

FLORIDA DEPARTMENT OF EDUCATION



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June 20, 2008

Dr. Wayne Alexander, Superintendent
Hernando County School District
919 North Broad Street
Brooksville, FL 34601-2397

Dear Dr. Alexander:

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 Hernando County School District's 2007-08 ESE monitoring.

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

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

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

BAMBI J. LOCKMAN

Chief

Bureau of Exceptional Education and Student Services

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

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

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

Hernando County was required to assess 95 standards. One or more incidents of noncompliance were identified on 31 of those standards (33%). The following is a summary of Hernando County School District's correction of student-specific incidents of noncompliance:

Correction of Noncompliance by Student

	Number	Percentage
Records Reviewed/Protocols Completed	51	—
Total Items Assessed	1408	—
Noncompliant	103	7%
Timely Corrected	103	100%

The *Hernando 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. Hernando 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.

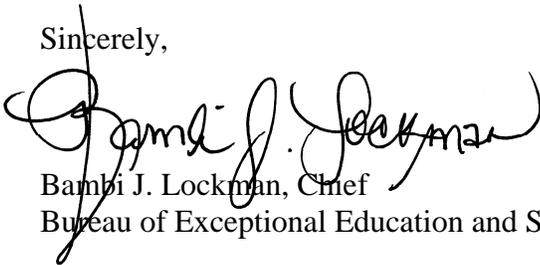
The results of district self-assessments conducted during 2007-08 will be used to inform future monitoring activities, including the selection of districts for on-site monitoring, and in the local educational agency (LEA) determinations required under section 300.603, Title 34, Code of

Dr. Wayne Alexander
June 20, 2008
Page 3

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: Cathy Dofka
Frances Haithcock
Kim C. Komisar
Annette Oliver
Sheila Gritz
Elise Lynch
Marilyn Hibbard

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

**ESE Self-Assessment
2007 – 08**

Hernando 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 EX protocols completed: 18	Total number of protocols: 51
Number of standards per EX: 33	Total number of standards: 1408
Number of LRE protocols completed: 18	Total number of incidents of noncompliance (NC): 103
Number of standards per LRE: 28	Overall % incidents of noncompliance: 7%
Number of STA protocols completed: 5	
Number of standards per STA: 6	
Number of STB protocols completed: 10	
Number of standards per STB: 28	

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**

Hernando District Summary Report: Findings of Noncompliance by Standard

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
EX-2	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.)	X		9	50.0%	X
EX-3	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		6	33.3%	X
EX-9	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		5	27.8%	X
EX-14	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.	X		1	5.6%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	(34 CFR 300.324(a)(1))					
EX-16	The IEP team considered, in the case of a student whose behavior impedes his or her learning, the use of positive behavior interventions and supports, and/or other strategies to address the behavior. (34 CFR 300.324(a)(2)(i))	X		5	27.8%	X
EX-22	The IEP had been reviewed at least annually, and revised as appropriate, to address: any lack of progress toward the annual goals; any lack of progress in the general curriculum, if appropriate; the results of reevaluation; information about the student provided by the parent; and/or, the student's anticipated needs. (34 CFR 300.324(b)(1))	X		4	22.2%	
EX-24	If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences or absences for which the reason is unknown, within a 90-calendar-day period, the student's primary teacher must report that the student may be exhibiting a pattern of nonattendance. Unless there is clear evidence otherwise, the student must be referred to the school's child study team. If an initial meeting does not resolve the problem, interventions must be implemented. (S. 1003.26(1), F.S.)	X		8	44.4%	X
EX-25	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		2	11.1%	
EX-26	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	3	16.7%	
EX-27	The IEP team considered all relevant evaluation and diagnostic information to		X	1	5.6%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	determine whether the behavior was a manifestation of the student's disability. (34 CFR 300.530(e)(1); Rule 6A-6.03312(3)(a), FAC.)					
EX-32	If the student had a BIP, the IEP team reviewed the plan as part of the manifestation determination process and revised it as needed. (34 CFR 300.530(f)(1)(ii))		X	1	5.6%	
EX-33	For subsequent removals that do not constitute a change in placement, the IEP team met to review the BIP and revise it as needed. (Rule 6A-6.03312(4)(e), FAC.)		X	1	5.6%	
STB-1	The notice to the IEP team meeting included: <ul style="list-style-type: none"> • 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) • A statement that the student would be invited • Indication that any agency likely to provide or pay for services during the current year would be invited. (34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)		X	10	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		2	20.0%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
STB-7	The transition IEP for a 17-year-old includes a statement that the student has been informed of the rights that will transfer at age 18. (34 CFR 300.320(b); 34 CFR 300.520(a)(1))		X	2	20.0%	
STB-9	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))	X		10	100.0%	X
STB-10	The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))	X		3	30.0%	X
STB-13	The transition services include course(s) of study that focus on improving the academic and functional achievement of the student to facilitate the student's articulation from school to post-school. (34 CFR 300.320(b)(2))	X		1	10.0%	
STB-15	The district obtained consent from the parent or from the student whose rights have transferred prior to inviting to the IEP team meeting a representative of an agency likely to provide or pay for transition services. (34 CFR 300.321(b)(3))		X	6	60.0%	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		10	100.0%	X
LRE-2	The parents were provided notice of the IEP team meeting a reasonable amount of time prior to the meeting, at least one attempt to invite the parent was through a written notice, and a second attempt was made if no response was received from the first notice. (34 CFR 300.322(a)(1))		X	1	5.6%	
LRE-3	The notice to the IEP team meeting contained the time, location and purpose of the meeting.		X	1	5.6%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
	(34 CFR 300.322(b))					
LRE-4	The notice contained a listing of persons invited to the meeting, by title and position. (34 CFR 300.322(b))		X	2	11.1%	
LRE-7	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.)	X		1	5.6%	
LRE-8	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		1	5.6%	
LRE-9	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	5.6%	
LRE-14	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	11.1%	
LRE-17	The IEP contains an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class. (34 CFR 300.320(a)(5))	X		1	5.6%	

Noncompliance (NC)		*Correctable for the Student(s)	**Individual CAP	# NC	% NC	***Systemic CAP
LRE-18	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	5.6%	
LRE-19	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	5.6%	
LRE-27	The IEP had been reviewed at least annually, and revised as appropriate, to address: any lack of progress toward the annual goals; any lack of progress in the general curriculum, if appropriate; the results of reevaluation; information about the student provided by the parent; and/or, the student's anticipated needs. (34 CFR 300.324(b)(1))	X		1	5.6%	

Florida Department of Education
Bureau of Exceptional Education and Student Services

**ESE Self-Assessment
2007 – 08**

Hernando County School District Corrective Action Plan

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
EX-2	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 style="text-align: center;">Staff Training Compliant IEP Writing</p> <p style="text-align: center;">District Review of Records</p>	<p style="text-align: center;">10/31/08</p> <p style="text-align: center;">12/15/08</p>	District Staff	
EX-3	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))	<p style="text-align: center;">Staff Training Compliant IEP Writing</p> <p style="text-align: center;">District Review of Records</p>	<p style="text-align: center;">10/31/08</p> <p style="text-align: center;">12/15/08</p>	District Staff	
EX-9	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 style="text-align: center;">Staff Training Compliant IEP Writing</p> <p style="text-align: center;">District Review of Records</p>	<p style="text-align: center;">10/31/08</p> <p style="text-align: center;">12/15/08</p>	District Staff	
EX-16	The IEP team considered, in the case of a student whose behavior impedes his or her learning, the use of positive behavior interventions and supports, and/or other strategies to address the behavior. (34 CFR 300.324(a)(2)(i))	<p style="text-align: center;">Staff Training Compliant IEP Writing</p> <p style="text-align: center;">District Review of Records</p>	<p style="text-align: center;">10/31/08</p> <p style="text-align: center;">12/15/08</p>	District Staff	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
EX-24	<p>If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences or absences for which the reason is unknown, within a 90-calendar-day period, the student's primary teacher must report that the student may be exhibiting a pattern of nonattendance. Unless there is clear evidence otherwise, the student must be referred to the school's child study team. If an initial meeting does not resolve the problem, interventions must be implemented. (S. 1003.26(1), F.S.)</p>	<p>Staff Training Compliant IEP Writing</p> <p>District Review of Records</p>	<p>10/31/08</p> <p>12/15/08</p>	<p>District Staff</p>	
STB-1	<p>The notice to the IEP team meeting included:</p> <ul style="list-style-type: none"> • 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) • A statement that the student would be invited • Indication that any agency likely to provide or pay for services during the current year would be invited. <p>(34 CFR 300.322(b)(2); Rule 6A-6.03028(3)(b), FAC.)</p>	<p>Targeted Technical assistance for persons responsible for parent notices</p> <p>District Review of Records</p>	<p>2/15/08</p> <p>12/15/08</p>	<p>District 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>Staff Training Compliant IEP Writing and Transition</p> <p>District Review of Records</p>	<p>10/31/08</p> <p>12/15/08</p>	<p>District Staff</p>	
STB-10	<p>The measurable postsecondary goals were based on age-appropriate transition assessment(s). (34 CFR 300.320(b)(1))</p>	<p>Staff Training Compliant IEP Writing and Transition</p> <p>District Review of Records</p>	<p>10/31/08</p> <p>12/15/08</p>	<p>District Staff</p>	

#	Findings of Noncompliance	Activities	Timelines	Resources	Results/Status
STB-15	<p>The district obtained consent from the parent or from the student whose rights have transferred prior to inviting to the IEP team meeting a representative of an agency likely to provide or pay for transition services. (34 CFR 300.321(b)(3))</p>	<p>Targeted technical assistance for persons responsible for scheduling IEP meetings and inviting participants to IEP meetings</p> <p>New Form Developed</p> <p>District Review of Records</p>	<p>2/15/08</p> <p>2/15/08</p> <p>12/15/08</p>	<p>District Staff</p>	
STB-16	<p>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))</p>	<p>Staff Training Compliant IEP Writing And Transition</p> <p>District Review of Records</p>	<p>10/31/08</p> <p>12/15/08</p>	<p>District Staff</p>	