

# FLORIDA DEPARTMENT OF EDUCATION



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April 1, 2011

Dr. Susan Moxley, Superintendent  
Lake County School District  
201 West Burleigh Blvd.  
Tavares, Florida 32778-2496

Dear Superintendent Moxley:

The Bureau of Exceptional Education and Student Services is in receipt of your district's response to the preliminary findings of its 2010-11 Exceptional Student Education (ESE) Compliance Self-Assessment. This letter and the attached document comprise the final report for Lake County School District's 2010-11 Level 1 and Fall Cycle Level 2 self-assessment monitoring process.

The self-assessment system is designed to address the major areas of compliance related to the State Performance Plan (SPP)/Annual Performance Report (APR) required under the Individuals with Disabilities Education Act (IDEA). SPP Indicator 15, Timely Correction of Noncompliance, requires that the state identify and correct noncompliance **as soon as possible, but in no case later than one year from identification**. While any incident of noncompliance is of concern, in accordance with the language in SPP Indicator 15, the Bureau's current monitoring system considers the timeliness of correction of noncompliance to be of greatest significance.

The results of district self-assessments are included in the State's APR and are used to inform oversight activities, including the selection of districts for on-site monitoring, and the local education agency (LEA) determinations required under Section 300.603, Title 34, Code of Federal Regulations, which result in districts being identified as "meets requirements," "needs assistance," "needs intervention," or "needs substantial intervention."

On January 5, 2011, the preliminary report of findings from the 2010-11 Level 1 and Fall Cycle Level 2 self-assessment process was released to your district's ESE Director. The preliminary report detailed student-specific incidents of noncompliance that required immediate correction. Districts were required to correct all student-specific noncompliance and to provide evidence to the Bureau no later than March 7, 2011. In addition, districts are required to demonstrate that they are now correctly implementing each of the standards identified as noncompliant (i.e., 100 percent compliance).

**BAMBI J. LOCKMAN**

*Chief*

*Bureau of Exceptional Education and Student Services*

Superintendent Moxley  
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*In its 2010-11 Level 1 and Fall Cycle Level 2 self-assessment, Lake County School District assessed 58 standards. One or more incidents of noncompliance were identified on 21 of those standards (36.2%). In accordance with the October 17, 2008, guidance from the Office of Special Education Programs (OSEP), incidents of noncompliance corrected prior to the Bureau's dissemination of the preliminary report are not reported as findings of noncompliance for the purposes of the SPP/APR. The following summary of the district's timely correction of student-specific incidents of noncompliance has been adjusted for the district's early correction:*

**Correction of Noncompliance by Student**

	<b>Number</b>	<b>Percentage</b>
Records Reviewed/Protocols Completed	25	-
Total Items Assessed	641	-
Noncompliant	13	2.0%
Timely Corrected	13	100%

The attached *Lake County District Summary Report: Findings of Noncompliance by Standard* contains a summary of the findings reported by the individual standard or regulation assessed. In addition, a Matrix of Services review was required. Lake County School District reviewed 11 matrixes for students reported at the 254 or 255 cost factors for weighted funding through the Florida Education Finance Program. Cost factor discrepancies were found in one (9.1%) of those records. Verification of correction was submitted by the district.

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

We understand that the implementation of this self-assessment required a significant commitment of resources and appreciate the time and attention your staff has devoted to the process thus far.

If you have questions regarding this process, please contact your assigned district liaison for monitoring or Patricia Howell, Program Director, at (850) 245-0476 or via electronic mail at [patricia.howell@fldoe.org](mailto:patricia.howell@fldoe.org).

Sincerely,



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

Attachment

cc: Judy Miller  
Pat Lawson  
Frances Haithcock  
Mary Jane Tappen  
Kim C. Komisar  
Patricia Howell  
Anne Bozik  
Sheila Gritz

Florida Department of Education  
Bureau of Exceptional Education and Student Services

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

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

Number of IEP protocols completed: 12  
Number of standards per IEP: 37  
Number of T14 protocols completed: 1  
Number of standards per T14: 5  
Number of T16 protocols completed: 12  
Number of standards per T16: 16

Total number of protocols: 25  
Total number of standards: 641  
Total number of incidents of noncompliance (NC): 47  
Overall % incidents of noncompliance: 7.3%

Total number of different standards assessed: 58  
Total number of different standards for which noncompliance was identified: 21  
% of different standards for which noncompliance was identified: 36.2%

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 which requires immediate action(s) to correct the noncompliance

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

Florida Department of Education  
Bureau of Exceptional Education and Student Services

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

Noncompliance (NC)		*Correctable for the Student(s)	**Ensure Future Compliance	# NC	% NC
T16-9	There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training, employment, and, where appropriate, independent living skills). (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)10a, F.A.C.)	X		3	25.0%
T16-11	The IEP includes measurable annual goals (and short-term objectives/benchmarks, if applicable) that focus on improving the academic and functional achievement of the student related to the student's transition services needs. (34 CFR §300.320(a)(2); Rule 6A-6.03028(3)(h)2-3, F.A.C.)	X		1	8.3%
T16-12	There are transition services on the IEP to assist the student in reaching the measurable postsecondary goals. (34 CFR §300.320(b)(2); Rule 6A-6.03411(1)(nn), F.A.C.)	X		1	8.3%
T16-13	The transition services include course(s) of study needed to assist the student to reach the postsecondary goals(s). (34 CFR §300.320(b)(2))	X		1	8.3%
T16-16	The IEP includes appropriate measurable postsecondary goals that are annually updated and based upon: an age-appropriate transition assessment; transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals; and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP team meeting with the prior consent of the parent or student who has reached the age of majority. (34 CFR §§300.320(b)-(c) and 300.321(b); Rule 6A-6.03028(3)(b)-(c) and (h), F.A.C.)	X		3	25.0%
IEP-9	The parent agreed to an IEP team member's absence when that person's curriculum/related service area was not being discussed. (34 CFR §300.321(e)(1))		X	1	8.3%

Noncompliance (NC)		*Correctable for the Student(s)	**Ensure Future Compliance	# NC	% NC
IEP-10	The parent consented to the excusal of an IEP team member when that person's curriculum/related service area was being discussed. (34 CFR §300.321(e)(2))		X	1	8.3%
IEP-12	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 education curriculum. For a prekindergarten student, the IEP contains a statement of how the disability affects the student's participation in appropriate activities. (34 CFR §300.320(a)(1))	X		5	41.7%
IEP-13	The IEP includes measurable annual goals, including academic and functional goals, designed to meet the student's needs that result from the disability to enable the child to be involved in and make progress in the general education curriculum and meet the student's other needs that result from the disability. Benchmarks or short-term objectives should be included for students with disabilities who take alternate assessments aligned to alternate achievement standards or any other student with a disability as determined by the IEP team. (34 CFR §300.320(a)(2))	X		9	75.0%
IEP-14	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	8.3%
IEP-17	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))	X		1	8.3%
IEP-19	The services identified on the IEP are based on the present level of academic and functional performance statement(s) and the annual goals (and short-term objectives/benchmarks, if applicable). (34 CFR §300.320(a))	X		3	25.0%
IEP-21	The parent provided consent for the student to receive instructional accommodations not permitted on statewide assessments and acknowledged the implications of such accommodations. (Section 1008.22(3)(c)6, F.S.; Rule 6A-6.03028(3)(h), F.A.C.)	X		2	16.7%
IEP-22	If the IEP team determined that the student will not participate in a particular state- or districtwide assessment, the IEP contains a statement of why that assessment is not appropriate, why the particular alternate assessment is appropriate, and shows notification to the parent of the implications of nonparticipation. (34 CFR §300.320(a)(6)(ii); Section 1008.22(3)(c)8., F.S.; Rule 6A-6.03028(3)(h)5, F.A.C.)	X		1	8.3%

Noncompliance (NC)		*Correctable for the Student(s)	**Ensure Future Compliance	# NC	% NC
IEP-23	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	8.3%
IEP-25	The IEP team considered the strengths of the student; the academic, developmental, and functional needs of the student; the results of the initial evaluation or most recent evaluation; and the results of the student's performance on any statewide and districtwide assessment. (34 CFR §300.324(a)(1); Rule 6A-6.03028(3)(g), F.A.C.)	X		1	8.3%
IEP-27	The IEP team considered, in the case of a student whose behavior impedes his or her learning, the use of positive behavioral interventions and supports, and/or other strategies to address the behavior. (34 CFR §300.324(a)(2)(i))	X		2	16.7%
IEP-34	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	3	25.0%
IEP-35	The student's progress toward meeting the annual goals was measured, and the report of progress was provided as often as stated on the IEP. (34 CFR §300.320(a)(3))	X		3	25.0%
IEP-36	The IEP had been reviewed at least annually, and revised as appropriate, to address: any lack of progress toward the annual goals; any lack of progress in the general education curriculum, if appropriate; the results of reevaluation; information about the student provided to, or by, the parent; and/or the student's anticipated needs or other matters. (34 CFR §300.324(b)(1))	X		2	16.7%
IEP-37	The student's general education teachers, ESE teachers, and related service providers were provided access and information regarding specific responsibilities for IEP implementation. (34 CFR §300.323(d)(1)-(2))	X		2	16.7%