

# FLORIDA DEPARTMENT OF EDUCATION



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July 12, 2010

Dr. Joseph Joyner, Superintendent  
St. Johns County School District  
40 Orange Street  
St. Augustine, FL 32084

Dear Superintendent Joyner:

The Bureau of Exceptional Education and Student Services is in receipt of your district's response to the preliminary findings of its 2009–10 Exceptional Student Education (ESE) Compliance Self-Assessment. This letter and the attached document comprise the final report for St. Johns County School District's 2009–10 Spring Cycle Level 2 self-assessment monitoring process.

The self-assessment system is designed to address the major areas of compliance related to the State Performance Plan (SPP)/Annual Performance Report (APR) required under the Individuals with Disabilities Education Act (IDEA). SPP Indicator 15, Timely Correction of Noncompliance, requires that the state identify and correct noncompliance **as soon as possible, but in no case later than one year from identification**. While any incident of noncompliance is of concern, 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.

The results of district self-assessments are included in the State's APR and are used to inform oversight activities, including the selection of districts for on-site monitoring, and the local education 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."

On April 19, 2010, the preliminary report of findings from the 2009-10 Spring Cycle Level 2 self-assessment process was released to your district's ESE Director. The preliminary report detailed student-specific incidents of noncompliance that required immediate correction. Districts were required to correct all student-specific noncompliance and to provide evidence to the Bureau no later than June 18, 2010. In addition, the preliminary report identified any standards for which the noncompliance was considered systemic (i.e., evident in  $\geq 25\%$  of the records reviewed).

**BAMBI J. LOCKMAN**  
*Chief*

*Bureau of Exceptional Education and Student Services*

Superintendent Joyner  
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**Your district had systemic findings for which a corrective action plan (CAP) was required.** St. Johns County School District's CAP was submitted to the Bureau for review and approval. We look forward to receiving the district's report on their results no later than **February 21, 2011**. Your district's adherence to this schedule is required in order to ensure correction of systemic noncompliance within a year as required by the Office of Special Education Programs (OSEP) and Florida's SPP.

*In its 2009–10 Spring Cycle Level 2 self-assessment, St. Johns County School District assessed 42 standards. One or more incidents of noncompliance were identified on 24 of those standards (57.1%). The following is a summary of the district's timely correction of student-specific incidents of noncompliance:*

**Correction of Noncompliance by Student**

	<b>Number</b>	<b>Percentage</b>
Records Reviewed/Protocols Completed	16	-
Total Items Assessed	504	-
Noncompliant	38	7.5%
Timely Corrected	38	100%

The attached *St. Johns County District Summary Report: Findings of Noncompliance by Standard* contains a summary of the findings reported by the individual standard or regulation assessed. In the event there were systemic findings of noncompliance on specific standards that required the development of a CAP, those items are designated by shaded cells.

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.

If you have questions regarding this process, please contact your assigned district liaison for monitoring or Patricia Howell, Program Director, at (850) 245-0476 or via electronic mail at [patricia.howell@fldoe.org](mailto:patricia.howell@fldoe.org).

Sincerely,



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

Attachment

cc: Lisa Bell  
Elaine Edwards  
Frances Haithcock  
Mary Jane Tappen  
Kim C. Komisar  
Patricia Howell  
Anne Bozik  
Sheryl Sandvoss

Florida Department of Education  
Bureau of Exceptional Education and Student Services

2009 – 2010 Self-Assessment  
Spring Cycle Level 2

**St. Johns County 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 IE protocols completed: 16  
Number of standards per IE: 21  
Number of InD disabilities completed: 8  
Number of standards per InD: 10  
Number of EBD disabilities completed: 8  
Number of standards per EBD: 11

Total number of protocols: 16  
Total number of standards: 504  
Total number of incidents of noncompliance (NC): 38  
Overall % incidents of noncompliance: 7.5%

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.

Florida Department of Education  
Bureau of Exceptional Education and Student Services

**2009 – 2010 Self-Assessment  
Spring Cycle Level 2**

**St. Johns County District Summary Report: Findings of Noncompliance by Standard**

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IE-2	Observations of the student <b>must</b> be conducted in the educational environment and, as appropriate, other settings to document the student's learning or behavioral areas of concern. At least one observation <b>must</b> include an observation of the student's performance in the general classroom. (Rule 6A-6.0331(1)(b), F.A.C.)		X	1	6.3%	
IE-3	For a school-aged student, existing data in the student's educational record related to the following were reviewed: <ul style="list-style-type: none"> <li>• Social</li> <li>• Psychological</li> <li>• Medical</li> <li>• Achievement</li> <li>• Attendance</li> <li>• Anecdotal</li> <li>• Assessments</li> </ul> For a PreK student, existing data related to the following were reviewed: <ul style="list-style-type: none"> <li>• Social</li> <li>• Psychological</li> <li>• Medical</li> <li>•</li> </ul> (Rule 6A-6.0331(1)(c) and (2)(a), F.A.C.)		X	4	25.0%	X
IE-4	Screening for hearing and vision were conducted for a PreK or school-age student for the purpose of ruling out sensory deficits. Additional screenings to assist in determining interventions may be conducted, as appropriate. (Rule 6A-6.0331(1)(d) and (2)(b), F.A.C.)		X	3	18.8%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IE-5	Evidence-based interventions addressing the identified areas of concern were implemented in the general education environment. (Rule 6A-6.0331(1)(e), F.A.C.)		X	1	6.3%	
IE-6	Ongoing progress monitoring measures of academic and/or behavioral areas of concern were collected and shared with parents in an understandable format. (Rule 6A-6.0331(1)(e), F.A.C.)		X	1	6.3%	
IE-7	The school district provided prior written notice of its proposal to evaluate a student to determine if the student qualifies as a student with a disability. (34 CFR 300.503(a); Rule 6A-6.0331(1), F.A.C.)		X	1	6.3%	
IE-8	The prior written notice was written in language understandable to the general public and provided in the native language of the parent or other mode of communication used by the parent. If the written notice could not be provided in the native language of the parent, steps were taken to ensure the parent understood the content of the notice. (34 CFR 300.503(c); Rule 6A-6.0331(1), F.A.C.)		X	1	6.3%	
IE-9	The parents were provided a copy of the procedural safeguards. (Rule 6A-6.0331(2)(b), F.A.C.)		X	2	12.5%	
IE-10	The school district obtained informed consent from the parent prior to conducting the initial evaluation to determine if the student qualifies as a student with a disability. (34 CFR 300.300(a)(1)(i))		X	1	6.3%	
IE-11	If the parent requested an evaluation prior to the completion of the general education interventions, the school district obtained consent for the evaluation and completed the interventions concurrently with the evaluation, but prior to the eligibility determination, or the school district provided the parent with the written notice of refusal to conduct the evaluation. (Rule 6A-6.0331(3)(b), F.A.C.)		X	2	12.5%	
IE-12	Qualified examiners conducted the evaluations, and the assessment of adaptive behavior included parental input. (Rule 6A-6.0331(3)(c), F.A.C.)		X	1	6.3%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IE-13	The evaluation was conducted within 60 school days (cumulative) that the student is in attendance after the district's receipt of parental consent for evaluation. (Rule 6A-6.0331(3)(d), F.A.C.)		X	1	6.3%	
IE-14	The evaluation team: used a variety of assessment tools and strategies, including information from the parent, to gather relevant functional, developmental, and academic information about the student; did not rely on a single measure or assessment to determine if the student was eligible; used technically sound instruments; selected and administered assessments so as not to be discriminatory on a racial or cultural basis and to accurately reflect the student's aptitude or achievement level on the skill being assessed; and administered assessments in the student's native language or other appropriate mode of communication. (34 CFR 300.304(b) and (c)(1)-(3))	X		1	6.3%	
IE-15	The student was assessed in all areas related to the suspected disability. (34 CFR 300.304(c)(4))	X		1	6.3%	
IE-16	A group of qualified professionals, including the parent, determined whether the student is a student with a disability in need of special education and related services. (34 CFR 300.306(a)(1))		X	1	6.3%	
IE-17	The school district provided a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent. (34 CFR 300.306(a)(2))	X		4	25.0%	X
IE-18	The IEP, or possibly an individualized family support plan (IFSP) for a child aged three through five, was developed prior to the provision of special education and related services and within 30 calendar days following the determination of eligibility. (34 CFR 300.323(c)(1); Rules 6A-6.03028(3)(f)1 and 6A-6.0331(6)(c), F.A.C.)		X	4	25.0%	X
IE-19	A student was not determined as a student with a disability if the determinant factor was lack of appropriate instruction in reading, lack of appropriate instruction in math, or limited English proficiency. (34 CFR 300.306(b); Rule 6A-6.0331(6)(d) F.A.C.)		X	1	6.3%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
IE-20	As soon as possible following development of the IEP, special education and related services were made available to the student in accordance with the IEP. (34 CFR 300.323(c)(2))		X	2	12.5%	
IE-21	The school district obtained informed consent for the initial provision of special education and related services prior to providing exceptional student education services. (34 CFR 300.300(b))		X	1	6.3%	
EBD-1	The functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions was reviewed. (Part II, Section B.5, SP&P)	X		1	12.5%	
InD-2	A standardized assessment of adaptive behavior that included input from the student's parent, was conducted. (Rule 6A-6.03011(3)(b), F.A.C.)	X		1	12.5%	
InD-6	The level of adaptive functioning is more than 2 standard deviations below the mean on the adaptive behavior composite or on two out of three domains on a standardized test of adaptive behavior. (Rule 6A-6.03011(4)(b), F.A.C.)	X		1	12.5%	
InD-10	The student meets eligibility criteria. (Rule 6A-6.03011, F.A.C.)	X		1	12.5%	