

**2013-14 Exceptional Student Education
Monitoring and Assistance
On-Site Visit Report**

**Leon County School District
December 9-10, 2013**



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

This publication is produced through the Bureau of Exceptional Education and Student Services (BEESS), Division of Public Schools, Florida Department of Education, and is available online at <http://www.fldoe.org/ease/mon-home.asp>. For information on available resources, contact the BEESS Resource and Information Center (BRIC).

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December 10, 2014

Mr. Jackie Pons, Superintendent
Leon County School District
2757 West Pensacola Street
Tallahassee, Florida 32304-2907

Dear Superintendent Pons:

We are pleased to provide you with the **2013-14 Exceptional Student Education (ESE) Monitoring and Assistance On-Site Visit Report for Leon County School District**. This report was developed by integrating multiple sources of information related to an on-site monitoring visit to your school district on December 9-10, 2013. Those information sources included interviews with district and school staff, student-focus groups, student record reviews, **Local Educational Agency Profiles, Guiding Questions – District Level Needs Assessment** and an action-planning and problem-solving process. This report will be posted on the Bureau of Exceptional Education and Student Services' (BEESS) website and may be accessed at <http://www.fldoe.org/ease/mon-home.asp>.

The 2013-14 ESE Monitoring and Assistance process focuses on those State Performance Plan indicators that contributed to the targeting of school districts for coordinated early intervening services (CEIS) and those indicators that affect equity and access in the educational environment for students with disabilities. Additionally, the process focuses on a shift from ESE compliance to outcomes to prepare all students for college and career readiness, which include: increasing standard diploma graduates; decreasing the number of students dropping out of school; increasing regular class placement; decreasing the need for seclusion and restraint; and eliminating disproportionality in eligibility identification and discipline.

Monica Verra-Tirado, Ed.D., Chief
Bureau of Exceptional Education and Student Services

Superintendent Pons
December 10, 2014
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The Leon County School District was selected for an on-site visit due to equity and access issues related to rates of incidents of restraints and seclusion, rates of suspension and expulsion which required CEIS and percentages of students educated in restrictive environments. The on-site visit was conducted by a state support team (SST) that included BEESS and discretionary project staff.

Ms. Martha Fletcher, director of ESE and Early Childhood Education, and her staff were very helpful to the SST in preparing for the on-site visit and throughout the visit. In addition, Mr. Alan Cox, divisional director of ESE, and the principals and other staff members at the schools visited welcomed the SST and demonstrated a commitment to the education of students in the school district.

As part of the SST's visit, representatives from the school district's ESE department, the schools visited and other school district staff participated in an action-planning and problem-solving process. This group reviewed the school district's data collected prior to and during the on-site visit, and determined the areas of need to address in the action plan. Based upon the areas of need, the action plan will be implemented by the ESE department with the assistance of designated discretionary project staff from the SST.

Thank you for your commitment to improving services to exceptional education students in the Leon County School District. If there are any questions regarding this report, please contact me at 850-245-0475 or via email at monica.verra-tirado@fldoe.org.

Sincerely,

Monica Verra-Tirado, Ed.D., Chief
Bureau of Exceptional Education and Student Services

Enclosure

cc: Alan Cox
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Anne Bozik

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**2013-14 Exceptional Student Education
Monitoring and Assistance
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Leon County School District

December 9-10, 2013

Authority

The Florida Department of Education (FDOE), Bureau of Exceptional Education and Student Services (BEESS), in carrying out its roles of leadership, resource allocation, technical assistance, monitoring and evaluation, is required to oversee the performance of district school boards in the enforcement of all exceptional student education (ESE) laws and rules (sections 1001.03(3), 1003.571 and 1008.32, Florida Statutes [F.S.]). One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (s. 300.1(d) of Title 34, Code of Federal Regulations [CFR]). The bureau is responsible for ensuring that the requirements of IDEA and the educational requirements of the state are implemented (34 CFR §300.149(a)(1) and (2)).

In fulfilling this requirement, the bureau monitors ESE programs provided by district school boards in accordance with sections 1001.42, 1003.57 and 1003.573, F.S. Through these monitoring activities, the bureau examines records and ESE services, evaluates procedures, provides information and assistance to school districts and otherwise assists school districts in operating effectively and efficiently. The monitoring system is designed to facilitate improved educational outcomes for students while ensuring compliance with applicable federal laws and regulations and state statutes and rules.

Under 34 CFR §300.646(b)(2), if a state identifies significant disproportionality based on race or ethnicity in a local educational agency (LEA) with respect to the identification of children as children with disabilities, the identification of children in specific disability categories, the placement of children with disabilities in particular educational settings or the taking of disciplinary actions, the LEA must use the maximum amount (15 percent) of funds allowable for comprehensive coordinated early intervening services (CEIS) for children in the LEA, particularly, but not exclusively, for children in those groups that were significantly over identified.

Section 1003.573, F.S., Use of restraint and seclusion on students with disabilities, was created in July 2010, and established documentation, reporting and monitoring requirements for districts regarding the use of restraint and seclusion for students with disabilities. School districts were required to have policies and procedures that govern parent notification, incident reporting, data collection and monitoring of the use of restraint or seclusion for students with disabilities in place no later than January 31, 2011. In July 2011, s. 1003.573, F.S., was amended to require that the FDOE establish standards for documenting, reporting and monitoring the use of manual or physical restraint and occurrences of seclusion. In September and October 2011, the standards established by the FDOE were provided to school districts and were included in the district's **Exceptional Student Education Policies and Procedures (SP&P)** document.

ESE Monitoring and Assistance Process

Background Information

The 2013-14 ESE Monitoring and Assistance process focused on those State Performance Plan (SPP) indicators that contributed to the targeting of school districts for CEIS and the following indicators that affect equity and access in the educational environment for students with disabilities.

- Indicator 1 – Graduation: Percentage of youth with individual educational plans (IEPs) graduating from high school with a regular diploma.
- Indicator 2 – Dropout: Percentage of youth with IEPs dropping out of high school.
- Indicator 4 – Rates of suspension and expulsion:
 - A. Percentage of districts that have a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.
 - B. Percentage of districts that have (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and support and procedural safeguards.
- Indicator 5 – Educational environments:
Percentage of children with IEPs ages 6 through 21:
 - A. Inside the regular class 80 percent or more of the day;
 - B. Inside the regular class less than 40 percent of the day; and
 - C. In separate schools, residential facilities, or homebound/hospital placements.
- Indicator 10 – Disproportionality, specific disability categories: Percentage of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
- CEIS – Services provided to students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral supports to succeed in a general education environment.
- Restraint – Rate of incidents of restraint, as reported in the FDOE website.
- Seclusion – Rate of incidents of seclusion, as reported in the FDOE website.

The 2013-14 ESE Monitoring and Assistance process included four phases:

- Phase 1 was composed of planning activities that occurred in advance of the first on-site visit to the school district.
- Phase 2 was the initial on-site visit to the selected school district by the state support team (SST).
- Phase 3 included follow-up and post-initial visit activities that are conducted by a designated follow-up team, as determined by the SST, and identification of the ongoing data that will be collected.
- Phase 4 includes evaluation of the effectiveness of the school district's action plan, and should include participation of the comprehensive team that was involved in Phase 1.

For ESE compliance monitoring purposes, the bureau required all school districts to participate in the 2013-14 Level I Fall Cycle Self-Assessment process, which included the review of records for implementation of IEPs and a review of incidents of restraint and seclusion. School districts identified as part of the monitoring and assistance process with on-site visits during the 2013-14 school year were exempt from self-assessing school records for IEP implementation and

restraint and seclusion. Instead, bureau members of the school district's SST reviewed a sample of records as part of the on-site visit.

In a letter dated August 27, 2013, the superintendent of the Leon County School District was informed that the bureau would be conducting an on-site monitoring visit for the following focus areas: early intervening services, seclusion, restraint and least restrictive environment for students with disabilities.

School Selection

Upon review of the school district's data reported via the FDOE's web-based reporting systems for incidents of restraint and seclusion, SPP indicator 5 and SPP indicator 4B, and additional data provided by the school district, it was determined that the monitoring and assistance process would involve the following schools and programs for record reviews, school-level administrator interviews, student focus group interviews or on-site visits.

- Bond Elementary School
- Governor's Charter School
- Gretchen Everhart School
- Griffin Middle School
- Leon High School
- Oak Ridge Elementary School
- Program for Adolescence Cooperative Education (PACE) Secondary School
- Roberts Elementary School

Pre-visit School-Level Interviews

Prior to the on-site visit, interviews were conducted via telephone with staff from Griffin Middle School.

On-Site Activities

On-Site Visit Team

The following SST members conducted the monitoring and assistance on-site visit:

FDOE, BEESS

- Amelia Faith Bowman, program specialist (facilitator)
- Anne Bozik, program specialist (co-facilitator)
- Patricia Howell, program director
- Vicki Eddy, program specialist
- Jill Snelson, program specialist
- Leanne Grillot, program specialist
- Janie Register, program specialist

FDOE, Bureau Discretionary Projects

- Martha Murray, technical assistance specialist, Florida's Positive Behavior Support Multi-tiered System of Supports (PBS:MTSS) Project (problem-solving facilitator)
- Donald Kincaid, Ed.D., director, Florida's PBS:MTSS Project (problem-solving co-facilitator)
- Joy Moore, autism consultant, Center for Autism and Related Disabilities (CARD)

- Karen Sawyers, regional facilitator, Florida Inclusion Network (FIN), North Region
- Ann Selland, MTSS school improvement specialist, Region 1 FDOE Office of Differentiated Accountability (DA), University of South Florida (USF) Problem-Solving Response to Intervention Project (PS/RtI)
- Beth Williams, specialist, Florida Diagnostic and Learning Resources System (FDLRS)
- Teresa Yancey, project manager, Multiagency Network for Students with Emotional/Behavioral Disabilities (SEDNET)

Data Collection

On-site monitoring and assistance activities included the following:

- School-level administrator interviews – 19 participants
- Student focus groups and interviews – 19 participants
- School program walk-through observations – 16
- Completion of seclusion rooms inspection checklist – 13 rooms
- Completion of Seclusion and Restraint protocol – six students
- Completion of individual educational plan (IEP) Implementation protocol – eight students
- Completion of part of the Reevaluation protocol – one student
- Action-planning and problem-solving process – 25 participants
- Review of data from the school district's LEA Profiles, Guiding Questions – District-Level Needs Assessment and data compiled from district data systems

Review of Records

The school district was asked to provide the following documents, as applicable, for each of the nine students selected for review of restraint or seclusion, IEP implementation or discipline:

- IEPs for the 2012-13 and the 2013-14 school years
- Current functional behavioral assessment (FBA)
- Current behavioral intervention plan (BIP)
- Discipline and attendance records for 2013-14 school year
- Progress reports and report cards (current and previous year)
- Student's current schedule
- Parent notifications and other documentation related to incidents of restraint and seclusion
- Verification of training for staff members involved in incidents of restraint or seclusion
- Verification of the provision of related services and accommodations (lesson plans, teacher schedules and therapy logs)

Guiding Questions – District-Level Needs Assessment

Prior to the on-site visit, the school district was provided with questions to use as a guide in the collection of data. SST and district staff reviewed these data during the problem-solving and action-planning process. Leon County School District's questions were related to seclusion, restraints, SPP indicator 4B and SPP indicator 5. A list of these questions is located in Appendix A of this report.

Results of the Problem-Solving Process with Action Plans

The following results reflect the data collected and reviewed through the activities of the 2013-14 ESE Monitoring and Assistance process for Leon County School District. Also included are commendations, findings of noncompliance and the next steps, as applicable.

Coordinated Early Intervening Services

Due to significantly disproportionate data with respect to rates of incidents of removal of students with disabilities of any given race through in-school-suspension (ISS), out-of-school suspension (OSS) or expulsion for students with disabilities during the 2011-12 school year, the district was required to set aside 15 percent of the IDEA Part B funds. The funds were to be used for students who were not currently identified as needing special education or related services, but who needed additional behavioral supports to succeed in a general education environment. The incidents of removal of black students with disabilities were at least 3.5 times more likely to occur compared to all other races combined. The calculation is used for the total of all students with disabilities only.

Risk Ratio for Discipline

| District | 2011-12 |
|----------|---------|
| Leon | 3.56 |

The district set a goal of less than 3.50 percent risk ratio for disciplinary actions for black students identified with disabilities. The district reported the following actions were supported with the CEIS funds during the 2013-14 school year:

- Implemented the district's school-wide PBS annual plan
- Provided professional development regarding refinement of the MTSS approach for behavior
- Monitored suspension data bi-monthly by ESE staff at each school site
- Funded one additional staff member each to support in school detention programs at Griffin, Fairview and Nims Middle Schools
- Provided social skills training for targeted students with Skillstreaming curriculum

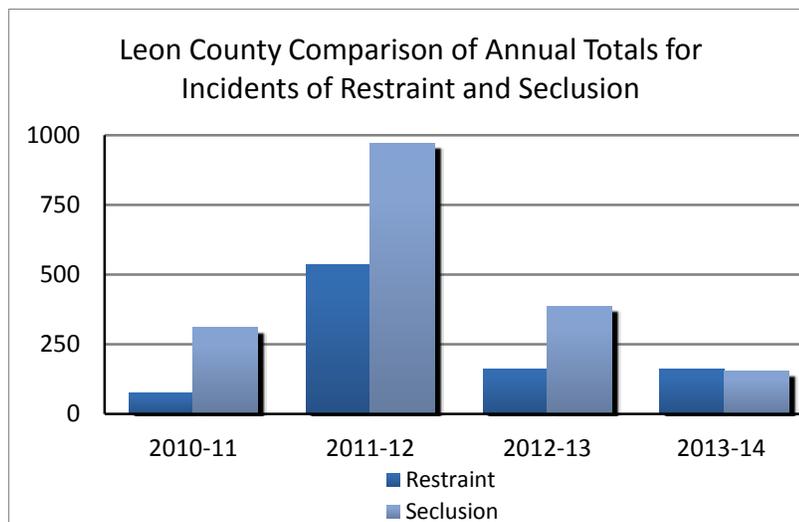
Planned activities to support the reduction of risk for disciplinary actions for black students identified with disabilities through intervening services to students who were not currently identified as needing special education, as reported in district problem-solving activities, include the following:

- Offer support to the schools targeted by data, by starting at the middle schools and moving to the elementary schools
- Hire additional school-based and district staff to support implementation of alternative to suspension programs at the targeted schools
- Hire additional district staff to support implementation of the restorative justice program at the targeted school(s)
- Compile and monitor suspension and expulsion incident data and risk ratios monthly
- Implement the Social Skills Improvement System with students in alternative to suspension programs at the targeted schools

Restraint and Seclusion

Due to the district's rates of incidents of restraint and seclusion of students identified with disabilities when compared to rates in like-sized districts, the district was required to engage in a problem-solving process in order to reduce the use of restraint, particularly in settings in which it occurs frequently or with students who are restrained repeatedly.

According to the school district's SP&P document and the responses to the Guiding Questions – District-Level Needs Assessment document, the school district trains personnel with regard to the use of restraint and seclusion using the following crisis management programs: Crisis Prevention and Intervention (CPI) and Techniques for Effective Adolescent and Child Handling (TEACH). TEACH is used only at designated schools when student behavior has been determined to be a danger to the student or others or could cause extreme property destruction. TEACH trained staff members are also required to be CPI trained. However, the district discovered during records reviews that a large percentage of TEACH-trained staff members had not received CPI training.



Source: Florida Department of Education Restraint and Seclusion Data

In addition to the data above, the school district reported the following during interviews, review of the guiding questions and the action-planning and problem-solving process:

- The school district's goal is to reduce incidents of restraint by 10 percent, and to reduce incidents of seclusion by 10 percent, as referenced in their 2013-16 SP&P document.
- The school district receives consultation for student behavioral issues and support from behavior analysts through a contractual agreement with Behavior Management Consultants (BMC).
- The school district's support for school-level evidence-based practices includes the following:
 - Assistance with the implementation of school-wide PBS systems
 - Overview training of restraint and seclusion requirements twice per semester by BMC staff.
 - Fidelity checks for the implementation of BIPs

- Debriefings and case management meetings held after incidents of restraint or seclusion to review individual behavior plans and student data to identify problem areas and to develop effective strategies to reduce necessity of restraint or seclusion
- Activities that are occurring in the school district in regard to implementing the strategies in the 2013-16 SP&P document include the following:
 - Ongoing CPI certification and refresher training offered through FDLRS
 - TEACH training for personnel at selected school sites
 - Professional development on restraint and seclusion requirements included in the SP&P during the district's summer leadership academy
 - Monthly monitoring and analysis of the restraint and seclusion data by the district MTSS behavior team
- Planned activities to address the use of alternatives to restraint and seclusion reported from district problem-solving activities follow:
 - Organizing of a community of learners composed of staff who serve students identified with behavioral needs with the support of FDLRS
 - Providing Trauma Informed Care training through SEDNET
 - Determining each school's community mental health providers and needs
 - Providing mental health literacy training for administrators
 - Continuing use of Educators Handbook to collect, analyze and make informed decisions regarding trends in behavior infractions
 - Continuing use of Skillstreaming social skills curriculum
 - Continuing PBS district implementation
 - Performing fidelity checks regarding the accessibility and implementation of BIPs

During the on-site visit, SST members visited seclusion rooms at Bond Elementary, Gretchen Everhart School, Oak Ridge Elementary, PACE Secondary and Roberts Elementary. All rooms that were currently being used for seclusion met the requirements in State Board of Education Rule 69A-58.0084, Florida Administrative Code, (F.A.C.).

Least Restrictive Environment

Due to the percentages of students identified with disabilities receiving instruction in restrictive environments when compared to percentages in like-sized districts, the district was required to engage in a problem-solving process to consider needs and supports.

The district has agreements with some neighboring districts to provide services for some out of district students whose IEP team has determined that services must be provided in a public school separate environment.

Leon County Educational Environments for Students Identified with Disabilities

| School Year | 80% of day in general education | 40% of day in general education | Separate class | Separate facility |
|-------------|---------------------------------|---------------------------------|----------------|-------------------|
| 2010-11 | 65% | 15% | 15% | 5% |
| 2011-12 | 66% | 13% | 17% | 4% |
| 2012-13 | 65% | 12% | 17% | 5% |
| 2013-14 | 67% | 11% | 17% | 5% |

Source: Florida Department of Education LEA Profile, 2013 and 2014)

<http://www.fldoe.org/ese/datapage.asp>

Planned activities to address the percentage of students with disabilities receiving instruction in restrictive environments reported from district problem-solving activities follow:

- Engage in and complete the state mandated Best Practices in Inclusive Education (BPIE) supported by FIN (s. 1003.57(1)(f), F.S.)
- District self-assessment review of a random sample of ESE records with least restrictive environment protocol

Student Focus Groups

A student focus group was conducted at one of the high schools visited. The focus group included students with disabilities who were pursuing a standard diploma and students with disabilities who were pursuing a special diploma, in addition to peer mentor students who were nondisabled. All students indicated clearly their satisfaction with their high school and all clearly identified themselves as part of their school. All of the students were quick to identify plans for post-school education and training. The students with disabilities appeared to have received more assistance with information about programs that were available and processes for accessing these programs than their peer mentors had received. Involvement in extracurricular activities was indicated across the group.

In addition, another student focus group was conducted at the middle school visited. The focus group included students with disabilities and peer mentors. Students commented that ESE students in self-contained classes at the middle school were required to walk in a line. However, the perception was that at other schools these students had more freedom and were not escorted between classes. Three of the students expressed a desire for an additional course such as art, wood shop or physical education. One of these students indicated not having time in their schedule for the desired elective due to required intensive courses.

Commendations

1. The school district had an overall reduction in the risk ratio for disciplinary actions for black students identified with disabilities, removing the requirement of the district to allocate CEIS funds for the 2014-15 school year.
2. The district is supporting alternatives to OSS.
3. A district MTSS behavior team is addressing needs at targeted schools with higher numbers of students with behavioral needs. Information regarding the team indicates that the team engages in clear data-driven decision making, ongoing BIP reviews, BIP implementation checks and is addressing restraint and seclusion compliance issues.
4. The school district had an overall reduction of incidents of restraint and seclusion from the previous school year.
5. The district has plans to engage in the BPIE process with FIN after January 2015.

Concerns

1. Staff interviews at more than one school site indicated that students' BIPs were written by BMC staff, with little input from the students' teachers.
2. According to information gathered during staff interviews at more than one site, IEPs and BIPs were not consistently reviewed after incidents of restraint or seclusion.
3. Students at more than one school site provided information or were observed to not participate in electives or special area classes due to academic or behavioral needs.

ESE Monitoring and Compliance

Findings of Noncompliance

Bureau staff reviewed records of eight students in the school district, one from each of the eight school sites visited. Standards from the IEP Implementation (IPI), Restraint and Seclusion (RS) and Reevaluation (RE) protocols were reviewed, with standards from 15 total protocols completed. Findings of noncompliance were noted in three students' records, with at least one finding of noncompliance for four different standards. Identifying information regarding the three students reflecting the findings of noncompliance and required corrective action were provided to the Leon County School District on May 1, 2014.

| Standard, Identified Noncompliance | Supporting Data |
|--|---|
| IPI-2 There is evidence of the implementation of strategies to work toward mastery of the annual goals as specified on the IEP: lesson plans, log(s), interview(s), other. (Rule 6A-6.03028(3)(h), F.A.C.) | For one student at the high school visited, no evidence was provided for the provision of monthly progress reports by the resource room teacher as specified under instructional strategies on the IEP. IPI-2 is correctable for the student: provide evidence per current IEP. |
| RE-12 For a student who has been determined eligible for ESE as a student who is visually impaired, the reevaluation included the following: a. A minimum of a medical eye examination within the last calendar year b. Functional vision evaluation c. Learning media assessment d. If appropriate, any other formal evaluations addressed in the initial evaluation in accordance with Rule 6A-6.0331, F.A.C. (The medical aspect of a reevaluation for students with bilateral anophthalmia may be waived by a written recommendation of a physician.) (Rule 6A-6.03014(b), F.A.C.) | For one student at the high school visited, the eye exam, functional vision exam and learning media assessment were out of date. There were inaccuracies between reports provided and student IEP needs. RE-12 was corrected for the student through reevaluation with functional vision exam and learning media assessment dated April 30, 2014, and an IEP team meeting with IEP revision documented on May 14, 2014. |
| RS-4 The parent or guardian was provided with a completed written incident report by mail within three school days of any incident of restraint or seclusion. (s. 1003.573(1)(d), F.S.) | For one student at the middle school visited, evidence of provision of the written incident report was not provided. RS-4 is correctable for the student: provide parent with incident report. |
| RS-5 The school has documentation of the parent's or guardian's signed acknowledgement of receipt of the written incident report or a minimum of two attempts to obtain signed acknowledgement when the parent or guardian failed to respond to the written incident report. (s. 1003.573(1)(d), F.S.) | For one student at the center school and one student at the middle school visited, signed acknowledgement of the receipt of the written incident report or evidence of two additional attempts to obtain the parent's signature was not provided. RS-5 requires ensuring future compliance (providing evidence of corrective action, such as staff training). |

Corrective Actions

For the noncompliance related to the RE and IPI, the district was required to provide updated reevaluation information for this student and reconvene the student's IEP team to determine whether outdated information used for the reevaluation may have resulted in a denial of a free appropriate public education (FAPE) for the student. If there had been a denial of FAPE, the IEP team would have been required to determine the compensatory services to be provided for the student, including the location, frequency and duration of the services. In addition, the IEP team was required to address how the instructional strategies on the student's IEP would be implemented, documented and tracked to ensure fidelity of implementation. The student's IEP team reconvened, and a reevaluation was conducted. Upon the IEP team's review of reevaluation results, the team determined that the student was no longer eligible for the program eligibility area for which information had been out-of-date. The IEP team did not determine that there had been a denial of FAPE; thus, no compensatory services were necessary.

For the noncompliance related to the documentation and reporting of incidents of RS, the district was required to identify the policy, procedure or practice that caused the noncompliance and provide evidence of the action taken to ensure future compliance. In addition, the incident report for which there was no evidence of provision to the parent or guardian was to be provided to the parent or guardian, with evidence of this action submitted to the bureau.

Evidence of the completion of the required individual corrective actions was provided to the bureau prior to this report. In addition, no later than May 1, 2015, the district is required to demonstrate through a sampling process the correct implementation of the standards identified as noncompliant during the on-site visit. The required samples were provided to the bureau and determined to be compliant prior to this report.

| Next Steps | |
|---|--|
| Coordinated Early Intervention Services | |
| Summary: | In 2011-12, incidents of removal of black students with disabilities through ISS, OSS, or expulsion were 3.56 times more likely to occur when compared to all other races combined. This exceeded the cut off of 3.5, so the district was required to set aside 15 percent of the IDEA Part B funds for early intervening services in 2012-13. In 2012-13, the risk ratio dropped below the cutoff (to 3.44), so the district is not required to set aside these funds during 2014-15. |
| Recommendation: | The district should continue to identify measures to decrease the number of discipline referrals and suspensions and expulsions. In addition, the district should continue implementation of PBS and the provision of professional development regarding refinement of the MTSS approach for behavior. |
| Required Action: | None |

| Next Steps | |
|--------------------------------|--|
| Restraint and Seclusion | |
| Summary: | <p>The district's number of incidents of restraint decreased significantly from the 2011-12 school year through the 2013-14 school year. Incidents of restraint decreased from 577 to 160 which was a 72.3 percent decrease.</p> <p>The district's number of incidents of seclusion also decreased significantly from the 2011-12 school year through the 2013-14 school year. Incidents of seclusion decreased from 1,107 to 154 which was a 86.1 percent decrease.</p> |
| Recommendation: | <p>Although the district has significantly decreased the number of incidents of restraint and seclusion, the district's numbers still remain the highest for its enrollment group regarding seclusion during the 2013-14 school year.</p> <p>Therefore, the district should continue to implement strategies to decrease the number of incidents of restraint and seclusion. In addition, the district should continue to communicate with PBS, SEDNET and other size-alike districts regarding strategies that have proven effective in decreasing the use of restraint and seclusion for students with disabilities.</p> |
| Required Action: | None |
| Educational Environment | |
| Summary: | <p>The district's percentage of students with disabilities ages six to twenty-one in regular class increased from 65 percent in the 2012-13 school year to 67 percent in the 2013-14 school year. The percentage of students with disabilities ages six to twenty-one in resource room placement decreased from 12 percent to 11 percent during this same time period. The percentage of these students in separate class and other separate environment remained the same.</p> |
| Recommendations: | None |
| Required Actions: | <p>According to s. 1003.57, F.S., once every three years, each school district and school shall complete a BPIE assessment with a FIN facilitator and include the results of the BPIE assessment and all planned short-term and long-term improvement efforts in the school district's SP&P. The district shall schedule with FIN for completion of the required BPIE. No later than February 17, 2015, the district is to notify BEESS of the scheduled date.</p> |

Next Steps

Phases 3 and 4 of the ESE Monitoring and Assistance Process

Summary:

Ongoing support for the school district in regard to restraint and seclusion, discipline and least restrictive environment will be scheduled by the problem-solving facilitator and discretionary projects.

By **January 2015**, the SST team, ESE director and designated district staff will evaluate the effectiveness of the school district's action plan(s) and determine additional next steps, as appropriate

Technical Assistance

1. Implementing a Multi-Tiered System of Support for Behavior: Recommended Practices for School and District Leaders (Florida's PBS Project) may be accessed at http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811_final.pdf and provides an overview of the critical components of an MTSS for behavior. These critical components describe systems changes that are necessary for a results-driven ESE system.
2. The district's ESE Policies and Procedures document provides district- and school-based standards for documenting, reporting and monitoring the use of manual, physical or mechanical restraint and seclusion developed by the FDOE. The school district's document for the 2013-14 through 2015-16 school years may be accessed at <http://beess.fcim.org/sppDistrictDocSearch.aspx>.
3. The technical assistance paper entitled Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities, dated October 14, 2011, may be accessed at <http://info.fldoe.org/docushare/dsweb/Get/Document-6212/dps-2011-165.pdf>. This document provides guidance regarding the use, documenting, reporting and monitoring of restraint and seclusion with students with disabilities in school districts, including (a) when restraint or seclusion might be used, (b) considerations when selecting a training program for restraint, (c) what should be documented, (d) parent notification and reporting, and (e) monitoring use. It also contains information about s. 1003.573, F.S., Use of restraint and seclusion on students with disabilities.
4. The United States Department of Education, in collaboration with the United States Department of Justice, released School Discipline Guidance in the January 2014, Volume 4, Issue 1 of the Office of Special Education Programs Monthly Update. This package will assist states, districts and schools in developing practices and strategies to enhance school climate, and ensure those policies and practices comply with federal law. The resource documents listed below are included in the package, and are available at <http://www.ed.gov/school-discipline>:
 - Dear Colleague guidance letter on civil rights and discipline
 - Guiding Principles document that draws from emerging research and best practices;
 - Directory of Federal School Climate and Discipline Resources that indexes federal technical assistance and other resources
 - Compendium of School Discipline Laws and Regulations that catalogue State laws and regulations related to school discipline
5. According to s. 1003.57, F.S., once every three years, each school district and school shall complete a Best Practices in Inclusive Education (BPIE) assessment with a FIN facilitator and include the results of the BPIE assessment and all planned short-term and long-term improvement efforts in the school district's SP&P. BPIE is an internal assessment process designed to facilitate the analysis, implementation and improvement of inclusive educational practices at the district and school team levels.
A FIN facilitator is available to assist the school district in scheduling and completing the BPIE, and based on the results, will identify how FIN can provide support to the school district (<http://www.floridainclusionnetwork.com/>).

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

2013-14 ESE Monitoring and Assistance

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Bureau of Exceptional Education and Student Services

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Appendix A

Guiding Questions – District-Level Needs Assessment

Appendix A: Guiding Questions – District-Level Needs Assessment

1. What are the most current data levels on each of the targeted BEESS indicators?
2. What is the gap between BEESS expected level(s) of targeted indicators and your district's current level(s) of targeted indicators?
3. Do data indicate equity issues related to the selected BEESS indicators? Are there subgroups for which the gap between expected and goal levels of performance and current levels of performance is more or less significant?
 - o Gender
 - o Race or ethnic group
 - o Economically disadvantaged
 - o Students with disabilities (by each sub-group)
 - o English language learners
 - o Comparison within and across above sub-groups
4. Disaggregate district-level indicator data to school levels. Which schools are contributing to total district frequency for each of the targeted BEESS indicators?
5. Disaggregate school-level indicator data by grade level. Which grades within each school are contributing to total school frequency for each of the targeted BEESS indicators?
6. Disaggregate between type of school (elementary, middle school and high school) by student outcomes.
7. What evidence-based practices are currently planned for use or implementation at the school level?
8. Are the expected evidence-based practices occurring sufficiently?
9. If expected evidence-based practices are not occurring or not occurring sufficiently, why not? (What are some potential barriers specific to targeted BEESS indicators at the school level?)
10. How are school-level evidence-based practices being supported by the district specific to BEESS indicators being targeted for improvement?
11. Are district supports for school-level practices being provided sufficiently?
12. If district supports are not occurring or not occurring sufficiently, why not? (What are some potential barriers specific to targeted BEESS indicators at the district level?)
13. What strategies, initiatives and resources have been identified in the District Improvement and Assistance Plan (DIAP) with regard to achieving annual measurable outcomes targets for students with disabilities?
14. As applicable, has the mid-year reflection based on mid-year assessment data been completed, and what, if any, adjustments have been made to the DIAP with regard to strategies to improve outcomes for students with disabilities?
15. What does the ESE Policies and Procedures document reflect with regard to the district's goal to improve targeted indicator performance? Did the district achieve the goal set during the prior year?
16. What is occurring to implement the strategies in the SP&P with regard to targeted indicator performance?
17. Based on all of the above answers, what priorities will be targeted to improve BEESS targeted indicators?

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

Glossary of Acronyms and Abbreviations

The following is a list of acronyms, abbreviations and terms used within this report.

| | |
|----------|---|
| BEES | Bureau of Exceptional Education and Student Services |
| BIP | Behavioral intervention plan |
| BMC | Behavior Management Consultants |
| BPIE | Best Practices for Inclusive Education |
| CARD | Center for Autism and Related Disabilities |
| CEIS | Coordinated early intervening services |
| CFR | Code of Federal Regulations |
| CPI | Crisis Prevention Institute |
| DA | Differentiated Accountability |
| ESE | Exceptional student education |
| F.A.C. | Florida Administrative Code |
| FAPE | Free Appropriate Public Education |
| FIN | Florida Inclusion Network |
| FDLRS | Florida Diagnostic and Learning Resources System |
| FDOE | Florida Department of Education |
| F.S. | Florida Statutes |
| IDEA | Individuals with Disabilities Education Act |
| IEP | Individual educational plan |
| IPI | IEP implementation |
| ISS | In-school-suspension |
| LEA | Local educational agency |
| MTSS | Multi-tiered system of support |
| OSS | Out-of-school suspension |
| PACE | Program for Adolescence Cooperative Education |
| PBS | Positive Behavior Support |
| PBS/MTSS | Positive Behavior Support/Multi-tiered System of Supports |
| PS/Rtl | Problem-Solving/Response to Intervention |
| RE | Reevaluation |
| RS | Restraint Seclusion |
| Rtl | Response to intervention |
| SEDNET | Multiagency Network for Students with Emotional and Behavioral Disabilities |
| SP&P | Exceptional Student Education Policies and Procedures |
| SPP | State Performance Plan |
| SST | State Support Team |
| TEACH | Techniques for Effective Adolescent and Child Handling |
| USF | University of South Florida |



Pam Stewart, Commissioner

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