02(1), 1003.57(5) FS. Law Implemented 1001.03, 1003.57(5), 1003.01(3), 1003.21(1), and 1011.62(1)(c) FS. History - New 7-1-77, Amended 7-2-79, Formerly 6A-6.3011. Amended 5-17-88, Amended xx-xx-x