

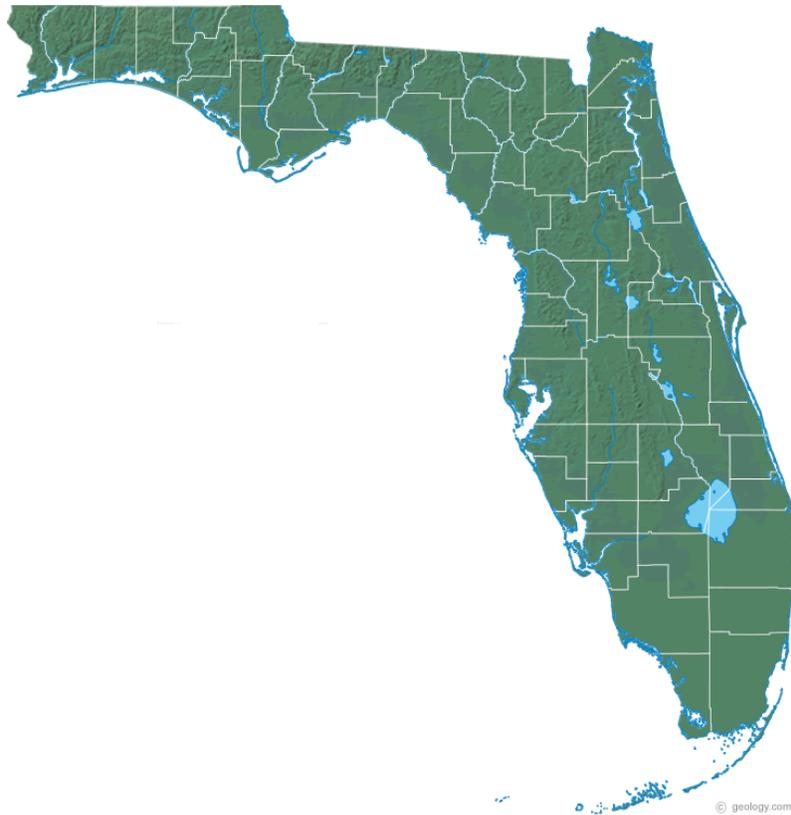
REVISED

Sarasota County School District

Final Report: On-Site Monitoring

Exceptional Student Education Programs

December 1–4, 2009



Bureau of Exceptional Education and Student Services
Florida Department of Education

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February 15, 2010

Mrs. Lori White, Superintendent
Sarasota County School District
1960 Landings Boulevard
Sarasota, FL 34231-3300

Dear Superintendent White:

We are pleased to provide you with the **revised** *Final Report of On-Site Monitoring of Exceptional Student Education (ESE) Programs* for Sarasota County School District (revisions in bold italics on page **four and five** of the report). This report was developed by integrating multiple sources of information related to our on-site visit on December 1–4, 2009, including student record reviews, interviews with school and district staff, classroom observations, and job-site visits. The final report will be posted on the Bureau of Exceptional Education and Student Services' Web site and may be accessed at <http://www.fldoe.org/ese/mon-home.asp>.

The Sarasota County School District was selected for an on-site monitoring visit due to noncompliance related to secondary transition that was originally identified during 2006–07 and for which the district had not been able to demonstrate correction. Ms. Sonia Figaredo-Alberts, ESE Executive Director, and her staff were very helpful during the Bureau's preparation for the visit and the on-site monitoring. In addition, Bureau staff members were welcomed and assisted by the principals and other staff members at all of the schools that were visited. Although the district demonstrated tremendous improvement in the area relating to secondary transition, the Bureau's on-site monitoring activities identified discrepancies that require corrective action.

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

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

Enclosure

cc: Sonia Figaredo-Alberts
Kathy Devlin

Kim C. Komisar
Patricia Howell

Jill Snelson

BAMBI J. LOCKMAN
Chief

Bureau of Exceptional Education and Student Services

REVISED

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

December 1–4, 2009

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

Sarasota County School District

**Final Report: On-Site Monitoring
Exceptional Student Education Programs
December 1–4, 2009**

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Sarasota County School District

On-Site Monitoring
Exceptional Student Education Programs
December 1–4, 2009

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 (sections 1001.03(8) and 1008.32, Florida Statutes (F.S.)). In fulfilling this requirement, the Bureau conducts monitoring activities of the exceptional student education (ESE) programs provided by district school boards, in accordance with ss. 1001.42 and 1003.57, F.S. Through these monitoring activities, the Bureau examines and evaluates procedures, records, and ESE programs; provides information and assistance to school districts; and otherwise assists school districts in operating effectively and efficiently. One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (section 300.1(d) of Title 34, Code of Federal Regulations [34 CFR §300.1(d)]), and districts are required to make a good faith effort to assist children with disabilities to achieve their stated goals and objectives in the least restrictive environment. In accordance with IDEA, FDOE is responsible for ensuring that its requirements are carried out and that each educational program for children with disabilities administered in the state meets the educational requirements of the state (34 CFR §§300.120, 300.149, and 300.600). The monitoring system reflects FDOE’s commitment to provide assistance, service, and accountability to school districts, and is designed to emphasize improved educational outcomes for students while continuing to conduct those activities necessary to ensure compliance with applicable federal laws and regulations and state statutes and rules.

Monitoring Process

District Selection

For the 2008–09 school year, the Bureau’s ESE monitoring system comprised basic (Level 1) and focused (Level 2) self-assessment activities, as well as on-site visits conducted by Bureau staff (Level 3). This system was developed to ensure that school districts comply with all applicable laws, regulations, and state statutes and rules, while focusing on improving student outcomes related to State Performance Plan (SPP) indicators.

Decisions regarding the components of Level 1 and Level 2 monitoring for 2008–09 were driven by the following: issues raised in recent Office of Program Policy and Governmental

Accountability (OPPAGA) reports and legislative action regarding gifted education and matrix of services; issues addressed during the on-site monitoring of Florida's ESE programs by the Office of Special Education Programs (OSEP); and the requirements of the SPP/Annual Performance Report (APR).

All districts were required to complete Level 1 activities. In addition, those districts that were newly identified for targeted planning or activities by the Bureau SPP indicator teams for one or more selected SPP indicators were required to conduct Level 2 self-assessment activities using indicator-specific protocols. Districts selected for Level 3 monitoring conducted Level 1 activities and Level 2 activities as applicable. Preliminary selection of districts for consideration for Level 3 monitoring was based on the following, and resulted in the identification of 22 districts:

- >150 percent of the state rate for students reported at the 254 and 255 **matrix** levels (state rate for 254: 4.84 percent; 255: 2.08 percent; 254/255 combined: 6.92 percent)
- >150 percent of the state rate for formal requests for **dispute resolution** (state rate: 0.12 percent)
- **Correction of noncompliance** not completed within the required timeline (one year from identification)

On-site monitoring was reserved for those situations that require classroom observations or staff interviews, and for those that cannot be adequately addressed through student record desk reviews (e.g., individual educational plan [IEP] implementation, services being provided in accordance with the matrix). The list of 22 districts was further narrowed by raising the limit for the matrix of services to 200 percent of the state rate, and consideration was given to any districts that met the criteria for selection in more than one area (i.e., matrix, dispute resolution, and correction of noncompliance).

In a letter dated March 6, 2009, the Sarasota County School District superintendent was informed that the Bureau would be conducting on-site monitoring of the district's ESE programs, specifically related to noncompliance regarding secondary transition that had been identified during the 2006–07 school year but was not yet corrected.

Secondary Transition

IDEA and the implementing regulations at 34 CFR §300.320(b) require that IEPs in effect for students aged 16 and above, or younger if determined appropriate by the IEP team, address the areas of education, training, employment, and, where appropriate, independent living skills. SPP Indicator 13 is defined as follows: “Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.” (section 1416(a)(3)(B) of Title 20 of the United States Code [20 U.S.C. 1416 (a)(3)(B)])

On-Site Activities

Monitoring Team

On December 1–4, 2009, the following Bureau staff members conducted an on-site monitoring visit to review the implementation of secondary transition services for students with disabilities enrolled in the Sarasota County School District:

- Jill Snelson, Program Specialist, Monitoring and Compliance (Team Leader)
- Patricia Howell, Program Director, Monitoring and Compliance
- Vicki Eddy, Program Specialist, Monitoring and Compliance
- Brenda Fisher, Program Specialist, Monitoring and Compliance
- Sheila Gritz, Program Specialist, Special Programs
- Martha Murray, Program Specialist, Special Programs
- Annette Oliver, Program Specialist, Monitoring and Compliance
- Sheryl Sandvoss, Program Specialist, Special Programs

Schools

The following schools were selected for on-site visits based on the number of students with IEPs requiring transition services:

- Oak Park School
- Booker Middle School
- Brookside Middle School
- Sarasota High School
- North Port High School
- Sarasota School of Arts & Sciences
- Sarasota Military Academy

Data Collection

Monitoring activities included the following:

- District-level interviews – 3
- School-level interviews – 24
- Student record reviews – 63
 - 32 for students age 14–15 years
 - 31 for students age 16 years and older
- Classroom/job site observations – 40
- Case studies – 40

Results

The following results reflect the data collected through the activities of the on-site monitoring. Commendations, concerns and findings of noncompliance are also included.

Commendations

- All staff members interviewed and observed demonstrated a high level of commitment toward working with students with disabilities to ensure a successful transition to post-school adult living.
- The district has career labs in place that were used effectively by both ESE and general education students.

Concerns

- Through the interview and case study process, several staff members were unable to name specific age-appropriate transition assessments, and most were uncertain of the purpose and intent of the Summary of Performance document.
- Transfer of rights notices were re-dated when forms were revised, and therefore did not reflect the actual date the transfer of rights notification was made.
- Some staff members were using an outdated edition of *Dare to Dream*, which does not reflect the requirements of IDEA 2004.
- Students currently have few opportunities to work as paid employees. While the current state of the economy is impacting paid employment throughout the state and country, it wasn't evident that Sarasota County had a strong paid employment component in place for students with disabilities.

Findings of Noncompliance

- Several schools were using outdated procedural safeguards notices. The district acknowledged this oversight and has provided a copy of the updated procedural safeguards notice.
- ***In preparation for the monitoring visit, the IEPs for 63 students were submitted to the Bureau for review. Forty instances of noncompliance were noted in the records of 25 students. Prior to the on-site visit, the district corrected the majority of the instances of noncompliance. The remaining findings are as follows:***
 - Noncompliance was identified in ***three*** of the 32 records of students 14 or 15 years old, as follows:
 - ***Three*** of the noncompliant records did not include the statement that a purpose of the meeting was to identify the transition services needs of the student and that the student would be invited to the meeting.~
 - Noncompliance was identified in 20 of the 31 records of students 16 years old or older, as follows:
 - Four students were not provided a separate and distinct notice of the transfer of rights at the time of the student's 18th birthday.~
 - One IEP did not contain measurable postsecondary goal(s) in the designated areas of education/training, employment, and, where appropriate, independent living skills.*
 - ***One IEP did not base the measurable postsecondary goal on age-appropriate transition assessment(s).****
 - One IEP did not include annual goals related to the student's transition services needs.*
 - For 19 students, written consent of the parent, or the student whose rights have transferred, was not obtained prior to inviting to the IEP team meeting a representative of an agency likely to provide or pay for transition services.~ The district acknowledged this oversight and has provided a draft copy of the consent form for agency participation.

Findings identified by “*” can be corrected by amending an IEP or developing a new one. In Sarasota County School District, the IEPs of ***two*** students had identified noncompliance on one or more requirements that could be corrected for the individual student. Identifying information regarding those students was provided to the district prior to the dissemination of this report.

Findings identified by “~” reflect actions that have occurred and that cannot be corrected for the individual student. However, the district must demonstrate that steps have been taken to ensure that such noncompliance will not occur in the future.

In accordance with OSEP’s guidance regarding findings that are identified through monitoring processes, within a given school district 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. Therefore, multiple incidents of noncompliance regarding a given standard that are identified through monitoring activities are reported as a single finding of noncompliance for that district. Of the *seven* findings of noncompliance, one standard was identified in 19 of 31 (61 percent) records and represents systemic noncompliance (≥ 25 percent of records reviewed). (T16-15: *The district obtained consent from the parent, or from the student whose rights have transferred, prior to inviting to the IEP team meeting a representative of an agency likely to provide or pay for transition services.*) Districts are required to develop a corrective action plan to address systemic noncompliance.

Corrective Actions

1. No later than March 19, 2010, the Sarasota County School District shall provide to the Bureau the final version of the consent form for agency participation, the district procedures for securing the necessary consent prior to the parent participation letter, and documentation regarding staff training for the requirement above. Because this reflects systemic noncompliance, the district must use a sampling process to demonstrate the effectiveness of the intervention.
2. No later than March 19, 2010, the Sarasota County School District shall reconvene the IEP teams for the *two* identified students and correct the students’ IEPs with regard to those findings that are correctable. The IEPs can be amended without convening an IEP team if the parent and the local education agency (LEA) agree to the amendment. Documentation of correction, including a copy of the revised IEP, must be provided to the Bureau.
3. No later than April 19, 2010, the Sarasota County School District must provide a brief narrative description of the actions taken to ensure on-going compliance with the specific requirements identified by “~” for which correction at the individual student level is not possible.

Technical Assistance

Specific information designed to provide technical assistance, support, and guidance to school districts regarding secondary transition requirements can be found in the download documents section of the General Supervision Web site at <http://beess.fcim.org/administrator/sppDocuments.aspx>.

Bureau Contacts

The following is a partial list of Bureau staff available for technical assistance:

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Appendix:
Glossary of Acronyms

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

Glossary of Acronyms

APR	Annual Performance Report
Bureau	Bureau of Exceptional Education and Student Services
CFR	Code of Federal Regulations
ESE	Exceptional student education
FDOE	Florida Department of Education
F.S.	Florida Statutes
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
LEA	Local Education Agency
OPPAGA	Office of Program Policy and Governmental Accountability
OSEP	Office of Special Education Programs
SPP	State Performance Plan
U.S.C.	United States Code



**Florida Department of Education
Dr. Eric J. Smith, Commissioner**

ESE 312985H