

**2013-14 Exceptional Student Education
Monitoring and Assistance
On-Site Visit Report**

**Hillsborough County School District
January 14-17, 2014**



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

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July 2, 2014

Ms. MaryEllen Elia, Superintendent
Hillsborough County School District
901 E. Kennedy Boulevard
Tampa, Florida 33602-3408

Dear Superintendent Elia:

We are pleased to provide you with the **2013-14 Exceptional Student Education (ESE) Monitoring and Assistance On-Site Visit Report for Hillsborough County School District**. This report was developed by integrating multiple sources of information related to an on-site monitoring visit to your school district on January 14-17, 2014. Those information sources included interviews with district and school staff, student-focus groups, student record reviews, **Local Educational Agency (LEA) Profiles, Guiding Questions – District Level Needs Assessment** and an action-planning and problem-solving process. This report will be posted on the Bureau of Exceptional Education and Student Services' (bureau) website and may be accessed at <http://www.fldoe.org/ese/mon-home.asp>.

The 2013-14 ESE Monitoring and Assistance process focuses on those State Performance Plan (SPP) indicators that contributed to the targeting of school districts for coordinated early intervening services (CEIS) and those indicators that affect equity and access in the educational environment for students with disabilities. Additionally, the process focuses on a shift from ESE compliance to outcomes to prepare all students for college and career readiness, which include: increasing standard diploma graduates; decreasing the number of students dropping out of school; increasing regular class placement; decreasing the need for seclusion and restraint; and eliminating disproportionality in eligibility identification and discipline.

The Hillsborough County School District was selected for an on-site visit due to equity and access issues related to rates of incidents of restraints and seclusion and the rates of suspension and expulsion for students with disabilities. The on-site visit was conducted by a state support team (SST) that included bureau and discretionary project staff.

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

Superintendent Elia
July 2, 2014
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Ms. Maryann Parks, general director, ESE, and her staff were very helpful to the SST in preparing for the on-site visit and throughout the visit. In addition, the principals and other staff members at the schools visited welcomed the SST and demonstrated a commitment to the education of students in the school district.

As part of the SST's visit, representatives from the school district's ESE department, the schools visited and other school district staff participated in an action-planning and problem-solving process. This group reviewed the school district's data collected prior to and during the on-site visit, and came to consensus on a priority goal related to preparation for college and career readiness. An action plan, developed around that goal, will be implemented by the ESE department with the assistance of designated discretionary project staff from the SST.

Thank you for your commitment to improving services to exceptional education students in the Hillsborough County School District. If there are any questions regarding this report, please contact me at 850-245-0475 or via email at monica.verra-tirado@fldoe.org.

Sincerely,



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

Enclosure

cc: Maryann Parks
Cathy Bishop
Patricia Howell
Annette Oliver

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Hillsborough County School District

January 14-17, 2014

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

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Hillsborough County School District

January 14-17, 2014

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**2013-14 Exceptional Student Education
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Hillsborough County School District

January 14-17, 2014

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 exceptional student education (ESE) laws and rules (sections 1001.03(3), 1003.571 and 1008.32, Florida Statutes [F.S.]). One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (s. 300.1(d) of Title 34, Code of Federal Regulations [CFR]). The bureau is responsible for ensuring that the requirements of IDEA and the educational requirements of the state are implemented (34 CFR §300.149(a)(1) and (2)).

In fulfilling this requirement, the bureau monitors ESE programs provided by district school boards in accordance with sections 1001.42, 1003.57 and 1003.573, F.S. Through these monitoring activities, the bureau examines records and ESE services, evaluates procedures, provides information and assistance to school districts and otherwise assists school districts in operating effectively and efficiently. The monitoring system is designed to facilitate improved educational outcomes for students while ensuring compliance with applicable federal laws and regulations and state statutes and rules.

Under 34 CFR §300.646(b)(2), if a state identifies significant disproportionality based on race or ethnicity in a local educational agency (LEA) with respect to the identification of children as children with disabilities, the identification of children in specific disability categories, the placement of children with disabilities in particular educational settings or the taking of disciplinary actions, the LEA must use the maximum amount (15 percent) of funds allowable for comprehensive coordinated early intervening services (CEIS) for children in the LEA, particularly, but not exclusively, for children in those groups that were “significantly overidentified.”

Section 1003.573, F.S., Use of restraint and seclusion on students with disabilities, was created in July 2010, and established documentation, reporting and monitoring requirements for districts regarding the use of restraint and seclusion for students with disabilities. School districts were required to have policies and procedures that govern parent notification, incident reporting, data collection and monitoring of the use of restraint or seclusion for students with disabilities in place no later than January 31, 2011. In July 2011, s. 1003.573, F.S., was amended to require that the FDOE establish standards for documenting, reporting and monitoring the use of manual or physical restraint and occurrences of seclusion. In September and October 2011, the standards established by the FDOE were provided to school districts and were included in the district’s **Exceptional Student Education Policies and Procedures (SP&P)** document.

ESE Monitoring and Assistance Process

Background Information

The 2013-14 ESE Monitoring and Assistance process focuses on those State Performance Plan (SPP) indicators that contributed to the targeting of school districts for CEIS and the following indicators that affect equity and access in the educational environment for students with disabilities:

- Indicator 1 – Graduation: Percentage of youth with individual educational plans (IEPs) graduating from high school with a regular diploma.
- Indicator 2 – Dropout: Percentage of youth with IEPs dropping out of high school.
- Indicator 4 – Rates of suspension and expulsion:
 - A. Percentage of districts that have a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.
 - B. Percentage of districts that have (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and support, and procedural safeguards.
- Indicator 5 – Educational environments:
Percentage of children with IEPs aged 6 through 21:
 - A. Inside the regular class 80 percent or more of the day;
 - B. Inside the regular class less than 40 percent of the day; and
 - C. In separate schools, residential facilities, or homebound/hospital placements.
- Indicator 10 – Disproportionality, specific disability categories: Percentage of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
- CEIS – Services provided to students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral supports to succeed in a general education environment.
- Restraint – Rate of incidents of restraint, as reported in the FDOE website.
- Seclusion – Rate of incidents of seclusion, as reported in the FDOE website.

The 2013-14 ESE Monitoring and Assistance process includes four phases:

- Phase 1 is composed of planning activities that occur in advance of the first on-site visit to the school district.
- Phase 2 is the initial on-site visit to the selected school district by the state support team (SST).
- Phase 3 includes follow-up and post-initial visit activities that will be conducted by a designated “follow-up team,” as determined by the SST, and identification of the ongoing data that will be collected.
- Phase 4 includes evaluation of the effectiveness of the school district’s action plan, and should include participation of the comprehensive team that was involved in Phase 1.

For ESE compliance monitoring purposes, the bureau required all school districts to participate in the 2013-14 Level I Fall Cycle Self-Assessment process, which included the review of records for implementation of IEPs and a review of incidents of restraint and seclusion. School districts

identified as part of the monitoring and assistance process with on-site visits during the 2013-14 school year were exempt from self-assessing school records for IEP implementation and restraint and seclusion. Instead, bureau members of the school district's SST reviewed a sample of records as part of the on-site visit.

In a letter dated August 27, 2013, the superintendent of the Hillsborough County School District was informed that the bureau would be conducting an on-site monitoring visit for the following focus areas: seclusion, restraint and discipline for students with disabilities.

School Selection

Upon review of the school district's data reported via the FDOE's web-based reporting systems for incidents of restraint and seclusion and SPP indicator 4B, and additional data provided by the school district, it was determined that the monitoring and assistance process would involve the following schools and programs for record reviews, school-level administrator interviews or on-site visits:

- Buchanan Middle School
- Chamberlain High School
- Dorothy Thomas Exceptional Center
- Eisenhower Middle School
- Gibsonton Elementary School
- Lockhart Elementary Magnet School
- Madison Middle School
- Morgan Woods Elementary School
- North Tampa Alternative School
- Van Buren Middle School
- Wharton High School
- Kindergarten – Grade 12 (K-12) Non-Traditional Programs: Alternative to Out-of-School Suspensions (ATOSS)
 - Mort Park and Recreation Center
 - Zonta Boys and Girls Club

Pre-visit School-Level Administrator Interviews

Prior to the on-site visit, interviews were conducted via telephone with school and district-level administrators from Chamberlain High School, Dorothy Thomas Exceptional Center, Gibsonton Elementary School, Lockhart Elementary Magnet School and Madison Middle School.

On-Site Activities

SST – On-Site Visit Team

The following SST members conducted the monitoring and assistance on-site visit:

FDOE, Bureau of Exceptional Education and Student Services

- Monica Verra-Tirado, chief (facilitator)
- Annette Oliver, program specialist (co-facilitator)
- Misty Bradley, program director
- Vicki Eddy, program specialist
- Angela Nathaniel, program specialist
- Janie Register, program specialist

FDOE/Bureau Discretionary Projects

- Stephanie Martinez, research and evaluation coordinator, Florida's Positive Behavior Support (PBS) Project (action-planning and problem-solving facilitator)
- Karen E. Childs, research and evaluation coordinator, PBS Project (action-planning and problem-solving co-facilitator)
- Karen A. Berkman, executive director, Center for Autism and Related Disabilities, University of South Florida (USF)
- Linda Hammonds, school improvement specialist, Region IV FDOE Office of Differentiated Accountability (DA), USF Problem-Solving/Response to Intervention Project (PS/Rtl)
- Michael Levine, supervisor, Florida Diagnostic and Learning Resources System
- Michael Muldoon, regional facilitator, Florida Inclusion Network (FIN)/West Region
- Clara Reynolds, project manager, Multiagency Network for Students with Emotional/Behavioral Disabilities
- Roxana Santos, school improvement specialist, Region IV, FDOE Office of DA, USF PS/Rtl

Data Collection

On-site monitoring and assistance activities included the following:

- School-level administrator interviews – 42 participants
- K-12 non-traditional programs (ATOSS) interviews – 2 participants
- Student focus groups and interviews – 30 participants
- School and ATOSS program walk-through observations – 7
- Completion of seclusion rooms inspection checklist – 6 rooms
- Completion of Seclusion and Restraint protocol – 5 students
- Completion of IEP Implementation protocol – 15 students
- Completion of Suspension and Expulsion protocol – 5 students
- Action-planning and problem-solving process – 21 participants
- Review of data from the school district's **Local Educational Agency (LEA) Profiles, Guiding Questions** – District Level Needs Assessment and data compiled from district data systems

Review of Records

The school district was asked to provide the following documents, as applicable, for each of the 20 students selected for review of restraint or seclusion, IEP implementation or discipline:

- IEPs for current and previous school year
- Current functional behavioral assessment
- Current behavioral intervention plan (BIP)
- Discipline and attendance records for 2013-14 school year
- Progress reports and report cards (current and previous year)
- Student's current schedule
- Parent notifications and other documentation related to incidents of restraint and seclusion
- Verification of training for staff members involved in incidents of restraint or seclusion
- Verification of the provision of related services and accommodations (lesson plans, teacher schedules and therapy logs)

Guiding Questions – District-Level Needs Assessment

Prior to the on-site visit, the school district was provided with questions to use as a guide in the collection of data. SST and district staff reviewed these data during the action-planning and problem-solving process. Hillsborough County School District’s questions were related to seclusion, restraints and SPP indicator 4B. A list of these questions is located in Appendix A of this report.

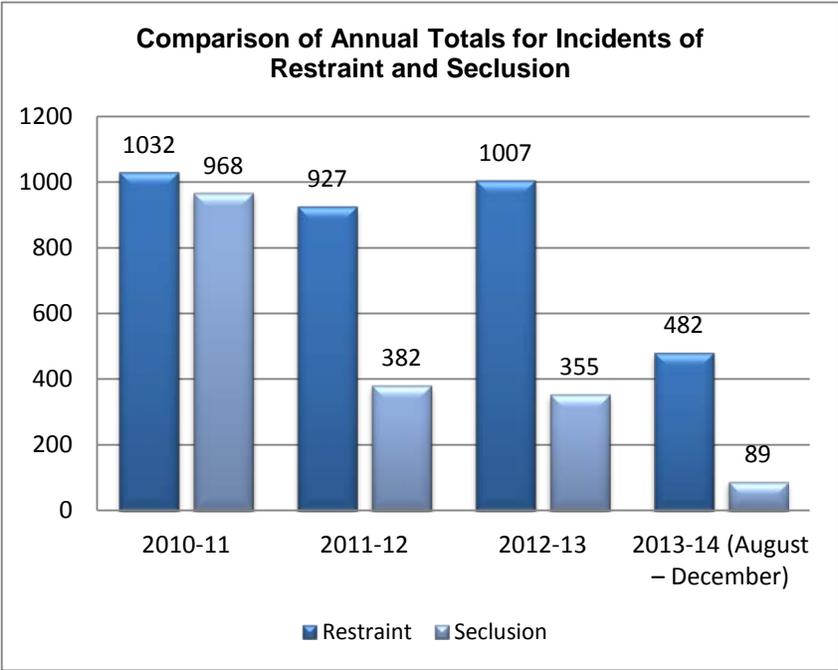
Results

The following results reflect the data collected and reviewed through the activities of the 2013-14 ESE Monitoring and Assistance process for Hillsborough County School District. Also included are commendations, findings of noncompliance and next steps, as applicable.

Restraint and Seclusion

According to the school district’s SP&P document and the responses to the **Guiding Questions – District-Level Needs Assessment** document, the school district trains personnel with regard to the use of restraint and seclusion using the following crisis management programs: Techniques for Effective Aggression Management (T.E.A.M.) and Nonviolent Crisis Intervention. A school can select either program, but T.E.A.M. is usually recommended if the school staff are dealing with the most physically challenging behaviors or when maintaining safety at a school is an ongoing challenge for a school site.

Data Review



Source: Hillsborough County School District, ESE Department

Total Number of Incidents of Restraint and Seclusion by Race or Ethnicity						
School Year/Race	Asian	American Indian	Black	Hispanic	White	2+ races
2010-11	*	*	1070	*	871	49
2011-12	*	*	577	*	679	50
2012-13	*	*	551	*	659	151
2013-14 (August –December)	*	*	183	*	359	27

Source: Hillsborough County School District, ESE Department *Number is less than 10, including zero

Total Number of Incidents of Restraint and Seclusion by Primary Exceptionality**															
Year	ASD	DD	DHH	DS	EBD	HH	InD	LI	OHI	OI	SI	SLD	TBI	VI	504
2010-11	393	23	*	*	1031	*	314	*	49	53	*	87	15	*	17
2011-12	434	*	*	*	613	*	152	10	42	*	*	21	14	*	*
2012-13	363	35	*	*	766	*	111	13	28	12	*	11	*	*	13
2013-14 (August – December)	193	*	*	*	241	*	55	28	27	*	*	11	*	*	*

Source: Hillsborough County School District, ESE Department *Number is less than 10, including zero

**Exceptionalities:

ASD – Autism spectrum disorder

DD – Developmental delay

DHH – Deaf or hard of hearing

DS – Dual sensory Impairment

EBD – Emotional or behavioral disability

HH – Homebound or hospitalized

InD – Intellectual disabilities

LI – Language impairment

OHI – Other health impairment

OI – Orthopedic impairment

SI – Speech impairment

SLD – Specific learning disability

TBI – Traumatic brain injury

VI – Visual impairment

504 – Students with disabilities with 504 Plans

In addition to the data above, the school district reported the following during interviews, review of the guiding questions and the action-planning and problem-solving process:

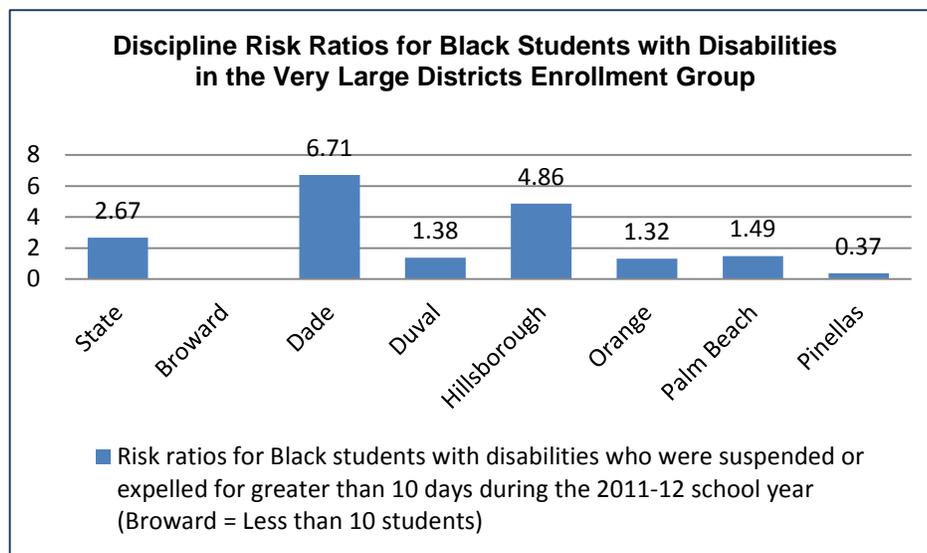
- Between August and December 2013, there were 89 incidents of seclusion. This was a reduction from the 175 incidents reported for the same period during the 2012-13 school year.
- Between August and December 2013, there were 482 incidents of restraint. This was an increase from the 432 incidents reported for the same period during the 2012-13 school year.
- Between August and December 2013, 14 schools reported incidents of seclusion; 48 schools reported incidents of restraint.
- The school district's goal is to reduce incidents of restraint and seclusion by 10 percent, as referenced in their SP&P document.
- The school district's support for school-level evidence-based practices includes the following:
 - The District Intervention Review Committee (DIRC) is composed of multi-agency and cross-department staff. DIRC monitors data, collaborates with area supervisors and site administrators, implements a behavior coach model and participates in monthly triage meetings with behavior coaches to analyze data by student.

- Pre-planning professional development activities were provided for every school site to address safety, supervision, ownership and elopement.
- Individual school safety plans along with teacher and paraprofessional schedules were reviewed by area leadership directors and area ESE supervisors, and feedback was provided to the principals.
- Activities that are occurring in the school district in regard to implementing the strategies in the SP&P document include the following:
 - A district task force specifically designed to address the needs of students with disabilities has been developed to assist schools with creating professional learning communities (PLCs) to address positive behavioral support options for students related to behavioral needs. The task force will outline possible interventions, proactive or preventative practices, and alternatives to school removals and will assist teams with analyzing data related to disciplinary removals at each school site.
 - All site administrators or designees have been trained to use the FDOE web-based restraint and seclusion system.
 - Behavior coaches are evaluating the effectiveness of BIPs and health care plans.
 - The district conducts random reviews of documentation at school sites and completes monthly monitoring and analysis of the restraint and seclusion data.

During the on-site visit, SST members visited seclusion rooms at Dorothy Thomas Exceptional Center and Lockhart Elementary Magnet School. All rooms that were currently being used for seclusion met the requirements in State Board of Education Rule 69A-58.0084, Florida Administrative Code.

Discipline (Suspensions and Expulsions)

Discipline risk ratios by racial or ethnic group are calculated for students with disabilities by dividing the discipline rate of a specific racial or ethnic group by the rate of all nondisabled students. (For example: A risk ratio of 1.0 indicates that, for instance, black students with disabilities are equally likely to be suspended or expelled as all nondisabled students.)



Source: 2013 LEA Profile - FDOE (for each of the above districts)
<http://www.fldoe.org/ese/datapage.asp>

Discipline Risk Ratios by Race or Ethnicity				
Race	2010-11 School Year*		2011-12 School Year**	
	State	Hillsborough	State	Hillsborough
White	0.86	0.99	0.80	0.87
Black	2.81	5.05	2.67	4.86
Hispanic	1.14	1.53	1.01	1.02
Asian	0.32			
American Indian and Alaskan Native	0.94		1.03	
Native Hawaiian and Other Pacific Island				
Two or more races	1.26	2.79	1.34	
<i>Blank cells indicate that there are fewer than 10 students with disabilities for a specific race/ethnic group suspended or expelled for greater than 10 days.</i>				
<i>Source: *2012 LEA Profile; **2013 LEA Profile - FDOE (http://www.fldoe.org/ese/datapage.asp)</i>				

The school district reported the following during a review of the guiding questions and the action-planning and problem-solving process regarding the number of black students with disabilities who were suspended or expelled for greater than 10 days:

- 2011-12 school year – 236 students (4.86 risk ratio)
- 2012-13 school year – 110 students (8.19 risk ratio)
- 2013-14 school year (August – December 2013) – 33 students (7.26 risk ratio)

In regard to how school-level evidence-based practices are being supported by the school district, specifically related to the suspension and expulsion of black students with disabilities, the school district’s responses to the guiding questions included the following:

- Area staffing coordinators monitor suspension data monthly. They conduct site visits to schools to discuss data and interventions.
- During full-time equivalent pre-verification, district staff meet with site staff to review suspension data.
- There is a district work group to assist with developing alternatives to suspension.

In regard to implementing the strategies in the SP&P document relating to discipline risk ratios of students with disabilities, by race or ethnicity, the school district reported the following:

- The ESE director has addressed all administrators at whole group meetings.
- A district task force specifically designed to address the needs of students with disabilities has been developed to assist schools with creating PLCs to address PBS options for students related to behavioral needs. The task force will outline possible interventions, proactive and preventative practices, and alternatives to school removals and will assist teams with analyzing data related to disciplinary removals at each school site.
- An “early warning system” has been implemented, in that school personnel are alerted to address the Procedures when Disciplining Students with IEPs document when the removals are close to 10 school days.
- District personnel are in the process of collaborating with the Information Services department to develop an automated system similar to the school district’s attendance process whereby a letter will be generated when a student reaches a certain number of days of removal. This letter would provide an additional alert to school personnel to follow

the procedures listed above when the days of removal for an individual student are approaching 10 school days during the current school year.

In July 1999, in an attempt to reduce the number of students in out-of-school suspension (OSS) while providing a safe, off-campus learning environment for students, Hillsborough County School Board approved the establishment of an ATOSS program for students in grades six through 12. District staff reported that the program was developed with community support as a viable alternative to having students who are suspended being unsupervised during the day.

According to documents provided by the school district in regard to K-12 Non-Traditional Programs, ATOSS is a suspension amnesty program that provides behavioral and academic help for students who have been suspended from school as a consequence for inappropriate behavior. There are 12 ATOSS centers that are housed in community centers, Boys and Girls Clubs and recreation centers across the school district. Parents can elect to have their child attend any of the 12 centers. Students who successfully complete the program are counted in full attendance for their time in ATOSS and have the opportunity, upon returning to school, to make up any work they missed. Students must make arrangements to make up their work with their teachers within three days of returning to school and submit it by the deadline the teacher provides. Students who elect to attend ATOSS are responsible for transportation and must be accompanied by a parent on the first day for registration and during a brief orientation.

Two of the 12 centers were included in the on-site monitoring and assistance visit. Each center is assigned at least one teacher and one police officer. According to the ATOSS Program Schedule and Overview of Operations, during the first part of the day, students complete grade-appropriate assignments in writing, mathematics and reading that focus on State Standards. Students who bring assignments from their school are provided time to complete them independently with teachers providing assistance as needed. The school district staff reported that approximately 10 percent of students bring work from their schools. The school day is designed so that after lunch students participate in career education and career exploration activities that are designed to provide students with the tools needed to consistently make positive, appropriate decisions.

According to district staff, teachers at the ATOSS centers are responsible for documenting attendance in the district's attendance system; however, they do not have general access to the student's information through the district's information system (i.e., IEP, 504 Plans, student course schedule). The parents are asked to provide information about medication and disabilities or special needs when they complete the general information form.

School-level administrators who were interviewed by SST members reported that only about 10 to 20 percent of students at their schools who receive OSS participate in the ATOSS program. Reported barriers to students participating in the program included the requirement that prior to the student's attendance, parents must accompany the student on the first day for registration and a brief orientation. Additionally, there is a negative perception of the target group of students for whom the program is designed (i.e., "only bad kids go there").

Transportation was thought to be the biggest barrier to students attending the program. According to the Parent/Guardian General Information form, transportation to and from the centers is the responsibility of the parent or guardian, and students who are picked up late are subject to dismissal from the program. Some staff estimated that about 50 percent of the

students could walk to an ATOSS center, but parents have to attend orientation on the first day and the students have to be picked up each day.

Data provided by the school district for the 2013-14 school year (August – December 2013) indicated that approximately 2,800 students with disabilities have had one or more days of in-school suspension (ISS), OSS or ATOSS, for approximately 12,800 total days. ATOSS participation totals approximately 6,490 (50.7 percent) of those days.

During interviews with school-level administrators conducted for the purpose of identifying the factors that result in the high number of black students who were suspended for 10 or more days, the following ideas were suggested: lack of student-teacher relationships, environmental issues (gangs, fighting), poor social skills (verbal disrespect), lack of supports at home, poor role models and the use of social media to engage other students outside their neighborhoods.

Student Focus Groups

Student focus groups were conducted at two middle schools and one high school during the monitoring and assistance on-site visit. Student views were collected on the following topics: IEP team meetings and parental participation, career and technical education, academics, extracurricular activities, Florida Comprehensive Assessment Test ® (FCAT) 2.0, diploma options, dropout, and suspension and expulsion. On average, eight ESE students at each of the middle schools and seven students at the high school volunteered to participate in the focus groups.

Nine of 16 (56.3 percent) students at the middle schools and six of seven (85.7 percent) students at the high school indicated that they have participated in the IEP process. All students in the focus groups were working toward a standard diploma and had clear post-high-school goals that included attending college or technical school. Students reported that they had to inform some of their general education teachers that they received classroom accommodations. Although some students reported that ESE students are treated differently at school, by far most students indicated that they were treated the same and had the same opportunities to participate in extracurricular activities as all students. In reference to academic classes, some of the students at the middle schools felt their ESE resource classes were not preparing them to be successful on the FCAT. Seven of seven (100 percent) students at the high school indicated that they knew someone who had dropped out of school; however, dropping out was not something they had considered. All of the high school focus group students reported that they felt they had someone in school or in the community they could talk to in regard to dropout concerns.

Students presented a clear understanding of what kind of behaviors trigger disciplinary actions. Students at the middle schools reported the following behaviors would cause someone to receive ISS, referral to ATOSS and OSS: verbal disrespect, excessive tardiness, dress code violation, disruptive behavior, horse playing and fighting. Five of the seven (71.4 percent) students at the high school reported that black males are often targeted for random “pat downs” and locker and backpack searches because of being stereotyped based on how they dress.

Fourteen of the 16 (85.7 percent) middle school and seven of seven (100 percent) high school students knew about ATOSS, but very few reported taking advantage of the program and elected to stay at home. They reported that the barriers to attending ATOSS programs included transportation, parents unable to attend mandatory meeting on the first day, parents having to

pick their children up from the programs, and the negative perception of the target group of students for whom the program is designed (i.e., “only bad kids go there”).

Commendations

1. A district task force specifically designed to address the needs of students with disabilities has been developed to assist schools with creating PLCs to address PBS options for students related to behavioral needs. The task force will outline possible interventions, proactive and preventative practices, and alternatives to school removals and will assist teams with analyzing data related to disciplinary removals at each school site.
2. The school district has an overall reduction of restraint and seclusion from the previous school year. Two center schools reported that they were no longer using seclusion.
3. The standard diploma rate for students with disabilities exceeds the rate of other districts in this enrollment group, as well as the state average.
4. The school district’s dropout rate of 2 percent is below the enrollment group and state averages for all students with disabilities and students with emotional or behavioral disabilities and specific learning disabilities.
5. The school district has a long-standing alternative to OSS that is available to all students.

ESE Monitoring and Compliance

Records Review

Bureau staff reviewed records of 20 students in the school district, from a sampling of nine schools. Standards from the IEP Implementation, Restraint and Seclusion and SPP 4 – Discipline protocols were reviewed. No findings of noncompliance were noted in these records.

Action-Planning and Problem-Solving Process and Next Steps

As part of the monitoring and assistance on-site visit, the SST members, ESE director and representatives from the Hillsborough County School District participated in an action-planning and problem-solving process. The group reviewed the data collected prior to and during the on-site visit and developed a list of priorities and obstacles. An action plan was developed to address the first priority selected, which was related to keeping all students, including students with disabilities, in school and engaged to be prepared for college and career readiness.

The school district’s action plan included the following:

- Exploring the ability to expand the pool of qualified candidates for behavior coach positions
- Being creative in using supports that the school district currently has, and offering supports via other positions, such as the district resource teacher and the multi-tiered system of support (MTSS) facilitator; and
- Reviewing the OSS data for students with disabilities to determine strategic use of additional behavior-coaching support.

Next Steps	
Educational environment	
Summary:	The resource room placement of 15 percent exceeds the school district's enrollment group and the state average.
Recommendation:	The school district should continue to consider ways that the specially designed instruction offered in the resource room for students with disabilities could be supported and implemented in the general education setting.
Required Action:	None
Alternatives to suspensions for students with disabilities	
Summary:	<ul style="list-style-type: none"> • 34 CFR §300.530(d)(1) clarifies that a child with a disability who is removed from his or her current placement for disciplinary reasons under 34 CFR §300.530(c) or (g) must continue to receive educational services as provided in 34 CFR §300.101(a), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting his or her IEP goals. • Because the district is counting a student's days in ATOSS as days in school, there is an obligation to provide educational services as specified in 34 CFR §300.530(d)(1). • Students with disabilities had limited access to the programs due to lack of transportation. • Not all students were provided the opportunity to continue with their classroom assignments while in an ATOSS center. Although students were able to make up work when they returned to their home school, students reported that it was difficult to maintain their current work while they made up missed assignments. • Staff did not consistently receive IEP and 504 Plan information for students with disabilities participating in the program.
Recommendations:	<p>The school district should consider the following when using alternatives to OSS:</p> <ul style="list-style-type: none"> • The school district's discipline database should reflect OSS for those students with disabilities who were offered, but did not participate in, ATOSS. It appears that, in some cases, students that were recommended for ATOSS, but did not attend, were not recorded as OSS for those days, causing concerns about the accurate reporting of discipline data. • Provide transportation; • Provide the opportunity to continue to work on goals as identified in the students' IEPs; • Provide the opportunity for students to work on assigned classwork from their home school; and • Ensure that teachers at the ATOSS centers have access to the students' IEPs or other required educational plans.

Next Steps	
Required Actions:	<p>By July 31, 2014, the school district must provide reports to the bureau of student attendance, discipline data and ATOSS attendance for students with disabilities, for the period of August 1, 2013, to May 30, 2014, for the following schools:</p> <ul style="list-style-type: none"> • Buchanan Middle School • Chamberlain High School • Eisenhower Middle School • Gibsonton Elementary School • Madison Middle School • Morgan Woods Elementary School • North Tampa Alternative School • Van Buren Middle School • Wharton High School <p>By July 31, 2014, the school district must provide reports to the bureau of student attendance, discipline data and ATOSS attendance for students with disabilities, for three additional middle schools and two high schools, according to a sampling established by the school district. The reports must cover the period of August 1, 2013, to May 30, 2014.</p>
Phases 3 and 4 of the ESE Monitoring and Assistance process	
Summary	<ul style="list-style-type: none"> • Additional action-planning and problem solving for other priorities for the school district in regard to restraint and seclusion and discipline will be scheduled by the SST liaison for the school district and the ESE director. • By January 20, 2015, the SST team, ESE director and designated district staff will evaluate the effectiveness of the school district's action plan(s) and determine additional next steps, as appropriate.

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 and provides an overview of the critical components of an MTSS for behavior. These critical components describe systems changes that are necessary for a results-driven ESE system.
2. The district's **ESE Policies and Procedures** document provides district- and school-based standards for documenting, reporting and monitoring the use of manual, physical or mechanical restraint and seclusion developed by the FDOE. The school district's document for the 2013-14 through 2015-16 school years may be accessed at <http://beess.fcim.org/sppDistrictDocSearch.aspx>.
3. The technical assistance paper entitled **Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities**, dated October 14, 2011, may be accessed at <http://info.fldoe.org/docushare/dsweb/Get/Document-6212/dps-2011-165.pdf>. This document provides guidance regarding the use, documenting, reporting and monitoring of restraint and seclusion with students with disabilities in school districts, including (a) when restraint or seclusion might be used, (b) considerations when selecting a training program for restraint, (c) what should be documented, (d) parent notification and reporting, and (e) monitoring use. It also contains information about s. 1003.573, F.S., Use of restraint and seclusion on students with disabilities.
4. The United States Department of Education, in collaboration with the United States Department of Justice, released **School Discipline Guidance** in the January 2014, Volume 4, Issue 1 of the **Office of Special Education Programs Monthly Update**. This package will assist states, districts and schools in developing practices and strategies to enhance school climate, and ensure those policies and practices comply with federal law. The resource documents listed below are included in the package, and are available at <http://www.ed.gov/school-discipline>:
 - **Dear Colleague** guidance letter on civil rights and discipline;
 - **Guiding Principles** document that draws from emerging research and best practices;
 - **Directory of Federal School Climate and Discipline Resources** that indexes federal technical assistance and other resources; and
 - **Compendium of School Discipline Laws and Regulations** that catalogue State laws and regulations related to school discipline.
5. According to s. 1003.57, F.S., once every three years, each school district and school shall complete a Best Practices in Inclusive Education (BPIE) assessment with a FIN facilitator and include the results of the BPIE assessment and all planned short-term and long-term improvement efforts in the school district's SP&P. BPIE is an internal assessment process designed to facilitate the analysis, implementation and improvement of inclusive educational practices at the district and school team levels.

A FIN facilitator is available to assist the school district in scheduling and completing the BPIE, and based on the results, will identify how FIN can provide support to the school district (<http://www.floridainclusionnetwork.com/>).

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

2013-14 ESE Monitoring and Assistance

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**Florida Department of Education
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.

ATOSS	Alternative to out-of-school suspensions
BEESS	Bureau of Exceptional Education and Student Services
BIP	Behavioral intervention plan
BPIE	Best Practices for Inclusive Education
BRIC	BEESS Resource and Information Center
Bureau	Bureau of Exceptional Education and Student Services
CEIS	Coordinated early intervening services
CFR	Code of Federal Regulations
DA	Differentiated Accountability
DIAP	District Improvement and Assistance Plan
DIRC	District Intervention Review Committee
EBD	Emotional or behavioral disability
ESE	Exceptional student education
FCAT 2.0	Florida Comprehensive Assessment Test 2.0
FIN	Florida Inclusion Network
FLDRS	Florida Diagnostic and Learning Resources System
FDOE	Florida Department of Education
F.S.	Florida Statutes
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
ISS	In-school-suspension
LEA	Local educational agency
MTSS	Multi-tiered system of support
OSS	Out-of-school suspension
PBS	Positive Behavior Support
PBS/MTSS	Positive Behavior Support/Multi-tiered System of Supports
PS/Rtl	Problem-Solving/Response to Intervention
PLC	Professional learning community
Rtl	Response to intervention
SP&P	Exceptional Student Education Policies and Procedures
SPP	State Performance Plan
SST	State Support Team
T.E.A.M.	Techniques for Effective Aggression Management
TATS	Technical Assistance and Training System for Programs Serving Young Children with Disabilities
USF	University of South Florida

Appendix A

Guiding Questions – District-Level Needs Assessment

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Appendix A: Guiding Questions – District-Level Needs Assessment

1. What are the most current data levels on each of the targeted BEESS indicators?
2. What is the gap between BEESS expected level(s) of targeted indicators and your district's current level(s) of targeted indicators?
3. Do data indicate equity issues related to the selected BEESS indicators? Are there subgroups for which the gap between expected and goal levels of performance and current levels of performance is more or less significant?
 - Gender
 - Race or ethnic group
 - Economically disadvantaged
 - Students with disabilities (by each sub-group)
 - English language learners
 - Comparison within and across above sub-groups
4. Disaggregate district-level indicator data to school levels. Which schools are contributing to total district frequency for each of the targeted BEESS indicators?
5. Disaggregate school-level indicator data by grade level. Which grades within each school are contributing to total school frequency for each of the targeted BEESS indicators?
6. Disaggregate between type of school (elementary, middle school and high school) by student outcomes.
7. What evidence-based practices are currently planned for use or implementation at the school level?
8. Are the expected evidence-based practices occurring sufficiently?
9. If expected evidence-based practices are not occurring or not occurring sufficiently, why not? (What are some potential barriers specific to targeted BEESS indicators at the school level?)
10. How are school-level evidence-based practices being supported by the district specific to BEESS indicators being targeted for improvement?
11. Are district supports for school-level practices being provided sufficiently?
12. If district supports are not occurring or not occurring sufficiently, why not? (What are some potential barriers specific to targeted BEESS indicators at the district level?)
13. What strategies, initiatives and resources have been identified in the District Improvement and Assistance Plan (DIAP) with regard to achieving annual measurable outcomes targets for students with disabilities?
14. As applicable, has the mid-year reflection based on mid-year assessment data been completed, and what, if any, adjustments have been made to the DIAP with regard to strategies to improve outcomes for students with disabilities?
15. What does the **ESE Policies and Procedures** document reflect with regard to the district's goal to improve targeted indicator performance? Did the district achieve the goal set during the prior year?
16. What is occurring to implement the strategies in the SP&P with regard to targeted indicator performance?
17. Based on all of the above answers, what priorities will be targeted to improve BEESS targeted indicators?



Florida Department of Education
Pam Stewart, Commissioner

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