

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

**Charlotte County School District
April 16-17, 2014**



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

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December 8, 2014

Dr. Douglas Whittaker, Superintendent
Charlotte County School District
1445 Education Way
Port Charlotte, Florida 33948-1052

Dear Superintendent Whittaker:

We are pleased to provide you with the **2013-14 Exceptional Student Education (ESE) Monitoring and Assistance On-Site Visit Report for Charlotte 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 April 16-17, 2014. Those information sources included interviews with 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 Charlotte County School District was selected for an on-site visit due to equity and access issues related to rates of incidents of restraint and seclusion, dropout rate and least restrictive environment 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 Whittaker
December 8, 2014
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Ms. Linda Apple, director, ESE, and her 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 and the director of secondary education 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 a priority goal related to preparation for college and career readiness. An action plan, developed around that goal, will be implemented by the ESE department with the assistance of selected general education staff and designated discretionary project staff from the SST.

Thank you for your commitment to improving services to exceptional education students in the Charlotte 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.

Sincerely,

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

Enclosure

cc: Linda Apple
Karen Owens
Cathy Bishop
Patricia Howell

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

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Charlotte County School District

April 16-17, 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 ss.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 Charlotte County School District was informed that the bureau would be conducting an on-site monitoring visit for the following focus areas: restraint, seclusion, dropout rate and least restrictive environment (LRE) for students with disabilities.

School Selection

Upon review of the school district's data related to dropout rate and least restrictive environment for students with disabilities, it was determined that the monitoring and assistance process would involve the following schools for walk-through visits, teacher interviews and student focus groups:

- Port Charlotte Middle School
- Charlotte Technical Center
- The Academy High School's Real World program (located on the Charlotte Technical Center campus)

Additional student records were reviewed regarding the most recent incidents of restraint and seclusion.

On-Site Activities

SST – On-Site Visit Team

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

FDOE, BEESS

- Patricia Howell, program director (facilitator)
- Karin Gerold, program specialist
- April Katine, program director
- Bethany Mathers, program specialist
- Janie Register, program specialist

FDOE, Bureau Discretionary Projects

- Michelle White, technical assistance specialist, Florida's Positive Behavior Support (PBS) Project (action-planning and problem-solving facilitator)
- Jayna Jenkins, multi-tiered system of support (MTSS) liaison, University of South Florida (USF) Problem-Solving/Response to Intervention Project (PS/RtI) (action-planning and problem-solving co-facilitator)
- Patti Brustad, human resource and technology, Florida Diagnostic and Learning Resources System (FDLRS) Suncoast
- Lisa Friedman-Chavez, regional transition representative, Region 5, Project 10: Transition Education Network
- Linda Brown-Hammonds, school improvement specialist, Region IV FDOE Office of Differentiated Accountability (DA), USF PS/RtI
- Khush Jagus, statewide director, Multiagency Network for Students with Emotional/Behavioral Disabilities (SEDNET)

- Leigh Anna Nowak, consultant, Center for Autism and Related Disabilities (CARD), USF, Florida Gulf Coast University
- Deidre Phillips, facilitator, Florida Inclusion Network (FIN) South Region
- Peg Sullivan, co-director, Florida's State Personnel Development Grant; director, Working with the Experts for Occupational Therapy and Physical Therapy
- Stan Weser, facilitator, FIN West Region

Data Collection

On-site monitoring and assistance activities included the following:

- Student focus groups – 22 participants
- Teacher focus group (conducted remotely by phone on May 20, 2014) – six teachers
- Completion of Restraint and Seclusion protocol – six students
- Completion of IEP Implementation protocol – six students
- Action-planning and problem-solving process – 28 participants

Review of Records

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

- IEPs for the 2012-13 and the 2013-14 school years
- Current functional behavioral assessment (FBA)
- Current behavioral intervention plan (BIP)
- Discipline and attendance records for 2013-14 school year
- Progress reports and report cards for the 2012-13 and the 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
- 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 given questions to use as a guide in the collection of data. SST and district staff (including principals of the schools visited) reviewed the data during the problem-solving and action-planning processes. Charlotte County School District's questions were related to the focus areas for the monitoring and assistance visit: restraint, seclusion, dropout rate and LRE. 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 Charlotte County School District. Also included are commendations, findings of noncompliance, correction action and next steps, as applicable.

Restraint and Seclusion

According to the school district's SP&P document, Techniques for Effective Aggression Management (T.E.A.M.) is used to train on restraint with an emphasis on verbal de-escalation. The plan for reducing the need for the use of restraint is to reduce the percentage of restraints overall by providing additional professional development to staff and schools that have shown a high rate of restraint and to emphasize verbal de-escalation rather than restraint. The district provided training with a different crisis management program (Crisis Prevention Institute's Nonviolent Crisis Intervention [CPI]) at one of the schools that reported high rates of restraint. During the problem-solving session, the district indicated the following information:

- The majority of the restraints take place in two schools.
- Overall, the number of restraint incidents has decreased from last year.
- There is a difference in the amount of decrease between the two schools where the majority of the restraints take place.
- The district indicated when the numbers of students in a class increased, the number of "emergency procedures" increased.
- The students involved in the restraints were not necessarily new students to the school.
- Resources are being stretched with additional students at one of the two schools.
- The district is looking for an allocation for the 2014-15 school year to help with this increase in number of students.
- The district acknowledged the need for additional training for all teachers who had not received training in trauma-informed care.
- The majority of the seclusions that had occurred during the 2013-14 school year involved students identified as having emotional and behavioral disorder (EBD).

Data Review

Comparison of Size-Alike Districts for Restraints and Seclusion for 2013-14				
District	Number of Incidents of Restraint	Number of Students	Number of Incidents of Seclusion	Number of Students
Charlotte	293	69	167	25
Citrus	19	13	0 reported	0
Columbia	34	23	*	*
Flagler	20	15	Seclusion prohibited	0
Highlands	32	19	12	*
Indian River	89	39	Seclusion prohibited	0
Martin	75	35	105	19
Monroe	72	26	24	*
Nassau	*	*	Seclusion prohibited	0
Putnam	42	27	24	11
Sumter	*	*	Seclusion prohibited	0
Walton	11	*	Seclusion prohibited	0

Source: Florida Department of Education – Restraint and Seclusion Data Reported from Districts
**Number is less than 10*

2013-14 restraint and seclusion data for the district included the following:

- Regarding the 69 students with disabilities who were restrained during the 2013-14 school year, 62 percent were from prekindergarten (PreK) through grade three and 30 percent from grades four through eight. The majority of the restraints took place within two schools that serve students with EBD.
- Regarding the 25 students with disabilities who were secluded, 64 percent were in PreK through grade three and 36 percent were in grades four through eight. The majority of the students with incidents of seclusion were identified as EBD.

The district's rate for the 2013-14 school year (number of students restrained or secluded divided by students with disabilities population) for restraint was 2.41, and 0.87 for seclusion, which was more than twice the state average for restraint and more than three times the state average for seclusion for the 2013-14 school year.

According to the district's 2013-2016 SP&P, the district's plan was to reduce the percentage of restraints overall by providing additional professional development to staff and schools who had shown a high rate of restraint and to emphasize verbal de-escalation rather than restraint. In addition, the district indicated plans to continue implementation of PBS district-wide, provide additional professional development regarding trauma-informed care, provide proactive supports regarding environment and structure and continue participation on MTSS school-based and district-based committees to increase capacity.

In addition to the data above, the school district reported the following information regarding restraint and seclusion during the review of the guiding questions and the action-planning and problem-solving process.

- The district indicated that training and social skills curricular materials focusing on proactive, preventative strategies and self-regulation skills had been provided to targeted classrooms as a strategy to reduce the number of restraint incidents.
- The district indicated that teachers at one specific school tend to rely on the behavior specialists to remove students or deal with behaviors instead of applying classroom management strategies that are consistent across the school and implemented by teachers embedded in positive school culture.
- The district reported that there is a need for professional development for teachers in order to increase the use of classroom behavior management strategies. In addition, the district indicated that a barrier to offering training to teachers is taking the teachers away from their classrooms for the time period of the training.
- The district is continuing the following:
 - Efforts to change the culture from reactive to proactive
 - Increasing consistent use proactive prevention strategies
 - Implementation of peer review of FBAs and BIPs
 - Increasing fidelity checks of BIP implementation
 - Emphasis on the use of the cool-down rooms and other tiered behavioral supports at one of the schools
- The district leadership needed to take an intense look at tier two and tier three general education interventions and district policy and procedures for providing academic and behavioral supports.

Dropout

The district's 2014 LEA Profile reports that the district's dropout rate for students with disabilities was five percent during the 2010-11 and 2011-12 school years. During the 2012-13 school year the district's dropout rate decreased to four percent, which is the same as the state rate. The district indicated the following during the problem-solving session as to why the rate had decreased:

- An increase in high school technical programs
- Service delivery model change for some students from mainstream to self-contained classes
- Credit retrieval programs in place: Ed Options, Apex Learning Credit Recovery Program
- Earlier interventions for struggling students
- Summer home visits offering a recovery retrieval program
- Avoiding dropout by providing homebound services for some students
- PASS (Portable Assisted Study Sequence) program for overage middle school students

The 2014 LEA profile also reported that the district's dropout rate for students identified with EBD is 11 percent, which is higher than the state rate and the enrollment group rate for other like-size districts.

Dropout Rate for EBD Students

	2010-11	2011-12	2012-13
Charlotte	13%	11%	11%
Enrollment Group	8%	7%	6%
State	7%	7%	7%

The school district reported the following during a review of the guiding questions and the action-planning and problem-solving process regarding the district's **dropout rate**.

- Students with disabilities sometimes miss opportunities to continue participation in preferred activities due to their behaviors.
- Students with disabilities who have to take remedial programs do not have electives and preferred classes or tasks available to them (an issue related to the school master schedule and the amount of time available in the school day).
- Two schools appear to have higher dropout rates for students with disabilities.
- Based on the data regarding repeated courses, the amount of credit retrieval and course completion, it appears that grades 11 and 12 are the grade levels contributing more than other grades to the high dropout rate.
- The alternative school has many students who require additional supports, and there is a high turnover rate for teachers at this school.
- The following evidence-based practices are occurring at the schools:
 - Check and Connect program
 - Building positive teacher and student relationships and connecting with students with disabilities
 - Efforts to increase student self-worth, self-value and self-esteem
 - Social skills program
 - High-quality tiered interventions implemented with fidelity

The district reported that, moving forward, they would track data on restraints and performance levels at the elementary level for early warning indicators. In addition, the district indicated plans to restructure the way remedial skills are taught.

LRE

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 in 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. The 2014 LEA Profile reports that the district rate for regular and resource placement do not meet the state rate.

Regular Class	2011-12	2012-13	2013-14
Charlotte	57%	57%	49%
Enrollment Group	67%	68%	67%
State	69%	71%	71%

Resource Room	2011-12	2012-13	2013-14
Charlotte	19%	21%	28%
Enrollment Group	13%	14%	15%
State	12%	11%	10%

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

- Positive supports and strategies to improve self-regulation were being implemented to facilitate students' success in a less restrictive environment.
- Evidence-based practices have been and will continue to be implemented related to the following:
 - Differentiated instruction (DI) and expectations
 - Creating responsive learning environments
 - Providing clarity about learning goals
 - Implementing continuous assessment
 - Providing flexible grouping
 - Ensuring respectful work opportunities
 - Universal Design for Learning (UDL)
- A student's interests and strengths are used to teach new concepts in a meaningful way.
- School-wide MTSS academic and behavioral supports are provided (Positive Behavior Interventions and Supports, Leader in Me).
- The following have been barriers regarding LRE:
 - Class size amendment requirements
 - The need to identify and prioritize which students should receive intensive interventions and the time to provide the interventions with fidelity.
 - Time constraints related to providing professional development

Student Focus Groups

Student focus groups were conducted at both schools that were visited during the monitoring and assistance on-site visit. Two focus groups were conducted at the middle school: one for students with IEPs and one for students without IEPs.

All six of the middle school students without IEPs indicated that the school had done a good job in getting them prepared to take statewide assessment. Five of these six students stated that they were in intensive reading or math classes. Three of these six students stated missing more than five days of school (from the start of the school year until the day of the focus group meeting). Concerns about safety at school, at the bus stop and in the community were expressed by several of these focus group participants.

The following information was shared in the focus group for middle school students with IEPs:

- Most of the students reported participating in an IEP team meeting with their parents during the past year.
- Six of the eight students reported taking the Florida Comprehensive Assessment Test ® (FCAT) 2.0 that year. One student stated that the school had done fairly well helping with the preparation. However, several other students indicated insufficient preparation.
- Concerns about safety in the school and community were expressed by several students.

All of the students who participated in the focus group at the technical center had IEPs. Two of the eight students indicated some type of service from Vocational Rehabilitation. Several of the students mentioned part-time jobs (working in the family's business or babysitting). Two other students had been working in the past, but were not currently employed. All of the students indicated a desire or willingness to go to college. Five of the eight focus group participants described their relationships with their teachers as positive and supportive. Seven of the eight participants indicated awareness of the FCAT waiver. Most of the students named staff members at the school whom they would feel comfortable talking to if they were having problems or considering dropping out of school.

Teacher Focus Group

A teacher focus group was conducted with six participants from the middle school that was visited. The participants included the ESE liaison, three general education teachers, a case manager and an ESE teacher. This interview discussion was conducted remotely by phone on May 20, 2014, as a follow up to the April on-site visit.

When the group discussed what supports they thought were needed to support more students in less restrictive environments, several participants noted that more help during some class activities (lab work, for example) would help students stay focused and complete the activity more successfully. It was noted that students with high needs flourish when there are extra adults assisting in the classroom. An alternative solution suggested for increasing support for individual students was smaller class sizes.

Group participants stated that class-size requirements have helped and that the size of the school is good for providing a variety of programs and providing opportunities for students to see teachers at other times in addition to the time in class. Teachers stated that they try to show students that they care about them.

In response to safety concerns that had been stated in the student focus groups at this school, participants stated that there are five or six adults at the bus ramp morning and afternoon. Adult supervision is provided at the parent pick-up area as well. Cameras are everywhere on campus except for the bathrooms and locker rooms. There are fences around the exterior walls of the school building, and doors are locked 24 hours a day. To these participants students have appeared to feel safe, but there have been problem areas (bathrooms and locker rooms). The school resource officer leads a group of safety monitors who monitor the halls and encourage school spirit.

Teacher focus group participants responded to student focus group participants' limited awareness of PBS and their perception that they were unlikely to earn the rewards as follows:

- Many of the students know the school's PBS program as "Terrier Pride" rather than PBS.
- Information about the program is posted in many areas of the school.
- There is a "referral-free" program with opportunities for students who have not received a disciplinary referral to win prizes, such as gift cards.
- The school has been a model PBS school for multiple years.
- There is a school store for students as part of PBS.
- PBS is an "umbrella" for many initiatives.
- Since many of the students in the focus groups had multiple disciplinary referrals, they may not have qualified for the PBS prizes.

Commendations

1. The district's federal uniform high school graduation rate for students with disabilities (58 percent) exceeds the rate of other districts in this enrollment group, as well as the state average.
2. The district's standard diploma rate for students with disabilities (69 percent) exceeds the rate of other districts in this enrollment group, as well as the state average.
3. The district has a low rate of suspension and expulsion for students with disabilities.

ESE Monitoring and Compliance

Records Review

BEES staff reviewed records of six students in the school district. This sample was selected based upon the most recent incidents of restraint and seclusion at the time of the on-site visit. Standards from the IEP Implementation and restraint and seclusion protocols were reviewed. Noncompliance related to notification and documentation of restraint and seclusion was identified in one of these student records for the following three standards. Identifying information regarding the student and the findings of noncompliance and required corrective action were provided to the Charlotte County School District on May 7, 2014.

Restraint and Seclusion (RS) Standards with Identified Noncompliance	
RS-1	The parent or guardian was provided with same-day notification in writing of any incident of restraint or seclusion before the end of the school day on which the restraint or seclusion occurred. The notification included the type of restraint used and any injuries occurring during or resulting from the restraint or seclusion. (s. 1003.573(1)(c), F.S.) [According to the documentation that was provided, the same-day notice for a February 28, 2014, incident was not sent home until March 24, 2014.]
RS-3	The school has the documentation of the parent's or guardian's signed acknowledgement of the same-day written notification or a minimum of two attempts to obtain signed acknowledgement when the parent or guardian failed to respond to the initial same-day written notification. (s. 1003.573(1)(c), F.S.) [The same-day notification was not signed by the parent or guardian. Documents submitted showed the initial attempt and one reminder. The second attempt to obtain parental acknowledgement was not documented.]
RS-5	The school has documentation of the parent's or guardian's signed acknowledgement of receipt of the written incident report or a minimum of two attempts to obtain signed acknowledgement when the parent or guardian failed to respond to the written incident report. (s. 1003.573(1)(d), F.S.) [The incident report was not signed by the parent or guardian. Documents submitted showed no records of the two attempts made to obtain parental acknowledgement of receipt of the report.]

Corrective Action

For each standard for which noncompliance was found, the district was required to identify the policy, procedure or practice that caused the noncompliance and provide evidence of the action taken to ensure future compliance. The district was required to provide evidence of the completion of the required student-specific corrective action to the bureau. Evidence of the completion of the required individual corrective actions was provided to the bureau prior to this report. In addition, no later than **May 6, 2015**, the district must demonstrate correct implementation of the three standards for which noncompliance was found during the on-site monitoring and assistance visit by using a sampling process.

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 Charlotte 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 that included the following:

Areas of Focus: Restraint and Seclusion

Goal Statement: In the 2013-14 school year, the number of emergency procedures will be reduced by at least 3 percent as measured by numbers of restraints and seclusion. The district reported that there was a 40 percent decrease in use of emergency procedures from last year at this same time. The district's action plan included the following activities:

- Debrief policy implementation for restraints and seclusion by May 2014

- Committee will review information about the status of policy implementation for restraints and seclusion to make recommendations by August 31, 2014
- Schedule follow-up for professional development regarding trauma-informed care by September 2014 with SEDNET
- CPI training to be delivered in August 2014 to staff at one of the center schools

Areas of Focus: LRE and Dropout Rate

Priority Selected: DA

1. Desired Outcome:

- Increase awareness of UDL by June 2015 for the following groups:
 - District Leadership Team (DLT)
 - School administrators
 - Lead teachers
 - Curriculum and instruction specialists
 - School staff in schools with model classrooms
- Establish two model classrooms (possibly at elementary and middle school)
 - Communicate with all – visit model classrooms for the purpose of incorporating strategies in other school sites
 - Use discretionary projects to help scale up model classrooms
 - Possibly connect to current teacher evaluation model

2. How would this be measured?

- Agendas
- Meeting minutes
- Two model classrooms will be established
- Develop or find post-survey (addressing awareness, how information will be used, additional information needed, etc.)
- Student satisfaction survey in model classrooms
- Professional Learning Communities (PLC)

3. Brainstorm all available resources and positive factors that might facilitate achievement of desired outcome and all obstacles that might prevent achieving the desired outcome:

- The following resources were specific to the desired outcome:
 - Collaborate, Plan, Align, Learn, Motivate and Share website
 - FDLRS – five online modules related to DI
 - FIN
 - Coaching, Assistance, and Support of Teachers Website (modules available)
 - Best Practices for Inclusive Education (BPIE) plan
 - Program and staffing specialists and ESE Liaisons
 - Florida Consortium for Postsecondary Education for students with intellectual disabilities (online UDL module at no cost)
 - VISIONS Conference and National Secondary Transition Technical Assistance Center Institute
 - Scheduled meetings in place with DLT
 - Courses in DI to help recertification requirements
 - Access points materials to teach Florida Standards (seek examples and models of appropriate materials that implement UDL)
 - Paradigm shift – need top down support
- The following were barriers to some of the resources:
 - The district's need to learn about UDL implementation and developing the technology infrastructure necessary to deliver this

- Funding issues
 - District staff's struggle with allocation of time to implement these strategies and the extra responsibility
 - Possible apathy of some staff about the changes and moving forward
 - Select one obstacle or barrier from above to address first and identify it in behaviorally descriptive terms – ensure everyone understands it: Exploration, Implementation and Financial Support for UDL Model Classrooms
4. Brainstorm strategies to reduce or eliminate only the obstacle identified in #3 and record them below (only ideas, without consideration of feasibility or implementation at this stage)
- Identify and visit models around the state that are successfully implementing UDL
 - Communicate with districts regarding a grant related to UDL funded by the Florida Developmental Disabilities Council
 - Group plan to attend training on UDL in May
 - Identify the targeted schools and teachers
 - Accelerate teacher awareness, learning opportunities and practice
 - Make sure ESE students are also in these model classrooms
 - Increase awareness of staff (DI and UDL – FIN to provide support for this)
 - Identify resources via Web, online training, Power Points, etc.
 - RtI and MTSS - mock video using UDL
 - Set a timeline
 - Identify resources for financial support (Title 1, Title II, etc.)
 - Identify what the district already has that could be used differently in this manner – reallocation of existing resources
 - Repurposing lessons, universal access stations, etc.

The district provided the following activities and projected timelines for this area of focus:

- Identify and enroll committee members, including general education staff by the end of May 2014
- Attend Intensive Intervention Training by the end of May 2014
- Contact Collier County School District for information for UDL and possibly to schedule a visit by May 2104
 - Report findings to the ESE director
- Schedule the UDL awareness training meetings for the 2014-15 school year by August 2014
- Once the committee was formed, develop a timeline and guiding plan (PLCs, detailed plan for model classrooms, etc.) by June 19, 2014
 - Disseminate plan to stakeholders
- Books would be provided to the committee for PLC by April 24, 2014
 - The committee would oversee PLC in planning timelines

On May 13, 2014, the problem-solving district team met and provided the following update:

- There had been no follow-up meetings; however, one had been scheduled for August 5, 2014, regarding the following information about what was working well and what were the barriers:
 - There were open lines of communication between district and problem-solving (PS) facilitators.
 - The district was willing to prepare materials and gather data prior to scheduling meetings.

- The ESE department initiated problem solving around the restraint indicator and to put plans in place reducing restraints.
- There was good collaboration between ESE and Student Services at the district level.
- DLT committed to understanding PS process by initiating professional development activities from the state.
- As a result of the problem-solving process, DLT was exploring ways to collaborate with discretionary projects to meet varying student needs.
- The following barriers were addressed:
 - o A broader representation of stakeholders at the district level was needed for problem solving.
 - o There was fragmented collaboration among discretionary projects.
 - o A broader understanding is needed regarding the implications and relationship of ESE data to the overall student population.
 - o Lack of access to disaggregated data at both the district and school level.
 - o Data quality was an issue as it relates to the dropout rate (multiple dropouts noted for the same student).

On August 5, 2014, the follow-up problem solving session included the following:

- Planning how to evaluate the reduction or elimination of the identified obstacle (Exploration, Implementation and Financial Support for UDL Model Classrooms)
- Selecting another obstacle
- Planning for evaluating progress toward achievement of desired outcome specified in restraint and seclusion area
- Scheduling the BPIE

Next Steps	
Restraint and Seclusion	
Summary:	<p>Based on 2013-14 school year data, the district's number of restraint incidents and the number of students being restrained was significantly higher than any other size-alike district.</p> <p>Based on 2013-14 school year data, the district's number of seclusion incidents and the number of students being secluded was significantly higher than the state average and any other size-alike district.</p> <p>Based on 2013-14 school year data, the district's rate (number of students restrained or secluded divided by students with disabilities population) for restraint was 2.41, and 0.87 for seclusion, which was more than twice the state average for restraint and more than three times the state average for seclusion for the 2013-14 school year.</p> <p>The district provided training with a different crisis management program at one of the schools that reported high rates of restraint.</p>
Required Actions:	<p>By February 16, 2015, the school district must provide to BEESS a report comparing the number of incidents of restraint and seclusion. The report will include an analysis to determine which crisis intervention program utilized in the district appears to be used more</p>

Next Steps	
	<p>frequently in restraint and seclusion incidents. The report must cover the period of the first semester of the 2014-15 school year. Results of the comparison data and the district's plans in response to this data shall be provided to BEESS no later than February 26, 2015.</p> <p>By February 26, 2015, the school district shall inform the bureau regarding the status of the collaboration with each of the following discretionary projects:</p> <ul style="list-style-type: none"> • The district shall collaborate with Positive Behavior Support: Multi-tiered System of Supports (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. • The district shall continue to collaborate with SEDNET regarding facilitating a comprehensive system of care for high-risk students and students with EBD and their families. <p>By March 31, 2015, 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.</p>
Dropout	
Summary:	The district's dropout rate for students identified with EBD is 11 percent, which is higher than the state rate and its enrollment group.
Recommendation:	It is recommended that the Charlotte County School District implement an early warning system in all schools. Such a system will provide a means to identify students who need additional support to improve academic performance and stay engaged in school.
Required Actions:	<p>The district shall follow through with planned actions to reduce the dropout rate. In addition, the district may consider collaborating with the following discretionary projects or other evidence-based support:</p> <ul style="list-style-type: none"> • PBS:MTSS Project and the PS/Rtl Project and its Technology & Learning Connections for Assistive Technology and UDL Team • Project 10: Transition Education Network • SEDNET <p>By March 31, 2015, 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.</p>
Educational Environment	
Summary:	<p>To the maximum extent appropriate, students with disabilities are to be educated with students who are nondisabled.</p> <p>The district's rate for students with disabilities served in the regular classroom is very low compared to the state rate and has decreased from the previous year. The district's rate for students served in resource rooms is more than double the state rate.</p>

Next Steps	
Required Actions:	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. The district shall schedule with FIN for completion of the required BPIE. No later than February 17, 2015 , the district is to notify BEESS of the scheduled date.
Phases 3 and 4 of the ESE Monitoring and Assistance process	
Summary	<p>Additional action planning and problem solving for other priorities for the school district in regard to restraint and seclusion, dropout and LRE will be scheduled by the SST liaison for the school district and the ESE director.</p> <ul style="list-style-type: none"> • By March 31, 2015, 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.

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 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
 - **Compendium of School Discipline Laws and Regulations** that catalogue State laws and regulations related to school discipline

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

2013-14 ESE Monitoring and Assistance

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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 restraint or OSS greater than 10 days? Are there other subgroups for which receipt of restraints or OSS greater than 10 days is more or less problematic?
 - Gender
 - Race or ethnic group
 - Economically disadvantaged
 - General education students
 - Students with disabilities (by each sub-group)
 - English language learners
 - Comparison within and across above sub-groups
4. Disaggregate district-level indicator data by schools. Which schools are contributing to total district for each of the targeted BEESS indicators?
5. Are there patterns in the type of schools (elementary, middle school, high school or alternative schools) that are contributing to the district totals for each of the targeted BEESS indicators?
6. Disaggregate school-level indicator data for each grade level served. Which grades are contributing to school totals for each of the targeted BEESS indicators?
7. What evidence-based practices are currently planned for use at the school that may address restraint and OSS greater than 10 days?
8. To what extent are these practices being implemented with fidelity in each school? How do you know?
9. Are the expected evidence-based practices sufficient to reduce or eliminate the identified gap on each BEESS indicator? What evidence led you to this conclusion?
10. If expected evidence-based practices are not occurring or not occurring sufficiently, why not? (What are some potential barriers that prevented sufficient implementation of those practices?)
11. What resources are needed to implement these practices with fidelity?
12. How are school-level evidence-based practices specific to restraint and OSS greater than 10 days being supported by the district?
13. To what extent are these district supports implemented with fidelity throughout the district? How do you know?
14. Are district supports for school-level practices sufficient to ensure effective implementation of the identified evidence-based practices related to restraints and OSS greater than 10 days? How do you know?
15. If district supports are not occurring or not occurring sufficiently, why not? (What are some potential barriers specific to effective district support on the targeted BEESS indicators?)
16. What resources are needed to provide effective district support sufficiently for all schools?

17. What strategies, initiatives and resources have been identified in the District Improvement and Assistance Plan (DIAP) with regard to achieving annual measureable objective targets for students with disabilities?
18. 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?
19. What does the ESE Policies and Procedures document reflect regarding the targeted BEESS indicators? Did the district achieve the goal set during the prior year?
20. What is occurring with regard to implementing the strategies in the ESE Policies and Procedures document with regard to targeted indicator performance?
21. Are there any other initiatives or systems in place that can help address the targeted BEESS indicators?
22. Based on all of the above answers, what priorities will be targeted to improve BEESS targeted indicators?
23. What resources are needed to address each priority?
24. What potential barriers do you anticipate as you address these priority targets?

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

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
CARD	Center for Autism and Related Disorders
CEIS	Coordinated early intervening services
CFR	Code of Federal Regulations
CPI	Crisis Prevention Institute's Nonviolent Crisis Intervention
DA	Differentiated accountability
DI	Differentiated instruction
DLT	District Leadership Team
EBD	Emotional behavioral disability
ESE	Exceptional student education
FBA	Functional behavioral assessment
FCAT	Florida Comprehensive Assessment Test
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
LEA	Local educational agency
LRE	Least restrictive environment
MTSS	Multi-tiered system of support
PASS	Portable Assisted Study Sequence
PBS	Positive Behavior Support
PBS:MTSS	Positive Behavior Support/Multi-tiered System of Supports
PLC	Professional learning communities
PreK	Prekindergarten
PS	Problem-solving
RS	Restraint and seclusion
RtT	Response to intervention
SEDNET	Multiagency Network for Students with Emotional Behavioral Disabilities
SP&P	Exceptional Student Education Policies and Procedures
SPP	State Performance Plan
SST	State Support Team
T.E.A.M.	Techniques for Effective Aggression Management
UDL	Universal Design for Learning
USF	University of South Florida



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