

# FLORIDA DEPARTMENT OF EDUCATION



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April 1, 2011

Dr. Brian T. Binggeli, Superintendent  
Brevard County School District  
2700 Judge Fran Jamieson Way  
Viera, Florida 32940

Dear Superintendent Binggeli:

The Bureau of Exceptional Education and Student Services is in receipt of your district's response to the preliminary findings of its 2010-11 Exceptional Student Education (ESE) Compliance Self-Assessment. This letter and the attached document comprise the final report for Brevard County School District's 2010-11 Level 1 and Fall Cycle Level 2 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 January 5, 2011, the preliminary report of findings from the 2010-11 Level 1 and Fall Cycle Level 2 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 and to provide evidence to the Bureau no later than March 7, 2011. In addition, districts are required to demonstrate that they are now correctly implementing each of the standards identified as noncompliant (i.e., 100 percent compliance).

**BAMBI J. LOCKMAN**  
Chief

*Bureau of Exceptional Education and Student Services*

Superintendent Binggeli  
April 1, 2011  
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*In its 2010-11 Level 1 and Fall Cycle Level 2 self-assessment, Brevard County School District assessed 84 standards. One or more incidents of noncompliance were identified on ten of those standards (11.9%). 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	33	-
Total Items Assessed	924	-
Noncompliant	32	3.5%
Timely Corrected	32	100%

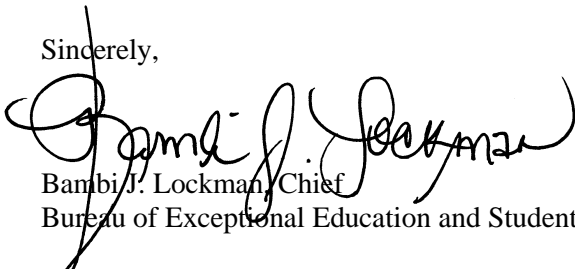
The attached *Brevard County District Summary Report: Findings of Noncompliance by Standard* contains a summary of the findings reported by the individual standard or regulation assessed. In addition, a Matrix of Services review was required. Brevard County School District reviewed 11 matrixes for students reported at the 254 or 255 cost factors for weighted funding through the Florida Education Finance Program. No discrepancies were identified.

In addition to the individual correction(s) reported above, the district was required to demonstrate 100 percent compliance for each standard that was identified as noncompliant through review of a random sample of student records. Your district has provided the required records to demonstrate 100 percent compliance on all of the targeted standards, and no further corrective actions are 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](mailto:patricia.howell@fldoe.org).

Sincerely,



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

Attachment

cc: Sue Carver  
Sandy Dacri  
Frances Haithcock  
Mary Jane Tappen  
Kim C. Komisar  
Patricia Howell  
Brenda Fisher  
Sheila Gritz  
Karen Denbroeder

Florida Department of Education  
Bureau of Exceptional Education and Student Services

2010-2011 Self-Assessment  
Level 1 and Fall Cycle Level 2  
Brevard County District Summary Report: Findings of Noncompliance by Standard

This report provides a summary of the district's results and must be used when developing corrective actions. See the *Student Report: Incidents of Noncompliance* for student-specific findings. Results are reported by standard, and are based on the following:

Number of DJJ protocols completed: 11  
Number of standards per DJJ: 31  
Number of IEP protocols completed: 11  
Number of standards per IEP: 37  
Number of T16 protocols completed: 11  
Number of standards per T16: 16

Total number of protocols: 33  
Total number of standards: 924  
Total number of incidents of noncompliance (NC): 32  
Overall % incidents of noncompliance: 3.5%

Total number of different standards assessed: 84  
Total number of different standards for which noncompliance was identified: 10  
% of different standards for which noncompliance was identified: 11.9%

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 which requires immediate action(s) to correct the noncompliance

\*\* **Ensure future compliance:** For findings which cannot be corrected for individual students, corrective actions are required to address how the district will ensure future compliance

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

**2010-2011 Self-Assessment  
Level 1 and Fall Cycle Level 2  
Brevard County District Summary Report: Findings of Noncompliance by Standard**

Noncompliance (NC)		*Correctable for the Student(s)	**Ensure Future Compliance	# NC	% NC
T16-5	In order to ensure quality transition planning and services, IEP teams shall begin the process of identifying transition services needs of students with disabilities, to include consideration of the student's need for instruction or the provision of information in the area of self-determination to assist the student to be able to actively and effectively participate in IEP team meetings and self-advocate, beginning no later than age fourteen (14), so that needed postsecondary goals may be identified and in place by age sixteen (16). (Rule 6A-6.03028(3)(h)9, F.A.C.)	X		1	9.1%
T16-9	There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training, employment, and, where appropriate, independent living skills). (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)10a, F.A.C.)	X		5	45.5%
T16-10	The measurable postsecondary goal was based on age-appropriate transition assessment. (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)10a, F.A.C.)	X		5	45.5%
T16-11	The IEP includes measurable annual goals (and short-term objectives/benchmarks, if applicable) that focus on improving the academic and functional achievement of the student related to the student's transition services needs. (34 CFR §300.320(a)(2); Rule 6A-6.03028(3)(h)2-3, F.A.C.)	X		2	18.2%
T16-12	There are transition services on the IEP to assist the student in reaching the measurable postsecondary goals. (34 CFR §300.320(b)(2); Rule 6A-6.03411(1)(nn), F.A.C.)	X		4	36.4%
T16-13	The transition services include course(s) of study needed to assist the student to reach the postsecondary goals(s). (34 CFR §300.320(b)(2))	X		5	45.5%
T16-15	The district obtained consent from the parent, or from the student whose rights have transferred, prior to inviting to the IEP team meeting a representative of an agency likely to		X	2	18.2%

Noncompliance (NC)		*Correctable for the Student(s)	**Ensure Future Compliance	# NC	% NC
	provide or pay for transition services. (34 CFR §300.321(b)(3))				
T16-16	The IEP includes appropriate measurable postsecondary goals that are annually updated and based upon: an age-appropriate transition assessment; transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals; and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP team meeting with the prior consent of the parent or student who has reached the age of majority. (34 CFR §§300.320(b)-(c) and 300.321(b); Rule 6A-6.03028(3)(b)-(c) and (h), F.A.C.)	X		6	54.5%
IEP-13	The IEP includes measurable annual goals, including academic and functional goals, 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 education curriculum and meet the student's other needs that result from the disability. Benchmarks or short-term objectives should be included for students with disabilities who take alternate assessments aligned to alternate achievement standards or any other student with a disability as determined by the IEP team. (34 CFR §300.320(a)(2))	X		1	9.1%
IEP-26	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), 300.322(c)-(d), and 300.305(a))	X		1	9.1%