



Exceptional Student Education Updates

Florida Organization of Instructional Leaders (FOIL) - 2022

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Bureau of Exceptional Education and Student Services



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Agenda

- ESE Updates
 - Data
 - ESE Reporting
 - District ESE Performance Determinations
 - ESE Monitoring
 - Transition
 - Federal Guidance
- Coming Soon
- Questions

Title V, Chapter 19, Section 39.0016 of Florida Statutes

“Improving educational results for children with disabilities is an essential element of our public policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities...”

FDOE's Mission and Vision

- The mission of Florida's K-20 education system shall be to increase the proficiency of **all students** within one seamless, efficient system, by allowing them the opportunity to expand their knowledge and skills through learning opportunities and research valued by students, parents, and communities.
- Florida will have an efficient world-class education system that engages and prepares **all students** to be globally competitive for college and careers.

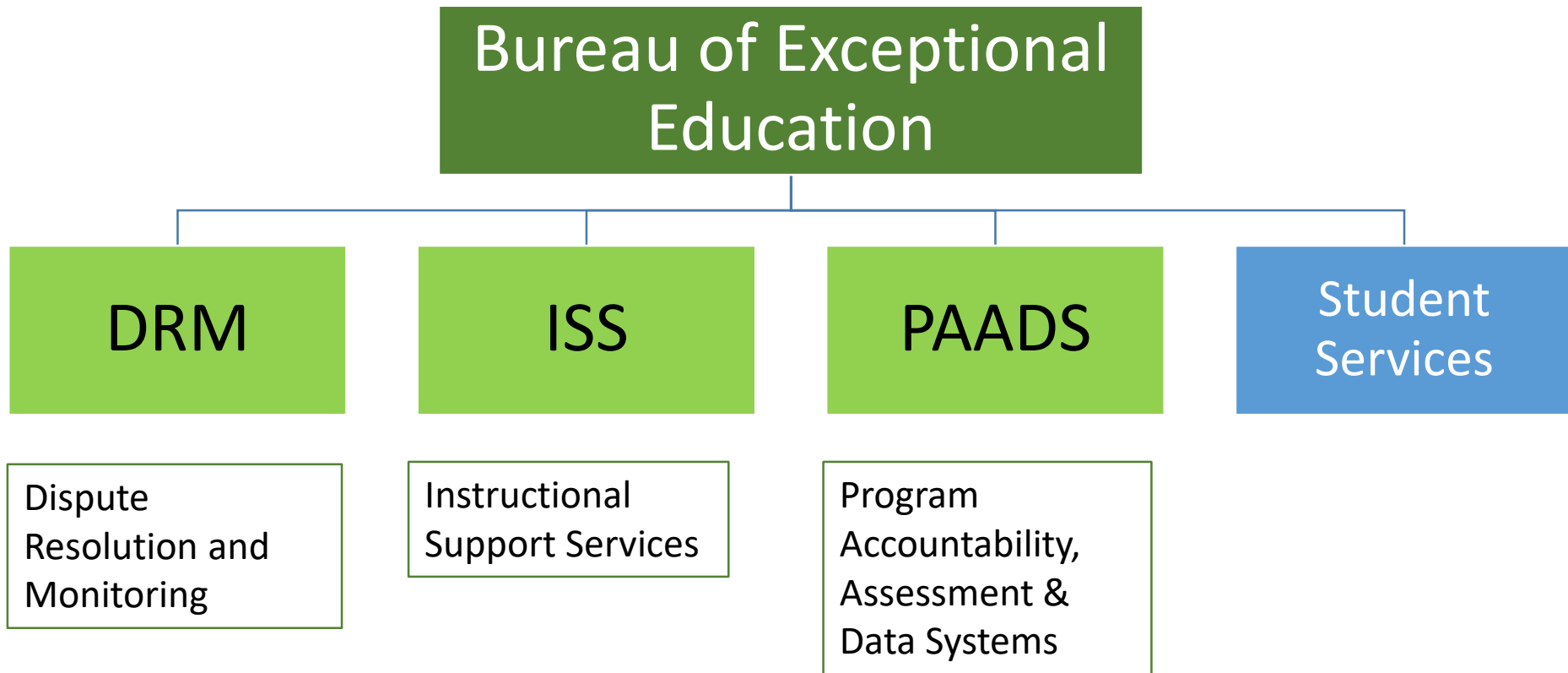
From: Section [1008.31, F.S.](#), and [FDOE's Strategic Plan](#) (2021)

FDOE's Goals:

1. Highest student achievement, as indicated by evidence of student learning gains at all levels.
2. Seamless articulation and maximum access, as measured by evidence of progression, readiness, and access by targeted groups of students identified by the Commissioner of Education.
3. Skilled workforce and economic development, as measured by evidence of employment and earnings.
4. Quality efficient services, as measured by evidence of return on investment.

From: Section [1008.31, F.S.](#), and [FDOE's Strategic Plan](#) (2021)

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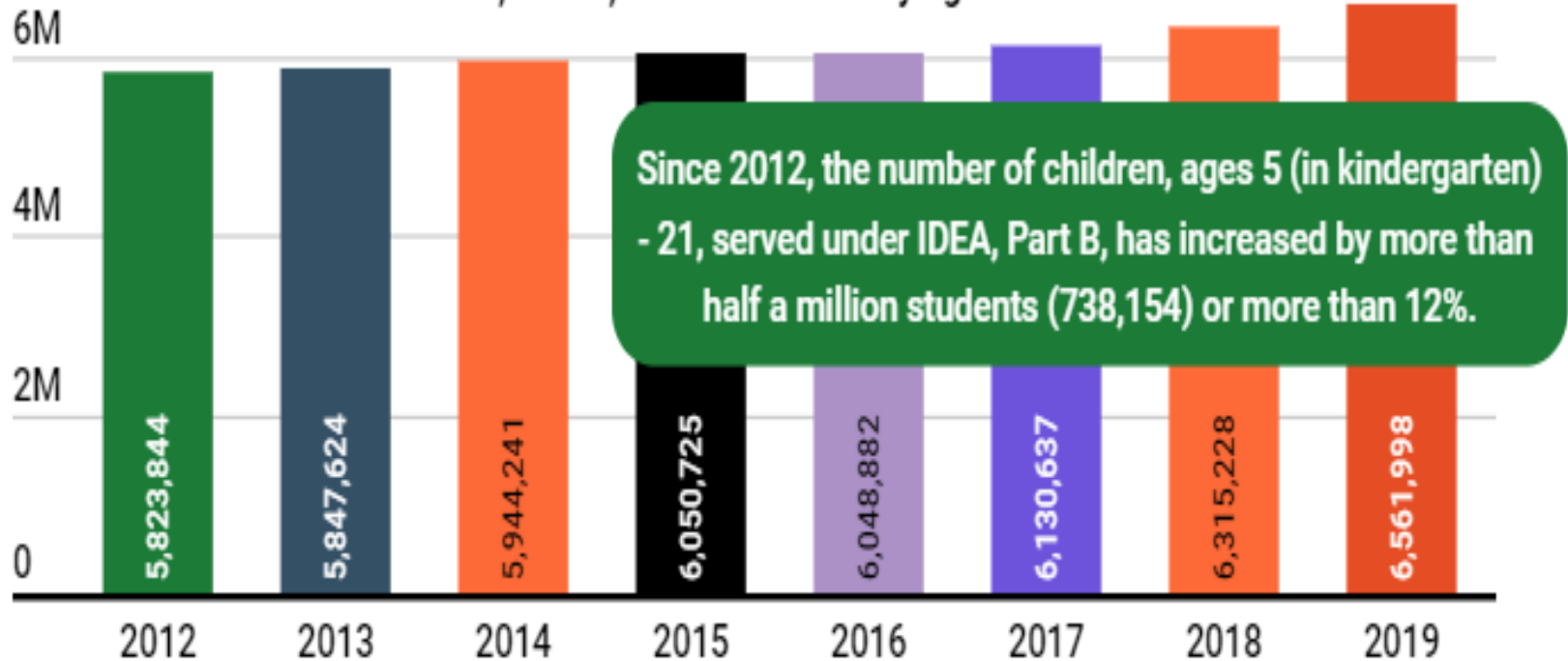
DRM	ISS	PAADS
State Complaints	IDEA Part B State Application & SSIP	Federal & State Data Submissions
State Facilitate IEP meetings	Stakeholder Input Management	ESE Support to Auditor General's Office
Mediation	SWD Assessment	SWD Assessment
Due Process (DOAH)	SWD Legislative	Monitoring for Performance (On-Sites)
Desktop Monitoring for Compliance	Topic/Disability Specific PD and TA	IDEA Part B State Application & Entitlement Grants (PK & K-12)
Office of Inspector General (OIG) support	Discretionary Project Liaisons	State and Federal SWD Discretionary Grants
ESE Specific Policies & Procedures (ESE P&Ps)	ESE Specific Policies & Procedures (ESE P&Ps)	ESE Specific Policies & Procedures (ESE P&Ps)
SPP/APR, ESE Strategic Plan	SPP/APR, ESE Strategic Plan	SPP/APR, ESE Strategic Plan



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ESE DATA

**Number of Children with Disabilities, Ages 6 through 21 and 5 (in kindergarten) through 21,
Served Under IDEA, Part B, in the US and Outlying Areas: SY 2012-19**



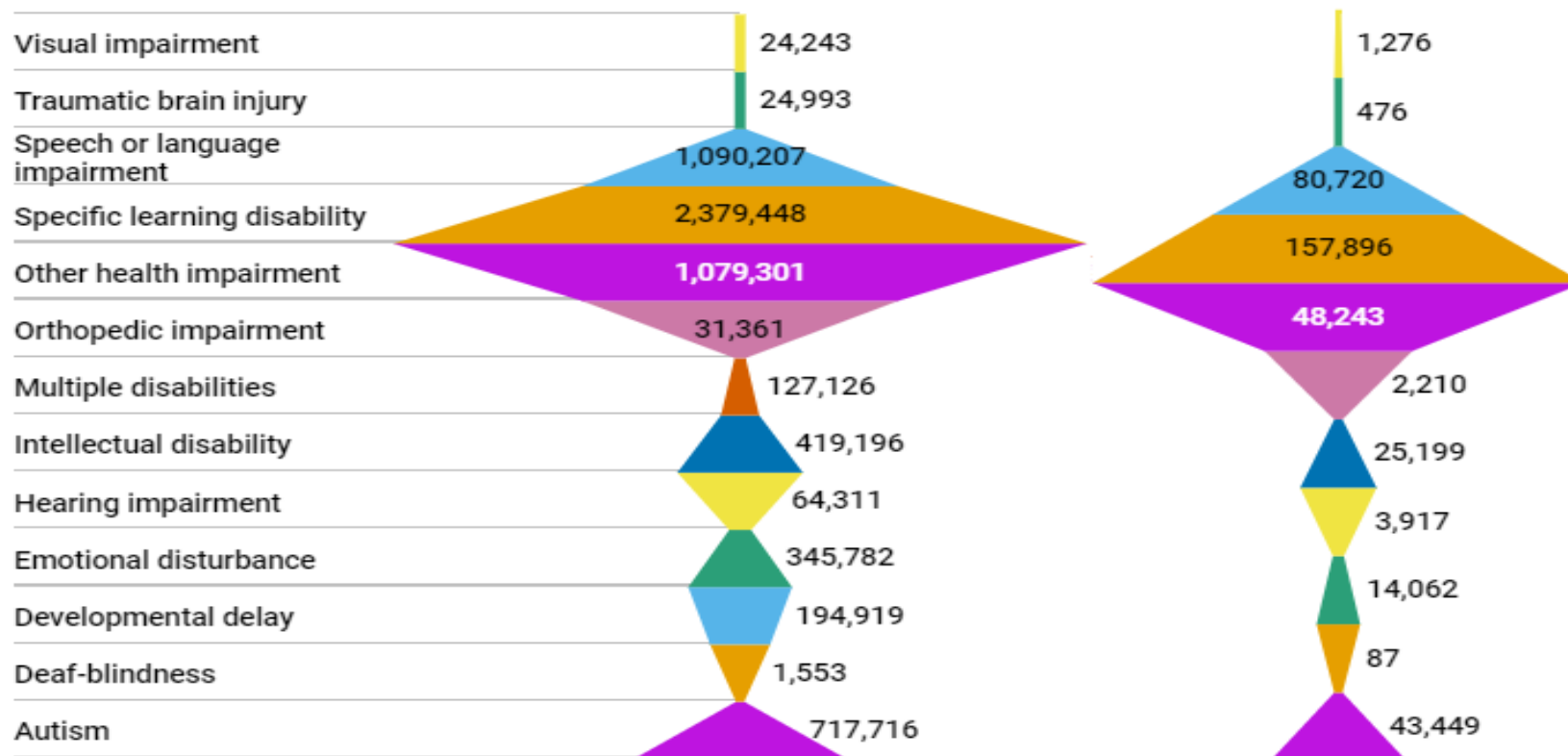
Source: U.S. Department of Education, EDFacts Data Warehouse (EDW): "IDEA Part B Child Count and Educational Environments Collection," 2012-19. <http://go.usa.gov/xdp4T>. Data from 2012-2018 includes aged 6-21 and 2019 includes aged 5 (in kindergarten)-21. SY 2019-20 was the transition year for reporting 5-year-olds in Kindergarten in FS002 - Children with Disabilities (IDEA) School Age. States/entities had the option to report children that are 5 years old in the reporting categories "Age 5 (School Age)" and "Age 5 (Early Childhood)". The permanent change takes place in SY 2020-21.

<https://sites.ed.gov/idea/osep-fast-facts-school-aged-children-5-21-served-under-idea-part-b-21/>

Number of Students with Disabilities, Ages 5 (in kindergarten)-21, by Disability Category, Served Under IDEA, Part B, in the US, Outlying Areas, and Freely Associated States: SY 2019-20

US, Outlying Areas, and Freely Associated States

Florida

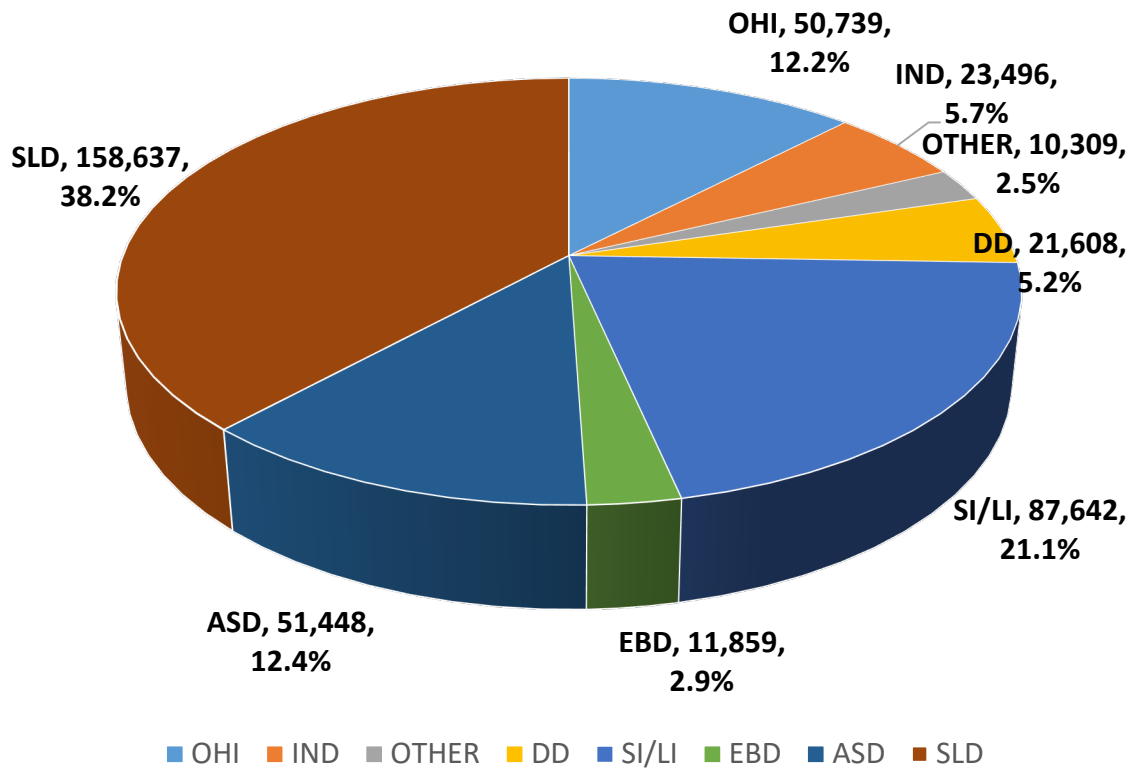


Source: U.S. Department of Education, EDFacts Data Warehouse (EDW): "IDEA Part B Child Count and Educational Environments Collection," 2019-20. <https://www2.ed.gov/programs/osepidea/618-data/state-level-data-files/part-b-data/child-count-and-educational-environments/bchildcountandedenvironments2019-20.csv> All data for Wisconsin were suppressed due to data quality concerns. Data for Iowa was not available.

<https://sites.ed.gov/idea/osep-fast-facts-school-aged-children-5-21-served-under-idea-part-b-21/>

Florida's Students with Disabilities Fall 2021

Total SWD = 415,980



Areas of Eligibility:

ASD – Autism Spectrum Disorder

SLD – Specific Learning Disability

OHI – Other Health Impairment

IND – Intellectual Disability

DD – Developmentally Delayed

SI – Speech Impaired

LI – Language Impaired

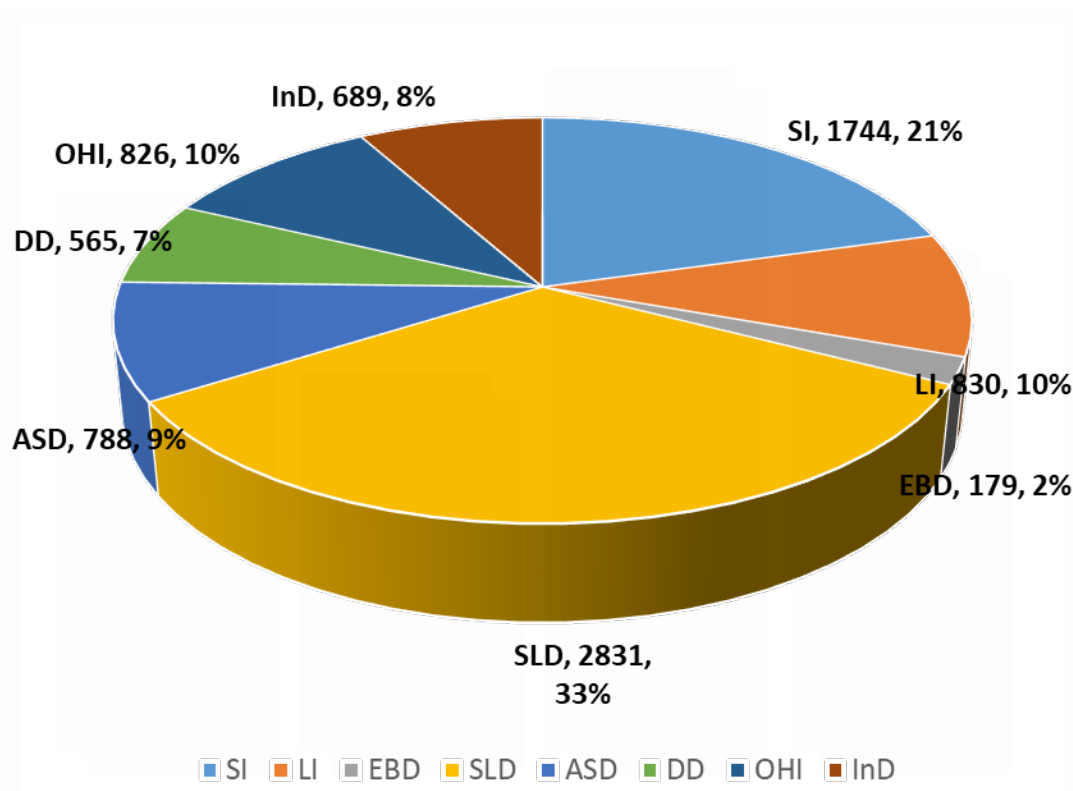
EBD – Emotional/Behavioral Disability

Other – Defined on next slide

Source: Final Survey 2, 2021-22

Florida's Students with Disabilities Small and Rural Districts Fall 2021

Total SWD = 8,452



Source: Final Survey 2, 2021-22

Areas of Eligibility:

ASD – Autism Spectrum Disorder

SLD – Specific Learning Disability

OHI – Other Health Impairment

IND – Intellectual Disability

DD – Developmentally Delayed

SI – Speech Impaired

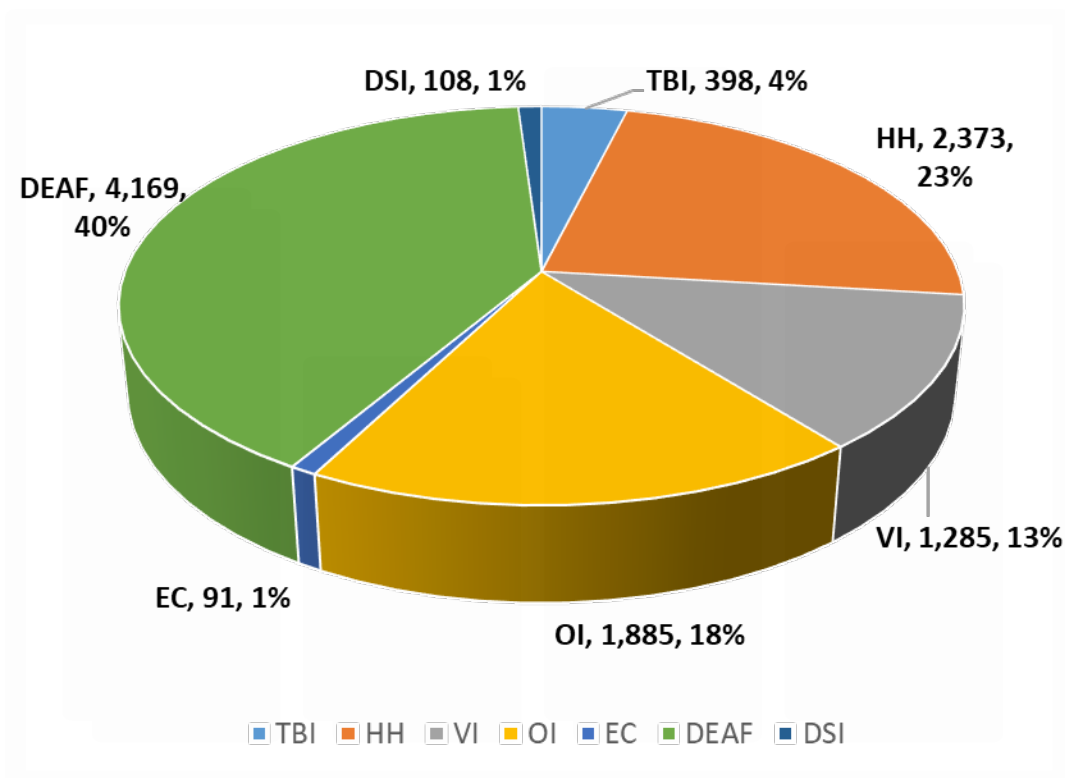
LI – Language Impaired

EBD – Emotional/Behavioral Disability

Other – Defined on next slide

Florida's Students with Disabilities, Other Categories Fall 2021

Total Other SWD = 10,309



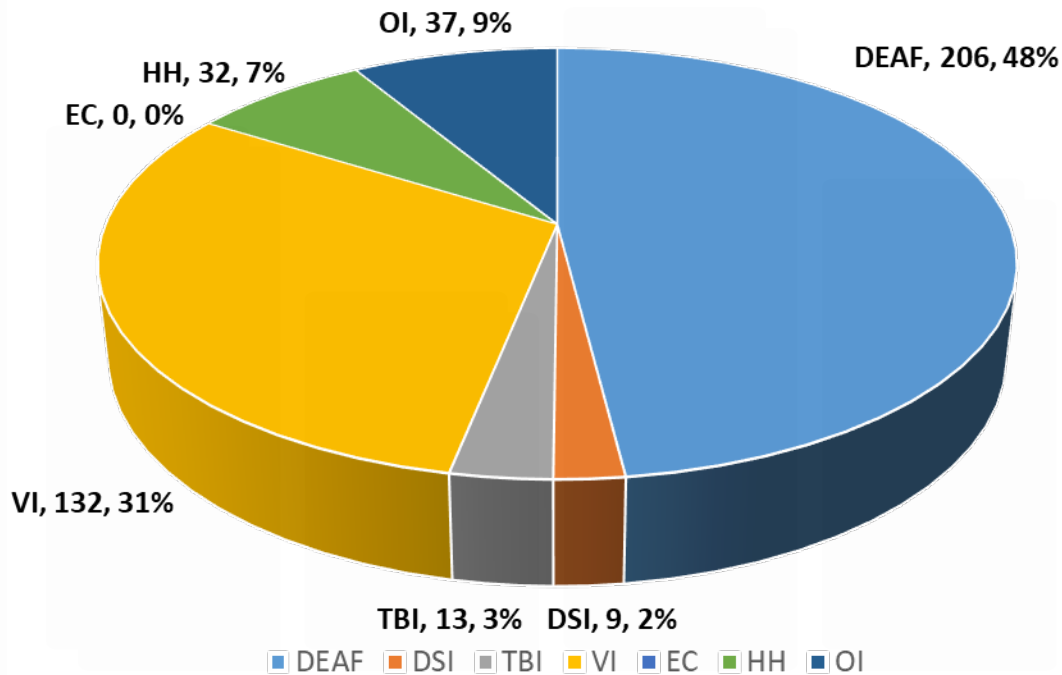
Other Disabilities

- HH – Hospitalized or Homebound
- DSI – Dual Sensory Impaired
- TBI – Traumatic Brain Injury
- EC – Established Conditions (0-2)
- OI – Orthopedic Impairment
- DEAF – Deaf or Hard-of-Hearing
- VI - Visual Impairment

Source: Final Survey 2, 2021-22

Florida's Students with Disabilities, Other Categories Small and Rural Districts Fall 2021

Total Other SWD = 429



Other Disabilities

HH – Hospitalized or Homebound

DSI – Dual Sensory Impaired

TBI – Traumatic Brain Injury

EC – Established Conditions (0-2)

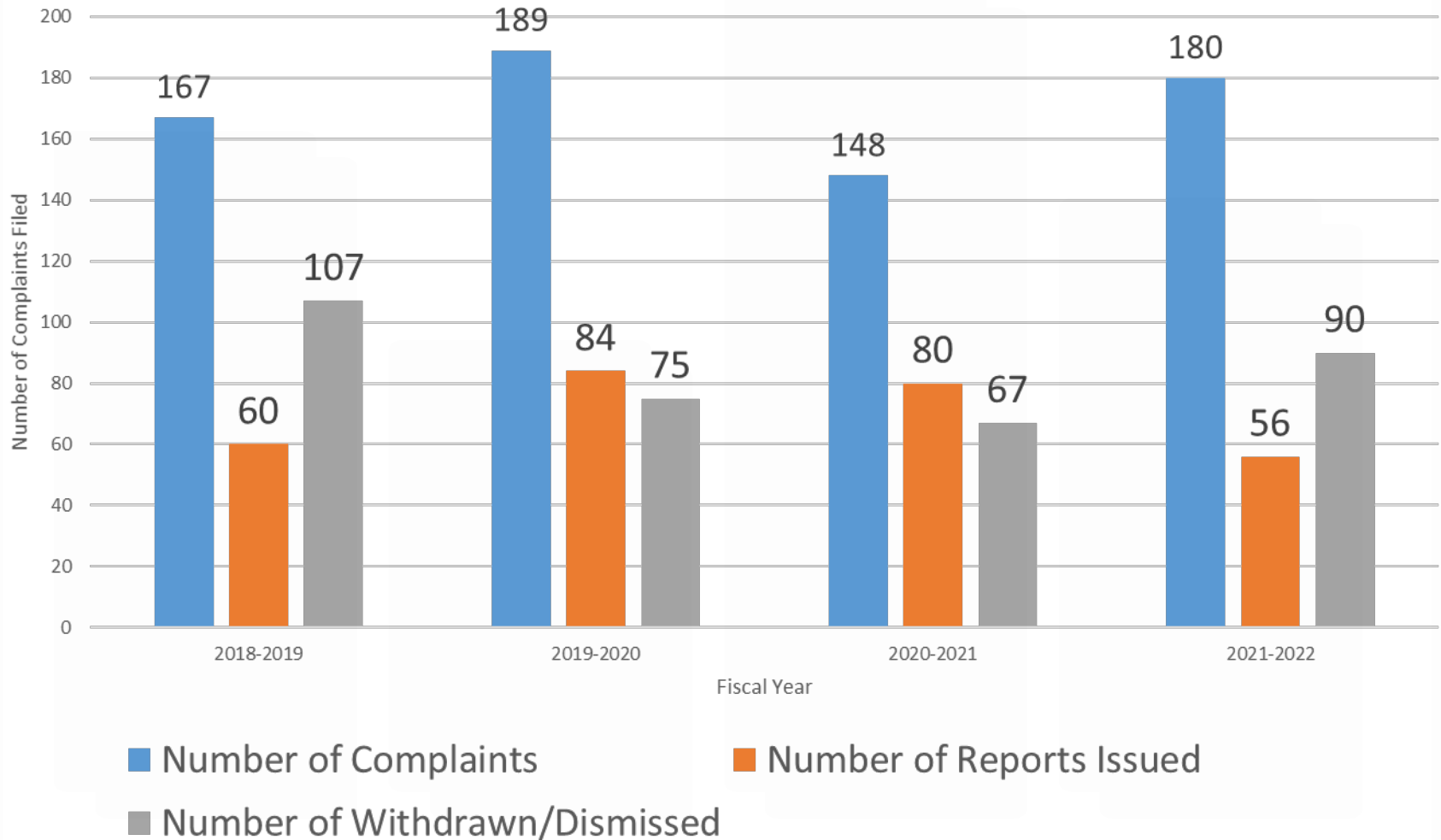
OI – Orthopedic Impairment

DEAF – Deaf or Hard of Hearing

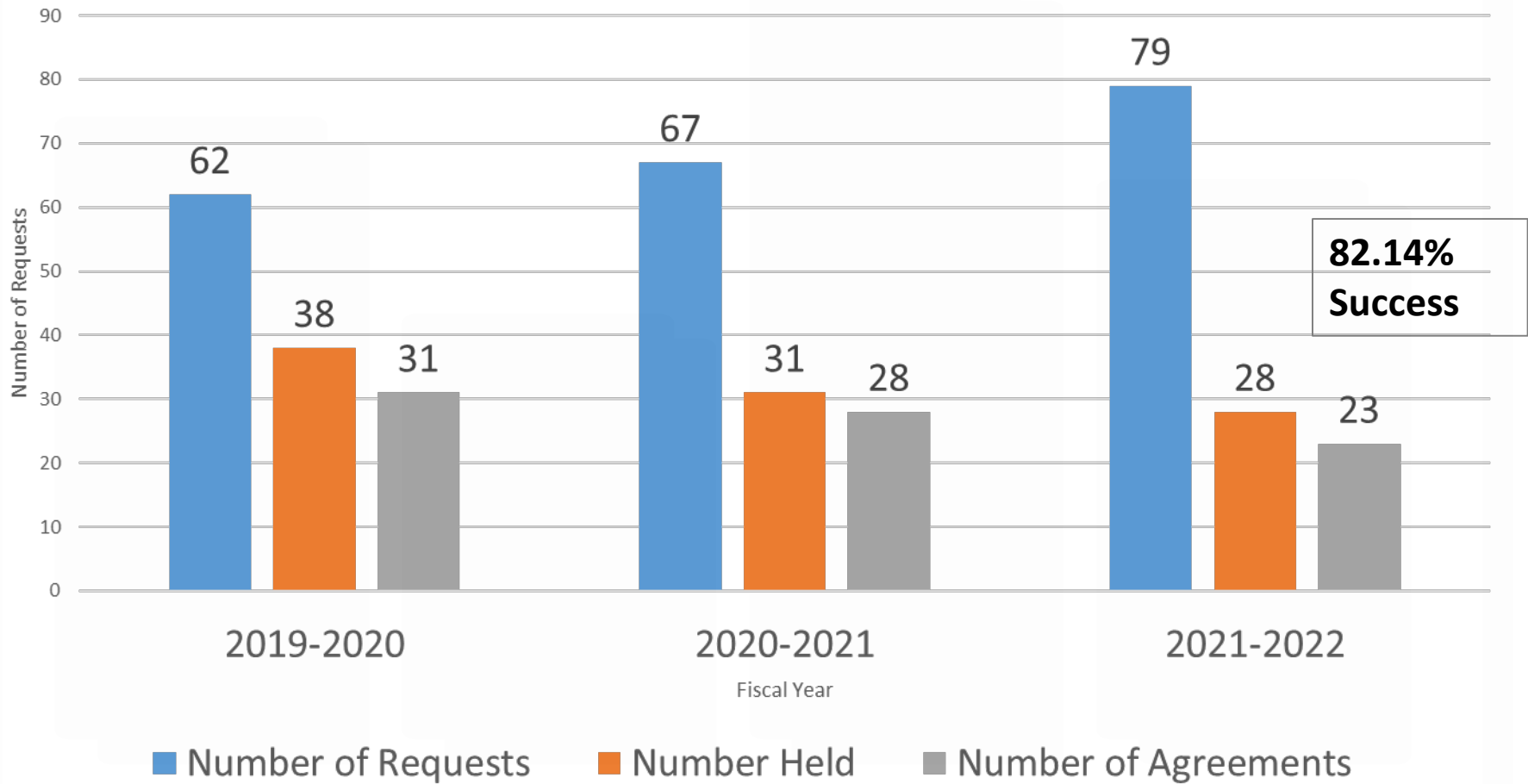
VI - Visual Impairment

Source: Final Survey 2, 2021-22

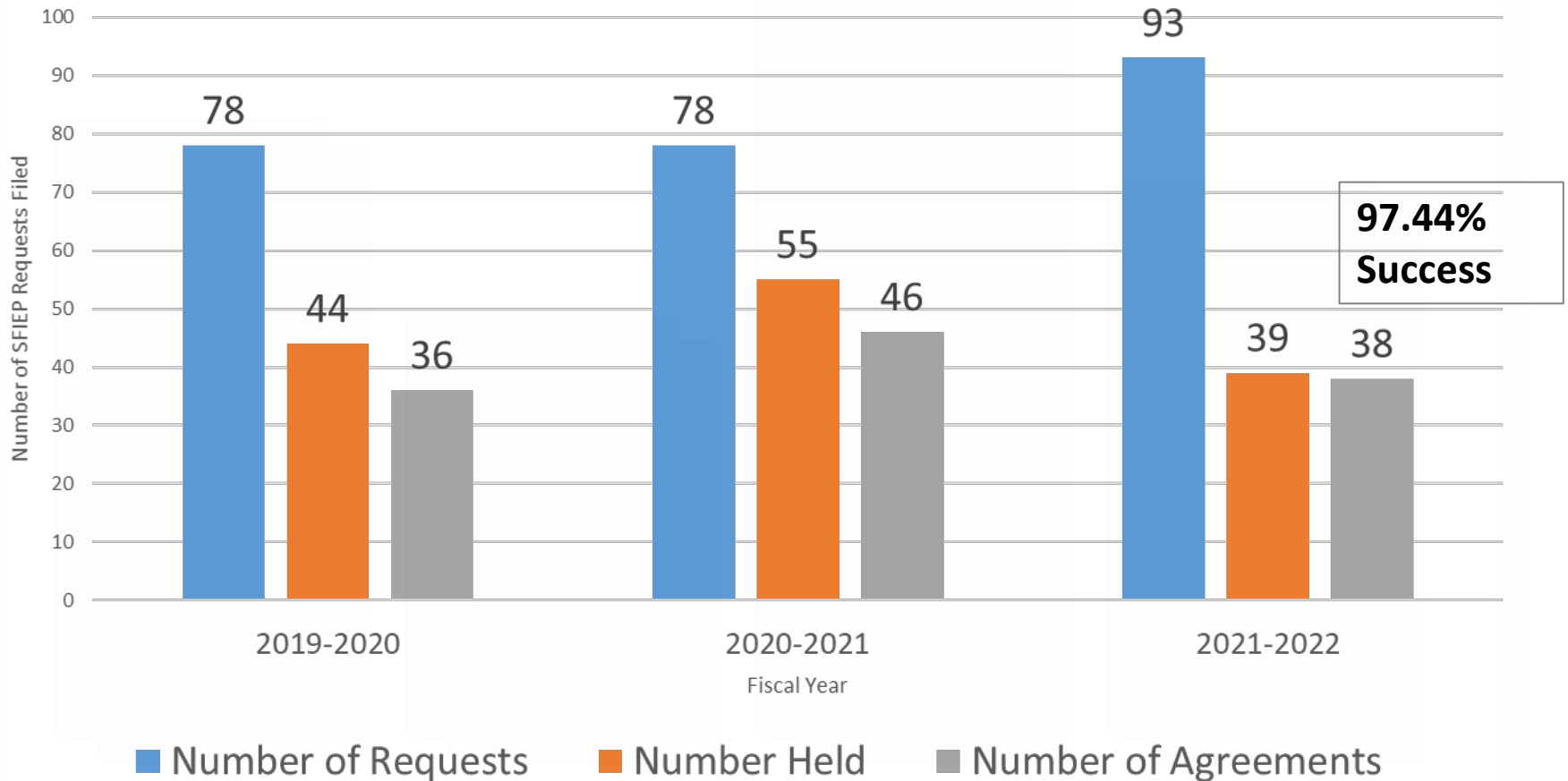
State Complaint Data



Mediation Data



SFIEP Data



Due Process Data



Top citations from State Complaints (2020-21, 2021-22)

Citation

34 CFR 300.101: Free appropriate public education (FAPE).

34 CFR 300.503: Prior notice by the public agency; content of notice.

34 CFR 300.324: Development, review, and revision of IEP.

34 CFR 300.320: Definition of individualized education program.

34 CFR 300.116: Placements.

34 CFR 300.303: Reevaluations.

34 CFR 300.323: When IEPs must be in effect.



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ESE Data Reporting Updates

State and District Annual Performance Reporting

[Title 34, section 300.602\(b\)\(1\)\(i\)\(A\), Code of Federal Regulations \(C.F.R.\)](#) – requires states to report annually on the performance of each local educational agency, or LEA, on the targets in the State Performance Plan (SPP) no later than 120 days following the State’s submission (Feb. 1) of its Annual Performance Report or APR (June 1).

These DISTRICT-SPECIFIC reports are posted at the following location:
<https://www.fldoe.org/academics/exceptional-student-edu/data/>.

These reports provide information about district performance as compared to state level targets in Florida’s SPP/APR with students with disabilities (SWDs).

Keep in mind that these data are based upon the February state submission and may not necessarily be the most current data available.

Data used for the SPP/APR Indicators

- Federal Measurement Tables:
 - Latest is for FFY 2022 (Good until October 2023):
https://sites.ed.gov/idea/files/2022_Part-B_SPP-APR_Measurement_Table.pdf
- There are KEY differences as compared to other federal reporting requirements – especially as it relates to graduation, drop-out, and performance measures.
- New for this year: Federal changes to how some of these indicators are measured.

IDEA Part B SPP Indicators

Performance Indicators

- SPP 1: SWD Graduation
- SPP 2: SWD Dropout
- SPP 3: SWD Statewide Assessment Performance
- SPP 4: SWD Suspension/Expulsion
- SPP 5: SWD LRE Placement
- SPP 6: Early Childhood Settings
- SPP 7: Preschool Skills
- SPP 8: Parent Involvement
- SPP 14: Secondary Transition, Post-School Outcomes

Compliance Indicators

- SPP 9 & 10: Disproportionate representation in Special Education
- SPP 11: Child Find
- SPP 12: Part C to B Transition
- SPP 13: Secondary Transition with IEP Goals
- SPP 15: Due Process Hearing Requests Resolved
- SPP 16: Mediation Agreements
- SPP 17: State Systemic Improvement Plan

Federal Changes in Data Source requirements FFY 2021 & after

- SPP 1 & 2: SWD Graduation & Drop Out
 - Section 618 required federal reporting - EdFacts File FS009
 - NON-Cohort based
 - SWD Graduation: “States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.”
 - SWD Drop-out: “States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.”

Source: [FFY 20-25 IDEA B Measurement Table](#)

Added components – FFY 2021 & after

- SPP 3: SWD Assessment Performance
 - Gap in proficiency rates for children with IEPs and for all students against grade level academic achievement standards.
 - Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.
- SPP 6: Early Childhood Settings
 - Receiving special education and related services in the home.
 - Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

Changes in requirements related to representativeness – FFY 2021 & after

- SPP 8: Parent Involvement & SPP 14: Secondary Transition/Post-School Outcomes
 - Beginning with the FFY 2021 SPP/APR, due February 1, 2023, representativeness of the demographics must be included. States must include race/ethnicity in its analysis. In addition, the State's analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.

Source: [FFY 20-25 IDEA B Measurement Table](#)

FFY 2020-2025 Stakeholder Requirements

- i. *The number of parent members and a description of how the parent members of the State Advisory Panel, parent center staff, parents from local and statewide advocacy and advisory committees, and individual parents were engaged in setting targets, analyzing data, developing improvement strategies, and evaluating progress;*
- ii. *Description of the activities conducted to increase the capacity of diverse groups of parents to support the development of implementation of activities designed to improve outcomes for children with disabilities;*
- iii. *The mechanisms and timelines for soliciting public input for target setting, analyzing data, developing improvement strategies, and evaluating progress; and*
- iv. *The mechanisms and timelines for making the results of the target setting, data analysis, development of the improvement strategies, and evaluation available to the public.*

Source: [IDC FFY 2020-2025 Stakeholder Requirements](#)



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District ESE Performance Determinations

Local Educational Agency (LEA)/District Determinations

- Required annually per [34 C.F.R. § 300.600](#)
- Using the criteria in [34 C.F.R. § 300.603](#)
 - Uses data as reported in the required LEA/District Annual Performance Reports (June 1)
 - Contains additional state-specific requirements
- **District determination categories:**
 - Meets Requirements
 - Needs Assistance
 - Needs Intervention
 - Needs Intensive Intervention

LEA/School District Determinations

Federally Required Elements

- SPP 4b: Students with Disabilities (SWD) Suspension/Expulsion data
- ★ SPP 9 & 10: SWD Disproportionality (& CCEIS)
- **SPP 11: Initial Evaluations**
- **SPP12: Transition from Part C to Part B**
- **SPP 13: Secondary Transition**
- Valid, Reliable and timely data
- ★ **Correction of non-compliance (within 1 year)**

State Elements

- ★ Percent of district schools below target using federal indicator scores
- ★ SPP 1: SWD Graduation
- ★ SPP 2: SWD Dropout
- SPP 5: SWD Educational Placements
- FSAA Participation
- ★ Districts with data below target range here cannot be determined as meet requirements

LEA/School District Determinations for 2022

- July Notifications
- Used as part of monitoring determinations
 - Desktop
 - On-Site

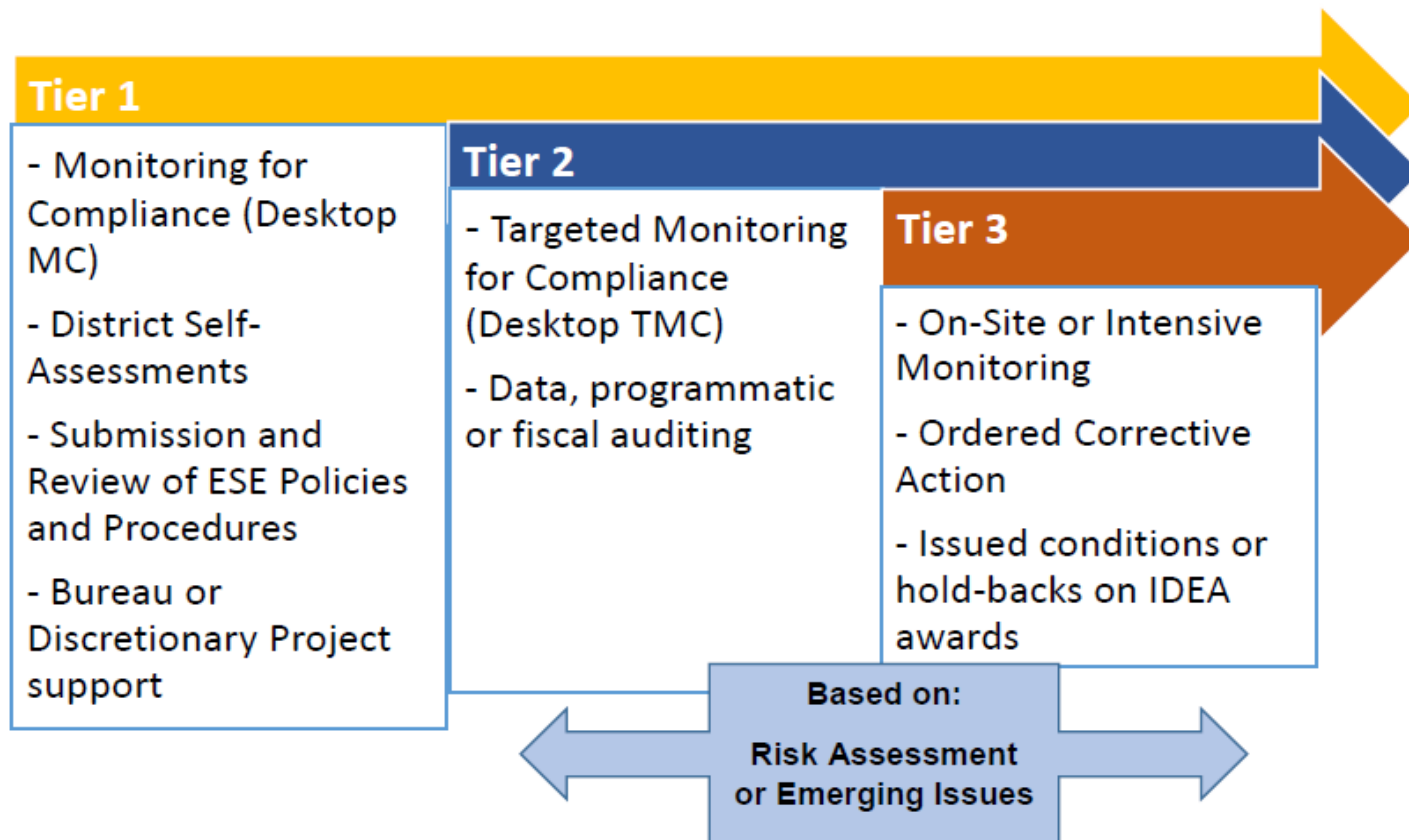


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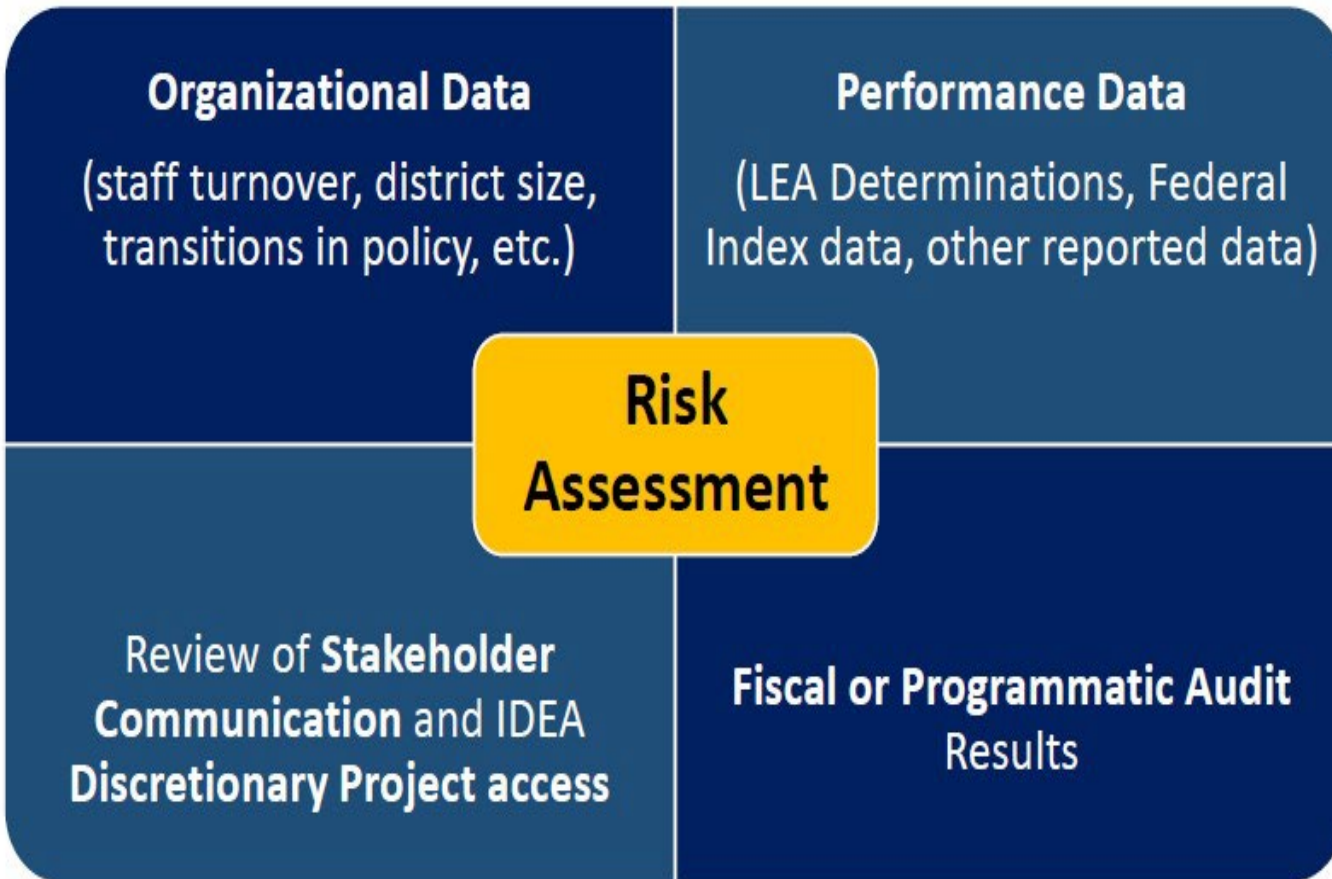
Monitoring

Self-Assessment, Validation and On-Site Monitoring

Florida's Differentiated Monitoring System (IDEA B)



Florida's Differentiated Monitoring System (IDEA B)



Authority for Monitoring

In accordance with [Section 300.600\(b\)\(1\) and \(2\) of Title 34, Code of Federal Regulations](#), the Department is responsible for ensuring that the requirements of IDEA are carried out and that each educational program for children with disabilities administered in the state meets the educational requirements of the state.

- [Section 1001.42, Florida Statute \(F.S.\)](#)
- [Section 1003.57, F.S.](#)
- [Section 1003.573, F.S.](#)

District Participation

- All school districts will participate in a leveled system of compliance monitoring that includes both self-assessment activities and as applicable, on-site monitoring visits. The results of monitoring activities **may be used for LEA determinations** required under [34 CFR §300.603](#) and **to inform future monitoring activities**.
- All districts participate in monitoring by completing web-based self-assessment protocols related to basic ESE procedures.

Self-Assessment System

- The system was established to ensure that school districts comply with all applicable laws, regulations, and State statutes and rules, while focusing on the student outcomes.
- The related web-based compliance protocols then align with selected indicators
- [Compliance Manual](#)

Compliance Self-Assessment

What is self-assessment?

- District review of their own compliance with IDEA 2004, State Statutes and State Board Rules

Why self-assessment?

- Assess understanding as well as gaps in knowledge
- Regards the student as part of the whole school
- Targets areas of greatest concern

Bureau Validation

- The bureau validates random records and documents used for the districts' self-assessment.
- The bureau confirms districts' identified compliance and noncompliance.
- The bureau orders student specific corrections and corrective action plans be completed.

Areas of Noncompliance

Components

- Individual areas of noncompliance for a student corrected within 60 days
- Noncompliance training and evidence of correction provided to bureau within one year
(<https://sites.ed.gov/idea/regs/b/f/300.600>)
- Evidence of correction documentation submitted:
 - Training activities for staff
 - Sampling of five records gathered after training activities

Responsibilities of District Staff









- Utilize the compliance manual and protocols to perform your own monitoring
- Utilize self-assessment with staff after trainings to evaluate learning
- Utilize the compliance manual when addressing parent concerns regarding noncompliance
- Utilize the compliance manual when addressing state complaints

Theory of Action



National Center on
Educational Outcomes –6
Key Leadership Practices:

Florida Department of Education (FDOE)
Bureau of Exceptional Education and Student Services
Theory of Action

Six Key Practices	If FDOE Leads	Then Local Education Agency (LEA)	Then Schools	Then Students
 1. Uses Data Well	With the six key practices to implement multi-tiered systems of supports to districts based on need and resulting in continuous improvement... <ul style="list-style-type: none"> Identify and respond to community needs Refine or create state systems of support 	Will use the six key practices to implement the multi-tiered system of supports to schools based on need and resulting in continuous improvement... <ul style="list-style-type: none"> Establish clear expectations for data use Use data to identify need, measure implementation and impact on student learning 		Will engage, progress, and graduate college, career and life ready. 
 2. Focus Goals	<ul style="list-style-type: none"> Establish common goals Provide products and services to facilitate focused goal setting and coherent plans 	<ul style="list-style-type: none"> Establish priority on improving teaching and learning Ensure alignment of goals Take leadership responsibility for goal setting 		
 3. Select & Implement Shared Instructional Practices	<ul style="list-style-type: none"> Serves to help districts improve quality of instruction to all students Establishes statewide system of supports to districts 	<ul style="list-style-type: none"> Align standards-based instruction to district goals Build common language understanding Require ongoing progress monitoring 		
 4. Implement Deeply	<ul style="list-style-type: none"> Limits state and district requirements Provides products and services that help districts fully implement strategies 	<ul style="list-style-type: none"> Ensure consistency of implementation of selected improvement strategies Require aligned school structures Provide support and accountability 		
 5. Monitor & Provide Feedback	<ul style="list-style-type: none"> Helps districts understand relationship between monitoring for improvement and monitoring for compliance 	<ul style="list-style-type: none"> Use district identified formative indicators for implementation Provide differentiated support Measure effectiveness 		
 6. Inquire & Learn	<ul style="list-style-type: none"> Evaluates adult and student learning Recognizes continuous improvement of all students and specific groups of students 	<ul style="list-style-type: none"> Pursue continuous improvement Establish decision-making process Provide active oversight of instruction 		

5(a): The Florida Department of Education, in collaboration with its internal and external stakeholders, has identified the measurable result of increasing the statewide graduation rate and closing the graduation gap for students with disabilities in half. The SIMR is related to SPP/APR results indicator #1: Percent of youth with IEPs graduating from high school with a regular diploma.



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Transition Updates

HB 173 (2021) Updates to Section 1003.5716, Florida Statutes (F.S.)

- Requires **FDOE** to:
 - Review, in conjunction with Project 10: Transition Education Network, existing transition services and programs for students with disabilities.
 - Establish and publish uniform best practices to support transition on the FDOE website by July 1, 2022.

[8/6/2021 Memorandum to Superintendents](#)

HB 173 (2021) Updates to Section 1003.5716, F.S.

- Requires **districts** to:
 - Work with FDOE and Project 10: Transition Education Network to complete a review of existing transition services and programs for students with disabilities;
 - Have IEP teams plan for the transition process for students with disabilities during the student's **seventh grade year** or when the student attains **the age of 12**, whichever occurs first;
 - Include transition program, postsecondary education and career opportunity information in the transition process;
 - Have an IEP in place and implemented on the first day of the student's first year in high school or when the student attains the **age of 14**, whichever occurs first; and
 - Document the discussion of the process for deferral and whether the student will defer the receipt of the diploma, as required by sections 1003.5716 and 1003.4282, Florida Statutes.



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Recent OSEP Guidance

Adaptive Physical Education

- **[Letter to Tymeson, 78 IDELR 260 \(OSEP 2021\)](#)**
 - IEP team must determine extent to which a student can access the general PE program available to nondisabled peers, in addition to extent to which physical education is required as specially designed instruction.
 - IEP team cannot base its determination of amount of specially designed instruction in physical education on availability of qualified staff.
 - Depending on circumstances, removal of APE from a student's IEP might constitute change of placement (i.e., if it substantially or materially alters student's educational program).



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Coming Soon...

Save the Date—The 24th Annual Family Café

- The 24th Annual Family Café will be held in Orlando on May 27-29, 2022
- Online registration for the 24th Annual Family Café began on February 14, 2022. For more information on this event, including registration, go to <https://familycafe.net/annual-family-cafe/>

Special Education Summer Institute (FL-SESI) July 19-21, 2022 - Orlando

This bureau-hosted conference is intended to provide supports and to build capacity with the implementation of the new B.E.S.T. Aligned Standards implementation for students with disabilities, including instruction in the new B.E.S.T. Aligned Access Points. The bureau will reimburse for the cost of hotel stay and meals for three representatives from each district.

REGISTRATION: <https://www.fdlrs.org/2022-special-education-summer-institute> (Deadline 6/17/2022)

QUESTIONS: ESEParentServices@fldoe.org

ESE Discretionary Project Supports & Resources

- <https://www.fldoe.org/core/fileparse.php/7567/urlt/IDEADisGrantProDesc.pdf>
- Including:
 - [Student Support Services](#)
 - [Florida Diagnostic & Learning Resource Systems \(FDLRS\)](#)
 - [Institute for Small and Rural Districts \(ISRDR\)](#)
 - [Florida Inclusion Network \(FIN\)](#)
 - [PS/Rtl – Technology & Learning Connections](#)
 - [Project 10: Transition Education Network](#)
 - [SEDNET](#)
- [Bureau Presentations](#)

FDOE/BESE Contacts

- **Questions:** BESESupport@fldoe.org
- **Staff Contacts:**
<https://www.fldoe.org/academics/exceptional-student-edu/staff/>
- Victoria Gaitanis, Bureau Chief
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- Jessica Brattain, Senior Director
 - Jessica.Brattain@fldoe.org

Thank You!

The bureau looks forward to continuing to partner with all stakeholders as we prioritize the collaborative work to support the provision of a world class educational system for all students, including students with disabilities.





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