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June 20, 2008

Mr. Blaine A. Muse, Superintendent
Osceola County School District
817 Bill Beck Boulevard
Kissimmee, Florida 34744-4495

Dear Mr. Muse:

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 Osceola 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. As a result of the validation review, additional incidents or findings of noncompliance requiring correction were identified.

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 Osceola County School District completed the required corrective actions and submitted the verifying documentation and CAP within the established timeline.

Osceola County was required to assess 132 standards. One or more incidents of noncompliance were identified on 36 of those standards (27%). The following is a summary of Osceola 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	1078	—
Noncompliant	91	8%
Timely Corrected	91	100%

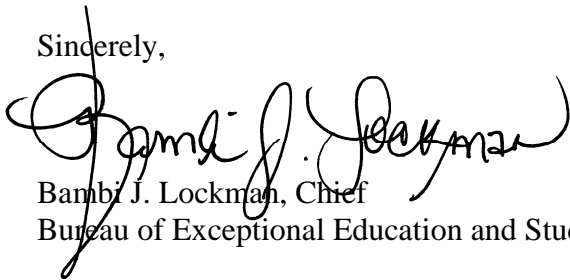
The *Osceola District Summary Report: Findings of Noncompliance by Standard* (Attachment 1) contains a summary of the findings reported by the individual standard or regulation assessed. These data include revisions to the preliminary report that resulted from the validation review. Systemic findings 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. Osceola 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.

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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 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: Penny Collins
Frances Haithcock
Kim C. Komisar
Jill Snelson
Elise Lynch
Heather Diamond
Bettye Hyle
Sheila Gritz

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

**ESE Self-Assessment
2007 – 08**

Osceola 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: 14
 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 STB protocols completed: 2
 Number of standards per STB: 28
 Number of LI disabilities completed: 4
 Number of standards per LI: 7
 Number of MH disabilities completed: 1

Number of standards per MH: 9
 Number of SI disabilities completed: 4
 Number of standards per SI: 9
 Number of SLD disabilities completed: 10
 Number of standards per SLD: 14

Total number of protocols: 36
 Total number of standards: 1078
 Total number of incidents of noncompliance (NC): 91
 Overall % incidents of noncompliance: 8%

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**

Osceola District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-7	The transition IEP for a 17-year-old includes a statement that the student has been informed of the rights that will transfer at age 18. (34 CFR 300.320(b); 34 CFR 300.520(a)(1))		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-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-2	The IEP was current during the last federal child count.		X	1	7.7%	
IEP-3	The IEP was current at the beginning of the school year. (34 CFR 300.323(a))		X	1	7.7%	
IEP-5	The parents were provided notice of the IEP team meeting a reasonable amount of time prior to the meeting, at least one attempt to invite the parent was through a written notice, and a second attempt was made if no response was received from the first notice. (34 CFR 300.322(a)(1))		X	1	7.7%	
IEP-7	The notice contained a listing of persons invited to the meeting, by title and position. (34 CFR 300.322(b))		X	1	7.7%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IEP-9	The parents were members of any group making decisions about the educational placement of the student. If neither parent was able to attend the IEP meeting, there is documentation of attempts to ensure parent participation. (34 CFR 300.322 (c)-(d); 300.328; and 300.501(c))		X	6	46.2%	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		13	100.0%	X
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		5	38.5%	X
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		2	15.4%	
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-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		2	15.4%	
IEP-22	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(7)(e), FAC.)	X		3	23.1%	
IEP-23	If the IEP team determined that the student will not participate in a particular state or district-wide assessment; the IEP contains a statement of why that assessment is	X		2	15.4%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	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)6, F.S.; Rule 6A-6.03028(7)(e), FAC.)					
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-26	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 state-or district-wide assessment. (34 CFR 300.324(a)(1))	X		3	23.1%	
IEP-27	The concerns of the parents for enhancing the education of their child were considered in developing the IEP. (34 CFR 300.324(a)(1)(ii))	X		2	15.4%	
IEP-28	The IEP team considered, in the case of a student whose behavior impedes his or her learning, the use of positive behavior interventions and supports, and/or other strategies to address the behavior. (34 CFR 300.324(a)(2)(i))	X		1	7.7%	
IEP-31	The IEP team considered the communication needs of the child, including, for a student who is deaf/hard of hearing, consideration of the student's opportunities for direct communication with peers and professional personnel in the student's mode of communication and the need for instruction in the student's language and communication mode. (34 CFR 300.324(a)(2)(iv))	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	3	23.1%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IEP-36	The report of progress was provided as often as progress was reported to the nondisabled population and described the progress towards annual goals and the extent to which that progress was sufficient to enable the student to achieve such goals by the end of the year. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)	X		2	15.4%	
MD-4	If the IEP team determined that the behavior was not a manifestation of the student's disability and the suspension/expulsion was applied, the student continued to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. (34 CFR 300.530(d))		X	1	14.3%	
MD-7	If the student did not have a functional behavioral assessment (FBA) developed and a behavior intervention plan (BIP) implemented prior to the removal, within 10 days the IEP team developed an assessment plan and completed the FBA and developed a BIP as soon as practicable. (34 CFR 300.530(d) and (f)(1)(i); Rule 6A-6.03312(4)(d), FAC.)	X		1	14.3%	
IE-1	Two or more parent conferences concerning the student's learning or behavioral areas of concern were held. (Rule 6A-6.0331(2)(a), FAC.)		X	14	100.0%	X
IE-2	Anecdotal records or behavioral observations conducted by at least two individuals, one of whom is the student's teacher, were reviewed. (Rule 6A-6.0331(2)(b), FAC.)		X	3	21.4%	
IE-3	For a school-aged student, existing data in the student's educational record related to the following were reviewed: <ul style="list-style-type: none"> • Social • Psychological • Medical • Achievement • Attendance For a PreK student, existing data related to the following were reviewed:		X	2	14.3%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	<ul style="list-style-type: none"> • Social • Psychological • Medical <p>(Rule 6A-6.0331(1)(b)1 and (2)(c) and (d), FAC.)</p>					
IE-5	A minimum of two general education interventions or strategies were implemented. (Rule 6A-6.0331(2)(f), FAC.)		X	3	21.4%	
IE-14	A team of qualified professionals, including the parent, met as a staffing committee to determine whether the student is a student with a disability in need of special education and related services. (34 CFR 300.306(a)(1); Rule 6A-0331(5)(a), FAC.)		X	1	7.1%	
SLD-1	The multidisciplinary team reviewed data from general education interventions and other activities conducted prior to referral and there is evidence that the student was provided appropriate instruction in the general education setting delivered by qualified personnel. (34 CFR 300.309(b)(1); Rule 6A-6.03018(4)(a), FAC.)	X		1	10.0%	
SLD-3	There is evidence that the student was provided repeated assessments at reasonable intervals during instruction and the parents were informed of the student's progress. (34 CFR 300.309(b)(2))	X		2	20.0%	
SLD-7	There is evidence that the student <i>does not achieve</i> adequately for the student's age or meet state-approved grade level standards in one or more of the designated areas, when provided with learning experiences and instruction appropriate for the student's age or state-approved grade-level standards. (34 CFR 300.309(a)(1))	X		1	10.0%	
SLD-8	There is evidence of at least one of the following: <ul style="list-style-type: none"> • The student <i>does not make sufficient progress</i> meeting age or state-approved grade level standards in one or more of the designated areas when using a process based on the student's response to scientific, research-based interventions; or 	X		1	10.0%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	<ul style="list-style-type: none"> The student exhibits a pattern of strengths and weakness in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability. <p>(34 CFR 300.309(a)(2)(i)-(ii))</p>					
SLD-14	The student meets eligibility criteria. (Rule 6A-6.03018(2), FAC.)	X		1	10.0%	

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

**ESE Self-Assessment
2007 – 08**

Osceola County School District Corrective Action Plan

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-7	The transition IEP for a 17-year-old includes a statement that the student has been informed of the rights that will transfer at age 18. (34 CFR 300.320(b); 34 CFR 300.520(a)(1))	Review procedures at January and March RCS meeting (3/26/08)	January and March 2008	District Compliance/Program Specialists	
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))	<ol style="list-style-type: none"> 1. Drew from the Transition Center to present Transition 101 To the RCSs at the May meeting. 2. Region 3, FL/PASS transition training for High School RCSs. 3. District staff to attend transition training at FI- PASS. 4. Redesign Transition page of IEP. 5. Train Middle and High School RCSs at targeted school on transition planning and IEPs. 	<ol style="list-style-type: none"> 1. May 2008 2. February 2008 3. April 2008 4. August 2008 5. August 2008 	Transition Center, District Transition Specialist, District Compliance/Program Specialists, FI-PASS, RCSs	
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	<ol style="list-style-type: none"> 1. District Compliance/Program Specialist, and High School RCSs to attend March 27, 2008 training on transition assessment 2. Training for all RCSs. 3. Redesign Transition page of IEP. 4. Train Middle and High School RCSs at targeted school on transition planning and IEPs. 	<ol style="list-style-type: none"> 1. March 2008 2. August 2008 4. August 2008 5. August 2008 	Transition center, District Compliance Program Specialists, District Transition Specialist	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
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))	<ol style="list-style-type: none"> 1. Drew from the Transition Center to present Transition 101 To the RCSs at the May meeting. 2. Targeted High School RCSs trained on short term goals and objectives. 	<p>1.May 2008</p> <p>2.April 16, 2008</p>	<p>Transition Center, District Transition Specialist, District Compliance Program Specialist</p>	
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))	<ol style="list-style-type: none"> 1. Drew from the Transition Center to present Transition 101 to the RCSs at the May meeting. 2. Targeted High School RCSs trained on short term goals and objectives. 	<p>1.May 2008</p> <p>2.April 16,2008</p>	<p>Transition Center, District Transition Specialist, District Compliance Program Specialist</p>	
IEP-9	The parents were members of any group making decisions about the educational placement of the student. If neither parent was able to attend the IEP meeting, there is documentation of attempts to ensure parent participation. (34 CFR 300.322 (c)-(d); 300.328; and 300.501(c))	<ol style="list-style-type: none"> 1. Review procedures at January and March RCS meeting (3/26/08). 2. Update RCS Handbook 	<p>1 March 2008</p> <p>2.August 2008</p>	<p>District Compliance Program Specialists</p>	
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-	<ol style="list-style-type: none"> 1. Review procedures at March RCS meeting (3/26/08). 2. Train and model with RCSs how to assess a file/ IEP from their school and rewrite appropriate present level statements. RCSs will return to their school to do hands on training at targeted schools. 3. Train the Trainer workshop presented to the RCSs on writing quality IEPs. 4. RCSs will train staff at 	<p>1.March 2008</p> <p>2.February 2008</p> <p>3.August 2008</p> <p>4.August 2008</p>	<p>District Compliance Program Specialists, RCSs, ESE Department Staff</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	6.03028(7)(a), FAC.)	targeted schools.			
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))	<ol style="list-style-type: none"> 1. Train and model with RCSs how to assess a file/ IEP from their school and rewrite appropriate measurable Annual goals. RCSs will return to their school to do hands on training at targeted schools. 2. Train the Trainer workshop presented to the RCSs on writing quality IEPs. 3. RCSs will train staff at targeted schools. 	<p>1. February 2008</p> <p>2. August 2008</p> <p>3. August 2008</p>	District Compliance Program Specialists, RCSs, ESE Department Staff	
IE-1	Two or more parent conferences concerning the student's learning or behavioral areas of concern were held. (Rule 6A-6.0331(2)(a), FAC.)	<ol style="list-style-type: none"> 1. <i>Summary of Parent Conference</i> form developed. 2. Form sent to all schools. 3. All schools notified (through school based Rtl Coaches) now necessary to document parent conferences on this form. 4. District training offered on Progress Monitoring and on parent conferencing within the Rtl Overview trainings. 5. All Intervention Summary packets submitted for a referral for a psychoeducational evaluation are reviewed at Student Services. 6. School is contacted to complete or provide incomplete or missing Parent Conference forms. 	<p>1. September 2007</p> <p>2. October 2007</p> <p>3. October 2007</p> <p>4. District wide progress monitoring 2/22/08&4/6/08 Rtl overview training offered 9 times between August and October 2007.</p> <p>5. Process began August 2007 and is ongoing.</p> <p>6. Process began in August 2007 and is ongoing.</p>	District Rtl Facilitator, Rtl Conference on First Class e-mail system (for forms, Rtl guidelines and procedures, sharing ideas, asking questions, and feedback.), Coordinator of Psychological Services, school based Rtl Coach.	