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June 20, 2008

Mr. Harry Pennington, Superintendent
Hamilton County School District
4280 S.W. County Road 152
Jasper, FL 32052-1059

Dear Mr. Pennington:

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

Hamilton County was required to assess 56 standards. One or more incidents of noncompliance were identified on 26 of those standards (46%). The following is a summary of Hamilton County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	20	—
Total Items Assessed	560	—
Noncompliant	88	15%
Timely Corrected	88	100%

The *Hamilton 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. Hamilton 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.

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

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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: Regina Jordan
Frances Haithcock
Kim C. Komisar
Annette Oliver
Sheila Gritz
Marilyn Hibbard

Florida Department of Education
Bureau of Exceptional Education and Student Services

ESE Self-Assessment
2007 – 08

Hamilton 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 LRE protocols completed: 15
Number of standards per LRE: 28
Number of STB protocols completed: 5
Number of standards per STB: 28

Total number of protocols: 20
Total number of standards: 560
Total number of incidents of noncompliance (NC): 88
Overall % incidents of noncompliance: 15%

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**

Hamilton District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-3	The student's strengths, preferences, and interests were taken into account. If the student was unable to attend the meeting, other steps were taken to ensure the student's preferences and interests were considered. (34 CFR 300.43 and 300.321(b)(2); Rule 6A-6.03028(4)(h), FAC.)	X		2	40.0%	X
STB-4	For students aged 14 and older: <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. (Rule 6A-6.03028(7)(i), FAC.)	X		4	80.0%	X
STB-6	If an agency likely to provide or pay for transition services is involved: <ul style="list-style-type: none"> • A team member or designee was designated as responsible for follow-up with the agency • The IEP team was reconvened to identify alternative strategies if the agency failed to provide services as indicated on the IEP. (34 CFR 300.324(c)(1); Rule 6A-6.03028(8)(d), FAC.)	X		3	60.0%	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		5	100.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	X		5	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		5	100.0%	X
STB-12	There are transition services on the IEP that focus on improving the academic and functional achievement of the student to facilitate the student's articulation to post-school. (34 CFR 300.320(b)(2))	X		3	60.0%	X
STB-13	The transition services include course(s) of study that focus on improving the academic and functional achievement of the student to facilitate the student's articulation from school to post-school. (34 CFR 300.320(b)(2))	X		3	60.0%	X
STB-14	If transition services are likely to be provided or paid for by another agency, a representative of the agency was invited to participate in the IEP. (34 CFR 300.321(b)(3))	X		3	60.0%	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		5	100.0%	X
LRE-4	The notice contained a listing of persons invited to the meeting, by title and position. (34 CFR 300.322(b))		X	1	6.7%	
LRE-6	The appropriate team members were present at the IEP meeting. (34 CFR 300.321(a)-(b))	X		6	40.0%	X
LRE-7	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	X		11	73.3%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	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.)					
LRE-8	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		7	46.7%	X
LRE-9	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		5	33.3%	X
LRE-10	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		2	13.3%	
LRE-11	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	6.7%	
LRE-12	The IEP contains a statement of program modifications or classroom accommodations, including location and anticipated initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7) and Rule 6A-6.03028(7)(c), FAC.)	X		1	6.7%	
LRE-13	The IEP contains a statement of supports for school personnel. (34 CFR 300.320 (a)(4))	X		1	6.7%	
LRE-14	There is alignment among the present level of academic and functional performance statement, the annual goals and short term	X		5	33.3%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	objectives/benchmarks, and the services identified on the IEP. (34 CFR 300.320(a))					
LRE-15	The student participates in nonacademic and extracurricular services and activities with nondisabled students to the maximum extent appropriate. (34 CFR 300.107 and 300.117)	X		1	6.7%	
LRE-16	When determining the student's placement, the IEP team ensured that: the student's placement was as close as possible to the student's home and was in the school that the student would attend if nondisabled, to the extent possible; any potential harmful effects on the student or on the quality of services that are needed were considered; and, the student was not removed from the general education setting solely because of needed modifications to the curriculum. (34 CFR 300.116(b)-(e))	X		1	6.7%	
LRE-17	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	6.7%	
LRE-18	The IEP contains descriptions of how progress toward annual goals will be measured including how often parents will be regularly informed of their child's progress. Parents of disabled students must be informed of this progress at least as often as parents of nondisabled students. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)	X		2	13.3%	
LRE-19	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		4	26.7%	X
LRE-25	The IEP team considered whether the student needs assistive technology devices and/or services. (34 CFR 300.324(a)(2)(v))	X		1	6.7%	

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

**ESE Self-Assessment
2007 – 08**

Hamilton County School District Corrective Action Plan

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-3	<p>The student's strengths, preferences, and interests were taken into account. If the student was unable to attend the meeting, other steps were taken to ensure the student's preferences and interests were considered. (34 CFR 300.43 and 300.321(b)(2); Rule 6A-6.03028(4)(h), FAC.)</p>	<p>Activity 1. Plan a series of staff development activities for all ESE teachers, staffing specialists, itinerant related services personnel, and selected others on quality and compliance components of IEPs, in the areas including but not limited to:</p>	<p>Timelines: April - August 2008</p>	<p>Resources: FDLRS, ISRD, District Office ESE staff, FIN, DOE/BEES Transition Specialist, University of Florida Transition Project, TATS, Contracted Services, IDEA Part B funds, and Transition 101 document, "What Everyone Needs to Know About Implementing Transition Services."</p>	
STB-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	<p>STB-3 - Student strengths, preferences and interests and alternate methods of involvement of student when not in attendance.</p> <p>STB-4 - Requirements for students ages 14 and above for desired post-school outcome statements, transition service needs and self-determination.</p> <p>STB-6 - Agency involvement and re-convening IEP, if agency failed to provide services.</p> <p>STB-9 - Post-secondary goals in required areas of education/training, employment, and when appropriate, independent living.</p>			
STB-6	<p>If an agency likely to provide or pay for transition services is involved:</p> <ul style="list-style-type: none"> • A team member or designee was designated as responsible for 	<p>STB-10 - Transition assessment leading to appropriate post-secondary goals.</p>			

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-9	<p>follow-up with the agency</p> <ul style="list-style-type: none"> The IEP team was reconvened to identify alternative strategies if the agency failed to provide services as indicated on the IEP. <p>(34 CFR 300.324(c)(1); Rule 6A-6.03028(8)(d), FAC.)</p> <p>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))</p>	<p>STB-11 - Goals and objectives to enable the student to meet the post-secondary goals.</p> <p>STB-12 - Transition services to improve student performance in academics and functional skills to facilitate articulation to post-school.</p> <p>STB-13 - Courses of study for students ages 14 and 15 and transition services to improve student performance in academics and functional skills to facilitate articulation to post-school.</p>			
STB-10	<p>The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))</p>	<p>STB-14 - Agency invitation to transition meetings.</p> <p>STB-16 - Coordination of IEP content and attainment of post-secondary goals.</p>			
STB-11	<p>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))</p>	<p>LRE-6 - Proper IEP team members in attendance.</p>			
STB-12	<p>There are transition services on the IEP that focus on improving the academic and functional achievement of the student to facilitate the student's articulation to post-school. (34 CFR 300.320(b)(2))</p>	<p>LRE-7 - Present level statements of academic and functional performance, impact of disability, participation and progress in the general curriculum, as well as remediation of FCAT. Address pre-k as needed.</p> <p>LRE-8 - Measurable annual goals.</p>			
STB-13	<p>The transition services include course(s) of study that focus on improving the academic and functional achievement of the student to facilitate the student's articulation from school to post-school. (34 CFR 300.320(b)(2))</p>	<p>LRE-9 - ESE services, specially designed instruction, location and initiation, duration and frequency statements.</p> <p>LRE-14 - Alignment of present levels, goals and objectives, and services on the IEP.</p>			

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	<p>The transition services include course(s) of study that focus on improving the academic and functional achievement of the student to facilitate the student's articulation from school to post-school. (34 CFR 300.320(b)(2))</p>	<p>LRE-19 - Student strengths, needs, evaluation information, and performance on assessments.</p>			
STB-14	<p>If transition services are likely to be provided or paid for by another agency, a representative of the agency was invited to participate in the IEP. (34 CFR 300.321(b)(3))</p>	<p>Activity 2. Conduct a series of staff development activities for all ESE teachers, staffing specialists, itinerant related services personnel and selected others on all areas listed above. On an ongoing basis, train new ESE staff (both school and district level). Access PDA online Module on Transition through PDA project.</p>	<p>Timelines: April – October 2008</p>	<p>Resources: FDLRS, ISRD, District Office ESE staff, FIN, DOE/BEESS Transition Specialist, University of Florida Transition Project, TATS, Contracted Services, IDEA Part B funds.</p>	
STB-16	<p>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))</p>				
LRE-6	<p>The appropriate team members were present at the IEP meeting. (34 CFR 300.321(a)-(b))</p>	<p>Activity 3. Implement a set of procedures to review student records to determine the effectiveness of the staff development activities (intervention activities), with the goal being 100% compliance across standards. The two staffing specialists will be assigned responsibility for reviewing IEPs developed/reviewed after the staff development activities have been completed. BEESS protocols from STB will be used in the review.</p>	<p>Timelines: April 2008 - December 19, 2008</p>	<p>Resources: District Office ESE staff, IDEA Part B funds.</p>	
LRE-7	<p>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.)</p>	<p>Hamilton County is herein referencing pages 3-4 of its LEA Performance Plan for 2007-2011, Indicator 5, specifically activities under access to general curriculum and education in separate educational environments. Staffing personnel will review data, student placements and monitor IEPs.</p>			
LRE-8	<p>The IEP includes measurable annual goals, including academic and functional goals,</p>				

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
LRE-9	<p>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))</p> <p>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))</p>	<p>Hamilton County is herein referencing pages 2-3 of its LEA Performance Plan for 2007-2011, Indicator 6, staffing specialists will review data, student placements and monitor IEPs. A major emphasis will be on matching teacher attributes to student needs.</p>			
LRE-14	<p>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))</p>				
LRE-19	<p>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))</p>				