

FLORIDA DEPARTMENT OF EDUCATION



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January 23, 2009



Ms. Penny Collins, Director
Exceptional Student Education (ESE)
Osceola County School District
805 Bill Beck Boulevard
Kissimmee, Florida 34744

Re: Early Resolution Agreement: Case No. BEESS-2009-005-ER

Dear ■, ■, and Ms. Collins:

The Bureau of Exceptional Education and Student Services received a state complaint on December 17, 2008, in which ■ and ■ alleged that the Osceola County School District had violated federal and state laws relating to the education of students with disabilities. Ms. Vicki Eddy, Program Specialist, was assigned to manage the case. The complainants and the district were contacted on January 5, 2009, and agreed to attempt early resolution. Specifically, the complainants' allegation involved the following issue:

ISSUE: Whether the Osceola County School District followed the required procedures regarding changing the placement of the ESE students in the varying exceptionality (VE) classroom at Pleasant Hill Elementary School from a resource setting to inclusion co-teach during the 2008-09 school year

BAMBI J. LOCKMAN

Chief

Bureau of Exceptional Education and Student Services

■, ■, and Ms. Collins
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On January 8, 2009, the parties agreed to meet to attempt early resolution. After discussing the issues in the state complaint, the parties agreed that the district would develop an action plan. Ms. Penny Collins provided a narrative of the January 8, 2009, meeting to the Bureau. On January 13, 2009, the complainants provided written verification to the Bureau via electronic mail, stating that they agreed to the district's action plan dated January 9, 2009.

The district provided the Bureau a copy of the early resolution agreement, which included the action plan, and a statement acknowledging that the agreement was binding and would be implemented to address the issues put forth in the complaint. The early resolution agreement, dated January 15 and 16, 2009, was signed by the district's ESE Director, the ESE Coordinator, and the two complainants.

The action plan was developed with guidance from Bureau staff and includes baseline data, improvement strategies (with projected timelines), and evidence of change. The district is to provide verification of the evidence of change to the Bureau no later than June 1, 2009, verifying that each of the improvement strategies identified within the action plan has been implemented by the date stipulated.

We commend both parties for working together to resolve the concerns presented in the state complaint on the local level. If you have any questions or concerns regarding this information, you may contact Ms. Eddy at (850) 245-0476, or via electronic mail at Vicki.Eddy@fldoe.org.

Sincerely,

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

BJL/ve

Enclosures: Cover letter for Early Resolution Agreement from ESE Director dated 1/16/2009
Complainants' Response to Systemic Complaint Action Plan dated 1/14/2009
Response to Systemic Complaint Action Plan 1/9/2009
Agreement for ■/■ Complaint dated 1/14/2009
Early Resolution Agreement for ■/■ dated 1/15/2009 and 1/16/2009

cc: Michael A. Grego, Osceola County School District
Kim C. Komisar, Florida Department of Education
Demetria Harvell, Florida Department of Education
Vicki Eddy, Florida Department of Education