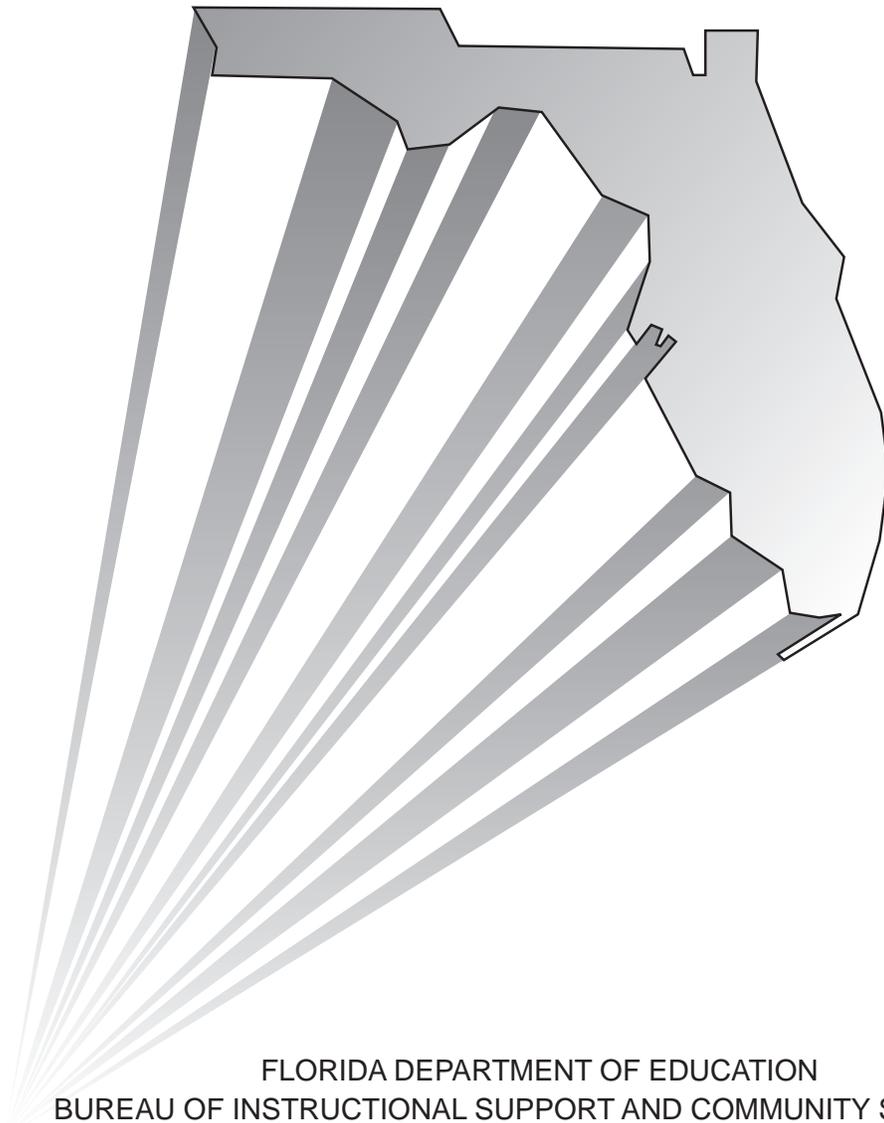


FINAL REPORT OF FINDINGS OF
EXCEPTIONAL STUDENT EDUCATION PROGRAMS IN

DEPARTMENT OF CORRECTIONS

JUNE AND JULY, 2003

CROSS CITY CORRECTIONAL INSTITUTION
HILLSBOROUGH CORRECTIONAL INSTITUTION
HOLMES CORRECTIONAL INSTITUTION
INDIAN RIVER CORRECTIONAL INSTITUTION
SUMTER CORRECTIONAL INSTITUTION



FLORIDA DEPARTMENT OF EDUCATION
BUREAU OF INSTRUCTIONAL SUPPORT AND COMMUNITY SERVICES

This is one of many publications available through the Bureau of Instructional Support and Community 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 Instructional Support and Community 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/>

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

F. PHILIP HANDY, *Chairman*

T. WILLARD FAIR, *Vice Chairman*

Members

LINDA J. EADS, Ed.D.

CHARLES PATRICK GARCÍA

JULIA L. JOHNSON

WILLIAM L. PROCTOR, Ph.D.

LINDA K. TAYLOR

JIM HORNE
Commissioner of Education



February 17, 2004

Ms. Marilyn Heck, Bureau Chief
Department of Corrections
2601 Blair Stone Road
Tallahassee, Florida 32399-2500

Dear Ms. Heck:

We are pleased to provide you with the Final Report of Findings of Exceptional Student Education Programs at selected correctional facilities. The report from our visits during June and July of 2003 includes a format for the system improvement plan to be developed by your office. The final report will be placed on the Bureau of Instructional Support and Community Services' website and may be viewed at www.firn.edu/doe/commhome/mon-home.htm.

The Bureau has sent Angela Nathaniel, ESE Consultant Manager, an electronic copy of the system improvement plan for development. Within 30 days of the receipt of this electronic copy, the Department of Corrections is required to submit the completed system improvement plan for review by our office. Bureau staff will work with you to develop the required system improvement measures, including strategies and activities to address the areas of concern and noncompliance identified in the report. After the system improvement plan has been approved, it also will be placed on the Bureau's website.

An update of outcomes achieved and/or a summary of related activities, as identified in your plan, must be submitted by June 30 and December 30 of each school year for the next two years, unless otherwise noted on the plan.

MICHELE POLLAND

Acting Chief

Bureau of Instructional Support and Community Services

Ms. Marilyn Heck
February 17, 2004
Page 2

If my staff can be of any assistance as you 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 Department of Corrections.

Sincerely,

A handwritten signature in black ink that reads "Michele Polland". The signature is written in a cursive, flowing style.

Michele Polland, Acting Chief
Bureau of Instructional Support and Community Services

Enclosure

cc: Angela Nathaniel
Evy Friend
Kim Komisar

Department of Corrections Preliminary Monitoring Report

June and July 2003 Table of Contents

Executive Summary	1
System Improvement Plan	3
Monitoring Process	7
Authority	7
Monitoring Activities	7
Reviews of Student Records	7
Reporting Process	7
Interim Reports	7
Preliminary Report	8
Final Report	8
Reporting of Information	8
General Supervision	8
Curriculum	9
Special Education Services	9
Instructional Staff	10
Instructional Assistants	10
Student Input	11
Student Record Reviews	11
Commendations and Concerns	13
Cross City Correctional Institution	13
Hillsborough Correctional Institution	13
Holmes Correctional Institution	13
Indian River Correctional Institution	14
Sumter Correctional Institution	14
Recommendations and Technical Assistance	15
Recommendations	15
Technical Assistance	15

Department of Corrections Monitoring Visit June and July 2003

Executive Summary

The Florida Department of Education, Bureau of Instructional Support and Community Services, in collaboration with the Department of Corrections (DOC), conducted an on-site review of the exceptional student education programs at selected correctional facilities during June and July of 2003. The purpose of these monitoring visits 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. Sheryl Brainard, Special Education Administrator, served as the coordinator and point of contact with DOC during the monitoring visit.

Summary of Findings

General Supervision

There are ample staff development opportunities for general and special education teachers related to providing services to students with disabilities. Exceptional student education (ESE) teachers serve as a support and resource for general education teachers. Educational supervisors conduct regularly scheduled staff meetings and have varied amounts of contact with the staff and students.

Curriculum

General curriculum standards are taught to all students. There are several vocational programs available in the facilities; however, not all facilities have students with disabilities enrolled in those programs. It does not appear that the decision to provide accommodations for standardized assessments is based on individual need.

Special Education Services

All facilities provide services through the consultative model and most facilities provide some small group direct instruction. Most ESE teachers report the use of an "open door" policy. Reviews of student records revealed an inconsistency between services being reported on the individual education plans (IEP) and what was reported as practice at most institutions.

Instructional Staff

General education teachers are knowledgeable about the special education students in their classes. Special education teachers generally have knowledge of procedures and policies; however, there is concern that the reevaluation process may not be fully understood at the Cross City facility. ESE teachers at all facilities are either certified or seeking certification in the field.

Instructional Assistants

Holmes and Indian River Correctional Institutions were the only two facilities which employed paraprofessionals paid through the Individuals with Disabilities Education Act (IDEA) funds. Both of the instructional assistants reported that they work directly with students with disabilities as well as assist with paperwork related to ESE students.

Student Input

Students with disabilities reported that they are receiving beneficial special education services from their ESE teachers and are allowed accommodations in the general education classes. Students feel that they get more from their instruction when it is received in a small group setting. Some students indicated that they had been provided an explanation of their rights, while others did not.

Record Reviews

There were no areas of non-compliance resulting in fund adjustments. There were 14 areas of non-systemic findings, four areas of systemic non-compliance, and three areas of concern. Forms lacking required components contributed to the areas of non-compliance.

System Improvement Plan

In response to these findings, the DOC 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 course of conducting the monitoring activities 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 to the DOC in the development and implementation of the plan are included at the end of this report.

Department of Corrections Monitoring System Improvement Strategies

This section includes the issues identified by the Bureau as most significantly in need of improvement. The DOC is required to provide system improvement strategies to address identified findings, which may include an explanation of specific activities the DOC 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.

3

Category	Findings	System Improvement Strategy	Evidence of Change (Including target date)
General Supervision	There are no findings in this area.		
Curriculum	It does not appear that the decision to provide accommodations for standardized assessments is based on individual needs.		
Special Education Services	IEPs do not accurately reflect the level of services being provided to students.		
Instructional Staff	The reevaluation process may not be fully understood by staff at the Cross City facility.		

Category	Findings	System Improvement Strategy	Evidence of Change (Including target date)
Instructional Assistants	There are no findings in this area.		
Student Input	Some students indicated that they had been provided an explanation of their rights, while others did not.		
Record Reviews	<p>Areas of systemic noncompliance:</p> <ul style="list-style-type: none"> • Lack of measurable annual goals • Lack of identification of interpreter of instructional implications • Lack of sufficient present level of educational performance statements • Lack of initiation/duration, frequency, and location of accommodations and modifications 		

Category	Findings	System Improvement Strategy	Evidence of Change (Including target date)
Record Reviews	<p>Areas of concern:</p> <ul style="list-style-type: none"> • Special education services identified on the IEP do not reflect actual services provided • It appeared that the preferences of the students were not individualized • Some goals, though measurable, were vague 		

Monitoring Process

Authority

The Florida Department of Education, Bureau of Instructional Support and Community Services, in carrying out its roles of leadership, resource allocation, technical assistance, monitoring, and evaluation is required to: examine and evaluate procedures, records, and programs of exceptional student education provided by the Department of Corrections; provide information and assistance to the Department of Corrections; and otherwise assist the Department of Corrections in operating effectively and efficiently (§1001.03(8) and §1008.32, Florida Statutes). In accordance with the Individuals with Disabilities Education Act (IDEA), the Department is responsible for ensuring that the requirements of IDEA are carried out and that each educational program for children with disabilities administered in the state meets the educational requirements of the state (§300.600(a)(1) and (2) of Title 34, Code of Federal Regulations).

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 personnel from the Florida Department of Education (DOE) and the Department of Corrections. Department of Education staff conducted interviews with five educational supervisors, seven ESE teachers, five general education teachers, two paraprofessionals, and 17 students.

The following correctional facilities received on-site visits:

- Cross City Correctional Institution
- Hillsborough Correctional Institution
- Holmes Correctional Institution
- Indian River Correctional Institution
- Sumter Correctional Institution

Reviews of Student Records

Bureau staff members and DOC staff conducted a compliance review of student records that were randomly selected from the population of students with disabilities. A total of 43 student records were reviewed from the five facilities.

Reporting Process

Interim Reports

Within two weeks of the visit, Bureau administrative staff conduct a telephone conference with the ESE director to review major findings.

Preliminary Report

Subsequent to the on-site visit, Bureau staff prepare 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 DOC ESE director. The director will 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 ESE director, the final report is issued. The report is sent to the DOC, and is posted to the Bureau's website at www.firn.edu/doe/commhome/mon-home.htm.

Within 30 days of the DOC's receipt of the final report, the system improvement plan, including activities targeting specific findings, must be submitted to the Bureau for review. In developing this plan, every effort should be made to link the system improvement plan for monitoring to the DOC's continuous improvement monitoring plan. In collaboration with Bureau staff, the DOC is encouraged to develop methods that correlate 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

General Supervision

General education and special education teachers reported that they have many opportunities for staff development related to serving students with disabilities. They indicated that Sheryl Brainard, Special Education Administrator, DOC, has provided direct inservice and has provided them with opportunities to take courses at Florida universities. Educational supervisors confirmed that teachers receive training through DOC and universities. Regular education teachers also reported that ESE teachers provide strategies and support to assist them in meeting the needs of the students with disabilities.

Educational supervisors reported that they conduct regularly scheduled (weekly or monthly) staff meetings. They also reported a varying amount of contact with the students with disabilities from limited interaction when there is a discipline problem to daily contact with students throughout the compound.

In summary, there are ample staff development opportunities for general and special education teachers related to providing services to students with disabilities. ESE teachers serve as a support and resource for general education teachers. Educational supervisors conduct regularly scheduled staff meetings and have varied amounts of contact with the students.

Curriculum

Teachers at all facilities reported that they are informed about general curriculum standards and assist students with needs in those areas. Curriculum for all students in the five facilities consists mostly of General Educational Development (GED) and Tests of Adult Basic Education (TABE) materials. It was reported that all students with disabilities participate in the general curriculum with nondisabled peers; it was also reported that modifications to the general curriculum are made to meet students' needs.

Classroom accommodations include peer tutoring, visual aids, extra time for assignments, flexible assignments, study notes, books on tape, and preferential seating. Most records reviewed included classroom accommodations. It was noted, however, that most students' IEPs did not indicate that they would receive accommodations during standardized tests (GED and TABE). It does not appear that accommodations for standardized assessments are based on individual needs as only five of the 43 students whose records were reviewed were allowed accommodations for standardized assessments. Four of those were from Sumter Correctional Institution.

Vocational programs are offered at all facilities. Vocational programs include cabinet shop, auto body, plumbing, computer software and hardware, culinary arts, carpentry, electrical, drafting, and masonry. Participation in vocational programs varied; Indian River Correctional Institution reported approximately 20 ESE students in vocational programs, while Holmes Correctional Institution reported that currently there are no ESE students in the vocational programs; however it was reported that the vocational programs are available to all students.

In summary, general curriculum standards are taught to all students. There are several vocational programs available in the facilities; however, not all facilities have students with disabilities enrolled in those programs. It does not appear that the decision to provide accommodations for standardized assessments is based on individual need.

Special Education Services

Services are provided to students with disabilities through a consultative model at all facilities. There is documentation of consultation with the students as well as with the general education teachers. In addition, most facilities have available some small group direct instruction. Sumter Correctional Institution has one special education teacher who teaches classes all day; his students include ESE and general education students.

Based on record reviews, Holmes Correctional Institution appeared to have the greatest amount of scheduled, direct instruction provided to students. Students' IEPs at this facility reflected a range from three hours monthly to three hours weekly of direct instruction. Interviews with teachers and students at this facility confirmed the provision of scheduled services. In direct contrast, Hillsborough's IEPs did not appear to be individualized and provided for only 15 minutes consultation per month. Hillsborough staff reported that one ESE teacher is responsible for convening and developing all IEPs, one teacher is responsible for testing all students as needed, and all three ESE teachers rotate weekly in the computer

lab to provide direct services to students. There is no indication on the IEPs of the students at this facility of direct scheduled instruction.

Interviews with staff revealed that most ESE teachers have an “open door” policy for their students with disabilities. This was confirmed through student interviews. Most students also reported that their ESE teachers help them with their academics in small group or one-on-one instruction. These practices do not provide for a systematic approach to the documentation of the services identified on the IEP resulting in IEPs that do not accurately reflect the amount of services being provided to students.

In summary, all facilities provide services through the consultative model and most facilities provide some small group direct instruction. Most ESE teachers report the use of an “open door” policy. Reviews of student records revealed an inconsistency between services being reported on the IEPs and what was reported as practice at most institutions.

Instructional Staff

General education teachers reported that they provide accommodations to students with disabilities. Classroom visits confirmed the use of accommodations in all general education classes. The regular education teachers were knowledgeable about the ESE students assigned to their classes and reported that ESE teachers provide assistance and support to them in order to meet the needs of their students.

Special education teachers were generally knowledgeable about ESE policies and procedures. ESE teachers appeared to have knowledge of change of placement and change of free appropriate public education (FAPE) procedures. There was concern about knowledge of the reevaluation process in the Cross City facility. ESE teachers go to great lengths to make sure that students are involved in the IEP and reevaluation process.

All ESE teachers at Cross City Correctional Institution are certified in special education. At Indian River and Sumter Correctional Institutions, all teachers have teacher certification and all but one ESE teacher has current ESE certification. The educational supervisors at the other two facilities reported that most ESE teachers have certification and those who do not are pursuing that certification.

In summary, general education teachers are knowledgeable about the special education students in their classes. Special education teachers generally have knowledge of procedures and policies; however, there is concern that the reevaluation process may not be fully understood at the Cross City facility. ESE teachers at all facilities are either certified or seeking certification in the field.

Instructional Assistants

Holmes Correctional and Indian River Correctional Institutions were the only two facilities which employed paraprofessionals paid through IDEA funds. Both of the instructional assistants reported that they work directly with students with disabilities as well as assist with paperwork related to ESE students.

Student Input

Most students interviewed reported that they had been invited and attended their IEP meetings. Many stressed that their wishes had been taken into consideration during the development of the IEP. Some indicated the need to work on “English and Math” or requested a particular vocational program and those requests are being fulfilled.

Almost all of the interviewees indicated that they are allowed extra time to finish assignments; however, most reported that “everyone gets all the time they need.” It appears through interviews with the students that the facilities do a good job of providing individualized material on the students’ instructional level for all students, not just ESE students. Students indicated that they do better in their academics when instruction is provided in small groups. All of the students, with the exception of one, indicated that their ESE services were helping them to do better in school.

Some of the facilities do a better job than others when providing students with an explanation of their rights as special education students. The students at Cross City Correctional and Hillsborough Correctional who were interviewed indicated that they had been informed of their rights by their special education teachers. There were mixed responses at the other three facilities. Some of the students reported that they did not know they had any rights, while others indicated they had been informed, but did not understand them; still others reported that their rights had been explained and they understood them.

Nine of the students interviewed, some of whom were many years from release, reported that they have not been informed of resources available to them upon their release. They indicated that that process is initiated about six months prior to release. Of those students who did report knowledge of resources, many are within six months of release.

In summary, students with disabilities report that they are receiving beneficial special education services from their ESE teachers and are allowed accommodations in the general education classes. Students feel that they get more from their instruction when it is received in a small group setting. Some students indicated that they had been provided an explanation of their rights, while others did not. The students who reported knowledge of resources were, for the most part, within six months of release.

Student Record Reviews

A total of 43 student records of students with disabilities, randomly selected from the population of exceptional students, were reviewed from the five DOC facilities.

Of the IEPs reviewed, individual or non-systemic findings are as follows:

- transition not identified as purpose of meeting
- lack of notice of procedural safeguards
- lack of sufficient statement identifying how the student’s disability affects his progress in the general curriculum
- lack of at least two related short term objectives
- lack of identification of frequency of services

- lack of statement of how the student's progress toward annual goal will be measured
- lack of evidence of progress reports
- lack of evidence of consideration of student's strengths
- lack of evidence that student's concerns for enhancing his education had been considered
- lack of evidence that results of latest evaluation were considered
- lack of evidence that results of latest state or district assessment had been considered
- lack of evidence that related services were considered
- lack of identification of transition service needs
- duration date of IEP extends beyond one year from date the IEP was developed

In addition, the following areas of non-compliance appeared to be systemic in nature:

- lack of measurable annual goals
- lack of identification of interpreter of instructional implications
- lack of sufficient present level of educational performance statements
- lack of initiation/duration dates, frequency, and location of accommodations and modifications

Two of the four areas of non-compliance identified as systemic areas appear to be related to forms. The forms used for these IEPs lacked the required components to ensure compliance. The IEPs which were out of compliance for lack of interpreter of instructional implications did not have a specific place for this person to be identified. The forms also did not have a place to address initiation/duration, frequency, and location of accommodations and modifications. It appeared that some of the facilities were using old forms that did not contain required components.

Several areas of concern were identified through the reviews of student records. These areas were not identified as out of compliance, however, they did present concerns for the monitoring team. For some IEPs, the special education services were described as tutoring; through interviews with teachers and students, it was determined that the tutoring was actually direct specialized instruction. At one facility, it appeared that the preferences of the students were not individualized. In addition to the non-compliant measurable annual goals, other goals, which were measurable, were vague.

There were no records found to be out of compliance that will result in fund adjustments.

In summary, there were no areas of non-compliance resulting in fund adjustments. There were 14 areas of non-systemic findings, four areas of systemic non-compliance, and three areas of concern. Forms lacking required components contributed to the areas of non-compliance.

Commendations and Concerns

Cross City Correctional Institution

Commendations:

- Data driven programs and activities
- Variety of vocational programs
- Some ESE students simultaneously involved in vocational and academic programs
- Great Leaps program utilizes one-on-one phonics based program to increase fluency
- Use of peer tutors
- All ESE teachers certified in special education

Concerns:

- Lack of scheduled direct contact with students. Contact appears to be on an “as needed” basis as determined by the students.
- Contradiction between amount of services identified on IEP and actual services provided
- The reevaluation process may not be fully understood at this facility

Hillsborough Correctional Institution

Commendations:

- Computer lab provides incentives for ESE students
- Strong collaboration among ESE and general education teachers
- Current events component infused with the curriculum

Concerns:

- It appears that there is a lack of individualization in services provided to students with disabilities (10 records reviewed and all but one indicate 15 minutes monthly consultation)
- Amount of services provided are not accurately reflected on the IEP
- Structure of the ESE service delivery system
- Students suggest that there is not enough small group instruction
- Lack of ESE students enrolled in vocational programs
- No use of peer tutors in the facility resulting in high student/teacher ratio

Holmes Correctional Institution

Commendations:

- Provision of scheduled, small-group direct instruction
- Strong collaboration among ESE and general education teachers
- Use of peer tutors
- Strong sense of pride among students in the upkeep of the grounds of the facility

Concerns:

- There are no ESE students currently enrolled in vocational programs

Indian River Correctional Institution

Commendations:

- Excellent masonry program with ESE students participating
- Accommodations provided to ESE students in the academic portion of the masonry program
- Use of peer tutors

Concerns:

- Due to the age of the students at this facility, there was concern that by the time the students are fully prepared for the GED, they are either at the end of their sentence or ready to move to another facility because of their age before the test is administered.

Sumter Correctional Institution

Commendations:

- Employability Transitional Program
- Large number of ESE students participating in vocational programs
- Use of peer tutors
- All ESE teachers are certified

Recommendations and Technical Assistance

Recommendations

- Analyze service delivery systems at each facility to increase effectiveness
- Conduct a systematic review of IEPs to assure that services being provided to students are accurately reflected
- Provide training in the development of sufficient present level of performance statements and measurable annual goals for IEPs
- Ensure that all staff are using current forms with all necessary components (initiation/duration, frequency and location of accommodations, interpreter of instructional implications)
- Conduct review of IEPs to ensure that they are based on individual needs

Technical Assistance

Bureau of Instructional Support and Community Services staff are available for assistance on a variety of topics. Following is a partial list of contacts:

SLD, IEPs

Paul Gallaher
(850) 245-0478

EH/SED

Lee Clark
(850) 245-0478

**Clearinghouse
Information Center**
cicbiscs@fldoe.org

Compliance

Eileen Amy
Kim Komisar
Iris Anderson
Gail Best
David Katcher
April Katine
(850) 245-0476

Dropout Prevention

Michael Lisle
(850) 245-0481