

# FLORIDA DEPARTMENT OF EDUCATION



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July 27, 2009

Mrs. Martha W. Butler, Superintendent  
Hamilton County School District  
4280 S.W. County Road 152  
Jasper, FL 32052-3774

Dear Superintendent Butler:

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 Hamilton 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 Butler  
July 27, 2009  
Page 2

In the event that there were systemic findings, a corrective action plan (CAP) was required. Hamilton 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, Hamilton County School District assessed 106 standards. One or more incidents of noncompliance were identified on 24 of those standards (22.6%). The following is a summary of the district's timely correction of student-specific incidents of noncompliance:

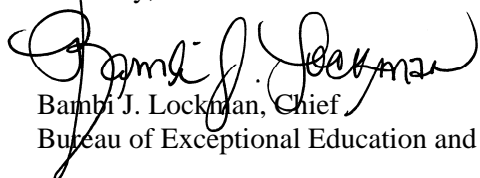
**Correction of Noncompliance by Student**

|                                      | <b>Number</b> | <b>Percentage</b> |
|--------------------------------------|---------------|-------------------|
| Records Reviewed/Protocols Completed | 20            | –                 |
| Total Items Assessed                 | 490           | –                 |
| Noncompliant                         | 35            | 7%                |
| Timely Corrected                     | 35            | 100%              |

The attached *Hamilton 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. Hamilton County School District reviewed five matrixes for students reported at the 254 or 255 cost factors for weighted funding through the Florida Education Finance Program. No discrepancies were identified.

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](mailto:patricia.howell@fldoe.org).

Sincerely,



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

Attachment

cc: Regina Jordan  
Frances Haithcock  
Mary Jane Tappen  
Kim C. Komisar  
Patricia Howell  
Annette Oliver  
Sheila Gritz  
Donnajo Smith

**Florida Department of Education  
Bureau of Exceptional Education and Student Services**

**Self-Assessment 2008 - 2009**

**Hamilton 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 D protocols completed: 5  
 Number of standards per D: 33  
 Number of EP protocols completed: 4  
 Number of standards per EP: 16  
 Number of SD protocols completed: 5  
 Number of standards per SD: 23  
 Number of T14 protocols completed: 1  
 Number of standards per T14: 6  
 Number of T16 protocols completed: 5  
 Number of standards per T16: 28

Total number of protocols: 20  
 Total number of standards: 490  
 Total number of incidents of noncompliance (NC): 35  
 Overall % incidents of noncompliance: 7%

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**  
**Hamilton District Summary Report: Findings of Noncompliance by Standard**

| Noncompliance (NC) |   | *Correctable for the Student(s) | **Individual CAP | # NC | % NC  | ***Systemic CAP |
|--------------------|---|---------------------------------|------------------|------|-------|-----------------|
| SD-2               | The IEP for a school-age student includes a statement of present levels of academic achievement and functional performance, including how the student's disability affects involvement and progress in the general curriculum, as well as a statement of the remediation needed to achieve a passing score on the general statewide assessment. For a prekindergarten student, the IEP contains a statement of how the disability affects the student's participation in the appropriate activities.<br>(34 CFR 300.320(a)(1); Rule 6A-6.03028(7)(a), FAC.) | X                               |                  | 2    | 40.0% | X               |
| SD-4               | The IEP contains a statement of special education services/specially designed instruction, including location as well as initiation, duration and frequency.<br>(34 CFR 300.320(a)(4) and (7))  | X                               |                  | 1    | 20.0% |                 |
| SD-5               | The IEP contains a statement of related services, including location and anticipated initiation, duration and frequency.<br>(34 CFR 300.320(a)(4) and (7))  | X                               |                  | 1    | 20.0% |                 |
| SD-6               | The IEP contains a statement of supplementary aids and services, including location and anticipated initiation, duration and frequency.<br>(34 CFR 300.320(a)(4) and (7))   | X                               |                  | 1    | 20.0% |                 |
| SD-7               | The IEP contains a statement of program modifications or classroom accommodations, including location and anticipated initiation, duration and frequency.<br>(34 CFR 300.320(a)(4) and (7) and Rule 6A-6.03028(7)(c), FAC.)   | X                               |                  | 1    | 20.0% |                 |
| SD-9               | 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.<br>(34 CFR 300.320(a))  | X                               |                  | 1    | 20.0% |                 |

| Noncompliance (NC) |   | *Correctable for the Student(s) | **Individual CAP | # NC | % NC  | ***Systemic CAP |
|--------------------|---|---------------------------------|------------------|------|-------|-----------------|
| SD-12              | The IEP contains an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class.<br>(34 CFR 300.320(a)(5))  | X                               |                  | 1    | 20.0% |                 |
| SD-14              | The IEP team considered the strengths of the student; the academic, developmental and functional needs of the student; the results of the initial evaluation or most recent evaluation; and the results of the student's performance on any state-or district-wide assessment.<br>(34 CFR 300.324(a)(1))  | X                               |                  | 2    | 40.0% | X               |
| SD-15              | The concerns of the parents for enhancing the education of their child were considered in developing the IEP.<br>(34 CFR 300.324(a)(1)(ii))   | X                               |                  | 1    | 20.0% |                 |
| SD-16              | The IEP team considered, in the case of a student whose behavior impedes his or her learning, the use of positive behavior interventions and supports, and/or other strategies to address the behavior.<br>(34 CFR 300.324(a)(2)(i))  | X                               |                  | 1    | 20.0% |                 |
| D-2                | The IEP for a school-age student includes a statement of present levels of academic achievement and functional performance, including how the student's disability affects involvement and progress in the general curriculum, as well as a statement of the remediation needed to achieve a passing score on the general statewide assessment. For a prekindergarten student, the IEP contains a statement of how the disability affects the student's participation in the appropriate activities.<br>(34 CFR 300.320(a)(1); Rule 6A-6.03028(7)(a), FAC.) | X                               |                  | 3    | 60.0% | X               |
| D-3                | 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.<br>(34 CFR 300.320(a)(2))  | X                               |                  | 1    | 20.0% |                 |

| Noncompliance (NC) |   | *Correctable for the Student(s) | **Individual CAP | # NC | % NC  | ***Systemic CAP |
|--------------------|---|---------------------------------|------------------|------|-------|-----------------|
| D-6                | The IEP contains a statement of supplementary aids and services, including location and anticipated initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7))  | X                               |                  | 1    | 20.0% |                 |
| D-9                | 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    | 20.0% |                 |
| D-12               | The IEP contains an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class. (34 CFR 300.320(a)(5))   | X                               |                  | 1    | 20.0% |                 |
| D-14               | The IEP team considered the strengths of the student; the academic, developmental and functional needs of the student; the results of the initial evaluation or most recent evaluation; and the results of the student's performance on any state-or district-wide assessment. (34 CFR 300.324(a)(1)) | X                               |                  | 3    | 60.0% | X               |
| D-15               | The concerns of the parents for enhancing the education of their child were considered in developing the IEP. (34 CFR 300.324(a)(1)(ii))  | X                               |                  | 3    | 60.0% | X               |
| D-16               | The IEP team considered, in the case of a student whose behavior impedes his or her learning, the use of positive behavior interventions and supports, and/or other strategies to address the behavior. (34 CFR 300.324(a)(2)(i))   | X                               |                  | 1    | 20.0% |                 |
| 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                               |                  | 1    | 20.0% |                 |
| T16-10             | The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))   | X                               |                  | 2    | 40.0% | X               |

| Noncompliance (NC) |  | *Correctable for the Student(s) | **Individual CAP | # NC | % NC   | ***Systemic CAP |
|--------------------|--|---------------------------------|------------------|------|--------|-----------------|
| 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                               |                  | 1    | 20.0%  |                 |
| 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    | 20.0%  |                 |
| 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                               |                  | 3    | 60.0%  | X               |
| T14-3              | The student's strengths, preferences, and interests were taken into account. If the student was unable to attend the meeting, other steps were taken to ensure the student's preferences and interests were considered. (34 CFR 300.43 and 300.321(b)(2); Rule 6A-6.03028(4)(h), FAC.) | X                               |                  | 1    | 100.0% | X               |