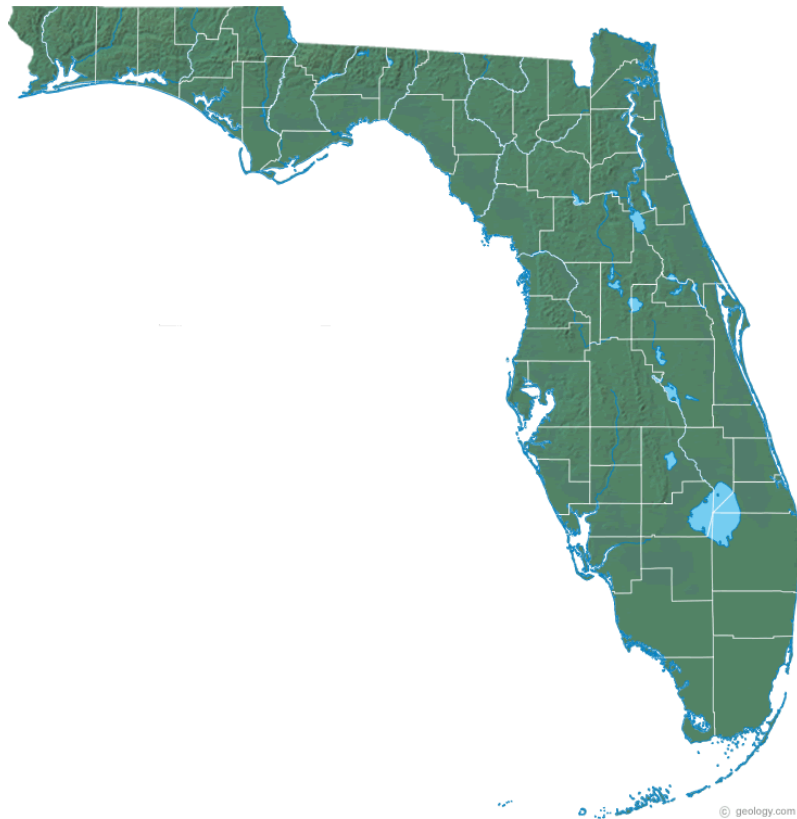


Hardee County School District

Final Report: On-Site Monitoring

Exceptional Student Education Programs

February 23-24, 2010



Bureau of Exceptional Education and Student Services
Florida Department of Education

This publication is available through the Bureau of Exceptional Education and Student Services, Florida Department of Education. For additional information on this publication, or for a list of available publications, contact the Clearinghouse Information Center, Bureau of Exceptional Education and Student Services, Division of Public Schools, Florida Department of Education, Room 628 Turlington Building, Tallahassee, Florida 32399-0400.

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April 23, 2010

Mr. David D. Durastanti, Superintendent
Hardee County School District
P.O. Box 1678
Wauchula, FL 33873

Dear Superintendent Durastanti:

We are pleased to provide you with the *Final Report of On-Site Monitoring of Exceptional Student Education Programs* for Hardee County School District. This report was developed by integrating multiple sources of information related to an on-site visit to your district on February 23–24, 2010, including student record reviews, interviews with school and district staff, classroom observations, and student focus groups. The final report will be posted on the Bureau of Exceptional Education and Student Services' website and may be accessed at <http://www.fldoe.org/ese/mon-home.asp>.

The Hardee County School District was selected for an on-site monitoring visit due to a pattern of poor performance over time in State Performance Plan (SPP) indicators two and four: percent of youth with individual educational plans (IEPs) dropping out of high school and rates of suspension and expulsion. Ms. Teresa Hall, Exceptional School Education Director, and her staff were very helpful during the Bureau's preparation for the visit and during the on-site monitoring. In addition, the principals and other staff members at the schools visited welcomed and assisted Bureau staff members. Although the district has demonstrated improvement in the areas relating to dropout prevention and suspension and expulsion rates, the Bureau's on-site monitoring activities identified some discrepancies that require corrective action.

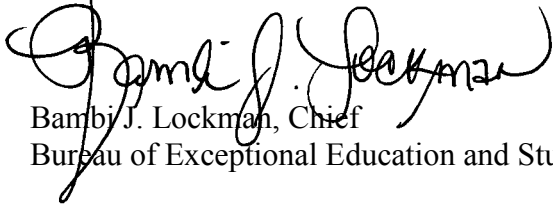
BAMBI J. LOCKMAN
Chief

Bureau of Exceptional Education and Student Services

Mr. David D. Durastanti
April 23, 2010
Page Two

Thank you for your commitment to improving services for exceptional education students in Hardee County. If there are any questions regarding this final report, please contact Patricia Howell, Program Director, Monitoring and Compliance, at (850) 245-0476 or via electronic mail at Patricia.Howell@fldoe.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Bambi J. Lockman". The signature is written in a cursive style with a large initial "B".

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

Enclosure

cc: Teresa Hall
Kim C. Komisar
Patricia Howell
Annette Oliver
Anne Bozik

**Hardee County School District
Final Report: On-Site Monitoring
Exceptional Student Education Programs**

February 23–24, 2010

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

Hardee County School District

Final Report: On-Site Monitoring Exceptional Student Education Programs February 23–24, 2010

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Hardee County School District

On-Site Monitoring Exceptional Student Education Programs February 23–24, 2010

Final Report

Authority

The Florida Department of Education (FDOE), Bureau of Exceptional Education and Student Services (Bureau), in carrying out its roles of leadership, resource allocation, technical assistance, monitoring, and evaluation, is required to oversee the performance of district school boards in the enforcement of all laws and rules (sections 1001.03(8) and 1008.32, Florida Statutes [F.S.]). In fulfilling this requirement, the Bureau conducts monitoring activities of the exceptional student education (ESE) programs provided by district school boards, in accordance with ss. 1001.42 and 1003.57, F.S. Through these monitoring activities, the Bureau examines and evaluates procedures, records, and ESE programs; provides information and assistance to school districts; and otherwise assists school districts in operating effectively and efficiently. One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (section 300.1(d) of Title 34, Code of Federal Regulations [34 CFR §300.1(d)]). In accordance with IDEA, FDOE is responsible for ensuring that its requirements are carried out and that each educational program for children with disabilities administered in the state meets the educational requirements of the state (34 CFR §§300.120, 300.149, and 300.600). The monitoring system reflects FDOE's commitment to provide assistance, service, and accountability to school districts, and is designed to emphasize improved educational outcomes for students while continuing to conduct those activities necessary to ensure compliance with applicable federal laws and regulations and state statutes and rules.

Monitoring Process

District Selection

For the 2009–10 school year, the Bureau's ESE monitoring system comprised basic (Level 1) and focused (Level 2) self-assessment activities, as well as on-site visits conducted by Bureau staff (Level 3). This system was developed to ensure that school districts comply with all applicable laws, regulations, and state statutes and rules while focusing on improving student outcomes related to State Performance Plan (SPP) indicators.

All districts were required to complete Level 1 activities. In addition, those districts that were newly identified for targeted planning or activities by the Bureau's SPP indicator teams for one or more selected SPP indicators were required to conduct Level 2 self-assessment activities using indicator-specific protocols. Districts selected for Level 3 monitoring conducted Level 1 and

Level 2 activities as applicable. Selection of districts for consideration for Level 3 monitoring was based on analysis of the districts' data, with the following criteria applied:

- Matrix of services:
 - Districts that report students for weighted funding at > 150 percent of the state rate for **at least one** of the following cost factors:
 - 254 (> 7.83 percent)
 - 255 (> 3.20 percent)
 - 254/255 combined (> 11.03 percent)
 - Districts that report students for weighted funding at > 125 percent of the state rate for **two or more** of the following cost factors:
 - 254 (> 6.53 percent)
 - 255 (> 2.66 percent)
 - 254/255 combined (> 9.19 percent)
- Timeliness of correction of noncompliance regarding corrective action(s) due between July 1, 2008, and June 30, 2009 – two or more of the following criteria:
 - Student-specific noncompliance identified through monitoring not corrected within 60 days
 - Systemic noncompliance identified through monitoring not corrected as soon as possible, but in no case longer than one year from identification
 - Noncompliance identified through a state complaint investigation or due process hearing not corrected within the established timeline
- Pattern of poor performance over time in one or more targeted SPP indicators, as evidenced by demonstrated progress below that of other targeted districts, **and** at least one of the following:
 - Targeted for a given SPP indicator or cluster of indicators for three consecutive years
 - Targeted for two or more SPP indicators or clusters of indicators for two consecutive years

SPP Indicators 2 and 4

In accordance with 34 CFR §300.157(a)(3), each state must have established goals in effect for students with disabilities that address graduation rates and dropout rates, as well as such other factors as the State may determine. Established performance indicators include SPP Indicator 2 relating to the percent of youth with individual educational plans (IEPs) dropping out of high school and SPP Indicator 4 relating to the rates of suspension and expulsion. In a letter dated December 11, 2009, the Hardee County School District superintendent was informed that the district was selected for a Level 3 on-site visit due to a pattern of poor performance over time regarding SPP indicators 2 and 4. In addition, the District was targeted for SPP Indicator 2 (dropout) for Level 2 Spring Cycle Self-Assessment. However, the Bureau determined that the needed information could be obtained in conjunction with the on-site monitoring visit.

On-Site Activities

Monitoring Team

On February 23–24, 2010, Bureau staff members conducted an on-site monitoring visit, which included meeting with district staff to discuss strategies in place to address dropout rates and suspension and expulsion rates. The following Bureau staff members participated in the

on-site visit:

- Annette Oliver, Program Specialist, Program Administration and Quality Assurance
- Joyce Lubbers, Program Director, Program Development and Services
- Martha Murray, Program Specialist, Program Development and Services
- Anne Bozik, Program Specialist, Monitoring and Compliance
- Karlene Deware, Program Specialist, Dispute Resolution

Schools

Hardee County Senior High School and Hardee County Junior High School were selected for the on-site visit. In addition, Bureau staff interviewed the principal of the Pioneer Career Academy, who also serves as the district's dropout prevention coordinator.

Student Focus Groups

Two student focus groups were conducted by Bureau staff at each of the schools visited, with 25 students participating in these focus groups. Focus questions included the following topics:

- IEP Team Meetings and Transition Services
- Current ESE Services
- Extracurricular Activities
- Florida Comprehensive Assessment Test (FCAT) and Diploma Options
- Dropout
- Suspension and Expulsion
- Job Training
- College

Data Collection

Monitoring activities included the following:

- District-level interviews – 2 participants
- School-level administrative interviews – 12 participants
- Other school-level interviews – 5 participants
- Case studies – 14 students

Review of Records

The district was asked to provide the following documents for each student selected for review:

- Previous IEP
- Current IEP
- Functional behavioral assessment (FBA)/behavioral intervention plan (BIP), if applicable
- Progress reports from current and past school year
- Report cards from current and past school year
- Discipline record
- Attendance record
- Schedule

Information from each document was used to determine compliance with those standards most likely to impact a student's decision to remain in school and suspension and expulsion rates.

Results

The following commendations, concerns, and findings of noncompliance results reflect the data collected through the activities of the on-site monitoring:

Commendations

- The atmosphere of the two schools visited was overwhelmingly positive, pleasant, and orderly.
- Student records were well organized.
- School faculty members demonstrated a high level of professionalism and commitment to the students.
- Student participation was very high in the classes observed; they were actively engaged in class assignments.
- ESE students participated with general education students in the educational environment as well as extracurricular and nonacademic activities.
- Students who participated in the student focus groups presented themselves well during the group interviews. They were very polite and candid in their responses. Overall, they demonstrated an understanding of the IEP team process and ESE services and resources available in their respective schools to assist them in being successful.
- During the student focus groups the students reported that they do not feel unduly scrutinized or “different” from the general population, indicating there is little or no negative stigma attached to being an ESE student in their schools. The students also reported acceptance as members of the general school population.
- The ESE director and staff are moving forward in multiple areas relating to dropout rates, including data entry, mentoring, parent involvement, accessing training and technical assistance, and examination of policies and procedures through the Dropout Task Force. The school district’s Dropout Task Force meets monthly. Participants include the district’s coordinator for dropout prevention, ESE director, principals and assistant principals from the junior and senior high schools, the curriculum director, parents identified from each secondary school, and members of community businesses.
- The ESE director is working with school- and district-level staff to examine relationships between in-school suspension and out-of-school suspension, as well as patterns of absenteeism, skipping, and low/failing grades. The district is willing to consider these elements together as they relate to Indicator 4 – suspension/expulsion.

Findings of Noncompliance

Record review protocols for SPP 2, SPP 4, and Transition Planning were used to review 14 student records during the on-site visit. The protocols targeted 37 regulatory requirements determined to be closely related to the indicators. A finding of noncompliance was identified for one requirement.

A general education teacher is a required member of a student’s IEP team if the student is, or may be, participating in the regular education environment (34 CFR 300.321(a)). In accordance

with 34 CFR 300.321(e), a required member of the IEP team may be excused from attending the meeting, in whole or in part, only under the following circumstances:

- The parent and the school district agree in writing that the attendance of the member is not necessary because the member's area of curriculum or related services is not being modified or discussed in the meeting
- The parent and the school district consent in writing to the excusal of the IEP team member, although the member's area of curriculum or related services is being modified or discussed in the meeting, and the member provides written input to the team prior to the meeting

Each of the seven students at Hardee Senior High School whose records were reviewed was enrolled in general education classes. There was evidence that the general education teachers provided written input prior to each of the student's IEP team meetings, and this input was reviewed during the IEP team meetings; however, there was no general education teacher present at any of these meetings. There was no evidence that the parents and the school district had consented, in writing, to the excusal of the general education teachers for these students' IEP team meetings.

In accordance with Office of Special Education Programs' (OSEP) guidance regarding findings that are identified through monitoring processes, within a given school district a finding of noncompliance is identified by the standard (i.e., regulation or requirement) that is violated, not by the number of times the standard is violated. Therefore, multiple incidents of noncompliance regarding a given standard that are identified through monitoring activities are reported as a single finding of noncompliance for that district. Noncompliance that is evident in ≥ 25 percent of records reviewed is considered systemic in nature. The seven findings of noncompliance represent 50 percent of the records reviewed and are therefore considered systemic.

In an effort to begin the correction and tracking of this finding of noncompliance, Hardee County School District has taken the following actions:

- Districtwide use of the Portal to Exceptional Education Resources (PEER), the statewide IEP program. The excusal process for a required IEP team member is a component of this program.
- Staff training on April 9, 2010, to address the requirements related to the participation of general education teachers at IEP team meetings, including the excusal process, if needed.

Corrective Action

No later than June 9, 2010, the Hardee County School District shall provide to the Bureau its corrective action plan to address systemic noncompliance relating to participation of general education teachers at IEP team meetings. The plan must address the systemic nature of the noncompliance and ensure that the noncompliance will not occur in the future. In addition, the plan must include a sampling process to demonstrate compliance with the requirements and a timeline for implementation. Documentation of implementation must be provided **no later than September 15, 2010**. Results of the sampling process shall be provided to the Bureau **no later than November 1, 2010**.

Technical Assistance

Specific information for technical assistance, support, and guidance to school districts regarding the percent of youths with IEPs dropping out of high school and the rates of suspension and expulsion can be found in the *Exceptional Student Education Compliance Self-Assessment: Processes and Procedures Manual 2009–10*.

Bureau Contacts

The following is a partial list of Bureau staff available for technical assistance:

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

Glossary of Acronyms

BIP	Behavioral intervention plan
Bureau	Bureau of Exceptional Education and Student Services
CFR	Code of Federal Regulations
E/BD	Emotional/behavioral disabilities
ESE	Exceptional student education
FBA	Functional behavioral assessment
FCAT	Florida Comprehensive Assessment Test
FDOE	Florida Department of Education
F.S.	Florida Statutes
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
OSEP	Office of Special Education Programs
PEER	Portal to Exceptional Education Resources
SPP	State Performance Plan



**Florida Department of Education
Dr. Eric J. Smith, Commissioner**

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