

# FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Dr. Dave Gayler, Superintendent  
Charlotte County School District  
1445 Education Way  
Port Charlotte, Florida 32601-5498

Dear Dr. Gayler:

The Bureau of Exceptional Education and Student Services is in receipt of your district's response to the preliminary findings of its Exceptional Student Education (ESE) Compliance Self-Assessment. This letter and the attached document(s) comprise the final report for Charlotte County School District's 2007-08 ESE monitoring.

The self-assessment system is designed to address the major areas of compliance related to the State Performance Plan (SPP). SPP Indicator 15, Timely Correction of Noncompliance, requires that the state identify and correct noncompliance **as soon as possible, but no later than one year from identification.**

As indicated in prior communication with district ESE staff, it was anticipated that there might be an increase in the number of findings of noncompliance over previous monitoring activities due to the design of the self-assessment protocols and sampling system. While any incident of noncompliance is of concern, it is important to note that, in accordance with the language in SPP Indicator 15, the Bureau's current monitoring system considers the timeliness of correction of noncompliance to be of greatest significance.

On February 22, 2008, the preliminary report of findings from the self-assessment process was released to the district. The preliminary report detailed student-specific incidents of noncompliance that required immediate correction, and identified any standards for which the noncompliance was considered systemic (i.e., evident in  $\geq 25\%$  of the records reviewed). In the event that there were systemic findings, a corrective action plan (CAP) was required. In addition,

**BAMBI J. LOCKMAN**

*Chief*

*Bureau of Exceptional Education and Student Services*

the district participated in a validation review to ensure the accuracy of the self-assessment data. Your district's validation review revealed no inconsistencies in the original report of data.

In accordance with guidance from the Office of Special Education Programs (OSEP), U.S. Department of Education, a finding of noncompliance is identified by the standard (i.e., regulation or requirement) that is violated, not by the number of times the standard is violated. While each *incident* of noncompliance must be corrected for the individual student affected, multiple incidents of noncompliance regarding a given standard that occur within a school district are reported as a single *finding* of noncompliance for that district. These results are included in the Bureau's annual reporting to OSEP.

Districts were required to correct all student-specific noncompliance no later than April 25, 2008, and to provide evidence to the Bureau no later than April 30, 2008. We are pleased to report that Charlotte County School District completed the required corrective actions and submitted the verifying documentation and CAP within the established timeline.

Charlotte County was required to assess 157 standards. One or more incidents of noncompliance were identified on 4 of those standards (3%). The following is a summary of Charlotte County School District's correction of student-specific incidents of noncompliance:

**Correction of Noncompliance by Student**

	<b>Number</b>	<b>Percentage</b>
Records Reviewed/Protocols Completed	26	–
Total Items Assessed	673	–
Noncompliant	6	less than 1%
Timely Corrected	6	100%

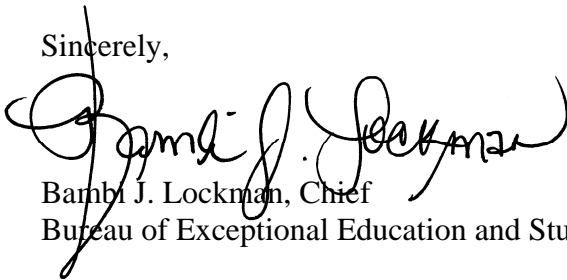
The *Charlotte District Summary Report: Findings of Noncompliance by Standard* (Attachment 1) contains a summary of the findings reported by the individual standard or regulation assessed. These data include revisions to the preliminary report that resulted from the validation review. Systemic findings are designated by shaded cells in the table. As noted in this attachment, one or more findings of noncompliance were determined to be systemic in nature and the district was required to develop a CAP to address the identified standards. Charlotte County School District's CAP was submitted to the Bureau for review and approval, and is provided in Attachment 2. Please note that a timeline for implementation, evaluation, and reporting of results on the part of the district is included in the CAP. Your district's adherence to this schedule is required in order to ensure correction of systemic noncompliance within a year as required by OSEP and Florida's SPP.

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The results of district self-assessments conducted during 2007-08 will be used to inform future monitoring activities, including the selection of districts for on-site monitoring, and in the local educational agency (LEA) determinations required under section 300.603, Title 34, Code of Federal Regulations, which result in districts being identified as “meets requirements,” “needs assistance,” “needs intervention,” or “needs substantial intervention.”

We understand that the implementation of this self-assessment required a significant commitment of resources, and appreciate the time and attention your staff has devoted to the process thus far. We look forward to receiving the district’s report on the results of its corrective action plan, due to the Bureau no later than **December 22, 2008**. If you have questions regarding this process, please contact your assigned district liaison for monitoring or Dr. Kim C. Komisar, Administrator, at [kim.komisar@fldoe.org](mailto:kim.komisar@fldoe.org) or via phone at (850) 245-0476.

Sincerely,



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

Attachments

cc: Linda Apple  
Frances Haithcock  
Kim C. Komisar  
Ken Johnson  
Sheila Gritz

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

**ESE Self-Assessment  
2007 – 08**

**Charlotte District Summary Report: Findings of Noncompliance by Standard**

This report provides a summary of the district's results and must be used when developing a corrective action plan. Results are reported by standard, with systemic noncompliance (occurrence in  $\geq 25\%$  of possible incidents) indicated as appropriate. See the *Student Report: Incidents of Noncompliance* for student-specific findings. Results are based on the following:

Number of IE protocols completed: 8  
 Number of standards per IE: 18  
 Number of IEP protocols completed: 8  
 Number of standards per IEP: 38  
 Number of MD protocols completed: 5  
 Number of standards per MD: 9  
 Number of STA protocols completed: 3  
 Number of standards per STA: 6  
 Number of STB protocols completed: 2  
 Number of standards per STB: 28  
 Number of EBD disabilities completed: 2  
 Number of standards per EBD: 11  
 Number of LI disabilities completed: 1  
 Number of standards per LI: 7

Number of MH disabilities completed: 2  
 Number of standards per MH: 9  
 Number of SI disabilities completed: 1  
 Number of standards per SI: 9  
 Number of SLD disabilities completed: 3  
 Number of standards per SLD: 14  
 Number of DHH disabilities completed: 1  
 Number of standards per DHH: 8

Total number of protocols: 26  
 Total number of standards: 673  
 Total number of incidents of noncompliance (NC): 6  
 Overall % incidents of noncompliance: 0%

Percent of noncompliance is calculated as the # of incidents of noncompliance for a given standard divided by the # of protocols reviewed for that standard, multiplied by 100.

\* Correctable for the student(s): A finding for which immediate action can be taken to correct the noncompliance.

\*\* Individual CAP: For a finding which cannot be corrected for an individual student, a corrective action plan (CAP) is required to address how the district will ensure future compliance; this plan will be limited in scope, based on the nature of the finding.

\*\*\* Systemic CAP: For a finding of noncompliance on a given standard that occurs in  $\geq 25\%$  of possible incidents, a corrective action plan (CAP) is required to ensure future compliance; this plan must address the systemic nature of the finding and will be broader in scope than an individual CAP.

Note: In the event that there is a systemic finding of noncompliance on a standard that requires an individual CAP, only a systemic CAP is required.

**ESE Self-Assessment  
2007 – 08**

**Charlotte District Summary Report: Findings of Noncompliance by Standard**

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STA-3	The student's strengths, preferences, and interests were taken into account. If the student was unable to attend the meeting, other steps were taken to ensure the student's preferences and interests were considered. (34 CFR 300.43 and 300.321(b)(2); Rule 6A-6.03028(4)(h), FAC.)	X		1	33.3%	X
STA-4	For students aged 14 and older: <ul style="list-style-type: none"> <li>• The IEP contains a statement of the student's desired post-school outcome</li> <li>• A statement of the student's transition service needs is incorporated into applicable components of the IEP</li> <li>• The IEP team considered the need for instruction in the area of self determination.</li> </ul> (Rule 6A-6.03028(7)(i), FAC.)	X		1	33.3%	X
IEP-36	The report of progress was provided as often as progress was reported to the nondisabled population and described the progress towards annual goals and the extent to which that progress was sufficient to enable the student to achieve such goals by the end of the year. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)	X		2	25.0%	X
IE-10	The date of referral for a formal individual evaluation was no more than ten (10) working days after the date of receipt of parent consent. (Section II.E of the Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students SP&P)		X	2	25.0%	X

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

**ESE Self-Assessment  
2007 – 08**

**Charlotte County School District Corrective Action Plan**

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STA-3	<p>The student's strengths, preferences, and interests were taken into account. If the student was unable to attend the meeting, other steps were taken to ensure the student's preferences and interests were considered. (34 CFR 300.43 and 300.321(b)(2); Rule 6A-6.03028(4)(h), FAC.)</p>	<p><b>STA-3 and STA-4 activities are combined</b></p> <p>Technical Assistance Workshop: Region 4 Transition Meeting/Project Connect on Developing and Implementing Transition Services</p> <p>Develop Transition Manual</p> <p>Technical Assistance for all Liaisons and Program Staffing Specialist on developing and implementing transition plans</p> <p>Technical Assistance on developing activities and resources for transition services, transition assessments, self determination and self advocacy</p> <p>Monitor transition plans at target school</p>	<p>April 25, 2008</p> <p>July-Sept. 2008</p> <p>August 2008</p> <p>August through October 2008</p> <p>Monthly (May.- Dec. 2008)</p>	<p>DOE Transition Specialist (Sheila Gritz), Staffing Specialist, Interagency Counsel Members</p> <p>Transition Specialist</p> <p>Transition Specialist, CD of Transition Resources</p> <p>Transition Specialist, Program Staffing Specialists, Liaisons, Teachers, ESE System Support Specialist, Transition CD</p> <p>Staffing Specialists</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
		Random sampling of Transition IEPs	Monthly (May.- Dec. 2008)	Staffing Specialists	
STA-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> <li>• The IEP contains a statement of the student's desired post-school outcome</li> <li>• A statement of the student's transition service needs is incorporated into applicable components of the IEP</li> <li>• The IEP team considered the need for instruction in the area of self determination.</li> </ul> <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	See STA-3	See STA-3	See STA-3	
IEP-36	<p>The report of progress was provided as often as progress was reported to the non disabled population and described the progress towards annual goals and the extent to which that progress was sufficient to enable the student to achieve such goals by the end of the year. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)</p>	<p>Technical Assistance Meetings/Trainings:</p> <ol style="list-style-type: none"> <li>1) Target School: PSS</li> <li>2) Retrain Liaison on computerized IEP at target school</li> <li>3) Liaisons and Program Staffing Specialist</li> <li>4) Targeted School: Teachers</li> <li>5) Train teachers and school based Program Planners</li> </ol> <p>Monitor progress reports at targeted school</p>	<p>3/12/2008</p> <p>4/15/2008</p> <p>4/23/2008</p> <p>5/1/2008</p> <p>8/2008-9/2008</p> <p>6/06/2008</p>	<p>Assistant Director of ESE</p> <p>System Support Specialist</p> <p>Director of ESE</p> <p>Assist Director ESE/Systems Support Specialist</p> <p>System Support Specialist (ESE)</p> <p>Program Planner,</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
		Random Sampling of progress reports district wide	6/03-6/6/2008	Liaison, Staffing Specialist and Assistant Director  Program Planner, Liaison, Staffing Specialist and Assistant Director	
IE-10	The date of referral for a formal individual evaluation was no more than ten (10) working days after the date of receipt of parent consent. (Section II.E of the Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students SP&P))	Develop computerized system to track timeline requirements for initial evaluations  Memo to School Administrators and Intervention Assistance Team Chairs  Technical Assistance Meetings: 1) Psychologist 2) Counselors  3) Program Staffing Specialists and Liaisons  Monitor referral timelines	3/17/2008  4/8/2008  3/26/2008 4/23/2008  4/23/2008  Monthly: 07/1 through 12/1/ 2008	Tech. Support and Coordinator of Psychological Services  Coordinator of Psychological Services  Coordinator of Psych. Services  Director & Asst. Director ESE  Coordinator of Psych Services, Assistant Director of ESE	