

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

F. PHILIP HANDY, *Chairman*

T. WILLARD FAIR, *Vice Chairman*

Members

DONNA G. CALLAWAY

ROBERTO MARTÍNEZ

PHOEBE RAULERSON

KATHLEEN SHANAHAN

LINDA K. TAYLOR

John L. Winn
Commissioner of Education



MEMORANDUM

TO: Exceptional Student Education Directors
District Personnel Directors

FROM: Bambi J. Lockman

DATE: September 11, 2006

SUBJECT: HOUSE BILL 7087: CHANGES REGARDING ACADEMIC IMPROVEMENT PLANS FOR STUDENTS WITH DISABILITIES

Contact Information:

Elise Lynch
(850) 245-0478
Elise.Lynch@fldoe.org
David Wheeler
(850) 922-3727
wheeler@coedu.usf.edu

K12: 2006-133

Existing Florida State Board of Education Rule 6A-6.0331, addressing identification and determination of eligibility of exceptional students for specially designed instruction, contains reference to an academic improvement plan as follows:

For students with academic learning problems, the general education interventions must include the use of an academic improvement plan, as required by Section 1008.25(4) (a)(c), Florida Statutes, and the provision of remedial instruction for a reasonable period of time.

However, the 2006 Legislature passed House Bill (HB) 7087, also referred to as the A++ Bill, which amended several sections of Section 1008.25(4), Florida Statutes (F.S.). The reference to an academic improvement plan (AIP) was **replaced** with the progress monitoring plan (PMP). The legislation now requires the school in which the student is enrolled to develop and implement, in consultation with the student's parent, a PMP. A PMP is intended to provide the district and the school flexibility in meeting the academic needs of the student and to reduce paperwork. The frequency of progress monitoring and the monitoring tools for reading are established in the district K-12 Comprehensive Reading Plan. Progress monitoring in the area of mathematics should occur with similar frequency as is required for reading.

Section 1008.25(4)(b), F.S., states that:

A student who is not meeting the school district or state requirements for proficiency in reading and mathematics shall be covered by one of the following plans to target instruction and identify ways to improve his or her academic achievement:

1. a federally required student plan such as an individual education plan
2. a school-wide system of progress monitoring for all
3. an individualized progress monitoring plan

BAMBI J. LOCKMAN

Chief

Bureau of Exceptional Education and Student Services

The plan chosen must be designed to assist the student or the school in meeting state and district expectations for proficiency.

The legislation requires that each student must participate in the statewide assessment tests required by Section 1008.22, F.S. Each student who does not meet specific levels of performance as determined by the district school board in reading, writing, science, and mathematics or who scores below level 3 in reading or mathematics must be provided with additional diagnostic assessments that will determine the nature of the student's difficulty, the areas of academic need, and the strategies for appropriate intervention and instruction.

Federally required student plans for students with disabilities include:

Individual Educational Plan

An individual educational plan (IEP) is defined as a written statement for each child with a disability that is developed, reviewed, and revised in accordance with Section 614(d) of the Individuals with Disabilities Education Act.

Section 504 Plan

A Section 504 plan provides students with disabilities equal opportunity to benefit from educational programs, services, or activities as is provided to non-disabled peers by the provision of necessary accommodations based on the individual needs of the student.

If the student's federally required plan does not address the student's deficiency in reading or mathematics as required by Florida law, then the school must address these deficits in either a school-wide progress-monitoring system or an individual progress-monitoring plan. Due to legal ramifications, the federally required plans may not lend themselves for inclusion of all of the components of the progress monitoring plan. Regardless of which plan or plans the district chooses to use, student progress must be monitored as often as possible to provide necessary data to differentiate instruction and measure intervention effectiveness. Student progress data should be collected, analyzed, and reported to the parent, teacher, principal, and district a minimum of three times per year.

Districts and schools implementing the Response to Intervention (RtI) Model are encouraged to use progress monitoring data as documented by the Progress Monitoring Plans (PMP) during all three intervention tiers to assist in data-based decision-making by the problem-solving team. For additional information about RtI, please access the technical assistance paper at <http://www.firn.edu/doe/commhome/pdf/y2006-8.pdf>.

If you have questions regarding the use of the PMP for students with disabilities who have an IEP, please contact Ms. Elise Lynch, Program Specialist, by telephone at (850) 245-0478 or via electronic mail at elise.lynch@fldoe.org. If you have questions regarding the use of the PMP for students with disabilities who have a Section 504 Plan, please contact Dr. David Wheeler, School Psychology Consultant, by telephone at (850) 922-3727 or via electronic mail at wheeler@coedu.usf.edu.

BJL/dw/elt

cc: Student Support Services Directors
Elise Lynch, Florida Department of Education
David Wheeler, Florida Department of Education