

**2013-14 Exceptional Student Education  
Monitoring and Assistance  
On-Site Visit Report**

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**Bay County School District  
January 15-17, 2014**



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

This publication is produced through the Bureau of Exceptional Education and Student Services (BEESS), Division of Public Schools, Florida Department of Education, and is available online at <http://www.fldoe.org/ease/mon-home.asp>. For information on available resources, contact the BEESS Resource and Information Center (BRIC).

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December 4, 2014

William V. Husfelt, Superintendent  
Bay County School District  
1311 Balboa Avenue  
Panama City, Florida 32401-2080

Dear Superintendent Husfelt:

We are pleased to provide you with the **2013-14 Exceptional Student Education (ESE) Monitoring and Assistance On-Site Visit Report for Bay County School District**. This report was developed by integrating multiple sources of information related to an on-site monitoring visit to your school district on January 15-17, 2014. Those information sources included interviews with district and school staff, student-focus groups, student record reviews, **Local Educational Agency Profiles, Guiding Questions – District-Level Needs Assessment** and an action-planning and problem-solving process. This report will be posted on the Bureau of Exceptional Education and Student Services' (BEESS) website and may be accessed at <http://www.fldoe.org/ease/mon-home.asp>.

The 2013-14 ESE Monitoring and Assistance process focuses on those State Performance Plan indicators that contributed to the targeting of school districts for coordinated early intervening services and those indicators that affect equity and access in the educational environment for students with disabilities. Additionally, the process focuses on a shift from ESE compliance to outcomes to prepare all students for college and career readiness, which include: increasing standard diploma graduates; decreasing the number of students dropping out of school; increasing regular class placement; decreasing the need for seclusion and restraint; and eliminating disproportionality in eligibility identification and discipline.

The Bay County School District was selected for an on-site visit due to discipline, least restrictive environment and seclusion for students with disabilities. The on-site visit was conducted by a state support team (SST) that included BEESS and discretionary project staff.

**Monica Verra-Tirado, Ed.D., Chief**  
**Bureau of Exceptional Education and Student Services**

Superintendent Husfelt  
December 4, 2014  
Page Two

Mr. Patrick Martin, ESE Director, and his staff were very helpful to the SST in preparing for the on-site visit and throughout the visit. In addition, the principals and other staff members at the schools visited welcomed the SST and demonstrated a commitment to the education of students in the school district.

As part of the SST's visit, representatives from the school district's ESE department, the schools visited and other school district staff participated in an action-planning and problem-solving process. This group reviewed the school district's data collected prior to and during the on-site visit, and came to consensus on priority goals related to reducing suspension and expulsion for black students with disabilities and increasing student performance through the use of effective inclusive practices. An action plan, developed around those goals, will be implemented by the ESE department with the assistance of designated discretionary project staff from the SST.

Thank you for your commitment to improving services to exceptional education students in the Bay County School District. If there are any questions regarding this report, please contact me at 850-245-0475 or via email at [monica.verra-tirado@fldoe.org](mailto:monica.verra-tirado@fldoe.org).

Sincerely,

Monica Verra-Tirado, Ed.D., Chief  
Bureau of Exceptional Education and Student Services

Enclosure

cc: Patrick Martin  
Cathy Bishop  
Patricia Howell  
Bethany Mathers

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**2013-14 Exceptional Student Education  
Monitoring and Assistance  
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**Bay County School District**

**January 15-17, 2014**

**Authority**

The Florida Department of Education (FDOE), Bureau of Exceptional Education and Student Services (BEESS), 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 exceptional student education (ESE) laws and rules (sections 1001.03(3), 1003.571 and 1008.32, Florida Statutes [F.S.]). One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (s. 300.1(d) of Title 34, Code of Federal Regulations [CFR]). The bureau is responsible for ensuring that the requirements of IDEA and the educational requirements of the state are implemented (34 CFR §300.149(a)(1) and (2)).

In fulfilling this requirement, the bureau monitors ESE programs provided by district school boards in accordance with s. 1001.42, 1003.57 and 1003.573, F.S. Through these monitoring activities, the bureau examines records and ESE services, evaluates procedures, provides information and assistance to school districts and otherwise assists school districts in operating effectively and efficiently. The monitoring system is designed to facilitate improved educational outcomes for students while ensuring compliance with applicable federal laws and regulations and state statutes and rules.

Under 34 CFR §300.646(b)(2), if a state identifies significant disproportionality based on race or ethnicity in a local educational agency (LEA) with respect to the identification of children as children with disabilities, the identification of children in specific disability categories, the placement of children with disabilities in particular educational settings or the taking of disciplinary actions, the LEA must use the maximum amount (15 percent) of funds allowable for comprehensive coordinated early intervening services (CEIS) for children in the LEA, particularly, but not exclusively, for children in those groups that were significantly overidentified.

Section 1003.573, F.S., Use of restraint and seclusion on students with disabilities, was created in July 2010, and established documentation, reporting and monitoring requirements for districts regarding the use of restraint and seclusion for students with disabilities. School districts were required to have policies and procedures that govern parent notification, incident reporting, data collection and monitoring of the use of restraint or seclusion for students with disabilities in place no later than January 31, 2011. In July 2011, s. 1003.573, F.S., was amended to require that the FDOE establish standards for documenting, reporting and monitoring the use of manual or physical restraint and occurrences of seclusion. In September and October 2011, the standards established by the FDOE were provided to school districts and were included in the district's **Exceptional Student Education Policies and Procedures (SP&P)** document.

## **ESE Monitoring and Assistance Process**

### **Background Information**

The 2013-14 ESE Monitoring and Assistance process focuses on those State Performance Plan (SPP) indicators that contributed to the targeting of school districts for CEIS and the following indicators that affect equity and access in the educational environment for students with disabilities:

- Indicator 1 – Graduation: Percentage of youth with individual educational plans (IEPs) graduating from high school with a regular diploma.
- Indicator 2 – Dropout: Percentage of youth with IEPs dropping out of high school.
- Indicator 4 – Rates of suspension and expulsion:
  - A. Percentage of districts that have a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.
  - B. Percentage of districts that have (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and support and procedural safeguards.
- Indicator 5 – Educational environments:  
Percentage of children with IEPs ages 6 through 21:
  - A. Inside the regular class 80 percent or more of the day;
  - B. Inside the regular class less than 40 percent of the day; and
  - C. In separate schools, residential facilities, or homebound/hospital placements.
- Indicator 10 – Disproportionality, specific disability categories: Percentage of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
- CEIS – Services provided to students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral supports to succeed in a general education environment.
- Restraint – Rate of incidents of restraint, as reported in the FDOE website.
- Seclusion – Rate of incidents of seclusion, as reported in the FDOE website.

The 2013-14 ESE Monitoring and Assistance process includes four phases:

- Phase 1 was composed of planning activities that occurred in advance of the first on-site visit to the school district.
- Phase 2 was the initial on-site visit to the selected school district by the state support team (SST).
- Phase 3 includes follow-up and post-initial visit activities that are conducted by a designated follow-up team, as determined by the SST, and identification of the ongoing data that will be collected.
- Phase 4 includes evaluation of the effectiveness of the school district's action plan, and should include participation of the comprehensive team that was involved in Phase 1.

For ESE compliance monitoring purposes, the bureau required all school districts to participate in the 2013-14 Level I Fall Cycle Self-Assessment process, which included the review of records



for implementation of IEPs and a review of incidents of restraint and seclusion. School districts identified as part of the monitoring and assistance process with on-site visits during the 2013-14 school year were exempt from self-assessing school records for IEP implementation and restraint and seclusion. Instead, bureau members of the school district's SST reviewed a sample of records as part of the on-site visit.

In a letter dated August 27, 2013, the superintendent of the Bay County School District was informed that the bureau would be conducting an on-site monitoring visit for the following focus areas: discipline, least restrictive environment (LRE) and seclusion for students with disabilities.

### **School Selection**

Upon review of the school district's data reported via the FDOE's web-based reporting systems for incidents of restraint and seclusion and SPP indicator 4B, and additional data provided by the school district, it was determined that the monitoring and assistance process would involve the following schools and programs for record reviews, school-level administrator interviews or on-site visits:

- Jinks Middle School
- Merriam Cherry Street Elementary School

### **On-Site Activities**

#### **On-Site Visit Team**

The following SST members conducted the monitoring and assistance on-site visit:

#### **FDOE, BEESS**

- Patricia Howell, program director (facilitator)
- Zoe Mahoney, program specialist (co-facilitator)
- Bethany Mathers, program specialist

#### **FDOE, Bureau Discretionary Projects**

- Ann Selland, Multi-tiered systems of support (MTSS) Specialist, Florida Department of Education Bureau Discretionary Projects
- Kathy Christiansen, Florida's Positive Behavior Support Project (PBS): MTSS Project, Florida Center for Inclusive Communities (action-planning and problem-solving co-facilitator)
- Beth Hardcastle, regional coordinator, Florida's Problem Solving Response to Intervention Project (PS/RtI) (action-planning and problem-solving co-facilitator)
- Crystal Grey-Hewett, Florida State University Center for Autism and Related Disabilities
- Judy Peacock, regional technology coordinator at Technology and Learning Connections at University of South Florida
- Karen Sawyers, Florida Inclusion Network/North Region Facilitators
- Faye Yongue, program coordinator, Florida Diagnostic & Learning Resources System (FDLRS) Panhandle Area Educational Consortium (PAEC)
- Rusty Holmes, consultant, FDLRS and Multiagency for Students with Emotional and Behavioral Disabilities (SEDNET)

## **Data Collection**

On-site monitoring and assistance activities included the following:

- Teacher interviews – six participants
- Student focus groups and interviews – eight participants
- Completion of IEP Implementation protocol – 15 students
- Completion of Restraint and Seclusion protocol – 11 students
- Action-planning and problem-solving process – 28 participants
- Review of data from the school district's LEA Profiles, Guiding Questions – District-Level Needs Assessment and data compiled from district data systems

## **Review of Records**

The school district was asked to provide the following documents, as applicable, for each of the 15 students selected for review of restraint and seclusion and IEP implementation:

- IEPs for the 2012-13 and 2013-14 school years
- Current functional behavioral assessment
- Current behavioral intervention plan (BIP)
- Discipline and attendance records for 2013-14 school year
- Progress reports and report cards for the 2012-13 and 2013-14 school years
- Student's current schedule
- Parent notifications and other documentation related to incidents of restraint and seclusion
- Verification of training for staff members involved in incidents of restraint and seclusion
- Verification of the provision of related services and accommodations (lesson plans, teacher schedules and therapy logs)

## **Guiding Questions – District-Level Needs Assessment**

Prior to the on-site visit, the school district was provided with questions to use as a guide in the collection of data. SST and district staff reviewed these data during the action-planning and problem-solving process. Bay County School District's questions were related to seclusion, LRE and SPP indicator 4B. A list of these questions is located in Appendix A of this report.

## **Results**

The following results reflect the data collected and reviewed through the activities of the 2013-14 ESE Monitoring and Assistance process for Bay County School District. Also included are commendations, findings of noncompliance and next steps, as applicable.

## **Seclusion**

According to the school district's SP&P document, the school district uses Crisis Prevention Institute's Nonviolent Crisis Intervention (CPI) as the sole program to train personnel regarding appropriate crisis management methods. The school district employs seven certified trainers in CPI, and refresher trainings are conducted on an annual basis as scheduled by the lead trainer through the district's Office of Staff Development. The district conducts quarterly coaches' meetings encouraging discussion and problem solving among its schools.

The district's SP&P indicated that, during the 2013-14 school year, the district planned to reduce the total number of incidents of seclusion (when compared to the 2012-13 school year data of

102 incidents of seclusion) through continued professional training opportunities and targeted supports at both the school and the individual level. The goal for the district was to reduce the total number of incidents of seclusion by 5 percent during the 2013-14 school year.

The district's SP&P indicated that school principals were provided restraint and seclusion reports each month for review. The procedures included a review by the school-based problem-solving team for any student who received two or more incidents of seclusion.

The school district reported the following during the review of the guiding questions and the action-planning and problem-solving process:

- Twenty-nine of the district's schools, including the two separate day schools where the seclusions are occurring, actively participate in PBS.
- The two separate day schools where the seclusions are occurring include the following:
  - A center school that serves students with significant cognitive impairments from prekindergarten through age 22. The school has a full-time behavior specialist who develops BIPs and trains staff in the implementation of the BIP, as well as a designated school psychologist.
  - An elementary center school that serves students with significant emotional or behavioral difficulties from prekindergarten through grade 5. The school has access to a certified applied behavior analyst for assistance, as well as the support of a designated school psychologist.

## Data Review

<b>Seclusion Data - Bay County School District</b>		
<b>School Year</b>	<b>Number of Incidents</b>	<b>Number of Students</b>
<b>2012-13</b>	<b>102</b>	<b>60</b>
<b>August 2013 through January 2014</b>	<b>30</b>	<b>11</b>

Source: FDOE – Seclusion Data Reported from Bay County School District

The above data from the time of the visit indicates a significant downward trend in the number of incidents of seclusion when compared with the previous school year.

The school district reported the following information in their SP&P and during the review of the guiding questions and the action-planning and problem-solving process:

- The school district currently has three seclusion rooms in use in two of the district's three separate day schools.
- The district utilizes the seclusion room as an emergency intervention when students are exhibiting behaviors that present an imminent risk of serious injury or death to the student or others.
- The district's ESE population is 4,270 students; 263 of those students are in the center schools.
- During the 2012-13 school year, the district began Children at Risk Multidisciplinary Assistance Team (CARMA) meetings in cooperation with SEDNET to assist students at the center schools with significant mental health or psychiatric diagnoses whose

conditions do not allow them to successfully interact to their environment and BIPs. This is the second year the school district has been active with CARMA.

- A community action team (CAT), is available through Life Management Center to assist with addressing serious behavioral health care needs.
- Staff have participated in Boys in Crisis and Understanding the Frameworks of Poverty trainings, and the district contracts with certified behavior analyst (CBA) consultants when indicated.

### Discipline (Suspensions and Expulsions)

Discipline rates for students with disabilities and nondisabled students are calculated by dividing the number of students who received out-of-school suspensions or expulsions totaling more than 10 days by total-year enrollment as reported at the end of the school year. The risk ratio is calculated by dividing the discipline rate of students with disabilities by the discipline rate of nondisabled students. A risk ratio of 1.0 indicates that students with disabilities and nondisabled students are equally likely to be suspended or expelled.

Discipline Risk Ratios (4A)		
	2012-13	2013-14
Bay	2.00	2.36
State	1.21	1.43

Source: 2014 LEA Profile - FDOE (<http://www.fldoe.org/ese/datapage.asp>)

Discipline risk ratios by racial or ethnic group are calculated for students with disabilities by dividing the discipline rate of a specific racial or ethnic group by the rate of all nondisabled students. (For example: A risk ratio of 1.0 indicates that, for instance, black students with disabilities are equally likely to be suspended or expelled as all nondisabled students.)

Discipline Risk Ratios by Race or Ethnicity (4B)		
Race	2012-13 School Year*	
	State	Bay
White	0.74	1.30
Black	2.49	<b>4.74</b>
Hispanic	0.76	
Asian		
American Indian and Alaskan Native	1.27	
Native Hawaiian and Other Pacific Island		
Two or more races	1.29	

Blank cells indicate that there are fewer than 10 students with disabilities for a specific race or ethnic group suspended or expelled for greater than 10 days.

Source: 2014 LEA Profile - FDOE (<http://www.fldoe.org/ese/datapage.asp>)

The district's SP&P included the following information regarding how it provides information and training related to positive behavioral interventions and supports:

- The district presently has 29 local schools that actively participate in PBS.

- The district employs several CBAs and contracts with a private company to supply CBAs to assist assigned schools with positive behavior intervention plan (PBIP) development and implementation.
- In addition, the district has an agreement with Florida State University (Panama City) to utilize applied behavior analysis graduate-level students in targeted areas.

The district's SP&P included the following information regarding the district's procedures for a student who is suspended:

- The district's student information system (SIS) will generate automatic electronic notification to the director of ESE or designee and school-based administrator(s) for any students with disabilities suspended out of school for more than 10 days.
- Upon receipt of notification, the director of ESE or designee and the school-based administrator for the student will disseminate the information to the ESE resource teacher or staffing specialist.
- Once notified, the ESE resource teacher or staffing specialist will schedule and facilitate a manifestation determination meeting within the required 10-day timeline.
- If the student has been suspended more than 10 days the IEP team will consider whether there is a pattern of removal that constitutes a change of placement. In addition, the IEP team will consider appropriate action, such as reviewing present levels and goals, services, and the development or revision of a PBIP.
- All expulsion requests from the local school go to the office of the assistant superintendent. If a student with a disability is recommended for expulsion the school's assigned ESE resource teacher or staffing specialist is notified so he or she can schedule and conduct a manifestation determination meeting. If the student is expelled to an alternative school or a separate day school, it is considered a change of placement and a new IEP is developed.

The school district reported the following during the review of the guiding questions and the action-planning and problem-solving process regarding students with disabilities who were suspended or expelled for more than 10 days (separate day school for high school students):

- Many of the staff members have worked at this school for multiple years and have the same students for years in a row with little change in environment or student population.
- The center school attempts to exhaust all resources and options prior to out-of-school suspension (OSS).
- Inconsistent parent involvement or follow through with support has been noted.
- There is a high rate of significant mental health and psychiatric disorders (both treated and untreated).

In regard to what strategies and resources have been identified by the school district, specifically related to the suspension and expulsion of black students with disabilities, the school district's responses to the guiding questions included the following:

- The district monitors the incidents of OSS or expulsion of black students, as well as all students with disabilities, on a monthly basis utilizing the current data system (FOCUS). An early warning system has been put into place by noting each student with current discipline activity resulting in any OSS or in-school-suspension (ISS). The director of ESE and respective staff meet with individual school administrators one-to-one, if data review indicates a need.

- Specified schools have been closely monitored by the district, and monthly OSS or expulsion reports are shared with administrators.
- CAT is a new program sponsored through the Life Management Center. It will provide resources for students with mental health or behavioral needs.
- The resource teachers and staffing specialists are available to review the IEPs and BIPs to assist the school staff.
- Behavior intervention specialists funded through Title I have been assigned to the schools identified as those in need of assistance.
- The district has behavioral and mental health counselors available to all schools to assist with individual students; this service is determined by the IEP team.
- The director of ESE encourages the establishment of school-based problem-solving teams to review the relevant discipline data generated by the monthly suspension reports to assist with determining trends and developing interventions or alternatives.
- The superintendent and the director of ESE review the discipline data with school-based administrators to increase awareness for the need to use discretion and differentiation when imposing actions for offenses.
- The district continues to be an active PBS district, and the district will continue to use the response to intervention behavior (RtI:B) data system. The schools have been using the data system to assist with problem identification and the problem-solving process.
- The district continues to promote professional development opportunities through Ruby Payne's: Understanding the Frameworks of Poverty and Boys in Crisis.

The district reflected the following in the guiding question related to discipline:

- The district will continue to work with all schools to continue to reduce the number of black students who receive OSS for more than 10 days.
- The district will continue to work closely with the center school to reduce the number of black students who receive OSS for more than 10 days.

### **Least Restrictive Environment**

To the maximum extent appropriate, students with disabilities are to be educated with students who are nondisabled. Regular class placement is defined as a student's participation inside the regular classroom 80 percent or more of the day. Resource class placement is defined as participation in the regular class 40 percent through 79 percent of the day.

Separate class includes students spending less than 40 percent of their week with nondisabled peers. The 2014 LEA Profile reports that the district rate for regular and resource placement do not meet the state rate.

Regular Class	2012-13	2013-14
Bay	57%	55%
Enrollment Group	73%	73%
State	71%	71%

Source: 2014 LEA Profile - FDOE (<http://www.fldoe.org/ease/datapage.asp>)

Resource Class	2012-13	2013-14
Bay	12%	12%
Enrollment Group	9%	8%
State	11%	10%

Source: 2014 LEA Profile - FDOE (<http://www.fldoe.org/ese/datapage.asp>)

Separate Class	2012-13	2013-14
Bay	22%	23%
Enrollment Group	15%	15%
State	14%	15%

Source: 2014 LEA Profile - FDOE (<http://www.fldoe.org/ese/datapage.asp>)

During the problem-solving session, the following district data disaggregated between type of school was shared:

- Regular classroom data (5A): Of the 55 percent of students served in regular class, 58.18 percent were in elementary school, 18.49 percent in middle school and 23.31 percent in high school.
- Resource room data (5B): Of the 12 percent of students served in the resource room, 66.75 percent were in elementary school, 24.60 percent in middle school and 8.63 percent in high school.

The district's Best Practices for Inclusive Education (BPIE) was completed August 28, 2013, and included the following plans:

- During the 2014-15 school year, Bay County School District will work with schools in collaboration with Florida's Inclusion Network (FIN) to increase district regular class placement to 60 percent, decrease district separate class placement to 18 percent and decrease district other separate environment placement to 9 percent.
- Tiered-levels of supports will be provided by the district and FIN based on the level of each school's needs determined by the current percentage of students with disabilities included with their nondisabled peers and current school grade.

In regard to the strategies and resources identified by the school district related to evidence-based practices currently occurring at the school-level specifically regarding LRE:

- FIN met with one elementary school's personnel in June 2013 to discuss flexible schedules and to begin to create a flexible schedule. The flexible schedule was completed by the beginning of the school year. The team met on July 15, 2013, and developed the school-based action plan (SBAP). On October 31, 2013, the team met to review the SBAP, and action steps are ongoing.
- FIN met with the principal of a second elementary school to support administration and staff in increasing experiences for students with disabilities in general education classrooms. FIN provided 50 copies of the Accommodations Booklet for staff. Discussion was to be continued on how best to use the books and provide training. Selected staff participated in the Building Inclusive Schools module.
- FIN met with the administration of a third elementary school to discuss support for school administration and staff in increasing experiences for students with disabilities in

the general education classrooms. An SBAP has been developed and is an ongoing process.

- FIN contacted the principal at one of the high schools to discuss FIN support for the administration and staff in increasing experiences for students with disabilities in the general education classrooms. A meeting was held on February 5, 2014, and a plan was to be put in place with action steps to begin immediately after.

Regarding how the school-level evidence-based practices regarding LRE are being supported by the district, the following information was shared during the district's problem-solving session:

- The director of ESE has invited FIN to conduct a Flexible Scheduling Workshop. The workshop was held on March 4, 2014.
- The target audience will include administrative staff, principals, assistant principals, school counselors, district staff from each pilot school and other schools, and designated district-assigned resource teachers.
- The director of ESE will work in collaboration with FIN to conduct two professional development sessions on differentiated instruction. One elementary session and one secondary session will be conducted.
- The district has already met with FIN and developed a FIN service plan for the district. The district will continue to work with FIN.
- There are currently three elementary schools and one high school working directly with FIN.

One of the barriers discussed during the district's problem-solving session was that control over how the teacher allocations are used is left up to the school-based administration rather than a district-level decision. The director of ESE has obtained the assistance of FIN to assist the district-level staff and the school-based staff with the process of increasing the number of students with disabilities in general education classroom placement.

### **Student Focus Groups**

A student focus group was held at the middle school visited where students provided the following information:

- IEP team meeting participation – One student indicated not having attended an IEP team meeting yet.
- Inclusion – Students indicated that the following technologies or assistive technologies were being utilized: laptops; multiplication.com (“ice cream game” that students can access after work and as a reward); coolmath.com; Smart Board with a projector; calculator; and pencil grips.
- Classes – Students indicated that the materials and activities used in their classes were at their age level. In addition, most of the students indicated that the classes were not too difficult or too easy.
- Suspension and Expulsions
  - All of the students indicated that they knew the school rules.
  - The students indicated that suspension and expulsion can occur for fighting or getting in trouble with a teacher and the punishment depends on what the student does wrong.
  - The students indicated that the student could get their work while in ISS or OSS if the parent picked it up. If not, the student could make up the work once back at school.



- Resources needed – Students indicated they would like to have guest speakers come to the school to talk about careers and jobs.

**Commendations**

1. The school district had a significant decrease in seclusion from the previous school year. The district’s actual reduction in the number incidents of seclusion for the 2013-14 school year was 57.8 percent (43 total incidents of seclusion).
2. The school district’s dropout rate of 3 percent for students with disabilities is below the state average and the same as the enrollment group average. The district’s dropout rate for students with emotional or behavioral disabilities is below the state rate and the enrollment group average.

**ESE Monitoring and Compliance**

**Records Review**

BEESS staff reviewed records of 15 students in the school district. Standards from the IEP Implementation and Restraint and Seclusion protocols were reviewed. Noncompliance was found for three students from the same elementary school on one standard.

<b>Standard with Identified Noncompliance</b>
IPI-8 The student’s progress toward meeting the annual goals was measured, and the report of progress was provided as often as stated on the IEP. (34 CFR §300.320(a)(3))

**Corrective Action**

1. For student-specific correction of the noncompliance, the district was asked to reconvene the three students’ IEP teams to address progress toward meeting the annual goals that were not addressed within the previously provided progress reports.
2. Evidence of the completion of the required individual corrective actions was to be provided to the bureau **no later than April 14, 2014**. In addition, no later than March 7, 2015, the district was required to demonstrate correct implementation of the standard identified as noncompliant during the on-site visit.

On June 17, 2014, the district provided evidence of the reconvening of the three students’ IEP teams to address progress. In addition, the district demonstrated correct implementation of the provision of progress reports through a sampling process. This completes the corrective action requirement.

**Action-Planning and Problem-Solving Process and Next Steps**

As part of the monitoring and assistance on-site visit, the SST members, ESE director and representatives from the Bay County School District participated in an action-planning and problem-solving process. The group reviewed the data collected prior to and during the on-site visit and developed a list of priorities and obstacles. An action plan was developed to address the first priorities selected, which were related to reducing suspension and expulsion for black students with disabilities and increasing student performance through the use of effective inclusive practices.

The school district's action plan included the following:

**Indicator 4B — Priority Goal: Reduce the number of black students with disabilities who are suspended and or expelled beyond 10 days.**

1A. 2013-14 Desired outcome and measures: By June 2014, the district will reduce the number of black students with disabilities who are suspended or expelled for more than 10 days by 33 percent from 2012-13.

- Goal 1: Decrease the number of black students with disabilities who receive more than 10 days OSS by 33 percent. (2012-13 = 74 students; 2013-14 goal = 50 students)
- Goal 2: Decrease the total number of OSS days for all black students with disabilities by 33 percent. (2012-13 = 2377 OSS days; 2013-14 goal = 1593 OSS days)
- 2013-2014 Results:
  - Goal 1: ACHIEVED - 44 ESE, black students received more than 10 days OSS = a 40 percent decrease
  - Goal 2: 1850 total number of OSS days for all black students with disabilities = a 22 percent decrease

1B. 2014-15 Desired outcome and measures: By June 2015, the district will reduce the number of black students with disabilities who are suspended or expelled by 15 percent from 2013-2014.

- Goal 1: Decrease the number of black students with disabilities who receive more than 10 days OSS by 15 percent = 37 students
- Goal 2: Decrease the total number of OSS days for all black student with disabilities by 15 percent = 1,572 OSS days

2. Resources and barriers to achieving goal: Brainstorm regarding resources that might facilitate achievement of the goal and the barriers that might prevent achievement of the desired outcome.

3. Selected barrier:

- Lack of understanding of behavior management by school administrators
  - Including cultural awareness
  - Consistent guidelines for administering consequences
  - Resources

4. Strategies were addressed to reduce the selected barrier.

5. and 6. Action Plan steps to reduce selected barrier and follow-up support.

7. Plan for evaluating the reduction or elimination of the following barrier selected:

- Lack of understanding of behavior management by school administrators
  - Awareness – include cultural awareness
  - Consistent guidelines for administering consequences
  - Resources

**Indicator 5 — Priority Goal: Increase student performance through the use of effective inclusive practices**

1A. 2013-14 Desired outcome and measures: By June 2014, the district will:

- Goal 1: Increase the percentage of students with IEPs attending general education classes to 60 percent
  - Based on the district's SIS data the 2013-14 year-end percentage was 54.37 percent.

The goal was not achieved.

- Goal 2: Decrease the percentage of students with IEPs attending separate classes to 18 percent. Based on the district's SIS data, the 2013-14 year-end percentage was 22.88 percent. The goal was not achieved.
- Goal 3: Decrease the percentage of students with IEPs attending other separate environmental placements to 9 percent. Based on the district's SIS data, the 2013-14 year-end percentage was 9.29 percent. The goal was not achieved.

1B. 2014-2015 Desired outcome and measures: By June 2015, the district will:

- Goal 1: Increase the percentage of students with IEPs attending general education classes to 60 percent, an increase of 5.63 percent from 2013-14
- Goal 2: Decrease the percentage of students with IEPs attending separate classes to 18 percent, a decrease of 4.88 percent from 2013-14
- Goal 3: Decrease the percentage of students with IEPs attending other separate environmental placements to 9 percent, a decrease of .29 percent from 2013-14

2. Resources and barriers to achieving goal were addressed.

Brainstorm positive factors and resources that might facilitate achievement of the goal and variables that might prevent achieving the desired outcome.

3. The following barrier was selected:

- Lack of understanding and models of effective implementation of inclusion.

4. Strategies to reduce selected barrier. Brainstorm strategies to reduce or eliminate barrier.

5. & 6. Action Plan steps to reduce selected barrier and follow-up were addressed.

(Develop action plans to reduce or eliminate the barrier selected and specify who, what and when)

7. A plan for evaluating the reduction and elimination of the barrier was selected.

- Lack of understanding and models of effective implementation of inclusion

8. Plan for evaluating progress toward achievement of the desired outcome.

- By June 2015, the district will:
  - Increase the percentage of students with IEPs attending general education classes to 60 percent
  - Decrease the percentage of students with IEPs attending separate classes to 18 percent
  - Decrease the percentage of students with IEPs attending other separate environmental placements to 9 percent

<b>Next Steps</b>	
<b>Educational environment</b>	
Summary:	To the maximum extent appropriate, students with disabilities are to be educated with students who are nondisabled. Based on 2013-14 school year data, the district's regular classroom placement of 55 percent is lower than the state average (71 percent) and the average of the district's enrollment group (73 percent), and has decreased from last year. In addition, the 2013-14 data reports that resource room and separate class placement at the district is above the state average and the district's enrollment group.
Required Action:	By <b>February 2, 2015</b> , the school district shall inform the bureau regarding the status of its continued collaboration with FIN. In addition, the district is to provide the bureau with an update on the progress due to implementation of the actions determined at the problem-solving sessions.

<b>Seclusion</b>	
Summary:	The school district had a significant decrease in seclusion from the 2012-13 school year to the 2013-14 school year. The district's actual reduction in the number incidents of seclusion for the 2013-14 school year was 57.8 percent (43 total incidents of seclusion).
Recommendation:	The district should continue implementation of the strategies and supports that have resulted in a significant decrease in the number of seclusion incidents.
Required Actions:	None
<b>Discipline</b>	
Summary:	Black students with disabilities in the district are more likely to be suspended or expelled as compared to all nondisabled students. The risk ratios below exceed 3.0. <ul style="list-style-type: none"> <li>• 2012-13 school year – 4.74 risk ratio</li> <li>• 2013-14 school year – 4.87 risk ratio</li> </ul>
Required Action:	By <b>February 2, 2015</b> , the school district shall inform the bureau regarding the status of the collaboration with each of the following discretionary projects: <ul style="list-style-type: none"> <li>• The district shall collaborate with PBS:MTSS in order to build the school district's capacity to better assist schools to develop effective discipline, social skills teaching and behavior support strategies for all students.</li> <li>• The district shall continue to collaborate with SEDNET regarding facilitating a comprehensive system of care for high-risk students and students with emotional behavioral disabilities and their families.</li> </ul> By <b>February 2, 2015</b> , the district is to provide the bureau with an update on the progress due to implementation of the actions determined at the problem-solving sessions.
Phases 3 and 4 of the ESE Monitoring and Assistance process	
Summary	<ul style="list-style-type: none"> <li>• Additional action planning and problem solving for other priorities for the school district in regard to seclusion, least restrictive environment and discipline will be scheduled by the SST liaison for the school district and the ESE director.</li> <li>• By <b>January 20, 2015</b>, the SST team, ESE director and designated district staff will evaluate the effectiveness of the school district's action plan(s) and determine additional next steps, as appropriate.</li> </ul>

## Technical Assistance

1. **Implementing a Multi-Tiered System of Support for Behavior: Recommended Practices for School and District Leaders** (Florida's PBS Project) may be accessed at [http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811\\_final.pdf](http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811_final.pdf) and provides an overview of the critical components of an MTSS for behavior. These critical components describe systems changes that are necessary for a results-driven ESE system.
2. The district's **ESE Policies and Procedures** document provides district- and school-based standards for documenting, reporting and monitoring the use of manual, physical or mechanical restraint and seclusion developed by the FDOE. The school district's document for the 2013-14 through 2015-16 school years may be accessed at <http://beess.fcim.org/sppDistrictDocSearch.aspx>.
3. The technical assistance paper entitled **Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities**, dated October 14, 2011, may be accessed at <http://info.fldoe.org/docushare/dsweb/Get/Document-6212/dps-2011-165.pdf>. This document provides guidance regarding the use, documenting, reporting and monitoring of restraint and seclusion with students with disabilities in school districts, including (a) when restraint or seclusion might be used, (b) considerations when selecting a training program for restraint, (c) what should be documented, (d) parent notification and reporting, and (e) monitoring use. It also contains information about s. 1003.573, F.S., Use of restraint and seclusion on students with disabilities.
4. The United States Department of Education, in collaboration with the United States Department of Justice, released **School Discipline Guidance** in the January 2014, Volume 4, Issue 1 of the **Office of Special Education Programs Monthly Update**. This package will assist states, districts and schools in developing practices and strategies to enhance school climate, and ensure those policies and practices comply with federal law. The resource documents listed below are included in the package, and are available at <http://www.ed.gov/school-discipline>:
  - **Dear Colleague** guidance letter on civil rights and discipline;
  - **Guiding Principles** document that draws from emerging research and best practices;
  - **Directory of Federal School Climate and Discipline Resources** that indexes federal technical assistance and other resources; and
  - **Compendium of School Discipline Laws and Regulations** that catalogue State laws and regulations related to school discipline.
5. According to s. 1003.57, F.S., once every three years, each school district and school shall complete a BPIE assessment with a FIN facilitator and include the results of the BPIE assessment and all planned short-term and long-term improvement efforts in the school district's SP&P. BPIE is an internal assessment process designed to facilitate the analysis, implementation and improvement of inclusive educational practices at the district and school team levels.

A FIN facilitator is available to assist the school district in scheduling and completing the BPIE, and based on the results, will identify how FIN can provide support to the school district (<http://www.floridainclusionnetwork.com/>).

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

**2013-14 ESE Monitoring and Assistance**

**State Support Team for Bay County School District**

**Bureau of Exceptional Education and Student Services**

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**Glossary of Acronyms and Abbreviations**

The following is a list of acronyms, abbreviations and terms used within this report.

BEESS	Bureau of Exceptional Education and Student Services
BIP	Behavioral intervention plan
BPIE	Best Practices for Inclusive Education
CARMA	Children at Risk Multidisciplinary Assistance Team
CAT	Community action team
CBA	Certified behavior analyst
CEIS	Coordinated early intervening services
CFR	Code of Federal Regulations
CPI	Crisis Prevention Institute Nonviolent Crisis Intervention
ESE	Exceptional student education
FIN	Florida Inclusion Network
FDLRS	Florida Diagnostic and Learning Resources System
FDOE	Florida Department of Education
F.S.	Florida Statutes
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
ISS	In-school-suspension
LEA	Local educational agency
LRE	Least Restrictive Environment
MTSS	Multi-tiered system of support
OSS	Out-of-school suspension
PAEC	Panhandle Area Educational Consortium
PBIP	Positive behavior intervention plan
PBS	Positive Behavior Support
PBS/MTSS	Positive Behavior Support/Multi-tiered System of Supports
PS/Rtl	Problem-Solving/Response to Intervention
Rtl	Response to intervention
SBAP	School based action plan
SEDNET	Multiagency Network for Students with Emotional Behavioral Disabilities
SIS	District's student information system
SP&P	Exceptional Student Education Policies and Procedures
SPP	State Performance Plan
SST	State Support Team

## **Appendix A**

### **Guiding Questions – District-Level Needs Assessment**



## Appendix A: Guiding Questions – District-Level Needs Assessment

1. What are the most current data levels on each of the targeted BEESS indicators?
2. What is the gap between BEESS expected level(s) of targeted indicators and your district's current level(s) of targeted indicators?
3. Do data indicate equity issues related to the selected BEESS indicators? Are there subgroups for which the gap between expected and goal levels of performance and current levels of performance is more or less significant?
  - Gender
  - Race or ethnic group
  - Economically disadvantaged
  - Students with disabilities (by each sub-group)
  - English language learners
  - Comparison within and across above sub-groups
4. Disaggregate district-level indicator data to school levels. Which schools are contributing to total district frequency for each of the targeted BEESS indicators?
5. Disaggregate school-level indicator data by grade level. Which grades within each school are contributing to total school frequency for each of the targeted BEESS indicators?
6. Disaggregate between type of school (elementary, middle school and high school) by student outcomes.
7. What evidence-based practices are currently planned for use or implementation at the school level?
8. Are the expected evidence-based practices occurring sufficiently?
9. If expected evidence-based practices are not occurring or not occurring sufficiently, why not? (What are some potential barriers specific to targeted BEESS indicators at the school level?)
10. How are school-level evidence-based practices being supported by the district specific to BEESS indicators being targeted for improvement?
11. Are district supports for school-level practices being provided sufficiently?
12. If district supports are not occurring or not occurring sufficiently, why not? (What are some potential barriers specific to targeted BEESS indicators at the district level?)
13. What strategies, initiatives and resources have been identified in the District Improvement and Assistance Plan (DIAP) with regard to achieving annual measurable outcomes targets for students with disabilities?
14. As applicable, has the mid-year reflection based on mid-year assessment data been completed, and what, if any, adjustments have been made to the DIAP with regard to strategies to improve outcomes for students with disabilities?
15. What does the **ESE Policies and Procedures** document reflect with regard to the district's goal to improve targeted indicator performance? Did the district achieve the goal set during the prior year?
16. What is occurring to implement the strategies in the SP&P with regard to targeted indicator performance?
17. Based on all of the above answers, what priorities will be targeted to improve BEESS targeted indicators?



Pam Stewart, Commissioner  
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