

# FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Dr. Pat Cooper, Superintendent  
Okeechobee County School District  
700 S.W. 2<sup>nd</sup> Avenue  
Okeechobee, FL 34974-5117

Dear Dr. Cooper:

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

Okeechobee County was required to assess 56 standards. One or more incidents of noncompliance were identified on 14 of those standards (25%). The following is a summary of Okeechobee County School District's correction of student-specific incidents of noncompliance:

**Correction of Noncompliance by Student**

	<b>Number</b>	<b>Percentage</b>
Records Reviewed/Protocols Completed	25	—
Total Items Assessed	700	—
Noncompliant	37	5%
Timely Corrected	37	100%

The *Okeechobee 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. Okeechobee 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.

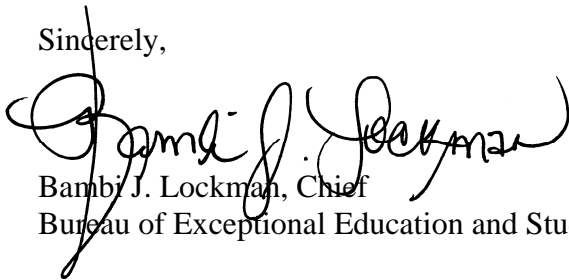
The results of district self-assessments conducted during 2007-08 will be used to inform future monitoring activities, including the selection of districts for on-site monitoring, and in the local educational agency (LEA) determinations required under section 300.603, Title 34, Code of

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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](mailto:kim.komisar@fldoe.org) or via phone at (850) 245-0476.

Sincerely,

A handwritten signature in black ink, appearing to read "Bambi J. Lockman". The signature is fluid and cursive, with the first name being the most prominent.

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

Attachments

cc: Cathleen J. Blair  
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  
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**Okeechobee 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: 19  
Number of standards per LRE: 28  
Number of STB protocols completed: 6  
Number of standards per STB: 28

Total number of protocols: 25  
Total number of standards: 700  
Total number of incidents of noncompliance (NC): 37  
Overall % incidents of noncompliance: 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 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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**Okeechobee District Summary Report: Findings of Noncompliance by Standard**

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-1	<p>The notice to the IEP team meeting included:</p> <ul style="list-style-type: none"> <li>• A statement that a purpose of the meeting was the development of a statement of the student's transition services needs (beginning at age 14) or the consideration of the postsecondary goals and transition services (beginning at age 16)</li> <li>• A statement that the student would be invited</li> <li>• Indication that any agency likely to provide or pay for services during the current year would be invited.</li> </ul> <p>(34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)</p>		X	1	16.7%	
STB-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> <li>• The IEP contains a statement of the student's desired post-school outcome</li> <li>• A statement of the student's transition service needs is incorporated into applicable components of the IEP</li> <li>• The IEP team considered the need for instruction in the area of self determination.</li> </ul> <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	X		2	33.3%	X
STB-7	<p>The transition IEP for a 17-year-old includes a statement that the student has been informed of the rights that will transfer at age 18. (34 CFR 300.320(b); 34 CFR 300.520(a)(1))</p>		X	1	16.7%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-8	A separate and distinct notice of the transfer of rights was provided closer to the time of the student's 18th birthday. (34 CFR 300.320(c), 300.520(a)(1))		X	1	16.7%	
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		6	100.0%	X
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (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-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	33.3%	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		2	33.3%	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
LRE-6	The appropriate team members were present at the IEP meeting. (34 CFR 300.321(a)-(b))	X		1	5.3%	
LRE-7	The IEP for a school-age student includes a statement of present levels of	X		1	5.3%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	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.)					
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		1	5.3%	
LRE-24	The IEP team considered the communication needs of the child, including, for a student who is deaf/hard of hearing, consideration of the student's opportunities for direct communication with peers and professional personnel in the student's mode of communication and the need for instruction in the student's language and communication mode. (34 CFR 300.324(a)(2)(iv))	X		1	5.3%	

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**Okeechobee County School District Corrective Action Plan**

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> <li>The IEP contains a statement of the student's desired post-school outcome</li> <li>A statement of the student's transition service needs is incorporated into applicable components of the IEP</li> <li>The IEP team considered the need for instruction in the area of self determination.</li> </ul> <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	<p><b>Activity 1</b></p> <ul style="list-style-type: none"> <li>Revision of forms to meet all compliance components</li> </ul> <p><b>Activity 2</b></p> <ul style="list-style-type: none"> <li>Plan a series of staff development activities for middle/secondary ESE teachers, job coaches, staffing personnel, transition specialists to address all IDEA requirements as it relates to transition services.</li> </ul> <p><b>Activity 3</b></p> <ul style="list-style-type: none"> <li>Train new ESE staff and existing staff both school and district level on transition coordinated measurable, annual goals that will enable the student to meet post secondary goals.</li> </ul> <p><b>Activity 4</b></p> <ul style="list-style-type: none"> <li>We will implement a set of procedures to review student records to determine the effectiveness of the activities described above with the goal being 100% compliance across standards.</li> </ul>	<p>August, 2008 to October 2008</p>	<ul style="list-style-type: none"> <li>FDLRS</li> <li>ISRD</li> <li>DOE/BEES</li> <li>Transition Specialist</li> <li>Okeechobee Job Coach/Transition Specialist</li> <li>Secondary Staffing Specialist</li> <li>PDA/ESE</li> <li>Module ..7 transition</li> <li>Attendance and information from Transition Center from University of Florida</li> </ul>	
STB-9	<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>Completion December 19, 2008</p>		
STB-10	<p>The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))</p>				
STB-11	<p>There is/are annual goal(s) or short-term objectives or benchmarks that</p>				



#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	reasonably enable the student to meet the postsecondary goals. (34 CFR 300.320(a)(2))	<ul style="list-style-type: none"> <li>Using BEESS protocols from STB, 5% of transition IEPs developed/reviewed after the staff development activities will be monitored by the Transition Specialist, secondary school staffing specialist and the ESE director.</li> </ul>			
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))				
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))				
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))				