FLORIDA DEPARTMENT OF EDUCATION

DPS: 2010-157
Date: October 19, 2010

Dr. Eric J. Smith
Commissioner of Education

Just Read, Florida!

Technical Assistance Paper
State Board of Education Rule 6A-6.05281, *Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment Programs,* Florida Administrative Code

Summary:

The purpose of this technical assistance paper (TAP) is to provide guidance regarding the recent changes to State Board of Education Rule 6A-6.05281, Florida Administrative Code, *Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment Programs.* The rule revision was designed to increase school district flexibility with regard to scheduling and curriculum offerings for students served in Department of Juvenile Justice (DJJ) education programs.

Contact: Lisa Robinson
Program Specialist
(850) 245-0475
lisa.robinson@fldoe.org

Karen Denbroeder
Section Administrator
(850) 245-0475
karen.denbroeder@fldoe.org

Status:

X New technical assistance paper:
☐ Revises and replaces existing technical assistance paper:

Issued by the
Florida Department of Education

Division of Public Schools
Bureau of Exceptional Education and Student Services
http://www.fldoe.org/ese

Table of Contents

A. General Information

A-1. What are the changes to Rule 6A-6.05281, Florida Administrative Code (F.A.C.), Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment Programs?

The changes to Rule 6A-6.05281 include the following information:

- Required timelines for entry assessments in detention centers
- Timelines for developing an individual academic plan (IAP)
- Addition of flexibility in student scheduling and curriculum
- Inclusion of competency-based programs as an instructional technique
- Removal of references to Early Delinquency Intervention Programs
- References to the term "vocational/technical" replaced with the term "career"

A-2. Will the quality assurance standards change as a result of the revisions to the rule?

Programs will not have a quality assurance review during the 2010–2011 school year; however, programs will continue to be required to submit student data, which includes entry/exit assessment scores, statewide assessment scores, reading progress monitoring results, grades, credits earned, diplomas earned, and attendance. Additionally, programs will need to ensure they comply with Florida Statutes and Florida Administrative Code requirements.

B. Timelines

B-1. What are the required timelines for administering entry assessments?

Any student being served in a commitment or day treatment program who has not graduated from school must be assessed within ten school days of the student's commitment or placement in a day treatment program.

New timelines were added to the rule for students placed in detention centers. For these students, the rule now requires that students be assessed within ten school days upon entry for academic measures.

B-2. What are the required timelines for developing an individual academic plan (IAP)?

An IAP for educational progress must be developed within 22 ***school*** days of student entry to Department of Juvenile Justice (DJJ) detention programs and within 15 school days of entry to DJJ commitment or day treatment programs. The previous version of the rule allowed 22 ***calendar*** days for individual plan development for students in DJJ detention programs.

B-3. Have the timelines for developing an individual educational plan (IEP) changed?

No. For students with disabilities, implementation of an IEP continues to be required upon entry. At that time, programs must minimally obtain telephone verification of an IEP and immediately implement services identified in the plan.

C. Scheduling and Curricular Flexibility

C-1. What flexibility do DJJ education programs have with regard to student scheduling?

DJJ education programs operate on a year-round basis. The former rule required instruction based on 250 days. The revised rule provides flexibility by **requiring** 250 days of instruction ***or its hourly equivalent.*** Programs can still use ten of these days for teacher training/planning for residential programs (20 days for day treatment programs). In all of these cases, the requirements are distributed over 12 months.

C-2. What is the hourly equivalent of 250 days of instruction?

The hourly equivalent of 250 days of instruction is 1,250 hours—that is, 250 days x 5 hours/day (the 1,200 hours listed in Rule 6A-6.05281, F.A.C., should be 1,250; the Rule is being revised). With the allowance for teacher training/planning, this means that residential programs and detention centers must provide a minimum of 1,200 hours of instruction and day treatment programs must provide a minimum of 1,150 hours of instruction.

C-3. How might an educational program use this increased scheduling flexibility?

With programs now being given the flexibility to provide instruction based on hours rather than days, schools may choose to distribute the hours differently. As an example, a school might choose to offer 375 minutes of instruction a day for four days per week rather than 300 minutes a day for five days.

Another example of flexible scheduling might involve adjustments to the length of time needed to earn a credit. For instance, DJJ education programs may choose to operate on a trimester rather than semester system. Therefore, an individual student expected to remain in the program for a limited time (e.g., 45 days) may be allowed to earn two full credits during those 45 days rather than be enrolled in a standard six-period day.

Note: *While programs are now given increased scheduling flexibility, districts may not claim funding for more than 1,500 minutes/25hours of instruction weekly*.

C-4. How does the revised rule affect curricular offerings?

Rule 6A-6.05281, F.A.C., now requires that all students served in DJJ education programs “receive a curriculum to address their individual, academic, career, and

transition needs." DJJ education programs should take into consideration the individual needs of each student in making curricular decisions. The flexibility that the revised rule offers encourages innovation. DJJ education programs may consider the following curriculum options in meeting their students' needs:

- Traditional academic courses
- Remedial courses, such as intensive reading and math
- Competency-based programs
- Florida Virtual School
- Credit recovery courses
- General Educational Development (GED) preparation
- Career training
- Workplace readiness training
- Career awareness and exploration

C-5. What are competency-based programs?

Competency-based programs focus on the achievement of specific objectives (competencies) rather than focusing on instructional or seat time. In order to use competency-based instruction, the following steps must be completed in advance of the instruction:

- Define competencies
- Develop methods for measuring each competency
- Establish predetermined standards for determining competency

In competency-based programs, learning is self-paced and instruction is complete once mastery of all competencies has been achieved. The amount of time and instructional methods needed to achieve mastery may vary from student to student. Within a competency-based program, an individual student may benefit from a unique combination of group instruction, small group activities, computer-assisted training, and other instructional strategies. Competency-based courses should align with the Next Generation Sunshine State Standards. In addition, students who take competency-based courses in subjects that require Florida end-of-course (EOC) assessments must comply with the requirements in section 1008.22, Florida Statutes.

C-6. What are credit recovery programs?

Credit recovery programs are designed to assist students with earning credits for courses that they may have failed or have been unable to complete. Credit recovery courses are typically competency-based and frequently involve computer-assisted instruction supplemented by face-to-face instruction or mentoring. Credit recovery may take place both inside and outside the regular school day or school year. Credit recovery may involve successfully working through an online course or through credit by exam. Credit recovery courses should align with the Next Generation Sunshine State standards. In addition, students who take credit recovery courses that require EOC assessments must comply with the requirements in section 1008.22, Florida Statutes.

For students in DJJ education programs, where mobility is high, credit recovery programs offer students a chance to catch up with their coursework and earn the necessary credits for high school graduation.

C-7. Why should DJJ education programs consider taking advantage of available scheduling and curricular flexibility?

Students in DJJ programs are often unsuccessful in traditional school programs; therefore, DJJ programs must consider alternate means for keeping students engaged and on-track for achieving their academic and career goals. There is not one instructional program that will work for all students. The increased flexibility now permitted by Rule 6A-6.05281, F.A.C., offers the option of considering a more personalized approach.

D. Other Changes to Rule 6A-6.05281, F.A.C.

D-1. Why were references to Early Delinquency Intervention Programs removed?

References to Early Delinquency Intervention Programs were removed to align with Florida Statutes. Department of Juvenile Justice programs are composed of detention, commitment, and day treatment programs.

D-2. Why were the terms "vocational/technical" replaced with the term "career"?

In 2004, section 1003.01, Florida Statutes, was changed to reflect new federal terminology, which replaced the term "vocational/technical" with "career." Rule 6A-6.05281, F.A.C., was updated to reflect the current terminology.