

# FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Dr. Julie M. Janssen, Interim Superintendent  
Pinellas County School District  
301 Fourth Street, SW  
Largo, Florida 33770-3536

Dear Dr. Janssen:

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

Pinellas County was required to assess 62 standards. One or more incidents of noncompliance were identified on 26 of those standards (42%). The following is a summary of Pinellas 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	64	—
Total Items Assessed	1770	—
Noncompliant	130	7%
Timely Corrected	130	100%

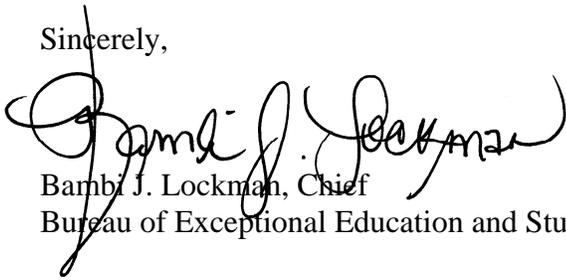
The *Pinellas District Summary Report: Findings of Noncompliance by Standard* (Attachment 1) contains a summary of the findings reported by the individual standard or regulation assessed. These data include revisions to the preliminary report that resulted from the validation review. Systemic findings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

**Pinellas 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: 61  
 Number of standards per LRE: 28  
 Number of STA protocols completed: 1  
 Number of standards per STA: 6  
 Number of STB protocols completed: 2  
 Number of standards per STB: 28

Total number of protocols: 64  
 Total number of standards: 1770  
 Total number of incidents of noncompliance (NC): 130  
 Overall % incidents of noncompliance: 7%

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**

**Pinellas 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	50.0%	X
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>	X		1	50.0%	X
STB-10	<p>The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))</p>	X		2	100.0%	X
STB-11	<p>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))</p>	X		1	50.0%	X
STB-12	<p>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))</p>	X		1	50.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
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		1	50.0%	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		2	100.0%	X
LRE-1	The parents were invited to the IEP meeting. (34 CFR 300.501 (b))	X		1	1.6%	
LRE-2	The parents were provided notice of the IEP team meeting a reasonable amount of time prior to the meeting, at least one attempt to invite the parent was through a written notice, and a second attempt was made if no response was received from the first notice. (34 CFR 300.322(a)(1))		X	4	6.6%	
LRE-3	The notice to the IEP team meeting contained the time, location and purpose of the meeting. (34 CFR 300.322(b))		X	9	14.8%	
LRE-4	The notice contained a listing of persons invited to the meeting, by title and position. (34 CFR 300.322(b))		X	6	9.8%	
LRE-5	The parents were members of any group making decisions about the educational placement of the student. If neither parent was able to attend the IEP meeting, there is documentation of attempts to ensure parent participation. (34 CFR 300.322 (c)-(d); 300.328; and 300.501(c))		X	2	3.3%	
LRE-6	The appropriate team members were present at the IEP meeting. (34 CFR 300.321(a)-(b))	X		1	1.6%	
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	X		20	32.8%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	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		13	21.3%	
LRE-9	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		1	1.6%	
LRE-14	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		9	14.8%	
LRE-17	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		3	4.9%	
LRE-19	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		17	27.9%	X
LRE-20	The concerns of the parents for enhancing the education of their child were considered in developing the IEP. (34 CFR 300.324(a)(1)(ii))	X		6	9.8%	
LRE-21	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		4	6.6%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
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	1.6%	
LRE-25	The IEP team considered whether the student needs assistive technology devices and/or services. (34 CFR 300.324(a)(2)(v))	X		2	3.3%	
LRE-26	The report of progress was provided as often as progress was reported to the 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.)	X		12	19.7%	
LRE-27	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		8	13.1%	
LRE-28	The student's general education teachers, ESE teachers, and related service providers were provided access and information regarding specific responsibilities for IEP implementation. (34 CFR 300.323(d))	X		2	3.3%	

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

**ESE Self-Assessment  
2007 – 08**

**Pinellas County School District Corrective Action Plan**

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
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>	<p>Develop, disseminate, and provide training in updated Notice of Meeting form to all ESE teachers.</p> <ul style="list-style-type: none"> <li>• Mandatory 3 hour training IEP/TIEP, including Notice of Meeting for ESE Teachers, including new hires</li> <li>• ESE Staff will monitor 5-10 folders per month from schools using the Self-Assessment LRE protocol.</li> <li>• IDEA Team Leader will meet each semester with principals from schools with Self-Assessment results showing <math>\geq 25\%</math> non-compliance in this area.</li> <li>• Targeted training will be provided to schools that have <math>\geq 25\%</math> non-compliance in this area.</li> </ul>	<p>9/30/08</p> <p>Ongoing</p> <p>12/15/08</p> <p>Ongoing</p>	<p>3 Hour IEP/TIEP Training Module</p> <p>Training on Self-Assessment Protocols for ongoing school based support</p> <ul style="list-style-type: none"> <li>- ESE Specialists</li> <li>- VE Specialists</li> <li>- VE Liaisons</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>Develop, operationalize and provide training on a district TIEP cueing users to develop measurable postsecondary goals for education/training and employment and if appropriate, independent living.</p> <ul style="list-style-type: none"> <li>• Mandatory 3 hour training</li> </ul>	<p>9/30/08</p>	<p>- 3 Hour IEP/TIEP Training Module</p> <p>- Training for on Self Assessment Protocols for ongoing school</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
		<p>IEP/TIEP for ESE Teachers, including new hires</p> <ul style="list-style-type: none"> <li>• ESE Staff will monitor 5-10 folders per month from schools using the Self-Assessment LRE protocol.</li> <li>• IDEA Team Leader will meet each semester with principals from schools with Self-Assessment results showing <math>\geq 25\%</math> non-compliance in this area.</li> <li>• Targeted training will be provided to schools that have <math>\geq 25\%</math> non-compliance in this area.</li> </ul>	<p><i>Ongoing</i></p> <p>12/15/08</p> <p><i>Ongoing</i></p>	<p>based support</p> <ul style="list-style-type: none"> <li>- ESE Specialists</li> <li>- VE Specialists</li> <li>- VE Liaison</li> </ul> <p>Training in Writing Measurable Annual Goals</p> <ul style="list-style-type: none"> <li>- ESE Specialists</li> <li>- VE Specialists</li> <li>- VE Liaisons</li> </ul>	
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	<p>See STB-9</p> <p>Develop, disseminate, and provide training in the use of a Transition Portfolio</p>	12/12/08	<p>IDEA Team Leaders</p> <p>ESE Staff</p>	
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))	See STB-10			
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))	See STB-10			
STB-13	The transition services include course(s) of study that focus on improving the academic and	See STB-10			

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	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))	See STB-10			
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.)	Develop, disseminate, and provide training to all ESE teachers on a district IEP/TIEP that contains all required compliance components as described in the Self-Assessment LRE protocols. <ul style="list-style-type: none"> <li>• Mandatory 3 hour training IEP/TIEP for ESE Teachers, including new hires</li> <li>• ESE Staff will monitor 5-10 folders per month from schools using the Self-Assessment LRE protocol.</li> <li>• IDEA Team Leader will meet each semester with principals from schools with Self-Assessment results showing <math>\geq 25\%</math> non-compliance in this area.</li> <li>• Targeted training will be provided to schools that have <math>\geq 25\%</math> non-compliance in this area.</li> </ul>	9/30/08  <i>Ongoing</i>  12/15/08  <i>Ongoing</i>	3 Hour IEP/TIEP Training Module Training for on Self Assessment Protocols for ongoing school based support <ul style="list-style-type: none"> <li>- ESE Specialists</li> <li>- VE Specialists</li> <li>- VE Liaison</li> </ul>	
LRE-19	The IEP team considered the strengths of the student; the academic, developmental and	See LRE-7			

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	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))				