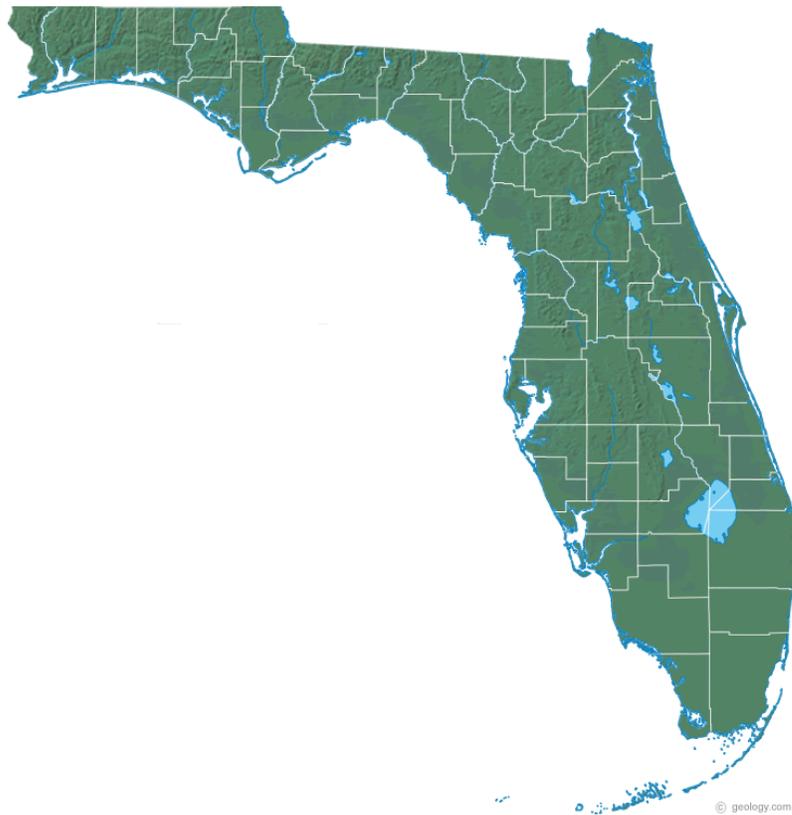


Osceola County School District

Final Report: On-Site Monitoring Exceptional Student Education Programs

April 26-29, 2011



Bureau of Exceptional Education and Student Services
Florida Department of Education

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June 22, 2011

Mr. Terry Andrews, Superintendent
Osceola County School District
817 Bill Beck Boulevard
Kissimmee, Florida 34744

Dear Superintendent Andrews:

We are pleased to provide you with the *Final Report: On-Site Monitoring of Exceptional Student Education Programs* for the Osceola County School District. This report was developed by integrating multiple sources of information related to an on-site visit to your district April 26–29, 2011, 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' website and may be accessed at <http://www.fldoe.org/ese/mon-home.asp>.

The Osceola County School District was selected for an on-site visit due to a pattern of poor performance over time as indicated in the State Performance Plan (SPP) indicator one, percent of youth with individual educational plans (IEPs) graduating with a standard diploma within four years, and SPP indicator two, percent of youth with IEPs dropping out of high school. In addition, the district's implementation of restraint/seclusion reporting and monitoring was reviewed during the on-site visit. Ms. Penny Collins, Exceptional Student Education (ESE) Director, and her staff were very helpful during the Bureau's preparation for the visit and during the on-site visit. The Bureau's on-site monitoring activities identified some discrepancies that require corrective action. The on-site visit also identified strengths within the district's reporting and monitoring of the use of restraint and seclusion.

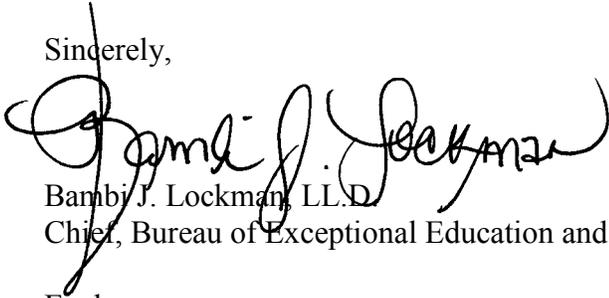
Thank you for your commitment to improving services to exceptional education students in Osceola County.

BAMBI J. LOCKMAN, LL.D.
Chief, Bureau of Exceptional Education and Student Services

Mr. Terry Andrews
June 22, 2011
Page Two

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,

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, LL.D.
Chief, Bureau of Exceptional Education and Student Services

Enclosure

cc: Penny Collins
Karen Denbroeder
Patricia Howell
Jill Snelson

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

April 26–29, 2011

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

Osceola County School District

Final Report: On-Site Monitoring SPP 1: Graduation and SPP 2: Dropout Restraint/Seclusion Exceptional Student Education Programs April 26–29, 2011

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Osceola County School District
Final Report: On-Site Monitoring
SPP 1: Graduation and SPP 2: Dropout
Restraint/Seclusion
Exceptional Student Education Programs
April 26–29, 2011

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 related to exceptional student education (ESE) (sections 1001.03(8) and 1008.32, Florida Statutes [F.S.]). One purpose of the Individuals with Disabilities Education Act of 2004 (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (s. 300.1(d) of Title 34, Code of Federal Regulations [CFR]). In accordance with IDEA, the Bureau is responsible for ensuring that the requirements of the Act and the educational requirements of the State are implemented (34 CFR §300.149(a)(1) and (2)).

In fulfilling this requirement, the Bureau monitors ESE programs provided by district school boards in accordance with §§1001.42, 1003.57, and 1003.573, F.S. Through these monitoring activities, the Bureau examines and evaluates procedures, records, and ESE services; provides information and assistance to school districts; and otherwise assists school districts in operating effectively and efficiently. The monitoring system is designed to emphasize improved educational outcomes for students while ensuring compliance with applicable federal laws and regulations and state statutes and rules.

Monitoring Process

District Selection

Districts were selected for on-site monitoring during the 2010–11 school year based on the following criteria:

- Matrix of services:
 - Districts that report students for weighted funding at > 150 percent of the state rate for **at least one** of the following:
 - 254 (> 7.38 percent)
 - 255 (> 3.15 percent)
 - 254/255 combined (> 10.53 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 (> 6.15 percent)
 - 255 (> 2.63 percent)
 - 254/255 combined (> 8.78 percent)
- 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
- Problem solving/response to intervention (PS/RtI)
 - Eligible for on-site monitoring based on matrix of services or a pattern of poor performance over time on SPP indicators
 - Status as a pilot district for PS/RtI implementation; extent of implementation thus far
- Restraint/seclusion monitoring procedures
 - Status as a pilot district for the Bureau's review of reporting and monitoring procedures for restraint/seclusion

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 standard diploma within four years. SPP Indicator 2 relates to the percent of youth with IEPs dropping out of high school.

In a letter dated August 17, 2010, the Osceola 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. In addition, the district was later selected for its implementation of restraint/seclusion monitoring procedures.

Restraint and Seclusion

S. 1003.573, F.S., requires school districts to have in place policies and procedures that govern parent notification, incident reporting, data collection, and monitoring the use of restraint or seclusion for students with disabilities. The Osceola County School District was selected as a pilot district for review of the implementation of the district's restraint/seclusion procedures.

On-Site Activities

Monitoring Team

The following Bureau staff members participated in the on-site visit:

- Jill Snelson, Program Specialist, Monitoring and Compliance (Team Leader)
- Anne Bozik, Program Specialist, Monitoring and Compliance
- Mary Sue Camp, Consultant, Exceptional Student Education

- Lindsey Granger, Program Director, Dispute Resolution
- Patricia Howell, Program Director, Monitoring and Compliance
- Sheryl Sandvoss, Program Director, Program Development

Schools

The following schools were visited related to SPP 1 and SPP 2:

- Kissimmee Middle School
- Liberty High School
- Mavericks High School
- New Beginnings Education Center
- Poinciana High School
- Zenith School

Review of the implementation of required restraint/seclusion procedures was conducted at the following schools:

- Liberty High School
- Ventura Elementary School

Student Focus Groups

Twenty-three students from six schools participated in student focus groups conducted by Bureau staff related to SPP 1 and SPP 2. These students were selected from the group of students chosen for case studies. The students discussed their knowledge and experiences related to the following:

- IEP team meetings
- Current ESE services, including transition services
- Extracurricular activities
- Florida Comprehensive Assessment Test (FCAT) and diploma options
- Dropout prevention
- Suspension and expulsion
- Job training
- Postsecondary education

Data Collection

IEPs for 25 randomly selected students with disabilities enrolled in grades six through 12 in the Osceola County School District were reviewed. SPP 1 and SPP 2 activities included the following:

- District-level interview – 6 participants
- School-level interviews – 23 participants
- Student focus groups – 23 participants
- Case studies – 17 students

Restraint/seclusion on-site activities included the following:

- District-level interview – 6 participants
- School-level interviews – 6 participants
- Classroom observations – 5 students
- Case studies – 3 students

Review of Records

The district was asked to provide the following documents for each student record selected for the SPP 1 and SPP 2 reviews:

- Current IEP
- Previous IEP
- Functional behavioral assessment (FBA)/behavioral intervention plan (BIP), if any
- Discipline record
- Attendance record
- Report cards
- Any other supporting documentation as needed

Information from each document was used to determine compliance with those standards most likely to impact ESE services provided to students not graduating from high school with a standard diploma and the percent of youth with IEPs dropping out of high school.

The district also was asked to provide records during the on-site visit related to the restraint/seclusion process for those students in two schools who had been identified after incident reports were submitted to the FDOE restraint/seclusion database. This information was used to examine the implementation of the district's restraint/seclusion procedures.

Results

The following results reflect the data collected through the activities of the on-site monitoring as well as commendations, concerns, and findings of noncompliance.

Commendations

During the course of the on-site visit, it was noted that each of the schools was orderly and well organized, in addition to presenting a positive environment for learning. Principals were very supportive of students and staff. School staff members displayed a high level of professionalism and commitment, and were extremely accommodating to Bureau staff. All schools provided credit retrieval programs to older students. In addition, the following specific strengths related to SPP 1 and SPP 2 were observed:

- Positive Behavior Support (PBS) embedded through expectations and use of positive incentives (Kissimmee Middle School, Liberty High School, New Beginnings Education Center, Poinciana High School)
- Projected master schedule for the 2011–12 school year to allow shared planning by subject areas, which will enhance collaboration between ESE and general education teachers (Kissimmee Middle School)
- Emphasis on keeping students in school as much as possible, reserving out-of-school suspension (OSS) as the last resort (Kissimmee Middle School)
- Advancement Via Individual Determination (AVID) being used (Kissimmee Middle School)
- Practical Assessment Exploration System (PAES) Lab used for students who need more hands-on guided job skills practice (Liberty High School)
- A Career Essentials course offered for all students (Mavericks High School)
- Option for students to attend different or additional sessions when needed, with approval by the administration (Mavericks High School)

- Mentoring program in place for one cohort group (Mavericks High School)
- Providing a “last chance” option for students who feel unsuccessful in a traditional high school setting (Mavericks High School)
- Numerous projects funded through successful grant writing (New Beginnings Education Center)
- Significant improvement in the graduation rate and school grade in the last two years (Poinciana High School)
- Multiple vocational options, which may lead to industry certification (Poinciana High School)
- Longer lunch break built into the schedule, allowing all teachers to have office hours open to students (Poinciana High School)
- Project Creating Opportunities for Parenting Education (Project COPE) incorporated into school program to assist students with young children (Zenith School)
- Students permitted to attend school during teacher work days is used as a method of flexible student scheduling (Zenith School)

The following districtwide strengths related to restraint/seclusion were identified:

- One district staff member always available to assist schools with restraint/seclusion issues
- Consistent practice of providing Crisis Prevention Intervention (CPI) training to staff members prior to their use of physical restraint with students (may serve as observers until training is completed)
- De-escalation technique training implemented to decrease restraint/seclusion incidents

Concerns

The following concerns were noted during the on-site visit:

- Some focus group students stated that they didn’t think teachers were aware of the accommodations specified on their IEPs.
- “Intellectually Disabled” (InD) was posted on a classroom door. This designation was immediately removed after being noted by Bureau staff visiting the school.
- Attendance tracking errors were difficult to maintain at Mavericks High School due to students attending different sessions throughout the school day.
- Present level statements on IEPs were not comprehensive in nature.
- One school perceived its district-approved escort techniques did not fit the criteria for restraint reporting. This error in interpretation was addressed immediately following the on-site visit through a meeting the ESE director held with school administrators.

Findings of Noncompliance

SPP 1 and SPP 2

Student-specific information needed for correction of noncompliance was provided to the district under separate cover. Noncompliance with the following standards related to SPP 1 and SPP 2 was identified:

- 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))
 - In 10 of the 25 records reviewed, the IEP did not contain a sufficient statement of special education services.
- There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training, employment, and, where appropriate, independent living skills). (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)10.a., Florida Administrative Code [F.A.C.])
 - In nine of the 25 records reviewed, the postsecondary goals were not measurable.
- The IEP team considered, in the case of a student with limited English proficiency, the language needs of the student as they relate to the IEP. (34 CFR §300.324(a)(2)(ii))
 - In seven of the 25 records reviewed, the IEP did not clearly reflect the consideration of the language needs of a student with limited English proficiency.
- The IEP includes measurable annual goals, including academic and functional goals, 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 education curriculum and meet the student's other needs that result from the disability. Benchmarks or short-term objectives should be included for students with disabilities who take alternate assessments aligned to alternate achievement standards or any other student with a disability as determined by the IEP team. (34 CFR §300.320(a)(2))
 - In four of the 25 records reviewed, the annual goals were not measurable.
- The student's progress toward meeting the annual goals was measured, and the report of progress was provided as often as stated on the IEP. (34 CFR §300.320(a)(3))
 - In three of the 25 records reviewed, the progress reports were not provided as often as stated on the IEP.
- The measurable postsecondary goal was based on age-appropriate transition assessment. (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)10.a., F.A.C.)
 - In three of the 25 records reviewed, the postsecondary goal was not based on age-appropriate transition assessments.
- The notice of the IEP team meeting included a statement that a purpose of the meeting was the identification of transition services needs of the student and that the student would be invited. (34 CFR §300.322(b)(2); Rule 6A-6.03028(3)(b)4., F.A.C.)
 - In two of the 25 records reviewed, the notice did not include a transition services consideration.
- The notice of the IEP team meeting included a statement that a purpose of the meeting was the consideration of postsecondary goals and transition services, that the student would be invited, and identified any agency that would be invited to send a representative. (34 CFR §300.322(b)(2))
 - In two of the 25 records reviewed, the notice did not include this transition statement.

- If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten 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.)
 - In two of the 25 records reviewed, the student's attendance pattern was not reported for a consideration of a pattern of nonattendance.
- The IEP includes measurable annual goals (and short-term objectives/benchmarks, if applicable) that focus on improving the academic and functional achievement of the student related to the student's transition services needs.
(34 CFR §300.320(a)(2); Rule 6A-6.03028(3)(h)2.-3., F.A.C.)
 - In one of the 25 records reviewed, the IEP did not include measurable annual goals that focused on the student's transition service needs.

Restraint/Seclusion

There were no findings of noncompliance regarding the implementation of the restraint/seclusion procedures.

Corrective Action

No later than July 8, 2011, the Osceola County School District must reconvene the IEP teams for the students noted above and correct the identified noncompliance. With the agreement of the parent and the district, an IEP may be amended without a meeting. If individual correction is not possible, the district must identify the policy, procedure, or practice that caused the noncompliance and provide evidence of the action taken to ensure future compliance. In addition, **no later than September 9, 2011**, the district must:

- **Either** demonstrate 100 percent compliance with the standards in question through review of a random sample of five IEPs developed after April 29, 2011;
- **Or** submit to the Bureau a corrective action plan (CAP) detailing the activities, resources, and timelines the district will employ to ensure that the compliance target of 100 percent will be met **no later than May 12, 2012**. The CAP **must** include a periodic review of a random sample of five records developed after April 29, 2011, for the five standards of identified noncompliance to be conducted until such time as the district demonstrates 100 percent compliance.

Note: In accordance with the reporting requirements of the Annual Performance Report for the State Performance Plan, these items will be counted as findings of noncompliance related to SPP indicator 2 (dropout rate) and SPP indicator 13 (secondary transition). Documentation verifying completion of all components of the corrective action must be received in accordance with the timelines established above, but in no case longer than one year from the date of the corrective action letter (May 12, 2011) in order for the district to comply with the requirements of SPP indicator 15 (timely correction of noncompliance).

Technical Assistance

Specific information for technical assistance, support, and guidance to school districts regarding IEP development can be found in the *Exceptional Student Education Compliance Manual 2010–11*. Technical assistance related to graduation rates and dropout prevention can be accessed through Project10: Transition Education Network at <http://www.project10.info/> and the National Secondary Transition Technical Assistance Center (NSTTAC) at <http://www.nsttac.org>.

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 and Abbreviations

AVID	Advancement Via Individual Determination
BIP	Behavioral intervention plan
Bureau	Bureau of Exceptional Education and Student Services
CAP	Corrective action plan
CFR	Code of Federal Regulations
CPI	Crisis Prevention Intervention
ESE	Exceptional student education
F.A.C.	Florida Administrative Code
FBA	Functional behavioral assessment
FCAT	Florida Comprehensive Assessment Test
FDOE	Florida Department of Education
F.S.	Florida Statutes
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
InD	Intellectual disabilities
NSTTAC	National Secondary Transition Technical Assistance Center
OSS	Out-of-school suspension
PAES	Practical Assessment Exploration System
PBS	Positive Behavior Support
Project COPE	Project Creating Opportunities for Parenting Education
PS/RtI	Problem solving/response to intervention
SPP	State Performance Plan



Florida Department of Education
John L. Winn, Commissioner

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