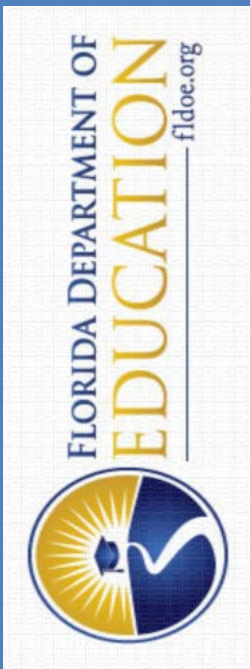


**2014-15 Exceptional Student Education  
Monitoring and Assistance  
On-Site Visit Report**

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**Florida Department of Corrections  
June 16-17, 2015**



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

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September 24, 2015

Julie Jones, Secretary  
Florida Department of Corrections (FDC)  
501 South Calhoun Street, 400C  
Tallahassee, Florida 32399

Dear Secretary Jones:

The Bureau of Exceptional Education and Student Services (BEESS) is pleased to provide you with the 2014-15 Exceptional Student Education (ESE) Monitoring and Assistance On-Site Visit Report for the Florida Department of Corrections. This report was developed by integrating multiple sources of information related to an on-site monitoring visit to Santa Rosa Correctional Institution and Holmes Correctional Institution on June 16-17, 2015. Those information sources included interviews with staff at the correctional institutions, FDC Central Office, and feedback provided by the student focus groups.

The 2014-15 ESE Monitoring and Assistance process focused on a shift from ESE compliance to outcomes to prepare students with disabilities within the FDC with an opportunity to earn a High School Equivalency Diploma (2014 GED Test) and professional certification in the vocational areas offered at the different correctional institutions.

Mr. John Howle, Assistant Bureau Chief of Education, and Ms. Amy Coltharp, FDC Special Education Program Administrator, were very helpful to BEESS staff in preparing for the on-site visit and throughout the visit. In addition, the wardens and other staff members at the correctional facilities visited welcomed BEESS staff and demonstrated a commitment to the education of students in the FDC. This report will be posted on the BEESS website and may be accessed at <http://www.fldoe.org/ease/mon-home.asp>.

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

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Secretary Jones  
September 24, 2015  
Page Two

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

Sincerely,

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

Enclosure

cc: John Howle  
Amy Coltharp  
Patricia Howell  
Jerry Brown  
Karin Gerold

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

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**2014-15 Exceptional Student Education  
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On-Site Visit Report**

**Florida Department of Corrections**

**June 16-17, 2015**

**Authority**

The Florida Department of Education, Bureau of Exceptional Education and Student Services (BEESS), in carrying out its roles of leadership, resource allocation, technical assistance, monitoring, and evaluation, is required to oversee the performance of the Florida Department of Corrections (FDC) in the enforcement of all Exceptional Student Education (ESE) laws and rules. One purpose of the Individuals with Disabilities Education Act (IDEA) is to “ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.” (section 300.1 of Title 34, Code of Federal Regulations [CFR]). BEESS is responsible for ensuring that the requirements of IDEA and the educational requirements of the State are implemented (34 CFR §300.149).

In fulfilling this requirement, BEESS monitors ESE programs provided by FDC at correctional institutions that are designated special education sites, to ensure that a free and appropriate education is available for students who have disabilities. (1003.571, F.S.) Through these monitoring activities, BEESS examines and evaluates procedures, records, and ESE services; provides information and assistance to correctional institutions; and otherwise assists FDC special education programs in operating effectively and efficiently. The monitoring system is designed to emphasize improved educational outcomes for students while ensuring compliance with applicable federal laws and regulations and state statutes and rules.

**Monitoring Process**

Decisions regarding the type and extent of monitoring activities, including the need for on-site visits, are based on the most current data available for a given school district. Due to the unique nature of educational programs implemented in correctional settings, on-site monitoring of special education services in Department of Corrections (FDC) facilities is conducted on a cyclical basis. This schedule allows BEESS staff to effectively target technical assistance to FDC staff. In addition, FDC participates in the BEESS’s self-assessment process each year.

**Background Information**

FDC has approximately 1,013 inmates with disabilities currently receiving special education services at 19 correctional institutions. BEESS staff determined that Holmes Correctional Institution (HCI) and Santa Rosa Correctional Institution (SRCI) would be visited due to the length of time since their last visits.

HCI is an open population, adult male facility that, at the time of the on-site visit, was serving approximately 49 students with disabilities. Students with disabilities are assessed for academic programs using the Test of Adult Basic Education (TABE). The TABE assesses the student’s proficiency level in sub-skills and grade-level scores in the areas of reading, math and language,

with academic programs individually selected for students based on their scores. HCI's academic programs include: Adult Basic Education, High School Equivalency Diploma (GED) and Title I services. HCI also offers the vocational programs of welding technology, automotive collision repair, and technology support services. Students receive professional certifications upon completion of courses. HCI provides academic instruction to students through direct instruction, in which a teacher introduces the subject, provides information and engages the students by asking objective and open-ended questions. In addition, students work individually on computer software programs geared toward improving their TABE scores, and may participate in tutoring sessions for preparation in math for the GED test. Most of the vocational programs provide classroom instruction as well as hands-on training within the correctional institution. The FDC administration office reported the following data for HCI regarding the GED test and professional certificates earned from June 1, 2013, through June 30, 2015, for the following student groups:

- All students (including students with disabilities):
  - 36 earned a GED
  - 21 earned a professional certificate
- All students under the age of 22 (including students with disabilities):
  - 35 earned a GED
  - 10 earned a professional certificate
- Students with disabilities under the age of 22:
  - 24 earned a GED
  - 9 earned a professional certificate

SRCI is a close management (CM) population. Close management is “confinement of an inmate apart from the general inmate population.” There are three levels of CM (CM I, CM II and CM III). CM I “is the most restrictive cell housing level” for inmates that have “committed the most serious violations and are considered extreme security and management risks.” An inmate assigned to CM I is not eligible for work assignments inside or outside the CM unit. “Privileges are the most restrictive at this close management level.” CM II is a restrictive single or double occupancy cell housing where inmates “have committed serious violations of policy and are considered extreme security and management risk.” However, inmates in CM II are “eligible for work assignments in CM I, CM II...and are afforded more privileges and program opportunities than CM I inmates.” CM III is a restrictive double occupancy cell housing that is the “least restrictive of the three close management levels” and inmates are “provided program opportunities outside of their cell housing as a transition phase preparing for their return to the general inmate population.”

At the time of the on-site visit, the adult male facility was serving approximately 23 students with disabilities. Students with disabilities are assessed for academic programs using the TABE. Students are provided work assignments on a weekly basis. Work assignments are assigned by general education teachers, assembled by couriers in individual folders, and delivered to the cell front of the assigned student. Students work on assignments individually within their cells and have the option of writing any questions or concerns regarding their assignments in their work folders. These questions and concerns are addressed when the work folders are collected and recirculated the following week to the student. Students with disabilities also have the option of sharing questions and concerns when working with the special education teacher. Consultation is provided to ESE students once a month based on the students' Individual Educational Plans (IEPs). SRCI does not offer vocational training programs. The FDC administration office reported the following GED data for SRCI from June 1, 2013, through June 30, 2015, for the following student groups:

- All students (including students with disabilities):
  - Seven earned a GED
- All students under the age of 22 (including students with disabilities):
  - Seven earned a GED



- Students with disabilities under the age of 22:
  - Three earned a GED

In a letter dated May 29, 2015, the Secretary of FDC was informed that BEESS would be conducting an on-site monitoring visit at HCI and SRCI regarding the ESE programs.

## **On-Site Activities**

### **On-Site Monitoring Team**

The following Bureau staff members conducted the on-site monitoring visit:

- Jerry Brown, Program Specialist, Dispute Resolution and Monitoring (DRM)
- Karin Gerold, Program Specialist, DRM

### **Central Office On-Site Participants**

- John Howle, Assistant Bureau Chief of Education
- Amy Coltharp, Special Education Program Administrator
- Jamie Newberry, Region I Education Program Manager
- Patricia Osborne, Special Education Program Specialist

### **Data Collection**

- FDC Central Office administrators interviews – Two participants
- Warden interviews – One participant (HCI)
- Classroom walk-through visits – Four classrooms (HCI)
- Cell-front walk-through visits – One dormitory (SRCI)
- Student focus groups – Six students (HCI and SRCI)
- Educational staff interviews:
  - Education supervisors – Two participants (HCI and SRCI)
  - Placement transition specialists – Two participants (HCI and SRCI)
  - General education teachers – Nine participants (HCI and SRCI)
  - ESE teachers – Three participants (HCI and SRCI)
  - Classification officers – Two participants (HCI and SRCI)
  - Mental health counselors – One participant (HCI)
  - Psychiatrist – One participant (SRCI)

### **Interview with Central Office Administrators Prior to the On-Site Visit:**

The following information was provided during this interview:

- Decisions regarding mental health services that are provided to inmates are determined at pre-entry meetings at the regional reception centers. Inmates receive mental health services based on referrals and evaluations. Mental health services are available at some correctional institutions where inmates are referred on a case-by-case basis. However, all inmates have access upon request to counseling at the correctional institutions where counseling services are offered.
- Students with disabilities are placed at the correctional institutions that provide the medical and mental health services needed. In some correctional facilities, anger management classes are offered to inmates as a form of counseling.
- Referral for a reevaluation of special education services can be made by any personnel providing educational services at the correctional institution. If staff suspects that a student may be eligible for additional or different special education services, testing will be completed and the student will be placed in a correctional institution where services can be provided.

- Transition goals are developed using “inventory” assessments completed by the students. FDC administrative staff indicated that there is a need to strengthen the area of development of transition goals and are pursuing alternative transition assessments that are more comprehensive.
- FDC offers the 100-Hour Transition Program, which is a program that all inmates participate in within 180 days of expected release date. The program focuses on providing inmates information regarding employment opportunities, educational programs and community resources, which may assist the inmate with the transition back to their respective communities. Some of the activities include developing resumes, collecting references and practicing effective communication skills, which may assist with job interviews and self-advocating.
- When asked if FDC had multi-disciplinary teams in place to assist an inmate when transitioning back to the community, FDC Central Office administrators indicated that there may be barriers in creating a team that will develop a plan to assist the student with re-entry back into the community. The central office administration indicated that the main barrier to this plan was that many community agencies are not required to assist in an inmate’s re-entry into the community. Plans to assist the student with re-entry back into the community may include scheduling appointments to visit schools that provide adult education and GED programs and vocational programs. In addition, plans for re-entry would include providing assistance for community-based mental health and medical needs.

### **Interviews with a Warden and Educational and Mental Health Staff**

The following information is related to **HCI**, which is an open population facility where inmates live, work and attend educational classes among the general inmate population. The following information was provided during interviews at HCI:

- The warden of HCI provided the following information:
  - The philosophy at HCI is to prepare inmates from day one to return to the community as law-abiding citizens.
  - The fundamental foundation of a successful re-entry is education. Although there is a legal obligation to educate some inmates (students with disabilities), educational opportunities are available to all inmates.
  - The educational and vocational programs offered at HCI allow inmates to become better educated. The more educated an inmate is, the better the chances of the inmate being successful after re-entry into the community.
  - The vocational programs provide the tools and education to allow the inmates to be prepared for the workforce upon re-entry into the community.
  - There has not been a high rate of turnover for educational staff at HCI. In addition, the facility had the highest rate of inmates who earned a GED up until 2014.
  - If there are issues with behavior within the educational setting, the inmates are not requested to leave the program. Instead, security works with the inmates and provides consequences in order to keep the inmate in the program.
  - A willingness for educational staff to receive additional training to improve student outcomes was expressed.
- The education supervisor, transition specialist, teachers, classification officer, and mental health counselor indicated the following during an interview:
  - The classification officer indicated that new inmates arriving at the correctional institution are screened for jobs. If the inmates are under the age of 21, the education supervisor is contacted.
  - If an inmate is identified as a student with a disability, the special education teacher would

conduct an interview and test the student. The students are encouraged to participate in their IEP team meetings.

- The student is then assigned classes according to the student's needs.
- The special education teachers pull the students out of class and work with them in the tutorial classroom. In addition, students can participate in a tutoring class with the special education aide.
- The mental health counselor indicated that many inmates suffer from an adjustment disorder when entering the correctional environment. All staff is involved in recognizing and referring inmates for counseling, if needed. The counselor indicated that the inmates would be pulled out of class to talk about their concerns and interventions may be put into place. The counselor indicated that the inmates respond well because staff members in this position do not wear uniforms.
- The vocational programs allow the inmates to obtain professional certifications. One company near the correctional institution recruited inmates because they were aware of the program and know that inmates coming from that program were qualified for employment.
- All students attend the mandated 100-Hour Transition Program before the end of their sentence and release. The teacher reported that there are so many negative attitudes and possible fears about re-entering society and the teacher makes the class positive while addressing the attitudes and fears.

The following information is related to **SRCI**, which is a close management facility, meaning confinement of an inmate from the general inmate population. FDC's website defines close management as: "status designed to house inmates who commit acts that threaten the safety of others, threaten the security of the institution, or demonstrate an inability to live in the general population without abusing the rights and privileges of others." The following information was provided during interviews at SRCI:

- The education supervisor, teachers, classifications officer, and psychiatrist indicated the following during an interview:
  - Serving students with disabilities in close management makes the provision of education difficult. However, education is available to any inmate who requests it, in addition to those inmates who require special education services based on their IEPs.
  - The teachers use a curriculum designed to teach and progress monitor skills correlated to the TABE.
  - Skill sheets were given to all students on a weekly basis. Students are given a folder with educational assignments. As students have questions, they write them down. When teachers collect the folders, the questions are answered and additional assignments are provided.
  - Progress is monitored and new skill sheets are provided to the students based on skill sets and the TABE is provided every three months.
  - Teachers are assigned to specific dorms within the correctional institution. The teachers reported that a major barrier is the constant movement of the inmates from dorm to dorm.
  - Teachers indicated that there is a lot of required paperwork regarding FDC documentation for the provision of services for ESE students as opposed to general education students.
  - The special education teacher indicated that a majority of students with disabilities participate in their IEP team meetings.
  - Individual information needed for students is gathered using interest inventories and questionnaires.
  - The teacher provides extra work related to the students' IEP goals. For behavioral goals, there is no universal behavior curriculum within FDC, so the teacher provides social skills

worksheets to the students.

- The teacher provides mini-lessons at the students' cell fronts, and if the students require remedial instruction, extra work would be provided in the student's folder.

### **Student Focus Group at HCI**

- Two students with disabilities were interviewed.
- Both students indicated that they had participated in their IEP team meetings.
- Both students indicated that the educational services that they are receiving are adequate.
- The students indicated that one named general education teacher for academic areas engages the students during direct instruction and encourages the students to learn. The teacher uses a SMART Board in the classroom during instruction in all academic areas creating interaction while learning.
- The students commented positively regarding the encouragement and motivation they receive from the classroom instructional aide.
- The students shared that they receive special education pull-out services in academic areas by the ESE teachers.
- The students indicated that their IEP transition goals and the career and technical educational courses provided at HCI would most likely prepare them for employment in the community.
- The students indicated that they are aware of counseling services that were available upon request.

### **Student Focus Group at SRCI**

- Two of the students interviewed indicated that the educational work provided is not challenging enough and did not prepare them adequately for the GED test.
- Students are aware of how their disability had affected their learning in the past and are aware of the academic challenges they were now experiencing.
- Students are aware of academic areas in which they need extra assistance such as math, history and science.
- All of the students that were interviewed indicated that they did not have an opportunity to physically attend their IEP team meetings. In addition, the students indicated that they are not sure what took place at an IEP team meeting.
- One student whose release date was within the 180-day time period stated not having the opportunity to participate in the 100-Hour Transition Program.

### **Classroom Walk-through Visits at HCI**

- Walk-throughs were conducted in both the academic and the vocational classrooms.
- Students were engaged in the direct instruction or the individual assignments based on the activities of the classrooms visited.
- Inmates supervised by a teacher provided direct instruction to students in a GED math prep class. The students were very responsive to the instruction provided.
- The classrooms were well organized and resembled classrooms at a traditional school setting.

### **Classroom Walk-through Visits at SRCI**

- The education building had multiple classrooms, but it was reported that only one classroom was being used (for the 100-Hour Transition Program for the open population unit within SRCI).

- Cell fronts were visited where educational services were provided. Due to the restrictive structure of the cell door, it appeared that there may be serious challenges with providing any academic instruction to these students.
- There was a side room in each dormitory that was available for the correctional facility staff to discuss confidential matters with inmates. It appears that this room could also be used to provide an educational lesson to an inmate.

## Commendations

### HCI

1. There was collaboration between administrators, general education teachers and special education teachers.
2. There was evidence that teachers developed positive rapport with the students.
3. The correctional institution offered a variety of vocational programs for all students.
4. Students were motivated to learn and participated in vocational programs.
5. The educational staff demonstrated effective use of technology to facilitate learning.

### SRCI

1. Students were aware of individual educational needs and able to identify what instructional tools were available to meet their academic needs.
2. The special education teacher developed a positive rapport with the students.
3. Educational staff collaborated to develop a process for providing the educational services to the students.
4. An instructional aide was available to provide additional academic services to students in need.

## Findings of Noncompliance

Bureau staff reviewed records of five students in conjunction with student focus groups held at HCI and SRCI. In addition, four more records from HCI were reviewed. IDEA requires that the IEP team determine the appropriate special education and related services, supplementary aids, and accommodations necessary for a student to advance appropriately toward attaining annual goals and to make progress in the general education curriculum. The table below reflects the findings of noncompliance found during the on-site visit:

Standard, Identified Noncompliance	
T16-9 There are measurable postsecondary goals (and career goal for IEPs developed on or after June 20, 2014) in the designated areas (i.e., education, training, employment, and where appropriate, independent living skills). (34 CFR §300.320(b)(1); Rule 6A-6.03028(3)(h)9c., F.A.C.; s. 1003.5716, F.S.)	Three of the students whose records were reviewed, all from HCI, had release dates prior to the student's turning 22 years of age, but the postsecondary goals were not included on the IEP.
IEP-19 The services identified on the IEP are based on the present level of academic and functional performance statement(s) and the annual goals (and short-term objectives or benchmarks, if applicable). (34 CFR §300.320(a))	For all nine of the students whose records were reviewed (five from HCI and four from SRCI) special education services were predetermined and assigned according to the customary practices of the correctional institutions rather than determined by the students' individual needs. All nine students

Standard, Identified Noncompliance	
	received the same type of special education services (consultation) at the same frequency (once a month) regardless of their disability or educational need.

Identifying information regarding the nine students reflecting the findings of noncompliance and required corrective action was provided to FDC on August 17, 2015.

During records review, a student’s IEP section entitled Current Level of Performance indicated “[The student] has been in confinement from 7/20/13 to 7/20/14 for 237 days (65% of the year) and will be 100% from 7/24/14 to 9/20/14 for such DRs (Disciplinary Reports) as possession of weapons (three times), destruction of property, disorderly conduct (twice), disrespect and battery. These offenses all occurred outside of the classroom. The student] has had no CCs [Corrective Consultations] for inappropriate behavior within the school area/classroom. On a one-to-one basis, [the student] is respectful and works well with the instructor.”

**Corrective Actions**

For the noncompliance related to measurable postsecondary goals, FDC shall revise or amend the students’ IEPs to include measurable postsecondary goals as required. Evidence of the completion of these revisions or amendments shall be provided to BEESS **no later than October 1, 2015**. Also, **no later than October 1, 2015**, FDC shall review the policies and procedures regarding the development of IEPs at HCI and SRCI to ensure that their policies are consistent with federal and state requirements. Upon review, if FDC determines that the correctional facilities’ IEP development practices are not consistent with these requirements, FDC shall collaborate with HCI and SRCI to modify IEP development procedures to ensure that their practices are consistent with federal and state requirements. **No later than November 2, 2015**, FDC shall provide BEESS with a copy of any new or revised policies and procedures regarding IEP development. Upon approval from BEESS, FDC shall provide training to HCI and SRCI on policies and procedures regarding the development of IEPs **no later than January 15, 2016**.

Subsequent to the completion of the trainings by FDC, the IEP teams at HCI and SRCI, including the students, shall revise or amend IEPs, as needed, to reflect the services, supports and accommodations to be provided based on each student’s individual needs. These IEP revisions or amendments shall be completed in accordance with federal and state requirements **no later than February 17, 2016, for SRCI, and no later than April 4, 2016, for HCI**. If an IEP team determines that a student’s IEP was appropriate and did not need any changes, HCI and SRCI shall provide BEESS with a written narrative regarding how the student’s IEP meets the individual needs and provides a meaningful educational benefit to the student.

In addition, **no later than August 17, 2016**, FDC must demonstrate through a sampling process, correct implementation of the standards identified as noncompliant during the on-site visit. This sampling process must use IEPs developed at HCI and SRCI following the required staff training.

**Results**

The following table reflects the next steps as determined by the bureau on-site team members. Information was obtained through the following activities during the on-site visit: interviews, student focus groups, classroom walk-through visits and review of data and student records, if applicable. Information was collected related to the provision of special education services, IEP team meeting

requirements, IEP development, and postsecondary and transition needs for students with disabilities at HCI and SRCI. A summary, recommendations and required actions for each of these areas, if applicable, are provided.

<b>Next Steps</b>	
<b>Provision of Special Education Services</b>	
<b>Summary:</b>	<p>This information is for <b>SRCI and HCI</b>:</p> <p>According to information obtained through the education supervisor and teacher interviews at SRCI, the facility provides educational services using a self-study delivery model for the general education curriculum (TABE testing and GED preparation). Instruction is provided through the cell door via a weekly independent study folder. The general education teachers collect individual study folders at the end of the week and grade the assignments that are turned in. The teachers provide written feedback on graded assignments to the student and address any questions that the student asked when the individual study folders are re-circulated the following week.</p> <p>While BEESS understands SRCI's obligation to maintain safety and security, FDC has the responsibility to provide FAPE to students with disabilities. Therefore, in an attempt to offer adequate educational services to students, SRCI should seek ways to strike a balance between its penological interest and its obligation to provide FAPE.</p> <p>SRCI's instructional delivery model may not be an effective method of instruction to assist students with disabilities with achieving satisfactory scores on the TABE or the GED, as they are still struggling to develop basic reading, writing and mathematics skills.</p> <p>There did not appear to be many opportunities for direct instruction or student-to-teacher interaction at SRCI. In addition, self-study packages for students do not appear to accommodate the challenges of student with disabilities in developing basic academic skills at SRCI.</p> <p>BEESS staff was informed at SRCI and HCI that the GED test had changed. The students indicated to bureau staff that they do not have access to updated training guides to prepare for the on-line version of the GED test. BEESS staff learned that curriculum and resources appear to vary from institution to institution.</p>
<b>Recommendation:</b>	<p>This information is for <b>SRCI and HCI</b>:</p> <ul style="list-style-type: none"> <li>• Collaboration with various discretionary projects regarding training on specially-designed instruction to develop creative ways to provide effective instruction, in a close management facility and a very restrictive environment.</li> <li>• The FDC Central Office special education administrator should explore opportunities to include more educational staff at the SCRI and HCI to attend professional development trainings that address teaching</li> </ul>

<b>Next Steps</b>	
	<p>practices for teachers of students with disabilities.</p> <p>This information is for <b>SRCI</b>:</p> <ul style="list-style-type: none"> <li>The FDC Central Office special education administrator should consider alternate service delivery models to consultation at cell fronts for students in CM II and CM III cell housing units. Direct or small group instruction with education staff may facilitate the necessary educational, communication and social skills that may assist a student with the transition back to the general inmate population or reentry into their respective communities. One student's IEP current levels of performance indicated that although the student had discipline referrals, "on a one-to-one basis, [the student] is respectful and works well with the instructor."</li> </ul>
Required Action:	None
<b>IEP Team Meeting Requirements</b>	
Summary:	<p>This information is for <b>SRCI</b>:</p> <p>Based on information gathered during student and teacher interviews, it was reported that students did not have an opportunity to fully participate in the development of their IEPs because students did not attend their IEP team meetings. Students and teachers indicated that information for the students' present level of performance was obtained through questionnaires completed by the student while in their cells rather than direct participation in the IEP team meetings. A student's participation in the development of his or her IEP is pivotal to assist the IEP team in identifying the appropriate special education and related services and post-secondary goals that must be included in the IEP. Furthermore, during interviews, students communicated concerns about their education that may not have been made known to education staff through questionnaires. In a formal setting the students were able to articulate their needs more purposely. Attendance at an IEP team meeting may provide the opportunity for students to self-advocate and better assist the IEP team to meet the individual educational needs of the students.</p> <p>An agency violates provisions of FAPE if a student is not given appropriate prior notice for IEP team meetings, which includes scheduling a team meeting at a mutually agreed upon time and place. If the student cannot attend the team meeting then other methods must be considered to ensure a student's participation.</p>
Recommendation:	None
Required Actions:	<b>No later than November 9, 2015</b> , the educational staff at the SRCI is required to review federal and state requirements regarding prior notice for IEP team meetings. Upon this review, SRCI is required to collaborate with FDC Central Office staff to complete the following:



<b>Next Steps</b>	
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- |  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>• Consider the circumstances in which students with disabilities in CM II and III are not able to attend IEP team meetings and develop a comprehensive plan that outlines these circumstances. In situations where a student does not pose a medical or security risk to SRCI correctional and education staff, SRCI should establish alternate methods for students to attend IEP team meetings to ensure that students are able to participate in the development of their IEPs.</li> <li>• If a student refuses to participate or is not able to attend an IEP team meeting because of a medical or security risk, the IEP team should develop a plan that includes FDC documenting attempts to schedule an IEP team meeting and gathering information regarding the preferences and interests of the student.</li> <li>• <b>No later than November 30, 2015</b>, the SRCI is required to provide BEESS with a comprehensive plan that includes a narrative outlining circumstances that may prohibit a student’s attendance at an IEP team meeting.</li> <li>• FDC Central Office must provide training to the appropriate staff within 15 business days of approval of the plan by BEESS. Within seven business days of the completion of the training, FDC must provide evidence of staff participation in the training to BEESS, including printed names, signatures, titles or roles, and date of training.</li> <li>• Once the training has been completed, SRCI is required to provide five samples of IEPs that include FDC documentation of appropriate prior notice for IEP team meetings and evidence of the student’s participation in the meeting.</li> </ul> |
|--|--|

<b>IEP Development</b>	
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Summary:	<p>This information is for <b>HCI and SRCI</b>: Based on 34 CFR §300.320(a)(4)-(7), the IEP must include the special education and related services, supplementary aids and services to be provided to the student with a disability.</p> <p>During interviews with general and special education teachers at HCI, it was reported that special education teachers go into some classes and assist students with disabilities with assignments (support facilitation). It was also reported that some students were pulled out of classes for small group instruction. However, support facilitation and pull-out services were not FDC documented on the students’ IEPs.</p> <p>In addition, if a student is placed in confinement due to disciplinary reasons by the facility, the IEPs reflected that the accommodation of confinement allows the students with disabilities to receive special education services once every 10 days. If special education services are provided to students with disabilities while in confinement, the IEP must specify what services are to be provided.</p>
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<b>Next Steps</b>	
Recommendation:	None
Required Action:	<b>No later than February 5, 2016</b> , educational staff from HCI and SCRI are required to review all of the IEPs and determine if the services required for FAPE are accurately reflected on the IEPs. If the IEP team determines that the special education and related services on the IEPs are not consistent with the services being provided, then the IEP team must revise or amend the students' IEPs accordingly. FDC documentation of the required review and copies of any revised IEPs must be provided to BEESS no later than <b>March 4, 2016</b> .
<b>Postsecondary and Transition Needs</b>	
Summary:	This information is for <b>SRCI</b> and <b>HCI</b> : Currently at the facilities visited, re-entry resources are available in addition to the 100 Hour Transition Program. However, there does not appear to be a strong, cohesive, multi-disciplinary team with a process for developing a comprehensive plan that includes outlined actions for a student's re-entry to the community.
Recommendations:	FDC should consider establishing or strengthening a multi-disciplinary teams at SRCI and HCI with the purpose of organizing a group of professionals within each correctional institution that will assess the student's present level of academic performance, social emotional status and professional credentials to develop a targeted action plan for a student's re-entry to the community: <ul style="list-style-type: none"> <li>• The team may include a 100-Hour Transition Program instructor, counselor, psychiatrist, classification officer, special education teacher, education supervisor, vocational teacher(s) and parents or legal guardian, if applicable. <ul style="list-style-type: none"> <li>- Where appropriate, it is encouraged that parents or legal guardian participate (via teleconference) in multidisciplinary team meetings, as parental involvement may be critical to the student's commitment to the re-entry plan</li> </ul> </li> <li>• Define the role of each multi-disciplinary team member. <ul style="list-style-type: none"> <li>- Functions of the team may include the following: <ul style="list-style-type: none"> <li>○ Identify student's medical, social and emotional, educational, and employment needs.</li> <li>○ Create an action plan for next steps including scheduling appointments when the student re-enters the community for educational, medical, counseling or employment needs.</li> </ul> </li> </ul> </li> <li>• Provide information for resources available within the community to assist in the re-entry process.</li> </ul>
Required Action:	None

## Technical Assistance

1. Implementing a Multi-Tiered System of Support for Behavior: Recommended Practices for School and District Leaders (Florida's PBS Project) may be accessed at [http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811\\_final.pdf](http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811_final.pdf) and provides an overview of the critical components of an multi-tiered system of supports (MTSS) for behavior. These critical components describe systems changes that are necessary for a results-driven ESE system.
2. Developing Quality Individual Educational Plans: A Guide for Instructional Personnel and Families, located at <http://www.fl DOE.org/e se/pdf/QualityIEPs.pdf> on the BEESS's website. Explanatory information to help students understand the rights and responsibilities that go along with special education services can be found in "Chapter 8 – Procedural Safeguards (Rights and Responsibilities)" of A Parent's Instruction to Exceptional Student Education in Florida, located at <http://www.fl DOE.org/e se/pdf/ESEParent.pdf>. This FDC document is also available in Spanish and Creole on the BEESS's website.
3. The United States Department of Education and the United States Department of Justice, joined together and provided state school officers and state attorney generals with a letter dated, December 8, 2014, regarding youth in juvenile justice facilities and correctional facilities that clarified State and public agency obligations under IDEA to ensure the provision of FAPE to eligible students with disabilities in correctional facilities. This FDC document may be accessed at <http://www2.ed.gov/policy/gen/guid/correctional-education/csso-state-attorneys-general-letter.pdf>
4. Special Ed Connections provided information dated May 15, 2015, on *Buckley v. State Corr. Inst.-Pine Grove*, 65 IDELR 127 (M.D. Pa. 2015). This case refers to a prison that denied FAPE to a student with a disability. The youth was denied all special education services on the grounds that the student presented a security risk. Information regarding this case may be accessed at <http://www.specialedconnection.com/LrpSecStoryTool/index.jsp?contentId=22696542>.

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

**2014-15 ESE Monitoring and Assistance**

**BEESS On-Site Monitoring and Assistance Team**

**Bureau of Exceptional Education and Student Services**

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Bureau of Exceptional Education and Student Services**

**Glossary of Acronyms and Abbreviations**

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

BEES	Bureau of Exceptional Education and Student Services
CFR	Code of Federal Regulations
FDC	Florida Department of Corrections
DRM	Dispute Resolution and Monitoring
ESE	Exceptional student education
FAPE	Free appropriate public education
F.S.	Florida Statutes
GED	High School Equivalency Diploma
HCI	Holmes Correctional Institution
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
SRCI	Santa Rosa Correctional Institution
TABE	Test Adult Basic Education



Pam Stewart, Commissioner

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