

3/5/2012

# Youngstown City School District IRN 045161

# 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 December 5 to December 8, 2011 by the Ohio Department of Education's Office for Exceptional Children (OEC) and Office of Early Learning and School Readiness as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. HB1. The onsite visit consisted of the following reviews:

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

#### **IDEA Review**

#### Overview

Educational consultants from the Office for Exceptional Children (OEC) conducted IDEA review activities on December 5 to December 8, 2011. 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 November 16, 2011, Youngstown City Schools mailed 1049 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 December 6, 2011 on the web page, twitter and face book.

On December 6, 2011, 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. 1 parent and 1 State Support Team (SST) Region 5 representative attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting or individually, provide written comments, or both. 1 parent made comments during the public meeting. Written comment forms were available before, during and after the meeting. OEC did not receive written comments.

During the public meeting, the parent was advised by OEC consultants of the formal complaint process under IDEA and that their public comments did not constitute a formal complaint. The participant was 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 the participant.

It should be noted, that although parents did not attend the Public Parent Meeting, on the following night, they brought their children (over 300) to the Holiday Dance for Students with Disabilities. This does reflect parental support of their child and the district sponsored programs.

#### 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 December 5 and December 6, 2011, OEC consultants reviewed 41 records of school age students with disabilities. An OELS&R consultant, on December 8, 2011, reviewed eight records as part of the Early Childhood Special Education Review. OEC selected records of a variety of children with disabilities from 10 buildings.

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

#### 4. Staff/Administrative Interviews

On December 7 and December 8, 2011, OEC consultants held 5 sessions of interviews with 19 administrators and 41 teachers, school counselors, related services personnel and school psychologists and a community leader. 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 Youngstown City School District. An approved form for the corrective action plan will be provided by OEC or can be accessed on ODE's web site by using the keyword search "OEC Corrective Action Plan". The corrective action plan developed by the district must include the following:

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

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

The district must submit the corrective action plan to Karla Spangler, OEC Lead Consultant at <a href="leesc\_ks@sstr1.org">leesc\_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: 04-23-2012

#### **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: 06-06-2012**

#### **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: 03-04-2013

For questions about specific components of this report please contact:

- **Special Education School Age:** Karla Spangler, OEC Lead Consultant, at 419-376-5340, toll-free at (877) 644-6338, or by e-mail at <a href="mailto:lessc\_ks@sstr1.org">lessc\_ks@sstr1.org</a>
- **Special Education Early Childhood:** Barbara Weinberg, Educational Consultant, at (614) 387-2239, toll-free at (877) 644-6338, or by e-mail at Barbara.Weinberg@ode.state.oh.us.
- **Fiscal:** Stephanie Ferrell, Educational Consultant, at 614-752-1249, toll-free at (877) 644-6338, or by e-mail at <u>Stephanie.ferrell@ode.state.oh.us</u>.
- **Gifted Education:** Rosemary Pearson, Educational Consultant, at 614-644-2641, toll-free at (877) 644-6338, or by e-mail at rosemary.pearson@ode.state.oh.us.

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## <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	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
CF-1	300.303(b)(2)	Record Review	Individual Correction	⊠ No
		Five reevaluation record(s) indicated that the child's reevaluation was not completed within the three year timeline.	OEC has verified that these student(s) have a current ETR in place, so no additional individual correction is required.  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 child find evaluation process.  OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	Action Figure
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.	Individual Correction The district will reconvene the ETR team to review the information provided by Help Me Grow and provide evidence of including this documentation in suspecting or when determining eligibility for Part B to the Office of Early Learning and School Readiness (OELSR).  Systemic Correction The district must submit evidence to OEC of written procedures and practices in place regarding the child find evaluation process.	address this finding in a Corrective
			The district will submit to 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-3	OAC 3301-51-06 (2) and OAC 3301-51- 06(4)	Record Review Nine school age initial evaluation(s) did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.  Interviews The staff commented that the building teams met weekly and discussed student needs. Interventions were completed by teachers and results were documented. Those results were not included in the ETR.  Most interventions listed were duplicated in each ETR reviewed. No data was provided to show evidence that interventions were working, or not working, or even where the child was performing at the beginning of the intervention, where they ended up, or the intensity and duration of the intervention.	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 Thirteen school age record(s) did not show evidence that the evaluation planning team included the parent.  All preschool records showed evidence that the evaluation planning team included the parent.	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	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
CF-5	300.305(a)(1)	Record Review	Individual Correction	
		Seven school age evaluation(s) 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  The teachers were not aware of the evaluation planning form. The process that the teachers are aware of is: The teachers meet on the student at the building level and collect data. When that is complete, and the building team believes that the student should be evaluated, the information is sent to the board office. The board office then makes the decision if the student should be evaluated, or, if the team needs to do additional interventions. The staff does not meet to do planning on the child.	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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
CF-6	300.305(a)(2)	Record Review	Individual Correction	⊠ No
		Eight school age and one preschool student evaluation(s) did not provide evidence that the evaluation planning team identified what additional data, if any, were needed.		The district does not need to address this finding in a Corrective Action Plan.
		<u>Interviews</u>	Systemic Correction	
		See CF-5	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.	

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
CF-7	300.304(c)(4);	Record Review	Individual Correction	⊠ Yes
	OAC 3301-51-01; and OAC 3301- 51-06	Thirteen school age student evaluation(s) did not provide evidence that the evaluation addresses all areas related to the suspected disability.  All preschool evaluations provided evidence that the evaluations addressed all required areas.  Interviews  See CF-5	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.  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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
CF-8	300.306(a)(1)	Record Review Six school age record(s) 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 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 and all preschool initial evaluation(s) did 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  According to the teaching staff, the people determining whether the child is a child with a disability are not the people working with the child. The disability is determined by the team at the board office.  Please note:  QP's for Specific Learning Disability  A group of qualified professionals would include the following, but not limited to;  1. Parent,  2. Additional group members,  • The child's regular teacher; or  • If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or  • For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and  • At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speechlanguage pathologist, or remedial reading teacher.	Individual Correction  None  Systemic Correction  Regarding QP's for Specific Learning Disabilities, the district must utilize the child's regular education teacher in determining whether the child is a child with a disability, unless the child does not have a regular teacher, then a regular classroom teacher qualified to teach a child of his or her age can be utilized.  Regarding SLD children, the district must submit evidence to OEC of written procedures and practices in place regarding a group of qualified professionals as appropriate to the suspected disability were involved in determining whether the child is a child with a disability.	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	CEP or OAC	Evidence of Findings	Required Actions	addressed in CAP
CF-10	300.306(a)(1); 300.305(a); and 3301-51-01 (B)(21)	Record Review  Five school age reevaluation(s) 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 evaluations showed evidence that a group of qualified professionals were involved in determining whether the child is a child with a disability.  Interviews  Teachers stated that the teachers are invited to review the ETR and then sign. The determination is pre-determined.  According to the teachers, the initial IEP is written by the supervisor, not by a classroom teacher.	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 the lack of staff input during the ETR meeting.

## **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 Nine school age and two preschool IEPs did not address how the child's disability affects his/her involvement and progress in the general education curriculum.  Interviews The teachers stated that they are learning how to collect data on their students. They have a new data reporting system this year.	Individual Correction  The district must reconvene the IEP team(s) of the 11 IEP(s) 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 CFR or OAC	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
DS-2	300.320(a)(1)	Record Review Thirteen school age and two preschool IEP(s) did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.  Interviews The teachers stated that they are receiving training on the IEP requirements and will be able to write compliant IEP's in the future.	Individual Correction  The district must reconvene the IEP team(s) of the 15 IEP(s) 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.	Yes 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 (a)(2)(i)(A)	Record Review  Four school age IEP(s) did not contain annual goals that address the child's academic area(s) of need.  All preschool IEPs contained annual goals that addressed the child's academic area(s) of need.	Individual Correction  The district must reconvene the IEP team(s) of the 4 IEP(s) 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.  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.

Population 34		Evidence of Correction	Must be
CFR or OAC	Evidence of Findings	Required Actions	addressed in CAP
300.320(a)(2)(i)	Record Review	Individual Correction	⊠ No
(A)	Two school age IEP(s) did not contain annual goals that address the child's functional area(s) of need.  All preschool IEPs contained annual goals that addressed the child's functional area(s) of need.	The district must reconvene the IEP team(s) of the 2 IEP(s) 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.	
300.320(a)(2)(i)	Record Review	Individual Correction	⊠ Yes
	Thirteen school age and four preschool IEP(s) did not contain measurable annual goals.	The district must reconvene the IEP team(s) of the 17 IEP(s) 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	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
		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	
	300.320(a)(2)(i) (A)	CFR or OAC  300.320(a)(2)(i) (A)  Record Review Two school age IEP(s) did not contain annual goals that address the child's functional area(s) of need. All preschool IEPs contained annual goals that addressed the child's functional area(s) of need.  300.320(a)(2)(i)  Record Review Thirteen school age and four preschool IEP(s) did	Regulation 3

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 Thirteen school age and eight preschool IEP(s) did not contain a statement of specially designed instruction that addresses the needs of the child and supports annual goals.  Interviews The teachers put small group instruction, etc. on their IEP because they said that was what they were taught previously. The high school teachers were able to name many forms of specially designed instruction that they were using.	Individual Correction  The district must reconvene the IEP team(s) of the 21 IEP(s) 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.
DS-7	300.320(a)(7)	Record Review Eleven school age IEP(s) did not indicate the location where the specially designed instruction will be provided.  All preschool IEP(s) indicated the location where the specially designed instruction will be provided.	Individual Correction  The district must reconvene the IEP team(s) of the 11 IEP(s) 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.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
DS-8	300.320(a)(7)	Record Review Six school age IEP(s) did not indicate the amount of time and frequency of the specially designed instruction.  All preschool IEP(s) indicated the amount of time and frequency of the specially designed instruction.	Individual Correction  The district must reconvene the IEP team(s) of the 6 IEP(s) 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.
DS-9	300.320(a)(4)	Record Review Five school age and one preschool IEP(s) did not identify related services that address the needs of the child and support the annual goals.  Interviews The teachers said that there is not a tracking system in place to assure that students will receive services when they move from one building to the next.	Individual Correction  The district must reconvene the IEP team(s) of the 6 IEP(s) 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.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
DS-10	300.320(a)(7)	Record Review Twelve school age and one preschool IEP(s) did not indicate the location where the related services will be provided.	Individual Correction  The district must reconvene the IEP team(s) of the 13 IEP(s) identified as noncompliant to review and amend the IEP to include the location where the related services will be provided.	Yes 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 Two school age and one preschool IEP(s) did not indicate the amount of time and frequency of the related services to be provided.	Individual Correction  The district must reconvene the IEP team(s) of the 3 IEP(s) identified as noncompliant to review and amend on the IEP the amount of time and frequency of the related services to be provided.	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	⊠ No
		One school age IEP did not identify assistive technology to enable the child to be involved in and make progress in the general education curriculum.  All preschool IEP(s), when appropriate, identified assistive technology to enable the child to be	The district must reconvene the IEP team(s) of the 1 IEP(s) 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.	The district does not need to address this finding in a Corrective Action Plan.
		involved in and make progress in the general education curriculum.	Systemic Correction	
			The district must submit evidence to OEC of written procedures and practices in place regarding assistive technology.	
			OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
LRE-2	300.320(a)(6)(i)	Record Review	Individual Correction	⊠ Yes
		Thirteen school age IEP(s) did not identify accommodations provided to enable the child to be involved in and make progress in the general education curriculum  All preschool IEP(s), when appropriate, identified	The district must reconvene the IEP team(s) of the 13 IEP(s) 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.	A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
		accommodations to enable the child to be involved		
		in and make progress in the general education curriculum.	Systemic Correction	
			The district must submit evidence to OEC of written procedures and practices in place regarding accommodations.	
		Interviews Teachers stated that the new IEP program does not always print all parts of the IEP.	OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	
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Record	Regulation 34	E d language Fig. Prope	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 Thirteen school age IEP(s) did not identify modifications to enable the child to be involved in and make progress in the general education curriculum?  All preschool IEP(s), when appropriate, identified modifications to enable the child to be involved in and make progress in the general education curriculum.	Individual Correction  The district must reconvene the IEP team(s) of the 13 IEP(s) identified as noncompliant to review the modifications that would alter the amount or complexity of materials or the performance expected of the child from grade level curriculum expectations and include them on the IEP.  Systemic Correction  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.	Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
LRE-4	300.320(a)(4)	Record Review All school age and preschool IEP(s) identified supports for school personnel to enable the child to be involved in and make progress in the general education curriculum.  Interviews Some intervention specialists stated that they are working with several grades/teachers. They do not have the time to provide the support that is listed on the student IEP.	Individual Correction None  Systemic Correction None	NA NA

Record	Regulation 34		Evidence of Correction	Must be
Review Item	CFR or OAC		Required Actions	addressed in CAP
LRE-5	300.320(a)(5)	Record Review Thirteen school age IEP(s) did not include an explanation of the extent to which the child will not participate with nondisabled children in the regular education classroom?  All preschool IEPs included and explanation of the extent to which the child will not participate with nondisabled children in the regular education classroom.	Individual Correction  The district must reconvene the IEP team(s) of the 13 IEP(s) 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 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
LRE-6	300.321(1)	Record Review Two school age IEP(s) did not indicate that the IEP Team included a parent.  All preschool IEPs did indicate that the IEP team included a parent.  Interviews The teachers stated that they to include the parent, but most times the parent does not attend.	<ul> <li>Individual Correction</li> <li>For the 2 IEP(s) identified as noncompliant, the district must:         <ul> <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> <li>Systemic Correction</li> </ul> </li> <li>The district must submit evidence to OEC of written procedures and practices in place regarding parent involvement in the IEP process.</li> <li>OEC will contact the district for submission of new records and review these records to determine</li> </ul>	No The district does not need to address this finding in a Corrective Action Plan.
LRE-7	300.321(2)	Record Review  Three school age and five preschool IEP(s) did not indicate that the IEP Team included a regular education teacher.  Interviews  The teachers stated that many times, the regular education teacher does not attend the IEP meeting because there is no one available to cover their class.	<ul> <li>compliance with this regulation.</li> <li>Individual Correction</li> <li>For the 8 IEP(s) identified as noncompliant, the district must:         <ul> <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 with 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 regular 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 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	⊠ No
		Two school age IEP(s) did not indicate that the IEP Team included a special education teacher.  All preschool IEP(s) indicated that the IEP Team included a special education teacher.	For the 2 IEP(s) identified as noncompliant, the district must:  Provide documentation that the parent was informed prior to the IEP meeting that the special education teacher would not participate in the meeting, and 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 Reconvene the IEP team to review the IEP with all	The district does not need to address this finding in a Corrective Action Plan.
			required members present.  Systemic Correction  The district must submit evidence to OEC of written	
			procedures and practices in place regarding special education teacher 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-9	300.321(4)	Record Review	Individual Correction	⊠ No
		Four school age IEP(s) did not indicate that the IEP Team included an LEA representative.	For the 4 IEP(s) identified as noncompliant, the district must:	The district does not need to
		All preschool IEP(s) indicated that the IEP Team included an LEA representative.	<ul> <li>Provide documentation that the parent was informed prior to the IEP meeting that the LEA representative would not participate in the meeting, and</li> <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 with 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</li> </ul>	address this finding in a Corrective Action Plan.
			representative 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 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 Two school age IEP(s) did not indicate that the IEP Team included of a person qualified to interpret the instructional implications of evaluation results.	<ul> <li>Individual Correction</li> <li>For the 2 IEP(s) identified as noncompliant, the district must:         <ul> <li>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</li> <li>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</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 people qualified to interpret the instructional implications of evaluation results 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.

## **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.

Evidence of Findings  Record Review	Required Actions	addressed in CAP
Record Review		
All school age IEP(s) indicated that the child did have an IEP in effect as reported on the LEA's December 1, 2010 Child Count Report.  Two preschool IEP indicated that the child did not have an IEP in effect as reported on the LEA December 1, 2010 Child Count Report.	Individual Correction ODE will make the necessary adjustments to the districts IDEA allocations due to the fact the child count was overstated by 2 record(s).  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	No The district does not need to address this finding in a Corrective Action Plan.
	records and review these records to determine compliance with this regulation.	
Record Review  One school age and one preschool ETR(s) ndicated that the child did not have an ETR in effect as reported on the LEA's December 1, 2010 Child Count Report.	Individual Correction  ODE will make the necessary adjustments to the districts IDEA allocations due to the fact the child count was overstated by 2 record(s).  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.
Tw na Oe Or no	ecord Review ne school age and one preschool ETR(s) dicated that the child did not ave school age and one preschool ETR(s) dicated that the child did not ave an IEP in effect as reported on the LEA ecember 1, 2010 Child Count Report.	districts IDEA allocations due to the fact the child count was overstated by 2 record(s).  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.  DEC will contact the necessary adjustments to the districts IDEA allocations due to the fact the child count was overstated by 2 record(s).  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.  Individual Correction ODE will make the necessary adjustments to the districts IDEA allocations due to the fact the child count was overstated by 2 record(s).  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 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
DV-3	SPP Indicator 20: Accurate and Timely Reporting of Special Education Event Record	Record Review  Four school age and two preschool student records had inaccurate student data reported by the LEA through the Education Management Information System (EMIS) for the December 1, 2010 Child County 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  Other Considerations  Date of review was more than 12 months from the meeting date – which it cannot be.	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.	No The district does not need to address this finding in a Corrective Action Plan.
DV-4	SPP Indicator 11 300.301(c)(1)(i)	Record Review All school age and preschool 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 NA

Record	Regulation 34	egulation 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 All preschool IEP(s), where applicable showed evidence that an IEP was in place for 3 year olds transitioning from Early Intervention Programs (0-3 years) on or before the child's third birthday.	Individual Correction None  Systemic Correction None	⊠ NA
DV-6 A/B	SPP Indicator 20 for Secondary Transition Plans	Record Review All school age IEP(s) showed 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 None Systemic Correction None	NA NA

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

## **Component 1: Statement of Accounts**

District/School has submitted its FY11 IDEA Part B Regular (fund 516) and Pre-School (fund 587) ARRA FERs in the CCIP. The Financial Detail (FINDET) report and Accounting Report (ACCRPT) for those funds and the Final Expenditure Reports are consistent and in agreement. The District/School has provided copies of their FY12 IDEA Part B FINDET and ACCRPTs for the two funds. The reports show that expenditures for each fund to date are in line with the FY12 budget in the CCIP. 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.

Regulation	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
34 CFR		Required Actions	
300.202	The FER for FY11 516 and 587 ARRA (Special Cost Center 9320) matched the FINDET provided by the	Individual Correction	⊠ NA
	district. No issues were found.	None	
	The FV42 fund F46 and F97 expanditures to date are in	Systemic Correction	
	The FY12 fund 516 and 587 expenditures to date are in line with the budget for each fund in the CCIP. The	None	
	expenditures were accounted for in the correct budget categories.		
	categories.		

## **Component 2: Payroll Expenditures**

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; districts ACCRPT and FER are in agreement.

Regulation		Evidence of Correction	Must be
34 CFR	Evidence of Findings	Required Actions	addressed in CAP
300.202	The ACCRPTs for fund 516 and 587 ARRA were reviewed for the time period spanning July 1, 2010 to September 2011.  The ACCRPTs for fund 516 and 587 special cost center 912A were reviewed for the time period July 1, 2011 to  The district provided semi-annual certifications for fund 516, special cost center 911A signed by the special education director. The semi-annual certification combined all staffed paid, in one pay period during the six month certification period, onto one report. The	Individual Correction  The District will ensure all staff working directly with students with disabilities and paid from fund 516 and 587 are properly licensed and all licenses are active.  The district will review the current payroll coding for R. Berdis, A. Weinstock and J. Marsh. If it is confirmed that the staff are not serving students with disabilities their payroll coding will need to be revised and the amount paid from FY12 funding that is not appropriate will need to be journaled into a more appropriate funding source.	Yes
	certification was missing the following staff paid from this fund in FY11: Lori Bleggi, Lori Papa and Ashley Bartholomew.  The district provided one semi-annual certification for fund 587, special cost center 911A. The semi-annual certification combined all staffed paid, in one pay period during the six month certification period, onto one report. The certification list did not include Kim Rupe.  Licensure was reviewed for staff paid from fund 516 and 587. The following staff are currently paid in part of in full by fund 516 but are not special education certified and/or do not serve students with IEPs at least 50% of the time: Ron Berdis – PE teacher 100%, Anita Weinstock – Art Teacher 50% (does have Special Ed Cert) and Joshua Marsh – PE teacher 50%.	The district will implement time and effort logs for all staff paid by multiple funding sources serving multiple functions.  The district will provide evidence of all corrections required above to OEC.  Systemic Correction  The district will develop a document to clearly define the process to be used when preparing Semi-annual certifications for federally funded staff. The process document will include directions to supervisors and staff regarding their responsibilities with respect to the semi-annual certification review and signature.  The district will develop a document to clearly define the process to be used when assigning federal payroll coding. The document will address the review of staff duties relative to the proposed funding source to ensure all funds are being utilized for appropriate purposes.	

Regulation	Evidence of Findings	Evidence of Correction	Must be
34 CFR		Required Actions	addressed in CAP
	The following Special Education funded aides had expired or no licensure as of the date of the onsite review:		
	Bornemisza, Lisa		
	Donald, Cleone D.		
	Griffin, Keith A		
	Ruggiero, Blance		
	Swinson, Samantha		
	Thornton, Gary L.		
	Giddens, Willie Pearl		
	Sigurani, Miriam		

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

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.

Regulation		Evidence of Correction	Must be
34 CFR	Evidence of Findings	Required Actions	addressed in CAP
300.202	Vouchers 139770 and 139318 were not provided for review per request. The district will produce the voucher	Individual Correction	⊠ Yes
	packets for review.	The district will produce voucher packets 139770 and 139318 for review.	
	Two questionable purchases were identified in fund 587 Preschool Special Education in FY12 - Barnes and Noble gift cards, voucher 139766 and mini-fridge, voucher 13712.  1. Voucher 139766 – the district purchased \$750 worth of Barnes and noble gift cards to district to parents	The district will provide a rationale for the purchase of the minifridge. The rationale will include who the mini-fridge serves, i.e. student, teacher, % of SWD. If the mini-fridge is not used for preschool SWD the district will refund the purchase price to the Department.	

Regulation		Evidence of Correction	Must be
34 CFR	Evidence of Findings	Required Actions	addressed in CAP
	during a special event. The gift cards were to be used by parents to purchase books for their special needs children.  The intent was good the execution was not what ODE OEC and ELSR would recommend. In the future, if the district holds another similar event the district will purchase the age and disability appropriate books to be giving directly to the students.  2. Voucher 139712 – The district will provide a rationale for the purchase of the mini-fridge. The rationale will include who the mini-fridge serves, i.e. student, teacher, % of SWD.	The district will review and respond to the incorrect function codes identified in the Evidence of Findings column.  The district will provide a statement from the transportation director regarding who uses the two new buses purchased with ARRA funding.  Systemic Correction  The district will develop a plan to ensure proper function codes are utilized.	
	Of the 43 vouchers reviewed 12 had a questionable or incorrect function codes:  1. Voucher136149, 137595, 136184, 139248 and 139325 used function code 1290, other special for fund 587, special cost center 9320 expenditures. Function code 1280 is defined as preschool. The district will review the expenditures and correct the error if possible, or provide a justification of why they believe function 1290 is appropriately applied.  2. Voucher 139325 used function code 1231, elementary multi-handicapped for fund 587. The district will review the expenditure to determine if it was for pre-school or Kindergarten and explain why 1231 was used if the district believes the function code is appropriate.  3. Voucher 139712 used function code 2120, Guidance Services, for fund 587 special cost center 912A. The district will determine why		

Regulation		Evidence of Correction	Must be
34 CFR	Evidence of Findings	Required Actions	addressed in CAP
	2120 was used, if the code is appropriate an explanation will be provided. If 2120 is not appropriate the transaction will be changed to reflect the correct function code, most likely		
	<ul> <li>1280 preschool.</li> <li>4. Voucher 14031 used function code 1270 for a fund 516 expense. The district will determine why 1270 was used, if the code is appropriate an explanation will be provided. If 1270 is not appropriate the transaction will be changed to reflect the correct function code, most likely in the special education instructional series.</li> </ul>		
	the special education instructional series.  5. Voucher 128401 and 139587 used function code 2211, service area direction to account for an assistant to the special education director working with EMIS data. The district will determine why 2211 was used, if the code is appropriate an explanation will be provided. If 2211 is not appropriate the transaction will be changed to reflect the correct function code for FY12, most likely 2417 special education service support.		
	<ol> <li>Voucher 140049 used function code 1231 for high school expenditure. The correct function code is 1241.</li> </ol>		
	7. Voucher 139995 used function 2189 for what appears to be a comprehensive early intervening service (CEIS). 2189 is defined as Other Support Services for Students with Disabilities. CEIS expenditures should not be for students that have an IEP/ are classified as Students with Disabilities. The district will identify a more appropriate function code to track early intervening services, if this		

Regulatio 34 CFR	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
	expenditure was for CEIS purposes.  Voucher 138708 - the district used FY11 ARRA fund 516 funds to purchase two buses. The special education director stated that the buses were used solely for student with disabilities. Please provide evidence to support this statement from the transportation director.		

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

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.

Regulation 34 CFR	Evidence of Findings	Evidence of Correction	Must be
		Required Actions	addressed in CAP
300.202	The district purchased audio equipment, iPads, laptops, a projector and buses in FY11 using ARRA funding. The district followed their procurement policy for each purchase.  Voucher 138708 - the district used FY11 ARRA fund 516 funds to purchase two buses. The special education director stated that the buses were used solely for student with disabilities.	Individual Correction  Please provide evidence to support the statement that 100% of all students using the two buses purchased with fund 516 ARRA dollars are students with disabilities from the district's transportation director.  Systemic Correction  None	⊠ 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.

Regulation 34 CFR	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
300.202	Due to budget constraints the district no longer employs an inventory control specialist. As a result each office is responsible for maintaining its own inventory files.  Fund 516: Items purchased per policy. Equipment is tagged and tracked by the office of the special education director. The special education director provided a log prepared for the state auditors of the IDEA equipment via email 12-12-11.  Fund 587: Items purchased per policy. Inventory is tracked by the pre-school special education director. The special education director provided a log of the IDEA 587 equipment 12-13-11. Tag numbers were not included for items over \$5K but should have been. Tag numbers were added after my review.	Individual Correction None  Systemic Correction The district will revise the inventory process to reflect the fact that there is not a central staff member responsible for the administration of inventory.  A process to ensure equipment is consistently tracked, tagged and maintained will be developed. The district will ensure in the process that an inventory log is maintained and available for review. Evidence of correction will be provided to OEC within one year of receipt of this report and will include the process documentation and a copy of the complete inventory log for funds	Yes Yes

#### **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.

Regulation 34 CFR	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
300.130 through 300.144	The district provides child find and records the number of children evaluated, the number of children determined to be children with disabilities and the number of children served.		⊠ NA

## **Component 7: Notification of Public Participation**

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

Regulation		Evidence of Correction	Must be
34 CFR	Evidence of Findings	Required Actions	addressed in CAP
300.165 and Part 300.201	Youngstown City School's Special Education Director held a public meeting to discuss the budget for IDEA. Evidence of public notice was provided. The district did not keep evidence of attendance, i.e. a sign-in sheet, an agenda or minutes of the meeting.	Individual Correction  None  Systemic Correction  The district will develop a complete process document to ensure they meet the requirements of 34 CFR 300.165 to include a sign-in sheet, agenda and/or minutes from the meeting as proof the topic were discussed. The district will provide evidence within one year from receipt of this summary report.	⊠ Yes
		they meet the requirements of 34 CFR 300.165 to include a sign-in sheet, agenda and/or minutes from the meeting as proof the topic were discussed. The district will provide evidence within one year	

## **Component 8: Redirection of funds**

The district/school has redirected funds for CEIS and is able to document the expenditures related to CEIS, validate that the percent of the IDEA funds used for CIES is 15% or less of total allocation, document the number of students who were served and are able to track and report on the number of students who subsequently received special education services.

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

Regulation Evidence of Findings	Evidence of Correction	Must be addressed
300.205  Youngstown opted to redirect 15% of their allocation to support CEIS in FY11 and 12. The expenses identified in the CCIP and discussed during my meeting with the Special Education Director are appropriate uses of the funds. The district does not currently track CEIS expenditures to ensure it does not exceed 15% of the total IDEA allocation. After discussion with the special education director there is concern the district may have exceeded the allowable 15% of the IDEA allocation in FY11.  The district did not reduce local expenditure in FY11 or 12.	Individual Correction  The district will review the FY11 expenditures to determine the total spent for CEIS purposes from fund 516. If the district exceeded the allowable amount then a plan to correct/refund the overage will be developed in consultation with grants management.  The district will identify a code in the accounting system to track CEIS expenditures. The district will apply this code to all FY12 expenditures incurred to date and in the future. The district will develop a process to ensure the code is utilized for control purposes. The district will provide evidence of correction to OEC.  Systemic Correction  The district will develop a CEIS budget and tracking process document. I recommend the district include in this process document a requirement to include the grants administrator in the budgeting process for all federal grants. The district will provide a copy of this plan once it is created and approved at the district	

## **Gifted Education Review**

A gifted education review to ensure compliance with state law and state *Operating Standards for Identifying and Serving Gifted Students* was conducted on November 30, 2011 by Rosemary Pearson.

Eight gifted education components were addressed during the onsite review. Each component is detailed below, including a description of evidence provided and reviewed and corrective action required to resolve any issues of non-compliance.

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

#### **Component 1: Gifted Budget**

Based on Am. Sub. HB 1, is the district spending for services to identified gifted students at least the same amount of state funding that it received in fiscal year 2009 through unit funding? In addition, did districts that in fiscal year 2009 received gifted student services from an ESC – and the ESC received gifted unit funding in fiscal year 2009 – either (a) obtain gifted student services from an ESC that are comparable to the gifted student services provided to the district with gifted unit funding in fiscal year 2009 by an ESC or (b) spend for services to identified gifted students from the funds received through the EBM an amount not less than the amount of gifted unit funding expended by an ESC in fiscal year 2009 for the district's students?

Regulation	Evidence of Findings	Evidence of Correction	Must be addressed
34 CFR		Required Actions	in CAP
ORC	Evidence was provided to demonstrate that fiscal year 2011 gifted spending was equal to or more than fiscal	Individual Correction	⊠ NA
3306.09(G)	year 2009 unit funding.	None	
		Systemic Correction	
		None	

## **Component 2: Roster and Written Education Plans and Attestation**

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

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

Regulation 34 CFR	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
OAC 3301- 51-15(D)(4)	WEPs for ten students were provided and reviewed. All attributes were present on all WEPs. WEPs are mailed to parents.	Individual Correction None Systemic Correction None	⊠ NA

## **Component 3: Equitable Services and Attestation**

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

Regulation	Evidence of Findings	Evidence of Correction	Must be addressed
34 CFR	Evidence of Findings	Required Actions	in CAP
ORC	The district attests that each gifted service offered in the	Individual Correction	⊠ NA
3324.06(D)	district is available to all eligible students in each building in the district at that grade level.	None	
		Systemic Correction	
		None	

## **Component 4: Acceleration and Attestation**

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

Regulation 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
ORC 3324.10	The district provided an explanation of how they are implementing their board approved acceleration policy.	Individual Correction	☑ NA
		None	
		Systemic Correction	
		None	

## **Component 5: Gifted Intervention Specialists and Attestation**

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

spent on other duties related to gifted education?

Regulation 34 CFR	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
OAC 3301- 51-15(E)(2)	As per the attestation, requirements regarding percentage of time providing direct instruction and having other duties related to gifted education were met.	Individual Correction None Systemic Correction None	NA NA

## **Component 6: Licensure Attestation**

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

Regulation 34 CFR	Evidence of Findings	Evidence of Correction  Required Actions	Must be addressed in CAP
OAC 3301- 51-15(E)(3), OAC 3301- 51-15(E)(6)	Copies of licenses for the gifted coordinator and the GIS were provided for review. Staff members hold the appropriate licensure or endorsement for the position of gifted coordinator and/or GIS.	Individual Correction None Systemic Correction None	<b>⊠</b> NA

#### **Component 7: Requirement for Minutes of Service Attestation**

Are all students receiving service from a GIS receiving at least 225 minutes of instruction per week (kindergarten through grade 5) or 240 minutes of instruction per week (grades 6-12) from the GIS?

Evidence of Findings	Evidence of Correction	Must be addressed in CAP
	Required Actions	
Students served by the gifted intervention specialist do not receive the required minutes of service.	Individual Correction	⊠ Yes
•	None	
	Systemic Correction	
	The district must develop a service plan and criteria for service that will allow each student meeting the criteria to be served for the required number of minutes. This plan should be implemented in the fall of 2012.	
		Students served by the gifted intervention specialist do not receive the required minutes of service.    Individual Correction

## **Component 8: Requirement for Regular Education Teacher Professional Development**

Are all general education teachers providing gifted services receiving professional development in teaching gifted students and ongoing assistance with curriculum development and instruction from a gifted specialist and that curriculum related to gifted services is differentiated?

Regulation 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
OAC 3301- 51-	Arts identified students are served at the arts magnet school. The teachers providing the service are required		
15(D)(3)(b)(i)	to receive professional development in teaching gifted students and ongoing assistance from a gifted	None	
	specialist. The district has not implemented either but has begun the planning.		
	That began the planning.	A plan must be developed and implemented to provide the necessary professional development and support.	