

FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Mr. Dennis Jones, Superintendent
Hardee County School District
P.O. Drawer 1678
Wauchula, FL 33873-1678

Dear Mr. Jones:

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 Hardee 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. Your district's validation review revealed no inconsistencies in the original report of data.

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

Hardee County was required to assess 67 standards. One or more incidents of noncompliance were identified on 21 of those standards (31%). The following is a summary of Hardee County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	39	—
Total Items Assessed	1060	—
Noncompliant	77	7%
Timely Corrected	77	100%

The *Hardee 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. Hardee 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.

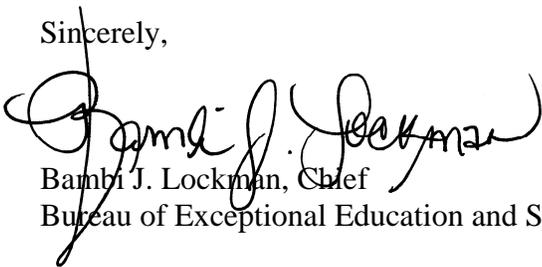
The results of district self-assessments conducted during 2007-08 will be used to inform future monitoring activities, including the selection of districts for on-site monitoring, and in the local educational agency (LEA) determinations required under section 300.603, Title 34, Code of

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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: Dorothy Bell
Frances Haithcock
Kim C. Komisar
Annette Oliver
Sheila Gritz
Elise Lynch

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

**ESE Self-Assessment
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Hardee 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 EX protocols completed: 20
 Number of standards per EX: 33
 Number of STA protocols completed: 6
 Number of standards per STA: 6
 Number of STB protocols completed: 13
 Number of standards per STB: 28

Total number of protocols: 39
 Total number of standards: 1060
 Total number of incidents of noncompliance (NC): 77
 Overall % incidents of noncompliance: 7%

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.

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Hardee District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
EX-2	The IEP for a school-age student includes a statement of present levels of academic achievement and functional performance, including how the student's disability affects involvement and progress in the general curriculum, as well as a statement of the remediation needed to achieve a passing score on the general statewide assessment. For a prekindergarten student, the IEP contains a statement of how the disability affects the student's participation in the appropriate activities. (34 CFR 300.320(a)(1); Rule 6A-6.03028(7)(a), FAC.)	X		10	50.0%	X
EX-3	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		2	10.0%	
EX-5	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	5.0%	
EX-7	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	5.0%	
EX-9	There is alignment among the present level of academic and functional performance statement, the annual goals and short term objectives/benchmarks, and the services identified on the IEP. (34 CFR 300.320(a))	X		1	5.0%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
EX-12	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	5.0%	
EX-14	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		1	5.0%	
EX-16	The IEP team considered, in the case of a student whose behavior impedes his or her learning, the use of positive behavior interventions and supports, and/or other strategies to address the behavior. (34 CFR 300.324(a)(2)(i))	X		1	5.0%	
EX-21	The report of progress was provided as often as progress was reported to the nondisabled population and described the progress towards annual goals and the extent to which that progress was sufficient to enable the student to achieve such goals by the end of the year. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)	X		1	5.0%	
EX-24	If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences or absences for which the reason is unknown, within a 90-calendar-day period, the student's primary teacher must report that the student may be exhibiting a pattern of nonattendance. Unless there is clear evidence otherwise, the student must be referred to the school's child study team. If an initial meeting does not resolve the problem, interventions must be implemented. (S. 1003.26(1), F.S.)	X		5	25.0%	X
EX-28	If the IEP team determined that the behavior was not a manifestation of the student's disability and the suspension/expulsion was applied, the student continued to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP.		X	1	5.0%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	(34 CFR 300.530(d))					
EX-31	If the student did not have a functional behavioral assessment (FBA) developed and a behavior intervention plan (BIP) implemented prior to the removal, within 10 days the IEP team developed an assessment plan and completed the FBA and developed a BIP as soon as practicable. (34 CFR 300.530(d) and (f)(1)(i); Rule 6A-6.03312(4)(d), FAC.)	X		2	10.0%	
STA-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		1	16.7%	
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		1	7.7%	
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		13	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		13	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		4	30.8%	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		2	15.4%	
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		2	15.4%	
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		1	7.7%	
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		13	100.0%	X

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

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Hardee County School District Corrective Action Plan

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
EX-2	<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>Staffing meeting with staffing specialists to discuss results of self assessment and corrections of non-compliance</p> <p>Random review 12 IEPs to ensure 100 % compliance</p>	<p>1-15-08</p> <p>10-31-08</p>	<p>Compliance Procedure Manual</p> <p>District staff to review IEPs</p>	
EX-24	<p>If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences or absences for which the reason is unknown, within a 90-calendar-day period, the student’s primary teacher must report that the student may be exhibiting a pattern of nonattendance. Unless there is clear evidence otherwise, the student must be referred to the school’s child study team. If an initial meeting does not resolve the problem, interventions must be implemented. (S. 1003.26(1), F.S.)</p>	<p>Consult with high school principal regarding attendance rules</p> <p>Hardee Senior High Leadership Team meetings to discuss attendance policies</p> <p>Random review of 10 records to ensure 100% compliance</p>	<p>2-5-08</p> <p>1-15-08</p> <p>2-13-08</p> <p>3-4-08</p> <p>10-31-08</p>	<p>Florida Statutes</p> <p>Leadership Team including team leaders, literacy coach and administration</p> <p>District Staff</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
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))	<p>Staff training Transition 101</p> <p>Review information and materials available from National Secondary Transition Technical Assistance Center</p> <p>Staff enrolled in PDA-ESE Transition Module</p> <p>Staff Participation in Regional Transition Contact Meeting</p> <p>Standing Up for Me Training</p> <p>Random review 12 IEPs to ensure 100 % compliance</p>	<p>3-27-08</p> <p>3-07-08</p> <p>4/16/08</p> <p>April 25,2008</p> <p>August 2008</p> <p>10-31-08</p>	<p>FDLRS District Staff</p> <p>ISRD ESE Director</p> <p>District Staff</p> <p>District Staff</p> <p>FDLRS</p> <p>District Staff</p>	
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	<p>Staff training Transition 101</p> <p>Review information and materials available from National Secondary Transition Technical Assistance Center</p> <p>Staff enrolled in PDA-ESE Transition Module</p> <p>Staff Participation in Regional Transition Contact Meeting</p> <p>Standing Up for Me Training</p> <p>Random review 12 IEPs to ensure 100 % compliance</p>	<p>3-27-08</p> <p>3-07-08</p> <p>4/16/08</p> <p>April 25, 2008</p> <p>August 2008</p> <p>10-31-08</p>	<p>FDLRS District Staff</p> <p>ISRD ESE Director</p> <p>District Staff</p> <p>District Staff</p> <p>FDLRS</p> <p>District Staff</p>	
STB-11	There is/are annual goal(s) or short-term objectives or benchmarks that reasonably enable the student to meet the postsecondary goals.	<p>Staff training Transition 101</p>	<p>3-27-08</p>	<p>FDLRS District Staff</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	(34 CFR 300.320(a)(2))	<p>Review information and materials available from National Secondary Transition Technical Assistance Center</p> <p>Staff enrolled in PDA-ESE Transition Module</p> <p>Staff Participation in Regional Transition Contact Meeting</p> <p>Standing Up for Me Training</p> <p>Random review 12 IEPs to ensure 100 % compliance</p>	<p>3-07-08</p> <p>4/16/08</p> <p>April 25, 2008</p> <p>August 2008</p> <p>10-31-08</p>	<p>ISRD ESE Director</p> <p>District Staff</p> <p>District Staff</p> <p>FDLRS</p> <p>District Staff</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>	<p>Staff training Transition 101</p> <p>Review information and materials available from National Secondary Transition Technical Assistance Center</p> <p>Staff enrolled in PDA-ESE Transition Module</p> <p>Staff Participation in Regional Transition Contact Meeting</p> <p>Standing Up for Me Training</p> <p>Random review 12 IEPs to ensure 100 % compliance</p>	<p>3-27-08</p> <p>3-07-08</p> <p>4/16/08</p> <p>April 25, 2008</p> <p>August 2008</p> <p>10-31-08</p>	<p>FDLRS District Staff</p> <p>ISRD ESE Director</p> <p>District Staff</p> <p>District Staff</p> <p>FDLRS</p> <p>District Staff</p>	