

FLORIDA DEPARTMENT OF EDUCATION



STATE BOARD OF EDUCATION

T. WILLARD FAIR, *Chairman*

Members

DONNA G. CALLAWAY

DR. AKSHAY DESAI

ROBERTO MARTÍNEZ

PHOEBE RAULERSON

KATHLEEN SHANAHAN

LINDA K. TAYLOR

Dr. Eric J. Smith
Commissioner of Education



June 20, 2008

Dr. Gary Norris, Superintendent
Sarasota County School District
1960 Landings Boulevard
Sarasota, Florida 34231-3304

Dear Dr. Norris:

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 Sarasota 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. The district's CAP and the majority of the documentation of correction were provided on April 30, 2008, indicating that student-specific correction was completed by May 12, 2008.

Sarasota County was required to assess 56 standards. One or more incidents of noncompliance were identified on 31 of those standards (55%). The following is a summary of Sarasota County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	47	—
Total Items Assessed	1316	—
Noncompliant	184	13%
Timely Corrected	184	100%

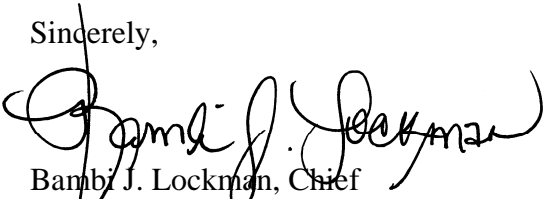
The *Sarasota District Summary Report: Findings of Noncompliance by Standard* (Attachment 1) contains a summary of the findings reported by the individual standard or regulation assessed. These data include revisions to the preliminary report that resulted from the validation review. Systemic findings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

Dr. Gary Norris
June 20, 2008
Page 3

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 or via phone at (850) 245-0476.

Sincerely,



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

Attachments

cc: Sonia Figaredo-Alberts
Kathy Devlin
Frances Haithcock
Kim C. Komisar
Jill Snelson
Elise Lynch
Martha Murray
Heather Diamond
Sheryl Sandvoss
Bettye Hyle
Carole West
Sheila Gritz

Florida Department of Education
Bureau of Exceptional Education and Student Services

ESE Self-Assessment
2007 – 08

Sarasota 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: 45
Number of standards per LRE: 28
Number of STB protocols completed: 2
Number of standards per STB: 28

Total number of protocols: 47
Total number of standards: 1316
Total number of incidents of noncompliance (NC): 184
Overall % incidents of noncompliance: 13%

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**

Sarasota District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)	*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-1 The notice to the IEP team meeting included: <ul style="list-style-type: none"> • 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) • A statement that the student would be invited • Indication that any agency likely to provide or pay for services during the current year would be invited. (34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)		X	2	100.0%	X
STB-2 The student was invited to the IEP meeting. (34 CFR 300.321(b)(1); Rule 6A-6.03028(4)(h), FAC.)	X		1	50.0%	X
STB-4 For students aged 14 and older: <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. (Rule 6A-6.03028(7)(i), FAC.)	X		2	100.0%	X
STB-5 Beginning in eighth grade, or during the school year in which the student turns 14, whichever is sooner, the IEP must include a statement of whether the student is pursuing a course of study leading to a standard diploma or a	X		2	100.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	special diploma. (Rule 6A-6.03028(7)(h), FAC.)					
STB-6	If an agency likely to provide or pay for transition services is involved: <ul style="list-style-type: none"> • A team member or designee was designated as responsible for follow-up with the agency • The IEP team was reconvened to identify alternative strategies if the agency failed to provide services as indicated on the IEP. (34 CFR 300.324(c)(1); Rule 6A-6.03028(8)(d), FAC.)	X		1	50.0%	X
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		2	100.0%	X
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	X		2	100.0%	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		2	100.0%	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	2.2%	
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		X	3	6.7%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
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))						
LRE-3	The notice to the IEP team meeting contained the time, location and purpose of the meeting. (34 CFR 300.322(b))		X	3	6.7%	
LRE-4	The notice contained a listing of persons invited to the meeting, by title and position. (34 CFR 300.322(b))		X	2	4.4%	
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	10	22.2%	
LRE-6	The appropriate team members were present at the IEP meeting. (34 CFR 300.321(a)-(b))	X		2	4.4%	
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		22	48.9%	X
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		25	55.6%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
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		3	6.7%	
LRE-10	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	6.7%	
LRE-11	The IEP contains a statement of supplementary aids and services, including location and anticipated initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7))	X		1	2.2%	
LRE-12	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		18	40.0%	X
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		5	11.1%	
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	11.1%	
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		9	20.0%	
LRE-18	The IEP contains descriptions of how progress toward annual goals will be measured including how often parents will be regularly informed of their child's progress. Parents of disabled students must be informed of this progress at least as often as parents of nondisabled students. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)	X		24	53.3%	X

Noncompliance (NC)	*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
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		2	4.4%	
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		16	35.6%	X
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		3	6.7%	
LRE-22 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))	X		1	2.2%	
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		7	15.6%	
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		3	6.7%	

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

**ESE Self-Assessment
2007 – 08**

Sarasota 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"> • 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) • A statement that the student would be invited • Indication that any agency likely to provide or pay for services during the current year would be invited. <p>(34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)</p>	<p>Individual school based training on ALL transition areas of the IEP was provided by district personnel to each ESE teacher</p> <p>Monthly training for ESE Liaisons on transition compliance with specific samples of parent notice and IEPs.</p> <p>Excent computer IEP program was revised to reflect the needed transition requirements as a result of the self-assessment paperwork.</p> <p>Program Specialist attends IEP meetings and state meetings regarding transition</p>	<p>September 2007 through November 2007</p> <p>August 2007 through May 2008</p> <p>January 2008</p> <p>August 2007 through May 2008</p>	<p>Powerpoint presentation, Created a transition notebook, DOE resource materials.</p> <p>Samples of transition IEPs and DOE resources</p> <p>Computer IEP program</p>	
STB-2	<p>The student was invited to the IEP meeting. (34 CFR 300.321(b)(1); Rule 6A-6.03028(4)(h), FAC.)</p>	<p>See above</p>			

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> • The IEP contains a statement of the student’s desired post-school outcome • A statement of the student’s transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	See above			
STB-5	<p>Beginning in eighth grade, or during the school year in which the student turns 14, whichever is sooner, the IEP must include a statement of whether the student is pursuing a course of study leading to a standard diploma or a special diploma.</p> <p>(Rule 6A-6.03028(7)(h), FAC.)</p>	See above			
STB-6	<p>If an agency likely to provide or pay for transition services is involved:</p> <ul style="list-style-type: none"> • A team member or designee was designated as responsible for follow-up with the agency • The IEP team was reconvened to identify alternative strategies if the agency failed to provide services as indicated on the 	See above			

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	IEP. (34 CFR 300.324(c)(1); Rule 6A-6.03028(8)(d), FAC.)				
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))	See above			
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	See above			
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 above			
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 above			
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	A district wide ESE goal writing training was held on October 19, 2007. A district wide measurable goal writing training for Pre-K teachers was held on February	2007-08 school year	DOE Measurable Goal Training manual and materials LRP team trainer	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	<p>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>	<p>15th 2008 A train-the-trainer session for ESE liaisons was held on February 25, 2008 on measurable goal and objective writing</p>		<p>documents Writing Measurable IEP goals book Measurable Goal Document from Pinellas County Pre-K</p>	
LRE-8	<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>	Same as above	Same as above	Same as above	Same as above
LRE-12	<p>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.)</p>	<p>ESE Liaisons were trained at the January 2008 ESE liaison meeting to address these issues. The EXCENT program was modified to support compliance of this area. Schools had to submit accountability reports verifying that all ESE staff was trained.</p>	January 2008	<p>Excent IEP program, samples of Services page, Powerpoint.</p>	
LRE-18	<p>The IEP contains descriptions of how progress toward annual goals will be measured including how often parents will be regularly informed of their child's progress. Parents of disabled students must be informed of this progress at least as often as parents of</p>	Same as above			

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	nondisabled students. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)				
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))	Training for ESE Liaisons regarding parental input. EXCENT computer IEP program modified to include parental input form.	January 2008	IEP computer software	