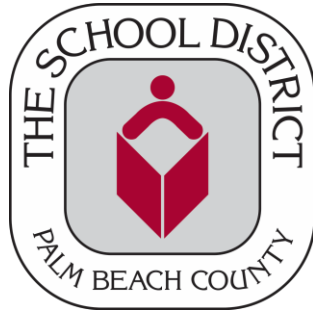


**The Department of Support Services
Alternative Education, Juvenile Justice/Youth Services
Programs Manual**



"Failure is Not an Option...Success is the Only Option"

Revised April 7, 2021

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**THE DEPARTMENT OF SUPPORT SERVICES,
ALTERNATIVE EDUCATION, JUVENILE JUSTICE AND YOUTH SERVICES**

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INTRODUCTION

Welcome to the Support Services Assignment Manual, this manual was created to streamline and revise the way alternative education assignment requests are processed. By creating this manual we will ensure that students are placed in the most appropriate educational setting which maximizes their learning, academic achievement, growth and development. The vision of Alternative Education is that all students can learn, if given the proper tools, resources, appropriate educational setting and environment.

Participation in this process is significant and essential to ensuring that all students are successful. This handbook is designed to provide an understanding of assignment considerations, including 2020 changes to the assignment process. Additionally, it is a resource guide for properly submitting requests for alternative education assignments.

The Discipline Review Committee will review all recommendations for alternative education assignment for Students with Chronic behavior or Student Code of Conduct Violations as described in School Board Policies 5.1814 and 5.1817. The Discipline Review Committee (DRC) is a diverse committee consisting of three principals/designees, one each from an elementary, middle, and high school, plus representatives from Regional Office, Safe Schools, Support Services, ESE/504, Mental Health, and/or other district personnel as appropriate will meet, to the extent possible, each week during the school year.

Nothing within this Manual is intended to supersede School Board Policy 5.1812 and 5.1813 Student Code of Conduct.

BEHAVIOR and ACADEMIC INTERVENTION PROGRAMS

The Behavior Intervention Program

The aim of the Behavior Intervention Program (BIP) is to ensure the safety and welfare of all students. Chronic behavior is exhibited in a student that has a history of disruptive behavior in school or has committed an offense that warrants out of school suspension or expulsion from school according to the student code of conduct. In some instances, students who engage in off campus behaviors the severely threatens the general welfare of students or others with whom the student comes into contact may be referred to the Behavior Intervention Program.

Disruptive behavior is defined as:

- a) interferes with the student's own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide or results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom or
- b) severely threatens the general welfare of students or others with whom the student comes into contact.

The program is structured to provide students with skills necessary for them to function in the traditional school setting. Students will be assigned to the Behavior Intervention Programs for 90 to 180 days, with stays not to exceed two school years.

Benefits of the program include, but are not limited to:

- Small structured environment
- Intensive behavior support
- Behavior modification techniques
- Individual therapeutic services (counseling)
- Appropriate social skills training
- Coping skills to self-regulate behavior
- Reductions in behavioral infractions

Support Services has identified eight types of assignments to be considered for behavior intervention assignment.

- Chronic Behavior Assignment - Repeated behavioral infractions
- Felony Suspensions - Students who are charged with a felony for an act that occurred off campus but has an adverse impact on the campus, discipline or welfare of the campus where the student is enrolled.
- DJJ Reentry - guidelines set by SB Policy 850
- Transitional - unsuccessful adjustment on traditional campus; possible consideration for return to BIP
- Severe Incident Assignment - Students who commit a Student Code of Conduct Offense that is not enumerated in the Zero Tolerance Policy but imminently impacts the safety and welfare of the school campus.
- IEP Team Decision - An IEP Team may make a decision based upon student need. For a placement in alternative education, the behavior cannot be a manifestation of the student's disability unless the parent agrees with the placement. It is noted that the alternative placement naturally has smaller classes, increased supervision, decrease in transitions and increase in structure and can meet the needs of many students with disabilities. However, since alternative education is deemed as disciplinary, a Team may not place a student as a consequence of their behavior absent agreement of the parent when the behavior is a manifestation of disability. When the behavior is NOT a manifestation of disability, the IEP Team may place a student in alternative education as an appropriate to meet their needs and address their behavior. In such cases, parental consent is NOT required, but parents must be offered an explanation of their procedural safeguards. Should a parent request a due process hearing to challenge a placement in alternative education, the "stay put" placement is a comprehensive campus.
- IAES 45-day assignment - For a student receiving **ESE Services** that meets criteria set forth by IDEA and delineated in the Procedural Safeguards for Parents of Students with Disabilities (<http://l.sdpbc.net/nboyc>)
Students are only eligible for a 45-day IAES if they possess drugs (2nd time possession); sell or distribute drugs; possess a weapon (as narrowly defined by the IDEA); or inflict serious bodily harm upon another (as narrowly defined by the IDEA). All behaviors listed above for an IAES must take place on a school campus or at a school function. Students unilaterally placed in an IAES placement can remain for up

to 45 school days. At that time, an IEP Team must meet and determine future placement. An IAES “stay put” is in the alternative education setting for up to 45 days.

- Zero Tolerance Expulsion

NOTE:

SB 7026 requires assignments in other categories as follows {see charts on following page}:

*Students with disabilities are excluded from these categories (See ESE assignment requirements)

Behavior Intervention Assignment Matrix

Type of Referral	Definition	Criteria	Requirements & Timeline	Disposition & Next Steps
Chronic Behavior (Gen Ed students only)	Repeated behavioral infractions with documented interventions that have minimal or no success Or: behavior on or off campus that severely threatens the general welfare of students or others with whom the student comes into contact	Ongoing class/school disruptions and repeated suspensions. Or: Documented incident that student engaged in behavior on or off campus that severely threatens the general welfare of students or others with whom the student comes into contact	Interventions include but are not limited to: class/schedule change, family counseling referral, PS/SBT referral resulting in FBA)/BIP with six-eight weeks of documented interventions. Complete Behavior Intervention Packet is routed with PBS 0265 to the DRC Or: Documents that supports the Principal's request attached to the PBS 0265 & routed to the DRC	DRC meeting is held, Parents & School advised of the decision by close of the following school day. Decision sent in writing to school and parent
*Felony Suspensions (Gen Ed students only)	Off Campus Behavior - off campus felony charge that adversely impacts the school	Off campus felony charge that has an adverse impact on the daily operations of the school	Principal Letter outlining adverse impact on campus and notifying parent of date and time of administrative hearing regarding felony suspension. Documents verifying State Attorney has formally charged student with a felony.	Principal conducts hearing as required by policy 5.18175 Decision sent in writing by Support Services to school and the parent within 5 days.
DJJ Re-entry	Student released from Dept. of Juvenile Justice Residential Program placement	Documented completion of a DJJ residential program, <u>not including Detention Center</u>	Review of the Exit Education Plan from the residential program Referral Packet is uploaded to eForm 2541 and routed to Work Queue	

Type of Referral	Definition	Criteria	Requirements & Process	Disposition & Next
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				Steps
Transitional	Student recently returned to comprehensive campus from Behavior Intervention Program and is not successful behaviorally in the traditional setting	Student has behavior concerns at the comprehensive campus and attempted interventions have failed	PS/SBT has reviewed the case, outlining attempted interventions and recommends student to return to BIP. The case must be reviewed within 30 days, not to exceed a marking period. Documents must be uploaded, submitted to eForm 2541 and routed to Work Que	School advised of the decision within 48-72 hours Decision sent in writing to school
*Severe Incident Assignment (General Education Students Only)	Student safety concern that impacts the general welfare of the school campus. Approval from Regional/Instructional Superintendent and Safe Schools for assignment	A non-zero tolerance offense imminently impacting the safety and welfare of the students as stated in policy 5.1817	Documents that supports the Principal's request must be uploaded with PBS 0265 and routed to the DRC	DRC meeting is held, Parents & School advised of the decision within 5 school days
*Zero Tolerance Expulsion	Student commits any of the zero tolerance incidents in accordance with SB Policy 5.1814	Student recommended for expulsion must have appropriate documentation as stated policy 5.1814 Notification of Regional Superintendent and Safe Schools	Packet completed in accordance with policy 5.1814	DRC Meeting is held parents & student are notified before the close of next school day
IEP Team Decision	Student safety concern that impacts the general welfare of the campus	Recommended by an IEP Team, must complete a Manifestation Determination. The behavior must not be a manifestation of disability. Parent consent required if behavior is a manifestation of disability.	Convene a compliant IEP Team to consider appropriate placement	Home School notifies parent and student of the outcome

For students with disabilities, assignment to an Alternative Behavior Intervention Site constitutes a change of assignment per the IEP and requires the action of a compliant IEP Team. Placement changes may be subject to challenge by the parent as per procedural safeguards.

Requirements for Initiating a Behavior Assignment

- A. School identifies students with behavior concerns (repeated disciplinary infractions, suspensions, etc.) and refers to behavior coach, when available, prior to School Based Team referral
- School refers student to School Based Team (SBT) to discuss behavioral issues and appropriate interventions (Parent involvement is strongly recommended)
 - RtI process is implemented- interventions are monitored, initiation of Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP)
 - If interventions are not successful, in consultation with the Support Services Specialist, the SBT committee recommends a referral to the Behavior Intervention Program in alternative education
 - Referring school meets with parent and/or guardian
 - Support Services Specialist meets with referring school & reviews packet for compliance
 - Referring school completes referral packet for Behavior Intervention Program Consideration and principal uploads completed packet and routes to the
 - Parent is provided notice of DRC Meeting and opportunity to appeal.
- Or B.** Behavior on or off campus that severely threatens the general welfare of students or others with whom the student comes into contact.
- Referring school meets with parent and/or guardian
 - Support Services Specialist meets with referring school & reviews packet for compliance
 - Referring school completes referral packet for Behavior Intervention Program Consideration and principal uploads completed packet and routes to the DRC Support Services work queue via eform 2541
 - Parent is provided notice of DRC Meeting assignment and opportunity to appeal.
 - The length of stay is a minimum of 1 semester (90 school days) at which time exit criteria must be met

Refer to page 14 for the documents that must be included in the referral packet

Severe Incident Assignment (SIA) (General Education Students Only)

Requirements for initiating an SIA include:

- Student Code of Conduct Offense that occurs on campus or at a school function and is not enumerated in the Zero Tolerance Policy but imminently impacts the safety and welfare of the school campus. (Stat. 1003.53)

- Conduct a threat assessment if applicable. The presence of an imminent threat to the safety and security of the school environment (related activities).
- Principal must receive approval from the Regional/ Instructional Superintendent
- Principal must notify Safe Schools
- Referring school completes SIA Packet, attaches all required forms for documentation via PBS 0265 and routes to Legal and the DRC.
- The length of stay on an SIA is a minimum of 1 Semester (90 school days)

Pending Zero Tolerance Expellable Offenses (Gen Ed Students Only)

Requirements for Initiating an Alt Ed assignment due to a pending expulsion

- Requests from principal and approval by Regional Instructional Supt. & Safe Schools
- Student recommended for expulsion must have appropriate documentation as stated in policy 5.1814
- Packet completed in accordance with policy 5.1814
- Packet submitted to Legal and routed to the DRC
- DRC notifies parent & student of Alt Ed. school assignment
- Notification sent by registered mail if parent not in attendance
- The length of stay on a Zero Tolerance Expulsion is 1 year to the date of incident

Nothing within this Manual is intended to supersede School Board Policy 5.1812 and 5.1813 Student Code of Conduct.

Requirements for Initiating a Behavior assignment for Students with Disabilities (ESE)

An IEP Team may recommend an Alternative Ed Placement, but must consider the following:

- Least restrictive environment.
- The Team **MUST** make data-based decisions relying upon information including, but not limited to:
 - student grades; student behavior; student attendance; involvement in DJJ/pending charges
- If the behavior is a manifestation of disability, the student may not be moved to alternative education unless parent consents.
- If the behavior is not a manifestation of disability, the Team may place at alternative education without parental consent.
- If parent disagrees, LEA must offer explanation of procedural safeguards and provide a copy of Form 2152 Request for Due Process.
- If parent files a request for due process. “Stay put” is a comprehensive campus.

If a student is deemed to cause an imminent and immediate threat to others safety, the District may choose to request a Honig Injunction even if the behavior is a manifestation of the student’s disability. For this consideration, contact the Office of General Counsel. This option is a last resort to be used when students are deemed extremely dangerous.

Interim Alternative Educational Settings (45-Day assignments for ESE Students)

Federal and State law severely limits removal of students with disabilities without an IEP

Team meeting, which must convene within 10 days of the assignment. IAES assignments are allowed when:

- Possession of a weapon enroute to, or at school, on school premises or school function.
 - Weapon: an object, device, instrument, material or substance capable of causing serious bodily (includes risk of death) harm or death
- Possession, use, sale or solicitation for sale, of a controlled substance at school, on school premises or a school function (must be a second offense)
- Student commits act that inflicts severe bodily injury on another while at school, on school premises or a school function
- Referring school completes referral packet for Behavior Intervention Program Consideration and routes via eForm 2543.
- The length of stay on an IAES is up to 45 school days after which an IEP Team may recommend an extended placement, but “stay put” reverts to a comprehensive campus.

Refer to page 15 for the documents that must be included in the referral packet.

The Academic Intervention Program

Academic Intervention Programs are available for secondary general education and students with disabilities. Assignments are considered based on SBT/CST/IEP Team recommendations. The following criteria must be met:

- Minimum of 1 retention, or
- Failing grades and/or grades below documented learning ability level
- GPA below 2.0, or
- Credit deficiency, endangering graduating with cohort, or Parental choice, and
- Minimal behavior issues (no repeated OSS or level 2 discipline, level 1 conditional)
- Evidence of parent notification of academic concerns prior to assignment consideration.

All assignments are conditional based on the students' attendance and behavior. Referring school completes the referral packet for an Academic Intervention Program and submits via eForm 2541.

Please refer to page 15 for required documents that must be included in the referral packet.

Charter School/Private School Options

A parent/guardian may elect to enroll a child in a Charter School or Private School once a behavior packet has been submitted and approved for assignment in an Alternative Education Behavior Intervention Program. In order to return to a comprehensive campus, the student must be enrolled for a minimum of one year in the Charter or Private school and adhere to the Behavior Intervention Program exit criteria as stated on page 19.

Students enrolled in Charter or Private schools may be eligible to transfer to an Alternative Education Program. For this to occur, schools must adhere to the procedures on pages 5-7. Any student transfer to an Alternative Education Program must be made at the natural break.

Out of County/State assignments

Palm Beach County School District Staff will review out of system alternative education assignments and determine appropriate assignment based on District Policy.

Requirements for Initiating a Felony Suspension

When a student is formally charged with a felony or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, **but which incident is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled**, the principal shall, in accordance with section 1006.09(2), F.S., conduct an administrative hearing for the purpose of

determining whether or not the student should be suspended **pending** court determination of his or her guilt or innocence, or the dismissal of the charge, is made by a court of competent jurisdiction.

Referring school completes packet for Felony Suspension and routes eForm 2544 to the Support Services work queue.

Refer to page 15 for the documents that must be included in the referral packet.

Education Options

Support Services will conduct a compliance review of all completed referral packets to ensure that the required steps and documents are complete. Assignment to specific alternative education programs will be based on the best interest and needs of the student.

The table below gives an overview of the types of alternative behavioral and academic sites available and the location of the assignment:

Type	Definition	School
Behavior Intervention Program/IEP Team Decision	Uses a behavior modification program to positively change disruptive behavior	<ul style="list-style-type: none"> ❖ Intensive Transition South ❖ Crossroads Academy ❖ Turning Points Academy
Zero Tolerance Expulsion/IAES	Assignment recommended by Principal	<ul style="list-style-type: none"> ❖ Intensive Transition South ❖ Crossroads Academy ❖ Turning Points Academy
Academic Intervention Secondary Programs	Serves secondary level students (6-12) who have been previously retained, credit deficient and/or at-risk of not graduating with cohort	<ul style="list-style-type: none"> ❖ Riviera Beach Preparatory Academy ❖ Crossroads Academy
Elementary Behavior Intervention	Student has committed an expellable offense/IAES which meets criteria in outlined in Student Code of Conduct	Site assigned as appropriate

Each assignment requires all documents to be scanned and submitted with the form corresponding with the assignment recommendation.

- **PBSD 0265 Discipline Review Committee**
- **eForm PBSD 2541- Eligibility for Assignment indicated**
- **eForm PBSD 2541 – Academic Intervention indicated**
- **PBSD 2589- Incident Based Intervention (Gen. Ed. Only)**
- **eForm 2543- IAES Request**
- **eForm 2544- Felony Suspension (Gen. Ed. Only)**

REFERRAL PACKET REQUIREMENTS

Behavior Packet Requirements for General Education Students

- PBSD 0265 Discipline Review Committee
- PBSD 1892 Behavior Assignment Referral Checklist
- PBSD 2106 SBT Referral
- PBSD 1546 Parent Acknowledgment/Consent Alt Ed Assignment
- PBSD 1051 Conference Notes
- PBSD 2284 RTI Plan
- PBSD 2514 Consent for FBA
- PBSD 1549 FBA
- PBSD 2406 BIP
- PBSD 2583 Individual Instruction Plan (Pg.1) (Academic)
- Copy of Certified Mail Receipt dated prior to meeting
- PBSD 2318 Progress Monitoring Log
- PBSD 2491 Parental Input (504)
- PBSD 2209 Manifestation Determination (504)
- PBSD 1468 Section 504 Evaluation/Re-Evaluation
- Certified Letter sent to parents if not in attendance as evidenced by PBSD1051

Exceptional Student Education Documents Found in EDPlan

- Conference and Staffing Notes
- Current IEP w/Prior Written Notice & Matrix

- Re-Evaluation Process if applicable
- PBSD 1549/2406 FBA/BIP w/ Progress Monitoring (2318)
- Manifestation Determination
- PBSD 1546 Parent Acknowledgment/Consent Alt Ed Assignment) *if it's a manifestation
- PBSD 1848 Specialized Transportation Request
- Parent Participation Form (PPF)

The “packet requirements” do not supersede and IEP Team recommendation. Students recommended for Alternative Education by a compliant IEP Team must begin the new placement within 10 days of the recommendation unless a “stay put” placement is invoked by the parent via a request for due process.

IAES Packet Requirements

- PBSD 2543 (eForm for IAES assignment recommendations)
- PBSD 0279 (Discipline referral for incident under consideration)
- PBSD 0262 (suspension letter)
- PBSD 1848 Specialized Transportation Request
- Photograph of weapon/drugs/injuries (when applicable)
- Witness statement/Anecdotal reports

The “packet requirements” do not supersede the school administrator’s right to unilaterally place a student who meets the criteria for an IAES as delineated in the IDEA and the ESE procedural safeguards.

Felony Suspensions (Gen Ed Students only)

- Copy of Charging Document signed by State’s Attorney or copy of probable cause affidavit
- PBSD 1923 (Felony Suspension Hearing Letter)
- PBSD 1051 (Conference Staffing Record)
- PBSD 1546 Parent Acknowledgment/Consent Alt Ed Assignment
- Copy of discipline referral
- PBSD 2209 (if applicable)

Severe Incident Assignment

- PBSD 0265 Discipline Review Committee
- PBSD 0279 Copy of discipline referral (as applicable to campus incident)
- PBSD 1051 (Conference Staffing Record)

- PBSD 1546 Parent Acknowledgment /Consent Alt Ed Assignment
- PBSD 2106 (SBT Referral)
- PBSD 2514 (FBA/BIP Consent)
- PBSD 1468 (if applicable)
- PBSD 2209 (if applicable)
- PBSD 2491 (if applicable)
- Copy of the certified letter sent to parent if not in attendance
- Letter sent to parents regarding assignment and due process rights

Academic Packet Requirements

- PBSD 2541 Academic Intervention Referral Request Form
- PBSD 1546 Parent Acknowledgment/ Consent Alt Ed Assignment) (mandatory parent signature)
- PBSD 1051 (Conference Staffing Record)
- PBSD 2106 (SBT referral) completed in its entirety
- PBSD 2583 Individual Instruction Plan (Pg.1)
- PBSD 0298 (PPN) Review and update IEP, FAPE, Matrix (ESE Only)
- PBSD 1848 Specialized Transportation Request
- PBSD 1467/1468 (504 documentation) (when applicable)

Attendance Policy

The Board believes that regular and punctual school attendance play important roles in a student's achievement, as there is a strong correlation among regular school attendance, academic achievement, and the completion of school. All students are subject to the board's attendance policies per Board Policy 5.09

DUE PROCESS PROCEDURES

Students who are recommended for assignment to an alternative education program due to a Severe Incident Assignment or Chronic Behavior Assignment, are entitled to have their case reviewed by the Discipline Review Committee (DRC). The DRC will provide the student an opportunity for a fair and unbiased review of their case. The student or their representatives, will have up to 10 minutes to present documents and other information in support of their case.

Discipline Review Committee (DRC) -- A diverse committee consisting of three principals/designees, one each from an elementary, middle, and high school, plus

representatives from Regional Office, Safe Schools, Support Services, ESE/504, Mental Health, and/or other district personnel as appropriate will meet, to the extent possible, each week during the school year.

The Committee shall review each severe incident assignment or behavior intervention packet forwarded by the Principal of the school where the student in question attends, and, by majority vote, determine whether the packet shall be forwarded to the Superintendent's Designee for review and determination of assignment. If the DRC determines that the student's Code of Conduct offense does not merit Severe Incident Assignment or Chronic Behavior Assignment to an Alternative Education site, the student will be referred to the Regional Office for assignment.

If the DRC recommends assignment to Alternative Education, the chairperson of the DRC will provide the parent a copy of the Acknowledgement/Consent (PBSD 1546) for the parent to sign. If the parent is not in attendance or attends via virtual meeting for the DRC, the school's principal or principal designee must provide written notice of assignment or services by certified mail, return receipt requested to the student's parent or guardian. The parent or guardian shall sign an acknowledgment of the notice of assignment or service and return the signed acknowledgement within 3 days to the principal. The parents or guardians of a student assigned to such a program shall be notified in writing and entitled to an administrative review of any action by school personnel relating to such assignment pursuant to the provisions of chapter 120. Fla. Stat. Sec. 1003.53(5). The notice will include instructions for requesting a hearing. Failure to request a hearing within five (5) days will result in a waiver of the right to a hearing.

The home school may not withdraw a student until the Alternative Education Program notifies the home school of the student's enrollment.

Content of Notice:

- i. Notice of the type of program for which the student is eligible and the length of participation,
- ii. Notification that the student has a right to an administrative review of any action by school personnel relating to such assignment pursuant to Fla. Stat. 120
- iii. Notification that the student has the right to be represented by an attorney and to call witnesses to testify at the hearing on the student's behalf.

Hearings:

- i. The student may request a hearing under Fla. Stat. § 120.57(1) when there is a disputed issue of material fact or under § 120.57(2) if there is no disputed issue of material fact. In either type of proceeding, the hearing shall be informal in nature and the rules of evidence will apply loosely.
 1. Disputed Issues of Material Fact. -- In cases where the student will contest a material issue of fact such as denying that he/she actually committed the act as charged, the

hearing officer will serve as the finder of fact. The burden of proof rests with the School District. When material facts are in dispute, the standard of proof is the "preponderance of the evidence" i.e., whether it is reasonable to conclude from all the evidence submitted by both the School District and the student that the pupil did commit the violation with which he or she is charged as the basis for severe incident assignment. After the conclusion of the hearing the hearing officer shall issue written findings of fact as to whether the evidence presented supports the charge(s) against the student.

2. No Disputed Issues of Material Fact. -- When the student does not dispute the factual basis for the assignment to an alternative education program, the student is entitled to a hearing under Fla. Stat. § 120.57(2), to address whether the undisputed material facts constitute a violation of School Board Policy, State Board of Education Rules, and/or state or federal statutes.
- ii. Although the Superintendent's designee shall make the final decision on the alternative education assignment recommendation, a contracted attorney in good standing with the Florida Bar will serve as the Hearing Officer and will preside over the hearing. The Hearing Officer shall issue a recommended Order, that shall include findings of fact and conclusions of law which shall be forwarded to the Superintendent's designee for consideration prior to making a final decision.
 1. The factual and legal issues to be addressed in the hearing and in the hearing officer's recommended order are: 1) findings of fact--whether the student committed the act as charged, within the jurisdiction of the School District; and 2) conclusions of law--whether the act constituted a violation (of School Board Policy, State Board of Education Rules, and/or state or federal statutes). On these issues, the student/representative may provide oral evidence or argument and documents, memoranda of law, or other written materials in opposition to the recommended assignment.

Annual Notice Required

Parent/guardian shall also be notified annually of their child's assignment by the current Alternative Education Program in which the child is enrolled and their right to review any action related to such assignment. Fla. Admin. Code Rule 6A-6.0521 (2) (e).

Exit Criteria for Non Expelled General Education Students

- Natural academic break (end of semester, not to exceed two school years)
- Fewer than 15 absences in a 90-day period (See SB Board Policy 5.09)
- For middle school students no more than (2) failing grades
- For high school students, semester credits must be earned within a semester time frame, with no more than (2) failing grades
- No more than five out-of-school suspension days per school year
- No referrals indicating Level 3 or Level 4 incidents
- Must not have any new felony arrests
- Must not have received new charges and been placed in the Detention Center or Palm Beach County Jail

In addition, to the Support Services Designee, a representative from the student's home school must be invited to participate either in person or via telephone or online meeting platform for the exit meeting. Notification of the meeting must be provided to the home school via email or calendar invite. The Regional/Instructional Superintendent shall be consulted and shall confer with the Department of Support Services for the appropriate comprehensive school assignment.

Prior to or during the exit meeting, the Alternative Education Behavior Intervention Program must complete:

- PBSO 2583 (Student Monitoring Plan)
- PBSO 2582 (Student Exit Checklist)
- PBSO 1051 (Conference Notes)

The Alternative Education Site shall forward all documentation of interventions and progress monitoring to the receiving comprehensive school. It is best practice for students exiting, to be referred to the comprehensive school's SBT for continued support and identification of needs.

In the case where a student has been successful and the parent would like the student to remain in the alternative setting for an additional semester, the initial Alternative Education Assignment will be closed and the student will be assigned as a parent request. The student assigned as a parent request will be eligible to exit at any time, although best practice holds that the student exit at a natural break.

Students who return to a comprehensive campus should be placed on SBT immediately and be provided support to assist with their transition. If the student receives a behavioral referral, the SBT must provide and document (mandatory) evidence-based interventions. If students' behavior continues to negatively impact the campus a meeting shall be scheduled with the respective Support Services Designee after 45 days in order to consider all educational options. For those students considered by the SBT for a return to an Alternative Education Behavior Intervention Program, the following is required:

- PBSO 2491 (Document of Parental Input) ESE Only
- PBSO 1051 (Conference/Staffing Record)

- PBSD 1546 Parent Acknowledgment/Consent Alternative Education Assignment
- PBSD 2106 (School Based Team Referral)
- PBSD 2284 (RtI Plan) Updated and Reviewed
- PBSD 2406 (BIP) Updated and Reviewed
- Proof of Invite to Receiving School
- Updated 504/ELL Plan (if applicable) and Designee in Attendance at the Meeting
- 504 Manifestation Meeting (if applicable)
- 504 Re-evaluation Form (PBSD 1468) (if applicable)

For students with disabilities on an IAES placement, a student may be exited upon expiration of 45 school days. However, a compliant IEP Team to include a representative of the comprehensive school may meet and determine extended placement at the alternative education site. If parent disagrees, they must be offered an explanation of procedural safeguards and form 2152 Request for Due Process. The “stay put” placement reverts to a comprehensive campus after the 45 school days expire.

For students with disabilities on a IEP placement, the IEP Team must meet to determine whether a student’s placement is more appropriate on a comprehensive campus. The Team **MUST** make data-based decisions relying upon information including, but not limited to: student grades; student behavior; student attendance; involvement in DJJ/pending charges; and overall success in the alternative education program. The IEP Team must meet annually per the IDEA, but should strive to meet prior to the end of each semester to discuss the student’s overall academic and behavior performance. The IEP Team should recognize natural semester breaks for student movement to maximize potential success in transitioning back to a comprehensive campus. Safety considerations must be taken into account including the reason why the student was initially placed in alternative education. If a parent disagrees, they must be offered an explanation of procedural safeguards and form 2152 Request for Due Process. The “stay put” placement remains at the alternative education placement pending the outcome of a due process hearing.

JUVENILE JUSTICE and YOUTH SERVICE PROGRAMS (SBER 6A-6.05281; Fla. Stat. § 1003.52)

Juvenile Justice Programs

Juvenile Justice Programs are designed to serve students who are assigned to a detention, day treatment, or residential commitment program operated by a state or the Department of Juvenile Justice (DJJ).

These programs must place a strong emphasis on appropriate agency coordination, as specified in SBER 6A-6.0521(2)(b). Participation in a DJJ program is assigned. Assigned participation means that the placement is required by the courts or other agencies pursuant to Chapter 39, Laws of Florida. Schools do not determine placement to these programs.

Outcome Objectives

The primary goal of DJJ Programs is to provide a high quality education to our students, while providing a safe, secure, and nurturing environment. There will be academic assessment and the provision of appropriate educational services. See in general, SBER 6A-6.

Student Outcome Objectives

The objective of students placed in DJJ programs by the courts or other agencies is their continuation in an education program, and the completion of adjudication or court ordered sanctions. Students will have an opportunity to do at least one of the following:

- Improve academic performance
- Advance to the next grade
- Accrue credits with program completion resulting in a high school diploma
- Improve socialization skills

Categories of Juvenile Justice Programs

1. Day Treatment: Students are placed in a day treatment program by court order, Juvenile Probation Officer referral, DJJ Post Commitment Probation or adjudication. Day treatment programs are non-residential programs operated by or under contract with DJJ. Day treatment programs include prevention, intensive probation, and conditional release programs that have educational services that are provided on site.
2. Detention: Detention centers are juvenile facilities operated by DJJ that detain students while they are awaiting their court appearances or placement in a commitment facility.
3. Residential Commitment: Students adjudicated by the court are assigned by DJJ to a commitment program. Residential commitment programs include low, moderate, high, and maximum risk DJJ programs. Students reside in these programs while committed to DJJ.

Specific Eligibility Criteria

Students in DJJ Programs (SBER 6A-6.05281(1) are:

- Students who have been court-adjudicated to a detention, prevention, residential or day treatment. Commitment means any residential facility where the courts have adjudicated youth or have recommended placement.
- In varying levels of commitment, and are awaiting trial or sentencing, or who are deemed neglected, dependent, or delinquent.
- Schools do not determine assignment to these programs.

Students who do not attend a local public school, due to their placement in a DJJ detention, commitment, day treatment, or early delinquency intervention program, shall be provided high quality and effective educational programs by PBCSD or by a DJJ provider through a contract with the local school district. The facilities offer a variety of diploma options including; Performance Based Exit Option Diplomas, Special Diploma, Standard Diploma, and GED Diploma.

students with disabilities placed in a DJJ program shall be provided a free appropriate public education consistent with the requirements of SBER Ch. 6A-6.05281(2)(c). Students with a documented mental or physical impairment that substantially limits a

major life activity are protected from discriminatory acts under 504. Such students are entitled to certain accommodations and/or services pursuant to a written 504 Plan, to ensure they have equal educational access. The School District will ensure 504-eligible students are provided all necessary accommodations and/or services.

All English Language Learner (ELL) students placed in a DJJ program shall have equal access to entitled services, including assessment and appropriate strategies consistent with the requirements of SBER Ch. 6A-6.05281(2)(d).

School attendance is mandatory for compulsory school attendance age students. However, a non-compulsory, school attendance age student without a diploma may file an intent to terminate school enrollment as provided in Fla. Stat. §1003.52(6).

Instructional Periods

Pursuant to SBER 6A-6.05281(6)(a), the instructional program shall consist of two hundred fifty (250) days of instruction, ten (10) of which may be used for teacher planning, distributed over twelve (12) months, as required by Fla. Stat. § 1003.01(11) (a). The instructional program shall be provided a minimum of five (5) hours per day and shall consist of appropriate academic, vocational or exceptional curricula and related services under the supervision of a qualified teacher as specified in SBER 6A- 6.0501. The students will follow, as closely as possible, a basic academic program with the intent to exit the student to the home school or an Alternative Education program at the end of the commitment period.

Assessment (SBER 6A-6.05281)

All students in DJJ commitment, day treatment, or early delinquency intervention programs, who have not graduated from school, shall be assessed within ten (10) school days of the student's commitment. The entry assessments shall include academic measures that provide proficiency levels in:

- a. Reading/ELA
- b. Math

Exit Criteria & Procedures

Exit criteria from day treatment, detention and residential commitment programs are determined by the Department of Juvenile Justice and the courts.

Juvenile Justice Programs Reentry Procedures – Fla. Stat. §1003.52 (10) (b)

For the purpose of transition planning and reentry services, representatives from the school district and the one stop center where the student will return shall participate as members of the local DJJ reentry teams. The school district, upon the return of a student from a juvenile justice education program, must consider the individual needs and circumstances of the student and the transition plan recommendations when re-enrolling a student in a public school. A local school district may not maintain a standardized policy for all students returning from a juvenile justice program but place

students based on their needs and their performance in the juvenile justice education program, including any virtual education options.

Detention Center and Palm Beach County Jail

Students become involved with DJJ when they are arrested by law enforcement for an alleged criminal act. Law enforcement will transport the student to the Juvenile Assessment Center. At the Juvenile Assessment Center, the student will be delivered to the Intake Unit.

- The Intake Unit will determine if the student should be picked up by a parent/guardian. The parent/guardian will be responsible for transporting the student to court for a first appearance before a Juvenile Judge.
- The Intake Unit will have the student transported to the Palm Beach Regional Detention Center to be brought before a Juvenile Judge for a first appearance.
- First Court Appearance - The Juvenile Judge will determine if the student meets the criteria to be detained at the Detention Center or be direct-filed to the adult division. A Public Defender may be appointed for the student. The Public Defender will discuss with the student whether to plead innocent and take the case to trial, or to plead guilty and have the Judge make a decision about the case disposition.
- The Court will determine if the student should remain detained at the Detention Center or Palm Beach County Jail.
- Students who are released by the Court are to report to their home school within twenty- four hours.
- Students who go to trial and found innocent or are placed on probation are to go back to their home school
- Students who are sentenced to an offender program, but are released by the Court to await the placement, are to return to their home schools. (If there are court restrictions about assignment, the Court Liaison Manager/designee, will notify the home school and supply a copy of the Court Order for students who are restricted from the school.)

Palm Beach Regional Detention Center

The Palm Beach Regional Detention Center is a holding facility. Students exiting from the Palm Beach Regional Juvenile Detention Center are not required to have reentry meetings.

The DJJ Transition Coordinator and Detention Center Guidance/Transition Liaison will review students DJJ charges within ten days of enrollment at the Detention Center. Entry School Based Team meetings will be held after ten days of enrollment to discuss students' education and transition needs. For students with open violent felony charges, an e-mail alert notification will be sent to the SAC school principal and Case Manager with instructions to contact the DJJ Transition Coordinator and/or Detention Center Guidance/Transition Liaison for further information.

For students enrolled at the Detention Center, upon notification of students' release, the Palm Beach County School District Guidance/Transition Counselor will email reentry notifications the student's home school principal, designated DJJ Contact, SBT Leader, ESE Contact or 504 Designee, DJJ Transition Coordinator, Behavior Coach, Court Liaison and Jail/DC School Assistant Principal. For students who have open felony charges, School Board Policy 5.1814 and 5.18175 set forth the procedures for students recommended for expulsion or felony suspension.

Students returning to Palm Beach County Schools after being at the Detention Center for less than 30 days will be re-enrolled immediately, without the need to supply proof of residence, or have a parent/guardian present at the time of their return.

Palm Beach County Jail

The Palm Beach County Jail is both a holding facility and a Department of Correction program for county sentenced youth. For students enrolled at the County Jail for less than 30 days who are released without prior notification, the Palm Beach County School District Guidance/Transition Counselor will email reentry notifications to the student's home school principal, designated DJJ Contact, SBT Leader, ESE Contact or 504 Designee, DJJ Transition Coordinator, Director of Support Services, Behavior Coaches, Court Liaison and Jail/DC School Assistant Principal. For students with open violent felony charges, an email alert notification will be sent to the SAC school principal, and Support Service Case Managers recommending them to contact the DJJ Transition Coordinator and/or Detention Center Guidance/Transition Liaison for further information. For students with open felony charges, School Board Policy 5.1817 sets forth the procedures for recommending expulsion or felony suspensions.

Students returning to Palm Beach County Schools after being at the County Jail for less than 30 days will be re-enrolled immediately, without the need to supply proof of residence, or have a parent/guardian present at the time of their return.

Jail Reentry Meetings for County Sentenced Youth enrolled in School at County Jail

A jail reentry meeting will be held for all students who have been sentenced, and are returning to public school following a long term stay (30 days or longer) at the Palm Beach County Jail.

At least 30 days prior to: (1) a student turning 18 years, or (2) a student's anticipated release date, an Exit/Reentry School Based Team (SBT) meeting will be held for the purposes of educational planning and reviewing post-release transition plans and needs.

For students who attend school at the County Jail and whose release date is known at least two weeks prior to their release, the DJJ Transition Coordinator will send Jail Reentry Notifications, and request reentry meeting with the Parent, SAC Principal, Region Office, DJJ Contact, SBT Leader, and Behavior Coach, as needed AE Site Designee, ESE Contact or 504 Designee, if applicable. The Jail Reentry/IEP/504 meetings will be held prior to release or within three days of release in order to determine students' next

school assignment. If applicable, the student's IEP/504 must be reviewed at this meeting.

The Jail Reentry/IEP/504 Team may recommend assignment at a Behavior Intervention or Academic Intervention Program. Packets for a Jail Reentry should include:

- Jail Reentry Notification and email request for reentry meeting
- Proof of invite to receiving school (if not in attendance)
- PBS Form 1546 signed by the parent/guardian and the Principal of the home school.
- Eligibility criteria should include community control or reentry from adjudication
- PBS Form 1051 should include justification for any Alternative Education assignment, current grade level and academic progress at Jail and recommended length of enrollment
- Copy of school records from Jail including withdrawal grades
- Updated IEP/504/ELL plan if applicable
- Current health immunization information (immunizations must be current to enroll in school)

For students who are released without prior notification from an adult population county jail and/or from a Department of Corrections (DOC) Youthful Offender Program, and are returning to public school, the SAC school administration can request an alternative education assignment based on an adverse impact to the school. Such a request must follow the procedures for an Incident Based Intervention.

Residential Commitment and Day Treatment Programs

Students who have completed a court-ordered residential commitment or day treatment program at a DJJ facility are required to attend school, and are entitled to return to their geographically assigned home school, unless the agency provider or Juvenile Probation Officer recommends follow-up care in a day treatment program.

Students re-entering public school from a DJJ residential commitment or day treatment program who are on probation will have a DJJ Reentry meeting at the students' home school. DJJ reentry meetings will be conducted during the regular school year and summer break. An IEP/504 plan must be reviewed at this meeting.

DJJ reentry meetings for students who are not on probation are not required. However, if the home school principal has good cause to believe that the student's presence will pose a serious threat to the safety of the student or others, or will cause a serious disruption to the educational environment, the principal may request the SBT/IEP/504/ELL Team to consider an Alternative Education assignment for the reentering student. The team will follow the appropriate procedures set forth in this Manual for a reentry student.

The DJJ Transition Coordinator begins transition planning at least 30 days prior to a student's anticipated release date. The designated Juvenile Probation Officers (JPOs) for students returning from residential commitment programs and the designees for

students exiting Day Treatment programs will send notifications to the DJJ Transition Coordinator. For students enrolled at in-county Day Treatment Programs who are unsuccessfully terminated, without prior 30-day release notification due to noncompliance with program rules, the agencies designee will immediately send reentry notification to the DJJ Transition Coordinator. A reentry meeting will be scheduled as soon as possible. Until a reentry meeting can be held to determine the appropriate educational assignment, the student will remain enrolled at the Day Treatment Program. Reentry notifications and requests for DJJ reentry meetings will be sent at least ten (10) school days prior to the students release from the DJJ program. The DJJ Transition Coordinator will send notification to the SAC Principal, DJJ contact, Behavior Coach, Court Liaison, SEDNET, as needed AE Site Designee, SBT leader, ESE Contact or 504 Designee, if applicable. DJJ Reentry/ Problem Solving SBT, IEP meetings or 504 meetings should be held within three (3) school days of a student being released from a DJJ program. In the event that a student is a direct release, the student and parent/guardian should be referred to the DJJ contact at the comprehensive school.

DJJ requires re-entry students to attend school immediately upon exit from a residential commitment program. Even if a reentry meeting cannot be held within three (3) days of release, the student must enroll immediately and attend his/her home school until a DJJ reentry/ Problem Solving SBT/IEP/504 meeting is held.

The DJJ reentry/ Problem Solving SBT/IEP/504 Team may recommend a DJJ reentry student for assignment at a Behavior Intervention Program or Academic Intervention Program. Packets for DJJ reentry should include the following:

- DJJ Reentry Notification and email request for reentry meeting
- Proof of invite to receiving school (if not in attendance)
- PBS Form 1546 signed by the parent/guardian and the Principal of the home school. Eligibility criteria should include community control or reentry from adjudication
- PBS Form 1051 should include justification for any Alternative Education assignment, current grade level and academic progress at DJJ program and recommended length of enrollment (DJJ reentry does not require a minimum of one full semester assignment)
- Copy of school records from DJJ program
- Updated IEP/504/ELL plan if applicable
- Current health immunization information (immunizations must be current to enroll in school)

While such determinations are made, the student must be enrolled in school. Under no circumstances may a student be denied education beyond 24 hours from when the student is released from the DJJ program. Upon receipt of the packet, the Department of Support Services will send a **DJJ Reentry Student Notification letter** to the designated Alternative Education site stating the student will enroll and begin attending the immediately.

DJJ Reentry students will be able to attend school during the packet approval process. All

required signatures will be obtained in accordance with the Department of Support Services guidelines and procedures.

It is best practice for the DJJ Reentry student to be referred to the comprehensive school Problem Solving/SBT for continued support and identification of needs. Students returned to a comprehensive campus who continue to exhibit ongoing behavioral infractions must be referred to the Problem Solving/SBT for documented evidence based interventions. A second DJJ Reentry meeting may be held within 30 days in order to consider all educational options.

Exit Criteria

DJJ reentry students placed in Behavior Intervention Programs do not have to meet the same exit criteria as required for the Department of Support Services Behavior Programs. DJJ reentry students should exit at a natural academic break (at the end of a semester for middle and high school). A meeting must be held prior to a student exiting an Alternative Education Program. Support Services Specialists will follow the Department of Support Services exit procedures. It is best practice for the student to be referred to the comprehensive school's Problem Solving/SBT upon exit for continued support and identification of needs. Students who return to a comprehensive campus and have documented ongoing behavioral infractions should be referred to the Problem Solving/SBT for further review and recommendation.

Youth Services Programs

Youth Services (YS) programs are designed to serve students who are attending a rehabilitation program funded by a county commission or private corporation.

The School District does not determine assignment of students in these programs. Enrollment at these sites is voluntary and strictly based on parent/guardian, individual student, outside- agency or court- recommended referral. Upon entry into a Youth Services program, the home school will be contacted for withdrawal and transfer of the student's records.

The Youth Services programs are divided into two categories:

1. Substance Abuse Residential Treatment Programs
2. Family and Behavior Counseling Residential Programs

Program Goals/Objectives

The goal of these programs is the student's continuation in an education program, with accrual of credits, promotion to the next grade level and/or earning a high school diploma during the assignment in a substance abuse, family and behavior counseling or behavior management program.

Agreements between the School District and outside providers are in place to provide educational services to students who are experiencing varying degrees of substance abuse. These programs serve students who have a documented substance abuse

problem. School District personnel do not determine the assignment of students in these programs.

Specific Eligibility Criteria - Substance Abuse Programs - (SBER 6A-6.05281(2)(a))

- Student is between 13-18 years old; and
- Student has documented drug-related or alcohol-related problem; or
- Student has immediate family members who have documented drug-related problems that adversely affect a student's performance in school.

Each program may have additional criteria for admission. Additional information regarding Residential Treatment Programs can be obtained from Youth Services or the contracted provider.

Specific Eligibility Criteria - Family and Behavior Counseling Residential Programs

- Student is usually between the ages of 11 - 16
- Student is experiencing problems at home, school or with their peers
- Student family is currently in crisis

Curriculum and Instructional Periods

The instructional programs at Youth Services sites shall provide the students with a minimum of 300 instructional minutes each day. Instruction may be delivered in a variety of effective research-based methods, including, online instruction, and/or direct instruction. The program administered by the providers must include instruction designed to deter substance abuse, and assist in behavior and family counseling. SBER 6A-6.05281(6)(b). Each program may vary based on the program's specific criteria.

Youth Services Programs may be offered in a non-school-based residential substance abuse treatment program facility or residential family and behavior counseling program facility, such as alternative sites, regular school campuses, or in any location approved by the School Board. SBER 6A-6.05281(6).

Exit Procedures

The School District does not determine the student's length of stay in Youth Service Programs. The students typically return to their home school upon completion or dismissal from the program. The guidance/transition counselor will notify the student's home school ten (10) days in advance of a student's completion, and recommendations for an intervention/support plan must be created and implemented by home school.

The Court Education Liaison Program: The Fifteenth (15th) Judicial Circuit of Florida

The Department of Support Services provides Court Liaisons who are assigned to the

Juvenile Division of the 15th Judicial Circuit Courts. These district employees participate in both dependency and delinquency court proceedings on behalf of Palm Beach County students.

The Court Liaisons perform the following functions:

- Assist in all dependency and delinquency court proceedings
- Interpret educational records and provide student advocacy
- Collaborate with the Department of Children and Families on court involved youth
- Coordinate educational information packets for students at their court appearances
- Assist parents/guardians as appropriate concerning student enrollment matters
- Notify parents/guardians of appropriate school contact and enrollment requirements if not actively enrolled
- Notify Transition Coordinator of pending enrollment or assignment
- Notify appropriate homeschool campus contact, of student pending or recommended enrollment/assignment, via email and phone contact
- Obtain contact information for Juvenile Probation Officer and school related requirements as applicable and provide home school contact
- Share information with parents/guardians and students about educational assignment and graduation options
- Provide ongoing follow up and support to DJJ students and families as requested
- Participate in juvenile justice meetings and committees as assigned
- Explore business and community partnerships to support initiatives for students enrolled in DJJ/Youth Services programs.