

Alachua County School District

Final Report: On-Site Monitoring

Exceptional Student Education Programs

May 3-5, 2010



Bureau of Exceptional Education and Student Services
Florida Department of Education

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July 2, 2010

Dr. W. Daniel Boyd, Superintendent
Alachua County School District
620 East University Avenue
Gainesville, FL 32601

Dear Superintendent Boyd:

We are pleased to provide you with the *Final Report of On-Site Monitoring of Exceptional Student Education Programs* for Alachua County School District. This report was developed by integrating multiple sources of information related to an on-site visit to your district May 3–5, 2010, including student record reviews, interviews with school and district staff, and classroom observations. The final report will be posted on the Bureau of Exceptional Education and Student Services' website and may be accessed at <http://www.fldoe.org/ease/mon-home.asp>.

The Alachua County School District was selected for an on-site monitoring visit due to a pattern of poor performance over time in State Performance Plan (SPP) indicator four (rates of suspension and expulsion). Ms. Kathy Black, Exceptional Student Education (ESE) Executive Director, and her staff were very helpful during the Bureau's preparation for the visit and during the on-site monitoring. In addition, the principals and other staff members at the schools visited welcomed and assisted Bureau staff members. The Bureau's on-site monitoring activities identified some discrepancies that require corrective action.

BAMBI J. LOCKMAN
Chief

Bureau of Exceptional Education and Student Services

Dr. W. Daniel Boyd
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Thank you for your commitment to improving services for exceptional education students in Alachua County. If there are any questions regarding this final report, please contact Patricia Howell, Program Director, Monitoring and Compliance, at (850) 245-0476 or via e-mail at Patricia.Howell@fldoe.org.

Sincerely,



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

Enclosure

cc: Kathy Black
Jan Benet
Kim C. Komisar
Patricia Howell
Brenda Fisher

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Alachua County School District

On-Site Monitoring Exceptional Student Education Programs May 3–5, 2010

Final Report

Authority

The Florida Department of Education (FDOE), Bureau of Exceptional Education and Student Services (Bureau), in carrying out its roles of leadership, resource allocation, technical assistance, monitoring, and evaluation, is required to oversee the performance of district school boards in the enforcement of all laws and rules (sections 1001.03(8) and 1008.32, Florida Statutes [F.S.]). In fulfilling this requirement, the Bureau conducts monitoring activities of the exceptional student education (ESE) programs provided by district school boards, in accordance with sections 1001.42 and 1003.57, F.S. Through these monitoring activities, the Bureau examines and evaluates procedures, records, and ESE programs; provides information and assistance to school districts; and otherwise assists school districts to operate effectively and efficiently. One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (section 300.1(d) of Title 34, Code of Federal Regulations [34 CFR §300.1(d)]). In accordance with IDEA, FDOE is responsible for ensuring that its requirements are carried out and that each educational program for children with disabilities administered in the state meets the educational requirements of the state (34 CFR §§300.120, 300.149, and 300.600). The monitoring system reflects FDOE's commitment to provide assistance, service, and accountability to school districts and is designed to emphasize improved educational outcomes for students while continuing to conduct those activities necessary to ensure compliance with applicable federal laws and regulations and state statutes and rules.

Monitoring Process

District Selection

For the 2009–10 school year, the Bureau's ESE monitoring system comprised basic (Level 1) and focused (Level 2) self-assessment activities, as well as on-site visits conducted by Bureau staff (Level 3). This system was developed to ensure that school districts comply with all applicable laws, regulations, and state statutes and rules while focusing on improving student outcomes related to State Performance Plan (SPP) indicators.

All districts were required to complete Level 1 activities. In addition, those districts that were newly identified for targeted planning or activities by the Bureau SPP indicator teams for one or more selected SPP indicators were required to conduct Level 2 self-assessment activities using indicator-specific protocols. Districts selected for Level 3 monitoring conducted Level 1 and

Level 2 activities as applicable. Selection of districts for consideration for Level 3 monitoring was based on analysis of the districts' data, with the following criteria applied:

- Matrix of services:
 - Districts that report students for weighted funding at > 150 percent of the state rate for **at least one** of the following cost factors:
 - 254 (> 7.83 percent)
 - 255 (> 3.20 percent)
 - 254/255 combined (> 11.03 percent)
 - Districts that report students for weighted funding at > 125 percent of the state rate for **two or more** of the following cost factors:
 - 254 (> 6.53 percent)
 - 255 (> 2.66 percent)
 - 254/255 combined (> 9.19 percent)
- Timeliness of correction of noncompliance regarding corrective action(s) due between July 1, 2008, and June 30, 2009 – two or more of the following criteria:
 - Student-specific noncompliance identified through monitoring not corrected within 60 days
 - Systemic noncompliance identified through monitoring not corrected as soon as possible, but in no case longer than one year from identification
 - Noncompliance identified through a state complaint investigation or due process hearing not corrected within the established timeline
- Pattern of poor performance over time in one or more targeted SPP indicators, as evidenced by demonstrated progress below that of other targeted districts, **and** at least one of the following:
 - Targeted for a given SPP indicator or cluster of indicators for three consecutive years
 - Targeted for two or more SPP indicators or clusters of indicators for two consecutive years

SPP Indicator 4

In accordance with 34 CFR §300.157(a)(3) and (b), each state must have established goals in effect for students with disabilities that address graduation rates and dropout rates as well as other established performance indicators. SPP Indicator 4 relates to rates of suspension and expulsion for students with disabilities.

Disciplinary policies are set at the district level and are guided by Rules 6A-6.03312 and 6A-6.0527, Florida Administrative Code (F.A.C). Because of the variance in district disciplinary policies, Florida determines significant discrepancy by comparing the rates of suspension and expulsion of students with disabilities and nondisabled students within a district. Significant discrepancy is defined as a risk ratio of three or higher.

Data were obtained from Florida's automated student database at the student level for rates and duration of suspension and expulsion. Rates of suspension and expulsion were calculated for each district for students with disabilities and nondisabled students by dividing the number of students with suspensions or expulsions greater than 10 days by total year enrollment as reported at the end of the school year. Risk ratios were calculated for each district by dividing the rate of

suspension and expulsion of students with disabilities by the rate of suspension and expulsion for nondisabled students.

In a letter dated December 11, 2009, the Alachua County School District superintendent was informed that the district was selected for a Level 3 on-site visit due to a pattern of poor performance over time regarding SPP Indicator 4.

On-Site Activities

Monitoring Team

On May 3–5, 2010, Bureau staff members conducted an on-site monitoring visit, which included meeting with district staff to discuss strategies in place to address suspension and expulsion. The following Bureau staff members participated in the on-site visit:

- Brenda Fisher, Program Specialist, Monitoring and Compliance (Team Leader)
- Patricia Howell, Program Director, Monitoring and Compliance
- Vicki Eddy, Program Specialist, Monitoring and Compliance
- Anne Bozik, Program Specialist, Monitoring and Compliance
- Martha Murray, Program Specialist, Program Development and Services
- Derek Hemenway, Program Specialist, Dispute Resolution

Schools

The following schools were selected for on-site visits:

- Abraham Lincoln Middle School
- Eastside High School
- Hawthorne Middle/High School
- Horizon Center
- Howard W. Bishop Middle School

Student Focus Group

Eight students at Eastside High School participated in a student focus group conducted by Bureau staff. The students discussed their knowledge and experiences related to school and district discipline policies and procedures.

Data Collection

Prior to the on-site visit, IEPs for 15 randomly selected students with disabilities enrolled in grades 6 through 12 in the Alachua County School District were reviewed regarding suspension and expulsion. In addition, monitoring activities included the following:

- District-level interviews – 8 participants
- School-level interviews – 32 participants
- Case studies – 15 students

Review of Records

The district was asked to provide the following documents for each student selected for review regarding suspension and expulsion:

- Current individual educational plan (IEP)
- Functional behavioral assessment (FBA)/behavioral intervention plan (BIP), if any
- Previous IEP

- Progress reports from current and previous school year
- Report cards from current and previous school year
- Discipline record
- Attendance record

Information from each document was used to determine compliance with those standards most likely to impact exceptional student education services provided to students who are suspended or expelled.

Results

The following results reflect the data collected through the activities of the on-site monitoring as well as commendations, concerns, and findings of noncompliance. Additional documentation was requested during the on-site visit to determine compliance with each standard and to verify matrix services levels.

Commendations

- All of the schools visited demonstrated the following:
 - Commendable organization and management
 - A high level of professionalism and commitment to the students
 - A very high level of student participation in the classes observed
 - Depth of knowledge demonstrated by the administration and the ESE department regarding the needs of students with disabilities
- Abraham Lincoln Middle School involves the community in various activities at the school
- Eastside High School has active participation of students with disabilities in many of the extracurricular clubs
- Hawthorne Middle/High School exhibits a nurturing family atmosphere (students are personally known to the teachers and administrators) and implements positive interventions by teachers to decrease disciplinary referrals
- Horizon Center implements advancement criteria for the phase system (including the review every 4½ weeks) and provides a positive prospective for students to transition back to their home-zoned schools
- Howard W. Bishop Middle School provides a schoolwide positive reinforcement plan for the students

Concerns

- For one of the students, behavior was not listed on the IEP as a special factor that the team considered when developing the IEP, although the student had a behavior goal and a BIP.
- Two of the six teachers for one of the students did not indicate awareness of the student's BIP. School staff stated that the BIPs are kept in a notebook in the front office, and teachers are informed to access the BIPs there, as needed.
- One student's postsecondary goal included "would like to" in addition to the measurable wording of the goal. Best practice encourages the use of more active language (e.g., "the student will").

- Students stated in the focus group they do not attend IEP team meetings because they are scheduled too early in the morning.
- Several students stated that they were given 10-day suspensions for the same offense for which other students received shorter suspensions.
- Students stated that teachers will not send students to in-school detention (ISD) because those students were previously sent out of ISD to out of school suspension (OSS).

Findings of Noncompliance

Bureau staff identified noncompliance regarding suspension and expulsion in four of the 15 student records.

A manifestation determination must be conducted within 10 days of any decision to change the placement of a student with a disability because of a violation of the Code of Student Conduct (Rule 6A-6.03312(3), F.A.C.). For four of the students, manifestation determinations were not conducted within 10 days.

In accordance with Office of Special Education Programs' (OSEP) guidance regarding findings that are identified through monitoring processes, within a given school district 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. Therefore, multiple incidents of noncompliance regarding a given standard that are identified through monitoring activities are reported as a single finding of noncompliance for that district. Noncompliance that is evident in ≥ 25 percent of records reviewed is considered systemic in nature. The finding of noncompliance identified in four student records was systemic regarding manifestation determination not being conducted within the required timeline.

Due to the nature of the standard, this finding of noncompliance cannot be corrected for the individual student but will require corrective action to ensure that such noncompliance will not occur in the future.

Corrective Action

No later than August 5, 2010, the Alachua County School District shall provide to the Bureau its plan to correct the systemic noncompliance related to manifestation determination within the required timeline. The plan must include a sampling process to demonstrate compliance with the requirements and a timeline for implementation. Documentation of implementation and the results of the sampling process shall be provided to the Bureau **no later than February 10, 2011**.

Technical Assistance

Specific information for technical assistance, support, and guidance to school districts regarding discipline, including suspensions and expulsions, can be found in the *Exceptional Student Education Compliance Self-Assessment: Processes and Procedures Manual 2009–10*.

Bureau Contacts

The following is a partial list of Bureau staff available for technical assistance:

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

Glossary of Acronyms

BIP	Behavioral intervention plan
Bureau	Bureau of Exceptional Education and Student Services
CFR	Code of Federal Regulations
ESE	Exceptional student education
F.A.C.	Florida Administrative Code
FBA	Functional behavioral assessment
FDOE	Florida Department of Education
F.S.	Florida Statutes
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
ISD	In-school detention
OSEP	Office of Special Education Programs
OSS	Out-of-school suspension
SPP	State Performance Plan



**Florida Department of Education
Dr. Eric J. Smith, Commissioner**

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