

FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Dr. James W. Browder, Superintendent
Lee County School District
2055 Central Avenue
Ft. Myers, FL 33901-3916

Dear Dr. Browder:

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 Lee 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. As a result of the validation review, additional incidents or findings of noncompliance requiring correction were identified.

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 Lee County School District completed the required corrective actions and submitted the verifying documentation and CAP within the established timeline.

Lee County was required to assess 170 standards. One or more incidents of noncompliance were identified on 47 of those standards (28%). The following is a summary of Lee County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	50	–
Total Items Assessed	1308	–
Noncompliant	97	7%
Timely Corrected	97	100%

The *Lee 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. Lee 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.

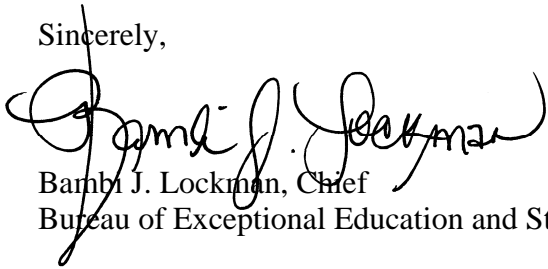
The results of district self-assessments conducted during 2007-08 will be used to inform future monitoring activities, including the selection of districts for on-site monitoring, and in the local

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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 or via phone at (850) 245-0476.

Sincerely,



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

Attachments

cc: Carl Brunick
Frances Haithcock
Kim C. Komisar
Annette Oliver
Sheila Gritz

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

**ESE Self-Assessment
2007 – 08**

Lee 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: 13	Number of standards per STB: 28	Number of MH disabilities completed: 2
Number of standards per IE: 18	Number of ASD disabilities completed: 2	Number of standards per MH: 9
Number of IEP protocols completed: 20	Number of standards per ASD: 10	Number of SLD disabilities completed: 3
Number of standards per IEP: 38	Number of DD disabilities completed: 1	Number of standards per SLD: 14
Number of MD protocols completed: 13	Number of standards per DD: 6	Number of DHH disabilities completed: 1
Number of standards per MD: 9	Number of EBD disabilities completed: 2	Number of standards per DHH: 8
Number of STA protocols completed: 2	Number of standards per EBD: 11	Number of VI disabilities completed: 1
Number of standards per STA: 6	Number of LI disabilities completed: 1	Number of standards per VI: 6
Number of STB protocols completed: 2	Number of standards per LI: 7	

Total number of protocols: 50
 Total number of standards: 1308
 Total number of incidents of noncompliance (NC): 97
 Overall % incidents of noncompliance: 7%

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**

Lee 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	50.0%	X
STA-4	For students aged 14 and older: <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. (Rule 6A-6.03028(7)(i), FAC.)	X		2	100.0%	X
STB-4	For students aged 14 and older: <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. (Rule 6A-6.03028(7)(i), FAC.)	X		1	50.0%	X
STB-9	There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training and employment; where appropriate, independent living).	X		1	50.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	(34 CFR 300.320(b)(1))					
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	X		1	50.0%	X
STB-11	There is/are annual goal(s) or short-term objectives or benchmarks that reasonably enable the student to meet the postsecondary goals. (34 CFR 300.320(a)(2))	X		1	50.0%	X
STB-16	The IEP includes coordinated, measurable, annual IEP goals and transition service that will reasonably enable the student to meet the postsecondary goals. (34 CFR 300.320(b))	X		1	50.0%	X
IEP-3	The IEP was current at the beginning of the school year. (34 CFR 300.323(a))		X	2	10.0%	
IEP-4	The parents were invited to the IEP meeting. (34 CFR 300.501 (b))	X		1	5.0%	
IEP-7	The notice contained a listing of persons invited to the meeting, by title and position. (34 CFR 300.322(b))		X	2	10.0%	
IEP-9	The parents were members of any group making decisions about the educational placement of the student. If neither parent was able to attend the IEP meeting, there is documentation of attempts to ensure parent participation. (34 CFR 300.322 (c)-(d); 300.328; and 300.501(c))		X	1	5.0%	
IEP-12	The appropriate team members were present at the IEP meeting. (34 CFR 300.321(a)-(b))	X		1	5.0%	
IEP-13	The IEP for a school-age student includes a statement of present levels of academic achievement and functional performance, including how the student's disability affects involvement and progress in the general	X		6	30.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	curriculum, as well as a statement of the remediation needed to achieve a passing score on the general statewide assessment. For a prekindergarten student, the IEP contains a statement of how the disability affects the student's participation in the appropriate activities. (34 CFR 300.320(a)(1); Rule 6A-6.03028(7)(a), FAC.)					
IEP-14	The IEP includes measurable annual goals, including academic and functional goals, and short-term objectives or benchmarks, designed to meet the student's needs that result from the disability to enable the child to be involved in and make progress in the general curriculum and meet the student's other needs that result from the disability. (34 CFR 300.320(a)(2))	X		4	20.0%	
IEP-15	The IEP contains a statement of special education services/specially designed instruction, including location as well as initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7))	X		1	5.0%	
IEP-16	The IEP contains a statement of related services, including location and anticipated initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7))	X		2	10.0%	
IEP-17	The IEP contains a statement of supplementary aids and services, including location and anticipated initiation, duration and frequency. (34 CFR 300.320(a)(4) and (7))	X		1	5.0%	
IEP-21	The IEP contains a statement of appropriate accommodations necessary to measure academic achievement and functional performance on state or district-wide assessments. (34 CFR 300.320(a)(6)(i))	X		1	5.0%	
IEP-22	The parent provided consent for the student to receive instructional accommodations not permitted on statewide assessments and acknowledged the implications of such accommodations. (Section 1008.22(3)(c)6, F.S.; Rule 6A-6.03028(7)(e), FAC.)	X		1	5.0%	
IEP-23	If the IEP team determined that the student will not participate in a particular	X		3	15.0%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	state or district-wide assessment; the IEP contains a statement of why that assessment is not appropriate, why the particular alternate assessment is appropriate, and shows notification to the parent of the implications of nonparticipation. (34 CFR 300.320(a)(6)(ii); Section 1008.22(3)(c)6, F.S.; Rule 6A-6.03028(7)(e), FAC.)					
IEP-27	The concerns of the parents for enhancing the education of their child were considered in developing the IEP. (34 CFR 300.324(a)(1)(ii))	X		4	20.0%	
IEP-29	The IEP team considered, in the case of a student with limited English proficiency, the language needs of the student as they relate to the IEP. (34 CFR 300.324(a)(2)(ii))	X		1	5.0%	
IEP-33	The IEP team considered the extended school year needs of the student. (34 CFR 300.106(a))	X		9	45.0%	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		5	25.0%	X
MD-1	Within 10 school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, or prior to a long-term removal that may or may not represent a change of placement, the district conducted a manifestation determination. (34 CFR 300.530(e); Rule 6A-6.03312(3) and (4)(b), FAC.)	X		8	61.5%	X
MD-7	If the student did not have a functional behavioral assessment (FBA) developed and a behavior intervention plan (BIP) implemented prior to the removal, within 10 days the IEP team developed an assessment plan and completed the FBA and developed a BIP as soon as practicable. (34 CFR 300.530(d) and (f)(1)(i); Rule 6A-6.03312(4)(d), FAC.)	X		3	23.1%	
IE-1	Two or more parent conferences concerning the student's learning or		X	2	15.4%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	behavioral areas of concern were held. (Rule 6A-6.0331(2)(a), FAC.)					
IE-2	Anecdotal records or behavioral observations conducted by at least two individuals, one of whom is the student's teacher, were reviewed. (Rule 6A-6.0331(2)(b), FAC.)		X	2	15.4%	
IE-3	For a school-aged student, existing data in the student's educational record related to the following were reviewed: <ul style="list-style-type: none"> • Social • Psychological • Medical • Achievement • Attendance For a PreK student, existing data related to the following were reviewed: <ul style="list-style-type: none"> • Social • Psychological • Medical (Rule 6A-6.0331(1)(b)1 and (2)(c) and (d), FAC.)		X	5	38.5%	X
IE-4	The following screenings were conducted for a school-age student: <ul style="list-style-type: none"> • Speech • Language • Hearing • Vision The following screenings were conducted for a PreK student: <ul style="list-style-type: none"> • Vision • Hearing 		X	1	7.7%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	<ul style="list-style-type: none"> Communication functioning (Rule 6A-6.0331(1)(b)2 and (2)(e), FAC.)					
IE-5	A minimum of two general education interventions or strategies were implemented. (Rule 6A-6.0331(2)(f), FAC.)		X	1	7.7%	
IE-6	The school district provided prior written notice of its proposal to evaluate a student to determine if the student qualifies as a student with a disability. (34 CFR 300.503(a))		X	1	7.7%	
IE-7	The prior written notice was written in language understandable to the general public and provided in the native language of the parent or other mode of communication used by the parent. If the written notice could not be provided in the native language of the parent, steps were taken to ensure the parent understood the content of the notice. (34 CFR 300.503(c))		X	3	23.1%	
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	1	7.7%	
IE-11	The evaluation team <ul style="list-style-type: none"> Used a variety of assessment tools and strategies, including information from the parent, to gather relevant functional, developmental, and academic information about the student Did not rely on a single measure or assessment to determine if the student was eligible Used technically sound instruments Selected and administered assessments so as not to be discriminatory on a racial or cultural basis and to accurately reflect the student's aptitude or achievement level on the skill being assessed 	X		1	7.7%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	<ul style="list-style-type: none"> Administered assessments in the student's native language or other appropriate mode of communication. <p>(34 CFR 300.304(b) and (c)(1)-(3))</p>					
IE-13	The evaluation was conducted within 60 school days of the receipt of referral for evaluation and parental consent for evaluation. (Rule 6A-6.0331(4)(b), FAC.)		X	3	23.1%	
IE-17	As soon as possible following development of the IEP, special education and related services were made available to the student in accordance with the IEP. (34 CFR 300.323(c)(2))		X	1	7.7%	
IE-18	The school district obtained informed consent for the initial provision of special education and related services prior to providing exceptional student education services. (34 CFR 300.300(b))		X	2	15.4%	
ASD-1	Behavioral observations were conducted by members of the evaluation team. (Section III.L. Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))	X		1	50.0%	X
ASD-7	The student exhibits impairment in verbal and/or nonverbal language or social communication skills. (Rule 6A-6.03023(4)(a)3, FAC.)	X		1	50.0%	X
ASD-10	The student meets eligibility criteria. (Rule 6A-6.03023, FAC.)	X		1	50.0%	X
EBD-1	The functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions was reviewed. (Section III.G., Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))	X		1	50.0%	X
EBD-6	The student demonstrates an inability to maintain adequate performance in the educational environment which cannot be explained by physical, sensory,	X		1	50.0%	X

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	socio-cultural, developmental, medical, or health (with the exception of mental health) factors. (Rule 6A-6.03016(4), FAC.)					
EBD-9	The student needs special education. (Rule 6A-6.03016(4)(d), FAC.)	X		1	50.0%	X
SLD-3	There is evidence that the student was provided repeated assessments at reasonable intervals during instruction and the parents were informed of the student's progress. (34 CFR 300.309(b)(2))	X		2	66.7%	X
SLD-8	There is evidence of at least one of the following: <ul style="list-style-type: none"> The student <i>does not make sufficient progress</i> meeting age or state-approved grade level standards in one or more of the designated areas when using a process based on the student's response to scientific, research-based interventions; or The student exhibits a pattern of strengths and weakness in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability. (34 CFR 300.309(a)(2)(i)-(ii))	X		1	33.3%	X
SLD-11	The student's learning problems are not due to other disabling conditions, cultural factors, environmental or economic disadvantage, or limited English proficiency. (34 CFR 300.309(3); Rule 6A-6.03018(2)(d), FAC.)	X		1	33.3%	X

Florida Department of Education
Bureau of Exceptional Education and Student Services

**ESE Self-Assessment
2007 – 08**

Lee 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>As a result of the large amount of transition information presented at September 2007 AMM, multiple activities were initiated by the district. The following activities, although listed once, apply to and address noncompliance for standards STA-3, STA-4, STB-4, STB-9, STB-10, STB-11, and STB-16.</p> <p>1-Technical Assistance given at 8 high schools in administration of Transition Assessment</p> <p>2-Attendance at/Technical Assistance provided at 14 high schools' Transition IEP meetings</p> <p>3-Attendance at/Technical Assistance provided at 6 middle schools' Transition IEP meetings</p> <p>4-Option 2 Diploma Training at 9 high schools</p> <p>5-Technical assistance and training in administration, scoring and application of Interest Inventories at 6 high schools</p> <p>6-Agency Contacts/Counselor Assignments/IEP Scheduling Information Shared</p>	<p>On-going through 12/15/08</p> <p>On-going through 12/15/08</p> <p>On-going through 12/15/08</p> <p>On-going through 12/15/08 as requested</p> <p>On-going through 12/15/08 as requested</p> <p>8/28/07 and 8/08</p>	<p><u>Resources by Activity #</u></p> <p>1,2,3,4,5 District Transition Specialist(s)</p> <p>6,7,9,10,13,14,16, 18 District staff</p> <p>11, 15 FDLRS and/or District staff LEA Reps and Survey Monkey (15)</p> <p>8 Interagency Resources and District staff</p> <p>12 District staff and Sept 2007 PowerPoint from AMM</p> <p>17 PDA- ESE On-line Module, FDLRS, District Staff</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
		<p>7-Transition IEP Requirements Changes – Dept. Head Agenda Item/Information</p> <p>8-Transition Resource Manual Updated</p> <p>9-Updates to Excent IEP: Course of Study, Transition “Based On”, Post-Secondary Goals</p> <p>10-Presentation: Transition IEP Requirements (New Staffing Specialists)</p> <p>11-Inservice: Addressing Transition Needs (2)</p> <p>12-Presentation: Transition Assessment & Measurable Post-Secondary Goals</p> <p>13-Agenda Item: TIEP Clarifications as noticed during Self Assessment</p> <p>14-Q & A – Transition IEPs at High School Staffing Specialist Meeting</p> <p>15-Electronic Transition IEP Satisfaction Survey for parent and student input/feedback.</p> <p>16-Transition IEP Quick Checklist Presentation and Handout</p> <p>17-PDA ESE Transition Module</p> <p>18-Update of Excent IEP Transition Guide</p> <p>19-Inservice: “Transition Assessment – An On-Going Process”</p>	<p>8/28/07</p> <p>Sept 2007</p> <p>Fall 2007 and on-going through 12/15/08</p> <p>Oct 2007</p> <p>11/5/07 4/2/08 12/15/08</p> <p>11/6/07</p> <p>2/12/08</p> <p>3/10/08</p> <p>3/17 – 4/30/08</p> <p>4/7/08 4/29/08</p> <p>4/8 -6/30/08</p> <p>August 2008</p> <p>October 2008</p>	<p>19 Transition Center PowerPoint Presentation, FDLRS, District staff</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
		<i>District review of sample Transition IEPs</i>	On-going reviews through 12/15/08		
STA-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	<p>See above in addition to:</p> <p>Standing Up for Me In-service</p> <p>Choicemaker In-service</p> <p><i>District review of sample Transition IEPs</i></p>	<p>10/23/07, 1/22/08, October 2008</p> <p>October 2008</p> <p>On-going reviews through 12/15/08</p>	<p>FDLRS</p> <p>FDLRS and District Staff</p>	
STB-4	<p>For students aged 14 and older:</p> <ul style="list-style-type: none"> • The IEP contains a statement of the student's desired post-school outcome • A statement of the student's transition service needs is incorporated into applicable components of the IEP • The IEP team considered the need for instruction in the area of self determination. <p>(Rule 6A-6.03028(7)(i), FAC.)</p>	<p>See above</p> <p><i>District review of sample Transition IEPs</i></p>	<p>See above</p> <p>On-going reviews through 12/15/08</p>	<p>See above</p>	
STB-9	<p>There is a measurable postsecondary goal or goals in the designated areas (i.e., education/training and employment; where appropriate, independent living). (34 CFR 300.320(b)(1))</p>	<p>See above</p> <p><i>District review of sample Transition IEPs</i></p>	<p>See above</p> <p>On-going reviews through 12/15/08</p>	<p>See above</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	See above <i>District review of sample Transition IEPs</i>	See above On-going reviews through 12/15/08	See above	
STB-11	There is/are annual goal(s) or short-term objectives or benchmarks that reasonably enable the student to meet the postsecondary goals. (34 CFR 300.320(a)(2))	See above <i>District review of sample Transition IEPs</i>	See above On-going reviews through 12/15/08	See above	
STB-16	The IEP includes coordinated, measurable, annual IEP goals and transition service that will reasonably enable the student to meet the postsecondary goals. (34 CFR 300.320(b))	See above <i>District review of sample Transition IEPs</i>	See above On-going reviews through 12/15/08	See above	
IEP-13	The IEP for a school-age student includes a statement of present levels of academic achievement and functional performance, including how the student’s disability affects involvement and progress in the general curriculum, as well as a statement of the remediation needed to achieve a passing score on the general statewide assessment. For a prekindergarten student, the IEP contains a statement of how the disability affects the student’s participation in the appropriate activities. (34 CFR 300.320(a)(1); Rule 6A-6.03028(7)(a), FAC.)	Grid of Excent updates made due to IDEIA changes. Sent electronically to Staffing Specialists, Program Specialists, ESE teachers Excent step-by-step manual updated to reflect changes, posted in district intranet. New staff trained on above. Excent IEP statement will be added to address K-2 remediation, in addition to a “no remediation needed” statement Role of Staffing Specialist will be reviewed and refined in regards to compliance monitoring. <i>District review of sample IEPs</i>	Sept.2007 March 2008 As required through 12/15/08 12/15/08 August 2008 On-going reviews through 12/15/08	District staff	
IEP-33	The IEP team considered the extended school year needs of the student.	District will train all appropriate staff how to document the discussion	August 2008	District staff	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
	(34 CFR 300.106(a))	<p>of ESY at IEP meetings.</p> <p><i>District review of sample IEPs</i></p>	<p>On-going reviews through 12/15/08</p>		
IEP-36	<p>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.)</p>	<p>Self-assessment results indicate progress reports not filed, but were completed and exist in electronic format.</p> <p>District will produce quarterly reports of IEPs still showing as “draft”(cannot do progress reporting on draft IEPs) and share with staffing specialists and department heads.</p> <p>District will send quarterly e-mail reminder and directions to complete progress reports.</p> <p><i>District review of sample IEPs</i></p>	<p>N/A</p> <p>Sept 2008</p> <p>Oct 2008</p> <p>On-going reviews through 12/15/08</p>	District staff	
MD-1	<p>Within 10 school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, or prior to a long-term removal that may or may not represent a change of placement, the district conducted a manifestation determination. (34 CFR 300.530(e); Rule 6A-6.03312(3) and (4)(b), FAC.)</p>	<p>The ESE and Student Services Departments were combined, and a discipline committee was created.</p> <p>Create written process, procedures and training for school administrators regarding discipline of ESE students, with emphasis on interventions, use of suspension, and manifestation determinations.</p> <p>Contact DOE and other Florida districts regarding current practice.</p> <p><i>District verification of manifestation hearings held.</i></p>	<p>March 2008</p> <p>September 2008</p> <p>April 2008</p> <p>On-going reviews through 12/15/08</p>	<p>District Staff to include attorneys, school principals; DOE; other Fl. School districts.</p>	
IE-3	<p>For a school-aged student, existing data in the student’s educational record related to the following were reviewed:</p>	<p>Review current PMP (Progress Monitoring Plans) forms to insure existing data includes all listed</p>	<p>May 2008</p>	<p>District staff School Staff</p>	

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	<ul style="list-style-type: none"> • Social • Psychological • Medical • Achievement • Attendance <p>For a PreK student, existing data related to the following were reviewed:</p> <ul style="list-style-type: none"> • Social • Psychological • Medical <p>(Rule 6A-6.0331(1)(b)1 and (2)(c) and (d), FAC.)</p>	<p>records – revise if needed.</p> <p>Review MDT form to insure existing data includes all listed records – revise if needed.</p> <p>Provide training for all school counselors to address PMP requirements</p> <p>Inservice all staffing specialists to address review of all required educational records.</p> <p>Define school-based monitoring process to insure referral packet is complete (compliant)</p> <p>PreK records were compliant in this area.</p> <p><i>District review of sample MDTs</i></p>	<p>May 2008</p> <p>October 2008</p> <p>October 2008</p> <p>Sept. 2008</p> <p>N/A</p> <p>On-going reviews through 12/15/08</p>		
ASD-1	<p>Behavioral observations were conducted by members of the evaluation team. (Section III.L. Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))</p>	<p>This was 1 of 2 ASD records which resulted in 50% non-compliance. District followed up and located a behavior observation report that had been completed but not filed.</p> <p>Related to above, a procedural handout/checklist for ASD eligibility was developed and disseminated to staffing specialists.</p> <p>Review all Excent IEP dropdowns and provide written technical assistance paper specifically for ASD documentation that is required</p> <p><i>District review of ASD eligibility checklist referenced above.</i></p>	<p>Jan 2008</p> <p>Jan 2008</p> <p>August 2008</p> <p>On-going reviews through 12/15/08</p>	<p>District staff Excent IEP documentation</p>	

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ASD-7	<p>The student exhibits impairment in verbal and/or nonverbal language or social communication skills. (Rule 6A-6.03023(4)(a)3, FAC.)</p>	<p>DOE provided info that as of July 1, 2007 it is a requirement for full speech/language evaluation, including pragmatics, for ASD eligibility. All staffing specialist and speech/language therapists have been trained regarding this.</p> <p>Review all Excent IEP dropdowns and provide written technical assistance paper specifically for ASD documentation that is required.</p> <p><i>District review of ASD eligibility checklist referenced above.</i></p>	<p>August 2007</p> <p>April 2008</p> <p>August 2008</p> <p>On-going reviews through 12/15/08</p>	<p>District staff</p>	
ASD-10	<p>The student meets eligibility criteria. (Rule 6A-6.03023, FAC.)</p>	<p>See ASD-1 (same student record) and ASD-7</p> <p>Review all Excent IEP dropdowns and provide written technical assistance paper specifically for ASD documentation that is required.</p> <p><i>District review of ASD eligibility checklist referenced above.</i></p>	<p>August 2008</p> <p>On-going reviews through 12/15/08</p>	<p>District staff</p>	
EBD-1	<p>The functional behavioral assessment (FBA) previously completed to assist in the development of individual interventions was reviewed. (Section III.G., Policies and Procedures for the Provision of Specially Designed Instruction and Related Services (SP&P))</p>	<p>This was 1 of 2 EBD records which resulted in 50% non-compliance. This was a failure to document, not a failure to complete an FBA.</p> <p>EBD handbook developed and distributed and reviewed with staffing and behavior specialists, department heads.</p> <p>Review all Excent IEP dropdowns and provide written technical assistance paper specifically for EBD documentation that is required.</p>	<p>Jan/Feb 2008</p> <p>August 2008</p> <p>August 2008</p>	<p>District staff</p>	

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		<p>Develop an EBD eligibility compliance checklist.</p> <p><i>District review of EBD eligibility checklist referenced above.</i></p>	<p>On-going reviews through 12/15/08</p>		
EBD-6	<p>The student demonstrates an inability to maintain adequate performance in the educational environment which cannot be explained by physical, sensory, socio-cultural, developmental, medical, or health (with the exception of mental health) factors. (Rule 6A-6.03016(4), FAC.)</p>	<p>Need to add statement to Excent IEP so the team can indicate this – dropdown box for “Other Factors”.</p> <p>Provide training for staffing specialists regarding utilization of dropdown to document.</p> <p><i>District review of ASD eligibility checklist referenced above.</i></p>	<p>August 2008</p> <p>Aug/Sept 2008</p> <p>On-going reviews through 12/15/08</p>	<p>District staff</p>	
EBD-9	<p>The student needs special education. (Rule 6A-6.03016(4)(d), FAC.)</p>	<p>Issue is documentation process, not procedure for determining eligibility. See EBD-1 and 6 activities.</p> <p><i>N/A</i></p>	<p>N/A</p>	<p>N/A</p>	
SLD-3	<p>There is evidence that the student was provided repeated assessments at reasonable intervals during instruction and the parents were informed of the student’s progress. (34 CFR 300.309(b)(2))</p>	<p>Upon reassessment by district, AIP documentation found to support repeated assessments and parents were informed.</p> <p>Review CST forms, revise if necessary. Provide training to school CST chairs (primarily counselors).</p> <p><i>District review of Child Study Team referral packet.</i></p>	<p>Jan 2008</p> <p>Aug/Sept 2008</p> <p>On-going reviews through 12/15/08</p>	<p>District staff</p>	
SLD-8	<p>There is evidence of at least one of the following:</p> <ul style="list-style-type: none"> The student <i>does not make sufficient progress</i> meeting age or state-approved grade level 	<p>This standard was a documentation issue, not a procedural issue. MDT documentation TAP has been written and disseminated to staffing specialists.</p>	<p>Feb 2008</p>	<p>District staff School Teams (3) DOE staff and resources</p>	

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	<p>standards in one or more of the designated areas when using a process based on the student's response to scientific, research-based interventions; or</p> <ul style="list-style-type: none"> The student exhibits a pattern of strengths and weakness in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability. <p>(34 CFR 300.309(a)(2)(i)-(ii))</p>	<p>Attend DOE Rtl regional trainings</p> <p>Establish district Rtl design team</p> <p><i>District review of Child Study Team referral packet.</i></p>	<p>Feb., May 2008</p> <p>May 2008</p> <p>On-going reviews through 12/15/08</p>		
SLD-11	<p>The student's learning problems are not due to other disabling conditions, cultural factors, environmental or economic disadvantage, or limited English proficiency. (34 CFR 300.309(3); Rule 6A-6.03018(2)(d), FAC.)</p>	<p>Statement needs to be reworded in Excent IEP in the MDT dropdown menu for "Other Factors"</p> <p><i>District review of sample MDTs</i></p>	<p>April 2008</p> <p>On-going reviews through 12/15/08</p>	District staff	

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