

4/9/2012

# Summit Academy Secondary School District IRN 000633

# 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 24-26, 2012, by the Ohio Department of Education's Office for Exceptional Children (OEC) 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 and Fiscal)

#### **IDEA Review**

#### Overview

Educational consultants from the Office for Exceptional Children (OEC) conducted IDEA review activities on January 24-26, 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 January 24, 2012, Summit Academy Secondary School – Toledo mailed 166 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 4, 2012 in the Family-Parent Newsletter and the web.

On January 24, 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. Six parents, one student, and one State Support Team (SST) Region 1 representatives attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting or individually, provide written comments, or both. Four parents and one student made comments during the public meeting. Written comment forms were available before, during and after the meeting. OEC did not receive any written comments.

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 24 and 25, 2012, OEC consultants reviewed 31 records of school age students with disabilities. OEC selected records of a variety of children with disabilities from all grades in the building.

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

#### 4. Staff/Administrative Interviews

On January 26, 2012, OEC consultants held two sessions of interviews with four administrators and six teachers and related services personnel. 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 Summit Academy Secondary 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 Karla Spangler, OEC Lead Consultant at <a href="mailto:esclew\_ks@sstr1.org">esclew\_ks@sstr1.org</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: 05-22-2012** 

#### **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: 10-05-2012** 

#### **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: 04-08-2013

For questions about specific components of this report please contact:

- **Special Education School Age:** Karla Spangler, OEC Lead Consultant, at (419) 376-5340, or, toll-free at (877) 644-6338, or by e-mail at <a href="mailto:esclew\_ks@sstr1.org">esclew\_ks@sstr1.org</a>.
- **Fiscal:** Stephanie Ferrell, Educational Consultant, at (614) 752-1249, toll-free at (877) 644-6338, or by e-mail at <a href="mailto:stephanie.ferrell@education.ohio.gov">stephanie.ferrell@education.ohio.gov</a>.

# <u>Special Education School Age 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 CAP
CF-1	300.303(b)(2)	Record Review  Four reevaluation records indicated that the child's reevaluation was not completed within the three year timeline.	Individual Correction  OEC has verified that these students have a current ETR 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 child find evaluation 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.
CF-2	300.305(a)	Record Review  Not reviewed in this district. Grades 9 to 12.	Individual Correction  None  Systemic Correction  None	⊠ NA

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
CF-3	OAC 3301-51-06 (2) and OAC 3301-51- 06(4)	Record Review  Four school age initial evaluations did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.	Individual Correction  OEC has verified that these students have a current IEP 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 team report.  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.
CF-4	300.501(b)(1)	Record Review Ten school age records did not show evidence that the evaluation planning team included the parent.  Interviews  After interviewing staff and administration, there is no process in place to assure that a "team", including the parent, plans for the evaluation.	Individual Correction  The district must provide evidence that the parent 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 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.	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
CF-5	300.305(a)(1)	Record Review  Ten school age evaluations did not provide evidence that the evaluation planning team reviewed existing data on the child.  Interviews  Many times there is no existing data provided by other schools to include in the ETR. All new data needs to be obtained.	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.	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
CF-6	300.305(a)(2)	Record Review  Ten school age evaluations did not provide 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.	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.

Record Review	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in
Item	CFR OF UAC		Required Actions	CAP
CF-7	300.304(c)(4);	Record Review	Individual Correction	⊠ No
	OAC 3301-51-01; and OAC 3301- 51-06	Two school age evaluations did not provide evidence that the evaluation addresses all areas related to the suspected disability.	The district will convene the ETR team to conduct a reevaluation and provide evidence that the evaluation addresses all areas related to the suspected disability.	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 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.	
CF-8	300.306(a)(1)	Record Review	Individual Correction	⊠ No
		Two school age records did not show evidence that the parent of the child was involved in determining whether the child is a child with a disability.	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.	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 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.	

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 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.	Individual Correction  None  Systemic Correction  None	⊠ NA
CF-10	300.306(a)(1); 300.305(a); and 3301-51-01 (B)(21)	Record Review  Seven 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  Summit Academy Management says that when multiple categories of disabilities, use the MD label. Do not use the prominent disability.	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  The district must submit evidence to OEC of written procedures and practices in place regarding the eligibility determination process.  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.

# **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
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DS-1	300.320(a)(1)(i)	Record Review Seven school age IEPs did not address how the child's disability affects his/her involvement and progress in the general education curriculum.	Individual Correction  The district must reconvene the IEP teams of the seven 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	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DS-2	300.320(a)(1)	Record Review	Individual Correction	
		Ten school age IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.	The district must reconvene the IEP teams of the ten 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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
			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	⊠ No
	(a)(2)(i)(A)	Six school age IEPs did not contain annual goals that address the child's academic area(s) of need.	The district must reconvene the IEP teams of the six IEPs 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.	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 the IEP process of addressing identified academic needs. 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-4	300.320(a)(2)(i)	Record Review	Individual Correction	⊠ No
	(A)	Six school age IEPs did not contain annual goals that address the child's functional area(s) of need.	The district must reconvene the IEP teams of the six 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 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 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.	
DS-5	300.320(a)(2)(i)	Record Review	Individual Correction	⊠ Yes
		Ten school age IEPs did not contain measurable annual goals.	The district must reconvene the IEP teams of the ten 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?  Systemic Correction  The district must implement new procedures to ensure	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
			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.	

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DS-6	300.320(a)(4)	Record Review	Individual Correction	
		Ten school age IEPs did not contain a statement of specially designed instruction that addresses the needs of the child and supports annual goals.  Interviews	The district must reconvene the IEP teams of the ten 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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
		Specially designed instruction is happening, there just needs to be training on writing it in the IEP's.	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.	
DS-7	300.320(a)(7)	Record Review	Individual Correction	⊠ Yes
		Ten school age IEPs did not indicate the location where the specially designed instruction will be provided.	The district must reconvene the IEP teams of the ten IEPs identified as noncompliant to review and amend the location where the specially designed instruction will be provided.	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 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.	

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DS-8	300.320(a)(7)	Record Review Ten school age IEPs did not indicate the amount of time and frequency of the specially designed instruction.	Individual Correction  The district must reconvene the IEP teams of the ten IEPs 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.	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
DS-9	300.320(a)(4)	Record Review Ten school age IEPs did not identify related services that address the needs of the child and support the annual goals.	Individual Correction  The district must reconvene the IEP teams of the ten IEPs 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.	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.

Record Review	Regulation 34	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
Item	CFR or OAC	Evidence of Findings	Required Actions	addressed III CAF
DS-10	300.320(a)(7)	Record Review	Individual Correction	⊠ Yes
		Eight school age IEPs did not indicate the location where the related services will be provided.	The district must reconvene the IEP teams of the eight IEPs identified as noncompliant to review and amend the IEP to include the location where the related services will be provided.	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 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.	
DS-11	300.320(a)(7)	Record Review	Individual Correction	⊠ NA
		All school age IEPs indicated the amount of time	None	
		and frequency of the related services to be provided.	Systemic Correction	
			None	

# 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 addressed in CAP
Review Item	tem CFR or OAC	Evidence of Findings	Required Actions	
LRE-1	300.324(a)(2)(v)	Record Review	Individual Correction	⊠ NA
		All school age IEPs identified assistive technology to enable the child to be involved in and make	None	
		progress in the general education curriculum.	Systemic Correction	
			None	
LRE-2	300.320(a)(6)(i)	Record Review	Individual Correction	⊠ No
		Two school age IEPs did not identify accommodations provided 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 two 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.
			Systemic Correction	
			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	
		Three school age 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 three 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	⊠ NA
		All school age IEPs identified supports for school	None	
		personnel to enable the child to be involved in and make progress in the general education	Systemic Correction	
		curriculum.	None	

Record Regulati	on 3/		Evidence of Correction	Must be
Review CFR or		Evidence of Findings	Required Actions	addressed in CAP
LRE-5 300.320(a)	(5)	Record Review	Individual Correction	
		Six school age IEPs did not include an explanation of the extent to which the child will not participate with nondisabled children in the regular education classroom.	The district must reconvene the IEP teams of the six IEPs identified as noncompliant to review and include a justification for why the child was removed from the regular education classroom.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
			The justification should:	non compliance.
			<ul> <li>Be based on the needs of the child, not the disability.</li> <li>Reflect that the team has given adequate consideration to meeting the student's needs in the regular classroom with supplementary aids and services.</li> <li>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.</li> <li>Describe potential harmful effects to the child or others, if applicable.</li> <li>Systemic Correction</li> <li>The district must submit evidence to OEC of written procedures and practices in place regarding least restrictive environment placement decision 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 Two school age IEPs did not indicate that the IEP Team included a parent.	Required Actions  Individual Correction  For the two IEPs 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	Addressed in CAP  No The district does not need to address this finding in a Corrective Action Plan.
Two school age IEPs did not indicate that the IEP	For the two IEPs 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.	The district does not need to address this finding in a Corrective
	<ul> <li>district must:</li> <li>Provide evidence of parent participation at the IEP meeting, or</li> <li>Provide documentation of at least three attempts made by the district to ensure parent participation, or</li> <li>Reconvene the IEP team to review the IEP with the parent.</li> </ul>	not need to address this finding in a Corrective
	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.	
Record Review	Individual Correction	⊠ No
Two school age IEPs did not indicate that the IEP Team included a regular education teacher.	For the two IEPs identified as noncompliant, the district must:  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 will all required members present.  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.	The district does not need to address this finding in a Corrective Action Plan.
		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 will all required members present.  Systemic Correction  The district must submit evidence to OEC of written procedures and practices in place regarding regular

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
LRE-8	300.321(3)	Record Review	Individual Correction	⊠ NA
		All school age student IEPs indicated that the IEP Team included a special education teacher.	None	
			Systemic Correction	
			None	
LRE-9	300.321(4)	Record Review	Individual Correction	
		All school age IEPs indicated that the IEP Team included an LEA representative.	None	⊠ NA
		'	Systemic Correction	
			None	
LRE-10	300.321(5)	Record Review	Individual Correction	⊠ NA
		All school age student IEPs indicated that the IEP Team included of a person qualified to interpret the	None	
		instructional implications of evaluation results.	Systemic Correction	
			None	

## **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 IEPs indicated that the child had an IEP in effect as reported on the LEA's December 1,	None	
		2010 Child Count Report.	Systemic Correction	
			None	

Record	Regulation 34 Evidence of Findings		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DV-2	300.645 R.C. 3301.07.14	Record Review  All school age student ETRs indicated that the child did have an ETR in effect as reported on the LEA's December 1, 2010 Child Count Report.	Individual Correction None Systemic Correction None	⊠ NA
DV-3	SPP Indicator 20: Accurate and Timely Reporting of Special Education Event Record	Record Review  Ten school age records had inaccurate student data reported by the LEA through the Education Management Information System (EMIS) for the December 1, 2010 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	Individual Correction The district must provide evidence that they corrected the student data through their Student Information System (SIS).  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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
DV-4	SPP Indicator 11 300.301(c)(1)(i)	Record Review All school age initial evaluation(s) reported as being conducted within 60 days of the district receiving parental consent for the evaluation were conducted within the required timeline.	Individual Correction  None  Systemic Correction  None	⊠ NA

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
DV-5	SPP Indicator 12 300.124	Record Review Did not review this area.	Individual Correction None  Systemic Correction None	⊠ NA
DV-6 A/B	SPP Indicator 20 for Secondary Transition Plans	Record Review  Ten school age IEPs did not show evidence that the secondary transition plan reported in EMIS during 2010-2011 was in place that meets all eight 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 OEC has verified that seven students have current IEPs that contain transition plans that meet all eight required elements of IDEA, so no additional individual correction is required.  Three current IEPs did not contain transition plans that meet all 8 required elements of IDEA.  The district must reconvene the IEP teams to review and correct the secondary transition plan for the three records 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	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.

# 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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	The documentation provided by the district for fund 516 special cost center 9320 (ARRA) and the FER matched.  The documentation provided by the district for fund 516 FY12 regular is in line with the current budget in the CCIP – there were no deviations.	Individual Correction None Systemic Correction None		⊠ NA

## **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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	Fund 516 FY12 regular partially supports two positions; the majority of the funding is from local funds. Licensure for the IEP coordinator and IEP differentiated specialist are current and appropriate.  The fund and object codes applied for each employees payroll are correctly.  The functions codes applied are incorrect. The IEP coordinator is currently coded to function 1140, Alternative School. Special education staff should not be paid against a non-special education function code. Function code 2417, special education services support staff or 2416, special education support admin/supervisor are better choices. The IEP Differentiated Specialist is currently coded to function 2100, support services- pupils. If this position serves students in the classroom the instructional series function 1240, Handicapped Special Learning Experiences for Grades 7 through 12, would be more appropriate. The school will examine options 1241 through 1249 to determine the appropriate code to apply. In addition to the time allocated to special education services (80%, per the special education director at the school) these two positions spend up to 20% of their work time performing non-special education administrative functions. The time spent performing administrative functions unrelated to special education should be coded to a different function code. Therefore, each employee will be coded to three lines of code for payroll purposes. For example the IEP differentiated specialist will be coded to:  1. Fund 516, function 1241 (example only), at whatever percentage IDEA pays of the special education job duties.  2. Fund 001, function 1241(example only), at	Individual Correction  The function code for the IEP coordinator should be changed to 2417 or 2416 no matter the funding source for FY12 special education activities and coded to a separate function code to reflect the time spent performing non-special education duties  The function code for the IEP differentiated specialist should be changed to the appropriate code in the 1240 series no matter the funding source for FY12 special education activities and coded to a separate function code to reflect the time spent performing non-special education duties.  Time and Effort logs will be utilized when journaling the payroll coding and costs above.  Systemic Correction  The sample size for testing is very small, which causes the errors identified in the Evidence of Findings section to be categorized as systemic. As a result Summit Academy is required to prepare a corrective action plan to address how it will resolve the errors found at the Toledo Academy, which include function coding and utilizing time and effort logs to properly allocate expenses.	Individual Correction for Fiscal Requires the following due date:  *30 days from receipt of this report.	∑ Yes

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
	whatever percentage the general fund pays for the special education job duties.  3. Fund 001, function 2490 (example only), at 20% for the other Administrative functions performed.  Time and Effort documentation was provided. It does not appear that the documentation is being used to reconcile the actual time worked. Per the special education director the two employees supported by fund 516 spend 80% of their time on special education related activities and 20% of their time on administrative duties. I calculated the time the IEP Differentiated Specialist logged for special education at 68.81% and admin at 31.19%. I recommend the time and effort logs and actual payroll be reconciled to ensure special education time is accurately reflected. Summit should continue to reconcile the time and effort logs to the actual payroll paid no less than quarterly to ensure the same.  Position descriptions were provided for the two positions supported by fund 516.  Please note - Function code errors impact EMIS reporting which may impact the calculation for maintenance of effort.	It is recommended that Summit Academies review		

# **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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	Fund 516, FY12: 3 voucher packets were tested; this is 100% of the non-payroll expenditures to date. Voucher 79845, 80385, and 81357 were coded to function 2100 Support Services – Pupils. The USAS manual provides many options for function coding that better describe the purpose for each special education related expenditure.  Fund 516, special cost center 9320 (ARRA): 3 voucher packets were tested: this is100% of the expenditures from this funding source. Voucher 71558, 77133and 79157were coded to function 1100, Regular Instruction. There are many function codes dedicated to special education purposes, it is inappropriate to apply a regular instruction code to expenses paid from fund 516. Voucher 79157 violated the Academy's purchasing guideline #19 which states any goods or services purchased without an official purchase order will not be reimbursed. The date on the receipt provided is prior to the purchase order date. Summit Academy will review this voucher and explain why the guidelines were not followed.  100% of the expenditures reviewed were appropriate uses of the funds.  Summit Academy purchasing guideline #1 states that each purchase requisition must be completely filled out with a detailed description of the item to be purchased, explanation of as to the reason for the purchase, the vendor, cost and quantity and any other applicable information. Some of the vouchers packets reviewed were lacking detailed descriptions of the items to be purchased and all were missing explanations of as to the reason for the purchase. I recommend the academy review the purchasing guidelines with all staff throughout their school system to ensure they are aware of this requirement. If this is implemented it should assist in the proper function coding of all expenditures by the grant staff.  Please note - Function code errors impact EMIS reporting which may impact the calculation for maintenance of effort.	Individual Correction  Summit Academy will review the voucher packets identified in the evidence of findings section and will identify more accurate and appropriate function codes to be applied. The function codes will be corrected in their accounting system. Evidence of correction will be provided to OEC upon completion.  Voucher packet 79157 violated Summit Academy's guideline 19 for purchasing. Summit Academy will review this voucher and explain why the guidelines were not followed.  Systemic Correction  The sample size for testing is very small, which causes the errors identified in the Evidence of Findings section to be categorized as systemic. As a result Summit Academy is required to prepare a corrective action plan to address how it will resolve the errors found at the Toledo Academy.  It is recommended that Summit Academies review coding for special education at their other facilities to ensure the proper function codes are being utilized.	Individual Correction for Fiscal Requires the following due date:  *30 days from receipt of this report.	∀es

#### 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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
Oitation		Required Actions	Date Due	
300.202	The district made one purchase from fund 516, SCC 9320 (ARRA) that qualified as equipment, Voucher 71558. The school did not include an explanation as to the reason for the purchase and incorrectly coded the expense to function 1100, Regular Instruction.  Please note - Function code errors impact EMIS reporting which may impact the calculation for maintenance of effort.	Individual Correction The expense identified in the evidence of findings section occurred in FY11, correction is not required but it is recommended the school review all current expenditures from fund 516 to ensure they are properly coded to a special education function code.  Systemic Correction None	Individual Correction for Fiscal Requires the following due date:  *30 days from receipt of this report.	⊠ No

#### 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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	Summit Academy has a very clear and detailed policy for the maintenance of fixed assets.  Summit Academy Secondary Toledo provided a copy of the master list of inventory. The list indicated that 6 laptops had been stolen. We identified two laptops believed to have been stolen that were actually on school premises, B-13170 and B-13163. The school will update the master list to include their location now that they are no longer considered missing or stolen.  All of the equipment selected for inventory review was located per the master list.	Individual Correction  The school will update the master list to include the location of the two laptops previously identified as stolen but found as a result of the onsite review. The school will provide evidence of the correction.  Systemic Correction  None	Individual Correction for Fiscal Requires the following due date:  *30 days from receipt of this report.	⊠ No

#### 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.

Findings	Evidence	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.130 through	Not Applicable - Summit Academy is a community school. This component does not apply.	Individual Correction None		⊠ NA
300.144		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.

Findings	Evidence	Evidence of Correction		Must be addressed in CAP
Citation		Required Actions	Date Due	
300.165 and Part 300.201	Summit Academy will hold a meeting in February to discuss the school's FY12 IDEA budget. OEC explained during the onsite that it is preferable to have this meeting before the start of the year to provide time to implement public comment as necessary.	Individual Correction Summit Academy Toledo Secondary will provide a copy of the February meeting agenda and minutes as evidence the meeting was held and the topic made available for comment.	Individual Correction for Fiscal Requires the following due date:	
	OEC recommended they keep a copy of the meeting agenda and minutes to be provided as evidence.	Systemic Correction Summit Academy will create a process document, to be used throughout their school system; to address the federal requirement that the public be given notice of federal IDEA funding and the school's intended use of the funds as well as an opportunity to comment. The process document will set a date range for the meeting to be held annually (spring or early fall), require notice in the local paper and via the internet at a minimum, (notice will be no less than two weeks prior to the scheduled meeting), will require an agenda, meeting minutes or some other documentation to serve as proof the meeting was held and the topic was made available for comment.	*30 days from receipt of this report.	

#### **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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.205	Summit Academy Toledo did not redirect IDEA funding for Comprehensive Early Intervening Service (CEIS).	Individual Correction None		⊠ NA
		Systemic Correction None		