

# FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Ms. Heather Fiorentino, Superintendent  
Pasco County School District  
7227 Land O'Lakes Boulevard  
Land O'Lakes, FL 34639-2899

Dear Ms. Fiorentino:

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

Pasco County was required to assess 95 standards. One or more incidents of noncompliance were identified on 34 of those standards (36%). The following is a summary of Pasco 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	69	—
Total Items Assessed	1915	—
Noncompliant	134	6%
Timely Corrected	134	100%

The *Pasco 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. Pasco 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.

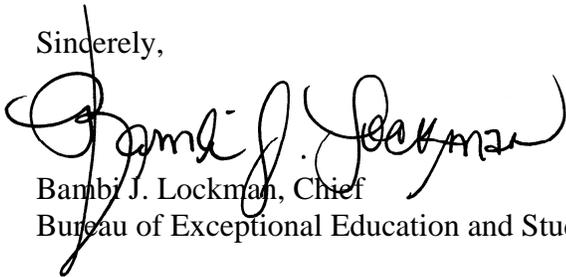
The results of district self-assessments conducted during 2007-08 will be used to inform future monitoring activities, including the selection of districts for on-site monitoring, and in the local educational agency (LEA) determinations required under section 300.603, Title 34, Code of

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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: Monica Verra  
Frances Haithcock  
Kim C. Komisar  
Annette Oliver  
Brenda Fisher  
Sheila Gritz  
Elise Lynch  
Marilyn Hibbard

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

**ESE Self-Assessment  
2007 – 08**

**Pasco 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: 23  
 Number of standards per EX: 33  
 Number of LRE protocols completed: 23  
 Number of standards per LRE: 28  
 Number of STA protocols completed: 6  
 Number of standards per STA: 6  
 Number of STB protocols completed: 17  
 Number of standards per STB: 28

Total number of protocols: 69  
 Total number of standards: 1915  
 Total number of incidents of noncompliance (NC): 134  
 Overall % incidents of noncompliance: 6%

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**

**Pasco 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		9	39.1%	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		6	26.1%	X
EX-4	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))	X		2	8.7%	
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		3	13.0%	
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		2	8.7%	
EX-8	The IEP contains a statement of supports for school personnel. (34 CFR 300.320 (a)(4))	X		3	13.0%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
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		4	17.4%	
EX-10	The IEP contains a statement of appropriate accommodations necessary to measure academic achievement and functional performance on state or district-wide assessments. (34 CFR 300.320(a)(6)(i))	X		1	4.3%	
EX-11	The parent provided consent for the student to receive instructional accommodations not permitted on statewide assessments and acknowledged the implications of such accommodations. (Section 1008.22(3)(c)6, F.S.; Rule 6A-6.03028(7)(e), FAC.)	X		2	8.7%	
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	4.3%	
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		2	8.7%	
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	4.3%	
EX-19	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	4.3%	
EX-21	The report of progress was provided as often as progress was reported to the	X		3	13.0%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	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.)					
EX-22	The IEP had been reviewed at least annually, and revised as appropriate, to address: any lack of progress toward the annual goals; any lack of progress in the general curriculum, if appropriate; the results of reevaluation; information about the student provided by the parent; and/or, the student's anticipated needs. (34 CFR 300.324(b)(1))	X		3	13.0%	
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		7	30.4%	X
STA-1	The notice to the IEP team meeting included: <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> (34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)		X	2	33.3%	X
STA-4	For students aged 14 and older: <ul style="list-style-type: none"> <li>• The IEP contains a statement of the student's desired post-school outcome</li> </ul>	X		1	16.7%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	<ul style="list-style-type: none"> <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>					
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	5	29.4%	X
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		3	17.6%	
STB-6	<p>If an agency likely to provide or pay for transition services is involved:</p> <ul style="list-style-type: none"> <li>A team member or designee was designated as responsible for follow-up with the agency</li> <li>The IEP team was reconvened to identify alternative strategies if the</li> </ul>	X		3	17.6%	

	Noncompliance (NC)	*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	agency failed to provide services as indicated on the IEP. (34 CFR 300.324(c)(1); Rule 6A-6.03028(8)(d), FAC.)					
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	5.9%	
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		7	41.2%	X
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	X		9	52.9%	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		7	41.2%	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		9	52.9%	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		7	41.2%	X
STB-14	If transition services are likely to be provided or paid for by another agency, a representative of the agency <b>was invited</b> to participate in the IEP. (34 CFR 300.321(b)(3))	X		6	35.3%	X
STB-15	The district <b>obtained consent</b> from the parent or from the student whose rights have transferred prior to inviting to the IEP team meeting a		X	4	23.5%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	representative of an agency likely to provide or pay for transition services. (34 CFR 300.321(b)(3))					
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		11	64.7%	X
LRE-7	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		2	8.7%	
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	4.3%	
LRE-15	The student participates in nonacademic and extracurricular services and activities with nondisabled students to the maximum extent appropriate. (34 CFR 300.107 and 300.117)	X		5	21.7%	
LRE-16	When determining the student's placement, the IEP team ensured that: the student's placement was as close as possible to the student's home and was in the school that the student would attend if nondisabled, to the extent possible; any potential harmful effects on the student or on the quality of services that are needed were considered; and, the student was not removed from the general education setting solely because of needed modifications to the curriculum. (34 CFR 300.116(b)-(e))	X		1	4.3%	

Florida Department of Education  
Bureau of Exceptional Education and Student Services

**ESE Self-Assessment  
2007 – 08**

**Pasco 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>	<ol style="list-style-type: none"> <li>1. <b>Staffing and compliance teachers (SCT) will conduct training at each school to address all Self-Assessment indicators.</b></li> <li>2. <b>Following this training, SCT will complete the compliance checklist for new/revised T/IEPs to ensure compliance.</b></li> <li>3. <b>On an ongoing basis, newly hired teachers will receive the training noted above.</b></li> <li>4. <b>Review and revise the current Present Level of Performance (PLEP) and Goals In-service Training to refine requirements of the Self-Assessment indicators.</b></li> <li>5. <b>Provide PLEP and Goals In-service Training as a follow-up if the compliance checks result in the need for additional training.</b></li> </ol>	Oct. 1, 2008	<p>DOE work papers. Funds for extended contract days to develop training. TIEP training document. SCTs for providing training.</p>	
EX-3	<p>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))</p>	See #1, 2, 3, 4, and 5 above.	See above	See above	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
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>	<ol style="list-style-type: none"> <li>1. <b>Develop attendance flowchart for procedures.</b></li> <li>2. <b>Develop action plan and training materials.</b></li> <li>3. <b>Conduct trainings for all high school staff. See schedule and plan.</b></li> <li>4. <b>Committee to review progress at schools</b></li> </ol>	<ol style="list-style-type: none"> <li>1., 2. <b>January 7, 2008</b></li> <li>3. <b>Feb. 2008</b></li> <li>4. <b>Ongoing</b></li> </ol>	<p>Supervisor for Graduation Enhancement, Social Workers, psychologist, nurses, compliance, directors and principals, school faculties</p>	
STA-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>	<p><b>See EX-2 above</b></p> <ol style="list-style-type: none"> <li>1. <b>Review and revise the current Services/Documents In-service Training to refine requirements of the Self-Assessment indicators.</b></li> <li>2. <b>Provide Services/Documents In-service Training as a follow-up if the compliance checks result in the need for additional training.</b></li> </ol>	<p><b>See EX-2 above</b></p>	<p><b>See EX-2 above</b></p>	
STB-1	<p>The notice to the IEP team meeting included:</p>	<p><b>See STA-1 above</b></p>	<p><b>See EX-2 above</b></p>	<p><b>See EX-2 above</b></p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	<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>				
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>	<ol style="list-style-type: none"> <li>1. <b>Project Connect Training</b></li> <li>2. <b>Curriculum Project to develop training. See above: EX 2 #1, 2, and 3.</b></li> <li>3. <b>Review and revise the current Transition Requirements In-service Training to refine requirements of the Self-Assessment indicators. Provide Transition Requirement In-service Training as a follow-up if the compliance checks result in the need for additional training.</b></li> </ol>	<ol style="list-style-type: none"> <li>1. <b>April 25, 2008</b></li> <li>2,3,4, <b>Oct. 1, 2008</b></li> </ol>	<p><b>DOE Transition Contact, Work group committee, Training staff</b></p>	
STB-10	<p>The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))</p>	<p><b>See STB-9</b></p>	<p><b>See STB-9</b></p>	<p><b>See STB-9</b></p>	
STB-11	<p>There is/are annual goal(s) or short-term objectives or benchmarks that reasonably enable the student to meet the</p>	<p><b>See EX-2 above</b></p>	<p><b>See EX-2 above</b></p>	<p><b>See EX-2 above</b></p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	postsecondary goals. (34 CFR 300.320(a)(2))				
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))	<b>See STB-9 above</b>	<b>See STB-9 above</b>	<b>See STB-9 above</b>	
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))	<b>See STB-9 above</b>	<b>See STB-9 above</b>	<b>See STB-9 above</b>	
STB-14	If transition services are likely to be provided or paid for by another agency, a representative of the agency <b>was invited</b> to participate in the IEP. (34 CFR 300.321(b)(3))	<b>See STB-9 above</b>	<b>See STB-9 above</b>	<b>See STB-9 above</b>	
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))	<b>See EX-2 above</b>	<b>See EX-2 above</b>	<b>See EX-2 above</b>	