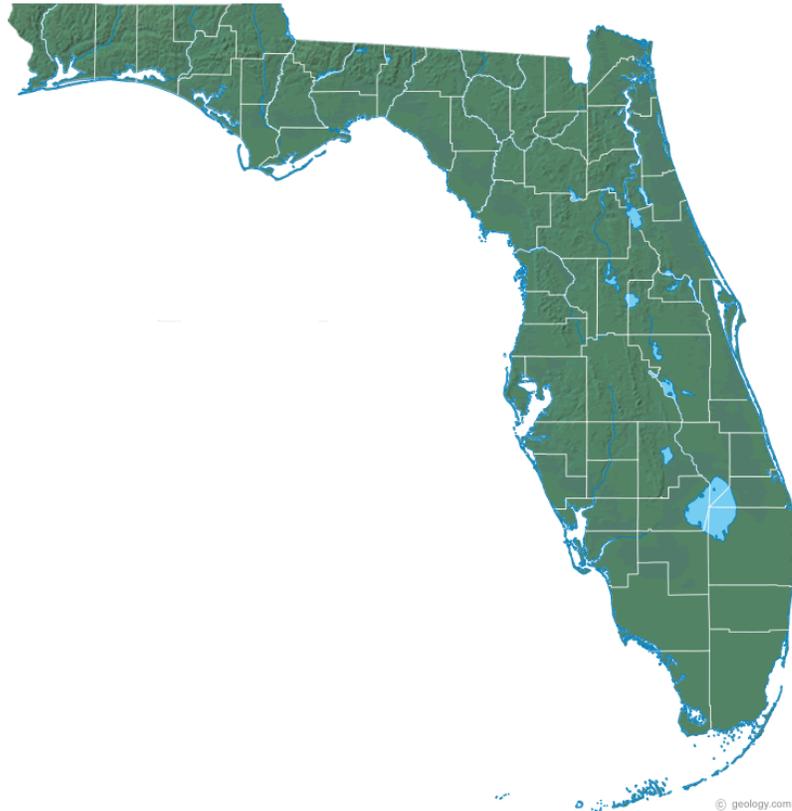


Jefferson County School District

Final Report: On-Site Monitoring

Exceptional Student Education Programs

February 16-17, 2010



Bureau of Exceptional Education and Student Services
Florida Department of Education

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April 12, 2010

Mr. William Brumfield, Superintendent
Jefferson County School District
575 South Water Street
Monticello, Florida 32344-1132

Dear Superintendent Brumfield:

We are pleased to provide you with the *Final Report of On-Site Monitoring of Exceptional Student Education Programs* for Jefferson County School District. This report was developed by integrating multiple sources of information related to an on-site visit to your district February 16–17, 2010, including student record reviews, interviews with school and district staff, and classroom observations. The final report will be posted on the Bureau of Exceptional Education and Student Services' Web site and may be accessed at <http://www.fldoe.org/ese/mon-home.asp>.

The Jefferson County School District was selected for an on-site monitoring visit due to a pattern of poor performance over time in two State Performance Plan (SPP) indicators; specifically, percent of youth with individual educational plans (IEPs) graduating from high school with a regular diploma and percent of youth with IEPs dropping out of high school. Dr. Kelvin Norton, Exceptional Student Education (ESE) Director, and his staff were very helpful during the Bureau's preparation for the visit and during the on-site monitoring. In addition, the principal and other staff members at the school visited welcomed and assisted Bureau staff members. Although the district demonstrated improvement in the area relating to dropout prevention, the Bureau's on-site monitoring activities identified some discrepancies that require corrective action.

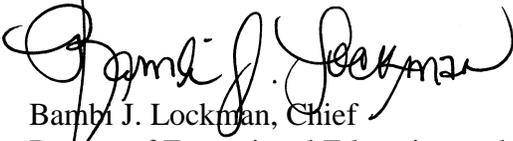
BAMBI J. LOCKMAN
Chief

Bureau of Exceptional Education and Student Services

Mr. William Brumfield
April 12, 2010
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Thank you for your commitment to improving services for exceptional education for students in Jefferson County. If there are any questions regarding this final report, please contact Patricia Howell, Program Director, Monitoring and Compliance, 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

Enclosure

cc: Kelvin Norton
Sherry Boland
Kim C. Komisar
Patricia Howell
Vicki Eddy

**Jefferson County School District
Final Report: On-Site Monitoring
Exceptional Student Education Programs**

February 16–17, 2010

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

Jefferson County School District
Final Report: On-Site Monitoring
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Jefferson County School District

On-Site Monitoring Exceptional Student Education Programs February 16–17, 2010

Final Report

Authority

The Florida Department of Education (FDOE), Bureau of Exceptional Education and Student Services (Bureau), 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 laws and rules (sections 1001.03(8) and 1008.32, Florida Statutes [F.S.]). In fulfilling this requirement, the Bureau conducts monitoring activities of the exceptional student education (ESE) programs provided by district school boards, in accordance with sections 1001.42 and 1003.57, F.S. Through these monitoring activities, the Bureau examines and evaluates procedures, records, and ESE programs; provides information and assistance to school districts; and otherwise assists school districts in operating effectively and efficiently. One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (section 300.1(d) of Title 34, Code of Federal Regulations [34 CFR §300.1(d)]). In accordance with IDEA, FDOE is responsible for ensuring that its requirements are carried out and that each educational program for children with disabilities administered in the state meets the educational requirements of the state (34 CFR §§300.120, 300.149, and 300.600). The monitoring system reflects FDOE's commitment to provide assistance, service, and accountability to school districts and is designed to emphasize improved educational outcomes for students while continuing to conduct those activities necessary to ensure compliance with applicable federal laws and regulations and state statutes and rules.

Monitoring Process

District Selection

For the 2009–10 school year, the Bureau's ESE monitoring system was comprised of basic (Level 1) and focused (Level 2) self-assessment activities, as well as on-site visits conducted by Bureau staff (Level 3). This system was developed to ensure that school districts comply with all applicable laws, regulations, and state statutes and rules, while focusing on improving student outcomes related to State Performance Plan (SPP) indicators.

All districts were required to complete Level 1 activities. In addition, those districts that were newly identified for targeted planning or activities by the Bureau SPP indicator teams for one or more selected SPP indicators were required to conduct Level 2 self-assessment activities using indicator-specific protocols. Districts selected for Level 3 monitoring conducted Level 1 and

Level 2 activities as applicable. Selection of districts for consideration for Level 3 monitoring was based on analysis of the districts' data, with the following criteria applied:

- Matrix of services:
 - Districts that report students for weighted funding at > 150 percent of the state rate for **at least one** of the following cost factors:
 - 254 (> 7.83 percent)
 - 255 (> 3.20 percent)
 - 254/255 combined (> 11.03 percent)
 - Districts that report students for weighted funding at > 125 percent of the state rate for **two or more** of the following cost factors:
 - 254 (> 6.53 percent)
 - 255 (> 2.66 percent)
 - 254/255 combined (> 9.19 percent)
- Timeliness of correction of noncompliance regarding corrective action(s) due between July 1, 2008, and June 30, 2009 – two or more of the following criteria:
 - Student-specific noncompliance identified through monitoring not corrected within 60 days
 - Systemic noncompliance identified through monitoring not corrected as soon as possible, but in no case longer than one year from identification
 - Noncompliance identified through a state complaint investigation or due process hearing not corrected within the established timeline
- Pattern of poor performance over time in one or more targeted SPP indicators, as evidenced by demonstrated progress below that of other targeted districts, **and** at least one of the following:
 - Targeted for a given SPP indicator or cluster of indicators for three consecutive years
 - Targeted for two or more SPP indicators or clusters of indicators for two consecutive years

SPP Indicators 1 and 2

In accordance with 34 CFR §300.157(a)(3), each state must have established goals in effect for students with disabilities that address graduation rates and dropout rates. In addition, there are established performance indicators to assess progress toward achieving the established goals. SPP Indicator 1 relates to the percent of youth with individual educational plans (IEPs) graduating from high school with a regular diploma. SPP Indicator 2 relates to the percent of youth with IEPs dropping out of high school. In a letter dated December 11, 2009, the Jefferson County School District superintendent was informed that the district was selected for a Level 3 on-site visit due to a pattern of poor performance over time regarding SPP indicators 1 and 2.

On-Site Activities

Monitoring Team

On February 16–17, 2010, Bureau staff members conducted an on-site monitoring visit, which included meeting with district staff to discuss strategies in place to address graduation rates and dropout rates. The following Bureau staff members participated in the on-site visit:

- Patricia Howell, Program Director, Monitoring and Compliance
- Joyce Lubbers, Program Director, Program Development and Services

- Jill Snelson, Program Specialist, Monitoring and Compliance
- Derek Hemenway, Program Specialist, Dispute Resolution

School

Jefferson County Middle/High School was selected for the on-site visit. In addition, Bureau staff members interviewed the teacher for the Opportunity School, an interim alternative educational setting (IAES) for the district.

Data Collection

Prior to the on-site visit, IEPs for 27 randomly selected students with disabilities enrolled in grades 6 through 12 in the Jefferson County School District were reviewed. In addition, monitoring activities included the following:

- District-level interviews – 3 participants
- School-level interviews – 19 participants
- Case studies – 21 students

Review of Records

The district was asked to provide the following documents for each student selected for review:

- Current IEP
- Functional behavioral assessment (FBA)/behavioral intervention plan (BIP), if any
- Previous IEP
- Progress reports from current and past school year
- Report cards from current and past school year
- Discipline record
- Attendance record

Information from each document was used to determine compliance with those standards most likely to impact the earning of a standard diploma and a student's decision to remain in school.

Results

The Jefferson County School District was targeted for SPP 2 (dropout) for Level 2 Spring Cycle Self-Assessment. However, the Bureau determined that the needed information could be obtained in conjunction with the on-site monitoring visit. The following results reflect the data collected through the activities of the on-site monitoring as well as commendations, concerns, and findings of noncompliance. Additional documentation was requested during the on-site visit to determine compliance with each standard.

Commendations

- The school environment was pleasant and orderly with an appearance of being well-organized.
- School faculty members demonstrated a high level of professionalism and commitment to the students.
- The majority of students with disabilities participated in general education classes most or all of the school day.

- Student participation was very high in the classes observed.
- It was evident that positive changes were being implemented at the middle/high school, with additional creative ideas for improvement being discussed and/or planned.
- There was discussion among school administration and district staff regarding the positive changes that could improve services for students at the Opportunity School.

Concerns

- Some of the first-year teachers were not aware of the referral process for alternative placement and/or attendance policies.
- Although evidence of outreach to parents was provided, there appears to be inconsistency regarding parent contact and limited documentation of parent concerns on students' IEPs.
- A date field and signature line are not included on the *Notice of Intent to Change Placement* form.
- The district has had challenges in recruiting and retaining physical therapists.
- It is unclear exactly how the district is identifying students at risk for dropping out in order to implement interventions.

Findings of Noncompliance

The monitoring team reviewed 27 IEPs prior to the on-site visit. Upon final review, Bureau staff identified 34 instances of noncompliance in 12 student records. Identifying information regarding those students was provided to the district prior to the dissemination of this report.

In accordance with Office of Special Education Programs' (OSEP) guidance regarding findings that are identified through monitoring processes, within a given school district 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. Therefore, multiple incidents of noncompliance regarding a given standard that are identified through monitoring activities are reported as a single finding of noncompliance for that district. Noncompliance that is evident in ≥ 25 percent of records reviewed is considered systemic in nature. Two of the findings of noncompliance were systemic. *Italicized font designates the systemic items.*

The following noncompliance requires revisions to the students' IEPs:

- Insufficient present level statement on the IEP (identified in one record)
- Insufficient annual goals and short-term objectives/benchmarks, if applicable (identified in two records)
- Insufficient alignment among present levels, annual goals, and services on the IEP (identified in three records)
- *Insufficient postsecondary goal(s) on the IEP (identified in five of 18 records [27.8 percent])*
- Insufficient transition assessments (identified in four records)
- Representative of other agency was not invited to student's IEP team meeting when transition services are likely to be provided or paid for by the other agency (identified in one record)

- In the case of a student whose behavior impedes his or her learning, the use of positive behavior interventions and supports/strategies to address the behavior was not considered (identified in one record)
- Excessive unexcused absences not addressed as required (identified in four records)
- Insufficient annual goals and short-term objectives/benchmarks, if applicable, related to the student's transition service needs (identified in one record)
- When required, transition services on the IEP were not addressed (identified in one record)
- The student was not invited to the IEP meeting when required (identified in one record)
- The IEP team did not begin the process of identifying the student's transition service needs when required (identified in one record)
- *When required, the IEP did not include a statement whether the student was pursuing a course of study leading to a standard diploma or a special diploma (identified for five of nine records [55.6 percent])*

Due to the nature of the standard, the following findings of noncompliance cannot be corrected for the individual student, but will require corrective action to ensure that such noncompliance will not occur in the future:

- IEP for a 17 year old does not include a statement that the student has been informed of the rights that will transfer at age 18 (identified in one record)
- Manifestation determination was not within the required timeline (identified in one record)
- Parent was not notified of removal that constituted a change in placement and not provided with a copy of the notice of the procedural safeguards (identified in one record)
- When required, the IEP team meeting notice did not include a statement that a purpose of the meeting was the identification of transition services needs of the student, and the student was not invited to the meeting (identified in one record)

Corrective Actions

1. No later than May 11, 2010, the Jefferson County School District shall provide to the Bureau its plan to correct the following areas of systemic noncompliance:
 - Insufficient postsecondary goal(s) on the IEP
 - Statement on the IEP to identify whether the student is pursuing a course of study leading to a standard diploma or a special diploma, when required

The plan must include a sampling process to demonstrate compliance with the requirements and a timeline for implementation. Documentation of implementation must be provided no later than September 15, 2010. Results of the sampling process shall be provided to the Bureau no later than November 1, 2010.

2. The Jefferson County School District shall reconvene the IEP teams for the 12 identified students and correct the students' IEPs with regard to those findings that are correctable. In accordance with 34 CFR §300.324(a)(4) and the district's *Exceptional Student Education Policies and Procedures* (SP&P), the IEPs may be amended without convening an IEP team if the parent and the local education agency (LEA) agree to the amendment. Documentation of correction, including a copy of the revised IEP, must be provided to the Bureau no later than May 11, 2010.

3. No later than May 11, 2010, the Jefferson County School District must provide a narrative description of the actions taken to ensure on-going compliance with the specific requirements identified as noncompliant for which correction at the individual student level is not possible.

Technical Assistance

Specific information for technical assistance, support, and guidance to school districts regarding the percent of youths with IEPs graduating from high school with a regular diploma and the percent of youths with IEPs dropping out of high school can be found in the *Exceptional Student Education Compliance Self-Assessment: Processes and Procedures Manual 2009–10*.

Bureau Contacts

The following is a partial list of Bureau staff available for technical assistance:

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

Glossary of Acronyms

BIP	Behavioral intervention plan
Bureau	Bureau of Exceptional Education and Student Services
CFR	Code of Federal Regulations
ESE	Exceptional student education
FBA	Functional behavioral assessment
FDOE	Florida Department of Education
F.S.	Florida Statutes
IAES	Interim alternative educational setting
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
LEA	Local education agency
OSEP	Office of Special Education Programs
SP&P	Exceptional Student Education Policies & Procedures
SPP	State Performance Plan



**Florida Department of Education
Dr. Eric J. Smith, Commissioner**

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