

Department of Corrections

Cyclical Monitoring

Exceptional Student Education Programs

August 2006

Florida Department of Education
Bureau of Exceptional Education and Student Services
ESE Program Administration and Quality Assurance

This is one of many publications available through the Bureau of Exceptional Education and Student Services, Florida Department of Education, designed to assist school districts, state agencies which support educational programs, and parents in the provision of special programs. For additional information on this publication, or for a list of available publications, contact the Clearinghouse Information Center, Bureau of Exceptional Education and Student Services, Florida Department of Education, Room 628, Turlington Bldg., Tallahassee, Florida 32399-0400.

telephone: (850) 245-0477

FAX: (850) 245-0987

Suncom: 205-0477

e-mail: cicbiscs@fldoe.org

website: <http://myfloridaeducation.com/commhome/>

Department of Corrections

Cyclical Monitoring

Exceptional Student Education Programs

August 2006

Florida Department of Education
Bureau of Exceptional Education and Student Services
ESE Program Administration and Quality Assurance

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

Jeanine Blomberg
Commissioner of Education



June 6, 2007

Mr. Allen J. Overstreet, Bureau Chief
Department of Corrections
2601 Blair Stone Road
Tallahassee, Florida 32399-2500

Dear Mr. Overstreet:

We are pleased to provide you with the final report of the monitoring of the Department of Corrections' exceptional student education programs at selected correctional facilities. The report from our visits during August 2006 includes a format for the system improvement plan to be developed and implemented by your office. The final report will be placed on the Bureau of Exceptional Education and Student Services' website and may be viewed at www.firn.edu/doe/commhome/mon-home.htm.

The report includes a system improvement plan outlining the findings of the monitoring team. Bureau staff have worked with John Howle, Administrator of Special Education Programs, and his staff to develop a system improvement plan that includes strategies and activities to address the areas of concern and noncompliance identified in the report. We anticipate that some of the action steps that will be implemented will be long term in duration, and will require time to assess the measure of effectiveness. The system improvement plan has been approved and is included as a part of this final report.

The first scheduled update on the system improvement plan will be due on November 30, 2007. The Department of Education must ensure timely corrections on noncompliance within one year. The successful completion of improvement plan activities and the submission of the annual report no later than June 7, 2008, will be required.

BAMBI J. LOCKMAN
Chief

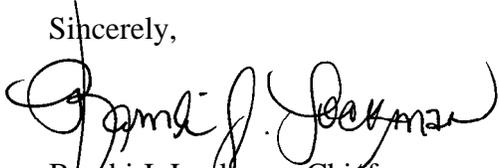
Bureau of Exceptional Education and Student Services

Mr. Allen J. Overstreet
June 6, 2007
Page 2

If my staff can be of any assistance as you implement the system improvement plan, please contact Eileen L. Amy, ESE Program Administration and Quality Assurance Administrator. Mrs. Amy may be reached at 850/245-0476, or via electronic mail at Eileen.Amy@fldoe.org.

Thank you for your continuing commitment to improve services for exceptional education students in the Department of Corrections.

Sincerely,



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

Enclosure

cc: John Howle
Amy Yarbrough-Coltharp
Eileen L. Amy
Ginny Chance

**Department of Corrections Final Monitoring Report
Cyclical Monitoring
August 2006**

Table of Contents

Monitoring Process	1
Authority	1
Cyclical Monitoring	1
Background Information	2
Monitoring Activities	2
Reporting of Information	3
Student Record Reviews	3
On-Site Monitoring Activities	4
Reporting Table	5
IEP Requirements/Implementation	5
Forms Review	10
System Improvement Plan	11
Promising Practices, Recommendations and Technical Assistance	11
Promising Practices	11
Recommendations	11
Technical Assistance	12
System Improvement Strategies	13
Appendix A: ESE Monitoring Team Members	19

Department of Corrections Final Monitoring Report

Cyclical Monitoring

August 2006

Monitoring Process

Authority

The Florida Department of Education, Bureau of Exceptional Education and Student Services, in carrying out its roles of leadership, resource allocation, technical assistance, monitoring, and evaluation is required to oversee the provision of exceptional student education services 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 the Department of Corrections (DOC) in accordance with Sections 1001.42 and 1003.57, F.S. Through these monitoring activities, the Bureau examines and evaluates procedures, records, and programs of exceptional student education (ESE); provides information and assistance to correction institutions; and otherwise assists the DOC in operating effectively and efficiently. One purpose of the Individuals with Disabilities Education Act of 2004 (IDEA 2004) is to assess and ensure the effectiveness of efforts to educate students with disabilities (Section 300.1(d) of Title 34, Code of Federal Regulations (CFR)), and a good faith effort is required to assist students with disabilities to achieve their stated goals and objectives in the least restrictive environment (34 CFR §300.350(a)(2) and §300.556) as appropriate to the facility. In accordance with the IDEA 2004, the Department is responsible for ensuring that the requirements of the IDEA are carried out and that each educational program for students with disabilities administered in the state meets the educational requirements of the state (34 CFR §300.600(a)(1) and (2)). Federal Regulations for IDEA 2004 were made public on August 14, 2006, and implementation required October 13, 2006.

The monitoring system reflects the Department's commitment to provide assistance, service, and accountability to the DOC, 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. In addition, these activities serve to ensure implementation of corrective actions such as those required subsequent to monitoring by the U.S. Department of Education, Office of Special Education Programs, (OSEP) and by the Office for Civil Rights (OCR), as well as other quality assurance activities of the Department.

Cyclical Monitoring

The purpose of the cyclical monitoring process is to implement a methodology that targets the Bureau's monitoring intervention on key data indicators identified as significant for educational outcomes for students. Through this process, the Bureau uses data to guide the monitoring decisions, thereby implementing a strategic approach to intervention and commitment of resources that will improve student outcomes. A detailed description of the Bureau's monitoring process is provided in *Monitoring Manual Department of Corrections Exceptional Student*

Education (2006). The protocols used by Bureau staff when conducting procedural compliance reviews are available in *Compliance Manual: Work Papers and Source Book for Exceptional Student Education Programs (2006-07)*. These documents are available on the Bureau's website at www.firn.edu/doe/commhome/mon-home.htm.

Background Information

During the first three weeks of August, 2006, the Florida Department of Education, Bureau of Exceptional Education and Student Services, conducted on-site reviews of the exceptional student education (ESE) programs in the Florida Department of Correction. John Howle, Special Education Administrator and Amy Yarbrough-Coltharp, Special Education Program Specialist, served as the coordinators and points of contact for the DOC during the monitoring visit. In its continuing effort to focus the monitoring process on student educational outcomes, special education services are reviewed at a minimum of five correctional institutions annually. The results of the monitoring process are reported under categories or related areas that are considered to impact or contribute to the provision of a free, appropriate public education (FAPE). In addition, information related to records and forms reviews, and supplementary compliance issues are reported.

Five Bureau staff members conducted on-site visits to the following six correctional facilities:

- Santa Rosa Correctional Institution & Annex
- Columbia Correctional Institution & Work Camp
- New River Correctional Institution East & West
- Lancaster Correctional Institution & Work Camp
- Hernando Correctional Institution

A listing of Bureau staff who conducted the monitoring activities for this visit is included as appendix A.

Monitoring Activities

The monitoring process includes interviews with administrators, teachers, and other service delivery providers, focus group interviews with students, case studies, classroom observations, and record reviews. A summary of the monitoring activities conducted is included in the table below.

Activity	Source	Number
Interviews	Central Office Agency staff	4
	Institution School staff:	
	▪ School administrators	5
	▪ Paraprofessionals	2
	▪ ESE teachers	9
	▪ General education teachers	17
	▪ Job Supervisors	2
	▪ ESE students	48
	Total	87

Activity	Source	Number
Focus Groups	Columbia Correctional Institution	10 students in group
	New River Correctional Institution East	7 students in group
	Lancaster Correctional Institution	13 students in group
	Lancaster Work Camp	8 students in group
	Hernando Correctional Institution	<u>9 students in group</u>
	Total 47 in 5 groups	
Case studies	Individual student case studies	8
Classroom Visits	ESE and general education classrooms	10
Record Reviews	Transition Plans/Individual Educational Plans (TP/IEP)	
	▪ Full desk-review	<u>41</u>
	Total	41

Reporting of Information

Findings based on data generated through record reviews; focus group interviews; individual interviews; case studies; classroom visits; and the review of DOC forms are summarized in the reporting table that follows. This report provides conclusions with regard to the indicators and specifically addresses related areas that may contribute to or impact the indicators.

To the extent possible, this report focuses on systemic issues rather than on isolated instances of noncompliance or need for improvement. In accordance with established Bureau monitoring procedures, a finding of a systemic violation will be made if evidence of such a violation is found in 25% or more of the pertinent data sources. A list of additional findings in individual records will be included in the report.

Student Record Reviews

A total of 41 student records of students with disabilities, randomly selected from the population of ESE students, were reviewed. The records were from five institutions in the DOC. All the records represented transition IEPs for students aged 14 or older.

To be determined systemic in nature, an item must be found noncompliant in at least 25% of the records reviewed. In the DOC, at least 11 of the IEPs must have been noncompliant on a given item to be considered a systemic finding. For 17 of the 41 IEPs more than 50% of the goals were not measurable, and IEP teams must be reconvened to address this finding. The DOC was notified of the specific students requiring reconvened IEP meetings in a letter dated November 15, 2006.

Systemic findings were made in the following areas:

- Lack of evidence of the need for instruction in self-determination was considered (41)
- Lack of identification of an IEP team member responsible for transition follow-up (41)
- Lack of consideration of related services for transition (41)
- Lack interpreter of instructional implications invited to the IEP meeting (35)
- Lack of measurable goals (28)
- Lack of appropriate program accommodations necessary to measure academic achievement and functional performance and/or modification to mirror assessment accommodations (24)
- Lack of a description of how progress toward annual goals will be measured (22)
- Lack of an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class (13)
- Lack of community experiences addressed for transition services (13)
- Lack of location for special education services/specially designed instruction; related services; supplementary aids and services; and accommodations and/or modifications (12)
- Lack of daily living skills addressed for transition services (12)
- Lack of training addressed for transition services (12)

In addition, individual or non systemic findings were noted in 38 additional areas.

On-Site Monitoring Activities

During the course of conducting the monitoring activities, including daily debriefings with the monitoring team and DOC staff, it is often the case that suggestions and/or recommendations related to interventions or strategies are proposed, and promising practices are noted. Listings of these recommendations and promising practices, as well as DOE contacts available to provide technical assistance in the development and implementation of a system improvement plan, are included following the reporting table.

In response to specific student related findings, the DOC is required to correct the items as noted in the corrective action plan. This plan identifies the specific area(s) of a student's Individualized Education Plan (IEP) for which an IEP Team meeting must be held to correct the finding and/or specifies an action the DOC must perform to correct data.

In response to the findings included in the reporting table, the DOC is required to develop a system improvement plan. This plan is developed in consultation with the Bureau, and includes activities and strategies intended to address specific findings, as well as measurable evidence of change.

**Department of Corrections
Cyclical Monitoring**

Reporting Table

Standard/Citation	Findings	Supporting Evidence	Concerns
IEP Requirements/Implementation			
Sec. 614(d)(1)(B)(ii) §300.344 and §300.346(2)(i) 6A-6.03028(4)(b)	General education teacher/child care provider must participate in the development of the IEP, including determining: appropriate positive behavioral interventions and strategies; supplementary aids and services; program modifications; supports for personnel.	4 of 8 general education teachers and job supervisors reported not going to and/or providing input into the IEP meetings of students in their classes. 3 of 41 student records had no general education teacher invited to the meeting.	12 of 48 students interviewed reported having no recollection of attending an IEP meeting or having an IEP meeting with more than the special education teacher.
Sec. 614(d)(1)(A)(i)(I) §300.347(a)(1)(i) 6A-6.03028(7)(a)	Present level of academic achievement and functional performance must indicate how the disability affects the child's involvement and progress in appropriate activities.	10 of 41 student records lacked a statement of present levels of academic achievement and functional performance, including how the disability affects involvement and progress in the general curriculum.	
Sec. 614(d)(1)(A)(i)(II) §300.347(a)(2) 6A-6.03028(7)(b)	Annual measurable goals and short-term objectives/benchmarks must relate to the needs resulting from the disability and focus on enabling the student to be involved and progress in appropriate activities.	8 of 41 student records lacked special education services to support needs identified in the present level of academic achievement and functional performance.	
§300.343(c)(2)	IEP team revises the IEP as appropriate to address lack of	6 of 41 records lacked results of initial or most recent evaluation for	

Standard/Citation	Findings	Supporting Evidence	Concerns
	expected progress towards annual goals, results of any reevaluation, information from the parents, or child's anticipated needs.	consideration in the development of the IEP.	
§300.347(a)(2) 6A-6.03028(7)(b)	IEP must include annual measurable goals. IEP must include short-term objectives or benchmarks with timeframes.	28 of 41 student records lacked one or more measurable annual goal. 10 of 41 student records lacked short-term objectives or benchmarks with time frames.	
6A-6.03028(7)(f)	IEP must identify a location and frequency for special education services/specially designed instruction; related services; supplementary aids and services; and accommodations and/or modifications.	12 of 41 student records lacked the location of special education services/specially designed instruction; related services; supplementary aids and services; and accommodations and/or modifications.	4 of 41 student records lacked the frequency of special education services/specially designed instruction; related services; supplementary aids and services; and accommodations and/or modifications.
Sec. 614(d)(1)(A)(i)(VI)(aa) §300.347(a)(5)(i) 6A-6.03028(7)(e)	IEP must include any testing accommodations to be provided for statewide assessment or other general assessment.	24 of 41 student records lacked appropriate program accommodations which mirror assessment accommodations.	4 of 41 student records lacked the statement of accommodations necessary to measure academic achievement and functional performance.
§300.342(b)(3)(ii) 6a-6.03028(11)(a)	Accommodations must be provided as indicated on the IEP.	16 of 34 staff interviewed reported teacher aides and inmate aides are the only accommodations used. 5 of 9 special education teachers interviewed were unable to describe their responsibility for ensuring accommodations are implemented as	9 of 48 students interviewed reported not receiving accommodations as indicated on their IEPs.

Standard/Citation	Findings	Supporting Evidence	Concerns
		<p>indicated on the IEP.</p> <p>16 of 34 staff interviewed reported teacher aides and inmate aides are the only accommodations used.</p>	
<p>Sec. 614(d)(3)(B)(i) §300.346(a)(2)(i) 6A-6.03028(6)(d)</p>	<p>For student whose behavior impedes learning (self or others), the IEP team must consider positive behavioral interventions, strategies, and supports to address that behavior.</p>	<p>17 of 17 general education teachers interviewed were unable to indicate the consideration of behavior that impedes learning at IEP meetings.</p>	<p>3 of 41 student records reviewed lacked evidence of the consideration of the need for positive behavioral interventions, supports and strategies in the development of the IEP.</p>
<p>Suspension/Expulsion Sec. 615(k)(1)(D)(i) §300.121(d)(2)(i) 6A-6.03312(5)(b)(1)</p>	<p>No cessation of services allowed for cumulative suspensions over 10 days in a school year (must provide FAPE sufficient for the student to progress in curriculum and advance towards achieving goals).</p>	<p>2 of 8 general education teachers and job supervisors reported not providing work assignments when students enter confinement.</p>	<p>9 of 48 students interviewed reported not receiving educational assignments in confinement and/or not receiving them as often as required.</p>
<p>Sec. 614(d)(1)(A)(i)(v) §300.347(a)(4) 6A-6.03028(7)(d)</p>	<p>IEP must include an explanation of the extent to which the student will not participate with non-disabled peers.</p>		
<p>Removal Standard/Placement Sec. 614(e) §300.552(a)(1) 6A-6.03028</p>	<p>IEP team determines placement.</p>	<p>4 of 8 case studies revealed staff were unaware of how placement decisions are made.</p> <p>5 of 9 special education teachers interviewed were unable to describe how placement decisions are made.</p>	

∞

Standard/Citation	Findings	Supporting Evidence	Concerns
Parent Involvement §300.345(3)(d)(2) 6A-6.03028(3)(b)	At least one notice attempt must be in writing.		2 of 41 student records lacked a written notice of conference inviting the student to the IEP meeting.
IEP Meeting §300.344(a)(1-7) 6A-6.03028(4)(a)-(d)	LEA, ESE teacher, general education teacher, parents, and interpreter of instructional implications are minimum required participants.	35 of 41 student records had no interpreter of instructional implications invited to the meeting. 3 of 41 student records had no general education teacher invited to the meeting. 8 of 41 student records had no special education teacher invited to the meeting. 3 of 41 student records had no Local Education Agency Representative invited to the meeting. 2 of 41 student records had no outside agency representative invited to the meeting. 12 of 48 students interviewed reported not having an IEP meeting or an IEP meeting with more than the special education teacher.	
§300.345(c) 6A-6.03028(3)(c)	If neither parent can attend, other methods of participation attempted.	10 of 41 records reviewed lacked evidence of additional attempts to secure parent participation when the parent was unable to attend on the original date identified.	1 of 41 student records reviewed lacked evidence that a copy of the IEP had been provided to the parent.

Standard/Citation	Findings	Supporting Evidence	Concerns
			2 of 41 student records reviewed lacked evidence of parent input for reevaluation meeting they were unable to attend.
Prior Written Notice/Informed Consent §300.533(a)(1)(i) 6A-6.0331(6)(a)1	Information provided by the parent, including their requests for assessment, must be included in the reevaluation.		6 of 41 student records reviewed lacked evidence of documentation that parental/students request for assessment were included as part of the reevaluation process.
§300.503(a)(1)(i) §300.503(a)(1)(ii) 6A-6.03311(1)	Prior written notice to the parent is required if there is a change in FAPE.		3 of 41 records lacked documentation of prior written notice for a change in FAPE.
			2 of 41 student records reviewed lacked statements of course of study the student was pursuing.
Sec. 614(d)(1)(A)(i)(VIII)(aa) 6A-6.03028(8)(a)(1)-(2)	Must include measurable post-secondary goals based on assessments related to training, education, employment, and if appropriate, functional vocational evaluations and daily living skills Lack of IEP member responsible for follow-up.	41 of 41 student records lacked evidence of a team member identified for follow-up.	12 of 48 students interviewed reported having no recollection of discussing transition services at the IEP meeting.
6A-6.03028(7)(i)(3)	Need for instruction in self-determination must be considered annually.	41 of 41 student records lacked evidence of consideration of the need for instruction in self-determination.	
Sec. 614(d)(1)(A)(i)(VIII)(aa) 6A-6.03028(8)(a)(1)-(2)	Lack of consideration of instruction, community experiences, training, employment, post-school living,	41 of 41 student records lacked evidence of related services addressed for transition services.	8 of 41 student records lacked evidence of instruction addressed for transition services.

Standard/Citation	Findings	Supporting Evidence	Concerns
	functional vocational evaluation and daily living skills for transition services.	<p>13 of 41 student records lacked evidence of community experiences addressed for transition services.</p> <p>12 of 41 student records lacked evidence of daily living skills and training addressed for transition services.</p> <p>10 of 41 student records lacked evidence of employment, post-school adult living and functional vocational evaluation addressed for transition services.</p>	
Forms Review			
Sec. 614(d)(1)(A) §300.347 6A-6.03028(7) 6A-6.03311	Required components for prior written notice, IEP, Services Plan, Procedural Safeguards, Due Process, and Confidentiality,	Of 10 forms reviewed, 6 forms required changes and 5 forms had recommendations for revisions.	

System Improvement Plan

In response to these findings, the DOC is required to develop a system improvement plan (SIP) for submission to the Bureau. This plan must include activities and strategies intended to address specific findings, as well as measurable evidence of change. In developing the system improvement plan, every effort should be made to link the system improvement activities resulting from this cyclical monitoring report to the DOC's targeted technical assistance needs identified through the State Performance Plan Indicator Teams. The promising practices, recommendations, and technical assistance resources included below should be considered when developing strategies and/or interventions targeting the critical issues identified by the Bureau as most significantly in need of improvement.

Promising Practices, Recommendations and Technical Assistance

Promising Practices

During the visit promising practices were noted by DOC and school staff and by Bureau monitors. Some of the reported promising practices were institution specific, some were program specific, and others were the results of district-wide initiatives. The DOC is encouraged to continue to promote an atmosphere where teachers and staff can share these practices. Some of the reported promising practices are listed below.

- Students are provided educational services in the general education academic settings.
- Teachers use general education standards for all students.
- Options are available at most institutions for students to be enrolled in academic and vocational programming simultaneously.
- All programmatic and work assignments areas serve as educational vehicles.
- The Transition Program is available to all students.

Recommendations

Recommendations have been proposed for the DOC to consider when developing the system improvement plan and determining strategies that are most likely to effect change. The list is not all-inclusive, and is intended only as a starting point for discussion among the parties responsible for the development of the SIP.

- Conduct periodic self-assessments of ESE programs across institutions to ensure that IEPs are being implemented and that all information (e.g., time with nondisabled) is reported accurately.
- Utilize Corrections Distance Learning System for staff training to include education supervisors, placement and transition specialist, and special education teachers when travel is limited.
- Develop training modules to address the range of procedures related to the provision of services to students with disabilities (e.g., continuum of services, placement decisions).
- Develop training modules that address the importance of team membership and collaboration in the development of the TP/IEPs.

Technical Assistance

The following are some of the resources available through the Bureau of Exceptional Education and Student Services. If there are additional topics or areas of concern that are not included, please contact the Bureau for assistance.

Bureau of Exceptional Education and Student Services

Bureau staff are available for assistance on a variety of topics. Following is a partial list of contacts:

ESE Program Administration and Quality Assurance—Monitoring (850) 245-0476

Eileen Amy, Administrator
Eileen.Amy@fldoe.org

Ginny Chance, Program Director
Ginny.Chance@fldoe.org

ESE Program Development and Services (850) 245-0478

Cathy Bishop, Administrator
Cathy.Bishop@fldoe.org

Clearinghouse Information Center cicbiscs@FLDOE.org (850) 245-0477

Special Programs Information, Clearinghouse, and Evaluation (850) 245-0475

Karen Denbroeder, Administrator
Karen.Denbroeder@fldoe.org

**Department of Corrections
2006 Cyclical Monitoring
System Improvement Strategies**

The DOC is required to provide system improvement strategies to address identified findings of noncompliance, which may include an explanation of specific activities the DOC has committed to implementing, or it may consist of a broader statement describing planned strategies. For each issue, the plan also must define the measurable evidence of whether or not the desired outcome has been achieved. Target dates of findings for non-compliance must not extend beyond one year after notification. In addition to findings of noncompliance, the report includes areas of concern that the DOC is encouraged to address, either through this system improvement plan or through other avenues. Resources, suggestions and/or recommended actions are provided following this plan format.

Findings of Noncompliance	Improvement Strategies/Interventions	Outcome Measures and Timeline
IEP Requirements/Implementations		
For each finding, implement the following strategies/interventions and report outcomes according to the designated timeline.	<p>Training and/or technical assistance regarding identified findings.</p> <p>Staff will conduct quarterly review of a sampling of TP/IEPs (≥ 20 records) of students for inclusion of requirements.</p> <p>Following an analysis of the record review results, DOC staff will determine if additional training is required or targeted training meet compliance.</p>	<p>DOC to submit training agendas and materials. Results of training indicate participants perceive a greater understanding of accommodations and consistent implementation.</p> <p>DOC report of training date(s).</p> <p>DOC report of self-assessment reveals compliance with targeted elements for 100% of TP/IEPs reviewed.</p> <p>July 2007</p>
Related Factor: General		
Present level of academic achievement and functional performance must indicate how the disability affects the child's involvement and progress in appropriate activities.		

Findings of Noncompliance	Improvement Strategies/Interventions	Outcome Measures and Timeline
<p>Annual goals and short-term objectives/benchmarks must relate to the needs resulting from the disability and focus on enabling the student to be involved and progress in appropriate activities.</p> <p>IEP must include annual measurable goals.</p> <p>IEP must include measurable short-term objectives or benchmarks with timeframes.</p> <p>For student whose behavior impedes learning (self or others), the IEP team must consider positive behavioral interventions, strategies, and supports to address that behavior.</p> <p>IEP must include an explanation of the extent, if any, to which the student will not participate with non-disabled peers.</p>		
<p>IEP team revises the IEP as appropriate to address lack of expected progress towards annual goals, results of any reevaluation, information from the parents, or child's anticipated needs.</p> <p>IEP must identify a location and frequency for special education services/specially designed instruction; related services; supplementary aids and services; and accommodations and/or modifications.</p> <p>IEP must include any testing accommodations to be provided for statewide assessment or other general assessment.</p>		

Findings of Noncompliance	Improvement Strategies/Interventions	Outcome Measures and Timeline
IEP requires a statement of supplemental aids and services, accommodations, modifications, and supports for school personnel to be provided for student to participate and progress in the general curriculum.		
Accommodations must be provided as indicated on the IEP.		
<p>No cessation of services allowed for cumulative suspensions over 10 days in a school year (must provide FAPE sufficient for the student to progress in curriculum and advance towards achieving goals).</p> <p>Services, accommodations, modifications to address and prevent the specific misconduct from recurring must be provided in the IAES (confinement).</p>		
Continuum of alternative placements must be available from the DOC to meet the needs of all its students.		
IEP team determines placement. Placement review is done annually.		
<p>At least one notice attempt must be in writing.</p> <p>LEA, ESE teacher, general education teacher, parents/students, and interpreter of instructional implications are minimum required invitees and participants.</p> <p>Parent must be provided copy of IEP. If neither parent can attend, other methods of</p>		

Findings of Noncompliance	Improvement Strategies/Interventions	Outcome Measures and Timeline
<p>participation attempted.</p> <p>Student must be invited to the meeting.</p> <p>Agency representative must be invited, if appropriate.</p>		
<p>Information provided by the parent/student, including their requests for assessment, must be included in the reevaluation.</p> <p>Parent consent is required for conducting formal assessments as part of reevaluation, except when the DOC can demonstrate it has taken reasonable measures to obtain consent and the parents have failed to respond.</p> <p>Prior written notice to the parent is required if there is a change in FAPE.</p>		
<p>Must include a statement of the course of study student is pursuing.</p> <p>Must include measurable post-secondary goals based on assessments related to training, education, employment, and if appropriate, functional vocational evaluations and daily living skills</p> <p>Need for self-determination must be considered annually.</p> <p>Lack of IEP member responsible for follow-up</p>		

Findings of Noncompliance	Improvement Strategies/Interventions	Outcome Measures and Timeline
Lack of consideration of instruction, community experiences, training, employment, post-school living, functional vocational evaluation and daily living skills for transition services.		
Must provide a notice of the transfer of rights closer to the 18 th birthday; notifying student and parent of the transfer of rights.		
Forms Review		
Compliance with required items on forms for ESE process.	The DOC is required to make corrections to the forms or develop a method to ensure missing components are completed.	DOC to submit revised forms or document conversion to the Statewide IEP system. July 2007

Appendix A:
ESE Monitoring Team Members

**Florida Department of Education
Bureau of Exceptional Education and Student Services
2006-07 Cyclical Monitoring
Department of Corrections**

Department of Education Staff

Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services
Eileen L. Amy, Administrator, ESE Program Administration and Quality Assurance
Ginny Chance, Program Director, ESE Program Administration and Quality Assurance

ESE Monitoring Team Members

Barbara McAnelly, Program Specialist, Team Leader
Laura Harrison, Program Specialist
Marilyn Hibbard, Program Specialist
Angela Nathaniel, Program Specialist
Annette Oliver, Program Specialist