

FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Mr. Jim Paul, Superintendent
Escambia County School District
215 West Garden Street
Pensacola, FL 32501-5782

Dear Mr. Paul:

The Bureau of Exceptional Education and Student Services is in receipt of your district's response to the preliminary findings of its Exceptional Student Education (ESE) Compliance Self-Assessment. This letter and the attached document(s) comprise the final report for Escambia County School District's 2007-08 ESE monitoring.

The self-assessment system is designed to address the major areas of compliance related to the State Performance Plan (SPP). SPP Indicator 15, Timely Correction of Noncompliance, requires that the state identify and correct noncompliance **as soon as possible, but no later than one year from identification.**

As indicated in prior communication with district ESE staff, it was anticipated that there might be an increase in the number of findings of noncompliance over previous monitoring activities due to the design of the self-assessment protocols and sampling system. While any incident of noncompliance is of concern, it is important to note that, 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.

On February 22, 2008, the preliminary report of findings from the self-assessment process was released to the district. The preliminary report detailed student-specific incidents of noncompliance that required immediate correction, and identified any standards for which the noncompliance was considered systemic (i.e., evident in $\geq 25\%$ of the records reviewed). In the event that there were systemic findings, a corrective action plan (CAP) was required. In addition,

BAMBI J. LOCKMAN

Chief

Bureau of Exceptional Education and Student Services

the district participated in a validation review to ensure the accuracy of the self-assessment data. Your district's validation review revealed no inconsistencies in the original report of data.

In accordance with guidance from the Office of Special Education Programs (OSEP), U.S. Department of Education, 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. While each *incident* of noncompliance must be corrected for the individual student affected, multiple incidents of noncompliance regarding a given standard that occur within a school district are reported as a single *finding* of noncompliance for that district. These results are included in the Bureau's annual reporting to OSEP.

Districts were required to correct all student-specific noncompliance no later than April 25, 2008, and to provide evidence to the Bureau no later than April 30, 2008. We are pleased to report that Escambia County School District completed the required corrective actions and submitted the verifying documentation and CAP within the established timeline.

Escambia County was required to assess 157 standards. One or more incidents of noncompliance were identified on 23 of those standards (15%). The following is a summary of Escambia County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	36	—
Total Items Assessed	994	—
Noncompliant	28	2%
Timely Corrected	28	100%

The *Escambia District Summary Report: Findings of Noncompliance by Standard* (Attachment 1) contains a summary of the findings reported by the individual standard or regulation assessed. These data include revisions to the preliminary report that resulted from the validation review. Systemic findings are designated by shaded cells in the table. As noted in this attachment, one or more findings of noncompliance were determined to be systemic in nature and the district was required to develop a CAP to address the identified standards. Escambia County School District's CAP was submitted to the Bureau for review and approval, and is provided in Attachment 2. Please note that a timeline for implementation, evaluation, and reporting of results on the part of the district is included in the CAP. 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.

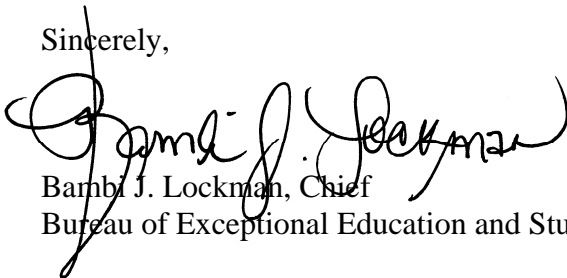
The results of district self-assessments conducted during 2007-08 will be used to inform future monitoring activities, including the selection of districts for on-site monitoring, and in the local educational agency (LEA) determinations required under section 300.603, Title 34, Code of

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Federal Regulations, which result in districts being identified as “meets requirements,” “needs assistance,” “needs intervention,” or “needs substantial intervention.”

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. We look forward to receiving the district’s report on the results of its corrective action plan, due to the Bureau no later than **December 22, 2008**. If you have questions regarding this process, please contact your assigned district liaison for monitoring or Dr. Kim C. Komisar, Administrator, at kim.komisar@fldoe.org or via phone at (850) 245-0476.

Sincerely,



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

Attachments

cc: George Ziolkowski
Frances Haithcock
Kim C. Komisar
Annette Oliver
Sheila Gritz

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

**ESE Self-Assessment
2007 – 08**

Escambia 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 IE protocols completed: 13
 Number of standards per IE: 18
 Number of IEP protocols completed: 13
 Number of standards per IEP: 38
 Number of MD protocols completed: 7
 Number of standards per MD: 9
 Number of STA protocols completed: 1
 Number of standards per STA: 6
 Number of STB protocols completed: 2
 Number of standards per STB: 28
 Number of ASD disabilities completed: 2
 Number of standards per ASD: 10

Number of DD disabilities completed: 1
 Number of standards per DD: 6
 Number of EBD disabilities completed: 3
 Number of standards per EBD: 11
 Number of MH disabilities completed: 2
 Number of standards per MH: 9
 Number of SLD disabilities completed: 4
 Number of standards per SLD: 14
 Number of DHH disabilities completed: 1
 Number of standards per DHH: 8

Total number of protocols: 36
 Total number of standards: 994
 Total number of incidents of noncompliance (NC): 28
 Overall % incidents of noncompliance: 2%

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.

**ESE Self-Assessment
2007 – 08**

Escambia District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STA-2	The student was invited to the IEP meeting. (34 CFR 300.321(b)(1); Rule 6A-6.03028(4)(h), FAC.)	X		1	100.0%	X
STA-4	For students aged 14 and older: <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. (Rule 6A-6.03028(7)(i), FAC.)	X		1	100.0%	X
STA-5	Beginning in eighth grade, or during the school year in which the student turns 14, whichever is sooner, the IEP must include a statement of whether the student is pursuing a course of study leading to a standard diploma or a special diploma. (Rule 6A-6.03028(7)(h), FAC.)	X		1	100.0%	X
STB-1	The notice to the IEP team meeting included: <ul style="list-style-type: none"> • A statement that a purpose of the meeting was the development of a statement of the student's transition services needs (beginning at age 14) or the consideration of the postsecondary goals and transition services (beginning at age 16) • A statement that the student would be invited • Indication that any agency likely to provide or pay for services during 		X	1	50.0%	X

	Noncompliance (NC)	*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	the current year would be invited. (34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)					
STB-4	For students aged 14 and older: <ul style="list-style-type: none"> The IEP contains a statement of the student's desired post-school outcome A statement of the student's transition service needs is incorporated into applicable components of the IEP The IEP team considered the need for instruction in the area of self determination. (Rule 6A-6.03028(7)(i), FAC.)	X		1	50.0%	X
STB-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		2	100.0%	X
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	X		2	100.0%	X
STB-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	100.0%	X
STB-14	If transition services are likely to be provided or paid for by another agency, a representative of the agency was invited to participate in the IEP. (34 CFR 300.321(b)(3))	X		1	50.0%	X
STB-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 provide or pay for transition services.		X	2	100.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	(34 CFR 300.321(b)(3))					
STB-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		2	100.0%	X
IEP-13	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. (34 CFR 300.320(a)(1); Rule 6A-6.03028(7)(a), FAC.)	X		1	7.7%	
IEP-14	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		1	7.7%	
IEP-15	The IEP contains a statement of special education services/specially designed instruction, including location as well as initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7))	X		1	7.7%	
IEP-17	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	7.7%	
IEP-18	The IEP contains a statement of program modifications or classroom accommodations, including location and anticipated initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7) and Rule 6A-6.03028(7)(c), FAC.)	X		1	7.7%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IEP-20	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	7.7%	
IEP-24	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	7.7%	
IEP-25	The IEP contains descriptions of how progress toward annual goals will be measured including how often parents will be regularly informed of their child's progress. Parents of disabled students must be informed of this progress at least as often as parents of nondisabled students. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)	X		1	7.7%	
IEP-29	The IEP team considered, in the case of a student with limited English proficiency, the language needs of the student as they relate to the IEP. (34 CFR 300.324(a)(2)(ii))	X		1	7.7%	
IEP-35	If the current IEP represents a change of placement/change of FAPE from the previous IEP, or the district refused to make a change that the parent requested, the parent received appropriate prior written notice. (34 CFR 300.503)		X	1	7.7%	
EBD-1	The functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions was reviewed. (Section III.G., Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))	X		1	33.3%	X
EBD-8	The student manifests the behavior(s) for a minimum of six months in two or more settings. (Rule 6A-6.03016(4)(c), FAC.)	X		1	33.3%	X

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

**ESE Self-Assessment
2007 – 08**

Escambia County School District Corrective Action Plan

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STA-2	The student was invited to the IEP meeting. (34 CFR 300.321(b)(1); Rule 6A-6.03028(4)(h), FAC.)	<p>District staff provided district-wide training on transition services. Training for staff was provided at clustered sites. The schools were clustered to provide smaller groups to allow opportunity for questions, etc.</p> <p>After the preliminary self-assessment report was received, on-site assistance was provided at schools where individual student records needed to be corrected. All components listed on the corrective action plan were discussed with ESE school staff.</p> <p>As a follow-up to the training on transition, additional training will be provided for the secondary schools where individual student records had to be corrected.</p> <p>To address all findings of non-compliance on the CAP, transition, FBA, and PBIP will be included in the Fall 2008 training for ESE school staff who participated in the Compliance Self- Assessment for 2007-08. As a follow-up to the training, random sampling of student records will be selected for review and sent to DOE.</p>	<p>Fall 2007 Nov. 13-27, 2007</p> <p>Spring 2008 March 3-26, 2008</p> <p>Spring 2008 April 17, 2008</p> <p>Fall 2008 August 13 & 14, 2008</p> <p>September- November, 2008</p>	<p>District staff PowerPoint Presentation Handouts</p> <p>District Staff Handouts</p> <p>District Staff Handouts</p> <p>District staff Presentation Handouts</p> <p>District staff school staff</p>	<p>Training was completed.</p> <p>IEPs were revised.</p> <p>Scheduled for April 17, 2008.</p> <p>Scheduled for August 13 & 14, 2008.</p> <p>Random sampling will be conducted September-November, 2008.</p>

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STA-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	Same as above.	Same as above.	Same as above.	Same as above.
STA-5	<p>Beginning in eighth grade, or during the school year in which the student turns 14, whichever is sooner, the IEP must include a statement of whether the student is pursuing a course of study leading to a standard diploma or a special diploma.</p> <p>(Rule 6A-6.03028(7)(h), FAC.)</p>	Same as above.	Same as above.	Same as above.	Same as above.
STB-1	<p>The notice to the IEP team meeting included:</p> <ul style="list-style-type: none"> • A statement that a purpose of the meeting was the development of a statement of the student's transition services needs (beginning at age 14) or 	Same as above.	Same as above.	Same as above.	Same as above.

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	<p>the consideration of the postsecondary goals and transition services (beginning at age 16)</p> <ul style="list-style-type: none"> • A statement that the student would be invited • Indication that any agency likely to provide or pay for services during the current year would be invited. <p>(34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)</p>				
STB-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	Same as above.	Same as above.	Same as above.	Same as above.
STB-9	<p>There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training and</p>	Same as above.	Same as above.	Same as above.	Same as above.

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	employment; where appropriate, independent living). (34 CFR 300.320(b)(1))				
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	Same as above.	Same as above.	Same as above.	Same as above.
STB-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))	Same as above.	Same as above.	Same as above.	Same as above.
STB-14	If transition services are likely to be provided or paid for by another agency, a representative of the agency was invited to participate in the IEP. (34 CFR 300.321(b)(3))	Same as above.	Same as above.	Same as above.	Same as above.
STB-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 provide or pay for transition services. (34 CFR 300.321(b)(3))	Same as above.	Same as above.	Same as above.	Same as above.
STB-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))	Same as above.	Same as above.	Same as above.	Same as above.

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
EBD-1	The functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions was reviewed. (Section III.G., Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))	New district forms were developed for a functional behavioral assessment (FBA) and positive behavioral intervention plans (PBIP). School staff were trained on completing an FBA and developing a PBIP.	Fall 2007	PowerPoint Presentation Handouts TAP	Training was completed. Random sampling will be conducted September-November, 2008.
EBD-8	The student manifests the behavior(s) for a minimum of six months in two or more settings. (Rule 6A-6.03016(4)(c), FAC.)	The district level ESE staff and psychologists were included in the cluster trainings. This is part of the district's Instructional Support Teams' documentation for the TIER process. A Multi-disciplinary Team report form was created to assure all criteria for eligibility for EBD are addressed. This form assists Staffing Specialists in determining if criteria was met.	Fall 2007	State Board of Education revised EBD rule EBD Multi-disciplinary Team Report Form	Training was completed. Random sampling will be conducted September-November, 2008. The EBD Multi-disciplinary Team Report form is completed and being used.