Exceptional Student Education Updates

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FLORIDA DEPARTMENT OF EDUCATION
fldoe.org

Overview

- FDOE's Mission, Vision and SWDs in Florida

- Data Highlights

- Updates
  - FSAA and the 1%
  - State Complaints and Due Process in Florida
  - Self Assessing the effectiveness of your ESE Programs and leadership

- Resources and Questions

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)

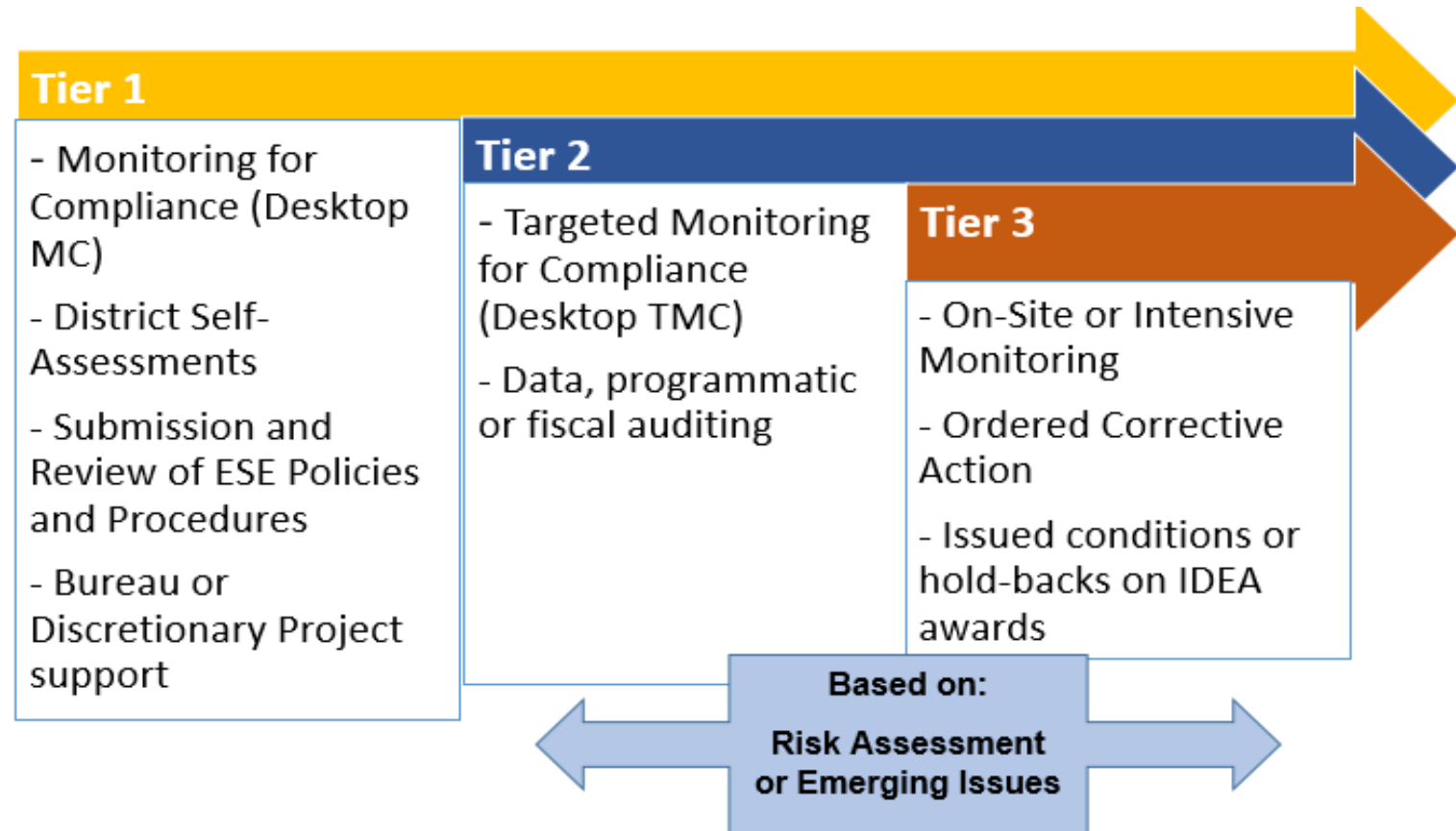# 2020-2025: Values Alignment
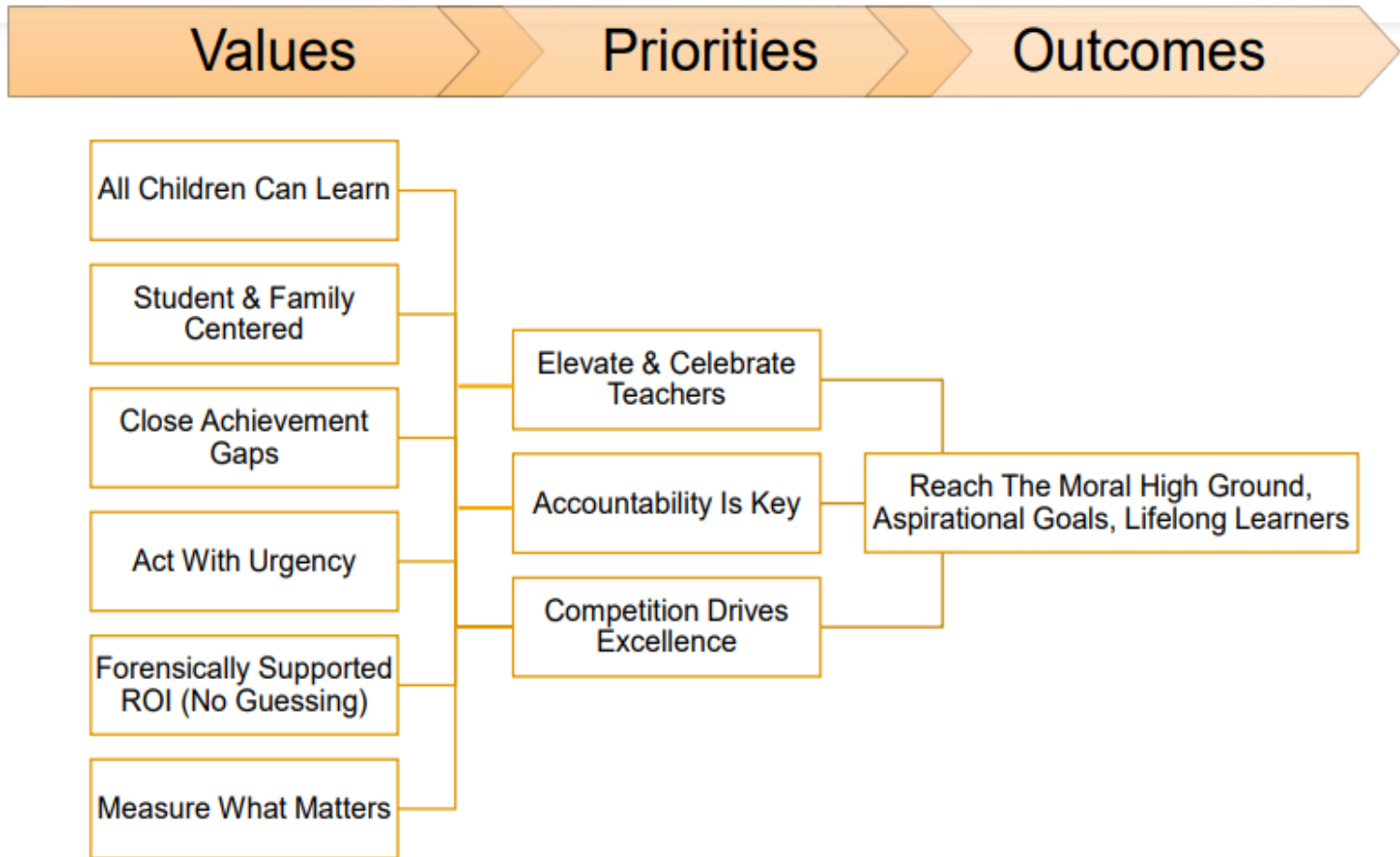
Let's Revisit the Emphasis of IDEA

"Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities"
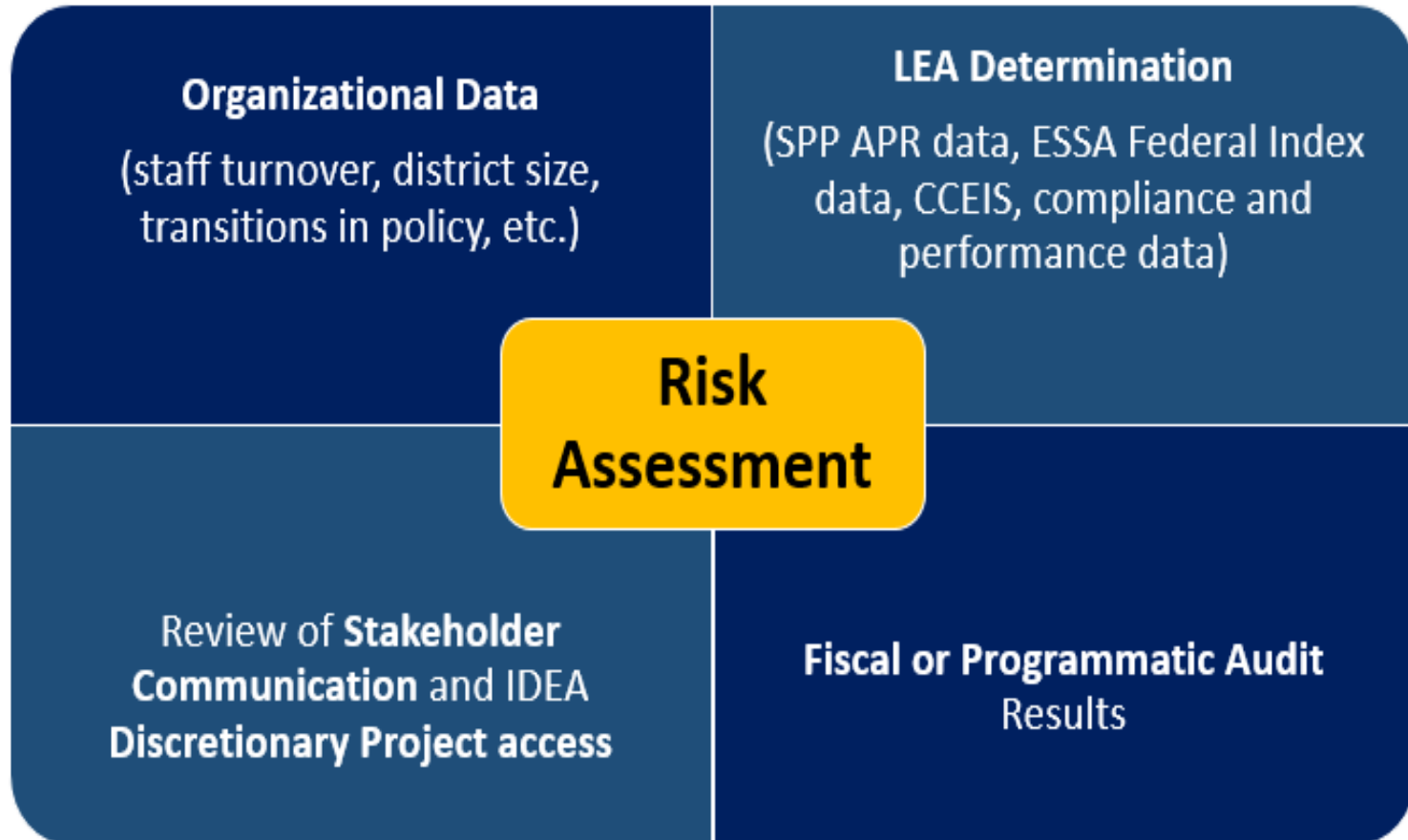
20 U.S.C. § 1400

IDEA 'Big Ideas'

- Student outcomes are the primary focus.

- Special education is a service to enable success in the general education curriculum. *Students with disabilities (SWD) are general education students **first**.*

- Effective early intervention is key to positive outcomes.

- SEAs (states) and LEAs (districts) are accountable for student outcomes and responsible for monitoring the effectiveness of efforts (e.g., LEA Determinations).

IDEA – Florida's Differentiated Monitoring System

Tier 1

- Monitoring for Compliance (Desktop MC)

- District Self-Assessments

- Submission and Review of ESE Policies and Procedures

- Bureau or Discretionary Project support

Tier 2

- Targeted Monitoring for Compliance (Desktop TMC)

- Data, programmatic or fiscal auditing

Tier 3

- On-Site or Intensive Monitoring

- Ordered Corrective Action

- Issued conditions or hold-backs on IDEA awards

Based on:

Risk Assessment or Emerging Issues

IDEA Part B – Risk Assessment Components

Organizational Data

(staff turnover, district size, transitions in policy, etc.)

LEA Determination

(SPP APR data, ESSA Federal Index data, CCEIS, compliance and performance data)

Risk Assessment

Review of **Stakeholder Communication** and IDEA **Discretionary Project access**

Fiscal or Programmatic Audit Results

IDEA Part B Data Indicators (K-12)

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 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 13: Secondary Transition with IEP Goals

- SPP 15: Due Process Hearing Requests Resolved

- SPP 16: Mediation Agreements

What Matters Most for SEAs and LEAs

MOVING YOUR NUMBERS

Five Districts Share How They Used Assessment and Accountability to Increase Performance for Students With Disabilities as Part of District-wide Improvement

NATIONAL CENTER ON EDUCATIONAL OUTCOMES

In collaboration with
Council of Chief State School Officers (CCSSO)
National Association of State Directors of Special Education (NASDSE)
Supported by:
U.S. Office of Special Education Programs

- Focus on what adults do – intentionally and collectively – to include and **assist all students** in learning at higher levels.
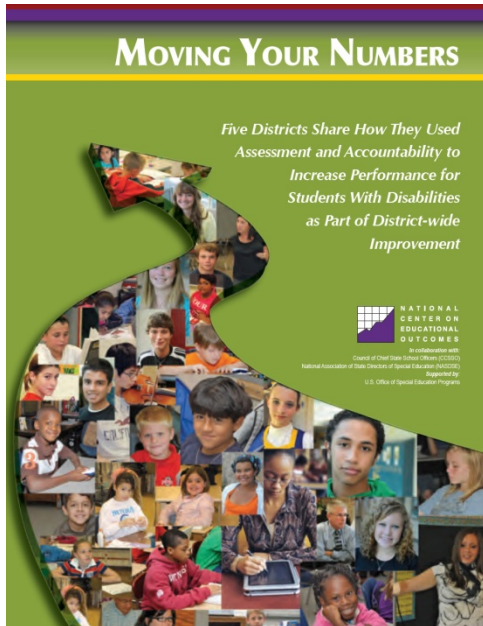
Initiated and funded by the National Center on Educational Outcomes (NCEO)
http://www.movingyournumbers.org/key-practices

What Matters Most: Key Practices Guide

NATIONAL CENTER ON EDUCATIONAL OUTCOMES

KEY PRACTICE 1: USE DATA WELL

While districts, schools, and individual teachers use data and have been for some time now, there has been too much emphasis placed only on the performance of students on state assessments. While these data are important for strategic planning, they provide little ongoing guidance to teachers or administrators. Districts that have "moved their numbers" for all children have or are engaged in developing district-wide processes that allow for more collective use of relevant data to make smarter decisions, including the ongoing assessment of teaching and learning at the classroom, school, and district levels. These processes include the development, implementation, and ongoing use of teacher-developed formative assessments, and the use of grade-level/departmental/course, and vertical teams to collaboratively score these shared assessments and plan for shared instruction. They also include the use of building and district benchmark assessments. Fullan (2008) states that principals working directly with teachers in the use of data is more than twice as powerful as any other leadership dimension, and Leithwood and Jantzi (2006) found that the reliability for assessing student learning and district decision making was one critical characteristic of effective districts.

ROLE	CONSIDERATIONS For Increasing the Performance of Students with Disabilities as Part of District-wide Improvement
STATE EDUCATION AGENCIES (INCLUDING REGIONAL TA PROVIDERS)	**To what degree do state education agencies (SEAs):** • Use data to identify and respond to common needs related to student learning across areas (e.g., regions, zones, intermediate/cooperative service areas, districts) of the state? • Establish clear expectations for effective data use across SEA offices and departments, facilitating coherence and reducing fragmentation in the services and/or supports provided to districts? • Refine, redefine, or create new state systems of support focused on building the capacity of all districts in the state to improve instructional practice and student learning? • Establish mechanisms for providing high-quality and consistent support - including facilitation and professional development - to all districts in the state in the effective use of data to improve the learning of all students and groups of students, such as students with disabilities? • Provide tools/products/services that facilitate the effective use of data by all districts, schools, and teachers in improving instructional practice and student learning? • Ensure that state initiatives are targeted to providing support to underperforming districts and, at the same time, are applicable to and used by all districts in the state to continually support higher levels of learning for all students?
DISTRICTS & THEIR SCHOOLS	**To what degree do districts and their schools:** • Establish clear expectations for effective data use at all levels of the system? • Use data to identify district, building, and classroom needs, and establish goals and performance targets at the district and school level? • Use data to measure the degree of implementation of strategies/actions, including professional development, to reach district/school-identified goals? • Use data to evaluate the effect of strategies/actions on student learning? • Require teachers and teacher teams to use data to establish instructional priorities and inform instructional practice on an ongoing basis? • Model and monitor the use of data to inform instructional decisions? • Provide support at all levels in the effective use of data to facilitate higher levels of learning for all students and groups of students, such as students with disabilities?
PARENTS & FAMILIES	**To what degree are parents/families empowered to:** • Provide relevant information and feedback to district/school personnel on multiple dimensions (e.g., academic, physical, social-emotional) of their child's progress and challenges? • Participate as members of the district or school leadership/data team? • Understand the importance of grade-level expectations in core content areas (e.g., reading, math)? • Understand the implications of how their child's district/school/teacher(s) assesses what their child is learning and the level of learning? • Work with the district/school/teacher(s) to collect data on their child's performance in designated areas?

1. **Use data well**

2. **Focus your goals**

3. **Select and implement shared instructional practices**

4. **Implement deeply**

5. **Monitor and provide feedback and support**

6. **Inquire and learn**

http://www.movingyournumbers.org/images/digital/myn-key-practices-guide/index.html

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

Six Key Practices	If FDOE Leads With the six key practices to implement multi-tiered systems of supports to districts based on need and resulting in continous improvement...	Then Local Educational Agency (LEA) Will use the six key practices to implement the multi-tiered system of supports to schools based on need and resulting in continous improvement...	Then Schools	Then Students
1. Use Data Well	◊ Identify and respond to community needs ◊ Create, refine and revise state systems of support	◊ Establish clear expectations for data use ◊ Use data to identify need, measure implementation and impact on student learning and revise procedures	Will use the six key practices to implement the multi-tiered system of supports to students based on need and resulting in continous improvement...	Will engage, progress and graduate college, career and life ready.
2. Focus Goals	◊ Establish common goals Provide ◊ products and services to facilitate focused goal setting and coherent plans	◊ Establish priority on improving teaching and learning ◊ Ensure alignment of goals ◊ Take leadership responsibility for goal setting		
3. Select & Implement Shared Instructional Practices	◊ Serve to help districts improve quality of instruction to all students ◊ Establish statewide system of supports to districts	◊ Align standards-based instruction to district goals ◊ Build common language understanding ◊ Require ongoing progress monitoring		
4. Implement Deeply	◊ Limit state and district requirements ◊ Provide products and services that help districts fully implement strategies	◊ Ensure consistentcy implementation of selected improvement strategies ◊ Require aligned school structures ◊ Provide support and accountability		
5. Monitor & Provide Feedback	◊ Help districts understand relationship between monitoring for improvement and monitoring for compliance	◊ Use district identified formative indicators for implementation ◊ Provide differentiated support ◊ Measure effectiveness		
6. Inquire & Learn	◊ Evaluate adult and student learning ◊ Recognize continous improvement of all students and specific groups of students	◊ Pursue continous 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. The SIMR is related to SPP/APR results indicator #1: Percent of youth with IEPs graduating from high school with a regular diploma. (20 U.S.C. 1416 (a)(3)(A))

Performance Trend for Districts Receiving On-Site Monitoring Visits Two or More Times, 2013-14 to 2018-19

75% of these districts ★ ★ Improved school grade & decreased the # of D/F schools
12.5% of these districts ★ Improved school grade *OR* decreased the # of D/F schools

District	Category	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Alachua ★★	District Visited	X			X		X
	District Grade	C	B	C	B	B	A
	# of D or F Schools	12	5	9	3	6	4
Highlands ★	District Visited	X	X	X	X		X
	District Grade	C	C	C	C	C	C
	# of D or F Schools	2	0	1	1	1	0
Manatee ★★	District Visited	X	X	X		X	
	District Grade	C	B	C	B	B	B
	# of D or F Schools	11	15	14	11	6	2
Pinellas ★★	District Visited	X	X	X			
	District Grade	C	B	B	B	B	B
	# of D or F Schools	27	16	13	9	13	6
Polk ★★	District Visited	X	X		X		
	District Grade	C	C	C	C	B	B
	# of D or F Schools	50	31	33	20	8	21
Sarasota	District Visited	X	X	X		X	
	District Grade	A	A	A	A	A	A
	# of D or F Schools	0	1	0	1	0	1
Taylor ★★	District Visited		X	X		X	
	District Grade	C	C	C	C	B	A
	# of D or F Schools	0	0	0	0	1	0
Miami-Dade ★★	District Visited		X	X			X
	District Grade	B	B	B	B	A	A
	# of D or F Schools	69	77	51	24	9	6

District	Category	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Putnam ★	District Visited			X		X	
	District Grade	C	C	C	C	C	C
	# of D or F Schools	6	8	11	11	4	3
Charlotte ★★	District Visited	X	X				
	District Grade	C	B	B	B	B	B
	# of D or F Schools	2	0	0	1	0	0
Gadsden ★★	District Visited	X		X			
	District Grade	D	D	C	C	C	C
	# of D or F Schools	6	5	6	5	4	3
Indian River ★★	District Visited	X		X			
	District Grade	C	A	B	B	B	B
	# of D or F Schools	3	5	2	1	1	0
Washington ★★	District Visited	X				X	
	District Grade	C	B	C	B	B	B
	# of D or F Schools	0	0	0	0	0	0
Jackson ★★	District Visited		X			X	
	District Grade	C	B	C	B	B	B
	# of D or F Schools	0	0	1	0	0	0
Madison ★★	District Visited		X	X			
	District Grade	F	C	C	C	B	C
	# of D or F Schools	2	2	2	1	1	1
Glades	District Visited			X			X
	District Grade	B	C	C	C	C	C
	# of D or F Schools	0	0	0	0	1	0

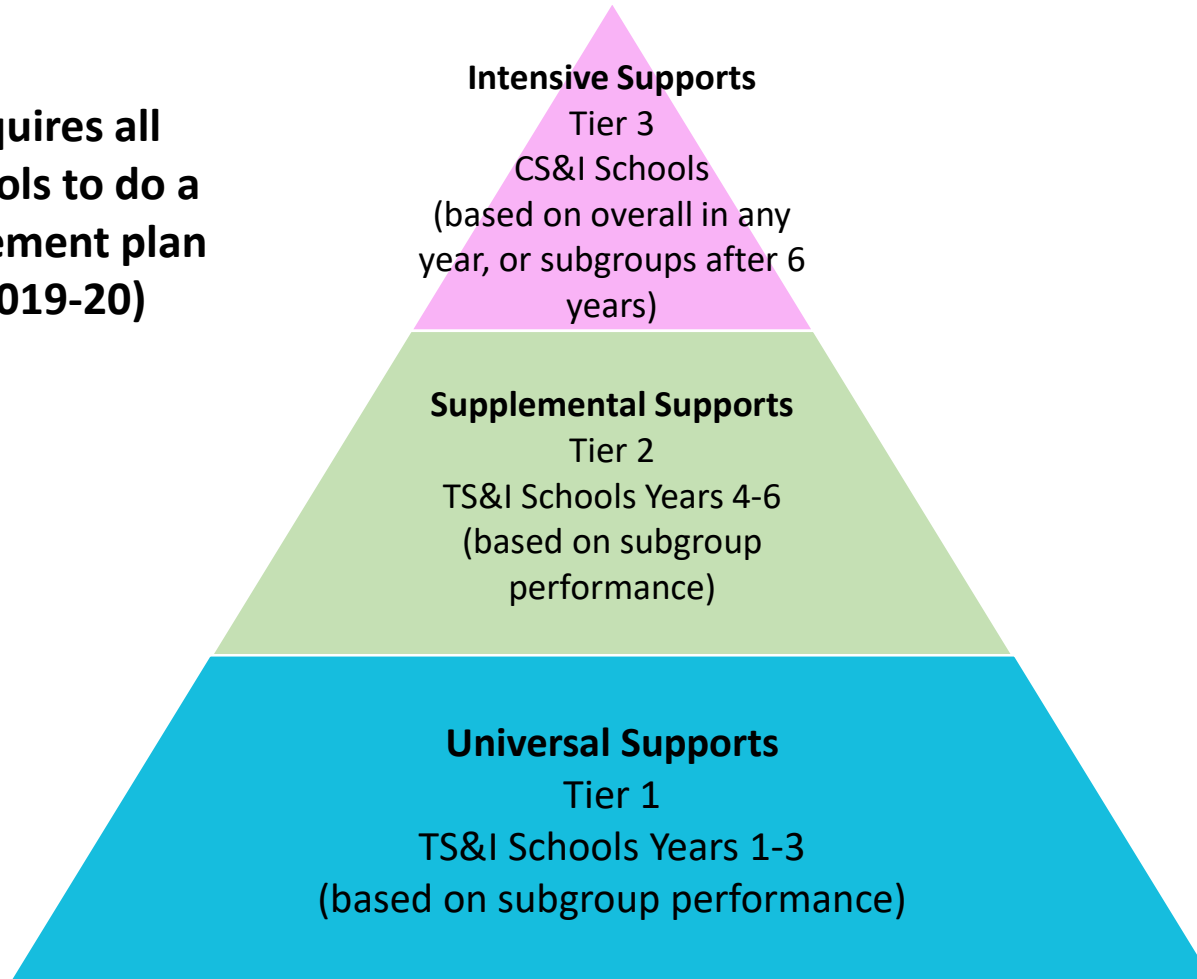# Positive Outcomes for On-site Monitoring
"All Means All"

- Executive district-level leadership and key school staff members (*boots on the ground*) are participating in day 1 and day 3 of the on-site visit meetings.

- Outcomes for students with disabilities are becoming part of district-wide initiatives rather than just an ESE concern.

- There is more transparency when sharing barriers and resources.

- Districts are accessing data at the district level and taking ownership of data.

- There is an increase in collaboration with discretionary project staff.

- The implementation of effective MTSS framework systems is understood.

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Positive Outcomes to On-Site Visits (con't)

- There is an increase in the use of early warning systems to track students who are at-risk of not graduating.

- There is an increase in district use of projections of graduation rates and the development of strategies to enable at-risk students to keep on track in order to graduate with their cohort.

- Districts are supported in their work to ensure that error codes are corrected prior to submission to FDOE.

- Guided root cause analysis for disproportionate over-identification of specific sub-groups assists in targeting district specific solutions.

- There is an increase in effective professional development and training offered to district staff working with students with disabilities.

Tiered Support for Schools not in School Improvement Identification Based on Federal Percent of Points Index

Federal law requires all identified schools to do a school improvement plan (beginning in 2019-20)

Intensive Supports
Tier 3
CS&I Schools
(based on overall in any year, or subgroups after 6 years)

Supplemental Supports
Tier 2
TS&I Schools Years 4-6
(based on subgroup performance)

Universal Supports
Tier 1
TS&I Schools Years 1-3
(based on subgroup performance)

Tiering requirements escalate

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FDOE SWD Data Highlights
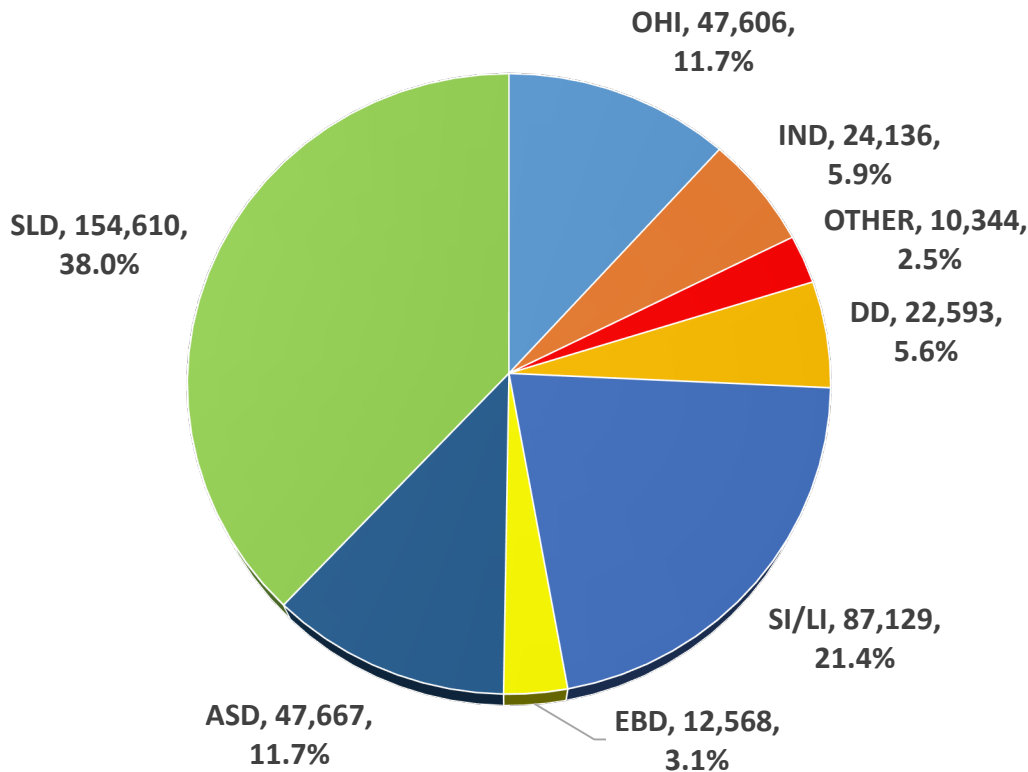
SWD as Percent of Total Population

Still waiting for total 2020-21 enrollment
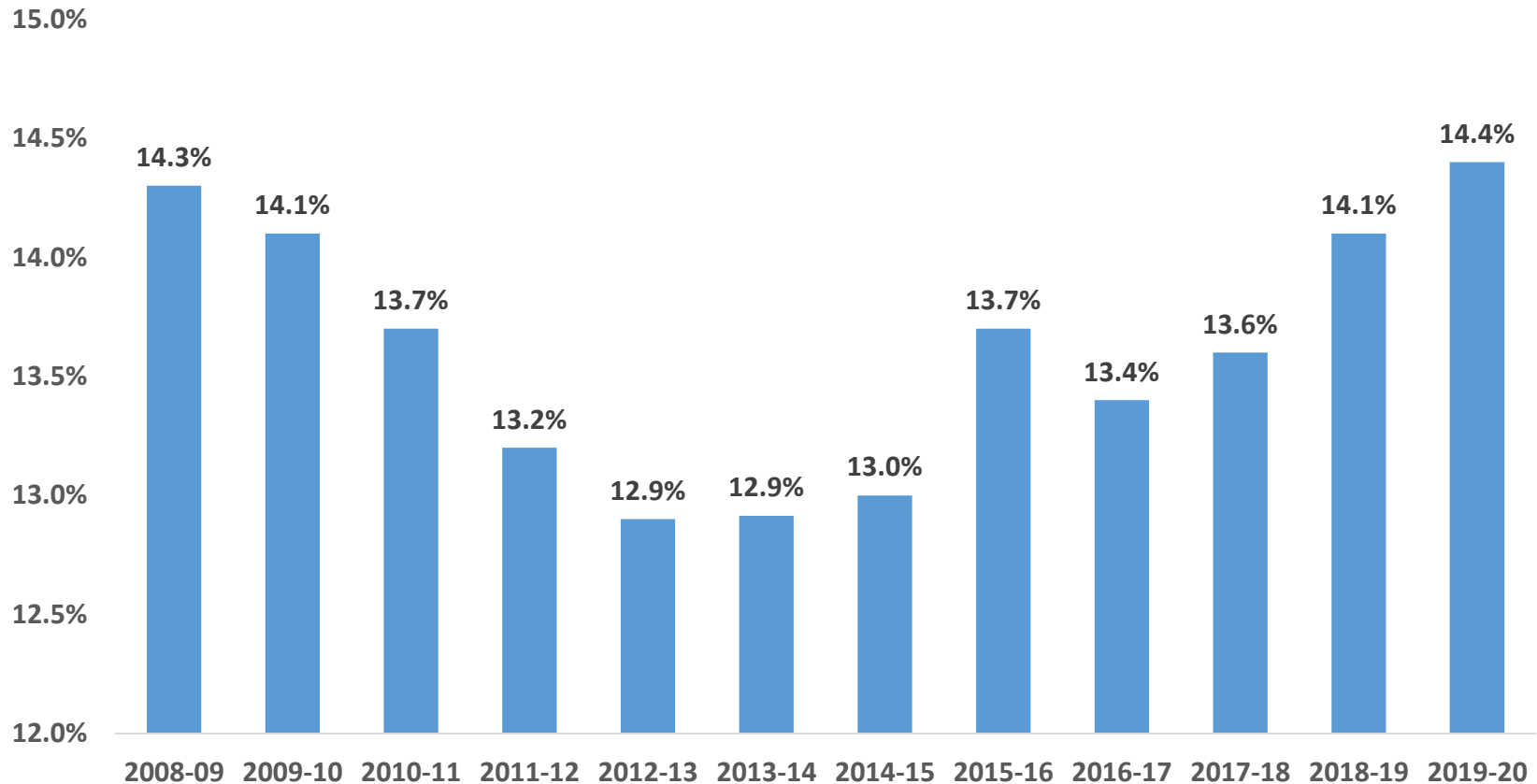
Source: Final Survey 2, 2019-20, EDStats Online Tool

Florida's Students with Disabilities Fall 2020
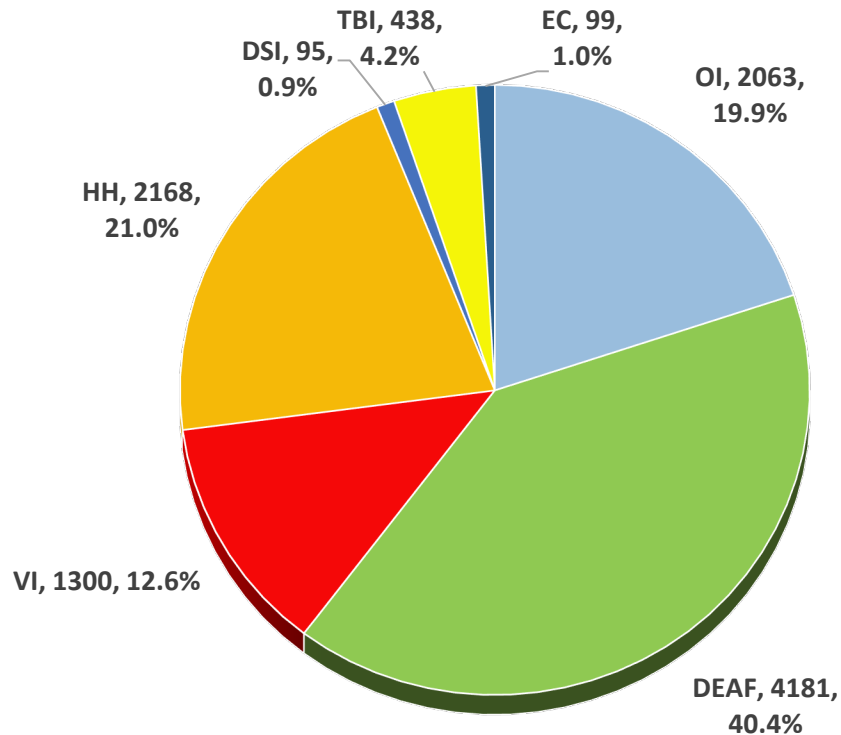
Total SWD = 406,944

OHI, 47,606, 11.7%

IND, 24,136, 5.9%

OTHER, 10,344, 2.5%

SLD, 154,610, 38.0%

DD, 22,593, 5.6%

SI/LI, 87,129, 21.4%

ASD, 47,667, 11.7%

EBD, 12,568, 3.1%

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 or Behavioral Disability

Other – Defined on next slide

Source: Final Survey 2, 2020-21

Florida's Students with Disabilities
Fall 2020, Other Categories

Total Other SWD = 10,344

Pie chart labels:
- DSI, 95, 0.9%
- TBI, 438, 4.2%
- EC, 99, 1.0%
- OI, 2063, 19.9%
- HH, 2168, 21.0%
- VI, 1300, 12.6%
- DEAF, 4181, 40.4%

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

Source: Final Survey 2, 2020-21

What Does IDEA Say About Inclusion?

- Children with disabilities are educated with their non-disabled peers to the maximum extent possible.

- Per federal regulation, the long-standing use of the term regular educational environment "encompasses regular classrooms and other settings in schools such as lunchrooms and playgrounds in which children without disabilities participate" (71 Fed. Reg. 46585).

- Removal of children from the "regular education environment" occurs only when the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

What Does Florida Say About Inclusion?

According to [Section 1003.57(1)(a), Florida Statutes](#):

"The school district shall use the term "inclusion" to mean that a student is receiving education in a general education regular class setting, reflecting natural proportions and age-appropriate heterogeneous groups in core academic and elective or special areas within the school community; a student with a disability is a valued member of the classroom and school community; the teachers and administrators support universal education and have knowledge and support available to enable them to effectively teach all children; and a teacher is provided access to technical assistance in best practices, instructional methods, and supports tailored to the student's needs based on current research."

Regular Class Placement (Ages 6-21)
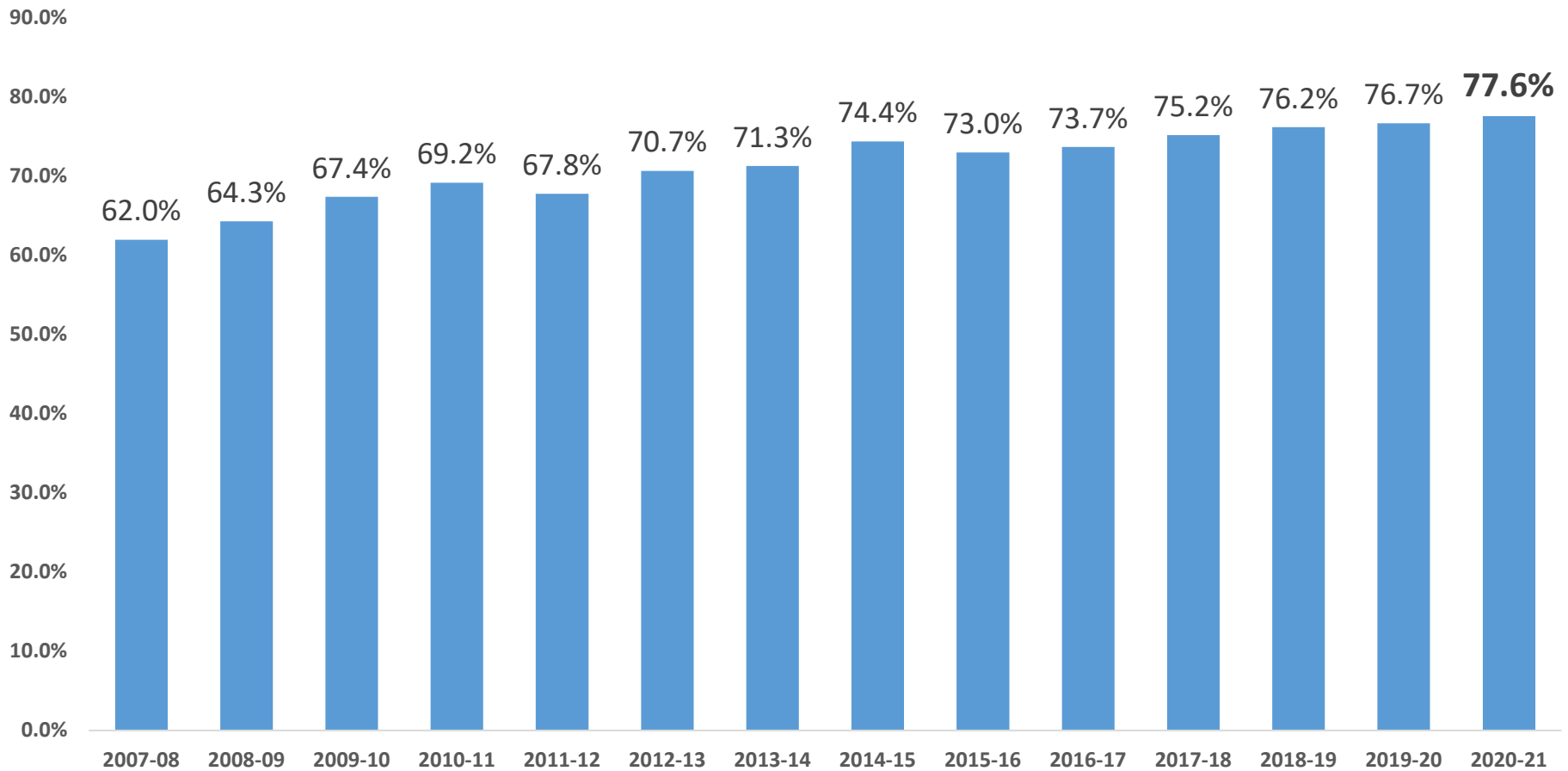
Source: Survey 2 Preliminary Data as of 12-11-20

Regular Class Placement (Ages 6-21) by Exceptionalities 2015-16 through 2019-20
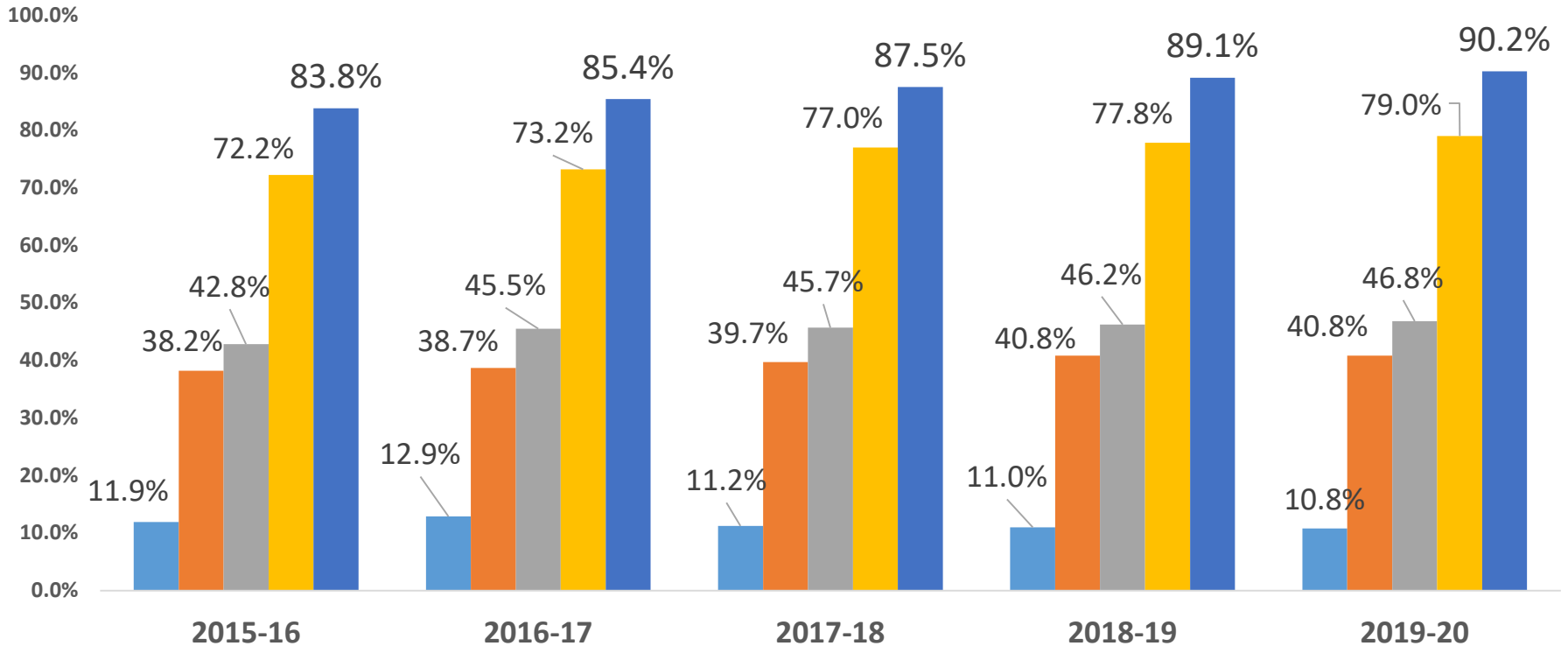
Source: Final Survey 2 Data

www.FLDOE.org

Regular Class Placement (2018-19)
State target - 85%

16 Districts were at or above the state target in the State Performance Plan

- **Large Districts**
  - Manatee   87.8%
  - St. Johns   87.5%

- **Medium/Small Districts**
  - Flagler   85.7%

- **Small Districts**
  - Bradford   89.4%
  - FLVS   100.0%
  - FAMU   100.0%
  - FAU   85.2%
  - FSU   95.2%

- Gilchrist   92.2%
- Glades   87.2%
- Hamilton   87.1%
- Liberty   88.9%
- Madison   85.9%
- Suwannee   86.1%
- Union   88.7%
- UF   100.0%

Regular Class Placement
Districts within 10% of the 2018-19 state performance plan target with no decrease greater than 5% in the LRE rate from 2017-18 to 2018-19
42 Districts met this criteria

- **Very Large Districts**
  - Broward   81.5%
  - Duval   82.2%
  - Orange   81.9%
- **Large Districts**
  - Brevard   76.9%
  - Collier   84.0%
  - Lee   80.5%
  - Osceola   75.9%
  - Pasco   80.2%
  - Sarasota   80.7%
  - Seminole   84.3%

- **Medium Districts**
  - Alachua   75.5%
  - Clay   84.4%
  - Escambia   78.7%
  - Hernando   78.5%
  - Leon   84.5%
  - Okaloosa   84.5%
  - Santa Rosa   79.4%

- **Medium/Small Districts**
  - Columbia   78.5%
  - Hendry   82.7%
  - Highlands   80.1%
  - Indian River   76.5%
  - Martin   78.0%
  - Monroe   80.7%
  - Nassau   81.5%
  - Putnam   76.6%
  - Sumter   77.0%
  - Walton   80.3%

- **Small Districts**
  - Baker   80.4%
  - Calhoun   83.5%
  - DeSoto   83.0%
  - Dixie   83.6%
  - Franklin   77.1%
  - Gadsden   76.2%
  - Hardee   78.7%
  - Jefferson   84.2%
  - Lafayette   82.0%
  - Lake Wales   78.3%
  - Levy   83.2%
  - Okeechobee   78.5%
  - South Tech   75.1%
  - Taylor   81.3%
  - Wakulla   81.8%

Regular Class Placement (2018-19)

District with at least 70% LRE rate for 2018-19
11 Districts met this criteria

- **Very Large Districts**
  - Hillsborough 73.8%
  - Palm Beach 74.7%
  - Pinellas 73.3%
  - Polk 70.7%

- **Large Districts**
  - Lake 74.6%
  - St. Lucie 74.6%
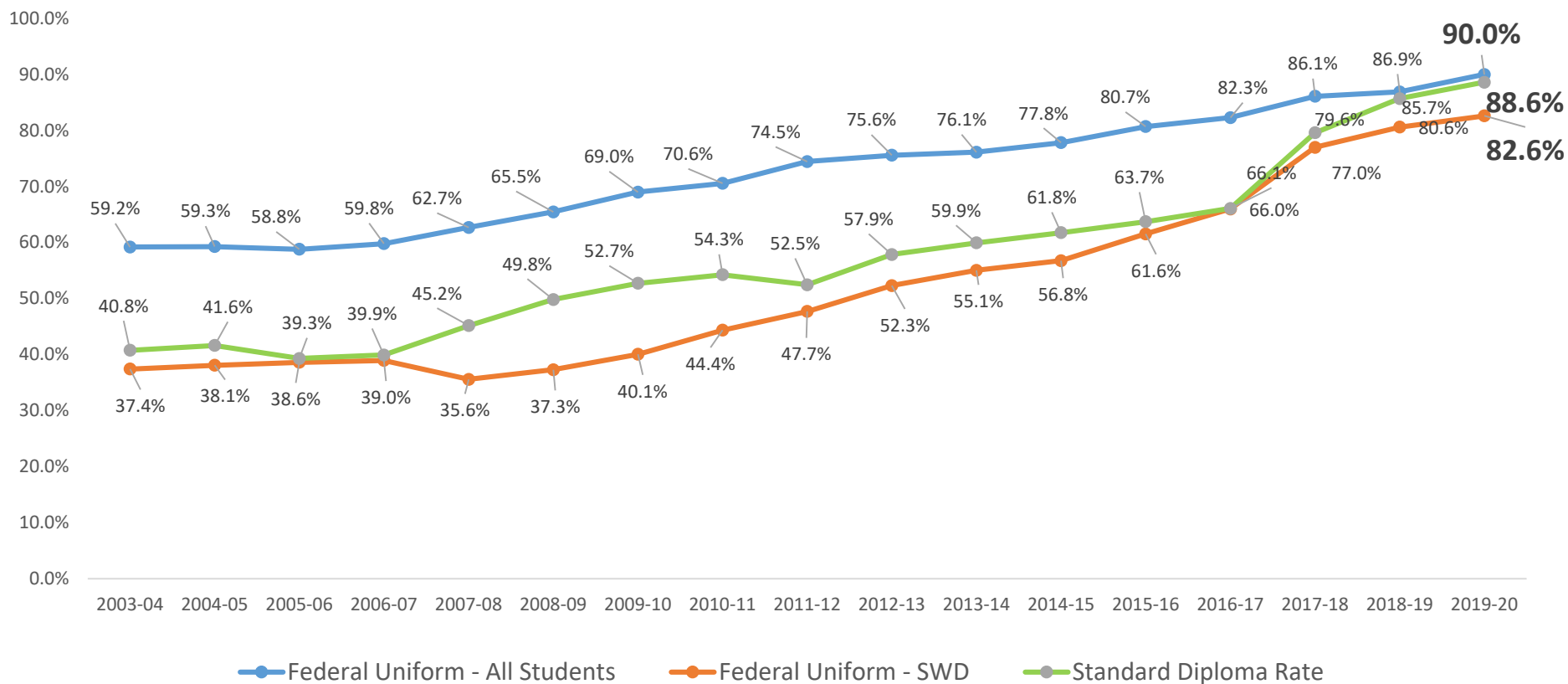 - Volusia 73.4%

- **Medium Districts**
  - Bay 70.7**%**

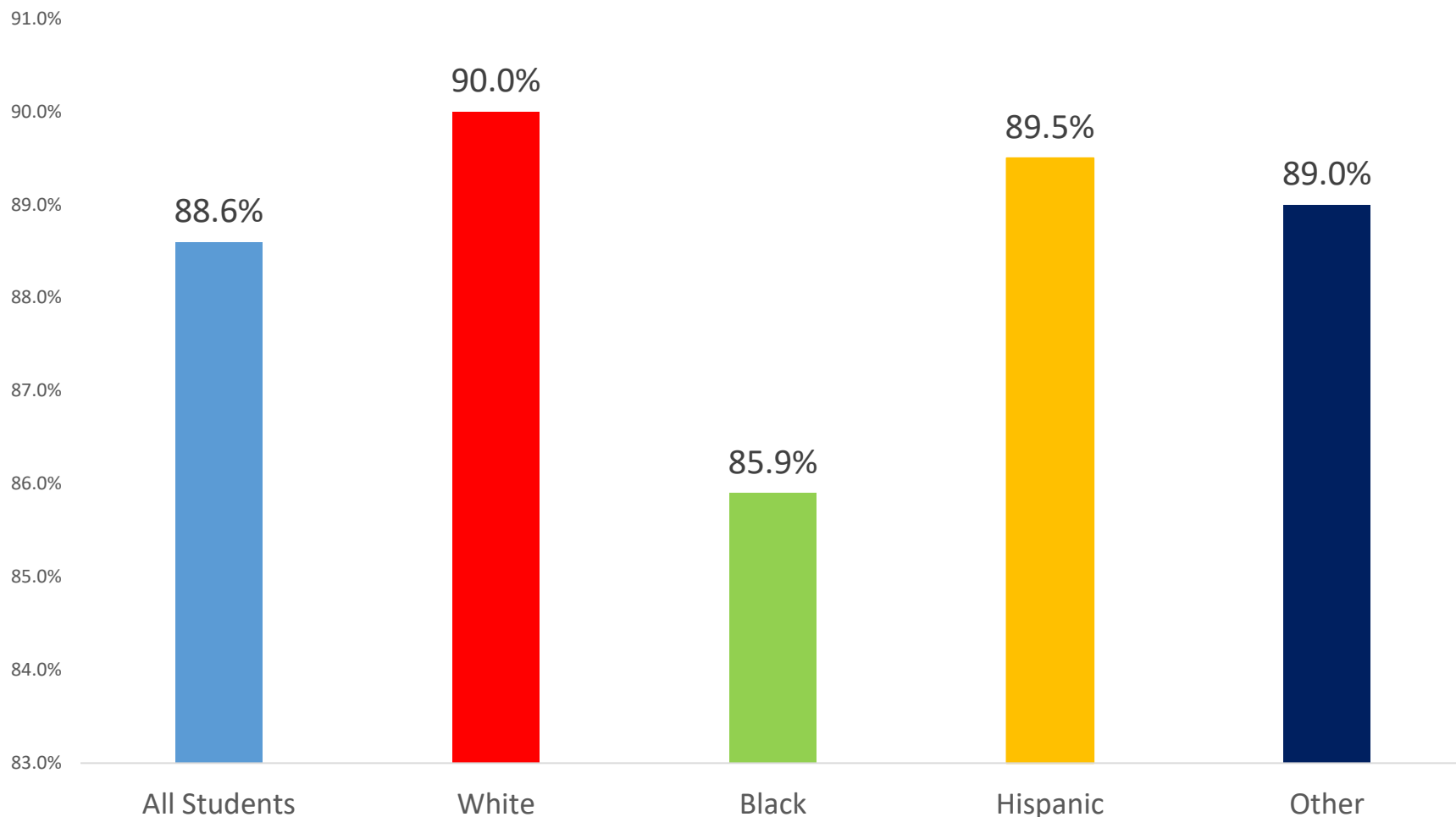- **Medium/Small Districts**
  - Charlotte 72.2%
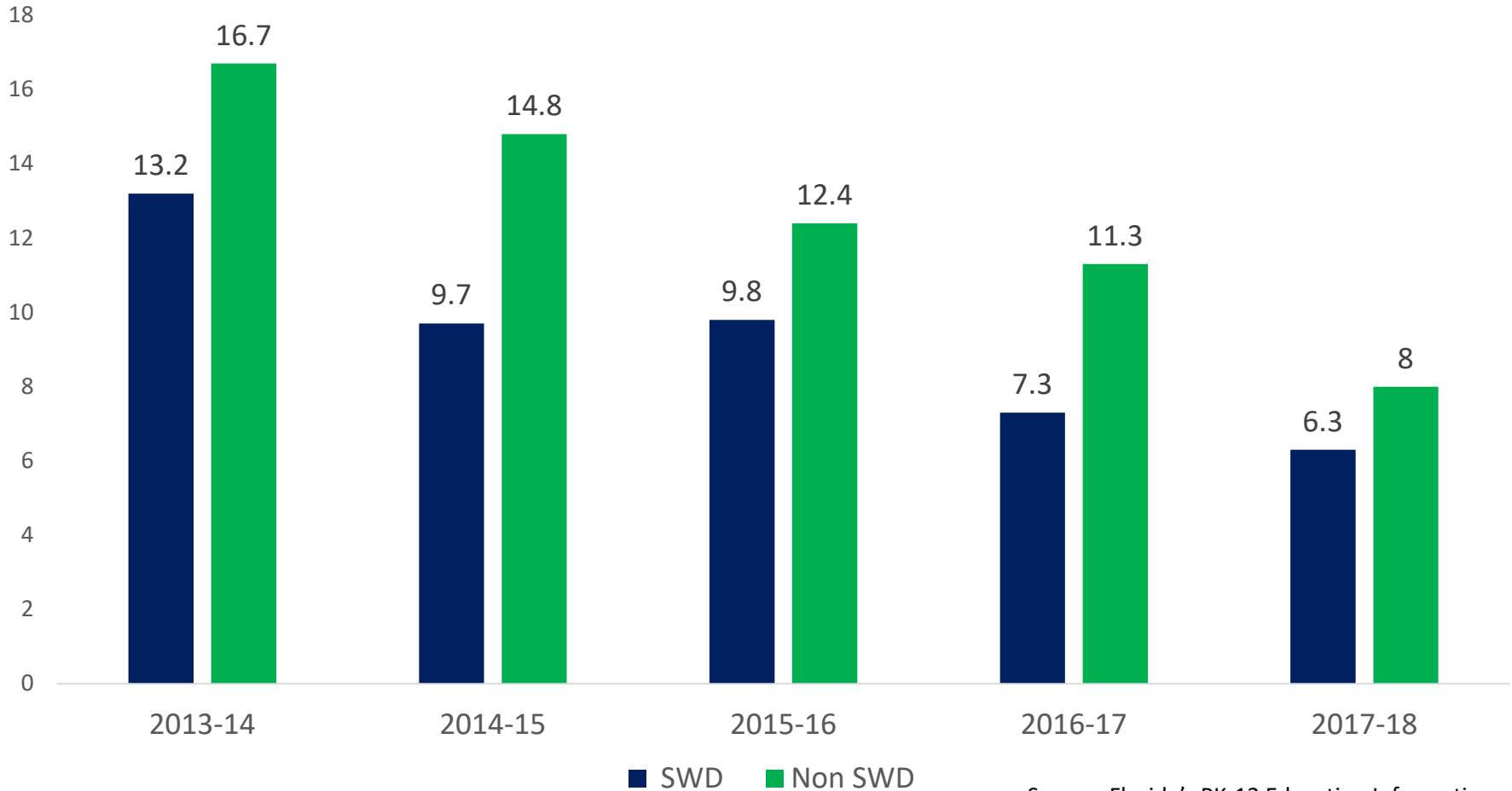 - Citrus 73.5%

- **Small Districts**
  - Holmes 73.9%

Florida's Graduation Rates

SWD Standard Diploma Rates by Race, 2019-20

Bar chart of SWD Standard Diploma Rates by Race, 2019-20:
- All Students: 88.6%
- White: 90.0%
- Black: 85.9%
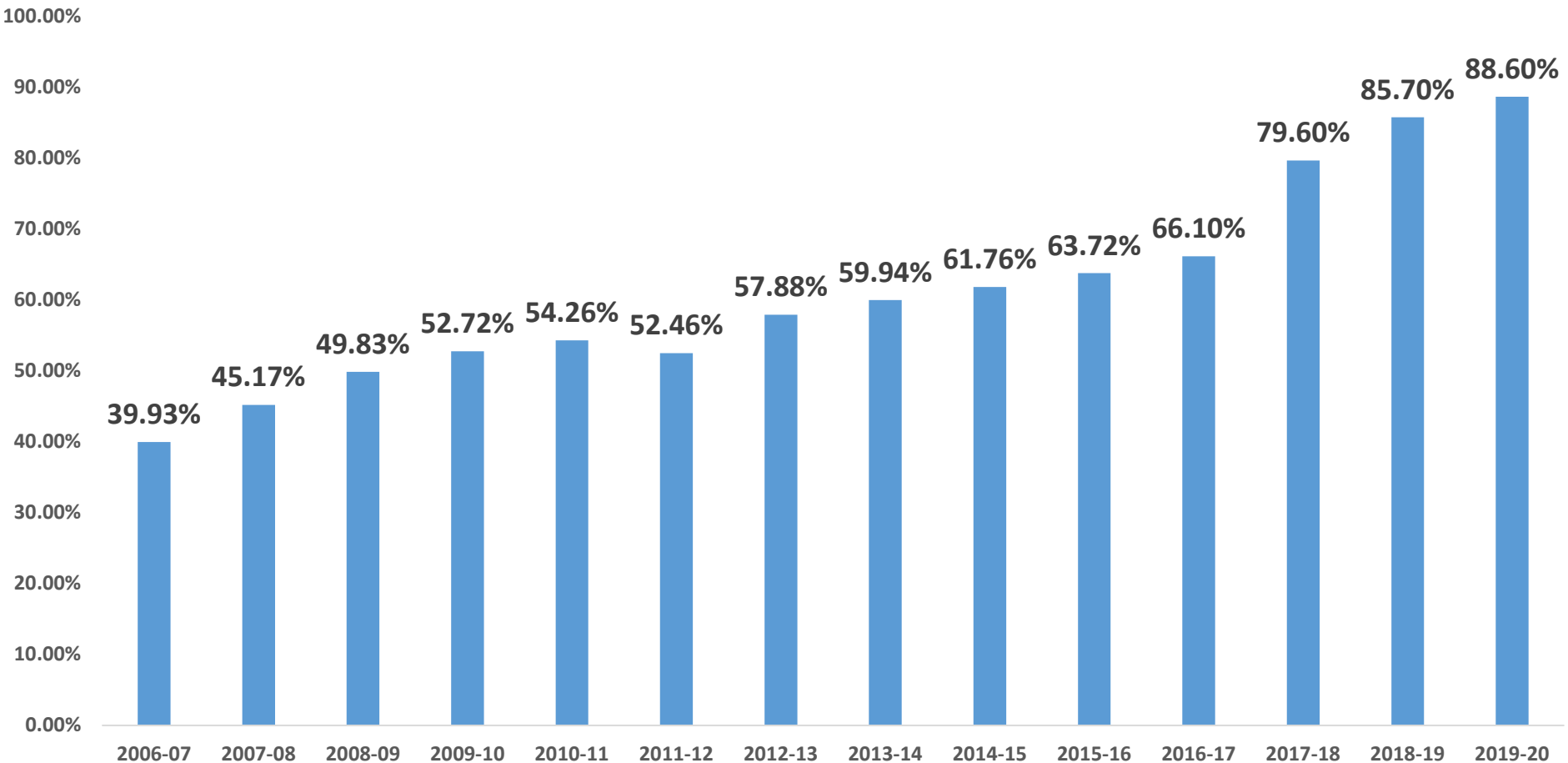- Hispanic: 89.5%
- Other: 89.0%

SWD Graduation Gap – White and Black Students

Source: Florida's PK-12 Education Information Portal

SWD Exiters with a Standard Diploma 2006-07 to 2019-20

Graduation Rate (2017-18) - <u>71 Districts</u> met State Performance Plan Target of 62.3%

- **Very Large Districts**
  - Broward — 75.3%
  - Dade — 79.7%
  - Duval — 77.1%
  - Hillsborough — 76.3%
  - Palm Beach — 79.2%
  - Pinellas — 72.5%
  - Polk — 65.9%
  - Orange — 78.2%

- **Large Districts**
  - Brevard — 74.2%
  - Collier — 85.8%
  - Lake — 77.3%
  - Lee — 73.0%
  - Manatee — 74.5%
  - Marion — 68.2%
  - Osceola — 82.0%
  - Pasco — 79.2%
  - Sarasota — 77.4%
  - Seminole — 85.5%
  - St. Johns — 85.2%
  - St. Lucie — 86.8%
  - Volusia — 72.3%

- **Medium Districts**
  - Alachua — 77.6%
  - Bay — 78.0%
  - Clay — 82.3%
  - Escambia — 65.3%
  - Leon — 79.1%
  - Hernando — 75.8%
  - Okaloosa — 85.6%
  - Santa Rosa — 79.7%

- **Medium/Small Districts**
  - Charlotte — 78.7 %
  - Citrus — 70.7%
  - Columbia — 76.2%
  - Flagler — 75.7%
  - Hendry — 83.3%
  - Highlands — 62.7%
  - Indian River — 84.1%
  - Putnam — 69.9%
  - Monroe — 74.4%
  - Martin — 76.5%
  - Nassau — 87.6%
  - Sumter — 76.2%
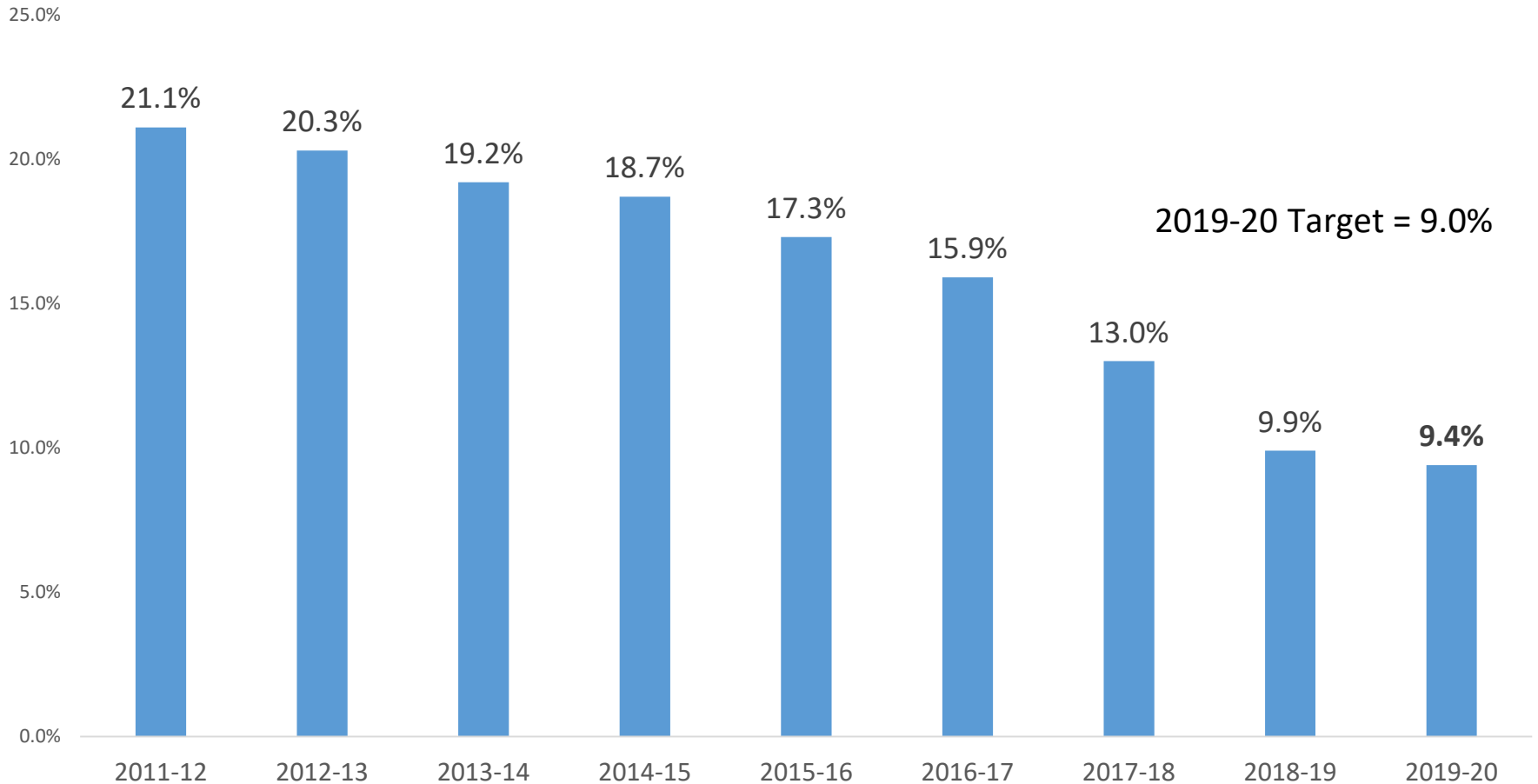 - Walton — 75.5%

- **Small Districts**
  - Bradford — 86.7%
  - Calhoun — 87.5%
  - Dixie — 88.2%
  - Franklin — 83.3%
  - Gadsden — 75.0%
  - Gilchrist — 92.1 %
  - Glades — 87.5%
  - Gulf — 88.0%
  - Hamilton — 75.0%
  - Hardee — 74.3%
  - Holmes — 75.0%
  - Jackson — 68.3%
  - Lafayette — 100.0%
  - Levy — 74.5%
  - Liberty — 71.4%
  - Madison — 94.1%
  - Okeechobee — 68.2%
  - Suwannee — 97.6%
  - Taylor — 85.7%
  - Union — 73.9%
  - Wakulla — 81.3%
  - FSDB — 69.2%
  - FLVS — 87.5%
  - Lake Wales — 95.2%
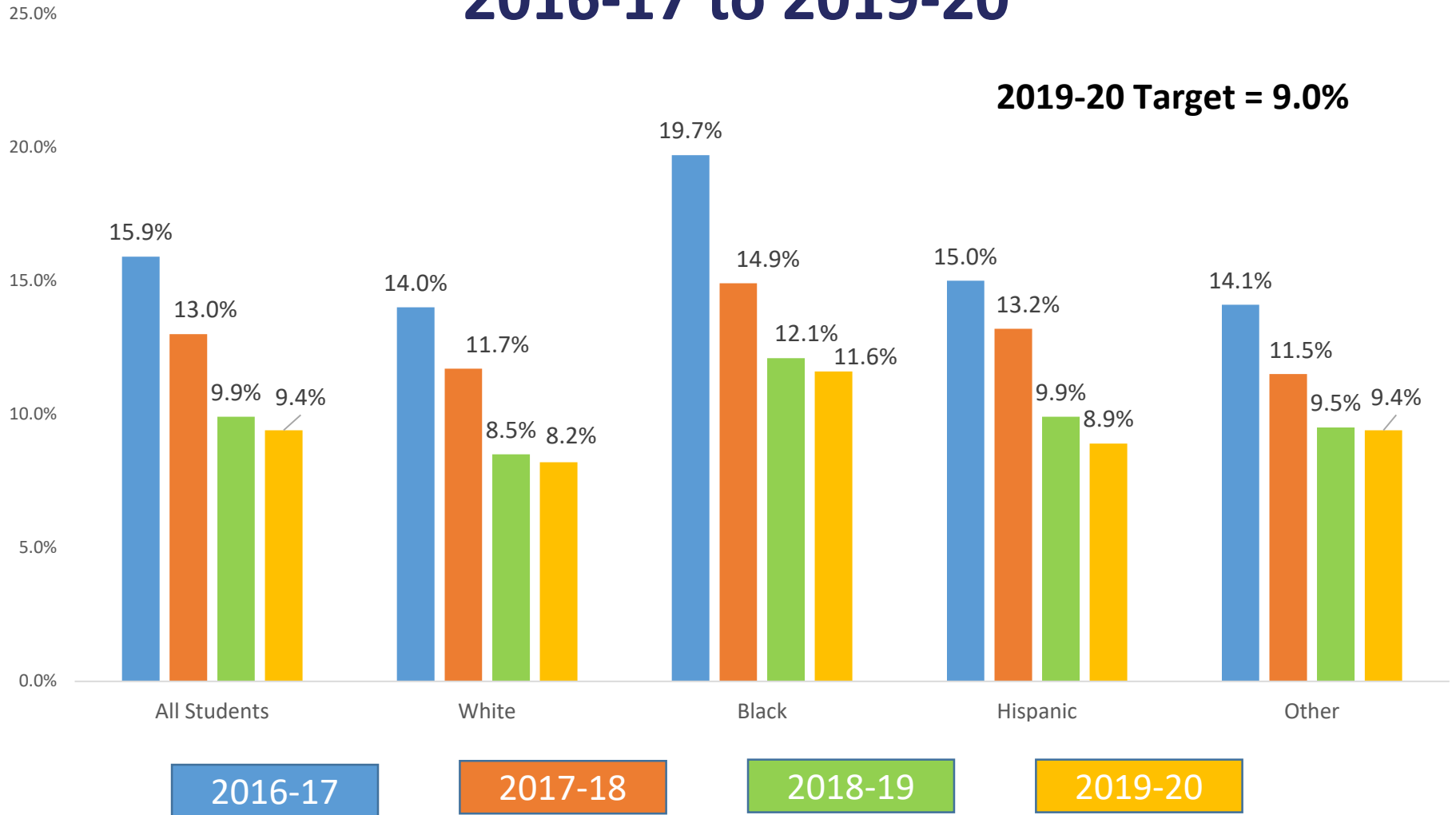 - South Tech — 100.0%
  - FAMU — 100.0%
  - FAU — 100.0%
  - FSU — 100.0%
  - UF — 100.0%

Drop-out Rate for Students with Disabilities

Dropout Rates for Students with Disabilities 2011-12 to 2019-20

2019-20 Target = 9.0%

Year	Dropout Rate
2011-12	21.1%
2012-13	20.3%
2013-14	19.2%
2014-15	18.7%
2015-16	17.3%
2016-17	15.9%
2017-18	13.0%
2018-19	9.9%
2019-20	9.4%

Dropout Rates for SWD by Race
2016-17 to 2019-20

2019-20 Target = 9.0%

Dropout Rate (2018-19)
48 Districts Met the State Performance Plan Target of 9.5%

- **Very Large Districts**
  - Broward   6.7%
  - Hillsborough   8.1%
  - Orange   8.1%
- **Large Districts**
  - Collier   7.4%
  - Lee   8.4%
  - Marion   6.7%
  - Osceola   5.8%
  - Pasco   4.9%
  - Seminole   3.0%
  - St. Johns   7.1%
  - St. Lucie   7.4%
  - Volusia   7.6%
- **Medium Districts**
  - Alachua   4.2%
  - Clay   6.4%
  - Escambia   3.6%
  - Leon   2.9%
  - Okaloosa   7.4%
  - Santa Rosa   6.1%

- **Medium/Small Districts**
  - Citrus   6.9%
  - Columbia   5.3%
  - Flagler   7.1%
  - Indian River   9.1%
  - Monroe   6.1%
  - Nassau   0.0%
  - Putnam   6.5%
- **Small Districts**
  - Bradford   3.1%
  - Calhoun   3.4%
  - Dixie   5.0%
  - FAMU   0.0%
  - FAU   0.0%
  - FLVS   0.0%
  - FSBD   5.1%
  - FSU   0.0%
  - Glades   0.0%

- Hamilton   9.1%
- Jackson   5.7%
- Lafayette   0.0%
- Lake Wales   2.5%
- Levy   3.9%
- Madison   0.0%
- South Tech   0.0%
- Suwannee   0.0%
- Taylor   0.0%
- Wakulla   0.0%
- Washington   8.9%
- UCP   0.0%
- UF   0.0%
- Wakulla   0.0%

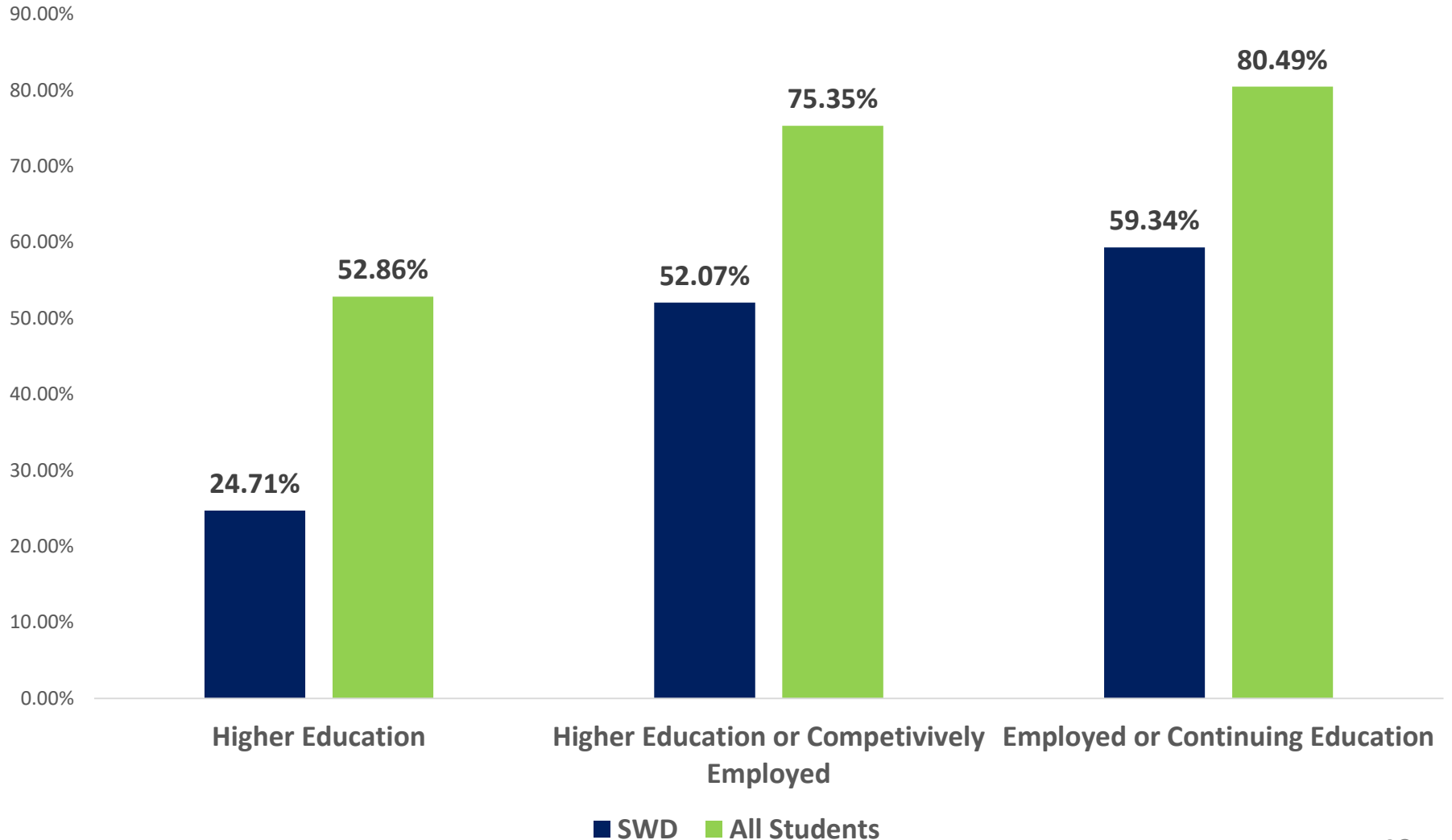# Florida Education and Training Placement Information Program (FETPIP)

- FETPIP's method of data collection replaces conventional survey-type techniques, and provides information in an accurate and cost effective manner.

- The follow-up studies are conducted annually by matching records of the student graduates, completers or exiters from the numerous public and independent organizations with information resources available to FETPIP.

Post-school Outcomes for SWD (Performance)
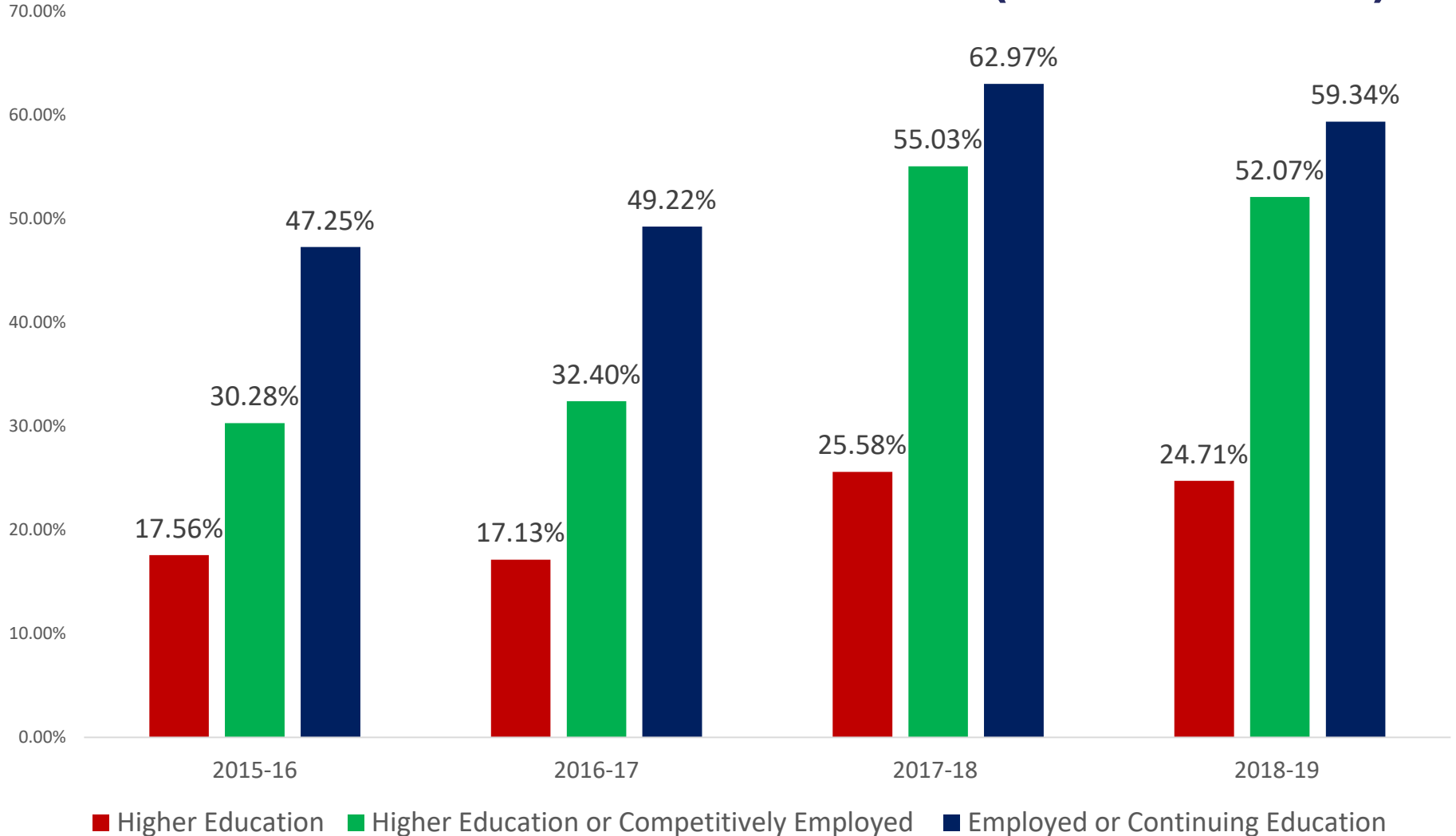
Source: Florida Education and Training Placement Information Program (FETPIP)

2018-19 Post-school Outcomes (SWD and All)

Bar chart showing post-school outcomes comparing SWD and All Students:

- Higher Education: SWD 24.71%, All Students 52.86%
- Higher Education or Competitively Employed: SWD 52.07%, All Students 75.35%
- Employed or Continuing Education: SWD 59.34%, All Students 80.49%

Legend: ■ SWD ■ All Students

ESE Updates

1. FSAA and the 1%
2. State Complaints and Due Process in Florida
3. Self Assessing the effectiveness of your ESE Programs and leadership

1. FSAA and 1%

Theory of Presuming Competence: Least Dangerous Assumption

"…<u>in the absence of conclusive data</u>, educational decisions ought to be based on <u>assumptions which, if incorrect</u>, will have the <u>least dangerous effect</u> on the likelihood that students will be able to function independently as adults. Furthermore, we should assume that poor performance is due to instructional inadequacy rather than to student deficits."

– Anne Donnellan, 1984
as quoted by Cheryl Jorgensen, 2005

2015 Reauthorization of ESEA to Every Student Succeeds Act (ESSA)

- ESSA reaffirmed that, for states choosing to use an alternate assessment, this is an appropriate assessment ONLY for students with the **most significant cognitive disabilities**.

- The means that states, districts, schools and Individual Educational Plan (IEP) teams need to think carefully about which students should be included in the alternate assessment, which, as indicated in ESSA, is ONLY for students with the **most significant** cognitive disabilities.

Source: https://nceo.umn.edu/docs/OnlinePubs/NCEOBrief12OnePercentCap.pdf

1% Alternate Assessment Participation Comparison for 2017-2018: Reading

1% CAP AA-AAAS Reading in 2017-18
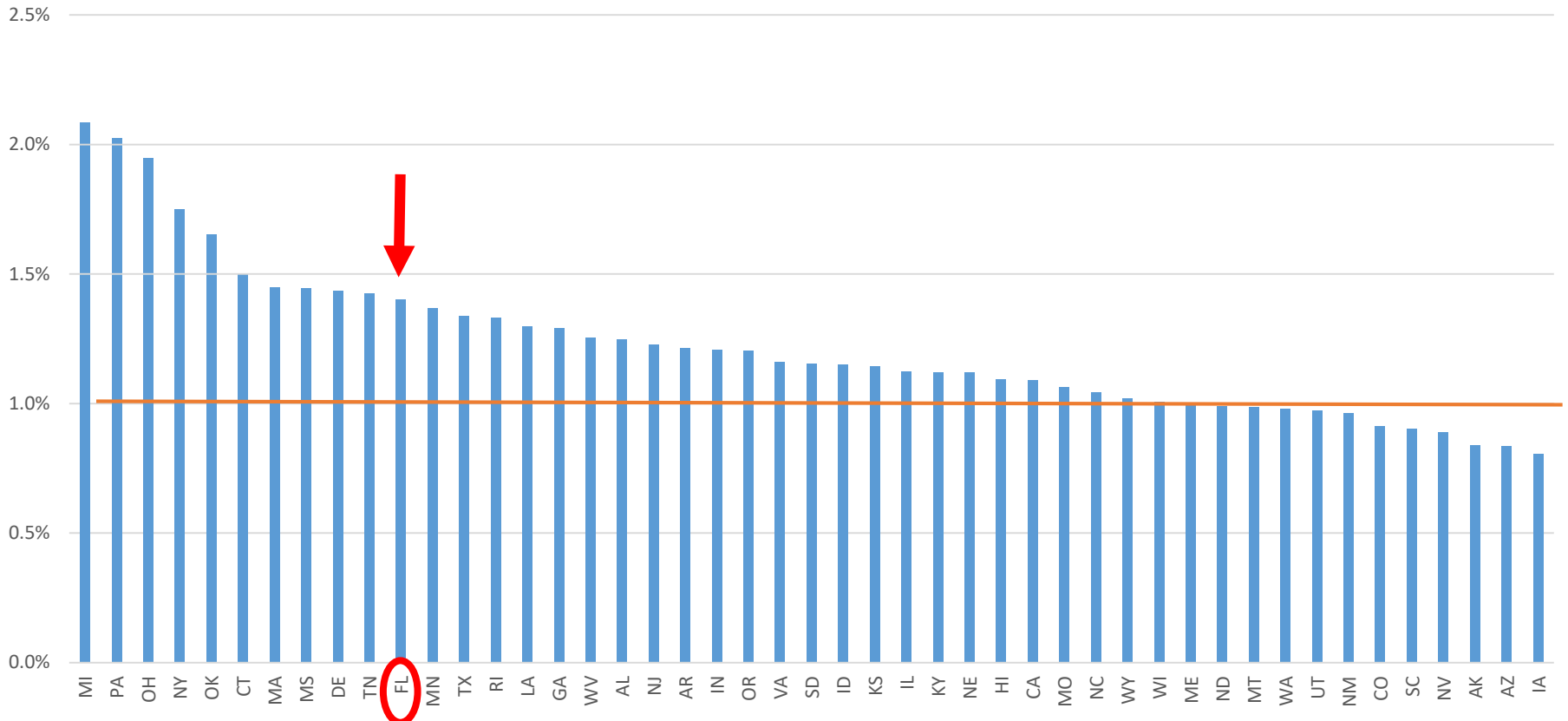
Source: https://nceo.info/Assessments/alternate_assessments/aa-aas

1% Alternate Assessment Participation Comparison for 2017-2018: Math

1% CAP AA-AAAS Math in 2017-18
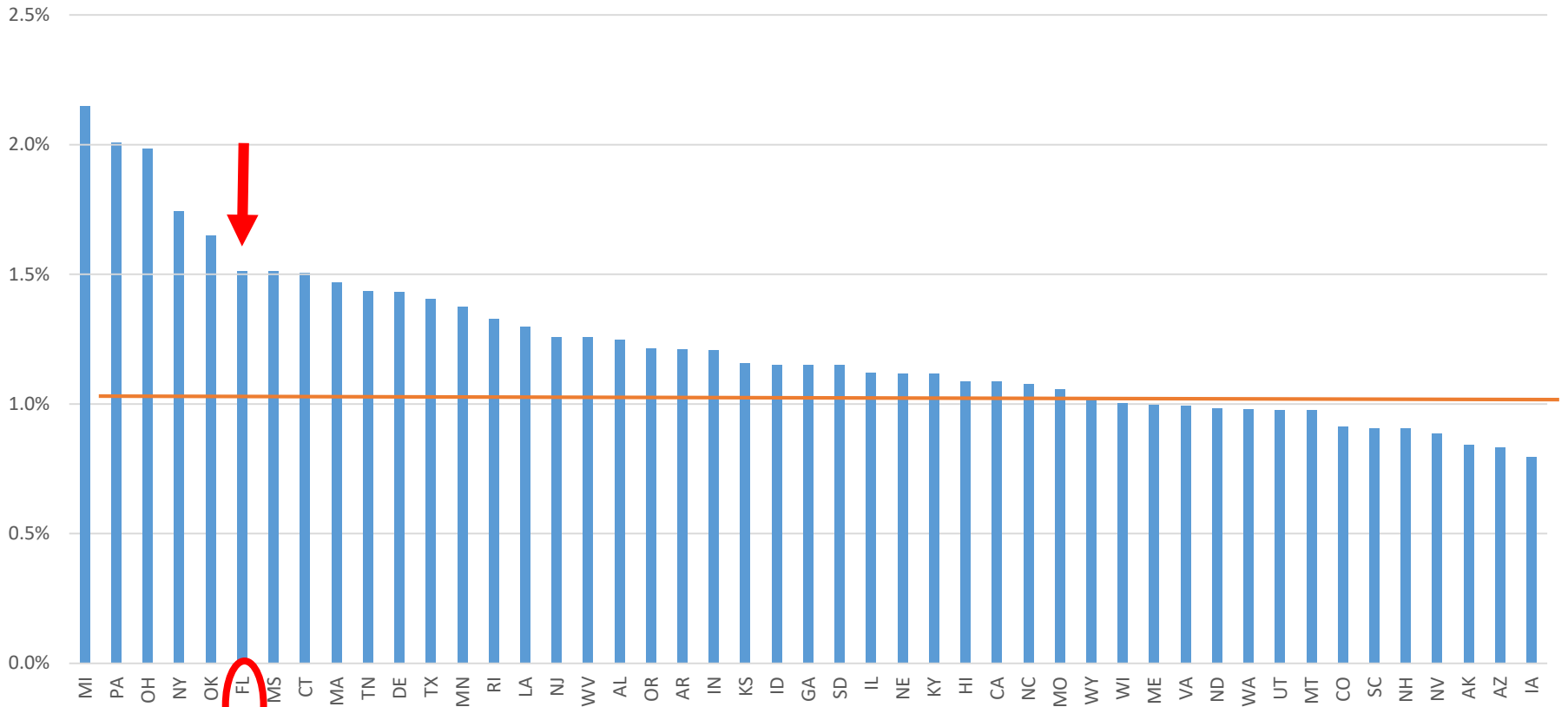
Source: https://nceo.info/Assessments/alternate_assessments/aa-aas

State Level FSAA 1% Cap Data

Subject	2017-2018	2018-2019
ELA	1.40%	1.50%
Math	1.50%	1.60%
Science	1.50%	1.60%

Number of Students Reported as taking FSAA not enrolled in Access Courses

Subject	2017-2018		2018-2019	
	Total # taking FSAA	# not enrolled in Access Courses	Total # taking FSAA	# not enrolled in Access Courses
ELA	23,883	1,150	26,243	1,307
Math	23,887	952	25,744	1,116
Science	8,752	416	9,621	423

Number of Students Reported as taking FSAA without an IEP

Subject	2017-2018	2018-2019
ELA	25	41
Math	24	32
Science	12	13

Rule 6A-1.0943(5), F.A.C., states the decision for a student with a most significant cognitive disability will participate in the Statewide, Standardized Alternate Assessment as defined in section 1008.22(3)(c), F.S., is made by the IEP team and recorded on the IEP.

FSAA Assurances

- As part of Florida's focus and support to districts, beginning with the 2020 assessment administration of the FSAA, the Florida Department of Education (FDOE) is implementing a new assurance process in which districts will provide supporting data for students who require an AA-AAAS.

- Memo was sent to District superintendents from Chancellor Oliva on November 22, 2019, regarding the assurance process.

FSAA Assurances - Purpose

To ensure and certify that districts have verified the supporting data for students who require an alternate assessment based on alternate academic achievement standards (AA-AAAS) and affirm that the FSAA is the most appropriate assessment aligned with the students' educational needs.

FSAA Assurance Process

- District personnel, designated by the superintendent, are responsible for providing the verification of assurances for each student who is recommended to participate in the FSAA to FDOE via ShareFile or the Cognia/Measured Progress File Transfer Protocol (FTP).

- A systematic and collaborative effort must take place between alternate assessment coordinators and district assessment coordinators as this data is verified and securely transferred to FDOE.

- Districts should seek support through their school level assessment coordinators, staffing specialists, and case managers to assist in the data verification process.

Eligibility Criteria for Instruction in Florida Standards Access Points and Participation in the FSAA

1. Does the student have a disability?

    a) If so, is it a cognitive disability?

    b) If so, is it a significant cognitive disability?

    c) If so, is it among the ***most*** significant cognitive disabilities?

2. Even with appropriate and allowable instructional accommodations, assistive technology, or accessible instructional materials, does the student require modifications, as defined in Rule 6A-6.03411(1)(z), F.A.C., to the grade-level general state content standards pursuant to Rule 6A-1.09401, F.A.C.?

3. Does the student require direct instruction in academic areas of English language arts (ELA), mathematics, social studies and science based on Access Points in order to acquire, generalize and transfer skills across settings?

4. Students correctly enrolled in access courses must take the Florida Standards Alternate Assessment (FSAA).

Compliance and Instruction in Alternate Standards

- Per Rule 6A-6.03018, F.A.C., and Title 34, section 300.8, Code of Federal Regulations (C.F.R.), **students identified with a specific learning disability** may not have a learning problem that is a result of intellectual factors and are **prohibited from participation** in Florida Standards Access Points instruction and the FSAA.

- 34 C.F.R. § 300.324 requires the periodic review and revision of IEPs, to include ensuring that continued instruction in alternate standards and participation in the FSAA is appropriate (e.g., if a student should continue to score near perfect on the FSAA).

- Title I of ESEA requires that **only** students with the **most significant cognitive disabilities** may take an assessment using alternate standards and 34 C.F.R. § 300.320 requires IEPs contain a sufficiently detailed statement of why the child cannot participate in the regular assessment.

- Section 1003.5715, Florida Statutes, requires parental permission, multiple documented attempts and no response, or due process for instruction of a student in alternate standards and FSAA participation.

2. IDEA State Complaints and Due Process in Florida

- Dispute Resolution Data

- Continuous Improvement: Considerations

- Resources and Support

Dispute Resolution Data

- Data on IDEA related State Complaints, Due Process and Mediation are tracked by district and statewide each year from July 1 to June 30 (Fiscal Year).

- FDOE BESE is required to report this data annually to the US Department of Education, Office of Special Education Programs.

- State Data is publically available after data is finalized each year at the following location: https://sites.ed.gov/idea/spp-apr-letters?selected-category=&selected-year=&state=Florida.

Total Dispute Resolution Activity by State/Entity per 10K Child Count: 2018-19
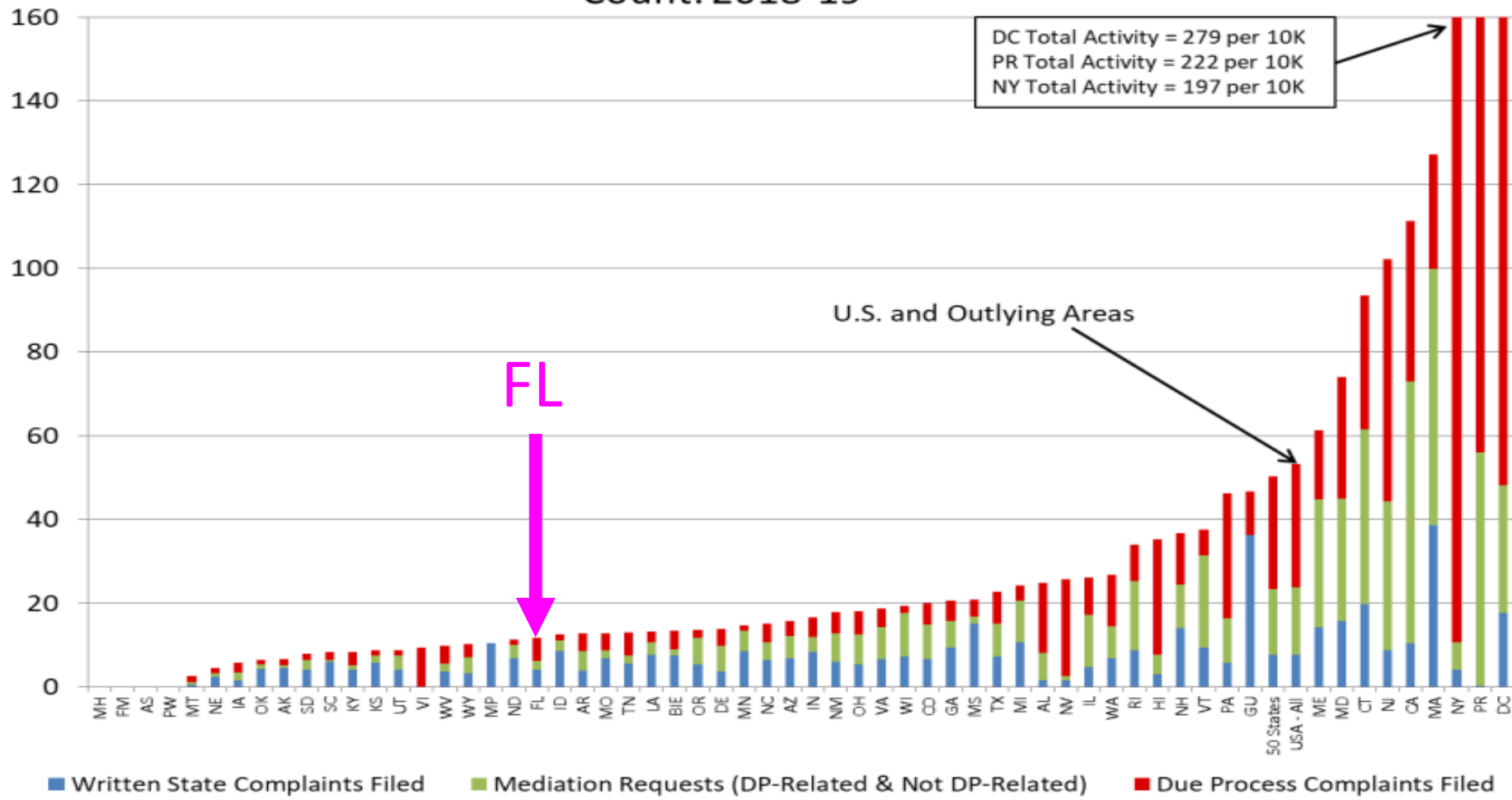
Prepared by CADRE - Contact: cadre@directionservice.org

Source: The Center for Appropriate Dispute Resolution in Special Education (Nov. 2020)
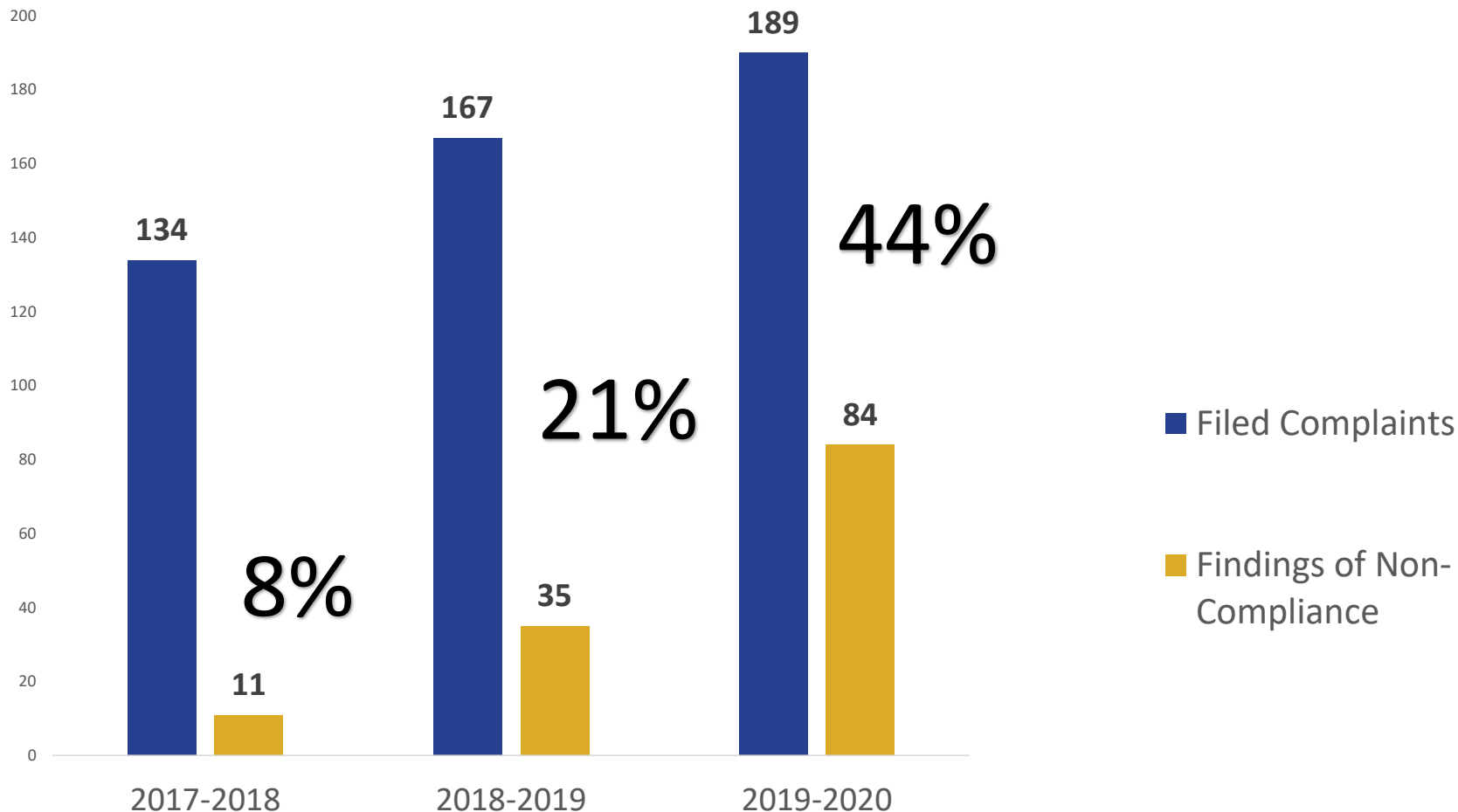
IDEA STATE COMPLAINTS: TOP Issues (2019-2020)	
300.323 When IEPs must be in effect (67)	300.321 IEP Team (23)
300.320 Definition of individualized education program (59)	300.303 Reevaluations (16)
300.503 Prior notice by the public agency; content of notice (54)	300.301 Initial evaluations (15)
300.324 Development, review, and revision of IEP (51)	300.300 Parental consent (13)
300.322 Parent participation (25)	300.530 Authority of school personnel (13)

Yellow = Systemic Issue

COVID-19 Related IDEA State Complaints

Received	District	Related Issue
8	5	"fail to follow the requirements regarding reevaluations subsequent to receiving a parental request"
		Student had no access to any instruction during school closures
		AT assessment delayed until school resumes
		Request for virtual access for a particular program during COVID-19 school closures
		Refusing services and stating an in-person evaluation is required
		Failure of the district to provide in-person services identified in the student's IEP plan and discrimination in the provision of those services

IDEA Mediations – 3 Year
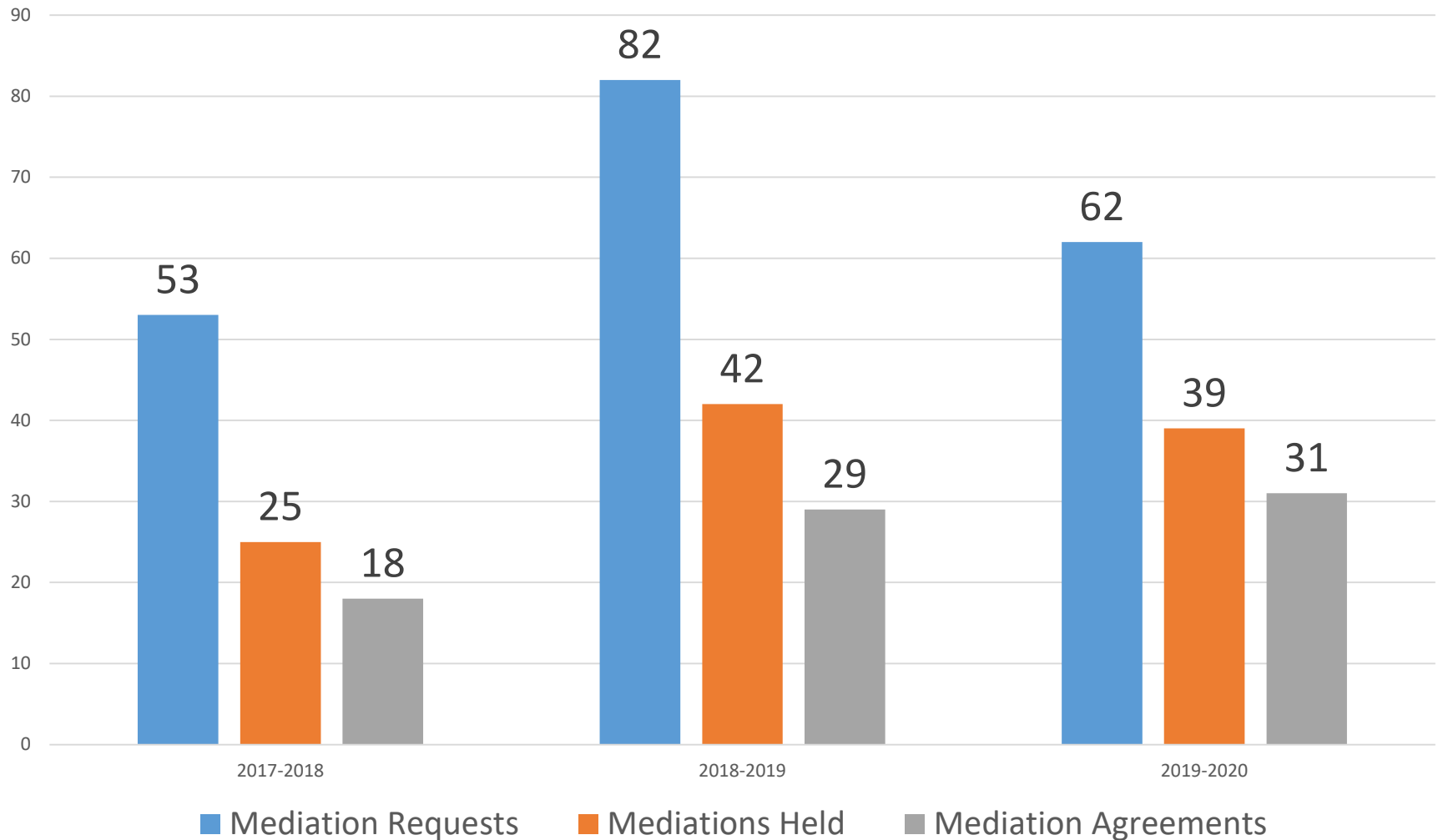
2020-2021 SECTION B: Mediation Data as of April 14, 2021

Total number of mediation request received through all dispute resolution processes	**48**
(2.1) Mediations held	16
(a) Mediation held related to due process complaints	1
(i) Mediation agreements related to due process complaints	0
(b) Mediation held not related to due process complaints	15
(i) Mediation agreements not related to due process complaints	14
(2.2) Mediation pending	8
(2.3) Mediations withdrawn or not held	25

IDEA Due Process – 3 Year

Chart showing IDEA Due Process data over three years:

	2017-2018	2018-2019	2019-2020
Filed Due Process	207	231	173
Hearings Fully Adjudicated	11	20	7
Ordered Actions	6	8	1
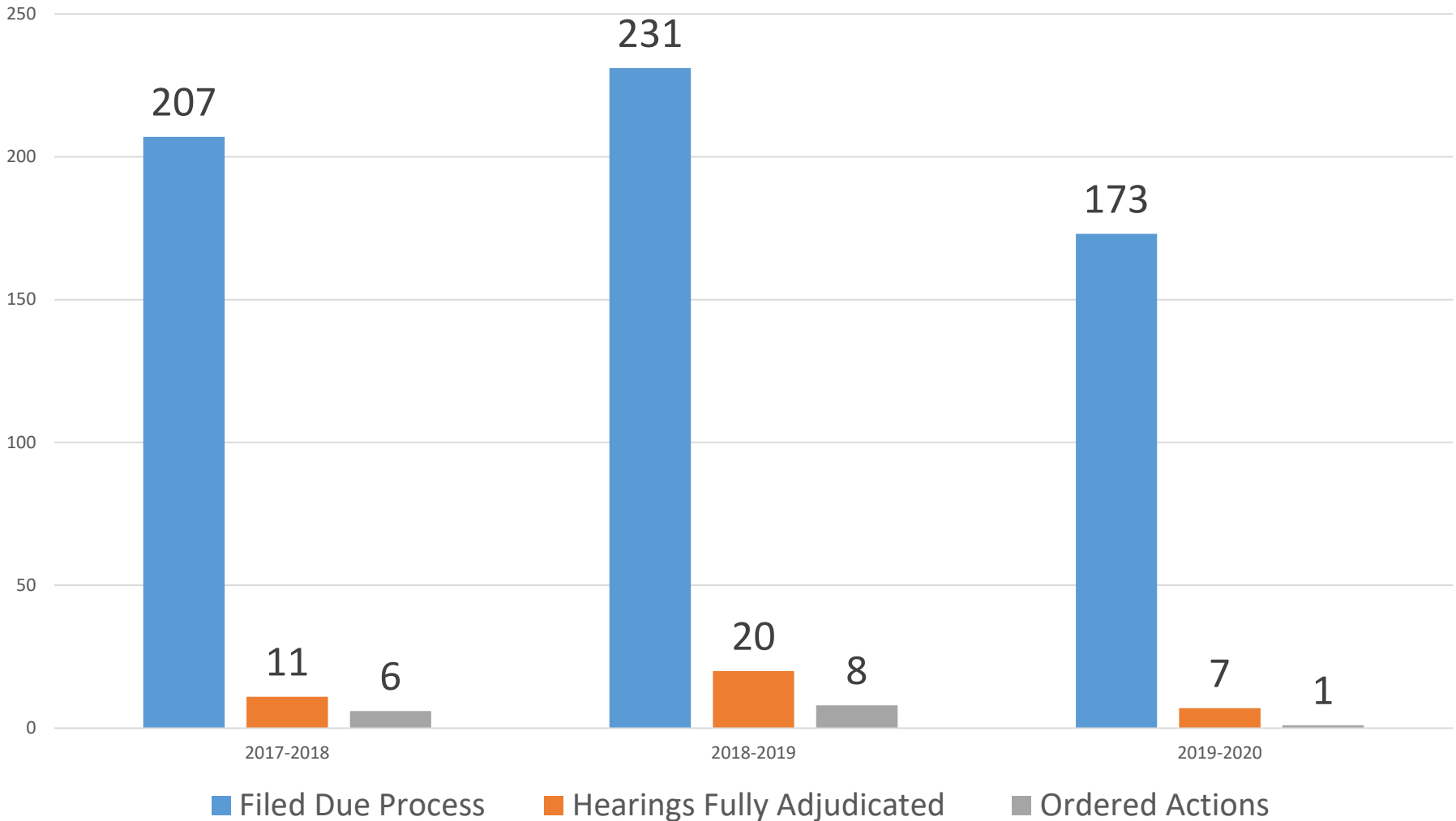
Continuous Improvement: Considerations

- Does the district collect, review and use data on dispute resolution?

- Does the district support and use a robust array of alternate resolution options and prevention strategies? (FIEP, mediation, proposals of local resolution, early intervention, family and stakeholder engagement)

- Does the district annually review its policy and procedures to determine if there are any district specific policies and procedures discouraging resolution or increasing contentiousness?

Resources for Support

- Six Key Practices: District Self-Assessment Guide

- IEP Meeting Facilitation training
  - FDLRS
  - Key2Ed

- The Center for Appropriate Dispute Resolution in Special Education or CADRE

- FDOE BESE DRM
  - DRM Senior Director: Jessica Brattain (Jessica.Brattain@fldoe.org)
  - ESE District Compliance Liaisons

Jessica Brattain: Senior Director and Section Administrator, DRM

Director: Jacqueline Roumou (Mediation, SFIEP)	Director: Julian Moreira (GSW, Due Process)
Specialist: Patricia Gaddis	**Specialist: Joy Dunlavy**
Broward Hardee Okeechobee Brevard Highlands Osceola Citrus Liberty Santa Rosa FSU Lab Martin	Baker Jefferson FAU Lab Lake Flagler Okaloosa Holmes Volusia
Specialist: Jacqueline Roumou	**Specialist: Brian Merck**
Bay Hernando Sarasota Calhoun Hendry South Tech Charlotte Manatee Glades Palm Beach	Columbia Gulf Wakulla DeSoto Hillsborough FDC/DOC Levy Escambia Seminole
Specialist: Kelbe Harrell	**Specialist: Tiliany Parra Fontalvo**
Dixie Indian River St. Johns Duval Lafayette St. Lucy Gilchrist Madison Suwannee Hamilton Miami-Dade KIPP Miami	Alachua Pinellas FL Virtual Polk Franklin Sumter Gadsden Taylor
Specialist: Bryce Milton	**Specialist: Sarah Maxwell**
FSDB Orange Walton Jackson Pasco Washington Leon Union UCP Charter Nassau UF Lab/PK Yonge	Bradford Lake Wales Charter IDEA Charter Clay Lee Collier Marion FAMU Lab Monroe

3. Self-Assessing District ESE Programs and Leadership

- Six Key Practices for Districts
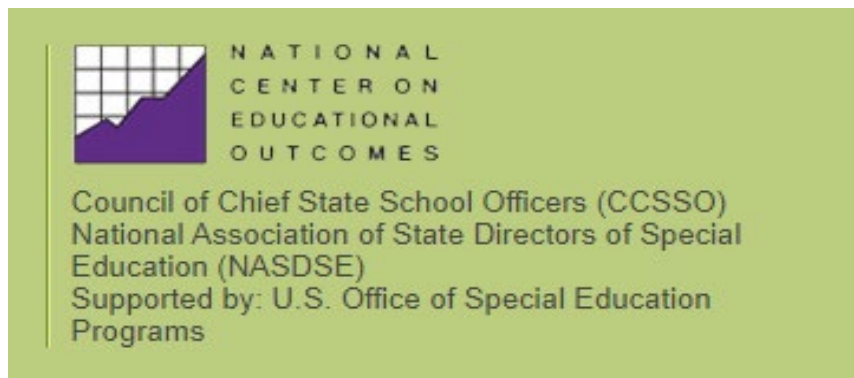- Pluses (+) and Deltas (Δ) of current practices: A guided discussion

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

Six Key Practices	If FDOE Leads With the six key practices to implement multi-tiered systems of supports to districts based on need and resulting in continous improvement...	Then Local Educational Agency (LEA) Will use the six key practices to implement the multi-tiered system of supports to schools based on need and resulting in continous improvement...	Then Schools	Then Students
1. Use Data Well	◊ Identify and respond to community needs ◊ Create, refine and revise state systems of support	◊ Establish clear expectations for data use ◊ Use data to identify need, measure implementation and impact on student learning and revise procedures	Will use the six key practices to implement the multi-tiered system of supports to students based on need and resulting in continous improvement...	Will engage, progress and graduate college, career and life ready.
2. Focus Goals	◊ Establish common goals Provide ◊ products and services to facilitate focused goal setting and coherent plans	◊ Establish priority on improving teaching and learning ◊ Ensure alignment of goals ◊ Take leadership responsibility for goal setting		
3. Select & Implement Shared Instructional Practices	◊ Serve to help districts improve quality of instruction to all students ◊ Establish statewide system of supports to districts	◊ Align standards-based instruction to district goals ◊ Build common language understanding ◊ Require ongoing progress monitoring		
4. Implement Deeply	◊ Limit state and district requirements ◊ Provide products and services that help districts fully implement strategies	◊ Ensure consistentcy implementation of selected improvement strategies ◊ Require aligned school structures ◊ Provide support and accountability		
5. Monitor & Provide Feedback	◊ Help districts understand relationship between monitoring for improvement and monitoring for compliance	◊ Use district identified formative indicators for implementation ◊ Provide differentiated support ◊ Measure effectiveness		
6. Inquire & Learn	◊ Evaluate adult and student learning ◊ Recognize continous improvement of all students and specific groups of students	◊ Pursue continous improvement ◊ Establish decision-making process ◊ Provide active oversight of instruction		

Photos provided by Thinkstock

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. The SIMR is related to SPP/APR results indicator #1: Percent of youth with IEPs graduating from high school with a regular diploma. (20 U.S.C. 1416 (a)(3)(A))

Six Key Practices: Districts & Their Schools

- http://www.movingyournumbers.org/what-matters-most/districts-their-schools

- Interactive Self-Assessment for Districts: http://www.movingyournumbers.org/images/resources/81157-self-assessment.pdf

NATIONAL CENTER ON EDUCATIONAL OUTCOMES

Council of Chief State School Officers (CCSSO)
National Association of State Directors of Special Education (NASDSE)
Supported by: U.S. Office of Special Education Programs

Plus or **+**	Delta or **Δ**
• Where are we doing well?	• Where do we need more growth?

Use Data Well

To what degree do districts and their schools:

- Establish clear expectations for effective data use at all levels of the system?
- Use data to identify district, building, and classroom needs, and establish goals and performance targets at the district and school level?
- Use data to measure the degree of implementation of strategies/actions, including professional development, to reach district/school-identified goals?
- Use data to evaluate the effect of strategies/actions on student learning?
- Require teachers and teacher teams to use data to establish instructional priorities and inform instructional practice on an ongoing basis?
- Model and monitor the use of data to inform instructional decisions?
- Provide support at all levels in the effective use of data to facilitate higher levels of learning for all students and groups of students, such as students with disabilities?

Focus Your Goals

To what degree do districts and their schools:

- Use a data-driven needs assessment to develop a limited number of focused goals, and measureable strategies and actions, directly related to addressing the district's greatest needs related to instruction and achievement?
- Reflect in district goals that the core work and priority of the district is to improve teaching and learning?
- Ensure that all schools in the district align their work with district-established goals and strategies?
- Identify goal setting as an important leadership responsibility?
- Develop a single coherent district plan to reach district goals and require that each school develops a building plan aligned to district goals?
- Make intentional decisions to align resources (fiscal, material, personnel) across the district to meet district-wide goals?
- Screen, interview, select, and provide ongoing support to staff based on district-wide goals?
- Engage the larger community, including board members, in establishing and sustaining a focus on district-wide goals for improving instruction and student learning?

Select & Implement Shared Instructional Practices

To what degree do districts and their schools:

- Establish and require the use of a district-wide standards-based curriculum aligned with district goals and priorities for instruction and student learning?
- Take steps to build a common language among all staff for what constitutes high-quality instructional practice?
- Ensure full access to challenging content aligned with rigorous standards for all students and student groups?
- Ensure that the use of prevention/intervention strategies is implemented consistently as part of, rather than separate from, the district's instructional program?
- Require the use of ongoing assessment and progress monitoring to inform instruction at the district, school, and teacher-team level?
- Provide for the system-wide use of collaboratively developed common classroom formative assessment as part of the instructional process?
- Provide structured opportunities for schools to learn from each other, for principals to learn from each other, and for teachers to learn from each other?

Implement Deeply

To what degree do districts and their schools:

- Require that identified instructional strategies chosen for improvement are implemented in every building and in every classroom across the district?

- Define what full implementation of identified instructional strategies chosen for improvement looks like?

- Require the use of aligned structures (i.e., teacher-based teams, school-level teams, district-level teams) that support shared implementation of focused instructional strategies?

- Hold staff at all levels accountable for following through on focused instructional strategies, while providing them with multiple opportunities for practice and support?

- Set expectations for the direct involvement of administrators (superintendents, principals) in ensuring that focused instructional practices are being implemented at a high level?

- Ensure that professional development is directly related to the identified instructional practices chosen for improvement?

- Actively maintain a focus on improving instructional practice and student learning?

Monitor and Provide Feedback & Support

To what degree do districts and their schools:

- Use a set of district-identified formative indicators for measuring district-wide implementation of focused improvement strategies and the effect of such implementation on student learning?
- Use a consistent set of protocols/procedures for measuring district-wide implementation of focused improvement strategies and the effect of such implementation on student learning?
- Monitor the degree of implementation of focused improvement strategies across the system?
- Monitor the progress of students, and examine where and why students may be struggling?
- Require central office personnel to actively monitor and provide feedback to principals and school-level teams on the implementation of focused instructional practices?
- Require principals to actively monitor and provide feedback to teachers and teacher teams on the implementation of focused instructional practices?
- Provide differentiated support, as needed, to schools and teachers in the implementation of focused instructional strategies?
- Measure the effectiveness of feedback and/or differentiated support provided to schools and teachers?

Inquire & Learn

To what degree do districts and their schools:

- Foster and communicate a sense of urgency for continuous improvement and positive change in student learning?

- Engage everyone in continually evaluating the effect of the district's focused instructional practices on district and school performance, and student learning?

- Establish a decision-making process that supports shared learning across and among central office personnel, school personnel, and teacher team members?

- Support principals in actively participating in collegial discussions around instruction and its effects on student learning?

- Require principals to provide active oversight and coordination of the instructional program?

- Provide resources to support district-wide professional learning focused on improving instructional practice and student learning?

- Have established parameters for making decisions about needed changes to the district's improvement strategies?

To consider…

- How is my district self assessing the services and supports for SWDs?

- Think-Abouts and Take-Aways from this discussion?

Resources

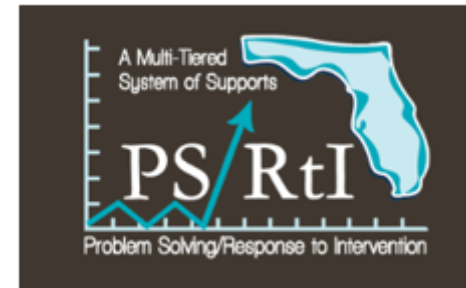# Data Resources

- Data Meeting Toolkit

- Spreadsheet for Calculating Disproportionality Measures

- Addressing Success Gaps: White Paper

- Addressing Success Gaps: Indicators of Success Rubric

- Civil Rights Data Collection (CRDC)

- Florida Report Card

Evidence-based Assistance Provided by Florida's IDEA Discretionary Projects

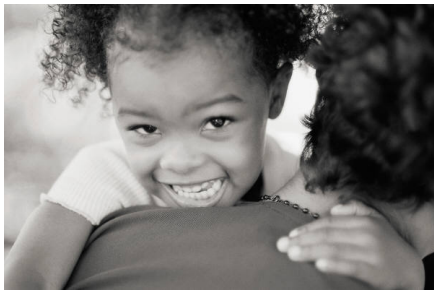Florida Inclusion Network (FIN)

Thank You!

BESE 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.

FDOE/BESE Contacts

- **Data Questions:** askbeessdata@fldoe.org
- **Grant Questions:** IDEAgrant@fldoe.org
- **IDEA Compliance Questions:** BEESSMonitoring@fldoe.org

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  - Victoria.Gaitanis@fldoe.org
- Dr. Erin Sampson, Deputy Bureau Chief
  - Erin.Sampson@fldoe.org
- Jessica Brattain, Senior Director of IDEA Dispute Resolution & Monitoring
  - Jessica.Brattain@fldoe.org

www.FLDOE.org