

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

Members

DR. AKSHAY DESAI

MARK KAPLAN

ROBERTO MARTÍNEZ

JOHN R. PADGET

KATHLEEN SHANAHAN

Dr. Eric J. Smith
Commissioner of Education



April 1, 2011

Mr. Allen Overstreet, Assistant Bureau Chief
Florida Department of Corrections (DOC)
Office of Education and Initiatives
2601 Blair Stone Road
Tallahassee, Florida 32399-2500

Dear Mr. Overstreet:

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

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

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

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

BAMBI J. LOCKMAN
Chief

Bureau of Exceptional Education and Student Services

Mr. Allen Overstreet
April 1, 2011
Page 2

In its 2010-11 Level 1 and Fall Cycle Level 2 self-assessment, DOC assessed 53 standards. One or more incidents of noncompliance were identified on thirteen of those standards 24.5%. In accordance with the October 17, 2008, guidance from the Office of Special Education Programs (OSEP), incidents of noncompliance corrected prior to the Bureau's dissemination of the preliminary report are not reported as findings of noncompliance for the purposes of the SPP/APR. The following summary of the district's timely correction of student-specific incidents of noncompliance has been adjusted for the district's early correction:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	22	-
Total Items Assessed	583	-
Noncompliant	16	2.7%
Timely Corrected	16	100%

The attached *DOC Summary Report: Findings of Noncompliance by Standard* contains a summary of the findings reported by the individual standard or regulation assessed. A Matrix of Services review for weighted funding through the Florida Education Finance Program was not required for DOC.

In addition to the individual correction(s) reported above, the district was required to demonstrate 100 percent compliance for each standard that was identified as noncompliant through review of a random sample of student records. Your district has submitted the required records to demonstrate 100 percent compliance on the following standards:

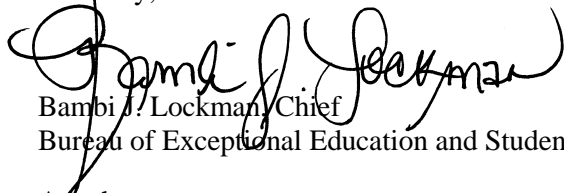
- T16-9
- T16-10
- T16-11
- T16-12
- T16-13
- T16-16
- IEP-7
- IEP-13
- IEP-15
- IEP-18
- IEP-23
- IEP-36

In addition, the district has developed a corrective action plan (CAP) for standard IEP-35, detailing the activities, resources, and timelines the district will employ to ensure the compliance target of 100 percent.

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

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

Sincerely,



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

Attachment

cc: John Howle
Debra Schneider
Frances Haithcock
Mary Jane Tappen
Kim C. Komisar
Patricia Howell
Vicki L. Eddy
Sheila Gritz

Florida Department of Education
Bureau of Exceptional Education and Student Services

2010-2011 Self-Assessment
Level 1 and Fall Cycle Level 2

Florida Department of Corrections District Summary Report: Findings of Noncompliance by Standard

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

Number of IEP protocols completed: 11
Number of standards per IEP: 37
Number of T16 protocols completed: 11
Number of standards per T16: 16

Total number of protocols: 22
Total number of standards: 583
Total number of incidents of noncompliance (NC): 16
Overall % incidents of noncompliance: 2.7%

Total number of different standards assessed: 53
Total number of different standards for which noncompliance was identified: 13
% of different standards for which noncompliance was identified: 24.5%
Percent of noncompliance is calculated as the # of incidents of noncompliance for a given standard divided by the # of protocols reviewed for that standard, multiplied by 100.

* **Correctable for the student(s):** A finding which requires immediate action(s) to correct the noncompliance

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

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

**2010-2011 Self-Assessment
Level 1 and Fall Cycle Level 2**

Florida Department of Corrections District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Ensure Future Compliance	# NC	% NC
T16-9	There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training, employment, and, where appropriate, independent living skills). (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)10a, F.A.C.)	X		1	9.1%
T16-10	The measurable postsecondary goal was based on age-appropriate transition assessment. (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)10a, F.A.C.)	X		1	9.1%
T16-11	The IEP includes measurable annual goals (and short-term objectives/benchmarks, if applicable) that focus on improving the academic and functional achievement of the student related to the student's transition services needs. (34 CFR §300.320(a)(2); Rule 6A-6.03028(3)(h)2-3, F.A.C.)	X		2	18.2%
T16-12	There are transition services on the IEP to assist the student in reaching the measurable postsecondary goals. (34 CFR §300.320(b)(2); Rule 6A-6.03411(1)(nn), F.A.C.)	X		1	9.1%
T16-13	The transition services include course(s) of study needed to assist the student to reach the postsecondary goals(s). (34 CFR §300.320(b)(2))	X		2	18.2%
T16-16	The IEP includes appropriate measurable postsecondary goals that are annually updated and based upon: an age-appropriate transition assessment; transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals; and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP team meeting with the prior consent of the parent or student who has reached the age of majority. (34 CFR §§300.320(b)-(c) and 300.321(b); Rule 6A-6.03028(3)(b)-(c) and (h), F.A.C.)	X		2	18.2%

Noncompliance (NC)		*Correctable for the Student(s)	**Ensure Future Compliance	# NC	% NC
IEP-7	The parents were provided a copy of the procedural safeguards. (Rule 6A-6.03311(2), F.A.C.)		X	1	9.1%
IEP-13	The IEP includes measurable annual goals, including academic and functional goals, designed to meet the student's needs that result from the disability to enable the child to be involved in and make progress in the general education curriculum and meet the student's other needs that result from the disability. Benchmarks or short-term objectives should be included for students with disabilities who take alternate assessments aligned to alternate achievement standards or any other student with a disability as determined by the IEP team. (34 CFR §300.320(a)(2))	X		1	9.1%
IEP-15	The IEP contains a statement of related services, including location and anticipated initiation, duration, and frequency. (34 CFR §300.320(a)(4) and (7))	X		1	9.1%
IEP-18	The IEP contains a statement of supports for school personnel. (34 CFR §300.320 (a)(4))	X		1	9.1%
IEP-23	The IEP contains an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class. (34 CFR §300.320(a)(5))	X		1	9.1%
IEP-35	The student's progress toward meeting the annual goals was measured, and the report of progress was provided as often as stated on the IEP. (34 CFR §300.320(a)(3))	X		1	9.1%
IEP-36	The IEP had been reviewed at least annually, and revised as appropriate, to address: any lack of progress toward the annual goals; any lack of progress in the general education curriculum, if appropriate; the results of reevaluation; information about the student provided to, or by, the parent; and/or the student's anticipated needs or other matters. (34 CFR §300.324(b)(1))	X		1	9.1%