

# FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Mr. Buddy Vickers, Superintendent  
Gilchrist County School District  
310 NW 11<sup>th</sup> Avenue  
Trenton, Florida 32693-3804

Dear Mr. Vickers:

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 Gilchrist 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*

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

Gilchrist County was required to assess 152 standards. One or more incidents of noncompliance were identified on 10 of those standards (7%). The following is a summary of Gilchrist County School District's correction of student-specific incidents of noncompliance:

**Correction of Noncompliance by Student**

	<b>Number</b>	<b>Percentage</b>
Records Reviewed/Protocols Completed	20	–
Total Items Assessed	592	–
Noncompliant	16	2%
Timely Corrected	16	100%

The *Gilchrist 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. Gilchrist County School District's CAP was submitted to the Bureau for review and approval, and is provided in Attachment 2. Please note that a timeline for implementation, evaluation, and reporting of results on the part of the district is included in the CAP. Your district's adherence to this schedule is required in order to ensure correction of systemic noncompliance within a year as required by OSEP and Florida's SPP.

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

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

Sincerely,



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

Attachments

cc: Mary Bennett  
Frances Haithcock  
Kim C. Komisar  
Jill Snelson  
Sheila Gritz

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

**ESE Self-Assessment  
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**Gilchrist 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: 7	Number of OHI disabilities completed: 1
Number of standards per IE: 18	Number of standards per OHI: 5
Number of IEP protocols completed: 7	Number of SI disabilities completed: 1
Number of standards per IEP: 38	Number of standards per SI: 9
Number of MD protocols completed: 4	Number of SLD disabilities completed: 4
Number of standards per MD: 9	Number of standards per SLD: 14
Number of STB protocols completed: 2	Number of DHH disabilities completed: 1
Number of standards per STB: 28	Number of standards per DHH: 8
Number of ASD disabilities completed: 1	
Number of standards per ASD: 10	
Number of DD disabilities completed: 1	Total number of protocols: 20
Number of standards per DD: 6	Total number of standards: 592
Number of LI disabilities completed: 2	Total number of incidents of noncompliance (NC): 16
Number of standards per LI: 7	Overall % incidents of noncompliance: 2%

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

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-1	<p>The notice to the IEP team meeting included:</p> <ul style="list-style-type: none"> <li>• A statement that a purpose of the meeting was the development of a statement of the student's transition services needs (beginning at age 14) or the consideration of the postsecondary goals and transition services (beginning at age 16)</li> <li>• A statement that the student would be invited</li> <li>• Indication that any agency likely to provide or pay for services during the current year would be invited.</li> </ul> <p>(34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)</p>		X	1	50.0%	X
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>	X		1	50.0%	X
STB-10	<p>The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))</p>	X		2	100.0%	X
IEP-13	<p>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.)</p>	X		2	28.6%	X
IEP-14	<p>The IEP includes measurable annual goals, including academic and functional goals, and short-term objectives or benchmarks, designed to meet the student's</p>	X		1	14.3%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	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))					
IEP-20	There is alignment among the present level of academic and functional performance statement, the annual goals and short term objectives/benchmarks, and the services identified on the IEP. (34 CFR 300.320(a))	X		2	28.6%	X
IEP-25	The IEP contains descriptions of how progress toward annual goals will be measured including how often parents will be regularly informed of their child's progress. Parents of disabled students must be informed of this progress at least as often as parents of nondisabled students. (34 CFR 300.320(a)(3); Rule 6A-6.03028(7)(g), FAC.)	X		1	14.3%	
IEP-26	The IEP team considered the strengths of the student; the academic, developmental and functional needs of the student; the results of the initial evaluation or most recent evaluation; and the results of the student's performance on any state-or district-wide assessment. (34 CFR 300.324(a)(1))	X		1	14.3%	
IEP-35	If the current IEP represents a change of placement/change of FAPE from the previous IEP, or the district refused to make a change that the parent requested, the parent received appropriate prior written notice. (34 CFR 300.503)		X	1	14.3%	
MD-2	The district notified the parent of the removal decision and provided the parent with a copy of the notice of the procedural safeguards on the same day as the date of the removal decision. (34 CFR 300.530(h); Rule 6A-6.03312(4)(a), FAC.)		X	4	100.0%	X

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

**ESE Self-Assessment  
2007 – 08**

**Gilchrist County School District Corrective Action Plan**

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-1	<p>The notice to the IEP team meeting included:</p> <p>1.A statement that a purpose of the meeting was the development of a statement of the student's transition services needs (beginning at age 14) or the consideration of the postsecondary goals and transition services (beginning at age 16)</p> <p>2.A statement that the student would be invited</p> <p>3.Indication that any agency likely to provide or pay for services during the current year would be invited.</p> <p>(34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)</p>	<p>FDLRS Springs provided staff development on the required component of a quality IEP to targeted staff</p> <p>FDLRS/Springs will provide staff development on developing quality IEPs for all ESE and related personnel</p> <p>The first 5 IEPs developed at each high school after September 1, 2008 will be reviewed by district staff using state protocols and they will meet 100% compliance. This will be reported to DOE by December 1, 2008</p>	<p>April 16, 2008 (See Attachment # 1)</p> <p>August 5-6, 2008</p> <p>December 1, 2008</p>	<p>FDLRS IDEA funds for substitutes</p> <p>District ESE Staff</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>FDLRS Springs provided staff development on the required component of a quality IEP to targeted staff</p> <p>FDLRS/Springs will provide staff development on developing quality IEPs for all ESE and related personnel</p> <p>The first 5 IEPs developed at each high school after September 1, 2008 will be</p>	<p>April 16, 2008 (See Attachment # 1)</p> <p>August 5-6, 2008</p> <p>December 1, 2008</p>	<p>FDLRS IDEA funds for substitutes</p> <p>District ESE</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
		reviewed by district staff using state protocols and they will meet 100% compliance. This will be reported to DOE by December 1, 2008		Staff	
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	<p>FDLRS Springs provided staff development on the required component of a quality IEP to targeted staff</p> <p>FDLRS/Springs will provide staff development on developing quality IEPs for all ESE and related personnel</p> <p>The first 5 IEPs developed at each high school after September 1, 2008 will be reviewed by district staff using state protocols and they will meet 100% compliance. This will be reported to DOE by December 1, 2008</p>	<p>April 16, 2008 (See Attachment # 1)</p> <p>August 5-6, 2008</p> <p>December 1, 2008</p>	<p>FDLRS IDEA funds for substitutes</p> <p>District ESE Staff</p>	
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.)	<p>FDLRS/Springs will provide staff development on developing quality IEPs for all ESE and related personnel</p> <p>The first 5 IEPs developed at each school after September 1, 2008 will be reviewed for compliance in this area using the state protocols. This review will demonstrate 100% accuracy and the results will be reported to DOE by December 1, 2008</p>	<p>August 5-6, 2008</p> <p>December 1, 2008</p>	<p>FDLRS IDEA funds for substitutes</p> <p>District ESE Staff</p>	
IEP-20	There is alignment among the present level of academic and functional performance statement, the annual goals and short term objectives/benchmarks, and the services identified on the IEP. (34 CFR 300.320(a))	<p>FDLRS/Springs will provide staff development on developing quality IEPs for all ESE and related personnel</p> <p>The first 5 IEPs developed at each school after September 1, 2008 will be</p>	<p>August 5-6, 2008</p> <p>December 1, 2008</p>	<p>FDLRS IDEA funds for substitutes</p> <p>District ESE Staff</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
		reviewed for compliance in this area using the state protocols. This review will demonstrate 100% accuracy and the results will be reported to DOE by December 1, 2008			
MD-2	The district notified the parent of the removal decision and provided the parent with a copy of the notice of the procedural safeguards on the same day as the date of the removal decision. (34 CFR 300.530(h); Rule 6A-6.03312(4)(a), FAC.)	<p>Email Notification to All School Principals that IDEA Procedural Safeguards MUST be provided to ESE Students who are suspended with removal decision</p> <p>Additional email clarification to Principals, assistant principals, and deans with response required to demonstrate understanding and compliance</p> <p>An administrator and/or dean from each school will attend the ISRD Training "What Successful Principals Do: The Legal Aspects of Special Education"</p> <p>Documentation for all ESE students suspended with removal decision between September 1 and November 1, 2008 will be reviewed by district staff using state protocols and meet 100% compliance. This will be reported to DOE by December 1, 2008</p>	<p>April 14, 2008 (See Attachment # 2)</p> <p>April 15, 2008 (See Attachment # 3)</p> <p>May 21, 2008</p> <p>December 1, 2008</p>	<p>ESE Director</p> <p>ESE Director</p> <p>ISRD</p> <p>District ESE Staff</p>	