

DRAFT

6A-6.03015 Special Programs Exceptional Student Education for Students Who Are Physically Impaired With Physical Impairments.

(1) The term physically impaired as used in this rule includes students ~~who are orthopedically impaired with orthopedic impairments, students who are~~ other health ~~impaired impairments,~~ and/or ~~students with~~ traumatic brain injury.

(2) The term licensed physician, as used in this rule, is defined in Chapter 458 and 459, Florida Statutes, and is one who is qualified to assess the student's physical or psychiatric condition.

~~(2)~~ (3) Students ~~who are orthopedically impaired with orthopedic impairments.~~ Orthopedically impaired Orthopedic impairment means a severe skeletal, muscular, or neuromuscular impairment, ~~which adversely affects a child's educational performance.~~ The term includes impairments resulting from congenital anomaly (e.g. skeletal deformity, spina bifida), and impairments resulting from other causes ~~disease and other causes~~ (e.g., cerebral palsy, amputations, ~~and fractures or burns that cause contractures~~).

(a) Criteria for eligibility. A student with a physical impairment is eligible for ~~a special program for the physically impaired~~ exceptional student education, if the student ~~has an orthopedic impairment which:~~

1. ~~has evidence of an orthopedic impairment that adversely affects any of the following: ambulation, attention, hand movement, coordination, and daily living skills and significantly limits the student's ability to move about, sit or manipulate the materials required for learning; or~~
2. needs special education as defined in rule 6A-6.03411(1)(c), FAC. ~~Affects ambulation, posture or body use necessary in school work.~~

(b) Prior to evaluation the requirements in rule 6A-6.0331(1)-(3), FAC. must be met.

~~(b)(c)~~ Procedures for student evaluation. The minimum evaluation for a student shall be:

1. A report of a medical examination, within the previous ~~(12)~~ twelve-month period, from a licensed physician(s) qualified to assess the student's ~~physical problems~~ orthopedic impairment, giving a description of the impairment and any medical implications for instruction; and
2. An educational evaluation which identifies educational and environmental ~~adjustments needed; and~~ needs.
3. ~~When determined by the administrator of exceptional student education or designee, a psychological evaluation, a speech and language screening, visual and hearing screening, or a social history.~~

~~(3)~~ (4) Students ~~who are with~~ other health ~~impaired~~ impairments. Other health ~~impaired~~ impairment means having limited strength, vitality or alertness, including heightened alertness to environmental stimuli (that result in adversely affecting a student's educational performance). The term includes impairments due to chronic or acute health problems such as, but not limited to ADD (attention deficit disorder) or ADHD (attention deficit hyperactivity disorder), a heart condition, tuberculosis kidney disease, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes, or other causes of brain injury that adversely affect a child's educational performance.

(a) Criteria for eligibility. A student with a physical impairment is eligible for exceptional student education ~~a special program for the physically impaired~~ if the student:

1. has a health impairment which results in reduced evidence of a health impairment that results in reduced efficiency in school work and because of temporary or chronic lack of strength, vitality or alertness.
2. needs special education as defined in rule 6A-6.03411(1)(c), FAC.

(b) Prior to evaluation the requirements in rule 6A-6.0331(1)-(3), FAC. must be met.

~~(b) (c) Procedures for student evaluation. The procedures for student evaluation are the same as in paragraph (2)(b) of this rule. The minimum evaluation for a student shall be:~~

1. A report of a medical examination, within the previous (12) twelve-month period, from a licensed physician(s) qualified to assess the student's health impairment and any medical implications for instruction and

2. An educational evaluation which identifies educational and environmental needs.

~~(4) (5) Students with traumatic brain injury. A traumatic brain injury is 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, includes open or closed head injuries resulting in impairments in one (1) or more areas such as cognitive language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing or speech, listed in subparagraph (4)(a)2., of this rule. The term does not include apply to brain injuries that are congenital, or degenerative, or brain injuries induced by birth trauma.~~

~~(a) Criteria for eligibility. A student with a physical impairment is eligible for a special program for the physically impaired exceptional student education, if the student:~~

~~1. has evidence of a traumatic brain injury that impacts: acquired an external injury to the brain as documented by a medical report, and 2. Has significant difficulty requiring an adaptation to the school routine, school environment, or curriculum in one (1) 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~~

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

(b) Prior to evaluation the requirements in rule 6A-6.0331(1)-(3), FAC. must be met.

~~(b)(c) Procedures for student evaluation under the category of traumatic brain injury. The minimum evaluation for a student shall be:~~

~~1. A report of a medical examination, report within the previous three (3) (12) twelve-month period from a licensed physician(s) qualified to assess the student's traumatic brain injury giving a verifying a diagnosis of brain injury with a medical description of the impairment, and any medical implications, and~~

2. An educational evaluation which identifies educational and environmental needs, and

3. Documented evidence report of observations by more than one (1) person including the parent, guardian, or primary caregiver, in more than one (1) situation. The documentation shall include evidence of a The report shall document a deficit in one (1) or more of the areas listed in subparagraph (4)(a)2. of this rule which is evidenced through marked contrast of pre- and post-injury capabilities; in one (1) or more 3. A report of screenings or evaluations in each of the following areas: cognitive and information processing strengths and deficits, academic functioning, fine and gross motor skills, communication abilities, behavior and emotional status, and adaptive skills. The report shall be completed post-injury and no more than three (3) months prior to the eligibility staffing; and cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual, and motor abilities, psychosocial behavior, physical functions, information processing or speech.

(d) The team determining eligibility may require additional evaluation data, e.g., neuropsychological evaluation. This additional evaluation data must be provided at no cost to the parent.

4. A neuropsychological evaluation when requested by the administrator of exceptional student education or designee.

(5) Instructional program. A student who meets the criteria specified in this rule shall be served in any program or combination of programs for students with or without disabilities as determined by the student's strengths and goals recorded on the individual educational plan (IEP).

Specific Authority ~~228.041(18)(19), 229.053(1), 230.23(4)(m) FS. Law Implemented 228.041(18)(19), 230.23(4)(m), 232.01, 236.084(1)(c) FS.~~ 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 8-16-82, 7-13-83, Formerly 6A-6.3015, Amended 2-12-91, 7-13-93.