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State Board of Education

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July 2, 2014

Stephanie Moore, Esquire  
Disability Rights Florida  
1930 Harrison Street, Suite 104  
Hollywood, Florida 33020

Kathrine Francis, Executive Director  
Student Support Services  
Broward County School District  
1701 Northwest 23<sup>rd</sup> Avenue, 2<sup>nd</sup> Floor  
Fort Lauderdale, Florida 33311

**Re: Request for Documentation – State Complaint Inquiry – Moore 2**

Dear Ms. Moore and Ms. Francis:

The Bureau of Exceptional Education and Student Services (bureau) received a state complaint from Ms. Stephanie Moore, Esquire, on June 19, 2014, alleging that the Broward County School District violated federal and state laws relating to the education of students with disabilities. Ms. Karlene Deware, program specialist, has been assigned to manage the case and contacted the district regarding the complaint and alternative resolution. Ms. Deware attempted to contact the complainant but was unsuccessful because the complainant was out of the country. The district was able to contact the complainant's supervisor and the two parties are considering state-sponsored mediation.

This bureau investigates complaints related to alleged violations of the Individuals with Disabilities Education Act that occurred within one year of the bureau's receipt of the complaint. This letter is an official request by the bureau for the district to respond to the issue raised by the complainant, and to forward the requested documents. The complainant is also requested to provide any additional documentation that will further support the allegations.

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

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To be fully considered, this documentation should be appropriately organized and relevant to the issue presented in this letter. The issue to be investigated is as follows:

- ISSUE: Whether the Broward County School District violated the required procedures related to Child Find during the 2013-2014 school year (August 18, 2013 – June 5, 2014), specifically regarding the following:**
- **Evaluating all children suspected of having a disability in a timely manner**
  - **Providing parental consent forms to parents within a timely manner following a school-based team's determination that a student may be a student with a disability**

Please note that the issue is systemic in nature. The district is required to provide the bureau with two lists of students in the district as described below:

1. Students identified as having received Tier 3 Response to Intervention (RtI) services during the time period specified above
2. Students for whom an eligibility staffing committee was held during the 2013-2014 school year.

These lists, which will be used by the bureau to select a random sample, must include each student's name, school assignment, grade level, date of eligibility staffing meeting (as applicable) and the primary disability for those student's determined eligible. This information must be submitted **no later than July 10, 2014**.

Upon receipt of the list of students, bureau staff will notify the district of those students for whom the documentation described below must be provided. Please provide the following documentation for each student and a narrative response referencing the applicable documents for the time period specified above **no later than July 24, 2014**, and label the documentation with the corresponding number:

1. Copies of student study team meeting notes and parent-teacher meeting notes
2. Copies of the student's report cards, state and district assessment results if applicable, and all other relevant information related to the student's educational progress including information related to the social, emotional and behavioral needs of the student
3. Copies of the student's attendance records
4. Copies of RtI data
5. Copies of consent for evaluation forms, as applicable
6. Copies of any evaluations completed, as applicable
7. Copies of eligibility meeting determinations, as applicable, including conference notes providing information regarding the rationale for the decision

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8. Copies of individual educational plans, as applicable
9. Copies of any correspondence between the parents, teachers and district regarding this issue
10. A description of the district's policies regarding the RtI process regarding evaluations of students expected of having a disability
11. Any other relevant documents regarding the issue in the complaint

The 60-day timeline for completion of the inquiry process began with the receipt of the complaint and the anticipated completion date is August 18, 2014. If you need additional information, please contact Ms. Deware at 850-245-0475 or via email at [Karlene.Deware@fldoe.org](mailto:Karlene.Deware@fldoe.org).

Sincerely,



Cathy Bishop, Section Administrator  
Bureau of Exceptional Education and Student Services

CB/kd

cc: Felicia Starke  
Liz Conn  
Karlene Deware