



Loveland City School District IRN 044271

Ohio Department of Education, Office for Exceptional Children 2012-2013 Onsite Review Summary Report

Introduction

The Ohio Department of Education's Office for Exceptional Children would like to extend appreciation to the district staff for their efforts, attention and time committed to the completion of the review processes.

The following report is a summary of the onsite review conducted on January 14, 15, 16, 2013, by the Ohio Department of Education's Office for Exceptional Children (OEC) and Office of Early Learning and School Readiness (OEL&SR) as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. HB1. The onsite visit consisted of the following reviews:

- IDEA Review (Special Education School Age, Special Education Early Childhood and Fiscal)
- Gifted Education Review

IDEA Review

Overview

Educational consultants from the Office for Exceptional Children (OEC) conducted IDEA review activities on January 14, 15, 16, 2013. During the IDEA Review, OEC consultants monitor the LEA's implementation of IDEA to ensure compliance. The primary focus of the IDEA Review is to:

- Improve educational results and functional outcomes for all children with disabilities; and
- Ensure that LEAs meet program requirements under Part B of IDEA, particularly those requirements that are most closely related to improving educational results for children with disabilities.

OEC focused the review on the following areas:

- · Child Find;
- Delivery of Services;
- Least Restrictive Environment;
- Discipline
- Data Verification

Data Sources

During the review, OEC considered information from the following sources:

1. Public Parent Meeting, Individual Parent Meetings and Written Comments

On December 19, 2012, Loveland City School District mailed 465 OEC approved letters to all families with students with disabilities in the district. OEC provided the district with a public meeting announcement for inclusion on its website or newsletter. The district posted the information regarding the meeting date on the school website.

On January 15, 2013, OEC consultants held a public meeting for parents and other interested parties. Public parent meeting dates for all districts selected for IDEA Reviews are posted on the ODE website. Eight parents and family members and two State Support Team (SST) Region 13 representatives attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting or individually, provide written comments, or both. Seven attendees made comments during the public

meeting. Written comment forms were available before, during and after the meeting. OEC received one written comment.

During the public meeting, parents were advised by OEC consultants of the formal complaint process under IDEA and that their public comments did not constitute a formal complaint. The participants were also informed that while the information they provided may be helpful to the review, it may not necessarily be acted upon as part of the review process. "Whose IDEA Is This?", Ohio's procedural safeguards notice, was available for participants who wanted a copy.

2. Pre-Onsite Data Analysis

OEC and SST consultants reviewed district, building and grade level data. District data analyzed included the Special Education Performance Profile, Local Report Cards, and Education Management Information System (EMIS) data. The data analysis assists OEC in determining potential growth areas and district strengths.

3. Record Review

On January 14 and 15, 2013, OEC consultants reviewed 41 records of school age students with disabilities. An OEL&SR consultant, on January 15, 2013, reviewed seven records as part of the Early Childhood Special Education Review. OEC selected records of a variety of children with disabilities from six buildings.

Please note, not all records are reviewed for every component.

4. Staff/Administrative Interviews

On January 16, 2013, OEC consultants held four sessions of interviews with ten administrators, six regular education teachers, 13 intervention specialists, seven related services personnel, six paraprofessionals, and four school psychologists. OEC interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment; and Discipline.

Findings

A finding is made when noncompliance with a specific IDEA requirement is identified through the processes outlined above. All findings of noncompliance must be corrected as soon as possible, but no later than one year from the date of this report.

OEC provides separate written correspondence to the school district and the parent/guardian when action is required to correct findings of non-compliance for individual students.

Noncompliance that is identified in **30% or more** of the records reviewed by OEC and substantiated through other data sources must be included in a comprehensive corrective action plan (CAP) with action steps to address each of the noncompliance findings.

All noncompliance identified by OEC as part of the IDEA review, listed by subject area within this report in the *Review of Findings and District Required Actions* table, must be corrected as set forth below.

Corrective Action Plan (CAP)

The Review of Findings and District Required Actions identifies the noncompliance which must be addressed in the corrective action plan developed by the Loveland City School District. An approved form for the corrective action plan will be provided by OEC or can be accessed on ODE's web site by using the keyword search "OEC Corrective Action Plan". The corrective action plan developed by the district must include the following:

- Improvement strategies to address all areas of identified non-compliance,
- Documentation/evidence of implementation of the strategies,
- Individuals responsible for implementing the strategies,
- Resources needed, and
- Completion dates.

State Performance Plan (SPP) results indicators may also be included in the corrective action plan to address improved performance for students with disabilities.

The district must submit the corrective action plan to John Magee, OEC Lead Consultant at john.magee@education.ohio.gov within 30 school days from the date of this report. OEC will review the action plan submitted by the district for approval. If OEC deems that a revision(s) is necessary, the district will be required to revise and resubmit. The district will be contacted by the OEC Lead Consultant and notified when the action plan has been approved.

CAP Due Date: May 10, 2013

Individual Correction

The district has 60 school days of the issuance of the letter of findings to correct all identified findings of non-compliance for individual students, unless noted otherwise in the report.

Individual Correction Due Date: September 17, 2013

Systemic Correction

The district must correct any noncompliant policies, procedures and/or practices identified through the onsite review. OEC will verify through follow-up review of new data that the noncompliant policies, procedures and/or practices have been revised and the district is correctly implementing the regulatory requirements of IDEA. The follow-up review of new data will include review of individual student records and may include parent/staff/administrative interviews, as needed.

Systemic Correction Due Date: March 28, 2014

For questions about specific components of this report please contact:

- Special Education School Age: John Magee, OEC Lead Consultant, at (614) 728-1115, toll-free at (877) 644-6338, or by e-mail at John.Magee@education.ohio.gov.
- Special Education Early Childhood: Connie Prairie, Educational Consultant, at (614) 995-9934, toll-free at (877) 644-6338, or by e-mail at Connie.Prairie@educatioin.ohio.gov.
- Fiscal: Mark Lynskey, Educational Consultant, at (614) 644-8861, toll-free at (877) 644-6338, or by e-mail at Mark.Lynskey@education.ohio.gov.
- **Gifted Education:** Elizabeth Hahn, Educational Consultant, at (614) 752-1745, toll-free at (877) 644-6338, or by e-mail at <u>Elizabeth.Hahn@education.ohio.gov</u>.

<u>Special Education School Age/Preschool Components, OEC's Review Findings, and District Required Actions</u>

Component 1: Child Find

Each school district shall adopt and implement written policies and procedures approved by the Ohio Department of Education, Office for Exceptional Children, that ensure all children with disabilities residing within the district, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated as required by the Individuals with Disabilities Education Improvement Act of 2004 and Federal Regulations at 34 C.F.R. Part 300 pertaining to child find, including the regulations at 34 C.F.R. 300.111 and 300.646 and Rule 3301-51-03 of the Operating Standards for Ohio Educational Agencies serving Children with Disabilities.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
CF-1	300.303(b)(2)	Record Review One reevaluation record indicated that the child's reevaluation was not completed within the three year timeline.	Individual Correction OEC has verified that this student has a current ETR in place, so no additional individual correction is required. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not_need to address this finding in a Corrective Action Plan.
CF-2	300.305(a)	Record Review All preschool evaluation records of children transitioning from Part C, utilized child information from the Individual Family Service Plan (IFSP) and other documentation provided by Help Me Grow in suspecting or when determining eligibility for Part B supports and services.	Individual Correction None Systemic Correction None	⊠ NA

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
CF-3	OAC 3301-51-06 (2) and OAC 3301-51- 06(4)	Record Review All school age initial evaluations appropriately documented interventions provided to resolve concerns for the child performing below grade-level standards. Interviews Interviewees at all levels described a system of data collection and progress monitoring through response to interventions that is collected, documented, and reported in individual binders for each student. This data is included in the ETR for initial evaluations.	Individual Correction None Systemic Correction None	⊠ NA
CF-4	300.501(b)(1)	Record Review All school age and preschool student records contained evidence that the evaluation planning team included the parent. Interviews School personnel at all levels described extensive efforts to involve parents at every phase of the evaluation process. Other Considerations In some cases, parents stated that the district needs to reach out to families and improve two-way communications to be more responsive to the needs and concerns of students with disabilities.	Individual Correction None Systemic Correction None	NA NA
CF-5	300.305(a)(1)	Record Review All school age and preschool student evaluations contained evidence that the evaluation planning team reviewed existing data on the child.	Individual Correction None Systemic Correction None	⊠ NA

Record Review	Regulation 34	Evidence of Findings	Evidence of Correction	Must be addressed in
Item	CFR or OAC		Required Actions	CAP
CF-6	300.305(a)(2)	Record Review One school age student evaluation did not provide evidence that the evaluation planning team identified what additional data, if any, were needed. All preschool student evaluations contained evidence that the evaluation planning team identified what additional data, if any, were needed.	Individual Correction The district must provide the evaluation planning form or evidence documenting additional data, if any was reviewed during the evaluation planning process. If not, the IEP team must reconvene the ETR planning and ETR meeting. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.
CF-7	300.304(c)(4); OAC 3301-51-01; and OAC 3301- 51-06	Record Review One school age and one preschool student evaluation did not provide evidence that the evaluation addresses all areas related to the suspected disability.	Individual Correction The district will convene the ETR teams to conduct a reevaluation and provide evidence that the evaluation addresses all areas related to the suspected disability. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.
CF-8	300.306(a)(1)	Record Review One school age student record did not show evidence that the parent of the child was involved in determining whether the child is a child with a disability. All preschool student records showed evidence that the parent of the child was involved in determining whether the child is a child with a disability.	Individual Correction The district must provide evidence that the parent was involved in determining whether the child is a child with a disability or evidence that the parent was provided the opportunity to participate in the eligibility determination as evidenced by three attempts to contact the parent. If not, the IEP team must reconvene the ETR meeting and provide OEC evidence of parent involvement. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
CF-9	300.306(a)(1)	Record Review All school age and preschool student initial evaluations contained evidence that a group of qualified professionals as appropriate to the suspected disability were involved in determining whether the child is a child with a disability.	Individual Correction None Systemic Correction None	⊠ NA
CF-10	300.306(a)(1); 300.305(a); and 3301-51-01 (B)(21)	Record Review Five school age reevaluations did not show evidence that a group of qualified professionals as appropriate to the suspected disability were involved in determining whether the child is a child with a disability. Interviews District personnel commented that regular education teachers had been excused from ETR and IEP meetings in the past, but the district has stopped this practice. Some parents expressed a concern that regular education teachers were sometimes unavailable for meetings.	Individual Correction The district must provide evidence that the IEP team and other qualified professionals participated in the eligibility determination. If not, the IEP team must reconvene the ETR meeting and provide OEC evidence of group participation. IEP Team Members include, but are not limited to: 1. Parent 2. Regular Education Teacher 3. Special Education Provider 4. District Representative 5. An individual who can interpret the instructional implications of evaluation results, 6. At the discretion of the parent or school district, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; 7. Whenever appropriate, the child with a disability. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.

Component 2: Delivery of Services

Each school district shall have policies, procedures and practices to ensure that each child with a disability has an IEP that is developed, reviewed, and revised in a meeting and implemented in accordance with 300.320 through 300.324.

Record	Regulation 34	eu in accordance with 500.520 through 500.524.	Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DS-1	300.320(a)(1)(i)	Record Review Six school age student IEPs did not address how the child's disability affects his/her involvement and progress in the general education curriculum. All preschool student IEPs addressed how the child's disability affects his/her involvement and progress in the general education curriculum. Interviews Interviews Interview responses confirmed a clear understanding of the process for describing how the disability affects the student's access to and progress in the general education curriculum; however, this was not always documented in the IEPs reviewed.	progress in the general education curriculum. Systemic Correction	No The district does not need to address this finding in a Corrective Action Plan.
DS-2	300.320(a)(1)	Record Review Sixteen (16) school age and two preschool student IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student. Interviews Discussions focused on the need to be more specific in identifying and describing deficits to address in each Present Levels statement.	Individual Correction The district must reconvene the IEP teams of the 18 IEPs identified as noncompliant to review and amend the PLOP related to each goal to include: • A summary of current daily academic/behavior and/or functional performance (strengths and needs); • Baseline data provided for developing a measurable goal. • For preschool, the PLOP should relate to the child's developmental domains, functional performance and pre-academic skills.	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
			Systemic Correction	
			The district must submit evidence to OEC of written procedures and practices in place regarding the review of current academic/functional data when writing IEPs.	
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
DS-3	300.320	Record Review	Individual Correction	⊠ NA
	(a)(2)(i)(A)	All school age and preschool student IEPs contained annual goals that address the child's	None	
		academic area(s) of need.	Systemic Correction	
			None	
DS-4	300.320(a)(2)(i)	Record Review	Individual Correction	⊠ No
	(A)	One school age student IEP did not contain annual goals that address the child's functional area(s) of need. All preschool student IEPs contained annual goals that address the child's functional area(s) of need.	The district must reconvene the IEP team of the one IEP identified as noncompliant to review and amend the IEP to include annual goals that address the functional needs that were identified in the IEP or provide evidence that the IEP team, based on the severity of the needs of the child, decided to prioritize addressing the needs	The district does not need to address this finding in a Corrective Action Plan.
			Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DS-5	300.320(a)(2)(i)	Record Review Fourteen (14) school age and three preschool student IEPs did not contain measurable annual goals. Other Considerations District personnel attended professional development sessions last year in IEP writing and are still in the process of implementing improvements.	Individual Correction The district must reconvene the IEP teams of the 17 IEPs identified as noncompliant to review and amend annual goals to contain the following six critical elements: 1. Who? 2. Will Do What? 3. To What Level or Degree? 4. Under What Conditions? 5. In What Length of Time? 6. How Will Progress Be Measured? Systemic Correction The district must implement new procedures to ensure that annual goals written subsequent to this report will include the following six critical elements to demonstrate correction: 1. Who? 2. Will Do What? 3. To What Level or Degree? 4. Under What Conditions? 5. In What Length of Time? 6. How Will Progress Be Measured? OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
DS-6	300.320(a)(4)	Record Review Nine school age and one preschool student IEPs did not contain a statement of specially designed instruction that addresses the needs of the child and supports annual goals. Interviews Interview responses revealed that the development of specially designed instruction is based upon the needs of the student and the requirements of each annual goal.	Individual Correction The district must reconvene the IEP teams of the 10 IEPs identified as noncompliant to review and amend the specially designed instruction to describe the adaption of, as appropriate to the needs of the child, the content, methodology, or delivery of instruction. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.
DS-7	300.320(a)(7)	Record Review Nine school age student IEPs did not indicate the location where the specially designed instruction will be provided. All preschool student IEPs indicated the location where the specially designed instruction will be provided.	Individual Correction The district must reconvene the IEP teams of the nine IEPs identified as noncompliant to review and amend the location where the specially designed instruction will be provided. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.
DS-8	300.320(a)(7)	Record Review Four school age student IEPs did not indicate the amount of time and frequency of the specially designed instruction. All preschool student IEPs indicated the amount of time and frequency of the specially designed instruction.	Individual Correction The district must reconvene the IEP teams of the four IEPs identified as noncompliant to review and amend the amount of time and frequency of the specially designed instruction. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DS-9	300.320(a)(4)	Record Review	Individual Correction	⊠ No
		Two school age student IEPs did not identify related services that address the needs of the child and support the annual goals. All preschool student IEPs identified related services that address the needs of the child and	The district must reconvene the IEP teams of the two IEPs identified as noncompliant to review and amend the IEP to include related services that were identified as needed in the IEP.	The district does not need to address this finding in a Corrective Action Plan.
		support the annual goals.	Systemic Correction	
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
DS-10	300.320(a)(7)	Record Review	Individual Correction	⊠ No
		Two school age student IEPs did not indicate the location where the related services will be provided. All preschool student IEPs indicated the location where the related services will be provided.	The district must reconvene the IEP teams of the two IEPs identified as noncompliant to review and amend the IEP to include the location where the related services will be provided.	The district does not need to address this finding in a Corrective Action Plan.
			Systemic Correction	
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
DS-11	300.320(a)(7)	Record Review	Individual Correction	⊠ No
		One school age student IEP did not indicate the amount of time and frequency of the related services to be provided. All preschool student IEPs indicated the amount of time and frequency of the related services to be provided.	The district must reconvene the IEP teams of the one IEP identified as noncompliant to review and amend on the IEP the amount of time and frequency of the related services to be provided. Systemic Correction	The district does not need to address this finding in a Corrective Action Plan.
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	

Component 3: Least Restrictive Environment (LRE) and IEP Alignment

Each school district shall ensure that to the maximum extent appropriate, children with disabilities, including children in public or nonpublic institutions or other care facilities, are educated with children who are nondisabled; and that a continuum of alternative placements is available to meet the needs of children with

disabilities for special education and related services.

Record	Regulation 34	lion and related services.	Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
LRE-1	300.324(a)(2)(v)	Record Review Three school age and one preschool student IEPs did not identify assistive technology to enable the child to be involved in and make progress in the general education curriculum. Other Considerations District personnel acknowledged that the assistive technology statements in the IEP can be improved.	Individual Correction The district must reconvene the IEP teams of the four IEPs identified as noncompliant to review assistive technology and/or services that would directly assist the child with a disability to increase, maintain, or improve their functional capabilities and include them on the IEP. Systemic Correction The district must submit evidence to OEC of written procedures and practices in place regarding assistive technology. OEC will contact the district for submission of new records and review these records to determine	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
LRE-2	300.320(a)(6)(i)	Record Review Five school age student IEPs did not identify accommodations provided to enable the child to be involved in and make progress in the general education curriculum. All preschool student IEPs identified accommodations provided to enable the child to be involved in and make progress in the general education curriculum. Interviews District personnel described efforts to provide necessary accommodations that will allow children to remain in the regular education setting to the greatest extent possible.	Individual Correction The district must reconvene the IEP teams of the five IEPs identified as noncompliant to review the accommodations that would directly assist the child to access the course content without altering the amount or complexity of the information taught and include them on the IEP. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
LRE-3	300.320(a)(4)	Record Review Four school age student IEPs did not identify modifications to enable the child to be involved in and make progress in the general education curriculum. All preschool student IEPs identified modifications to enable the child to be involved in and make progress in the general education curriculum.	Individual Correction The district must reconvene the IEP teams of the four IEPs identified as noncompliant to review the modifications that would alter the amount or complexity of materials or the performance expected of the child from grade level curriculum expectations and include them on the IEP. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.
LRE-4	300.320(a)(4)	Record Review Three school age and one preschool student IEPs did not identify supports for school personnel to enable the child to be involved in and make progress in the general education curriculum. Other Considerations The process for documenting supports for school personnel was discussed with district leaders.	Individual Correction The district must reconvene the IEP teams of the four IEPs identified as noncompliant to review the supports for school personnel that were identified by the IEP team and define on the IEP the support, who will provide it and when the support will take place. Systemic Correction OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	No The district does not need to address this finding in a Corrective Action Plan.

did not include an explanation of the extent to which the child will not participate with nondisabled children in the regular education classroom. Interviews Staff members at all levels describe a process for determining when a child must be removed from the regular education setting for specially designed instruction or related services. Discussions revealed that the justifications for removal need to be better explained in this section of the IEPs identified as noncompliant to review and include a justification for why the child was removed from the regular education classroom. The justification should: Be based on the needs of the child, not the disability. Reflect that the team has given adequate consideration to meeting the student's needs in the regular classroom with supplementary aids and services. Document that the nature or severity of the disability is such that education in regular education classes, even with the use of supplementary aids and services cannot be	Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
Other Considerations The district is aware of the need to address the preschool least restrictive environment for students who are receiving speech and language services and no additional supports or services. Some parents expressed a concern that the district does not have an effective approach for teaching social skills to students with disabilities. However, staff members described an extensive system of supports for social learning both in the classroom and in the community. These practices include a buddy system for students entering the high school for the first time; community and work based learning experiences; and transition initiatives for students who are changing buildings from one grade level to the next. The district has an opportunity to better communicate these services and practices to parents and students who may not be aware of the opportunities offered.	LRE-5	300.320(a)(5)	Nine school age and seven preschool student IEPs did not include an explanation of the extent to which the child will not participate with nondisabled children in the regular education classroom. Interviews Staff members at all levels describe a process for determining when a child must be removed from the regular education setting for specially designed instruction or related services. Discussions revealed that the justifications for removal need to be better explained in this section of the IEP. Other Considerations The district is aware of the need to address the preschool least restrictive environment for students who are receiving speech and language services and no additional supports or services. Some parents expressed a concern that the district does not have an effective approach for teaching social skills to students with disabilities. However, staff members described an extensive system of supports for social learning both in the classroom and in the community. These practices include a buddy system for students entering the high school for the first time; community and work based learning experiences; and transition initiatives for students who are changing buildings from one grade level to the next. The district has an opportunity to better communicate these services and practices to parents and students who may not be aware of the	The district must reconvene the IEP teams of the 16 IEPs identified as noncompliant to review and include a justification for why the child was removed from the regular education classroom. The justification should: Be based on the needs of the child, not the disability. Reflect that the team has given adequate consideration to meeting the student's needs in the regular classroom with supplementary aids and services. Document that the nature or severity of the disability is such that education in regular education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily. Describe potential harmful effects to the child or others, if applicable. Systemic Correction The district must submit evidence to OEC of written procedures and practices in place regarding the least restrictive environment placement decision process. OEC will contact the district for submission of new records and review these records to determine	A Corrective Action Plan is required due to meeting the 30% threshold of

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
LRE-6	300.321(1)	Record Review All school age and preschool student IEPs indicated that the IEP Team included a parent.	Individual Correction None Systemic Correction None	⊠ NA
LRE-7	300.321(2)	Record Review Three school age student IEPs did not indicate that the IEP Team included a regular education teacher. All preschool student IEPs indicated that the IEP Team included a regular education teacher. Interviews Staff members indicated that regular education teachers are sometimes not available for IEP meetings as a result of scheduling conflicts. Other Considerations Parent feedback revealed that regular education teachers sometimes attend IEP meetings for a short time, and then leave the meeting for classroom duties.	 Provide documentation that the parent was informed prior to the IEP meeting that the regular education teacher would not participate in the meeting, and Provide a written excuse signed by the parents and the district that allowed the regular education teacher not to be in attendance at the IEP meeting, or Reconvene the IEP team to review the IEP with all required members present. 	No The district does not need to address this finding in a Corrective Action Plan.
LRE-8	300.321(3)	Record Review All school age and preschool student IEPs indicated that the IEP Team included a special education teacher.	Individual Correction None Systemic Correction None	⊠ NA

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
LRE-9	300.321(4)	Record Review All school age and preschool student IEPs indicated that the IEP Team included an LEA representative.	Individual Correction None Systemic Correction None	⊠ NA
LRE-10	300.321(5)	Record Review All school age and preschool student IEPs indicated that the IEP Team included a person qualified to interpret the instructional implications of evaluation results.	Individual Correction None Systemic Correction None	⊠ NA

Component 4: Data Verification

Each school district shall report timely and accurate special education event records for students with disabilities; have in effect an Individualized Education program for each child with a disability with the LEA's jurisdiction and in place on or before Dec. 1, 2009; conduct initial evaluations within 60 days of receiving parental consent for evaluation; have an IEP in place for three-year olds transitioning from Early Intervention Programs on or before the child's third birthday; and have a secondary transition place in place that meets all required elements for IDEA.

Record	Regulation 34		Evidence of Correction	Must be	
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP	
DV-1	300.645 R.C. 3301.07.14 300.645 R.C. 3301.07.14	Record Review All school age and preschool student IEP(s) indicated that the child did have an IEP in effect as reported on the LEA's December 1, 2011 Child Count Report. Record Review All school age and preschool student ETRs indicated that the child did have an ETR in effect as reported on the LEA's December 1, 2011 Child	Individual Correction None Systemic Correction None Individual Correction None Systemic Correction Systemic Correction	NA NA NA	
DV-3	SPP Indicator 20: Accurate and Timely Reporting of Special Education Event Record	Count Report. Record Review All school age and preschool student records had accurate student data reported by the LEA through the Education Management Information System (EMIS) for the December 1, 2011 Child Count Report, specifically in the following area(s): a) DOB b) IEP date (IIEP, RIEP, TIEP, CIEP, or FIEP events) c) ETR dates (IETR, RETR, TETR) d) Referral date e) Consent date f) Disability category as indicated as an outcome of ETR g) Admission date h) Withdrawal date i) Non-compliance reason for ETR or IEP date	None Individual Correction None Systemic Correction None	NA NA	

Record	Dogulation 24		Evidence of Correction	Must be
Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DV-4	SPP Indicator 11	Record Review	Individual Correction	⊠ NA
	300.301(c)(1)(i)	The area of initial evaluation timelines was already under review in parallel process with the Office for	None	
		Exceptional Children.	Systemic Correction None	
DV-5	SPP Indicator 12	Record Review	Individual Correction	⊠ NA
	300.124	All preschool IEPs contained evidence that an IEP	None	
		was in place for 3 year olds transitioning from Early Intervention Programs (0-3 years) on or before the	Systemic Correction	
		child's third birthday.	None	
DV-6	SPP Indicator 20	Record Review	Individual Correction	⊠ No
A/B	for Secondary Transition Plans	One school age IEP did not show evidence that the secondary transition plan reported in EMIS	One current IEP did not contain a transition plan that meets all 8 required elements of IDEA.	The district does not need to
		during 2010-2011 was in place that meets all 8 required elements of IDEA for the student, specifically in the following areas:	The district must reconvene the IEP team to review and correct the secondary transition plan for the	address this finding in a Corrective Action Plan.
		There are appropriate measurable postsecondary goal(s).	one record identified as still noncompliant or provide documentation of the student's withdrawal date.	/ tollor i i i i i i
		The postsecondary goals are updated annually.	Systemic Correction	
		The postsecondary goals were based on age appropriate transition assessment.	OEC will contact the district for submission of new records and review these records to determine	
		 There are transition services that will reasonably enable the student to meet the postsecondary goal(s). 	compliance with this regulation	
		The transition services include courses of study that will reasonably enable the student to meet the postsecondary goal(s).		
		The annual goal(s) are related to the student's transition service needs.		
		 There is evidence the student was invited to the IEP Team Meeting where transition services were discussed. 		
		When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting.		

Component 5: Discipline

Each school district shall ensure that if the child's behavior impedes his or her learning or the learning of others, the IEP team must specifically consider the child's behavioral needs.

Three records were reviewed in this area and no student was removed for more than 10 days. District administrators explained the manifestation determination process accurately.

Fiscal Components, OEC's Review Findings, and District Required Actions

Component 1: Statement of Accounts

The district/school has submitted its FY12 FERs for IDEA Part B and Early Childhood IDEA. The district's financial detail (FINDET) report projects to match the current year budget in the CCIP by subtotaling FINDET transactions according to object codes (100, 200, 400, 500, 600 & 800) for the year to date. The year to date expenditures will be reviewed for coding accuracy. The fiscal reports are evidence that ensure that district children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs.

Finding		Evidence of Correction		Must be
s Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.202	Loveland City Schools' treasurer provided an FY13 Accounting Report (ACCRTP) and Financial Detail Report (FINDET) prior to the site visit.	Individual Correction None		⊠ NA
	The reports were complete and accurate. The amounts documented in the FINDET were in alignment with the FY13 budget in the CCIP.	Systemic Correction None		
	The district to date had utilized approximately 31% of its Fund 516 amounts in Object Code 100, 200 and 400, and 29% of its Object Code 500. It had used 13% of its Object Code 600 funds			
	The FY13 fund 516 allocation is \$811,615.17, with \$302.25 yet to be budgeted. The budget is consistent with the FY12 budget.			
	The FY13 Early Childhood allocation (Fund 587) is \$13,767.48, budgeted for staff salaries and benefits, and to date approximately 30% of the funds had been expended.			

Component 2: Payroll Expenditures

The district/school is able to document that the 516 and 587 funds were expended in FY13 for an appropriate purpose; payroll expenditures are supported by Personal Activity Reports (PAR) showing the Time and Effort or Semi-Annual Certification; expense were properly coded to the correct function and object code; all staff in certified positions have appropriate licensure; all funded positions have position descriptions; district's ACCRPTs and budget are in agreement.

Findings		Evidence of Correction		Must be
Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.202	The FY13 ACCRPTT listed 14 staff person being funded though Part B Funds – 13 funded under 516 and one funded under 587. The report listed six instructional aides, five intervention specialists, two psychologists and one administrator. Expenditures were appropriate and in alignment with the budget. All staff funded in FY13 hold appropriate licensure. Semi-Annual certifications were completed for staff for the July 10 to December 31 time period. It was determined that Loveland City School District has a procedure in place to assure that semi-annual certifications are obtained for the staff working under a single cost objective activity funded with Part B funds. Financial coding was inappropriate for five of the staff. The district used Function Code 1270 – Disadvantaged Youth, as coding for those five staff. The remaining staff was coded appropriately by fund, function and object. Position descriptions were provided by the treasurer's office for each funded position. During discussion with the district treasurer, assistant treasurer and special education director, it was determined that the incorrect Function Codes would be corrected to identify the appropriate cost center for staff funded with Part B funds. Each of the five FY13 errors was corrected.	Individual Correction None Systemic Correction None		NA NA

Component 3: Non-Payroll Expenditures

The district/school is able to document that the 516 and 587 funds that were expended in FY13 for an appropriate purpose and reasonable for the program; that fiscal coding is appropriate and the funds were charged to the proper fund, function and object; that the district is able to document the expenditure with a purchase order, receipt statement or invoice.

Findings		Evidence of Corre	ction	Must be
Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.202	From the information provided in the FINDET, the Loveland City School District was provided a list of 13 vouchers that were to be reviewed from FY13 Fund 516. There were no non-payroll expenditures from Fund 587 to date. The district provided appropriate documentation, including the voucher, invoice, purchase order or receipt for each item. The expenditures were for an appropriate purpose and were reasonable for the program.	Individual Correction None Systemic Correction None		⊠ NA
	The coding detail in the vouchers was consistent with the information provided in the FINDET. The coding used by the district for special education purposes incorrect in six of the 13 cases. The district treasurer's office used Function Code 1270 (Disadvantaged Youth) frequently. The district cited that historically function code 1270 was used in purchases made with Part B funds. It also cited that there had been no prior recommendation or requirement to correct such coding. Upon review, it was noted that such coding had been used for an extended period of time.			
	In the full FINDET, Function Code 1270 was used 30 out of 113 cases. During discussion with the district treasurer, assistant treasurer and special education director, it was determined that the incorrect Function Codes would be corrected to identify the appropriate cost center. Each of the 30 FY13 errors was corrected and an amended FINDET was submitted after the site visit. The district administration also developed a process through which			
	each purchase order or requisition coming from the Special Education Director to the Treasurer's Office would indicate the appropriated Function Code from the 1230 or the 1240 series. The district provided copies of agreements and contracts for costs budgeted under Object Code 400 - Purchased Services.			

Component 4: Use of funds for Capital Outlay and equipment purchase

If the district/school expended FY13 516 and 587 funds for Capital Outlay and/or equipment, the district/school evidences that it has followed the board adopted procurement policy. The district must ensure that equipment and supplies placed in the non-public school are used for IDEA purposes only and can be removed from the non-public school without remodeling the school facility.

Finding		Evidence of Correct	ction	Must be
s Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.202	Loveland City Schools had expended \$1,881.58 to date of its FY13 Part B funds for capital outlay/instruction. The district provided a copy of the Board-adopted procurement policy that it follows in its purchasing process. The materials are used for the purposes of meeting the needs of the identified special education students. The district used no funds for equipment that meets its requirement for inventory	Individual Correction None Systemic Correction		⊠ No
	in the district's buildings proper. However, in April 2011, the district, in conjunction with the non-public school in the district, utilized the balance of its non-public proportionate share of the ARRA funds to purchase three projectors, two computers and an iPad to be utilized in the non-public school.	None Comment:		
	Upon discussion, it was determined to be questionable whether or not there were students with a handicapping condition or an ISP which necessitated the expenditure, and the units being installed in specific classrooms limited the potential use for students that might later have such condition. The projects and computers were being used for general use.	As the items were removed from Part B funding, then the items will not be maintained on an inventory listing of Part B inventory. The		
	Additionally, though the items were clearly listed on the district inventory list, the items did not show an identifying tag number on the item or on the list, nor was	district must properly include the items on an inventory list showing the corrected fund source.		
	The district was advised of the conditions under which expenditures for non-public schools meet the description of allowable costs for non-public schools, and of the options available to it to correct the questionable expenditure and to properly record the items into its inventory.			
	Subsequent to the site visit, the district researched the fair market value of the items in question to determine the depreciated costs of the items and to work in conjunction with the non-public school to identify a fund source correct the questionable expenditures.			
	Upon completion, the district provided a record to indicate that the expenditure has been corrected and that the residual funds will be returned to the district for use in the special education services to the non-public school.			

Component 5: Equipment inventory policy and procedures

The district/school retains control and administration of FY13 516 and 587 funds used to purchase materials, equipment and property (i.e., bus) purchased with those funds for the uses and purposes provided in the IDEA. The district is properly identifying equipment purchased with IDEA funds and is complying with Board Policy in cataloguing and inventorying the equipment. The district master list of equipment purchased with IDEA funds was updated within the last two years; the district has an equipment disposal policy; the district requested disposition instructions from ODE prior to disposing of assets with at fair market value of more than \$5,000.00, and sale proceeds were deposited back into the original grant.

Finding		Evidence of Correction		Must be
s Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.202	Loveland City School District provided a copy of its Purchasing Policy, Inventory Policy and Disposal Policy. The policies are being followed. With the corrections made in Component 4, Loveland City did not use Part B funds to purchase equipment for special education purposes.	Individual Correction None Systemic Correction None		NA NA

Component 6: Non-Public Count and Proportionate Share

The district provides **child find** and ensures equitable participation. The district maintains in its records and provides to the SEA the following information related to parentally-placed private school children covered under 34 CFR 300.130 through 300.144: the number of children evaluated; the number of children determined to be children with disabilities; and the number of children served.

The district has timely and meaningful consultation with representatives of parentally-placed private school children with disabilities (consistent with 34 CFR 300.134); conducts a thorough and complete child find process to determine the number of parentally-placed private school children with disabilities attending private schools located in the school district.

Finding		Evidence of Correction		Must be
s Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.130 through 300.144	Loveland City Schools' Director of Special Education provided copies of EMIS schedules detailing information pertaining to the child find referrals with the non-public school and community. Also provided were copies of records and meeting notes and other information to document its timely and meaningful consultation with the non-public schools. Beyond the EMIS Schedules, the Director did not maintain a listing of students who have been referred for evaluation by the non-public school during the 2012-13 school year to date. Funds are used in non-public schools to meet the needs of the identified special education students, with the exception noted in Component 4.	Individual Correction None Systemic Correction None Recommendation: It is recommended that the Director of Special Education maintain a listing separated from the EMIS Schedules to assure an accurate count of students. Time intervals between EMIS Reporting Periods may allow for inaccuracy in the maintenance of records of students who have been referred. Based upon the issue identified in Component 4, it is recommended that the Director of Special Education review the Service Plans of the students and have a meaningful discussion with the administration of the non-public school to ensure the most appropriate and effective use of the Part B proportionate share funds.		NA NA

Component 7: Notification of Public Participation

In accordance with 34 CFR 300.165, the district/school provided a public hearing, adequate notice of the hearings and an opportunity for comment available to the general public including individuals with disabilities and parents of children with disabilities in planning the use of IDEA Part B funds.

Finding		Evidence of Correction		Must be
s Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.165 and Part 300.201	Loveland City Schools' Director of Special Education provided copies of announcements from local newspapers giving notification of the opportunity for public participation. The announcements were clear and detailed and in general met the intent of 34 CFR 300.165.	Individual Correction None Systemic Correction None		NA 🖂
		Comment: It was recommended that Loveland City School District review its public announcement information, remove references to Title VI-B, and replace them with the proper fund name – Part B or Part B IDEA.		

Component 8: Redirection of funds

If the district/school has redirected funds for CEIS, it is able to document the expenditures related to CEIS and to validate that the percent of the IDEA funds used for CEIS is 15% (or less if voluntary) of total allocation, to document the number of students who were served and are able to track and report on the number of students who subsequently received special education services. The district has developed a means through which to track the expenditure of Part B funds for CEIS in its financial system and is able to create a report showing the expenditure of funds for CEIS. The district has a plan in place to utilize the funds for CEIS.

If the district/school reduced its local expenditure, it was by no more than ½ of its additional allocation amount and the district can document the expenditures/reduction and the amount is shown in the CCIP.

Finding		Evidence of Correction		Must be
s Citation	Evidence	Required Actions	Date Due	addressed in CAP
300.205	Loveland City Schools did not budget funds for the purpose of reduction of local expenditures or for Comprehensive Early Intervening Services in FY13. There was no information to review in this section.			⊠ NA
		None		

Gifted Components, OEC's Review Findings, and District Required Actions

Component 1: Gifted Budget

- A. Based on Section 267.30.50 in Am. Sub. HB 153, did the district spend for services to identified gifted students at least the same amount of state funding that it received in fiscal year 2009 through unit funding?
- B. If the district in fiscal year 2009 received gifted student services from an ESC, and the ESC received gifted unit funding in fiscal year 2009, did the district either (a) obtain gifted student services from an ESC that are comparable to the gifted student services provided to the district with gifted unit funding in fiscal year 2009 by an ESC or (b) spend for services to identified gifted students an amount not less than the amount of gifted unit funding expended by an ESC in fiscal year 2009 for the district's students?
- C. Did the district spend no less than their FY09 supplemental identification amount on gifted identification?

Citation	Evidence of Findings	Evidence of Correction	Must be
		Required Actions	addressed in CAP
Section 267.30.50, Am. Sub. HB 153	The district employs two gifted intervention specialists and an administrator who oversees gifted part-time. A contract was provided to show that the district maintains service from Hamilton County Educational Service Center for .2 coordinator unit. The maintenance of effort requirement for gifted spending is met.		⊠ NA

Component 2: Gifted Identification

Per Ohio Revised Code 3324.04(B)(2), how does the district assure inclusion in screening and assessment procedures for minority and disadvantaged students, children with disabilities and children for whom English is a second language?

Citation	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
ORC 3324.04(B)(2)	The district provided evidence that whole grade- screening is in place in second grade and fifth grades as a provision to ensure inclusion in screening and assessment procedures for minority and disadvantaged students, children with disabilities and children for whom English is a second language. The district does not have screening scores listed on the parent assessment instruments brochure for ITBS, WIAT, WJIII, WISC, WPSSI, CogAT, and GATES.	The district must submit a revised parent assessment instruments brochure to ODE with screening scores specified by May 1, 2013. Systemic Correction	⊠ Yes

Component 3: Roster and Written Education Plans and Attestation

Per Ohio Administrative Code 3301-51-15 (D)(4), does the district have a current written education plan (WEP) for each student reported as served? Does each WEP include the following components?

- Goals for the students for each service to be provided;
- Specified methods for evaluating progress toward goals;
- Method and schedule for reporting progress to parents;
- Staff responsible for ensuring delivery of each service prescribed;
- Policies regarding waiver of assignments and rescheduling of tests;
- Deadline for next review of WEP; and
- Copy of WEP to parents and staff responsible for providing service listed?

Cit	tation	Evidence of Findings	Evidence of Correction Required Actions	Must be addressed in CAP
	C 3301- 15(D)(4)	WEPs for ten students were provided and reviewed. All required attributes were present on all WEPs. While WEPs were compliant with requirements, they were not individualized for student need.	Individual Correction None Systemic Correction None	M NA

Component 4: Equitable Services and Attestation

Are all district students who meet the written criteria for a gifted service provided an equal opportunity to receive that service? Each gifted service offered in the district must be available to all eligible students in each building in the district at that grade level.

Citation	Evidence of Findings	Evidence of Correction	Must be
		Required Actions	addressed in CAP
ORC 3324.06(D)	Each gifted service offered in the district is available to all eligible students in each building in the district at that	Individual Correction	⊠ NA
002 1100(2)	grade level.	None	
		Systemic Correction	
		None	

Component 5: Acceleration and Attestation

Did the district provide evidence that they are implementing their acceleration policy?

Citation	Evidence of Findings	Evidence of Correction	Must be
Citation		Required Actions	addressed in CAP
ORC 3324.10	The district provided one Written Acceleration Plan as evidence that the acceleration policy is implemented.	Individual Correction	⊠ No
	The district also provided evidence of acceleration policy implementation with information on the website. There	None	
	was no evidence that the district used the lowa Acceleration Scale, 3 rd Edition (IAS) process tool. The	Systemic Correction	
	district is in the process of revising and re-submitting the acceleration policy. The district created a subject-acceleration tool based on the IAS.	The district must confirm revision and approval of the acceleration policy.	

Component 6: Gifted Intervention Specialists and Attestation

Do gifted intervention specialists (GIS) spend at least 75 percent of their time providing instruction directly to gifted students? Is the remainder of their time spent on other duties related to gifted education?

		Evidence of Correction	Must be
Citation	Evidence of Findings	Required Actions	addressed in CAP
OAC 3301- 51-15(E)(2)	Gifted intervention specialists do not spend 75 percent of their time providing instruction directly to gifted	Individual Correction	
31-13(L)(Z)	students.	None	
		Systemic Correction	
		The district must create a written policy that ensures that gifted intervention specialists spend 75 percent of their time providing direct instruction to gifted students by May 31, 2013.	
		The district must implement the policy in 2013-14 and provide evidence of implementation to the department by October 15, 2013.	

Component 7: Requirement for Minutes of Service Attestation

Are all students receiving service from a GIS receiving at least 225 minutes of instruction per week (kindergarten through grade 5) or 240 minutes of instruction

per week (grades 6-12) from the GIS?

Citation	Evidence of Findings	Evidence of Correction	Must be
		Required Actions	addressed in CAP
OAC 3301- 51-15(E)	Class schedules were reviewed. All students receiving service from a gifted intervention specialist receive at	Individual Correction	⊠ NA
	least 225(K-5) or 240(6-12) minutes of instruction per week.	None	
		Systemic Correction	
		None	

Component 8: Licensure

Do all staff members assigned as gifted coordinators or GIS have gifted licensure, gifted endorsement or a gifted supplemental license?

Citation	Evidence of Findings	Evidence of Correction	Must be
		Required Actions	addressed in CAP
OAC 3301- 51-15(E)(3),	Copies of coordinator and teacher licenses were provided. The gifted staff members hold the appropriate	Individual Correction	⊠ NA
OAC 3301-	licensure or endorsement.	None	
51-15(E)(6)		Systemic Correction	
		None	

Component 9: Requirement for Regular Education Teacher Professional Development and Attestation

Are all general education teachers providing gifted services receiving professional development in teaching gifted students and ongoing assistance with

curriculum development and instruction from a gifted specialist and is curriculum related to gifted services differentiated?

Citation	Evidence of Findings	Evidence of Correction	Must be
		Required Actions	addressed in CAP
OAC 3301- 51-	The parent services brochure stated that students were receiving service in general education classrooms. No	Individual Correction	
15(D)(3)(b)(i)	professional development plan for general education staff was provided. No general education service is	None	
	reported.	Systemic Correction	
		The district must correct the parent services brochure and submit a copy to ODE for approval by May 31, 2013.	