

FINAL REPORT: CYCLICAL MONITORING
EXCEPTIONAL STUDENT EDUCATION PROGRAMS

The Florida School for the Deaf and the Blind

FEBRUARY 2005



FLORIDA DEPARTMENT OF EDUCATION
BUREAU OF EXCEPTIONAL EDUCATION AND STUDENT SERVICES

This is one of many publications available through the Bureau of Exceptional Education and Student Services, Florida Department of Education, designed to assist school districts, state agencies which support educational programs, and parents in the provision of special programs. 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, Florida Department of Education, Room 628, Turlington Bldg., Tallahassee, Florida 32399-0400.

telephone: (850) 245-0477

FAX: (850) 245-0987

Suncom: 205-0477

e-mail: cicbiscs@fldoe.org

website: <http://myfloridaeducation.com/commhome/>

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August 8, 2005

Mr. Elmer Dillingham, President
Florida School for the Deaf and the Blind
207 San Marco Avenue
St. Augustine, Florida 32084-2799

Dear Mr. Dillingham:

We are pleased to provide you with the Final Report of Cyclical Monitoring of Exceptional Student Education Programs at the School for the Deaf and the Blind. The report from our visit in February 2005 includes the system improvement plan proposed by your staff.

An update of outcomes achieved and/or a summary of related activities, as identified in your district's system improvement plan, must be submitted by November 30 and May 31 of each school year for the next two years, unless otherwise noted on the improvement plan.

If my staff can be of any assistance as you continue to implement the system improvement plan, please contact Eileen L. Amy, ESE Program Administration and Quality Assurance Administrator. Mrs. Amy may be reached at 850/245-0476, or via electronic mail at Eileen.Amy@fldoe.org.

Thank you for your continuing commitment to improve services for exceptional education students in the School for the Deaf and the Blind.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bambi J. Lockman".

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

cc: Margaret Van Ormer, FSDB Senior Administrator
Mary Jane Dillon, Chair, Board of Trustees
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Tracy Upchurch, Legal Counsel
School Principals

BAMBI J. LOCKMAN
Chief
Bureau of Exceptional Education and Student Services

**Florida School for the Deaf and the Blind
Monitoring of Programs for Exceptional Students
February 2005**

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

**Florida School for the Deaf and the Blind
Monitoring of Programs for Exceptional Students
February 2005**

Executive Summary

The Florida Department of Education, Bureau of Exceptional Education and Student Services conducted an on-site review of the exceptional student education programs at the Florida School for the Deaf and the Blind (FSDB), during the week of February 21, 2005. The purpose of the monitoring visit was to ensure compliance with federal and state laws, rules, and regulations regarding exceptional student education programs, as well as to assess the implementation of procedures related to the requirements. In addition, the monitoring process is intended to assist in the development of improvement plans related to compliance and implementation of exceptional student education programs designed to promote student educational outcomes. Elmer Dillingham, President, and Margaret Van Ormer, Administrator of Instruction, Curriculum and Staff Development, provided assistance with the coordination of the visit and acted as points of contact with FSDB during the monitoring visit.

Summary of Findings

Access to the General Curriculum

There were no findings of noncompliance or concerns noted in this area.

Statewide Assessment

- The decision to exempt students from FCAT participation and assess the student via alternate assessment is not consistently based on the requirements of State Board of Education Rule 6A-1.0943(1)(a), FAC, resulting in students being inappropriately exempted or being administered only portions of the FCAT (e.g., math only).

FSDB will be required to incorporate use of the FCAT exemption criteria allowable under State Board of Education rule into its existing staff development, and to develop and implement a system of self-assessment to ensure that this criteria is applied consistently to the decision-making process.

Counseling as a Related Service

A concern was noted that it is not evident (e.g., through conference notes) that IEP teams considered counseling as a related service for some students with apparent social/emotional needs.

It is recommended that FSDB staff review policies and procedures related to the provision of counseling as a related service to ensure that counseling is provided to students with disabilities who need it in order to receive FAPE.

Communication Needs of Students with Disabilities

There were no findings of noncompliance or concerns noted in this area.

Secondary Transition

Transition is not consistently identified as a purpose of transition IEP team meetings for students 14 and older. A concern was noted that it is not evident that IEP teams considered the need for agency involvement for some students age 16 and over with significant needs, and who might benefit from such involvement.

FSDB will be required to target the notice requirements regarding transition planning in its existing IEP training procedures, and develop and implement a system of self-assessment to ensure compliance with this requirement.

It is recommended that FSDB staff review policies and procedures related to determining when agency participation in the IEP team's transition planning process is necessary and/or appropriate for students age 16 and older.

Parent Involvement

There were no findings of noncompliance or concerns noted in this area.

Project Monitoring

There were no findings of noncompliance or concerns noted in this area.

Student Record Reviews

There were systemic findings of noncompliance in the following five areas:

- annual goals not measurable
- short-term objectives or benchmarks do not include measurement or time frame
- report of progress does not indicate the extent progress is sufficient to achieve annual goals
- report of progress does not indicate progress toward annual goals
- transition not noted as a purpose of the meeting for students age 14 and older

Individual or non-systemic findings were noted on 37 additional elements of the IEP.

FSDB is required to target these areas in its existing IEP training procedures, and develop and implement a system of self-assessment to ensure compliance with this requirement.

Forms Review

Eleven forms required revisions in order to meet compliance regulations, and additional recommendations were noted for nine of the forms. Revisions were submitted to the Bureau for review and approval prior to the dissemination of this report.

Area(s) of Strength/Commendation

- Range and extent of vocational exploration and training available.
- Opportunity for high school students to participate in honors and advancement placement courses in a high school in St. Johns County.
- Strong administrative support and attention to class size foster maximum access to instruction in the general Sunshine State Standards, either at FSDB or through placements in public schools in St. Johns County.
- Creative teachers willing to assist students with all learning needs.
- Technology to assist with remediation efforts.
- Parent and student participation in assessment decision-making process.
- Development of Transitional Living Community.
- Transition agency on-site at FSDB.
- Frequent communication with parents, through multiple modes (e.g., email; weekly notes)
- Technology support for communication via the internet for all staff
- Administrative support for parent involvement (e.g., translator readily available for communication with parents)

System Improvement Plan

In response to these findings, FSDB is required to develop a system improvement plan for submission to the Bureau. This plan must include activities and strategies intended to address specific findings, as well as measurable evidence of change. The format for the system improvement plan, including a listing of the critical issues identified by the Bureau as most significantly in need of improvement, is provided with this executive summary.

During the process of conducting the monitoring activities, including debriefings with the monitoring team and facilities staff, it is often the case that suggestions and/or recommendations related to interventions or strategies are proposed. These recommendations as well as specific discretionary projects, and a list of Department of Education contacts are available to provide technical assistance to FSDB in the development and implementation of its SIP are included as part of this report.

**Florida School for the Deaf and the Blind
Monitoring
System Improvement Strategies**

This section includes the issues identified by the Bureau as most significantly in need of improvement. FSDB is required to provide system improvement strategies to address identified findings, which may include an explanation of specific activities the FSDB has committed to implementing, or it may consist of a broader statement describing planned strategies. For each issue, the plan also must define the measurable evidence of whether or not the desired outcome has been achieved. Target dates that extend for more than one year should include benchmarks in order to track interim progress.

Category	Findings	System Improvement Strategy	Evidence of Change (Including target date)
Access to the General Curriculum	No findings of noncompliance.	N/A	N/A
Statewide Assessment	The decision to exempt students from FCAT participation is not consistently based on the requirements of Rule 6A-1.0943(1)(a), FAC, resulting in students being inappropriately exempted or being administered only portions of the FCAT (e.g., math only).	FSDB will target these elements in its training on assessment participation and ensure the process for decision-making meets the state requirements. FSDB staff will conduct a self-assessment of 50% of the students on alternate assessment to determine compliance with Rule 6A-6.10943, FAC.	Report of self-assessment reveals compliance in targeted areas of 100% of IEPs reviewed. May 2006 May 2007
Counseling as a Related Service	No findings of noncompliance.	FSDB is encouraged to review the recommendations included the body of the report for incorporation into the SIP.	N/A

Category	Findings	System Improvement Strategy	Evidence of Change (Including target date)
Communication Needs of Students with Disabilities	No findings of noncompliance.	N/A	N/A
Secondary Transition	Transition is not consistently identified as a purpose of transition IEP team meetings for students 16 and older.	Addressed through Student Records Review section below. FSDB is encouraged to review the recommendations included the body of the report for incorporation into the SIP.	Report of self-assessment reveals compliance in targeted areas on 100% of IEPs reviewed. May 2006
Parent Involvement	No findings of noncompliance.	N/A	N/A
Project Monitoring	No findings of noncompliance.	N/A	N/A
Student Record Reviews	Systemic findings of noncompliance were in the areas of: <ul style="list-style-type: none"> • annual goals not measurable • short-term objectives or benchmarks do not include measurement or time frame • report of progress does not indicate the extent progress is sufficient to achieve annual goals • report of progress does not indicate progress toward annual goals • transition not indicated on 	FSDB will target these areas in its existing IEP training procedures. FSDB staff will conduct a self-assessment of 30 IEPs (including 15 for students age 14 and older) to determine compliance with these requirements. FSDB is encouraged to review the recommendations included the body of the report for incorporation into the SIP.	Report of self-assessment reveals compliance in targeted areas on 100% of IEPs reviewed. May 2006 May 2007

Category	Findings	System Improvement Strategy	Evidence of Change (Including target date)
Student Record Reviews (continued)	<p>notice of transition IEP meeting (8 of 18 transition IEPs for students 14 or older)</p> <p>There were individual or non-systemic findings in 37 additional individual elements of the IEP.</p>		
District Forms Review	<p>Revisions were required on 11 forms:</p> <ul style="list-style-type: none"> • <i>IEP forms</i> • <i>TIEP forms</i> • <i>Informed Notice and Consent for Evaluation</i> • <i>Informed Notice and Consent for Reevaluation</i> • <i>Notice and Consent for Initial Placement</i> • <i>Notification of Change of Placement/Change of FAPE (Free Appropriate Public Education)</i> • <i>Informed Notice of Refusal</i> • <i>Informed Notice of Dismissal</i> • <i>Notice of Ineligibility</i> • <i>Documentation of Staffing Form</i> • <i>Annual Notice of Confidentiality</i> 	Forms were revised and submitted to the Bureau prior to the dissemination of this report.	Completed March 2005

Monitoring Process

Authority

The Florida Department of Education, Bureau of Exceptional Education and Student Services, in carrying out its roles of leadership, resource allocation, technical assistance, monitoring, and evaluation, is required to oversee the performance of district school boards and state agencies 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) services provided by district school boards and state agencies in accordance with Sections 1001.42 and 1003.57, F.S. Through these monitoring activities, the Bureau examines and evaluates procedures, records, and programs of exceptional student education; provides information and assistance to school districts and state agencies; and otherwise assists school districts and state agencies 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 (CFR)), and districts and state agencies are required to make a good faith effort to assist students with disabilities to achieve their stated goals and objectives in the least restrictive environment (34 CFR 300.350(a)(2) and 300.556). In accordance with the IDEA the Bureau is responsible for ensuring that the requirements of the IDEA are carried out and that each educational program for students with disabilities administered in the state meets the educational requirements of the state (34 CFR 300.600(a)(1) and (2)).

During the week of February 21, 2005, the Florida Department of Education, Bureau of Exceptional Education and Student Services, conducted an on-site review of the exceptional student education (ESE) programs at the Florida School for the Deaf and the Blind (FSDB). In its continuing effort to focus the monitoring process on student educational outcomes, special education services at the school are reviewed every three years. Elmer Dillingham, President, and Margaret Van Ormer, Instruction, Curriculum and Staff Development Administrator, served as the coordinator and point of contact for the FSDB during the monitoring visit.

The monitoring procedures reflect the Department of Education's continuing commitment to conduct those activities necessary to ensure compliance with applicable federal and state laws, rules, and regulations.

Monitoring Activities

The monitoring activities were conducted by four Bureau staff members and two peer monitors. Peer monitors are exceptional student education personnel from other school districts who are trained to assist with the DOE's monitoring activities. A listing of Bureau staff, peer monitors, and contracted staff who conducted the monitoring activities for this visit is included as appendix A. Interviews were conducted with 49 ESE/general education teachers (the majority of the teachers at FSDB are certified both in the particular grade or subject area that they teach and in the appropriate ESE program (i.e., visually impaired; hearing impaired), school-based administrators, related services staff and FSDB administrators. FSDB forms were reviewed for compliance with federal and state regulations.

On-site visits were conducted in each of the following schools that comprise the FSDB campus:

- Elementary School for the Deaf
- Middle School for the Deaf
- High School for the Deaf
- Elementary/Middle School for the Blind
- High School for the Blind
- Special Needs Elementary/Middle/High School

Focus Groups

In conjunction with the 2005 monitoring visit to FSDB, four student focus groups were conducted. At the High School for the Deaf, interpreters were provided by FSDB to assist with the process. Eight students participated in the focus group for students pursuing a standard diploma and eight students participated in the focus group for students pursuing a special diploma. At the High School for the Blind, nine students participated in the focus group for students pursuing a standard diploma and eight students participated in the focus group for students pursuing a special diploma.

Parent Surveys

The parent survey was sent to parents of the 760 students with disabilities for whom complete addresses were provided by the district. A total of 135 parents (PK, n = 1; K-5, n = 25; 6-8, n = 44; 9 – 12, n = 65) representing 18% of the sample, returned the survey. Surveys were returned as undeliverable from 36 families, representing 5% of the sample. Parents represented the following students with disabilities: deaf or hard of hearing, dual sensory impaired and visually impaired.

Student Surveys

A sufficient number of surveys were provided to allow all students with disabilities, grades 9-12, to respond. Instructions for administration of the survey by classroom teachers, including a written script, were provided for each class or group of students. Since participation in this survey is not appropriate for some students whose disabilities might impair their understanding of the survey, professional judgment is used to determine appropriate participants. Surveys from 179 students, representing approximately 46% of students with disabilities in grades 9-12 in the district, were returned. Data are from 2 (66%) of the district's 3 schools with students in grades 9-12.

Reviews of Student Records

Bureau staff members conducted a compliance review of student records that were randomly selected from the population of students with disabilities from the above noted schools. A total of 42 student records were reviewed.

Reporting Process

Interim Reports

Preliminary findings and concerns were shared with FSDB staff participating in the monitoring visit at the time of this visit. Within 10 days of the final site visits, Bureau staff conducted a telephone conference with the President and the Administrator of Instruction, Curriculum, and Staff Development to review major findings.

Preliminary Report

Subsequent to the on-site visit, Bureau staff prepares a written report. The report is developed to include the following elements: an executive summary, a description of the monitoring process, and the results section. The report is sent to the FSDB President and the Administrator of Instruction, Curriculum, and Staff Development. They have the opportunity to discuss and clarify with Bureau staff any concerns regarding the report before it becomes final.

Final Report

Upon final review and revision by Bureau staff based on input from the FSDB, the final report is issued. The report is sent to the FSDB, and is posted to the Bureau's website at www.firn.edu/doe/commhome/mon-home.htm.

Within 30 days of the FSDB's receipt of the final report, the system improvement plan (SIP), including activities targeting specific findings, must be submitted to the Bureau for review. In collaboration with Bureau staff, the FSDB is encouraged to develop methods that integrate activities in order to utilize resources, staff, and time in an efficient manner in order to improve outcomes for students with disabilities. Upon approval of the system improvement plan, the plan is posted on the website noted above.

Reporting of Information

The data generated through the surveys, focus group interviews, individual interviews, case studies, and classroom visits, student record reviews, and district forms reviews are summarized in this report. The results of the monitoring process are reported under the following categories or related areas that are considered to impact or contribute to the provision of a free, appropriate public education (FAPE). These include those areas addressed through the Department's agreement with the U.S. Department of Education, Office of Special Education Programs (OSEP), as particular issues of concern.

- access to the general curriculum
- statewide assessment
- counseling as a related service
- communication needs of students with disabilities
- secondary transition
- parent involvement
- project monitoring
- student records review
- district forms review

To the extent possible, this report focuses on systemic issues rather than on isolated instances of noncompliance or need for improvement. In accordance with established Bureau monitoring procedures, a finding of a systemic violation will be made if evidence of such a violation is found in 25% or more of the pertinent data sources. Findings are presented in a preliminary, or draft, report, and the district has the opportunity to clarify items of concern. In a collaborative effort between the district and Bureau staff, system improvement areas are identified. Findings are addressed through the development of strategies for improvement, and evidence of change will be identified as a joint effort between the district and the Bureau. Strategies that are identified as long-term approaches toward improving the district's issue related to the key data indicator are also addressed through the district's continuous improvement plan.

Results

Access to the General Curriculum

This category refers to the manner in which students with disabilities are provided access to the general curriculum as well as the resources provided to promote this access. Access refers to the types of settings and course content available to students with disabilities and resources available to support that access.

Requirements

In accordance with 34 CFR §300.26(b)(3), "...specially-designed instruction means adapting, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction (i) To address the unique needs of the child that result from the child's disability; and (ii) to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children."

“General curriculum” is defined in *Appendix A to Part 300—Notice of Interpretation* to Title 34 (p. 12470) as the curriculum that is used with nondisabled children. In Florida, the curriculum used with nondisabled children is the general Sunshine State Standards (SSS).

In developing an IEP for a student with a disability, 34 CFR 300.347 requires that it include: a statement of the child’s present levels of educational performance, including how the child’s disability affects the child’s involvement and progress in the general curriculum; measurable annual goals related to meeting the child’s needs that result from the child’s disability to enable the child to be involved in and progress in the general curriculum; and, a statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child to advance appropriately toward attaining the annual goals and to be involved in and make progress in the general curriculum.

Data

FSDB is a state-supported residential public school for hearing impaired and visually impaired students in preschool through 12th grade. FSDB is a school of choice, and families from across the state choose to have their children attend the residential or the day programs.

FSDB includes three schools for students who are deaf (elementary, middle, and high schools) and two schools for students who are blind (elementary/middle and high schools). Many of the students at these schools also are eligible for one or more additional ESE programs (secondary exceptionalities). In addition, there is a special needs school for students with the most significant cognitive impairments and/or who are multiply handicapped and require additional intensive supports and services. Instruction at the Special Needs School is based on the modified standards of the Sunshine State Standards for Special Diploma.

Instruction at each of the other schools parallels that of a traditional school, with the majority of students receiving instruction in the general Sunshine State Standards and a small proportion receiving modifications to curriculum, with some students pursuing a special diploma. Teachers at these schools are dually certified in the content area in which they teach and in the area of exceptionality of their students (i.e., HI or VI).

Once enrolled in the school, staff reported that placement is determined on an individual basis, and is determined by evaluation results, classroom performance, and parental input. Teachers and administrators indicated that all students have access to the general curriculum and that many students are enrolled in general education classes in the St. Johns County school district. Other students are provided instruction in the general Sunshine State Standards through classes for the deaf or for the blind at FSDB. Staff reported that extensive vocational training opportunities are available at FSDB and through St. Johns County. Students who participated in both the standard diploma and the special diploma focus groups reported participating in general education academic courses and in vocational programs. Student survey results indicated that 77% of student responding report participation in vocational classes and 75% report spending enough time with general education students. Of the parents responding to the surveys, 77% reported being satisfied with the amount of time their child spends with general education students.

Finding(s) of Noncompliance

- None noted.

Area(s) of Strength/Commendation

- Range and extent of vocational exploration and training available.
- Opportunity for high school students to participate in honors and advancement placement courses in a high school in St. Johns County.
- Strong administrative support and attention to class size foster maximum access to instruction in the general Sunshine State Standards, either at FSDB or through placements in public schools in St. Johns County.

Statewide Assessment

This category refers to the manner by which students with disabilities are prepared to participate in the general statewide assessment, including the use of necessary accommodations; the process by which the decision is made to exempt a student from the FCAT; and, for students alternately assessed, the reason the general assessment is not appropriate, and the specific alternate assessment selected in its place.

Requirements

In accordance with 34 CFR 300.138(a), students with disabilities must be included in general state- and district-wide assessments, with appropriate accommodations as needed. Section 300.347(a)(5)(ii), Title 34, CFR, requires that an IEP must include "...if the IEP team determines that a child will not participated in a particular state or district-wide assessment of student achievement (or part of an assessment), a statement of (A) Why that assessment is not appropriate for the child; and (B) How the child will be assessed."

Rule 6A-1.0943(1)(b), FAC, also requires that "Students who are excluded from statewide or district assessment will be assessed through an alternate assessment procedure identified by the IEP team. The alternate assessment procedure shall be recorded on the student's IEP."

Chapter 1008.22(3)(c)8, Florida Statutes (FS), requires schools to provide instruction to prepare students to demonstrate proficiency in the skills and competencies necessary for progression and graduation. Additionally, the statute requires schools to notify and obtain consent from parents of student with disabilities for whom modifications and accommodations that are not allowable on the statewide assessment are receiving those modifications and accommodations within the instructional environment.

State Board Rule 6A-1.0943(1)(a), Florida Administrative Code (FAC), *Statewide Assessment for Students with Disabilities*, states "... Students may be excluded from statewide or district assessment programs if the following criteria are met: 1. The student's demonstrated cognitive ability prevents the student from completing required coursework and achieving the Sunshine State Standards...even with appropriate and allowable course modifications, and 2. The student requires extensive direct instruction to accomplish the application and transfer of skills and competencies needed for domestic, community living, leisure, and vocational activities."

Data

Factors reported to be considered when determining whether a student will participate in statewide assessment by taking the FCAT or through an alternate assessment included: the exemption criteria under Rule 6A-1.0943, FAC, *Statewide Assessment of Students with Disabilities*; the reading level of the student; the diploma option that the student is pursuing; and, parent and student request. While the majority of staff indicated that all students who are receiving instruction in the general curriculum are assessed via the FCAT, some indicated that there are students on modified standards and pursuing a special diploma, who do not meet the exemption criteria under State Board of Education rule, and who are assessed via alternate assessments. Because of the individual circumstances of some of the students (e.g., student who has recently lost his/her sight; student who is new to the school and perhaps has not had access to adequate instruction in Braille), some staff indicated that IEP teams may consider the current performance level of the student and/or emotional factors to a greater extent than they would consider the established exemption criteria. Of the students who participated in the special diploma focus group, most reported not participating in FCAT, or only taking the math portion. Sixty-six percent of students surveyed reported taking the FCAT.

A variety of opportunities for remediation and support are available to students who perform poorly on the FCAT, including after-school tutoring programs, remedial classes in math and English or reading, and supplemental instruction by the Learning Disabilities Resource Teacher. Of the students responding to the survey, 57% reported teachers helping to prepare them for the FCAT. Parents surveyed reported that 77% believe teachers provide the specific skills their child needs to work on preparation for the FCAT.

Finding(s) of Noncompliance

- The decision to exempt students from FCAT participation and assess the student via alternate assessment is not consistently based on the requirements of State Board of Education Rule 6A-1.0943(1)(a), FAC, resulting in students being inappropriately exempted or being administered only portions of the FCAT (e.g., math only).

Corrective Action(s)

- FSDB will be required to incorporate use of the FCAT exemption criteria allowable under State Board of Education rule into its existing staff development, and to develop and implement a system of self-assessment to ensure that this criteria is applied consistently to the decision-making process.

Area(s) of Strength/Commendation

- Creative teachers willing to assist students with all learning needs.
- Technology to assist with remediation efforts.
- Parent and student participation in assessment decision-making process.

Counseling as a Related Service

This section provides information related to the provision of counseling as a related service, including psychological counseling, to ESE students who need it in order to receive FAPE.

Requirements

Section 1003.01(3)(a), F.S., defines “exceptional student” as any student who has been determined eligible for a special program in accordance with the rules of the State Board of Education. ESE students include gifted students as well as students with disabilities. “Special education services” are defined as specially designed instruction and such related services as are necessary for an exceptional student to benefit from education. (S. 1003.01(3)(b), F.S.)

In accordance with 34 CFR 300.346(2)(i) the IEP team must “In the case of a child whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior.”

Section 300.24, Title 34, CFR, defines related services as “...developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes...psychological services,...[and] counseling services...” “Counseling services” are services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel. (34 CFR 300.24(b)(2) “Psychological services” includes the planning and management of a program of psychological services, including psychological counseling for children and parents. (34 CFR 300.24(b)(9)

Data

Administrators and teachers in all schools reported that the need for counseling as a related service is considered during IEP team meetings, and all reported that it would be documented on the IEP if it were determined to be needed. Counseling services are provided by school psychologists and guidance counselors. There was evidence of social/emotional or behavioral concerns that might result in a need for counseling on six of the 42 records reviewed; counseling was included as a related service on one of the six. It could not be determined whether the IEP teams had considered counseling on the remaining five records. Parents surveyed reported that 77% indicated counseling services were discussed at the IEP meeting.

Finding(s) of Noncompliance

- None noted.

Concern

- It is not evident (e.g., through conference notes) that IEP teams considered counseling as a related service for some students with apparent social/emotional needs.

Recommended Action(s)

- Review policies and procedures related to the provision of counseling as a related service to ensure that counseling is provided to students with disabilities who need it in order to receive FAPE.

Communication Needs of Students with Disabilities

This section provides information related to the speech and language services provided to ESE students.

Requirements

Rule 6A-6.03411 (1)(f), FAC, requires that all ESE students be provided a free appropriate public education consistent with state board rules pertaining to special education, specially designed instruction, and related services.

Currently, in Florida speech and language therapy are available for students who meet eligibility criteria for programs for students who are speech impaired or language impaired. In addition, students eligible for the programs for autism, traumatic brain injury, developmental delay, and deaf or hard of hearing may be eligible under the speech and language programs. However, speech and language services are not included in the list of related services included under Section 1003.01, F.S.

In accordance with 34 CFR 300.24, related services are "...developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and include speech-language pathology and audiology services...." In addition, to the need for speech or language services as related services, the IEP team must "consider the communication needs of the child." during the development of the IEP (34 CFR 300.346(2)(iv).

Data

Administrators and teachers reported that the IEP team considers all of the needs of the students, including communication needs; speech and/or language therapy is provided as a related service by the speech/language pathologist for students who need it; and, the speech language pathologist is available to provide support and/or assistance to classroom teachers as needed. There was evidence of a need in the area of communication, for students not identified as eligible as SI or LI, on 15 of the 42 records reviewed. For eight of those students communication was addressed by the students' classroom teachers through goals and short-term objectives or benchmarks. For the remaining seven students (four HI and three VI), speech and/or language therapy is provided as a related service. It should be noted that the four hearing impaired students who exhibited communication needs requiring speech or language services would be considered eligible for the speech or language program based on that need; in that case, the therapy provided would actually be considered special education rather than a related service.

Finding(s) of Noncompliance

- None noted.

Transition Services

This section provides information related to the process of planning for the school to post-school transition of students with disabilities. This includes the participation in the planning process by the student, the parents, and any outside agencies.

Requirements

In accordance with 34 CFR 300.347 (b)(1), beginning at age 14, and updated annually, IEP teams are required to provide "...a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study ..." and, at the age of 16, provide "...a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or any needed linkage"

(34 CFR 300.347 (b)(2)). The student must be invited to participate in the IEP team meeting if the purpose is to address transition, and, if unable to attend, other steps must be taken to ensure the student's preferences and interests are considered (34 CFR 300.344(b)). In addition, the notice of the meeting must indicate that the agency will invite the student (34 CFR 300.345(b)).

Data

Agency support for students transitioning from school to post-school life is provided by the Division of Blind Services, Developmental Disabilities, and the Division of Vocational Rehabilitation. The Division of Blind Services has an office on campus and provides information whenever needed. Of the 42 records reviewed, 18 required that transition be addressed (i.e., nine for students 14 or 15 years old; nine for students age 16 or older). The meeting notices for eight of the 18 transition IEPs (44%) did not include transition as a purpose of the meeting. Of the parents responding to the survey, 80% reported being informed that the purpose of the meeting was to discuss transition planning.

There was evidence of agency involvement, through attendance or provision of input or information, at three of the nine meetings for students age 16 or older. For the remaining six students there was evidence that agency involvement would have been appropriate but no agency was invited to attend. Students in all focus groups reported discussing transition needs and being provided information about available services. Of the students responding to the survey, 81% reported getting information about education after high school and 80% reported getting work experience if they were interested. Eighty-two percent of parent reported receiving information about education and job after high school.

In response to the needs of some of their students, FSDB is in the process of developing a "Transition Living Community" for students who have earned a special diploma, but who are not yet 22 years old and who may benefit from additional support in the development of independent living skills. The program will serve as a bridge to independent living. The new program will include dormitories for those students, with supervisors rather than "dorm parents" as are provided in the traditional residential halls. The program will provide additional community-based experiences to foster independence, and will assist the students in developing employability skills and obtaining employment.

Finding(s) of Noncompliance

- Transition is not consistently identified as a purpose of transition IEP team meetings for students 14 and older.

Concern

- It is not evident that IEP teams considered the need for agency involvement for some students age 16 and over with significant needs, and who might benefit from such involvement.

Corrective Action(s)

- FSDB will be required to target the notice requirements regarding transition planning in its existing IEP training procedures, and develop and implement a system of self-assessment to ensure compliance with this requirement.

Recommended Action(s)

- Review policies and procedures related to determining when agency participation in the IEP team’s transition planning process is necessary and/or appropriate for students age 16 and older.

Area(s) of Strength/Commendation

- Development of Transitional Living Community.
- Transition agency on-site at FSDB.

Parental Involvement

This category refers to parental involvement in the education of their children with disabilities, most particularly as it relates to participation in educational planning through the IEP team process.

Requirements

When developing an IEP for a student with a disability, 34 CFR 300.345(a) requires that “Each public agency shall take steps to ensure that one or both of the parents...are present at each IEP meeting or are afforded the opportunity to participate...” In addition, 34 CFR 300.346(a)(1) requires that “... the IEP team shall consider— (i) the strengths of the child and the concerns of the parents for enhancing the education of their child...”

Data

As noted previously, FSDB is a school of choice for students from across the state; a relatively greater degree of parental involvement is required by the nature of the enrollment process. The majority of staff reported frequent communication with parents via email; many also reported phone contacts and/or the use of weekly reports or planners regularly used to communicate. The school also has translators available as needed for communication with families. Parents were in attendance at 34 of the 42 IEPs reviewed (81%) and parental involvement in the IEP team process was supported by the record reviews. Ninety percent of parents responding to the survey reported participating in IEP meetings.

Finding(s) of Noncompliance

- None noted.

Area(s) of Strength/Commendation

- Frequent communication with parents, through multiple modes (e.g., email; weekly notes)
- Technology support for communication via the internet for all staff
- Administrative support for parent involvement (e.g., translator readily available for communication with parents)

Project Monitoring

Data Sources

- Property Control Spreadsheets
- IDEA Project Personnel Spreadsheet

- IDEA Part B Entitlement Expenditures Spreadsheet
- IDEA Part B Discretionary Expenditures Spreadsheet
- Outreach for Hearing Impaired and Visually Impaired Expenditures Spreadsheet
- IDEA Resource Materials Center for Hearing Impaired Trust Expenditures Spreadsheet

Finding(s) of Noncompliance

- None noted.

Area(s) of Strength/Commendation

- Routine tracking methods for grant purchased equipment.
- Dedicated employees overseeing projects.

Student Record Reviews

This section provides information related to the IEP reviews conducted during the monitoring visit to FSDB. A total of 42 records, randomly selected, were reviewed, including 18 transition IEPs and four IEPs for twice exceptional students (i.e., gifted and either visually or hearing impaired) that incorporated the students' needs related to giftedness.

Systemic findings are those that occur with such a frequency that the monitoring team could reasonably infer that a system-wide problem exists. To be determined systemic in nature, an item must be found noncompliant in at least 25% of the records reviewed. At FSDB, at least 10 of the IEPs must have been noncompliant on a given item to be considered a systemic finding. Student- and item-specific feedback on the record reviews was provided to FSDB staff to assist in the provision of targeted technical assistance on IEP development.

Finding(s) of Noncompliance

- Systemic findings of noncompliance were in the areas of:
 - one or more goals not measurable (21)
 - one or more short-term objectives or benchmarks did not contain a measurement or time frame (19)
 - reports of progress do not indicate the extent to which progress is sufficient to meet the annual goals (14)
 - reports of progress do not specifically report progress on annual goals (11)
 - transition not indicated on notice of transition IEP meeting (8 of 18 transition IEPs for students 14 or older)
- There were individual or non-systemic findings in 37 additional individual elements of the IEP (20 were evident on one or two records).

Corrective Action(s)

- FSDB will be required to target these areas in its existing IEP training procedures, and to develop and implement a system of self-assessment to ensure compliance with required elements. This system must include the requirement that FSDB staff periodically review at least 30 IEPs (including 15 for students age 14 and older) to determine compliance with these requirements.

Recommended Action(s)

- Utilize the student- and item-specific feedback on the record reviews provided to assist in the provision of targeted technical assistance on IEP development.
- Review policies and procedures related to determining when agency participation in the IEP team's transition planning process is necessary and/or appropriate for students age 16 and older.

Forms Review

Agencies must provide written documentation to parents of meetings, actions and plans related to the identification, evaluation, educational placement or provision of FAPE to a child with a disability. Section 1414(d) and 1415(b) and (c) of the Individuals with Disabilities Education Act (IDEA) outline the requirements of specific forms within the special education process. Utilizing the information provided in Section 1414 and 1415 of IDEA, FSDB forms are reviewed for compliance with all established requirements.

Forms representing the thirteen areas identified below were submitted to Bureau staff for a review to determine compliance with federal and state laws. Eleven of the forms required revisions in order to meet compliance regulations; however, five of the forms had the same finding. In addition, recommended revisions were noted for 9 forms. FSDB was notified of the specific findings via a separate letter dated February 22, 2005; revisions were submitted to the Bureau for review and approval prior to the dissemination of this report. A detailed explanation of the specific findings is included as appendix B.

- *Parent Notification of Individual Education Plan (IEP) Meeting**
- *IEP forms*+
- *TIEP forms*+
- *Informed Notice and Consent for Evaluation*+*
- *Informed Notice and Consent for Reevaluation*+*
- *Notice and Consent for Initial Placement*+*
- *Notification of Change of Placement/Change of FAPE (Free Appropriate Public Education)*+*
- *Informed Notice of Refusal*+*
- *Informed Notice of Dismissal*+*
- *Notice of Ineligibility*+*
- *Documentation of Staffing Form*+
- *Annual Notice of Confidentiality*+*

+required changes

*recommended changes

System Improvement Plan

In response to these findings, FSDB is required to develop a system improvement plan for submission to the Bureau. This plan must include activities and strategies intended to address specific findings, as well as measurable evidence of change. Following is the format for the system improvement plan, including a listing of the critical issues identified by the Bureau as most significantly in need of improvement.

During the course of conducting the monitoring activities, including daily debriefings with the monitoring team and FSDB staff, it is often the case that suggestions and/or recommendations related to interventions or strategies are proposed. Listings of these recommendations as well as specific discretionary projects and DOE contacts available to provide technical assistance in the development and implementation of the plan are included following the plan format.

Technical Assistance

As a result of the focused monitoring activities conducted at FSDB during the week of February 21, 2005, the Bureau has identified specific findings. These resources may be of assistance in the development and/or implementation of the system improvement plan.

Bureau of Exceptional Education and Student Services

In addition to the special projects described above, Bureau staff is available for assistance on a variety of topics. Following is a partial list of contacts.

**ESE Program Administration and
Quality Assurance—Monitoring**
(850) 245-0476

Eileen Amy, Administrator
Eileen.Amy@fldoe.org

Kim Komisar, Program Director
Kim.Komisar@fldoe.org

April Katine, Program Specialist
April.Katine@fldoe.org

Barbara McAnelly, Program Specialist
Barbara.Mcanelly@fldoe.org

Angela Nathaniel, Program Specialist
Angela.Nathaniel@fldoe.org

Denise Taylor, Program Specialist
Denise.Taylor@fldoe.org

**Special Programs Information,
Clearinghouse, and Evaluation**
(850) 245-0475

Karen Denbroeder, Administrator
Karen.Denbroeder@fldoe.org

Clearinghouse Information Center
cicbiscs@FLDOE.org
(850) 245-0477

ESE Program Development and Services
(850) 245-0478
Evy Friend, Administrator
Evy.Friend@fldoe.org

APPENDIX A:
ESE MONITORING TEAM MEMBERS

**Florida Department of Education
Bureau of Exceptional Education and Student Services
Monitoring
Florida School for the Deaf and the Blind**

ESE Monitoring Team Members

Department of Education Staff

Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services
Eileen L. Amy, Administrator, ESE Program Administration and Quality Assurance
Kim C. Komisar, Program Director, ESE Program Administration and Quality Assurance

Barbara McAnelly, Program Specialist, Team Leader
April Katine, Program Specialist
Angela Nathaniel, Program Specialist
Anitra Moreland, Program Specialist

Peer Reviewers

Letisha Turner, Duval County School District
Judy Heavner, Escambia County School District

APPENDIX B:
SURVEY RESULTS

**Florida Department of Education
Bureau of Exceptional Education and Student Services
Monitoring
Florida School for the Deaf and the Blind**

Parent Survey Report: Students with Disabilities

Responding to the need to increase the involvement of parents and families of exceptional education students in evaluating the educational services provided to their children, the Florida Department of Education, Bureau Exceptional Education and Student Services, contracted with the University of Miami to develop and administer a parent survey as part of the Bureau’s district monitoring activities.

The parent survey was sent to parents of the 706 students with disabilities for whom complete addresses were provided by the district. A total of 135 parents (PK, n = 1; K-5, n = 25; 6-8, n = 44; 9-12, n = 65), representing 18% of the sample, returned the survey. Surveys from 36 families were returned as undeliverable, representing 5% of the sample. Parents represented students with the following disabilities: deaf or hard of hearing, dual sensory impaired, and visually impaired.

% **Always, Almost Always,
Frequently combined**

Overall, I am satisfied with:

- the level of knowledge and experience of school personnel. 89
- the way I am treated by school personnel. 88
- the exceptional education services my child receives. 87
- the effect of exceptional student education on my child’s self-esteem. 84
- my child's academic progress. 83
- how quickly services are implemented following an IEP (Individual Educational Plan) decision. 83
- the way special education teachers and general education teachers work together. 79
- the amount of time my child spends with general education students. 77

My child:

- has friends at school. 91
- is learning skills that will be useful later in life. 88
- receives all the special education and related services on his/her IEP. 87
- is happy at school. 87
- spends most of the school day involved in productive activities. 86

*These questions answered by parents of students grade 8 and above

**% Always, Almost Always,
Frequently combined**

At my child's IEP meetings we have talked about:

- whether my child needed transportation. 93
- all of my child's needs. 91
- whether my child needed speech/language services. 90
- whether my child would take the FCAT (Florida Comprehensive Assessment Test). 88
- whether my child should get accommodations (special testing conditions), for example, extra time. 84
- * which diploma my child may receive. 84
- * the transition services my child needs to achieve his/her goals. 84
- * my child's goals after high school. 83
- * the requirements for different diplomas. 78
- whether my child needed psychological counseling services. 77
- the specific skills my child needs to work on in preparation for the FCAT. 77
- whether my child needed physical and/or occupational therapy. 75
- whether my child needed services beyond the regular school year. 74
- ways that my child could spend time with students in general education classes 69

My child's special education teachers:

- encourage students to ask for help if they need it. 93
- are available to speak with me. 90
- set appropriate goals for my child. 89
- expect my child to succeed. 88
- give students with disabilities extra time or different assignments, if needed. 87
- give homework that meets my child's needs. 85
- call me or send me notes about my child. 83
- individualized instruction for my child. 81

My child's general education teachers:

- expect my child to succeed. 84
- set appropriate goals for my child. 83
- give homework that meets my child's needs. 83
- encourage students to ask for help if they need it. 83
- call me or send me notes about my child. 79
- are available to speak with me. 79
- give students with disabilities extra time or different assignments, if needed 79
- individualized instruction for my child. 77

*These questions answered by parents of students grade 8 and above

**% Always, Almost Always,
Frequently combined**

My child's school:

- makes sure I understand my child's IEP and the services my child will receive. 90
- sends me information written in a way I understand. 90
- provides students with disabilities updated books and materials. 90
- encourages acceptance of students with disabilities. 88
- does all it can to keep students from dropping out of school. 88
- offers students with disabilities the classes they need to graduate with a standard diploma. 87
- sends me information about activities and workshops for parents. 86
- encourages me to participate in my child's education. 84
- informs me about all of the services available to my child. 84
- involves students with disabilities in clubs, sports, or other activities. 84
- *offers a variety of vocational courses, such as computers and business technology. 84
- wants to hear my ideas. 83
- * provides information to students about education and jobs after high school. 82
- addresses my child's individual needs. 81
- explains what I can do if I want to make changes to my child's IEP. 81
- handles discipline problems appropriately. 81
- * informed me, beginning when my child turned 14, that one purpose of the IEP meeting was to discuss a plan for my child's transition out of school. 80

Parent Participation

- I have attended my child's IEP meetings. 90
- I meet with my child's teachers to discuss my child's needs and progress. 90
- My input is considered in the development of my child's IEP. 89
- I am comfortable talking about my child with school staff. 86
- I participate in school activities with my child. 74
- I have heard about the Florida Diagnostic and Learning Resources System ("FDLRS") and the services they provide to families of children with disabilities. 59
- I have used parent support services in my area. 56
- I attend meetings of organizations for parents of students with disabilities. 54
- I attend School Advisory Committee meetings concerning school improvement 44
- I attend meetings of the PTA/PTO. 42

*These questions answered by parents of students grade 8 and above

**Florida Department of Education
Bureau of Exceptional Education and Student Services
Monitoring
Florida School for the Deaf and the Blind**

Student Survey Report: Students with Disabilities

In order to obtain the perspective of students with disabilities who receive services from public school districts, the Florida Department of Education, Bureau of Exceptional Education and Student Services, contracts with the University of Miami to develop and administer a student survey as a component of the Bureau's focused monitoring activities.

In conjunction with the 2005 Florida School for the Deaf and Blind monitoring activities, a sufficient number of surveys were provided to allow all students with disabilities, grades 9-12, to respond. Instructions for administration of the survey by classroom teachers, including a written script, were provided for each class or group of students. Since participation in this survey is not appropriate for some students whose disabilities might impair their understanding of the survey, professional judgment is to be used to determine appropriate participation.

Surveys were received from 179 students, representing approximately 46% of the students with disabilities in grades 9-12 in the district. Data are from 2 (66%) of the district's 3 schools with students in grades 9-12.

I am taking the following ESE classes: **% Yes**

- | | |
|----------------------------------------------|----|
| • English | 58 |
| • Math | 54 |
| • Vocational (woodshop, computers) | 44 |
| • Science | 40 |
| • Electives (physical education, art, music) | 38 |
| • Social Studies | 35 |
| • Learning Strategies or Unique Skills | 12 |

At my school:

- | | |
|------------------------------------------------------------------------------|----|
| • ESE teachers teach students in ways that help them learn. | 82 |
| • ESE teachers give students extra help, if needed. | 81 |
| • ESE teachers encourage students to ask for help if they need it. | 81 |
| • ESE teachers believe that ESE students can learn. | 79 |
| • ESE teachers understand ESE students' needs. | 77 |
| • ESE teachers teach students things that will be useful later on in life. | 72 |
| • ESE teachers provide students with updated books and materials. | 69 |
| • ESE teachers give students extra time or different assignments, if needed. | 63 |

I am taking the following general education/mainstream classes:

- | | |
|-----------|----|
| • English | 57 |
| • Math | 55 |

	% Yes
I am taking the following general education/mainstream classes:	
• Science	47
• Social Studies	42
• Electives (physical education, art, music)	41
• Vocational (woodshop, computers)	24
At my school:	
• general education teachers give students extra help, if needed.	80
• general education teachers encourage students to ask for help if they need it.	80
• general education teachers believe that ESE students can learn.	79
• general education teachers understand ESE students' needs.	77
• general education teachers teach ESE students in ways that help them learn.	77
• general education teachers provide students with updated books and materials.	75
• general education teachers teach students things that will be useful later on in life.	73
• general education teachers give students extra time or different assignments, if needed.	63
At my school, ESE students:	
• get the help they need to do well in school.	89
• participate in clubs, sports, and other activities.	89
• get information about education after high school.	81
• get work experience (on-the-job training) if they are interested.	80
• fit in at school.	79
• can take vocational classes such as computers and business technology.	77
• are encouraged to stay in school.	75
• spend enough time with general education students.	75
• are treated fairly by teachers and staff.	62
Diploma Option	
• I know the difference between a standard and a special diploma.	89
• I know what courses I have to take to get my diploma.	87
• I agree with the type of diploma I am going to receive.	86
• I will probably graduate with a standard diploma.	75
• I had a say in the decision about which diploma I would get.	75
IEP	
• I attended my IEP meeting this year.	89
• I was invited to attend my IEP meeting this year.	82
• I had a say in the decision about which classes I would take.	67
• I had a say in the decision about whether I need to take the FCAT or a	45
• I had a say in the decision about special testing conditions I might get for the FCAT or other tests.	41

	% Yes
FCAT	
• I took the FCAT this year.	66
• In my math classes, we work on the kinds of problems that are tested on the math part of the FCAT.	63
• Teachers help ESE students prepare for the FCAT.	57
• In my English/reading classes, we work on the kinds of skills that are tested on the reading part of the FCAT.	57
• I received accommodations (special testing conditions) for the FCAT.	41

APPENDIX C:
REVIEW OF DISTRICT FORMS

Florida School for the Deaf and the Blind
Monitoring Report
Review of District Forms

This forms review was completed as a component of the monitoring visit that was conducted the week of February 21, 2005. The following district forms were compared to the requirements of applicable State Board of Education rules, the Individuals with Disabilities Education Act (IDEA), and applicable sections of Title 34, Section 300, Code of Federal Regulations. The review includes recommended revisions based on programmatic or procedural issues and concerns. The results of the review are detailed below and list the applicable sources used for the review.

Parent Notification of Individual Educational Plan (IEP) Meeting

Form *Notice of I.E.P. Meeting*

34 CFR 300.345

This form contains the components for compliance.

Recommendation

- It is recommended that the Florida School for the Deaf and Blind (FSDB) add to the notice a place for parents to indicate the name of the person(s) to be invited to the IEP meeting, as it is prudent to be aware of who will be at a meeting prior to the start of the meeting.

Individual Educational Plan (IEP) Meeting

Form *Individual Educational Plan (for students through age 12) IEP Form 1 – 5 (5/03), IEP Form 18-19 (4/04), IEP Form 15 (7/03), IEP Form 18, 19 (4/04) and ADM-Form 35(12/00)(9/01)*

34 CFR 300.347

The following must be addressed:

- A statement providing understanding and consent of the parent for students receiving instructional accommodations not permitted on the statewide assessments and implications of such accommodations (*Note: this may be a separate form*).
- A statement of the remediation of skills needed to obtain a passing score on the statewide assessment.

Individual Educational Plan (IEP) Meeting

Form *Transition Individual Educational Plan (for students age 13 or older) IEP Form 3, 4, 6-8 (5/03), IEP Form 12, 14,15 (7/03), IWP Form 15 (7/03), and ADM-Form 35(12/00)(9/01)*

34 CFR 300.347

The following must be addressed:

- A statement providing understanding and consent of the parent for students receiving instructional accommodations not permitted on the statewide assessments and implications of such accommodations must be added (*Note: this may be a separate form*).

- A statement of the remediation of skills needed to obtain a passing score on the statewide assessment must be added.
- Beginning at age 14 a statement of transition service needs that focuses on the student's course of study
- Beginning at age 16 a statement of interagency responsibility for transition services.

Informed Notice and Consent for Evaluation

Form Consent for Formal Individual Evaluation/Reevaluation Revised 9/03

34 CFR 300.503 and 300.505

The following must be addressed:

- A description of the action refused.

Recommendation:

- In the statements “Federal and state ... These rights ...” it is recommended that you change the statement to read “As parent(s)/guardian(s) of a child with a disability you have protections under the procedural safeguards of the Individuals with Disabilities Education Act (IDEA). A copy of the Summary of Procedural Safeguards has been attached for you.”

Informed Notice and Consent for Reevaluation

Form Consent for Formal Individual Evaluation/Reevaluation Revised 9/03

34 CFR 300.503 and 300.505

The following must be addressed:

- A description of the action refused.

Recommendation:

- In the statements “Federal and state ... These rights ...” it is recommended that you change the statement to read “As parent(s)/guardian(s) of a child with a disability you have protections under the procedural safeguards of the Individuals with Disabilities Education Act (IDEA). A copy of the Summary of Procedural Safeguards has been attached for you.”

Notice and Consent for Initial Placement

Form Consent for Enrollment at FSDB Revised 10/03

34 CFR 300.503 and 300.505

The following must be addressed:

- A description of the action refused.
- A statement of where a copy of the procedural safeguards may be obtained must be added.

Recommendation:

- In the statements “Federal and state ... These rights ...” it is recommended that you change the statement to read “As parent(s)/guardian(s) of a child with a disability you

have protections under the procedural safeguards of the Individuals with Disabilities Education Act (IDEA). A copy of the Summary of Procedural Safeguards has been attached for you.”

Notice of Change in Placement Form and Change of FAPE
Form *Written Notice of Proposed/Refused Action Revised 10/03*
34 CFR 300.503 and 300.505

The following must be addressed:

- A statement of where a copy of the procedural safeguards may be obtained must be added.

Recommendation:

- In the statement “Copy and full explanation ...” it is recommended that you change the statement to read “As parent(s)/guardian(s) of a child with a disability you have protections under the procedural safeguards of the Individuals with Disabilities Education Act (IDEA). A copy of the Summary of Procedural Safeguards has been attached for you.”

Informed Notice of Refusal
Form *Written Notice of Proposed/Refused Action Revised 10/03*
34 CFR 300.503

The following must be addressed:

- A statement of where a copy of the procedural safeguards may be obtained must be added.

Recommendation:

- In the statement “Copy and full explanation ...” it is recommended that you change the statement to read “As parent(s)/guardian(s) of a child with a disability you have protections under the procedural safeguards of the Individuals with Disabilities Education Act (IDEA). A copy of the Summary of Procedural Safeguards has been attached for you.”

Notice of Dismissal
Form *Written Notice of Proposed/Refused Action Revised 10/03*
Form 34 CFR 300.503 and 300.505

The following must be addressed:

- A statement of where a copy of the procedural safeguards may be obtained must be added.

Recommendation:

- In the statement “Copy and full explanation ...” it is recommended that you change the statement to read “As parent(s)/guardian(s) of a child with a disability you have protections under the procedural safeguards of the Individuals with Disabilities Education

Act (IDEA). A copy of the Summary of Procedural Safeguards has been attached for you.”

Notice of Ineligibility

Form *Written Notice of Proposed/Refused Action Revised 10/03*

34 CFR 300.503 and 300.505

The following must be addressed:

- A statement of where a copy of the procedural safeguards may be obtained must be added.

Recommendation:

- In the statement “Copy and full explanation ...” it is recommended that you change the statement to read “As parent(s)/guardian(s) of a child with a disability you have protections under the procedural safeguards of the Individuals with Disabilities Education Act (IDEA). A copy of the Summary of Procedural Safeguards has been attached for you.”

Documentation of Staffing Form

Form *Intake Eligibility Form for FSDB Revised 9/03*

34 of CFR 300.534, 300.503

The following must be addressed:

- Review of the eligibility by the ESE administrator or designee may not be agree or disagree. Remove agree/disagree and replace with reviewed for the ESE administrator or designee.

Confidentiality of Information

Form *Student Handbook – Information for parents, students and staff. Page 3*

Family Educational Rights and Privacy Act, Part 99 34 CFR Title 34 CFR Section 300.503

The following must be addressed:

- The statute cited (228.093(3), F.S.) is incorrect, the corrected statute, 1002.22(3), F.S. needs to be appropriately documented.
- A statement indicating the right to inspect and review the student’s educational records, including the procedures to exercise this right must be included.
- A statement regarding the right to seek amendment of the student’s education records that the eligible student believes to be inaccurate, misleading, or otherwise in violation of the student’s privacy rights, including the procedures to request an amendment must be included.
- A statement regarding the right to file a complaint with the US Department of Education concerning alleged failures by the agency to comply with the requirements of FERPA must be added.
- If FSDB has a policy of disclosing education records to school officials determined to have a legitimate educational interest, the specification for determining who constitutes a school official and what constitutes a legitimate educational interest must be specified.

Recommendations:

- Section (c) should indicate “except to the extent that FERPA and state statute permits disclosure without consent”.
- Section (e) is a repeat of a portion of Section (b). It is recommended that “or eligible students” be removed from Section (b) or that Section (e) be eliminated.

Educational Plan

Form *IEP/Transition IEP*

This form contains the components for compliance.

It was noted that the district utilizes the procedural safeguards wording provided by the Bureau of Exceptional Education and Student Services. FSDB should ensure that when available that the “new-updated” procedural safeguards are provided.

APPENDIX D:
GLOSSARY OF ACRONYMS

Glossary of Acronyms

Bureau	Bureau of Exceptional Education and Student Services
CFR	Code of Federal Regulations
DOE	Department of Education
DVR	Division of Vocational Rehabilitation
ESE	Exceptional Student Education
F.S.	Florida Statutes
FAC	Florida Administrative Code
FAPE	Free Appropriate Public Education
FCAT	Florida Comprehensive Assessment Test
FERPA	The Family Educational Rights and Privacy Act
FSDB	Florida School for the Deaf and the Blind
HI	Hearing Impaired
IDEA	Individuals with Disabilities Education Act
IEP	Individual Educational Plan (for students with disabilities)
OSEP	Office of Special Education Programs
SIP	System Improvement Plan
SSS	Sunshine State Standards
UM	University of Miami
USC	United States Code
VI	Visually Impaired