

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

KATHLEEN SHANAHAN, Chair

ROBERTO MARTÍNEZ, *Vice Chair*

Members

GARY CHARTRAND

DR. AKSHAY DESAI

MARK KAPLAN

JOHN R. PADGET

John L. Winn
Commissioner of Education



June 17, 2011



Ms. Judy Miller, Director
Exceptional Student Education (ESE)
Lake County School District
201 West Burleigh Boulevard
Tavares, Florida 32778

Re: Early Resolution Agreement: Case No. BEESS-2011-033-ER

Dear [REDACTED] and Ms. Miller:

The Bureau of Exceptional Education and Student Services (Bureau) received a state complaint from [REDACTED] on May 20, 2011, alleging that the Lake County School District violated federal and state laws relating to the education of students with disabilities. Ms. Jacqueline Roumou, Program Specialist, was assigned to manage the case. On May 25, 2011, both parties agreed to participate in early resolution. Specifically, the complainant's allegations involved the following issues:

ISSUE 1: Whether the Lake County School District violated the required procedures for conducting an evaluation/reevaluation during the 2010-11 school year specifically regarding:

- The required timeline(s)
- The student's eligibility for all applicable exceptional student education (ESE) categories

ISSUE 2: Whether the Lake County School District violated the procedures related to determining the student's least restrictive environment (LRE) during the 2010-11 school year

BAMBI J. LOCKMAN, LL.D.

Chief, Bureau of Exceptional Education and Student Services

██████████ and Ms. Miller

June 17, 2011

Page Two

On June 8, 2011, an early resolution meeting was held during which both parties reached an agreement. An early resolution agreement was developed and was signed by the complainant. The district provided the Bureau with a copy of the agreement, which indicated the following:

- Beginning on August 22, 2011, the student's school location will be changed from ██████████ to ██████████. The student's placement will be an ESE classroom with specialized instruction, specials/electives, and specialized transportation for a trial period of nine weeks.
- Upon the completion of the nine-week trial period, the student's individual educational plan team will discuss the student's progress at ██████████.
- A functional behavioral assessment and a behavior intervention plan will be developed by a board certified behavior analyst with consultation and input from the therapeutic staff at ██████████.
- An evaluation addressing the need for occupational therapy will be completed.
- The district's proposal that the student attend extended school year at ██████████ was declined by the parent.

We commend both parties for working together at the local level to resolve the issue encompassed within the state complaint. At this time, the Bureau considers this complaint inquiry to be closed. However, the state complaint process remains available to you as one of the administrative remedies for parents of students with disabilities.

If you have any questions regarding this information, you may contact Ms. Roumou at (850) 245-0476 or via e-mail to Jacqueline.Roumou@fldoe.org.

Sincerely,

Cathy Bishop, Section Administrator
Bureau of Exceptional Education and Student Services

CB/jcr

cc: Dr. Susan Moxley
Ms. Pat Lawson
Ms. Lindsey B. Granger
Ms. Jacqueline Roumou