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June 20, 2008

Mr. Thomas W. Conner, Superintendent
Hendry County School District
P. O. Box 1980
LaBelle, Florida 33975-1980

Dear Mr. Conner:

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

Hendry County was required to assess 140 standards. One or more incidents of noncompliance were identified on 9 of those standards (6%). The following is a summary of Hendry County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	29	—
Total Items Assessed	788	—
Noncompliant	34	4%
Timely Corrected	34	100%

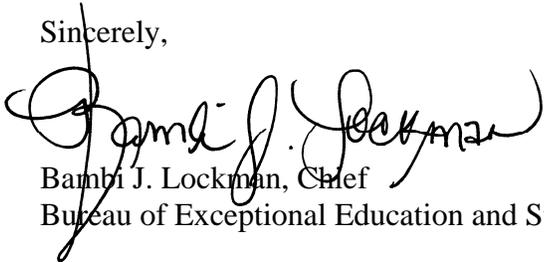
The *Hendry District Summary Report: Findings of Noncompliance by Standard* (Attachment 1) contains a summary of the findings reported by the individual standard or regulation assessed. These data include revisions to the preliminary report that resulted from the validation review. Systemic findings 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. Hendry 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.

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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 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: Jeffrey Caulkins
Frances Haithcock
Kim C. Komisar
Jill Snelson
Elise Lynch
Sheryl Sandvoss
Sheila Gritz

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

**ESE Self-Assessment
2007 – 08**

Hendry 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 IE protocols completed: 8	Number of LI disabilities completed: 3
Number of standards per IE: 18	Number of standards per LI: 7
Number of IEP protocols completed: 8	Number of SI disabilities completed: 3
Number of standards per IEP: 38	Number of standards per SI: 9
Number of MD protocols completed: 5	Number of SLD disabilities completed: 4
Number of standards per MD: 9	Number of standards per SLD: 14
Number of STA protocols completed: 2	
Number of standards per STA: 6	
Number of STB protocols completed: 6	Total number of protocols: 29
Number of standards per STB: 28	Total number of standards: 788
Number of EBD disabilities completed: 1	Total number of incidents of noncompliance (NC): 34
Number of standards per EBD: 11	Overall % incidents of noncompliance: 4%

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**

Hendry District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
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		6	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		6	100.0%	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		5	83.3%	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		6	100.0%	X
IEP-10	The parent agreed to an IEP team member's absence when that person's curriculum/related service area was not being discussed. (34 CFR 300.321(e)(1))		X	1	12.5%	
IEP-25	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		1	12.5%	
MD-7	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		3	60.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IE-7	The prior written notice was written in language understandable to the general public and provided in the native language of the parent or other mode of communication used by the parent. If the written notice could not be provided in the native language of the parent, steps were taken to ensure the parent understood the content of the notice. (34 CFR 300.503(c))		X	1	12.5%	
IE-10	The date of referral for a formal individual evaluation was no more than ten (10) working days after the date of receipt of parent consent. (Section II.E of the Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students SP&P))		X	5	62.5%	X

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

**ESE Self-Assessment
2007 – 08**

Hendry County School District Corrective Action Plan

#	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))	Revise transition services/IEP form In-service for staffing specialists Transition in-service for LHS ESE teachers LHS teachers/staffing specialist enrolled in PDA-ESE transition course Clewiston area ESE teachers will enroll in PDA-ESE transition course in Fall, 2008 Development/Distribution of a Transition Tool Box for all secondary schools Re-examine selection of secondary IEPs for compliance	3/26/08 3/6/08 3/28/08 4/15/08-6/25/08 8/08 8/08 10/22/08-12/22/08	District Staff Transition Center FDLRS Heartland	
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))	In-service for staffing specialists In-service for ESE secondary teachers on goal writing for transition LHS teachers/staffing specialist enrolled in PDA-ESE transition course Clewiston area ESE teachers will enroll in PDA-ESE transition course in Fall, 2008 Review selection of secondary IEPs for compliance	3/6/08 3/28/08, 8/08 4/15/08-6/25/08 8/08 10/08	District Staff FDLRS Heartland Transition Center	
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.	In-service for staffing specialists In-service for ESE secondary teachers on goal writing for transition LHS teachers/staffing specialist enrolled in PDA-ESE transition course	3/6/08 3/28/08, 8/08 4/15/08-6/25/08	District Staff FDLRS Heartland Transition Center	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	(34 CFR 300.320(b)(2))	Clewiston area ESE teachers will enroll in PDA-ESE transition course in Fall, 2008 Review selection of secondary IEPs for compliance	8/08 10/08		
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))	In-service for staffing specialists In-service for ESE secondary teachers on goal writing for transition LHS teachers/staffing specialist enrolled in PDA-ESE transition course Clewiston area ESE teachers will enroll in PDA-ESE transition course in Fall, 2008 Review selection of secondary IEPs for compliance	3/6/08 3/28/08, 8/08 4/15/08-6/25/08 8/08 10/08	District Staff FDLRS Heartland Transition Center	
MD-7	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.)	In-service of targeted school personnel for FBA/BIP development and review of suspension procedures In-service of all guidance/administrative personnel Monitoring of ESE students for 10 day removals and subsequent FBA/BIP developments Check selection of records for compliance	4/7/08 6/23/08 4/7/08-12/22/08 10/22/08-12/22/08	District Staff	
IE-10	The date of referral for a formal individual evaluation was no more than ten (10) working days after the date of receipt of parent consent. (Section II.E of the Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students SP&P)	In-service guidance personnel, FDLRS personnel, and ESE secretary Review selection of initial evaluation referrals for compliance	4/18/08 10/22/08-12/22/08	District Staff	