

FLORIDA DEPARTMENT OF EDUCATION



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July 27, 2009

Mr. Alberto M. Carvalho, Superintendent
Miami-Dade County School District
1450 N.E. Second Avenue, Suite 912
Miami, Florida 33132

Dear Superintendent Carvalho:

The Bureau of Exceptional Education and Student Services is in receipt of your district's response to the preliminary findings of its 2008-09 Exceptional Student Education (ESE) Compliance Self-Assessment. This letter and the attached document comprise the final report for Miami-Dade County School District's 2008-09 self-assessment monitoring process.

The self-assessment system is designed to address the major areas of compliance related to the State Performance Plan (SPP)/Annual Performance Report (APR) required under the Individuals with Disabilities Education Act (IDEA). SPP Indicator 15, Timely Correction of Noncompliance, requires that the state identify and correct noncompliance **as soon as possible, but in no case later than one year from identification**. While any incident of noncompliance is of concern, in accordance with the language in SPP Indicator 15, the Bureau's current monitoring system considers the timeliness of correction of noncompliance to be of greatest significance.

The results of district self-assessments are included in the State's APR and are used to inform oversight activities, including the selection of districts for on-site monitoring, and the local educational agency (LEA) determinations required under Section 300.603, Title 34, Code of Federal Regulations, which result in districts being identified as "meets requirements," "needs assistance," "needs intervention," or "needs substantial intervention."

On March 30, 2009, the preliminary report of findings from the self-assessment process was released to your district's ESE Director. The preliminary report detailed student-specific incidents of noncompliance that required immediate correction. Districts were required to correct all student-specific noncompliance no later than May 26, 2009, and to provide evidence to the Bureau no later than June 2, 2009. In addition, the preliminary report identified any standards for which the noncompliance was considered systemic (i.e., evident in $\geq 25\%$ of the records reviewed).

BAMBI J. LOCKMAN

Chief

Bureau of Exceptional Education and Student Services

Superintendent Carvalho
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In the event that there were systemic findings, a corrective action plan (CAP) was required. Miami-Dade County School District's CAP was submitted to the Bureau for review and approval. We look forward to receiving the district's report on their results no later than **January 27, 2010**. Your district's adherence to this schedule is required in order to ensure correction of systemic noncompliance within a year as required by OSEP and Florida's SPP.

In its 2008-09 self-assessment, Miami-Dade County School District assessed 84 standards. One or more incidents of noncompliance were identified on 24 of those standards (28.6%). The following is a summary of the district's timely correction of student-specific incidents of noncompliance:

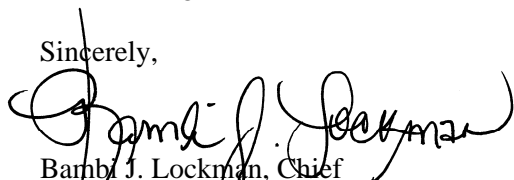
Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	46	—
Total Items Assessed	1001	—
Noncompliant	102	10%
Timely Corrected	102	100%

The attached *Miami-Dade District Summary Report: Findings of Noncompliance by Standard* contains a summary of the findings reported by the individual standard or regulation assessed. In the event there were systemic findings of noncompliance on specific standards that required the development of a CAP, those items are designated by shaded cells. In addition, a Matrix of Services review was required. Miami-Dade County School District reviewed 15 matrixes for students reported at the 254 or 255 cost factors for weighted funding through the Florida Education Finance Program. Discrepancies were found in five (33.3%) of those records; verification of correction was required.

We understand that the implementation of this self-assessment required a significant commitment of resources and appreciate the time and attention your staff has devoted to the process thus far. If you have questions regarding this process, please contact your assigned district liaison for monitoring or Patricia Howell, Program Director, at (850) 245-0476 or via electronic mail at patricia.howell@fldoe.org.

Sincerely,



Bambi J. Lockman, Chief
Bureau of Exceptional Education and Student Services

Attachment

cc: Ava Byrne
Will Gordillo
Cathy Orlando
Frances Haithcock
Mary Jane Tappen
Kim C. Komisar
Patricia Howell
Jill Snelson
Sheila Gritz
Donnajo Smith
Martha Murray

Florida Department of Education
Bureau of Exceptional Education and Student Services

Self-Assessment 2008 - 2009

Miami-Dade District Summary Report: Findings of Noncompliance by Standard

This report provides a summary of the district's results and must be used when developing a corrective action plan. Results are reported by standard, with systemic noncompliance (occurrence in $\geq 25\%$ of possible incidents) indicated as appropriate. See the *Student Report: Incidents of Noncompliance* for student-specific findings. Results are based on the following:

Number of EP protocols completed: 8	Total number of protocols: 46
Number of standards per EP: 16	Total number of standards: 1001
Number of S/E protocols completed: 15	Total number of incidents of noncompliance (NC): 102
Number of standards per S/E: 19	Overall % incidents of noncompliance: 10%
Number of SP protocols completed: 8	
Number of standards per SP: 21	
Number of T16 protocols completed: 15	
Number of standards per T16: 28	

Percent of noncompliance is calculated as the # of incidents of noncompliance for a given standard divided by the # of protocols reviewed for that standard, multiplied by 100.

* Correctable for the student(s): A finding for which immediate action can be taken to correct the noncompliance.

** Individual CAP: For a finding which cannot be corrected for an individual student, a corrective action plan (CAP) is required to address how the district will ensure future compliance; this plan will be limited in scope, based on the nature of the finding.

*** Systemic CAP: For a finding of noncompliance on a given standard that occurs in $\geq 25\%$ of possible incidents, a corrective action plan (CAP) is required to ensure future compliance; this plan must address the systemic nature of the finding and will be broader in scope than an individual CAP.

Note: In the event that there is a systemic finding of noncompliance on a standard that requires an individual CAP, only a systemic CAP is required.

Self-Assessment 2008 - 2009
Miami-Dade District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
S/E-2	The IEP includes measurable annual goals, including academic and functional goals, and short-term objectives or benchmarks, designed to meet the student's needs that result from the disability to enable the child to be involved in and make progress in the general curriculum and meet the student's other needs that result from the disability. (34 CFR 300.320(a)(2))	X		12	80.0%	X
S/E-8	There is alignment among the present level of academic and functional performance statement, the annual goals and short term objectives/benchmarks, and the services identified on the IEP. (34 CFR 300.320(a))	X		1	6.7%	
S/E-11	Within 10 school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, or prior to a long-term removal that may or may not represent a change of placement, the district conducted a manifestation determination. (34 CFR 300.530(e); Rule 6A-6.03312(3) and (4)(b), FAC.)	X		9	60.0%	X
S/E-12	The district notified the parent of the removal decision and provided the parent with a copy of the notice of the procedural safeguards on the same day as the date of the removal decision. (34 CFR 300.530(h); Rule 6A-6.03312(4)(a), FAC.)		X	2	13.3%	
S/E-13	The IEP team considered all relevant evaluation and diagnostic information to determine whether the behavior was a manifestation of the student's disability. (34 CFR 300.530(e)(1); Rule 6A-6.03312(3)(a), FAC.)		X	2	13.3%	
S/E-14	If the IEP team determined that the behavior was not a manifestation of the student's disability and the suspension/expulsion was applied, the student continued to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. (34 CFR 300.530(d))		X	2	13.3%	
S/E-15	If the IEP team determined that the behavior was a manifestation of the student's disability, the student was returned to the current placement, unless the parent and the district agree to a change in placement as part of the behavior intervention plan or unless the behavior is related to weapons, drugs, or serious bodily injury. (34 CFR 300.530(f) and (g))		X	2	13.3%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
S/E-16	If the IEP team determined that any deficiencies related to the student's IEP or its implementation identified during the review under S/E-13, those deficiencies were remedied. (34 CFR 300.530(e)(3))	X		3	20.0%	
S/E-17	If the student did not have a functional behavioral assessment (FBA) developed and a behavior intervention plan (BIP) implemented prior to the removal, within 10 days the IEP team developed an assessment plan and completed the FBA and developed a BIP as soon as practicable. (34 CFR 300.530(d) and (f)(1)(i); Rule 6A-6.03312(4)(d), FAC.)	X		3	20.0%	
S/E-18	If the student had a BIP, the IEP team reviewed the plan as part of the manifestation determination process and revised it as needed. (34 CFR 300.530(f)(1)(ii))		X	2	13.3%	
S/E-19	For subsequent removals that do not constitute a change in placement, the IEP team met to review the BIP and revise it as needed. (Rule 6A-6.03312(4)(e), FAC.)		X	1	6.7%	
T16-1	The notice to the IEP team meeting included a statement that a purpose of the meeting was the consideration of postsecondary goals and transition services, that the student would be invited, and indicated any agency likely to provide or pay for services during the current year that would be invited. (34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)		X	7	46.7%	X
T16-2	The student was invited to the IEP meeting. (34 CFR 300.321(b)(1); Rule 6A-6.03028(4)(h), FAC.)	X		2	13.3%	
T16-4	For students age 14 and older: the IEP contains a statement of the student's desired post-school outcome; a statement of the student's transition services needs that focuses on the student's course of study is incorporated into applicable components of the IEP; and the IEP team considered the need for instruction in the area of self determination. (Rule 6A-6.03028(7)(i), FAC.)	X		1	6.7%	
T16-7	The transition IEP for a 17-year-old includes a statement that the student has been informed of the rights that will transfer at age 18. (34 CFR 300.320(b); 34 CFR 300.520(a)(1))		X	1	6.7%	
T16-9	There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training and employment; where appropriate, independent living). (34 CFR 300.320(b)(1))	X		14	93.3%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
T16-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	X		14	93.3%	X
T16-11	There is/are annual goal(s) or short-term objectives or benchmarks that reasonably enable the student to meet the postsecondary goals. (34 CFR 300.320(a)(2))	X		2	13.3%	
T16-12	There are transition services on the IEP that focus on improving the academic and functional achievement of the student to facilitate the student's articulation to post-school. (34 CFR 300.320(b)(2))	X		1	6.7%	
T16-13	The transition services include course(s) of study that focus on improving the academic and functional achievement of the student to facilitate the student's articulation from school to post-school. (34 CFR 300.320(b)(2))	X		1	6.7%	
T16-16	The IEP includes coordinated, measurable, annual IEP goals and transition service that will reasonably enable the student to meet the postsecondary goals. (34 CFR 300.320(b))	X		14	93.3%	X
SP-4	The parents were provided notice of the SP team meeting a reasonable amount of time prior to the meeting, at least one attempt to invite the parent was through a written notice, and a second attempt was made if no response was received from the first notice. (34 CFR 300.322(a)(1))		X	2	25.0%	X
SP-8	If neither parent was able to attend the SP meeting, there is evidence and documentation of attempts to ensure parent participation. (34 CFR 300.322 (c)-(d))		X	2	25.0%	X
SP-19	The concerns of the parents for enhancing the education of their child were considered in developing the SP. (34 CFR 300.324(a)(i))	X		2	25.0%	X