

3/21/2012

# Newark City Local School District IRN 044453

# Ohio Department of Education, Office for Exceptional Children 2011-2012 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 10-12, 2012 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 a review of Special Education School Age, Special Education Early Childhood and Fiscal.

### **IDEA Review**

### Overview

Educational consultants from the Office for Exceptional Children (OEC) conducted IDEA review activities on January 10-12, 2012. During the IDEA Review, OEC consultants monitor the LEA's implementation of the 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;
- 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 16, 2011, Newark City Schools mailed 1,037 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 January 10, 2012 on the district website.

On January 10, 2012, 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. Twelve parents and one State Support Team (SST) Region 11 representative attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting or individually, provide written comments, or both. All parents made comments during the public meeting. Written comment forms were available before, during and after the meeting. OEC received two written comments. On the same day, the consultants held two individual parent/guardian meetings.

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 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 10-12, 2012, OEC consultants reviewed 41 records of school age students with disabilities. An OELS&R consultant, on December 5, 2011, reviewed six records as part of the Early Childhood Special Education Review. OEC selected records of a variety of children with disabilities from three buildings.

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

#### 4. Staff/Administrative Interviews

On January 11-12, 2012, OEC consultants held four sessions of interviews with sixteen administrators and forty teachers, school counselors, related services personnel and school psychologists. OEC interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment.

### **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 of 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 Union Local 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 Stephanie Falor, OEC Lead Consultant at <a href="mailto:stephanie.falor@education.ohio.gov">stephanie.falor@education.ohio.gov</a> 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: 05-30-2012

#### 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: 08-28-2012**

### **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: 03-20-2013

For questions about specific components of this report please contact:

- **Special Education School Age:** Stephanie Falor, OEC Lead Consultant, at (614) 387-2236, toll-free at (877) 644-6338, or by e-mail at stephanie.falor@education.ohio.gov.
- **Special Education Early Childhood:** Barbara Weinberg, Educational Consultant, at (614) 387-2239, toll-free at (877) 644-6338, or by e-mail at <a href="mailto:Barbara.Weinberg@education.ohio.gov">Barbara.Weinberg@education.ohio.gov</a>.
- **Fiscal:** Earl Focht, Educational Consultant, at (614) 644-8861, toll-free at (877) 644-6338, or by e-mail at Earl.Focht@education.ohio.gov.

# <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 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
CF-1	300.303(b)(2)	Record Review Two school age reevaluation records indicated that the child's reevaluation was not completed within the three year timeline.  All preschool reevaluation records indicated that the child's reevaluation was completed within the three year timeline.		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 record(s) 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.	Systemic Correction	⊠ 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  Two school age and three preschool initial evaluations did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.  Public Meeting  Parents attending the individual and public meetings expressed concerns regarding the social emotional/behavior side of learning and lack of attention to specific goals to address that on student IEPs.  Interviews  During the interviews, staff and administrators identified a variety of school-wide and small group interventions and activities that are consistently provided to all students. Discussion focused on raising awareness to the school community that these activities are occurring in a variety of ways daily in this school district.	current IEPs in place, so no additional individual correction is required.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding documentation of intervention and supports provided prior to completion of the initial evaluation	No The district does not need to address this finding in a Corrective Action Plan.
CF-4	300.501(b)(1)	Record Review  Seventeen school age records did not show evidence that the evaluation planning team included the parent.  All preschool records showed evidence that the parent were included.  Interviews  During the interviews it was disclosed that many contacts, conversations and plans are made informally with parents and that those contacts are not documented formally in the ETR process. Staff showed evidence of these contacts and will include this information formally in the future.	was involved or provided the opportunity to participate (three documented attempts) in the evaluation planning process.  The evidence may include; evaluation planning form, prior written notice, parent invitation, referral form or communication log.  Systemic Correction  The district must submit evidence to OEC of written	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
CF-5	300.305(a)(1)	Record Review Twelve school age evaluations did not provide evidence that the evaluation planning team reviewed existing data on the child.  All preschool evaluations provided evidence that the evaluation planning team reviewed existing data on the child.  Interviews  Staff and administrators addressed the variety of informal and formal assessments and universal screening that is provided to all students, the discussion focused on ways to document that information effectively on the IEP.	Individual Correction  The district must provide the evaluation planning form or evidence documenting existing data was reviewed during the evaluation planning process. If not, the IEP team must reconvene the ETR planning and ETR meeting.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place to review existing data during the evaluation planning.  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-6	300.305(a)(2)	Record Review  Fifteen school age student evaluations did not provide evidence that the evaluation planning team identified what additional data, if any, were needed.  All preschool student evaluations provided 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  The district must submit evidence to OEC of written procedures and practices in place to review additional data, if any during evaluation planning.  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 Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
CF-7	300.304(c)(4); OAC 3301-51-01; and OAC 3301- 51-06	Record Review Two school age student evaluations did not provide evidence that the evaluation addresses all areas related to the suspected disability.  All preschool evaluations covered all required domains.  Public meeting  During the individual parent meetings and the public meeting parents expressed concerns about the lack of documentation/support to address social/emotional, behavioral concerns on their child's IEP.  Interviews  During the interviews we discussed how social/emotional, behavioral goals can be addressed in the IEP.	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  The district must submit evidence to OEC of written procedures and practices in place to provide evidence that the evaluation addresses all areas related to the suspected disability.  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  The district must submit evidence to OEC of written procedures and practices in place regarding the evaluation planning process to include the parent.  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 student and preschool student initial evaluations showed 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.		⊠ NA
CF-10	300.306(a)(1); 300.305(a); and 3301-51-01 (B)(21)	Record Review Three 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.  All preschool reevaluations showed 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  It was discussed during the interviews with staff and administrators that all team members must demonstrate involvement in determining whether the child is a child with a disability through documentation of interventions, assessment information and signatures of team members.	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,	No The district does not need to address this finding in a Corrective Action Plan.
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# **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		Evidence of Correction	Must be addressed
Review Item	CFR or OAC	Evidence of Findings	Required Actions	in CAP
DS-1	300.320(a)(1)(i)	Record Review Seven school age and one preschool student IEPs did not address how the child's disability affects his/her involvement and progress in the general education curriculum.  Interviews  During the staff interviews we discussed ways to more accurately document a student's current level of performance as compared to a typical grade peer.	Individual Correction  The district must reconvene the IEP teams of the eight IEPs identified as noncompliant to review and amend the IEP to include a statement of how the child's disability affects the child's participation in appropriate activities to access, participate and progress in the general education curriculum.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding the involvement and progress of children with disabilities in the general education curriculum and assessing how their disability affects that involvement.  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 Review	Regulation 34	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
Item	CFR or OAC	Evidence of Findings	Required Actions	III OAI
DS-2	300.320(a)(1)	Record Review  Five school age student and one preschool student IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.  Interviews  Staff and administrators addressed the variety of informal and formal assessments and universal screening that is provided to all students, the discussion focused on ways to document that information effectively on the IEP	Individual Correction  The district must reconvene the IEP teams of the six 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.  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.	No The district does not need to address this finding in a Corrective Action Plan.
DS-3	300.320 (a)(2)(i)(A)	Record Review  One school age student IEP did not contain annual goals that address the child's academic area(s) of need.  All preschool student IEPs contained annual goals that address the child's academic area(s) of need.	Individual Correction  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 academic 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.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of addressing identified academic needs.	No The district does not need to address this finding in a Corrective Action Plan.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
DS-4	300.320(a)(2)(i) (A)	Record Review Three school age student IEPs contained annual goals that did not 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.	Individual Correction  The district must reconvene the IEP teams of the three IEPs 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  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of addressing identified functional needs.  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-5	300.320(a)(2)(i)	Record Review Eleven school age student IEPs did not contain measurable annual goals.  All preschool student IEPs contained measurable annual goals.  Interviews District administrators reported that goals and objectives training will be provided in a few weeks and that GPS-IEP will also be utilized.	Individual Correction  The district must reconvene the IEP teams of the eleven 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 of Degree? 4. Under What Conditions? 5. In What Length of Time? 6. How Will Progress Be Measured?	No The district does <u>not</u> need to address this finding in a Corrective Action Plan.

Record	Regulation 34		Evidence of Correction	Must be addressed
Review Item	CFR or OAC	Evidence of Findings	Required Actions	in CAP
DS-6	300.320(a)(4)	Record Review Fifteen school age and three preschool student IEPs did not contain a statement of specially designed instruction that addresses the needs of the child and supports annual goals.  Interviews  It was discussed in the interviews that the IEP needs to document the specific instruction that is different than what is provided in the regular education program.	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 of 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.  Individual Correction  The district must reconvene the IEP teams of the 18 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  The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of determining specially designed instruction.  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	Regulation 34		Evidence of Correction	Must be addressed
Review Item	CFR or OAC	Evidence of Findings	Required Actions	in CAP
DS-7	300.320(a)(7)	Record Review Six 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.  Interviews It was discussed in the interviews that you must define the specially designed instruction for each location that it is provided.	Individual Correction  The district must reconvene the IEP teams of the six IEPs identified as noncompliant to review and amend the location where the specially designed instruction will be provided.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of determining the location where specially designed instruction will occur.  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  One school age student IEP 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 team of the one IEP identified as noncompliant to review and amend the amount of time and frequency of the specially designed instruction.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of determining the amount and frequency of specially designed instruction to be provided.  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 addressed
Review Item	CFR or OAC	Evidence of Findings	Required Actions	in CAP
DS-9	300.320(a)(4)	Record Review  One school age student IEP identified 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 support the annual goals.	Individual Correction  The district must reconvene the IEP team of the one IEP identified as noncompliant to review and amend the IEP to include related services that were identified as needed in the IEP.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of addressing identified related service needs.  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-10	300.320(a)(7)	Record Review Three 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.	Individual Correction  The district must reconvene the IEP teams of the three IEPs identified as noncompliant to review and amend the IEP to include the location where the related services will be provided.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of determining the location where related services will occur.  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 Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
DS-11	300.320(a)(7)	Record Review  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.	Individual Correction  The district must reconvene the IEP team 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 must submit evidence to OEC of written procedures and practices in place regarding the IEP process of determining the amount and frequency of related services to be provided.  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 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		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	Individual Correction	
		Six school age and five preschool student IEPs did not identify assistive technology to enable the child to be involved in and make progress in the general education curriculum.	The district must reconvene the IEP teams of the 11 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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
	Systemic Correction		Systemic Correction	
	The district must submit evidence to OEC of writter procedures and practices in place regarding assistive technology.			
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
LRE-2	300.320(a)(6)(i)	Record Review	Individual Correction	⊠ No
		Four school age and six preschool student IEPs did not identify accommodations provided to enable the child to be involved in and make progress in the general education curriculum  Interviews	The district must reconvene the IEP teams of the ten 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.	The district does not need to address this finding in a Corrective Action Plan.
		The district's process for identifying and delivering accommodations needed by a student were	Systemic Correction	
		explained and verified during the staff interviews.	The district must submit evidence to OEC of written procedures and practices in place regarding accommodations.	
			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
LRE-3	300.320(a)(4)	Record Review	Individual Correction	
		Nine school age and six preschool IEPs did not identify modifications to enable the child to be involved in and make progress in the general education curriculum?	The district must reconvene the IEP teams of the 15 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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
			Systemic Correction	
			The district must submit evidence to OEC of written procedures and practices in place regarding modifications.	
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
LRE-4	300.320(a)(4)	Record Review	Individual Correction	⊠ Yes
		There were six school age and six preschool student IEPs that did not identify supports for school personnel to enable the child to be involved in and make progress in the general education curriculum.  Interviews	The district must reconvene the IEP teams of the 12 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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
		During the interviews it was encouraged that the staff document the various ways that collaboration	Systemic Correction	
		is demonstrated between the regular education and special education staff. True co-teaching is occurring in this district which allows the staff to	The district must submit evidence to OEC of written procedures and practices in place regarding supports for school personnel.	
		successfully enable their students to make progress and to be involved in the general education curriculum.	OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	

Regulation 34		Evidence of Correction	Must be
CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
Regulation 34 CFR or OAC 300.320(a)(5)	Evidence of Findings  Record Review  Fourteen school age student and one 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  During the staff interviews staff provided clear examples of ways they use flexible grouping to address individual needs for all of their students. We discussed ways to document more effectively their co-teaching strategies and use of small groups to address interventions that are provided on a regular basis to all students.		
		restrictive environment placement decision process.	
	CFR or OAC	CFR or OAC  Record Review  Fourteen school age student and one 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  During the staff interviews staff provided clear examples of ways they use flexible grouping to address individual needs for all of their students. We discussed ways to document more effectively their co-teaching strategies and use of small groups to address interventions that are provided	Regulation 34 CFR or OAC  Record Review Fourteen school age student and one 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 During the staff interviews staff provided clear examples of ways they use flexible grouping to address individual needs for all of their students. We discussed ways to document more effectively their co-teaching strategies and use of small groups to address interventions that are provided on a regular basis to all students.  Required Actions  Individual Correction The district must reconvene the IEP teams of the 15 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 least restrictive environment placement decision process.  OEC will contact the district for submission of new records and review these records to determine

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
LRE-6	300.321(1)	Record Review	Individual Correction	⊠ No
		One school age student IEP did not indicate that the IEP Team included a parent.  All preschool student IEPs indicated that the IEP Team included a parent.	For the one IEP identified as noncompliant, the district must:  Provide evidence of parent participation at the IEP meeting, or  Provide documentation of at least three attempts made by the district to ensure parent participation, or  Reconvene the IEP team to review the IEP with the parent.  Systemic Correction	The district does not need to address this finding in a Corrective Action Plan.
			The district must submit evidence to OEC of written procedures and practices in place regarding parent involvement in the IEP process.	
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
LRE-7	300.321(2)	Record Review	Individual Correction	⊠ No
		Eight school age and five preschool student IEPs did not indicate that the IEP Team included a regular education teacher.	<ul> <li>For the 13 IEPs identified as noncompliant, the district must:</li> <li>Provide documentation that the parent was informed prior to the IEP meeting that the regular education teacher would not participate in the meeting, and</li> <li>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</li> <li>Reconvene the IEP team to review the IEP will all required members present.</li> </ul>	The district does not need to address this finding in a Corrective Action Plan
			Systemic Correction  The district must submit evidence to OEC of written	
			procedures and practices in place regarding regular education teacher involvement in the IEP process.	

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
LRE-8	300.321(3)	Record Review Three school age and one preschool student IEPs did not indicate that the IEP Team included a special education teacher.	<ul> <li>Individual Correction</li> <li>For the four IEPs identified as noncompliant, the district must:         <ul> <li>Provide documentation that the parent was informed prior to the IEP meeting that the special education teacher would not participate in the meeting, and</li> <li>Provide a written excuse signed by the parents and the district that allowed the special education teacher not to be in attendance at the IEP meeting, or</li> <li>Reconvene the IEP team to review the IEP will all required members present.</li> </ul> </li> <li>Systemic Correction         <ul> <li>The district must submit evidence to OEC of written procedures and practices in place regarding special education teacher involvement in the IEP process.</li> <li>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</li> </ul> </li> </ul>	No The district does not need to address this finding in a Corrective Action Plan.

Record Regulation	M	Evidence of Correction	Must be
Review   CFR or OA		Required Actions	addressed in CAP
LRE-9 300.321(4)	Record Review  One school age student IEP did not indicate that the IEP Team included an LEA representative.  All preschool student IEPs indicated that the IEP Team included an LEA representative.	Individual Correction  For the one IEP identified as noncompliant, the district must:  • Provide documentation that the parent was informed prior to the IEP meeting that the LEA representative would not participate in the meeting, and	No The district does not need to address this finding in a Corrective Action Plan.
		<ul> <li>Provide a written excuse signed by the parents and the district that allowed the LEA representative not to be in attendance at the IEP meeting, or</li> <li>Reconvene the IEP team to review the IEP will all required members present.</li> <li>Systemic Correction</li> <li>The district must submit evidence to OEC of written procedures and practices in place regarding LEA representative involvement in the IEP process.</li> <li>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</li> </ul>	

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
LRE-10	300.321(5)	Record Review  One school age student IEP did not indicated that the IEP Team included of a person qualified to interpret the instructional implications of evaluation results.  All preschool age student IEPs indicated that the IEP Team included of a person qualified to interpret the instructional implications of evaluation results.	Individual Correction  For the one IEP(s) identified as noncompliant, the district must:  • Provide documentation that the parent was informed prior to the IEP meeting that the person qualified to interpret the instructional implications of evaluation results would not participate in the meeting, and  • Provide a written excuse signed by the parents and the district that allowed the person qualified to interpret the instructional implications of evaluation results not to be in attendance at the IEP meeting, or  • Reconvene the IEP team to review the IEP will all required members present.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding people qualified to interpret the instructional implications of evaluation results involvement in the IEP process.  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 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	Record Review	Individual Correction	⊠ NA
	R.C. 3301.07.14	All school age student IEPs indicated that the child had an IEP in effect as reported on the LEA's December 1, 2010 Child Count Report.	None Systemic Correction	
			None	
DV-2	300.645	Record Review	Individual Correction	⊠ NA
	R.C. 3301.07.14	All school age student ETRs indicated that the child had an ETR in effect as reported on the	None	
		LEA's December 1, 2010 Child Count Report.	Systemic Correction	
			None	
DV-3	SPP Indicator 20:	Record Review	Individual Correction	⊠ NA
	Accurate and Timely Reporting	All school age student records had accurate student data reported by the LEA through the	None	
	of Special Education Event Record	Education Management Information System (EMIS) for the December 1, 2010 Child Count	Systemic Correction	
	Record	Report, specifically in the following area(s):  a) DOB	None	
		b) IEP date (IIEP, RIEP, TIEP, CIEP, or FIEP events)		
		c) ETR dates (IETR, RETR, TETR)		
		d) Referral date		
		e) Consent date		
		<ul> <li>f) Disability category as indicated as an outcome of ETR</li> </ul>		
		g) Admission date		
		h) Withdrawal date		
		i) Non-compliance reason for ETR or IEP date		

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DV-4	SPP Indicator 11 300.301(c)(1)(i)	Record Review  All school age student initial evaluations reported as being conducted within 60 days of the district receiving parental consent for the evaluation was conducted within the required timeline.	Individual Correction  None  Systemic Correction  None	⊠ NA
DV-5	SPP Indicator 12 300.124	Record Review  No IEP(S) were reviewed for this Record Review Item.	Individual Correction  NA  Systemic Correction  NA	⊠ NA
DV-6 A/B	SPP Indicator 20 for Secondary Transition Plans	Two school age IEPs did not show evidence that the secondary transition plan reported in EMIS during 2010-2011 was in place that meets all 8 required elements of IDEA for the student, specifically in the following area(s):  1. There are appropriate measurable postsecondary goal(s).  2. The postsecondary goals are updated annually.  3. The postsecondary goals were based on age appropriate transition assessment.  4. There are transition services that will reasonably enable the student to meet the postsecondary goal(s).  5. The transition services include courses of study that will reasonably enable the student to meet the postsecondary goal(s).  6. The annual goal(s) are related to the student's transition service needs.  7. There is evidence the student was invited to the IEP Team Meeting where transition services were discussed.  8. When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting.	Individual Correction  Two current IEPs did not contain transition plans that meet all eight required elements of IDEA.  The district must reconvene the IEP teams to review and correct the secondary transition plan for the one record identified as still noncompliant or provide documentation of the student's withdrawal date.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding data reporting.  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.

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

# **Component 1: Statement of Accounts**

The district/school has submitted its FY11 FERs for IDEA – ARRA funds and IDEA Pre-School ARRA funds. The Financial Detail (FINDET) Report for those funds and the Final Expenditure Reports are consistent and in agreement. 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	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.202	The FER for FY11 516 and 587 ARRA matched the FINDET provided by the district. No issues were found.	Individual Correction None		⊠ NA
	The FY12 fund 516 and 587 expenditures to date are in line with the budget for each fund in the CCIP. The expenditures were accounted for in the correct budget categories.			

### **Component 2: Payroll Expenditures**

The district/school is able to document that the federal funds were expended for an appropriate purpose; payroll expenditures are supported by Time and Effort Logs 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 FERs are in agreement.

Finding s	Evidence	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.202	Eighty-eight staff members were reviewed for certification /licensure, job description as well as payroll expenditure. The expenditures were properly coded to the correct function and object code.  The ACCRPTs for fund 516 and 587 ARRA were reviewed for the time period spanning July 1, 2010 to September 2011, as well as the current FY12 516 and 587 funds. No coding errors were noted. Semi-annual certifications were provided for all staff paid from these funds.  One staff member needed to complete a Time and Effort log for FY12. The document has been received and approved.	Individual Correction None Systemic Correction None		NA NA

# **Component 3: Non-Payroll Expenditures**

The district/school is able to document that the federal funds were expended 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.

Finding s	Evidence	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.202	Thirty-five voucher packets were reviewed for FY11 Fund 516 special cost center 9320. There were no coding errors noted.  There were no funds available to expend for FY11 Fund 587 special cost center 9320.  Six voucher packets were reviewed for FY12 fund 516 Fund. No errors were found.  Five Purchase Service agreements were reviewed and the services were properly described and appropriate.  One person employed by Sun Belt Staffing, a contract person, has the State SLP License but needs to obtain an ODE Certification for SLP.  Evidence needs to be provided that this person is obtaining the proper ODE certification.	Individual Correction  Documentation needs to be provided that this person is obtaining the proper ODE certification.  Systemic Correction  None	Individual Correction for Fiscal Requires the following due date:  *30 days from receipt of this report.	⊠ No

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

If the district/school expended 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 Part B purposes only and can be removed from the non-public school without remodeling the school facility.

Finding s	Evidence	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.202	The district followed their purchasing and inventory procedures as it relates to these purchases. Computers and IPads were purchased with 516 ARRA funds.	Individual Correction None		⊠ NA
	These items were physically present upon visiting the various buildings.	Systemic Correction None		

### Component 5: Equipment inventory policy and procedures

The district/school retains control and administration of funds used to purchase materials, equipment and property purchased with those funds for the uses and purpose 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	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.202	The district provided their procurement policy as it is located on their district's website.  The district is properly complying with the board policy in cataloguing and inventorying equipment.	Individual Correction None  Systemic Correction None		⊠ 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 addressed in CAP
Citation		Required Actions	Date Due	
300.130 through 300.144	The district maintains records of the number of non-public students tested and served as well as timely consultation with area non-public schools.	Individual Correction None		⊠ NA
	Documentation of meetings with the non-public schools was provided in the NS3.	Systemic Correction None		

### **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 s	Evidence	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.165	The district indicated that they placed this topic on the	Individual Correction		
and Part 300.201	Board of Education agenda but did not specifically provide a public hearing, adequate notice of the hearing	None		
300.201	and an opportunity for comment in the planning the use of IDEAS Part B Funds.	Systemic Correction		
	A copy of the law was provided to the special education director.	The district will review the law as it pertains to public participation and develop a policy and procedure to ensure the requirements of the law are met. The district will provide evidence that it held a public meeting for school year 2012-13.		

### **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 CIES is 15% or less 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.

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	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.205	The district did not participate in redirecting their funds for CEIS.	Individual Correction None  Systemic Correction None		⊠ NA