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June 20, 2008

Mr. Carlton Faulk, Superintendent
Union County School District
55 SW Sixth Street
Lake Butler, Florida 32054-2599

Dear Mr. Faulk:

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

Union County was required to assess 150 standards. One or more incidents of noncompliance were identified on 17 of those standards (11%). The following is a summary of Union County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	22	—
Total Items Assessed	575	—
Noncompliant	26	4%
Timely Corrected	26	100%

The *Union 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. Union 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.

Mr. Carlton Faulk
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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 or via phone at (850) 245-0476.

Sincerely,



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

Attachments

cc: Debi Dukes
Frances Haithcock
Kim C. Komisar
Jill Snelson
Bettye Hyle
Sheila Gritz

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

**ESE Self-Assessment
2007 – 08**

Union 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: 7
 Number of standards per IE: 18
 Number of IEP protocols completed: 7
 Number of standards per IEP: 38
 Number of MD protocols completed: 4
 Number of standards per MD: 9
 Number of STA protocols completed: 2
 Number of standards per STA: 6
 Number of STB protocols completed: 2
 Number of standards per STB: 28
 Number of ASD disabilities completed: 1
 Number of standards per ASD: 10
 Number of EBD disabilities completed: 1

Number of standards per EBD: 11
 Number of LI disabilities completed: 1
 Number of standards per LI: 7
 Number of SI disabilities completed: 1
 Number of standards per SI: 9
 Number of SLD disabilities completed: 3
 Number of standards per SLD: 14

Total number of protocols: 22
 Total number of standards: 575
 Total number of incidents of noncompliance (NC): 26
 Overall % incidents of noncompliance: 4%

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**

Union District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STA-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 special diploma. (Rule 6A-6.03028(7)(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		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		1	50.0%	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-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		2	100.0%	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
IEP-13	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		1	14.3%	
IEP-14	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	14.3%	
IEP-35	If the current IEP represents a change of placement/change of FAPE from the previous IEP, or the district refused to make a change that the parent requested, the parent received appropriate prior written notice. (34 CFR 300.503)		X	2	28.6%	X
MD-9	For subsequent removals that do not constitute a change in placement, the IEP team met to review the BIP and revise it as needed. (Rule 6A-6.03312(4)(e), FAC.)		X	1	25.0%	X
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"> Social 		X	1	14.3%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	<ul style="list-style-type: none"> • Psychological • Medical • Achievement • Attendance <p>For a PreK student, existing data related to the following were reviewed:</p> <ul style="list-style-type: none"> • Social • Psychological • Medical <p>(Rule 6A-6.0331(1)(b)1 and (2)(c) and (d), FAC.)</p>					
IE-11	<p>The evaluation team</p> <ul style="list-style-type: none"> • 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 • Administered assessments in the student's native language or other appropriate mode of communication. <p>(34 CFR 300.304(b) and (c)(1)-(3))</p>	X		1	14.3%	
EBD-1	<p>The functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions was reviewed. (Section III.G., Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))</p>	X		1	100.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
SLD-13	There is evidence of a single multi-disciplinary report that documents the teams' findings. (Rule 6A-6.03018(5)(c), FAC.)	X		3	100.0%	X
SLD-14	The student meets eligibility criteria. (Rule 6A-6.03018(2), FAC.)	X		3	100.0%	X

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

**ESE Self-Assessment
2007 – 08**

**Union County School District Corrective Action Plan
4/21/08**

Final

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STA-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 special diploma. (Rule 6A-6.03028(7)(h), FAC.)	District and school staff met to review SP&P (G.j.) and Compliance Assessment regarding the requirement to determine a diploma option for student's in the 8 th grade or during the year in which the student turns 14, whichever is sooner. Random samplings will be conducted throughout the year to ensure compliance.	Meeting held 3/21/08 .	Compliance Self-Assessment Process and Procedure Manual and SP&P FLDOE Transition Power-point ISRD/FDLRS	
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. 	District and Staffing Specialists/Guidance Counselors met to review Compliance Assessment regarding the student's desired post school outcome statement. Staffing Specialist and Counselors relayed information to appropriate school personnel through meetings and/or email. Random samplings will be conducted throughout the year to ensure compliance.	Meeting held 3/21/08	Compliance Self-Assessment Process and Procedure Manual and SP&P ISRD FDLRS	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
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))	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance Counselors. Developed transition form to be included with IEP for SWD 16+ years of age. Random samplings will be conducted throughout the year to ensure compliance.	Meeting held and form developed to be included with IEPs beginning March 2008.	Compliance Self-Assessment Process and Procedure Manual ISR/DFLRS	
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	The Union County School District is working with Project Connect at UF to increase transition awareness and services to student, parents and school staff. Students are being assessed by age appropriate transition assessments during the current school year.	By the end of the 07/08 school year	UF-Project Connect Compliance Self-Assessment Process and Procedure Manual	
STB-11	There is/are annual goal(s) or short-term objectives or benchmarks that reasonably enable the student to meet the postsecondary goals.	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance Counselors. Developed transition form to be included with IEP for SWD 16+ years of age.	Meeting held and form developed to be included with IEPs beginning March 2008.	Compliance Self-Assessment Process and Procedure Manual DFLRS/ISR	
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.	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance Counselors. Developed transition form to be included with IEP for SWD 16+ years of age.	Meeting held and form developed to be included with IEPs beginning March 2008.	Compliance Self-Assessment Process and Procedure Manual DFLRS/ISR	
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-	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance Counselors. Developed transition form to be included with IEP for SWD 16+ years of age.	Meeting held and form developed to be included with IEPs beginning	Compliance Self-Assessment Process and Procedure Manual	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	school.		March 2008.	FDLRS/ISRD	
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))	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance Counselors. Developed transition form to be included with IEP for SWD 16+ years of age.	Meeting held and form developed to be included with IEPs beginning March 2008.	Compliance Self-Assessment Process and Procedure Manual FDLRS/ISRD	
IEP-35	If the current IEP represents a change of placement/change of FAPE from the previous IEP, or the district refused to make a change that the parent requested, the parent received appropriate prior written notice.	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance Counselors regarding Change of Placement/FAPE and District Refusal rules. Random samplings will be conducted throughout the year to ensure compliance.	Meeting held 3/21/08	Compliance Self-Assessment Process FDLRS ISRD	
MD-9	For subsequent removals that do not constitute a change in placement, the IEP team met to review the BIP and revise it as needed. (Rule 6A-6.03312(4)(e), FAC.)	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance regarding process for BIP and FBA documentation. Random samplings will be conducted throughout the year to ensure compliance.	Meeting held 3/21/08	Compliance Self-Assessment Process FDLRS ISRD	
EBD-1	The functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions was reviewed. (Section III.G., Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))	Reviewed Compliance Self-assessment manual in a meeting with Staffing Specialists/Guidance regarding process for BIP and FBA documentation. Random samplings will be conducted throughout the year to ensure compliance.	Meeting held 3/21/08	Compliance Self-Assessment Process FDLRS ISRD	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
SLD-13	There is evidence of a single multi-disciplinary report that documents the teams' findings. ((Rule 6A-6.03018(5)(c), FAC.)	Multidisciplinary report form developed which addresses required information according to the Compliance manual. Document was developed and posted to district ESE forms web-site .	Feb 21, 2008	Self-Assessment Compliance Manual ISR DLRS	
SLD-14	The student meets eligibility criteria. (Rule 6A-6.03018(2), FAC.)	Multidisciplinary report form developed which addresses required information according to the Compliance manual. Document developed and posted to district ESE forms web-site .	Feb 21, 2008	Self-Assessment Compliance Manual ISR DLRS	