

Florida Department of Education (FDOE)
K-12 Public Schools
Bureau of Exceptional Education and Student Services (BEESS)

**State Advisory Committee for the
Education of Exceptional Students (SAC)**

**Double Tree Hotel
Tallahassee, Florida
July 24-25, 2017**

Meeting Report

Monday, July 24, 2017

The SAC met in regular session with the following persons in attendance:

Members

(See SAC Membership List 2017, SAC Designee List and SAC Representation Chart, SAC Member Notebook, Tab 2)

Berry, Keith
Blades, Laurie
Bustos-Alban, Lauren
Clark, James
Jones, Cindy
LaBelle, Rich
Lockenbach, Rick
Mazyck, Laura
Miller, Lisa
Noonan, Carmen
Pasley, Cassandra
Raines, Debra
Rehmet, Chris
Riley, Tamar
Roberts, Grace
Roth, Terry
Rowland, Lisa
Rudniski, Catherine
Rueda-Hill, Cecilia
Siegel, Ann
Sokalski, Laura
Spire-Oh, Kimberley
Stevens, Tracy
Tucker, Kara
Verra-Tirado, Monica
Ward, Sheila

Designees

Ardis, Shelley (for Tracie Snow)
Forsyth, Skip (For Karen Barber)
Hickman, Antione (for Sonja Clay)

FDOE/DPS/BEESS Representatives

Davis, Risa, program specialist
Eliassaint, Kenny
Emerson, David, School Choice office
Freeman, Sean, program specialist
Gaitanis, Victoria, program specialist
Greene, Carla, program specialist
Katine, April, educational program director (SAC Liaison)
Kowalczyk, Aimee, parent services (SAC Liaison)
Metty, Wendy, program specialist
Moore, Beth, senior administrator
Musgrove, Karrie, program specialist
Walsh, Mary, program specialist
Weller-White, Betty, program specialist
Wheeler, David, program specialist
White, Judy, educational program director
Williams, Curtis, educational program director
Willis-Doxsee, Heather, Just Read, Florida!

Guests

Boehme, Cathy, Florida Education Foundation
Elbaum, Batya, Exceptional Student Education (ESE) Parent Survey Project
Everett, Meghan, Florida Inclusion Network, executive director
O'Hara, Cody, The Florida Channel

Welcome and Introductions, Overview of Agenda and Meeting Materials Roles and Responsibilities/Way of Work

Kara Tucker, committee co-chair, welcomed everyone and reviewed the roles and responsibilities

David Wheeler presented on the disproportionality and comprehensive coordinated early intervening services (CCEIS), federal regulations update for SAC

Outline

- Overview of disproportionality regulations
- Coordinated early intervening services (CEIS)
- Significant disproportionality
- Determination of significant disproportionality
- Recommendations for Florida determination methodology

- Questions and feedback
- Implementation timeline

(The following disproportionality material was re-presented later on during the SAC meeting for clarification purposes)

Snapshot of Disproportionality Regulations

- Requires state to establish a standard methodology for determining significant disproportionality.
- Provides flexibility that states may consider in making the determination of significant disproportionality.
- Requires district to identify and address the root causes of significant disproportionality.
- Requires district to address a policy, practice or procedure it identifies as contributing to significant disproportionality.
- Prohibits state or district from developing policies, practices or procedures that violate the Individuals with Disabilities Education Act (IDEA) and Child Find.
- Requires district to use 15 percent of IDEA allocation to address disproportionality.
- Allows CCEIS funds to be used for students not receiving special education and students with disabilities (SWD).

What are CEIS?

- Early intervening services ...
- Services provided to students who are not identified and who need additional academic and behavioral supports to succeed in the general education environment.
- May include professional development and educational and behavioral evaluations, services, and supports.
- CEIS
- Voluntary for students not currently identified in kindergarten through Grade 12 (K-12).
- Districts can use up to 15 percent of IDEA allocation.
- CCEIS
- Mandatory if identified as having significant disproportionality.
- Districts must use 15 percent of IDEA allocation.

What is Significant Disproportionality?

- Disparities in particular outcomes for different racial or ethnic groups.
- The risk (or likelihood) of a particular outcome is significantly greater for one racial or ethnic group when compared to all others.
- Examine disparities in outcome in three broad areas for each racial or ethnic group:
- Identification of children as SWD.

- Incidence, duration and type of disciplinary actions.
- Placement of SWD in a more restrictive setting.
- Determined by comparing risk of a particular outcome in one group to the risk in all other groups (e.g., emotional behavioral disability [EBD] risk for black students to EBD risk for all other students).

How is Significant Disproportionality Measured?

- Risk (risk index) – likelihood of a particular outcome for a specified racial or ethnic group.
- Calculated by dividing the number of students in a specified racial or ethnic group experiencing a particular outcome by all the students in that group.
- Risk ratio – comparison of risk between one racial or ethnic group and risk for all other racial and ethnic groups.
- Calculated by dividing risk for one group by the risk for all other groups combined.
- Risk ratio threshold – state-determined risk ratio over which disproportionality is considered significant.

Risk Ratio Calculation – EBD Identification (Black)

- Numerator = number of black students identified EBD divided by total number of black students (x 100)
 $5,921 \div 628,754 = 0.0094$ (0.94%)
- Denominator = number of all other races identified EBD divided by total number of all other races (x 100)
 $9,281 \div 2,188,070 = 0.0042$ (0.42%)
- Risk ratio
 $0.0094 \div 0.0042 = 2.38$
- Black students are over twice as likely to be identified as students with EBD as all other students.

Disproportionality – State Responsibility

- Collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in:
 - Identification of children with disabilities
 - Placement in particular educational settings.
 - Incidence, duration and type of disciplinary removals from placement, including suspensions and expulsions.
- Establish a standard methodology for determining disproportionality (with input from stakeholders).
- Review and revise policies, practices and procedures.
- Require local educational agencies (LEAs) with significant disproportionality to reserve 15 percent for the provision of CCEIS.

Risk Ratio Comparisons by Outcome and Race or Ethnicity

Outcomes	Race or Ethnicity
Identification (<u>total</u> SWD, InD, EBD, SLD, SI, LI, OHI, ASD)*	White
In-school suspensions < 10 days	Hispanic/Latino of any race
In-school suspensions > 10 days	Black or African American
Out-of-school suspensions < 10 days	Asian
Out-of-school suspensions > 10 days	American Indian or Alaska Native
Total disciplinary removals	Native Hawaiian/Pacific Islander
SWD inside regular class < 40% of the day	Two or more races
SWD in separate schools or facilities	

*InD – intellectual disability, SLD – specific learning disability, SI/LI – speech impairment/language impairment, OHI – other health impairment and ASD – autism spectrum disorder.

- Reviewed Trends in Number of Disciplinary Incidents – Black
 - 2010 – 128,881 incidents
 - 2017 – 72,951 incidents
- The following data were reviewed:
 - Trend in Discipline Risk Ratios for Black Students
 - Trends in Number of Students Identified EBD
 - Trend in EBD Risk Ratio for Black Students

State-Determined Standard Methodology for Determining Significant Disproportionality

- Reasonable risk ratio threshold (3.0)
- Reasonable minimum cell size – risk for group (numerator in the risk ratio calculation)
- Cannot be greater than 10
- Reasonable minimum N-size – risk for all other groups (denominator in the risk ratio calculation)
- Cannot be greater than 30
- Flexibility – Multiple years (up to three)
- Flexibility – Reasonable progress (amount must be specified)

Bureau Recommendations

- Set risk ratio threshold at **3.0**
- Set cell size (number in subgroup) at **10** for discipline and **5** for identification
- Set N size at 30 (number in all other groups)
- Limit determination of significant disproportionality to districts that exceed risk ratio threshold for three consecutive years, and

- Failed to make reasonable progress in lowering risk/risk ratio/alternate risk ratio by 0.10 in each of the two previous years

Number of Districts Identified

Outcome	Current	Proposed Without Flexibility	Proposed With Three Years	Proposed With Three Years and Reasonable Progress
EBD Identification	3	8	6	5
InD Identification	1	6	2	2
ISS* > 10 days	5	8	4	4
OSS** > 10 days	5	20	10	10
ISS < 10 days	N/A	1	0	0
OSS < 10 days	N/A	3	0	0
Total Disciplinary Removals	N/A	15	6	4

*ISS – in-school suspension. **OSS – out-of-school suspension.

SAC was Asked for Feedback on Recommendations for Determining Significant Disproportionality

- Should the risk ratio threshold be **3.0**?
- Should the cell size be **10**?
- Should the N size be **30**?
- Should the state educational agency (SEA) limit determination to districts that exceed risk ratio threshold for **three** consecutive years?
- Should the SEA limit determination to districts that fail to make reasonable progress in lowering risk in each of the two previous years?

Implementation Timeline

- Regulations are effective July 1, 2018, affecting the fiscal year (FY) 2018-19 grant.
- Data used to determine significant disproportionality will be based on the current year’s (2016-17) data.
- State may delay inclusion of children aged 3-5 in CEIS until July, 1, 2020.

Tasks Ahead

- Obtain stakeholder input:
 - SAC
 - Public hearings
 - LEAs
- Maintain communication with LEAs.

- Determine and communicate final policy to all stake holders by December 2017.
- Review and revise system for oversight of LEAs.
- Continue to provide support to LEAs from FDOE personnel and State projects.

Discretionary Projects that Support CEIS

- Florida Positive Behavior Support Project, <http://flpbs.fmhi.usf.edu>
- Multiagency Network for Students with Emotional/Behavioral Disabilities (SEDNET), <http://sednetfl.info>
- Florida Problem-Solving/Response to Intervention Project (PS/Rtl), <http://www.floridarti.usf.edu>
- Florida Inclusion Network (FIN), www.floridainclusionnetwork.com/
- Florida Diagnostic Learning Resource System (FDLRS), <http://www.fdlrs.org>
- Institute for Small and Rural Districts (ISRd), <http://isrd.nefec.org>

Monica Verra-Tirado Reviewed the 2017 Legislative Review Book with the Committee.

Florida's K12 Scholarship Programs for Exceptional Students Presented by Laura Mayzck, School Choice Office.

Florida School Choice Options

- Open enrollment
- Magnet schools
- Charter schools
- Virtual education
- Home education
- Private schools
- Opportunity Scholarship program
- Florida Tax Credit Scholarship program
- McKay Scholarship program
- Gardiner Scholarship program

McKay Scholarship Program

- McKay history and statistics
 - 2016-17 nearly 40,000 intents
 - Over 30,000 students attended over 1,400 private schools
- McKay funding
 - Amount depends on services the student is currently receiving, the originating district and the grade level
 - The average amount for a scholarship in 2016-17 was approximately \$8,000 for students with an individual educational plan (IEP), and \$4,500 for students with a Section 504 plan
- Eligibility Considerations
 - Foster Student Waiver

- Beginning with the 2016-17 school year, for a foster child, the prior year attendance and currently enrolled requirements can be waived.

Public Option	Private Option
Contact district to discuss placement	No need to file a new intent each year
Transportation may be available	Continue until graduation or age 22
Remain eligible until graduation or age 22	Returning to public school enrollment forfeits scholarship

- Scholarship Payments
 - Issued four times a year (September 1, November 1, February 1, April 1)
 - In the name of the parent, delivered to the school
 - Parent goes to the school and signs the check over to the school

These deadlines are set by statute and cannot be changed.
For the 2017-18 school year ...

Important Deadlines

If you file intent by:	July 3	Sept. 2	Dec. 3	Jan. 31
Your child must be enrolled by:	Aug. 2	Oct. 2	Jan. 2	March 2
For the school to receive payment on:	Sept. 1	Nov. 1	Feb. 1	April 1
Payment period:	July 1 - Sept 30	Oct 1 - Dec 31	Jan 1 – Feb. 28	March 1 - June 30
Maximum scholarship amount for the rest of the school year:	100%	75%	50%	25%

A 2017-18 intent will expire if not used by April 30, 2018. A new intent may be filed for the following year.

Virtual School

- McKay students are allowed to complete up to two virtual school courses per year
- Completion of more than two courses forfeits scholarship

Gardiner Scholarship

- Provides the option for a parent to design a program to meet the need of the individual educational needs of the child
- Creates savings accounts from which approved educational expenses may be funded

History and Funding

- Created in 2014 as Personal Learning Scholarship Program, section 1002.385, Florida Statutes (F.S.)
- Approximately 8,000 student accounts funded in 2016-17
- Funded by legislative appropriation

Gardiner Eligibility

- Resident of Florida
- Eligible to enroll in kindergarten through Grade 12
- Has a disability
 - ASD
 - Cerebral palsy
 - Down syndrome
 - Intellectual disability
 - Prader-Willi syndrome
 - Spina bifida
 - Williams syndrome
 - High-risk child
- Disabilities added by 2017 Legislature in House Bill 15 (HB 15)
 - Rare disease (affecting fewer than 200,000 in the United States)
 - Anaphylaxis
 - Deaf
 - Visually impaired
 - Dual sensory impaired
 - Traumatic brain injured
 - Hospitalized or homebound with medically diagnosed condition for more than six months

Gardiner Administration

- Scholarship accounts are administered by approved Scholarship Funding Organizations.
- For 2017-18
 - Step Up for Students
 - AAA Scholarship Foundation
- Applications are accepted on a first-come, first-served basis.

Gardiner School Choice

- Parents choose how students will meet compulsory attendance requirement. Gardiner students
 - May enroll in private school
 - May be in a registered home education program
 - May not be enrolled in public school
 - May not participate in another scholarship program
 - May not participate in voluntary prekindergarten (PreK)

Gardiner Expenditures

- Funds may be used for approved expenditures
 - Digital devices and assistive technology
 - Curriculum
 - Specialized services by approved provider (may include)
 - Applied behavior analysis
 - Speech or language therapy
 - Occupational therapy
 - Physical therapy
 - Tuition in eligible private school or post-secondary institution
 - Fees for nationally standardized, norm-referenced tests, AP examinations, industry certification exams
 - Contributions to Stanley G. Tate Prepaid College Program
 - Contracted services provided by public school or district
- Eligible providers added by 2017 Legislature in HB15
 - Florida hospital
 - Member of Professional Association of Therapeutic Horsemanship
 - Therapist certified by Board for Music Therapists
 - Therapist credentialed by Art Therapy Credentials Board

Responsibilities and Considerations

- School districts and scholarship students
- Scholarship students placed by their parents in private school programs have those rights under IDEA that apply to other parentally placed students.
- Gardiner Scholarship students in home education programs may not receive services from districts that are reported for Florida Education Finance Program (FEFP) funding.

Gardiner Parent Responsibilities

- Determine appropriate placement
- Obtain services necessary to educate the student
- Establish financial terms directly with providers
- Arrange for any expenses in excess of the Gardiner amount

Private Schools

- Over 300,000 students enrolled in over 2,200 private schools
- Schools register with FDOE and submit Annual Survey
- FDOE maintains database of information submitted by private schools

Charter Schools and ESE, Presented by Adam Emerson

Historical Growth

In 1996-97, there were five schools and in 2015-16, there were 652. The rise in schools over the years has steadily corresponded with the rise in the number of students.

History of Application Approval Rate

In 2006, ~75 applications were submitted; the approval rate was 54.2%.

In 2015, ~130 applications were submitted; the approval rate was 40.6%.

Diversity

	Charter	Traditional
Free and Reduced Lunch	49.1%	61.5%
English Language Learners	9.3%	10.1%
SWD	9.4%	14%

Proficiency (ESE) on Florida Standards Assessment (FSA)

	Charter	Traditional
English Language Arts		
Elementary	26%	21%
Middle	23%	16%
High	21%	16%
Math		
Elementary	32%	30%
Middle	28%	20%
High	19%	17%

Florida Charter School Law

Section 1002.33(10)(f), F.S.

Students with disabilities and students served in English for Speakers of Other Languages programs shall have an equal opportunity of being selected for enrollment in a charter school.

Florida Charter School Law

Section 1002.33(16)(a)(3), F.S.

A charter school shall operate in accordance with its charter and shall be exempt from all statutes in chapters 1000-1013. However, a charter school shall be in compliance with the following statutes in chapters 1000-1013:

...

3. Those statutes pertaining to the provision of services to students with disabilities.

SEA Responsibilities

- Role of the Charter Schools Office
 - Administers the federal Charter Schools Program grant

- Appoints members to the Charter School Appeals Commission
- Determines if a charter school is in a state of financial emergency and facilitates corrective action
- Provides training and technical assistance to charter schools
- Mediates disputes related to contracts between charter schools and their sponsors
- Helps develop rules that implement provision in the charter school law
- Role of BEESS
 - Monitors statewide LEA compliance with federal and state requirements
 - Provides training to school staff and district administrators
 - Gives districts information on state and federal laws regarding the education of exceptional students
 - Disseminates other technical assistance as needed

LEA Responsibilities

- Role of the LEA
 - Approves or denies charter application and negotiates charter contract
 - Ensures that the charter is compliant with contract, and with applicable state or federal law
 - Ensures a free and appropriate public education (FAPE) for all ESE students in its jurisdiction
 - Determines ESE eligibility
- Section 1002.33(20)(a)1., F.S.

A sponsor shall provide certain administration and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; ...
- ESE administration services
 - Initial evaluation for ESE placement
 - Professional development related to IEP development
 - Access to any electronic IEP systems or forms
 - ESE training
 - Appointment of staffing specialist
 - Other supports and services as agreed to by the charter school and the district

LEA Responsibilities – IDEA

- Title 20 U.S. Code (U.S.C.), §1413(a)(5)(A)

(5) ... with respect to charter schools that are public schools of the LEA, the LEA—

(A) serves children with disabilities attending those charter schools in the same manner as the LEA serves children with disabilities in its other schools, including providing supplementary and related services on site at the charter school to the same extent to which the LEA has a

- policy or practice of providing such services on the site to its other public schools;
- Title 20 U.S.C. §1413(a)(5)(B)
 - (5) ... with respect to charter schools that are public schools of the LEA, the LEA—
 - (B) provides funds under this subchapter to those charter schools—
 - (i) on the same basis as the LEA provides funds to the LEA's other public schools, including proportional distribution based on relative enrollment of children with disabilities; and
 - (ii) at the same time as the agency distributes other Federal funds to the agency's other public schools, consistent with the State's charter school law.

Florida Model Charter School Application

Requires a charter applicant to:

- Provide the school's projected population of SWD and describe how the projection was made.
- Describe how the school will ensure that SWD will have an equal opportunity of being selected for enrollment in the charter school.
- Describe how the school will work with the sponsor and through the IEP process when necessary to ensure students with disabilities receive a FAPE in the least restrictive environment (LRE).
- Describe the programs, strategies and supports the school will provide, including supplemental supports and services and modifications and accommodations, to ensure the academic success of SWD whose education needs can be met in a regular classroom environment with at least 80 percent of instruction occurring in a class with peers without disabilities.
- Describe how the school will work with the sponsor and through the IEP process to determine whether a SWD whose education needs require a regular classroom and resource room combination (between 40 and 80 percent of instruction occurring with peers without disabilities) can be provided FAPE by the school.
- Describe how the school will work with the sponsor and through the IEP process to determine whether a SWD whose education needs require a separate classroom (less than 40 percent of instruction occurring with peers without disabilities) can be provided FAPE by the school.
- Describe the plans for monitoring and evaluating the progress and success of SWD to ensure the attainment of each student's goals as set forth in the IEP or Section 504 plan, including plans for promoting graduation for SWD (high schools only).
- Identify the staffing plan, based on the above projection, for the school's special education program, including the number and qualifications of staff.

- Describe how the school’s overall effectiveness in serving exceptional education students will be evaluated.
- Describe how the school will serve gifted and talented students.

Florida Standard Charter Contract

- “The School ... shall not discriminate against students with disabilities who are served in Exceptional Student Education programs.”
- “Students with disabilities will be educated in the least restrictive environment, and will be segregated only if the nature and severity of the disability is such that education in regular classes with the use of supplementary aides and services cannot be achieved satisfactorily.”
- “... the School shall not request through the School’s application a student’s IEP or other information regarding a student’s special needs, nor shall the school access such information prior to the enrollment lottery.”
- “A representative of the Sponsor shall be invited to participate in all IEP meetings.”

How We Train

- Annual Florida Charter School Conference
 - The charter contract
 - IDEA
 - ESE Policies and Procedures (SP&P) for your district
 - Best practices for inclusive education (BPIE) assessment
 - Multitiered system of supports (MTSS) and Rtl
 - Writing quality IEPs
 - FDLRs
- Newly approved charter applicant training
 - Getting to know your district charter liaison
- Specialized topics throughout the year

Contact Information

Adam Emerson, Charter Schools Director
 Office of Independent Education and Parental Choice
Adam.Emerson@fldoe.org
 850-245-9631

Bureau Chief, Monica Verra-Tirado Presented the Bureau Update

From Preschool to Post-School Outcomes

**Preparing Florida’s Students to Become College and Career Ready
 Equity, Access and Attainment**

The Emphasis of IDEA 2004

“Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.”

(20 U.S.C. §1400(c)(1))

Moving from Access to Attainment: Statewide Equity and Excellence

Increase number of students graduating college and career ready

- Improve graduation rate
- Decrease dropout rate
- Improve post-school outcome results

Best Practices for Inclusive Education

According to s. 1003.57(1), F.S.:

Once every 3 years, each school district and school shall complete a Best Practices for Inclusive Education (BPIE) assessment with a Florida Inclusion Network facilitator and include the results of the BPIE assessment and all planned short-term and long-term improvement efforts in the school district’s exceptional student education policies and procedures.

Definition of LRE

- SWD are educated with their peers without disabilities to the maximum extent possible.
- Removal of students from the regular education environment occurs only when the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Best Practices for Inclusive Education

According to s. 1003.57(1)(a), F.S.:

The school district shall use the term ‘inclusion’ to mean that a student is receiving education in a general education regular class setting, reflecting natural proportions and age-appropriate heterogeneous groups in core academic and elective or special areas within the school community; a student with a disability is a valued member of the classroom and school community; the teachers and administrators support universal education and have knowledge and support available to enable them to effectively teach all children; and a teacher is provided access to technical assistance in best practices, instructional methods, and supports tailored to the student’s needs based on current research.

Reviewed Florida's SWD Numbers, Fall 2016

Disability	Percentage
SLD	37%
ASD	10%
OHI	9%
Other	9%
InD	7%
SI	13%
LI	11%
EBD	4%

SWD as Percentage of Total Population

- In 2007-08, SWD made up 14.4% of the school population statewide.
- In 2016-17, 13.6% of the school population was SWD.

Regular Class Placement (State Rate)

- In 2009-10, 67.4% of SWD were included in regular class placement 80 percent of the day or more.
- In 2016-17, 73.7% of SWD were included.

Seven Largest States: Percentage of SWD in Regular Class Placement 2015-16

Florida has the highest regular class placement numbers out of the seven largest states at 71.9%.

Graduates with Disabilities

- In 2009-10, 44% of graduates with disabilities received a Standard Diploma.
- In 2015-16, 41% received a Standard Diploma.

- In 2009-10, 17% of graduates with disabilities received a Standard Waiver.
- In 2015-16, 29% received a Standard Waiver.

- In 2009-10, 8% of graduates with disabilities took the Standard ACT/SAT.
- In 2015-16, 8% took the Standard ACT/SAT.

- In 2009-10, 31% of graduates with disabilities received a Special Diploma.
- In 2015-16, 22% received a Special Diploma.

Number of SWD Earning Special Diploma

- In 2010-11, 5,545 of SWD earned a Special Diploma.
- In 2015-16, 4,266 earned a Special Diploma.

Federal Dropout Rate

- In 2011-12, the federal dropout rate was 21.6%.
- In 2015-16, the federal dropout rate was 17.3%.

English Language Arts – FSA Grades 3-10

- In 2017:
 - 55% of SWD were on Achievement Level 1,
 - 20% were on Achievement Level 3 and Above, and
 - 7% were on Achievement Level 4 and Above.

English Language Arts – Grades 3-5

- In 2017:
 - 49% of SWD were on Achievement Level 1,
 - 25% were on Achievement Level 3 and Above, and
 - 9% were on Achievement Level 4 and Above.

English Language Arts – Grades 6-8

- In 2017:
 - 59% of SWD were on Achievement Level 1,
 - 17% were on Achievement Level 3 and Above, and
 - 6% were on Achievement Level 4 and Above.

English Language Arts – Grades 9-10

- In 2017:
 - 61% of SWD were on Achievement Level 1,
 - 17% were on Achievement Level 3 and Above, and
 - 7% were on Achievement Level 4 and Above.

Mathematics – FSA and EOCs Grades 3-8

- In 2017:
 - 51% of SWD were on Achievement Level 1,
 - 28% were on Achievement Level 3 and Above, and
 - 11% were on Achievement Level 4 and Above.

Mathematics – FSA and EOCs Grades 3-5

- In 2017:
 - 47% of SWD were on Achievement Level 1,
 - 32% were on Achievement Level 3 and Above, and
 - 14% were on Achievement Level 4 and Above.

Mathematics – FSA and EOCs Grades 6-8

- In 2017:
 - 56% of SWD were on Achievement Level 1,
 - 22% were on Achievement Level 3 and Above, and
 - 8% were on Achievement Level 4 and Above.

Mathematics – Algebra 1 EOC

- In 2017:
 - 62% of SWD were on Achievement Level 1,
 - 27% were on Achievement Level 3 and Above, and
 - 9% were on Achievement Level 4 and Above.

Mathematics – Geometry EOC

- In 2017:
 - 62% of SWD were on Achievement Level 1,
 - 21% were on Achievement Level 3 and Above, and
 - 6% were on Achievement Level 4 and Above.

Mathematics – Algebra 2 EOC

- In 2017:
 - 55% of SWD were on Achievement Level 1,
 - 26% were on Achievement Level 3 and Above, and
 - 9% were on Achievement Level 4 and Above.

Science – Grade 5

- In 2017:
 - 51% of SWD were on Achievement Level 1,
 - 23% were on Achievement Level 3 and Above, and
 - 8% were on Achievement Level 4 and Above.

Science Combined – Grade 8 (Statewide Science Assessment and Biology 1 EOC)

- In 2017:
 - 54% of SWD were on Achievement Level 1,
 - 18% were on Achievement Level 3 and Above, and
 - 7% were on Achievement Level 4 and Above.

Science – Biology 1 EOC

- In 2017:
 - 32% of SWD were on Achievement Level 1,
 - 31% were on Achievement Level 3 and Above, and
 - 8% were on Achievement Level 4 and Above.

Social Studies – Civics EOC

- In 2017:
 - 33% of SWD were on Achievement Level 1,
 - 37% were on Achievement Level 3 and Above, and
 - 14% were on Achievement Level 4 and Above.

Social Studies – U.S. History EOC

- In 2017:
 - 34% of SWD were on Achievement Level 1,
 - 40% were on Achievement Level 3 and Above, and
 - 18% were on Achievement Level 4 and Above.

On July 14, 2017, District Superintendents Received a Memo from the Chancellor’s Office with the Following Information:

“The department has received inquiries about the former school district one percent cap for students with significant cognitive disabilities assessed on the Florida Standards Alternate Assessment (FSAA) and the opportunity to request a waiver. As we transition from No Child Left Behind to the Every Student Succeeds Act, the waiver process to exceed one percent is transitioning from the school district level to the state level. As a result, districts are no longer required to submit waiver requests. As always, to meet the state one percent cap, we will continue to monitor appropriate participation in the alternate assessment. Districts that exceed one percent participation on the FSAA will receive targeted assistance through our multi-tiered system of supports.

The Bureau of Exceptional Education and Student Services will continue to work with all districts to ensure that Individual Education Plan teams have the resources necessary to make informed decisions regarding students appropriately being enrolled in access courses and participating in the alternate assessment.”

Exceptionality of SWD Taking the 2016 FSAA

Disability	Percentage
InD	59%
ASD	30%
OHI	4%
Other	3%
SLD	2%
OI	1%

Post-School Outcomes for SWD (Performance)

- In 2008-09:
 - 26.9% of SWD were in higher education,
 - 37.5% were in higher education or competitively employed, and
 - 50.1% were employed or continuing education.
- In 2014-15:
 - 28.5% of SWD were in higher education,
 - 43.2% were in higher education or competitively employed, and
 - 54.9% were employed or continuing education.

Post-School Outcomes for 2014-15 Graduates Fall 2015 Findings

- Of all graduates with a Standard Diploma:
 - 51% were employed, 17% of which were employed full time
 - 62% continued education
- Of the SWD with a Standard Diploma:
 - 43% were employed, 19% of which were employed full time
 - 35% continued education
- Of the graduates with a Special Diploma:
 - 8% were employed, 19% of which were employed full time
 - 3% continued education

LEA Determinations

- Just as states are now receiving determinations that are based on both compliance and performance, Florida began phasing in performance indicators for the 2015 LEA Determinations.
- Letters to superintendents and ESE directors are disseminated around June of each year.

Prior to 2015

- LEA determinations were based on compliance
 - No critical audit findings
 - No disproportionate representation
 - Substantial compliance (at least 95 percent) of:
 - 60-day timeline
 - Part C to Part B
 - Transition IEPs
 - Timely correction of noncompliance
 - Submission of valid, reliable data

2017 LEA Determinations

- Step One: any district required to set aside 15 percent of IDEA, Part B funds for CEIS 2016-17 and 2017-18 will automatically be identified as Needs Intervention; any district required to set aside 15 percent of IDEA, Part B funds for CEIS for 2017-18 (but not in 2016-17) will automatically be identified as Needs Assistance.
- Step Two: Points are earned based on the compliance and performance criteria listed below. The 2017 point values resulting in the determination categories are:
 - Meets Requirements: 13-17 points
 - Needs Assistance: 8-12 points
 - Needs Intervention: 4-7 points or in Needs Assistance four consecutive years
 - Needs Substantial Intervention: 0-3 points

2017 LEA Determinations (Compliance)

Compliance criteria:

- No critical state financial audit findings related to the education of SWD. Source: Fiscal Year 2016 Auditor Generals Reports
- SPP 9 – No disproportionate representation in special education found to be because of inappropriate identification. Source: Survey 2, 2015-16
- SPP 10 – No disproportionate representation in specific disability categories found to be because of inappropriate identification. Source: Survey 2, 2015-16
- SPP 11 – At least 95 percent of students with parental consent to evaluate were evaluated within 60 days. Source: Web-based data collection, 2015-16
- SPP 12 – At least 95 percent of children referred by Part C prior to age 3 who were found eligible for Part B had an IEP developed and implemented by their third birthday. Source: Survey 5 2015-16 and Survey 2, 2016-17 matched with FLDOH Early Steps 2015-16 data
- SPP 13 – At least 95 percent of transition IEPs found to be compliant with secondary transition IEP requirements. Source: BEEESS Compliance Self-Assessment, 2015-16.
- At least 95 percent of 2014-15 findings of noncompliance corrected within one year and demonstration of correct implementation of related regulation. Source: BEESS tracking systems for desktop monitoring and state complaints via the General Supervision website.
- Submission of valid, reliable, and timely data in all of the following four areas:
 - SPP 5 – at least 95 percent of errors corrected for placement/age errors or fewer than 10 errors at the end of the verification activity (2016-17 data).
 - SPP 11 – timely submission of data (2015-16 data)
 - SPP 12 – timely submission of the district verification file (2015-16 data)
 - CEIS – did not set aside funds for CEIS (required or voluntary), but reported students receiving services in 2015-16, or set aside funds and did not report students being served.

2017 LEA Determinations (Performance)

- Performance Criteria for Graduation and Dropout Districts that meet or exceed the state target and if the district improved from the prior year receive the following points:
 - SPP 1 – Federal Uniform Graduation Rate:
 - At or above the state target of 56.3% for 2014-15 (1 point)
 - At or above the state target of 58.3% for 2015-16 (1 point)
 - Improvement from 2014-15 to 2015-16, meeting of 2015-16 state target, or change of less than 1% from 2014-15 to 2015-16 (1 point)
 - SPP 2 – Federal Dropout Rate
 - At or below the state target of 15.1% for 2014-15 (1 point)
 - At or below the state target of 13.4% for 2015-16 (1 point)

- Improvement from 2014-15 to 2015-16, meeting of 2015-16 state target, or change of less than 1% from 2014-15 to 2015-16 (1 point)
- Performance Criteria for LRE: Districts that meet, exceed or make improvement toward the state target, with no decrease from the previous year, receive the following points:
 - SPP 5 – LRE
 - At or above the state target of 82% for 2016-17 regular class placement (3/3 points)
 - Within 10% of the 2016-17 state target and any improvement in LRE rate from 2015-16 to 2016-17 (2/3 points)
 - Within 10% of the 2016-17 state target and no decrease greater than 5% from 2015-16 to 2016-17 (1/3 point)

State Targets Increased for the 2017 Determination Performance Criteria

- State targets for:
 - Federal uniform graduation (2015-16): 58.3%
 - Federal uniform graduation (2014-15): 56.3%
 - Dropout (2015-16): 13.4%
 - Dropout (2014-15): 15.1%
 - Regular class placement (2016-17): 82%
 - Regular class placement (2015-16): 79%

For 2017 LEA Determinations

- Districts that Met Requirements: 36
- Districts in Needs Assistance: 33
- Districts in Needs Intervention: 7

Districts that Moved from Needs Assistance in 2016 to Meets Requirements in 2017

- Brevard
- Flagler
- Indian River
- Lafayette

Graduation Rate (2015-16)

Districts that Met Sate Target: 58.3% (44 Districts)

Very Large Districts	
Broward	58.4%
Dade	68.7%
Hillsborough	58.4%
Palm Beach	68.9%
Pinellas	58.4%
Orange	62.9%

Large Districts	
Brevard	69.8%
Collier	69.8%
Osceola	63.5%
Pasco	60.6%
Sarasota	65.4%
Seminole	68.4%
Volusia	59.8%

Medium Districts	
Clay	66.4%
Leon	77.1%
Okaloosa	60.7%
Santa Rosa	63.8%
St. Lucie	74.9%
St. Johns	69.3%

Medium/Small Districts	
Charlotte	65.6%
Flagler	58.7%
Hendry	66.7%
Indian River	64.2%
Martin	72%
Nassau	83.7%
Sumter	70.2%
Walton	65.1%

Small Districts	
Bradford	69.2%
Calhoun	78.6%
Dixie	87.5%
FLVS	85.2%
Franklin	54.3%
FSU	100.0%
Gilchrist	100.0%
Gulf	73.3%
Glades	75.0%
Jefferson	77.8%
Lafayette	71.4%
Lake Wales	60.0%
Levy	66.7%
Madison	73.3%
Suwannee	69.4%
UF	100.0%
Wakulla	82.5%

Dropout Rate (2015-16)

Districts that Met State Target: 13.4% (38 Districts)

Very Large Districts	
Broward	12.5%
Orange	8.9%

Collier	11.5%
Escambia	4.7%
Manatee	13.3%
Osceola	6.2%
Sarasota	11.7%
Seminole	4.6%

Bay	8.5%
Clay	8.1%
Leon	2.8%
Santa Rosa	8.8%
St. Johns	9.2%
St. Lucie	6.6%

Citrus	13.4%
Columbia	10.7%
Highlands	11.7%
Indian River	5.7%
Martin	5.1%
Nassau	1.0%

Small Districts	
Baker	3.7%
Bradford	0.0%
Dixie	0.0%
FAMU	0.0%
FLVS	3.8%
FSDB	3.6%
FSU	0.0%
Gilchrist	0.0%
Gulf	6.1%
Jefferson	0.0%
Levy	5.0%
Liberty	11.1%
Madison	0.0%
Suwannee	1.8%
UF	0.0%
Union	0.0%
Wakulla	2.8%
Wash. Special	0.0%

Regular Class Placement (2015-17)

Districts That Met State Target: 82% (17 Districts) (Earned 3 LRE Points)

Large Districts	
Collier	85.0%

Medium Districts	
St. Johns	88.7%
Okaloosa	83.4%

Medium/Small Districts	
Nassau	84.4%

Small Districts	
Bradford	89.7%
FAMU	95.0%
FAU	87.0%
Flagler	85.2%
FLVS	96.8%
FSU	95.2%
Gilchrist	88.9%
Levy	82.6%
Madison	87.4%
South Tech	100.0%
Suwannee	83.2%
UF	97.4%
Union	85.7%

Regular Class Placement (2016-17)

Districts that were within 10% of the 2016-17 state target (72%) and had improvement in the LRE rate from 2015-16 to 2016-17 or no decrease greater than 5% from 2015-16 to 2016-17 (30 districts earned 2 LRE points)

Very Large Districts	
Brevard	80.3%
Broward	80.3%
Duval	81.8%
Hillsborough	72.1%
Orange	81.7%
Palm Beach	75.2%
Pinellas	72.9%

Medium/Small Districts	
Hendry	79.8%
Monroe	78.2%
Putnam	76.3%

Lake	74.4%
Lee	76.6%
Osceola	76.1%
Pasco	77.9%
Polk	75.7%
Sarasota	77.8%
Seminole	81.8%

Small Districts	
Calhoun	80.8%
Desoto	78.7%
Hamilton	80.8%
Hardee	73.3%
Holmes	75.2%
Lafayette	79.2%
Okeechobee	75.0%
Taylor	78.7%

Medium Districts	
Clay	80.4%
Highlands	75.4%
Indian River	75.7%
Martin	78.4%
Sumter	76.4%

Comparison of Compliance Indicators for 2016 to 2017

2016 Part B Results

Part B Compliance Indicator²	Performance (%)	Full Correction of Findings of Noncompliance Identified in Federal Fiscal Year (FFY) 2013	Score
Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.	0	N/A	2
Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.	0	N/A	2
Indication 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	0	N/A	2
Indicator 11: Timely initial evaluation	98.1	Yes	2
Indicator 12: IEP developed and implemented by third birthday.	100	N/A	2
Indicator 13: Secondary transition	90.55	Yes	2
Timely and Accurate State-Reported Data	95.24		2
Timely State Complaint Decisions	100		2
Timely Due Process Hearing Decisions	100		2
Longstanding Noncompliance			2
Special Conditions	None		
Uncorrected identified noncompliance	None		

2017 Part B Results

Part B Compliance Indicator²	Performance (%)	Full Correction of Findings of Noncompliance Identified in FFY 2013	Score
Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.	0	N/A	2
Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.	0	N/A	2
Indication 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	0	N/A	2

Indicator 11: Timely initial evaluation	97.05	Yes	2
Indicator 12: IEP developed and implemented by third birthday.	100	N/A	2
Indicator 13: Secondary transition	90.38	Yes	2
Timely and Accurate State-Reported Data	86.74*		1
Timely State Complaint Decisions	100		2
Timely Due Process Hearing Decisions	100		2
Longstanding Noncompliance			2
Special Conditions	None		
Uncorrected identified noncompliance	None		

*2017 - Timely and Accurate State-Reported Data: 86.74%: Florida reported to the Office of Special Education Programs (OSEP) that it had not established new achievement levels for the alternate assessment. Only students who took the assessment, received a valid score, and were assigned a proficiency level can be counted as participants; therefore, OSEP could not determine whether Florida met its target and points not assigned.

2017 State Determination, Part Two

Performance Matrix

- Percentage of fourth and eighth grade SWD participating in statewide assessments
- Percentage of fourth and eighth grade SWD scoring basic or above on National Assessment of Educational Progress (NAEP)
- Percentage of fourth and eighth grade SWD included in NAEP testing
- Percentage of SWD dropping out
- Percentage of SWD graduating with a regular high school diploma

Comparison of 2016 to 2017 – Part B Results

2016 Part B Results Matrix

Reading Assessment Elements

Reading Assessment Elements	Performance (%)	Score
Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments	87.36	1
Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments	81.56	1
Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	44	2
Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	93	1
Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	42	2
Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	86	1

Math Assessment Elements

Reading Assessment Elements	Performance (%)	Score
Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments	88.71*	1

Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments	82.08*	1
Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	66	2
Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	91	1
Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	29	2
Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	89	1

Exiting Data Elements

Exiting Data Elements	Performance (%)	Score
Percentage of Children with Disabilities who Dropped Out	19	1
Percentage of Children with Disabilities who Graduated with a Regular High School Diploma ¹	60	0

* Performance of fourth grade and eighth grade students – 2016 SEA Determination assessments were based on the 2015 FAA (2015 last year of FAA, but first year of FSA).

2017 Part B Results Matrix

Reading Assessment Elements

Reading Assessment Elements	Performance (%)	Score
Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments	Not Valid and Reliable*	0
Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments	Not Valid and Reliable*	0
Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	44	2
Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	93	1
Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	42	2
Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	86	1

Math Assessment Elements

Reading Assessment Elements	Performance (%)	Score
Percentage of Fourth Grade Children with Disabilities Participating in Regular Statewide Assessments	Not Valid and Reliable*	0
Percentage of Eighth Grade Children with Disabilities Participating in Regular Statewide Assessments	Not Valid and Reliable*	0
Percentage of Fourth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	66	2
Percentage of Fourth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	91	1
Percentage of Eighth Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	29	2
Percentage of Eighth Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	89	1

Exiting Data Elements

Exiting Data Elements	Performance (%)	Score
Percentage of Children with Disabilities who Dropped Out	19	1
Percentage of Children with Disabilities who Graduated with a Regular High School Diploma ¹	60	0

*Performance of fourth grade and eighth grade students - Not Valid and Reliable

"State reported to OSEP that it had not established new achievement levels for the alternate assessment." Because of this, Florida lost points.

(The following disproportionality material was re-presented for clarification purposes)

Disproportionality and CCEIS

Snapshot of Disproportionality Regulations

- Requires state to establish a standard methodology for determining significant disproportionality.
 - Provides flexibility that states may consider in making the determination of significant disproportionality.
- Requires district to identify and address the root causes of significant disproportionality.
- Requires district to address a policy, practice or procedure it identifies as contributing to significant disproportionality.
 - Prohibits state or district from developing policies, practices or procedures that violate IDEA and Child Find.
- Requires district to use 15 percent of IDEA allocation to address disproportionality
 - Allows CCEIS funds to be used for children not receiving special education and children with disabilities.

What are CEIS?

- Early intervening services
 - Services provided to students not identified who need additional academic and behavioral supports to succeed in the general education environment.
 - May include professional development and educational and behavioral evaluations, services, and supports.
- CEIS
 - Voluntary for students not currently identified in kindergarten through Grade 12
 - Districts can use up to 15 percent of IDEA allocation.
- CCEIS
 - Mandatory if identified as having significant disproportionality.
 - Districts must use 15 percent of IDEA allocation.

What is Significant Disproportionality?

- Disparities in particular outcomes for different racial or ethnic groups

- The risk (or likelihood) of a particular outcome is significantly greater for one racial or ethnic group when compared to all others.
- Examine disparities in outcome in three broad areas for each racial or ethnic group:
 - Identification of children as SWD.
 - Incidence, duration, and type of disciplinary actions.
 - Placement of SWD in a more restrictive setting.
- Determined by comparing risk of a particular outcome in one group to the risk in all other groups (e.g., EBD risk for black students to EBD risk for all other students).

How is Significant Disproportionality Measured?

- Risk (risk index) – likelihood of a particular outcome for a specified racial or ethnic group.
 - Calculated by dividing the number of students in a specified racial or ethnic group experiencing a particular outcome by all the students in that group.
- Risk ratio – comparison of risk between one racial or ethnic group and risk for all other racial and ethnic groups.
 - Calculated by dividing risk for one group by the risk for all other groups combined.
- Risk ratio threshold – state-determined risk ratio over which disproportionality is considered significant.

Risk Ratio Calculation – EBD Identification (Black)

- Numerator = number of black students identified with EBD divided by total number of black students (x 100)

$$5,921 \div 628,754 = 0.0094 \text{ (0.94\%)}$$
- Denominator = number of all other races identified with EBD divided by total number of all other races (x 100)

$$9,281 \div 2,188,070 = 0.0042 \text{ (0.42\%)}$$
- Risk ratio

$$0.0094 \div 0.0042 = 2.38$$
- Black students are over twice as likely to be identified as students with EBD as all other students.

Disproportionality – State Responsibility

- Collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in:
 - Identification of SWD
 - Placement in particular educational settings

- Incidence, duration and type of disciplinary removals from placement, including suspensions and expulsions
- Establish a standard methodology for determining disproportionality (with input from stakeholders).
- Review and revise policies, practices and procedures.
- Require LEAs with significant disproportionality to reserve 15% for the provision of CCEIS.

Risk Ratio Comparisons by Outcome and Race and Ethnicity

Outcomes	Race and Ethnicity
Identification (<u>total</u> SWD, InD, EBD, SLD, SI/LI, OHI, ASD)	White
ISS < 10 days	Hispanic or Latino of any race
ISS > 10 days	Black or African American
OSS < 10 days	Asians
OSS > 10 days	American Indian or Alaska Native
Total Disciplinary Removals	Native Hawaiian/Pacific Islander
SWD Inside Regular Class< 40% of the day	Two or more races
SWD in Separate Schools or Facilities	

Trends in Number of Disciplinary Incidents – Black

- In 2010, there were 128,881 removals.
- In 2017, there were 72, 951 removals.

Trends in Number of Students Identified with EBD

- In 2011, 8,459 black students identified with EBD.
- In 2016, 5,921 black students identified with EBD.

Other Trends Reviewed

- Discipline Risk Ratios for Black Students
- EBD Risk Ratio for Black Students

State-Determined Standard Methodology for Determining Significant Disproportionality

- Reasonable risk ratio threshold (3.0)
- Reasonable minimum cell size – risk for group (numerator in the risk ratio calculation)
 - Cannot be greater than 10
- Reasonable minimum N-size – risk for all other groups (denominator in the risk ratio calculation)
 - Cannot be greater than 30
- Flexibility – Multiple years (up to three)
- Flexibility – Reasonable progress (amount must be specified)

Bureau Recommendations

- Set risk ratio threshold at **3.0**
- Set cell size (number in subgroup) at **10** for discipline and **5** for identification
- Set N size at 30 (number in all other groups)
- Limit determination of significant disproportionality to districts that exceed risk ratio threshold for three consecutive years and
- Failed to make reasonable progress in lowering risk/risk ratio/alternate risk ratio by 0.10 in each of the two previous years

Numbers of Districts Identified

Outcome	Current	Proposed Without Flexibility	Proposed With Three Years	Proposed with Three Years and Reasonable Progress
EBD Identification	3	8	6	5
InD Identification	1	6	2	2
ISS > 10 days	5	8	4	4
OSS > 10 days	5	20	10	10
ISS < 10 days	N/A	1	0	0
OSS < 10 days	N/A	3	0	0
Total Disciplinary Removals	N/A	15	6	4

Significant Disproportionality Under Current Measures – Nine Districts

Alachua, Calhoun, DeSoto, Glades, Manatee, Pinellas, Sarasota, St. Johns and Sumter.

Significant Disproportionality Without Flexibility – 35 Districts

Alachua, Brevard, Broward, Calhoun, Duval, Escambia, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hendry, Hernando, Hillsborough, Indian River, Lake, Lee, Levy, Madison, Manatee, Martin, Okaloosa, Orange, Palm Beach, Pinellas, Polk, Sarasota, Seminole, St. Lucie, St. Johns, Sumter, Taylor, Volusia, Walton and Washington.

Significant Disproportionality Using the Three-Year Rule – 20 Districts

Alachua, Broward, Duval, Gadsden, Glades, Hillsborough, Indian River, Lee, Manatee, Martin, Orange, Palm Beach, Pinellas, Sarasota, Seminole, St. Lucie, St. Johns, Sumter, Taylor and Washington.

Significant Disproportionality with Three-Year Rule and Reasonable Progress – 18 Districts

Alachua, Broward, Duval, Gadsden, Hillsborough, Indian River, Lee, Manatee, Martin,

Orange, Palm Beach, Pinellas, Seminole, St. Lucie, St. Johns, Sumter, Taylor and Washington.

Stakeholder Input (Poll Everywhere?)

- Should the Risk Ratio Threshold be **3.0**?
- Should the cell size be **10**?
- Should the N size be **30**?
- Should the SEA limit determination to districts that exceed risk ratio threshold for **three** consecutive years?
- Should the SEA limit determination to districts that fail to make reasonable progress in lowering risk in each of the two previous years?

Polling Results

- 1) Should Florida consider reasonable progress when making initial determinations of significant disproportionality?
Yes: 77%
No: 23%
- 2) Should Florida use three consecutive years of data when determining significant disproportionality?
Yes: 63%
No: 38%
- 3) Should the risk ratio denominator be 30 (N size)?
Yes: 90%
No: 10%
- 4) Should the risk ration numerator be 10 (cell size)?
Yes: 90%
No: 10%
- 5) The risk ratio threshold for discipline should be?
3.0: 5%
2.5: 23%
2.0: 73%
- 6) The risk ratio threshold for identification should be ...
3.0: 25%
2.5: 15%
2.0: 60%

- 7) The risk ratio threshold for placement should be ...
- 3.0: 38%
 - 2.5: 10%
 - 2.0: 52%
- 8) What should the risk ratio threshold be?
- 3.0: 48%
 - 2.5: 43%
 - 2.0: 10%
- 9) What should the standard for reasonable progress be?
- Reduction of risk ratio by 5% each year: 19%
 - Reduction of risk ratio by 10% each year: 48%
 - Reduction of risk ratio by 15% of each year: 33%

Next Steps

Implementation Timeline

- Regulations are effective July 1, 2018, affecting the FY 2018-19 grant.
- Data used to determine significant disproportionality will be based on the current year's (2016-17) data.
- State may delay inclusion of children aged 3-5 in CEIS until July, 1, 2020.

Tasks Ahead

- Obtain stakeholder input.
 - SAC
 - Public hearings
 - LEAs
- Maintain communication with LEAs.
- Determine and communicate final policy to all stake holders by December 2017.
- Review and revise system for oversight of LEAs.
- Continue to provide support to LEAs from FDOE personnel and State projects.

Discretionary Projects that Support CEIS

- Florida Positive Behavior Support Project, <http://flpbs.fmhi.usf.edu>
- SEDNET, <http://sednetfl.info>
- PS/Rtl, <http://www.floridarti.usf.edu>
- FIN, www.floridainclusionnetwork.com/
- FDLRS, <http://www.fdlrs.org>
- ISRD, <http://isrd.nefec.org>

Tuesday, July 25, 2017

The SAC met in regular session with the following persons in attendance:

Berry, Keith
Blades, Laurie
Bustos-Alban, Lauren
Clark, James
Jones, Cindy
LaBelle, Rich
Lockenbach, Rick
Mazyck, Laura
Miller, Lisa
Noonan, Carmen
Noonan, Patrick
Pasley, Cassandra
Raines, Debra
Rehmet, Chris
Riley, Tamar
Roberts, Grace
Roth, Terry
Rowland, Lisa
Rudniski, Catherine
Rueda-Hill, Cecilia
Siegel, Ann
Sokalski, Laura
Spire-Oh, Kimberley
Stevens, Tracy
Tucker, Kara
Verra-Tirado, Monica
Ward, Sheila

Designees

Ardis, Shelley (for Tracie Snow)
Forsyth, Skip (for Karen Barber)
Hickman, Antione (for Sonja Clay)

FDOE/DPS/BEES Representative

Davis, Risa, program specialist
Gaitanis, Victoria, program specialist
Katine, April, educational program director (SAC liaison)
Kowalczyk, Aimee, parent services (SAC liaison)
Metty, Wendy, program specialist
Moore, Beth, senior administrator
Musgrove, Karrie, program specialist

Weller-White, Betty, program specialist
Wheeler, David, program specialist
White, Judy, educational program director
Williams, Curtis, educational program director
Willis-Doxsee, Heather, Just Read, Florida!

Guests

Boehme, Cathy, Florida Education Foundation
Elbaum, Batya, ESE Parent Survey Project
Everett, Meghan, Florida Inclusion Network, executive director
Petrick, Robin, Florida Inclusion Network, facilitator
Tricquet, Eydie, Florida Diagnostic Learning Resource System, manager

Small Groups Continued to Meet from 10:30 a.m. to 1 p.m.

K-12 Standards Small Group

Karrie Musgrove, Mary Walsh, Tamar Riley, Kimberley Spire-Oh, James Clark, Shelley Ardis, Ann Siegel, Meghan Everett, Heather Willis-Doxsee

A handout was provided related to updates regarding concerns shared last year.

- Topic 1 – ESE paraprofessionals having a lack of training opportunities for working with SWD.
 - A course has been created and is now available. The link was provided on the handout.
 - Memos have gone out through BEESS weekly.
- Topic 2 – Charter Schools Concerns
- Topic 3 – Recognition of ESE Best Practices
 - A BEESS Middle Grades Math Team had been tasked to work with districts in tiers with findings related to Grades 6-8 Math. The team found districts in need and districts with success. The districts that did well partnered with districts in need. One district presented at 2016 AMM Conference.

New Discussions

FIN is interested in utilizing data that identifies districts using best practices that have been selected as mentors and models for districts in need.

Tracking Students Attendance in Charter Schools

- How can we access data about charter schools and their results?
- What are the flows of data collected from and about charter schools?
- How many students are coming back to the district schools from a charter?
- Can look at FEFP or full-time equivalent for counts in districts, schools and charters?

- There is a technical assistance paper (TAP) available about student placement in a private school that could be referenced at the website that has information about various scholarships (<http://info.fldoe.org/docushare/dsweb/Get/Document-4455/k12-07-105memo.pdf>).

Parent Information About the IEP and Private Schools

Language specific to students' and their IEPs when they select to transfer to private schools. Parents do not understand their release of protections of the IEP. Parents need to understand that the rights do not go to the private school placements.

Measurement of Student Performance PreK – Grade 3 (PreK-3)

Updating the SP&P related to MTSS and the Reading Plan to help districts learn how to have programs and tools to ensure students are getting supports they need to ensure success for students as young as possible.

How can schools be more responsive, more quickly, when students in these PreK-3 grade levels are not making progress expected? What is written in their plans? There is monitoring authority over the SP&P and Reading Plans. Which districts have strong plans which could be used as models? Osceola has a good SP&P.

Coming from Just Read, Florida!

What should be included in a dyslexia screener? What IDEA recommends? There are a few areas that are not included on the FLKRS screener, STAR Early Literacy Assessment. Just Read, Florida! will provide information on additional screeners, a decision-making tree based on some outcomes on various screenings; will discuss aligning resources with the focus on PreK-2; and will have more supports and a team focusing on early literacy. District reading contacts will be the audience for calls and trainings.

At the point of decision that the student has a reading deficiency, the school should quickly develop an intervention program. They are looking at how the teachers have the data made available and match students to appropriate interventions. Once a student is screened within the first 30 days of school (via FLKRS and the additional screening instruments) resources will also be shared. Will students be evaluated at other times when they enter kindergarten? Schools would have to contract for additional administrations of the STAR Early Literacy Assessment through the publisher. The Just Read, Florida! website can be found at <http://www.fldoe.org/academics/standards/just-read-fl/resources.stml>.

This past summer there were discussions at sites that had high numbers of Grade 3 reading programs to look at what happened K-2. It was discovered that some schools may not have strong core instructional K-2 programs, which led to the lower outcomes for their students in Grade 3.

The K12 Reading Plan this year included pulling together the reading curriculum director, ESE director, English Language Learners director and others. They are cross-walking the SP&P, K12 Reading Plan, and the decision-making trees. Also looking at the district and school improvement plans.

The BEESS Strategic Plan team is focusing on putting districts in tiers-based Grades 3 and 6-8 data to provide more intensive supports. The team will explore their capacity, their programs, etc.

With HB 7069, principals will feel more pressures. Are there topics that can be leveraged to help ESE students as well as any others who are scoring at Level 1.

Training Suggestion

Develop some video scenarios of school's going through the decision-making process related to FLKRS outcomes (case studies) to provide as trainings for teachers, reading coaches, school-based teams, school-based administrators and district-level staff.

BEESS Next Steps

BEESS will identify the district in Tier 3 and send out PS-Rtl teams to go to the districts and do problem-solving activities. Focus questions are asked ahead of time and teams on-site to facilitate the programs.

Green Sheet: Information is being written for proposal at the business meeting to request language be added to the School Choice website(s) that provide parents information about giving up IDEA rights when they remove their child from a public school. It is suggested that there is also a link to the TAP. The green sheet was developed and read aloud to the group.

Transition/Postsecondary Group

- General Discussion
- Reviewed 16-17 progress on strategic plan
- State Secondary Transition Interagency Committee work, e.g., new parent product, extended transition programs document
- Discussed evidence-based practices (there is a need to communicate what is learned at conferences and trainings) (implement deeply)

Post-School Outcomes Discussion

Positive	Barriers
<p>Workforce Implementation Opportunity Act</p> <ul style="list-style-type: none"> • Pre-ETS (employment transition services) • STAR Program <ul style="list-style-type: none"> – 15-21 with disability – IEP or Section 504 plan – Do not have to be VR eligible – Skills, work experience and self-advocacy – Adding postsecondary component <p>Standard diploma for all</p> <p>Improved transition practices (Florida Developmental Disabilities Council)</p> <ul style="list-style-type: none"> • Resources 	<p>Communication with parents and other stakeholders – no trickle down</p> <p>Planning process should be as a family. TIEP is a venue but often misunderstood</p> <p>Academic bias</p> <p>Career and technical education can be hard to get in</p> <p>Counselors overworked, when can planning be done</p>
<p>Suggestions</p> <p>Collaborate with parent centers More resources needed Use federal dollars better (Perkins) Investigate use of student led IEPs</p>	
<p>Question</p> <p>What can we do for those who have special diploma (perhaps inappropriate) and are now adults?</p> <p>VR will evaluate (but goal is to work, not go asking just for a recent evaluation) GED®</p>	

Family Engagement and Advocacy SAC Subgroup Minutes

Members in attendance:

- Rich LaBelle
- Keith Berry
- Lauren Bustos-Alban
- Laura Mazyck
- Chris Rehmet
- Terry Roth
- Lisa Rowland

Others in attendance:

- Dr. Batya Elbaum
- April Katine
- Aimee Kowalczyk

Rich LaBelle called the meeting to order. Dr. Batya Elbaum provided an overview of the ESE Parent Survey per member's request.

Discussion ensued about the ESE Parent Survey items. The group discussed that the survey items were developed to meet a compliance-based system. The State is now moving toward an impact driven system. These items may need to be updated or changed to change with the State.

The group discussed further and explored closing gaps in the return rate as well as addressing transition questions within the survey. The group discussed the following recommendations:

- Keep additional items on the online version
- Add a QR code in the cover letter to parents
- Include the URL in the cover letter with the wording "if you have a child 14 or older and would like to provide feedback, please go to ..."
- Provide reminder texts to parents for survey open period
- Provide text to parents providing the link to survey results
- Use Facebook live with the Family Network on Disabilities to promote survey and answer questions
- Would like to add a resource PDF that is on the ESE Parent Survey page. "For Resources ..."

The group voiced concerns over disproportionality and discussion ensued. The group considered crafting a letter of recommendation to the Commissioner of Education to encourage addressing the issue. The subgroup shared this concern with all SAC members during report out.

**SAC Access Group Notes
July 24, 2017**

Attendees

Vicki Gaitanis, FDOE
Lisa Miller, Polk advisory/parent
Beth Moore, FDOE
Robin Petrick, FDLRS/FIN
Debra Rains, private school representative/parent
Grace Roberts, parent
Laura Sokalski, parent
Tracy Stevens, parent
Eydie Tricquet, FDLRS/FIN

Topic: Inclusion of Access Students in General Education Classrooms

There are two modules now available for professional development created by FIN and the Access project, Including Students with Significant Cognitive Disabilities 1 and 2. The Teaching Students with Disabilities 20-hour module on the Professional Development Alternatives website is another resource. In the coming year, there will be a leadership module that will be housed on the Professional Development Portal that will be a benefit to supporting principals and other district leaders in their understanding of inclusive practices.

FIN/FDLRS reported that work is being done to build inclusive schools, providing support for general education and ESE teachers to work together. They are seeing teachers continuing to increase their knowledge for differentiation with universal design for learning.

FIN explained the BPIE timeline and shared how they have helped districts see how BPIE sections effect their indicators.

Vicki shared information about the historical timeline of LRE, the LRE TAP and went through the BEESS Five-Year LRE Strategic Plan. She also shared the handout, Inclusion: 2016-2017 Review.

Parents discussed opportunities for center school students to interact with general education students.

A final conversation was around curriculum for access students.

Access Group Notes (Day Two)

Attendees

Vicki Gaitanis, FDOE
Lisa Miller, Polk advisory/parent
Beth Moore, FDOE
Debra Rains, private school representative/parent
Grace Roberts, parent
Laura Sokalski, parent
Tracy Stevens, parent

Vicki Gaitanis shared and discussed the BEESS One-Year LRE Strategic Plan.

Wendy Metty, FDOE graduation/postsecondary transition program specialist, joined the group to share information on graduation and opportunities for students with significant cognitive disabilities. She shared the history of graduation in Florida, information about the expansion of Project Search, Respect's micro-enterprise funding grants available to individuals with disabilities interested in starting or building their own business and information about VR. She also shared resources from Project 10, such as the early warning system, the Secondary Transition Guide and a matrix of extended transition programs.

There was a discussion about transportation barriers and opportunities to possibly overcome them with ride-share or Uber.

The Access Group charted the following items:

- FDLRS and FIN collaboration with BPIE (districts)
- Online modules/collaborative teaching
- Leadership module coming in December (Professional Development Portal)
- Suggested collaboration with Access and Project 10
- Concern with dissemination of information to classrooms from FDLRS, FIN, ...

BUSINESS MEETING—1 p.m.

1. The chair (Kara) opened the phone for public comment. There was no public comment.
2. The chair (Kara) determined quorum
3. Sheila Ward moved to accept the minutes from the December 2016 SAC meeting. Cindy Jones seconded the minutes. Motion carried.
4. Kimberley Spire-Oh moved to recommend that the Choice office for FDOE add the following statement to each of the pages on the FDOE School Choice Office's web pages where scholarships that do not ensure children who attend private schools or other services through the choice of that scholarship lose their IDEA rights. The statement is as follows: "While the state's School Choice programs were developed to give parents the maximum amount of choice in

choosing the right school setting for their children, it is important to understand that enrollment of a student in a private school forfeits any guaranteed educational protections to that child under federal law, including the Individuals with Disabilities Education Act. It is advised that a parent understand the potential ramifications of the concept prior to enrolling their child in a private school. For more information, please see the following technical assistance paper: DPS: 2011-23, Students with Disabilities Enrolled by Their Parents in Private Schools.”

MEETING ADJOURNED