

Cincinnati Public School District IRN 043752

**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 October 17-21, 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)

IDEA Review

Overview

Educational consultants from the Office for Exceptional Children (OEC) conducted IDEA review activities on October 17-21, 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 October 5, 2011, Cincinnati Public Schools mailed 7818 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 September 30, 2011 on the district website.

On October 17, 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. Nineteen parents and two State Support Team (SST) Region 13 representatives attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting or individually, provide written comments, or both. Ten parents made comments during the public meeting. Written comment forms were available before, during and after the meeting. OEC received one written comment. On the same day, the consultants held one individual parent/guardian meeting.

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 October 17-20, 2011 OEC consultants reviewed 41 records of school age students with disabilities. An OELS&R consultant, on October 17, 2011, reviewed 8 records as part of the Early Childhood Special Education Review. OEC selected records of a variety of children with disabilities from 6 buildings.

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

4. Staff/Administrative Interviews

On October 20-21, OEC consultants held 7 sessions of interviews with 14 administrators and 36 teachers, school counselors, 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 Cincinnati Public 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 Linda Ziegler, OEC Lead Consultant at linda.ziegler@ode.state.oh.us 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: 02/14/2012

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: 04/04/2012

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: 01/02/2013

For questions about specific components of this report please contact:

- **Special Education School Age:** Linda Ziegler, OEC Lead Consultant, at 614-800-4564, toll-free at (877) 644-6338, or by e-mail at linda.ziegler@ode.state.oh.us
- **Special Education Early Childhood:** Edith Greer, Educational Consultant, at 330-268-6138, toll-free at 877-644-6338, or by e-mail at Edith.Greer@ecoesc.org
- **Fiscal:** Mark Lynskey, Educational Consultant, at (614) 644-8861, toll-free at (877) 644-6338, or by e-mail at Mark.Lynskey@ode.state.oh.us

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

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	Must be addressed in CAP
			Required Actions	
CF-1	300.303(b)(2)	<p><u>Record Review</u></p> <p>Four reevaluation records indicated that the child's reevaluation was not completed within the three year timeline.</p>	<p><u>Individual Correction</u></p> <p>OEC has verified that these student(s) have a current ETR in place, so no additional individual correction is required.</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding child find evaluation process.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>
CF-2	300.305(a)	<p><u>Record Review</u></p> <p>All preschool evaluation record(s) of children transitioning from Part C, did utilize 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.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>None</p>	<p><input checked="" type="checkbox"/> NA</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
CF-3	OAC 3301-51-06 (2) and OAC 3301-51-06(4)	<p><u>Record Review</u> One school age initial evaluation did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.</p>	<p><u>Individual Correction</u> OEC has verified that the student has a current IEP in place, so no additional individual correction is required.</p> <p><u>Systemic Correction</u> 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.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>
CF-4	300.501(b)(1)	<p><u>Record Review</u> Two school age records did not show evidence that the evaluation planning team included the parent.</p> <p>All preschool records showed evidence that the parent were included.</p>	<p><u>Individual Correction</u> The district must provide evidence that the parent was involved or provided the opportunity to participate (three documented attempts) in the evaluation planning process.</p> <p>The evidence may include; evaluation planning form, prior written notice, parent invitation, referral form or communication log.</p> <p><u>Systemic Correction</u> The district must submit evidence to OEC of written procedures and practices in place regarding the evaluation planning process to include the parent.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction		Must be addressed in CAP
			Required Actions		
CF-5	300.305(a)(1)	<u>Record Review</u> All school age and preschool evaluations did provide evidence that the evaluation planning team reviewed existing data on the child.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
CF-6	300.305(a)(2)	<u>Record Review</u> One school age and three preschool evaluations did not provide evidence that the evaluation planning team identified what additional data, if any, were needed.	<u>Individual Correction</u> 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.	<u>Systemic Correction</u> 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.	<input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.
CF-7	300.304(c)(4); OAC 3301-51-01; and OAC 3301-51-06	<u>Record Review</u> All school age and preschool evaluation(s) provided evidence that the evaluation addresses all areas related to the suspected disability.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
CF-8	300.306(a)(1)	<p><u>Record Review</u> One school age record did not show evidence that the parent of the child was involved in determining whether the child is a child with a disability.</p> <p>All preschool records showed evidence that the parents of the child were involved in determining whether the child is a child with a disability.</p>	<p><u>Individual Correction</u> 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.</p> <p><u>Systemic Correction</u> 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.</p>	<input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.
CF-9	300.306(a)(1)	<p><u>Record Review</u> All school age and preschool initial evaluations showed evidence that a group of qualified professionals as appropriate to the suspected disability was involved in determining whether the child is a child with a disability.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>	<input checked="" type="checkbox"/> NA

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
CF-10	300.306(a)(1); 300.305(a); and 3301-51-01 (B)(21)	<p><u>Record Review</u></p> <p>One preschool reevaluation 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.</p> <p>All school age reevaluations 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.</p>	<p><u>Individual Correction</u></p> <p>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.</p> <p>IEP Team Members include, but are not limited to:</p> <ol style="list-style-type: none"> 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. <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding the eligibility determination process.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

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 Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-1	300.320(a)(1)(i)	<p><u>Record Review</u></p> <p>Eight school age IEP(s) did not address how the child's disability affects his/her involvement and progress in the general education curriculum.</p> <p>All preschool student IEPs addressed how the child's disability affects his/her involvement and progress in the general education curriculum.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the eight 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.</p> <p><u>Systemic Correction</u></p> <p>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.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-2	300.320(a)(1)	<p><u>Record Review</u></p> <p>Thirteen school age IEP(s) did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p> <p>All preschool IEP(s) did contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p> <p><u>Interviews</u></p> <p>Monitoring of student progress is conducted in all buildings thru the use of curriculum based assessment and other short cycle assessments conducted on a regular basis (weekly, quarterly). Each building has a data team and data room which is utilized to review student progress.</p> <p>Staff has present levels of performance baseline data available for all students, but need additional training on incorporating that data within the IEP process.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the thirteen IEP(s) identified as noncompliant to review and amend the PLOP related to each goal to include:</p> <ul style="list-style-type: none"> • 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. <p><u>Systemic Correction</u></p> <p>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.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<input checked="" type="checkbox"/> 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	Must be addressed in CAP
			Required Actions	
DS-3	300.320 (a)(2)(i)(A)	<p><u>Record Review</u></p> <p>Three school age IEPs did not contain annual goals that address the child's academic area(s) of need.</p> <p>All preschool student IEPs contained annual goals that address the child's academic area(s) of need.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the three 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.</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of addressing identified academic needs.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-4	300.320(a)(2)(i) (A)	<p><u>Record Review</u></p> <p>Five school age IEP(s) did not contain annual goals that address the child's functional area(s) of need.</p> <p>All preschool student IEPs contained annual goals that address the child's functional area(s) of need.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the five 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</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of addressing identified functional needs.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-5	300.320(a)(2)(i)	<p><u>Record Review</u></p> <p>Fourteen school age and four preschool IEP(s) did not contain measurable annual goals.</p> <p><u>Interviews</u></p> <p>The district implemented a new special education tracking and IEP program. Some staff reported that the program did not allow the IEP team to individualize and write measureable goals. Other staff reported that the program did allow IEP teams to individualize and write measurable goals.</p> <p>Staff reported that the district provided training on the new software but some staff stated that additional training was needed.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the eighteen IEP(s) identified as noncompliant to review and amend annual goals to contain the following six critical elements:</p> <ol style="list-style-type: none"> 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? <p><u>Systemic Correction</u></p> <p>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:</p> <ol style="list-style-type: none"> 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? <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-6	300.320(a)(4)	<p><u>Record Review</u></p> <p>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.</p> <p><u>Interviews</u></p> <p>Staff reported that IEP teams are limited in providing a description of the specially designed instruction because the new IEP program's box for describing the specially designed instruction does not expand.</p> <p>The district needs to ensure that the software program being used for IEP development enables IEP teams to develop and write IEPs that are compliant with IDEA regulations.</p> <p>The district is using specially designed reading programs to provide services to students, but these services are not being reflected on the IEPs.</p> <p>Staff and administrators also reported that this is an area where additional professional development and training is needed in the district.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the twenty one 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.</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding the IEP process of determining specially designed instruction.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-7	300.320(a)(7)	<p><u>Record Review</u></p> <p>Fourteen school age and seven preschool IEP(s) did not indicate the location where the specially designed instruction will be provided.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the twenty one IEP(s) identified as noncompliant to review and amend the location where the specially designed instruction will be provided.</p> <p><u>Systemic Correction</u></p> <p>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.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.</p>
DS-8	300.320(a)(7)	<p><u>Record Review</u></p> <p>Eight school age IEP(s) did not indicate the amount of time and frequency of the specially designed instruction.</p> <p>All preschool student IEPs indicated the amount of time and frequency of the specially designed instruction.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the eight IEP(s) identified as noncompliant to review and amend the amount of time and frequency of the specially designed instruction.</p> <p><u>Systemic Correction</u></p> <p>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.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-9	300.320(a)(4)	<u>Record Review</u> All school age and preschool IEP(s) did identify related services that address the needs of the child and support the annual goals.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
DS-10	300.320(a)(7)	<u>Record Review</u> Nine school age and seven preschool IEP(s) did not indicate the location where the related services will be provided.	<u>Individual Correction</u> The district must reconvene the IEP team(s) of the sixteen IEP(s) identified as noncompliant to review and amend the IEP to include the location where the related services will be provided. <u>Systemic Correction</u> 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.	<input checked="" type="checkbox"/> Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
DS-11	300.320(a)(7)	<u>Record Review</u> All school age and preschool IEP(s) did indicate the amount of time and frequency of the related services to be provided.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

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 Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
LRE-1	300.324(a)(2)(v)	<p><u>Record Review</u></p> <p>All school age and preschool IEP(s) did identify assistive technology to enable the child to be involved in and make progress in the general education curriculum.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>None</p>	<input checked="" type="checkbox"/> NA
LRE-2	300.320(a)(6)(i)	<p><u>Record Review</u></p> <p>Three 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</p> <p><u>Other Considerations</u></p> <p>Parents expressed concern that accommodations and services were not being provided in the regular education classroom and IEP(s) were not being implemented as written.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the three 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.</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding accommodations.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
LRE-3	300.320(a)(4)	<u>Record Review</u> Ten school age IEP(s) did not identify modifications to enable the child to be involved in and make progress in the general education curriculum?	<u>Individual Correction</u> The district must reconvene the IEP team(s) of the ten 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. <u>Systemic Correction</u> 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.	<input checked="" type="checkbox"/> Yes A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.
LRE-4	300.320(a)(4)	<u>Record Review</u> Two school age IEP(s) did not identify supports for school personnel to enable the child to be involved in and make progress in the general education curriculum.	<u>Individual Correction</u> The district must reconvene the IEP team(s) of the two IEP(s) identified as noncompliant to review the supports for school personnel that were identified by the IEP team and define on the IEP the support, who will provide it and when the support will take place. <u>Systemic Correction</u> The district must submit evidence to OEC of written procedures and practices in place regarding supports for school personnel. OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	<input checked="" type="checkbox"/> 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	Must be addressed in CAP
			Required Actions	
LRE-5	300.320(a)(5)	<p><u>Record Review</u></p> <p>Fourteen 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?</p> <p>All preschool IEPs included, when applicable, the extent to which each child will not participate with nondisabled children in the regular education classroom.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team(s) of the fourteen IEP(s) identified as noncompliant to review and include a justification for why the child was removed from the regular education classroom.</p> <p>The justification should:</p> <ul style="list-style-type: none"> • 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. <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding least restrictive environment placement decision process.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
LRE-6	300.321(1)	<u>Record Review</u> One school age student IEP did not indicate that the IEP Team included a parent.	<u>Individual Correction</u> For the one IEP identified as noncompliant, the district must: <ul style="list-style-type: none"> • 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. <u>Systemic Correction</u> 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.	<input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
LRE-7	300.321(2)	<p><u>Record Review</u></p> <p>Three school age and one preschool IEP(s) did not indicate that the IEP Team included a regular education teacher.</p>	<p><u>Individual Correction</u></p> <p>For the four IEP(s) identified as noncompliant, the district must:</p> <ul style="list-style-type: none"> • 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. <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding regular education teacher involvement in the IEP process.</p> <p>OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The district does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
LRE-8	300.321(3)	<u>Record Review</u> All school age and preschool IEP(s) did indicate that the IEP Team included a special education teacher.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
LRE-9	300.321(4)	<u>Record Review</u> One school age IEP did not indicate that the IEP Team included an LEA representative.	<u>Individual Correction</u> For the one IEP identified as noncompliant, the district must: <ul style="list-style-type: none"> • Provide documentation that the parent was informed prior to the IEP meeting that the LEA representative would not participate in the meeting, and • 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 • Reconvene the IEP team to review the IEP will all required members present. <u>Systemic Correction</u> The district must submit evidence to OEC of written procedures and practices in place regarding LEA 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.	<input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.
LRE-10	300.321(5)	<u>Record Review</u> All school age and preschool IEP(s) did not indicate that the IEP Team included a person qualified to interpret the instructional implications of evaluation results.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

Component 4: Data Verification

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

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DV-1	300.645 R.C. 3301.07.14	<u>Record Review</u> All school age student and preschool IEP(s) indicated that the child did have an IEP in effect as reported on the LEA's December 1, 2010 Child Count Report.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
DV-2	300.645 R.C. 3301.07.14	<u>Record Review</u> All school age and preschool ETR(s) indicated that the child did have an ETR in effect as reported on the LEA's December 1, 2010 Child Count Report.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
DV-3	SPP Indicator 20: Accurate and Timely Reporting of Special Education Event Record	<u>Record Review</u> Three school age 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	<u>Individual Correction</u> The district must provide evidence that they corrected the student data through their Student Information System (SIS). <u>Systemic Correction</u> 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.	<input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DV-4	SPP Indicator 11 300.301(c)(1)(i)	<u>Record Review</u> Indicator 11 not reviewed because the district did not report 100% compliance.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
DV-5	SPP Indicator 12 300.124	<u>Record Review</u> All preschool IEP(s) 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.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
DV-6 A/B	SPP Indicator 20 for Secondary Transition Plans	<u>Record Review</u> Indicator 20 for Secondary Transition Plans not reviewed because the district did not report 100% compliance for Indicator 13.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> 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 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
300.202	<p>The FY11 IDEA Fund 516 and 587 Final Expenditure Reports as reported in the CCIP and through the district’s ACCSTS reports are consistent and in agreement. The district provided documentation and justification for the use of the IDEA ARRA funds.</p> <p>The FY12 IDEA Fund 516 and 587 reports showed funds budgeted for appropriate activities. The FY12 ACCSTS reports are in alignment with the budgets and intended use of funds.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>	<input checked="" type="checkbox"/> No

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 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
300.202	<p>I. The FY11 and FY12 ACCRPTs were in agreement with the FY11 FERs and the FY12 Budgets. The district provided documentation to support the amounts reported in the FER. The supporting documentation had a large number of journal entries and corrections, but the bottom line was correct. The district could not provide a composite list of staff funded with IDEA funds, the fund sources and the paid amount. The district had to rely upon individual Oracle Reports showing payment amounts for all staff separately, which made this reporting complex and detailed.</p> <p>II. Ninety three staff was paid through FY12 IDEA funds as Teachers, Paraprofessionals, Social Workers, Clerical Staff, Attendants Psychologists Family/Community Liaison or Supervisor/Managers.</p> <p>Forty seven staff w was as funded under FY11 IDEA ARRA funds as Teachers, Psychologists, Paraprofessionals and Speech Therapists.</p> <p>One hundred ninety six staff was funded through the FY11 ARRA funds for the purpose of extended time service, including Evaluation Team and IEP meetings, summer instructional programs and substitute payments.</p> <p>Early Childhood IDEA and ARRA Funds were used for partial funding for twenty one staff, including Teachers, Nurses, Paraprofessionals, Clerical Staff and Plant Operator.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> Cincinnati Public Schools must develop a reporting system through which it can cause a report to be generated that will provide the specific details of IDEA funds paid to staff, including the staff person's name, position, fund source, accounting details and amount paid.</p>	<input checked="" type="checkbox"/> Yes
		<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>	<input checked="" type="checkbox"/> No

Regulation 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
	<p>The expenditures were for an appropriate purpose and the expenses were properly coded to the correct function and object code.</p> <p>III. Position descriptions were not all immediately available, primarily because there was no composite list of all staff funded with IDEA funds; therefore the applicable position descriptions were an unknown value. After the full listing of positions was acquired, the district was able to develop/provide the applicable position descriptions. The district reported that the position descriptions were being revised/updated at the time of the request.</p> <p>IV. Appropriate licensure was held for all staff in certified positions with the exception of one teacher in supplemental services whose licensure was in vocational education.</p> <p>In two cases, licensure could not be determined for one classroom teacher and one psychologist.</p> <p>V. The Semi-Annual Certifications revealed a combination of errors. In some cases, staff listed on a Semi-Annual certification were not paid with IDEA funds during the payment periods reviewed; in several cases, staff identified as being paid with one federal fund source were actually paid with another; and finally, there were 10 staff identified in the FY11 ACCRPT as funded with ARRA funds for whom Semi-Annual Certifications could not be provided.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> Cincinnati Public Schools must provide a process that describes the steps to be followed to assure that no positions funded through IDEA will be offered to staff prior to establishment and adoption of a position description describing that position.</p> <p><u>Individual Correction</u> Provide documentation of appropriate Certification for David Reiss.</p> <p><u>Systemic Correction</u> None</p> <p><u>Individual Correction</u> If available, Cincinnati Public Schools must locate and provide copies of the semi-annual certification for the list of staff provided to the district earlier. If the certifications are not available, the district must provide the Office for Exceptional Children a copy of an administrative verification that the staff was funded with IDEA funds and will be formally informed of the fund source.</p> <p><u>Systemic Correction</u> Cincinnati Public Schools must provide a process that describes the steps it will follow to assure that staff funded with IDEA funds or their immediate supervisor who has knowledge of their responsibilities will complete a Semi-Annual payroll Certification for each of those staff, and that the staff completing the forms will be in agreement with the report of the staff funded with IDEA funds noted in Item I.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes</p>

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 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
300.202	<p>The ACCSTS reports submitted by the district detailed all the expenditures for the years reviewed. The ACCSTS reports were in agreement with the FERs and budgets to date. The district provided detailed documentation supporting the use of IDEA funds for an appropriate public purpose, charged to the appropriate fund, function and object codes. All record keeping was acceptable.</p> <p>The vouchers, including purchase orders, invoices and expenditure detail were all acceptable.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>	<input checked="" type="checkbox"/> No

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 addressed in CAP
		Required Actions	
300.202	<p>The district provided copies of the Procurement Policy, the Disposal Policy and the Inventory Guidelines and Inventory list. The policies were followed in the purchase of items with IDEA funds. Items placed into the non-public schools are for the use of identified students with disabilities and the district retains control of such items.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>	<input checked="" type="checkbox"/> 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 a 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	Must be addressed in CAP
		Required Actions	
300.202	<p>The district maintains an inventory list that is comprehensive, detailed and extensive. The district is properly identifying each of the equipment items and the item record appears on the inventory list. All items that were traced back to the location specified on the inventory listing were found and were accurately reported.</p> <p>The district does have a disposal policy and it is followed. No items of a fair market value of over \$5,000.00 have been sold.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>	<input checked="" type="checkbox"/> 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.

Regulation 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
300.130 through 300.144	<p>Cincinnati Public Schools staff provided documentation, including agendas and sign in sheets verifying that it has had timely and meaningful consultation with the non-public schools it serves. The district holds one general meeting and three individual meetings each year with the non-public schools.</p> <p>The district provided copies of notifications sent to the non-public school advising the schools of child-find requirements and process.</p> <p>The district maintains a record of the number of students referred for evaluation, the number of children determined to be a child with a disability, and the number of students served in the nonpublic schools.</p>	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>	<input checked="" type="checkbox"/> No

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 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
300.165 and Part 300.201	<p>The district provided a copy of a news release announcing budget hearings in June, 2010 for the 2010-11 operational year. The hearings were intended to inform the public of the budget constraints and the impending impact on staff and services. The posting did not indicate the intent to present the use of IDEA funds nor to offer the opportunity for public input on the use of IDEA funds.</p> <p>A district must provide public notice and conduct public hearings per 34 CFR Part 300.165:</p> <p>(a) Prior to the adoption of any policies and procedures needed to comply with Part B of the Act (including any amendments to those policies and procedures), the State must ensure that there are public hearings, 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.</p> <p>(b) Before submitting a State plan under this part, a State must comply with the public participation requirements in paragraph (a) of this section and those in 20 U.S.C. 1232d(b)(7).</p> <p>34 CFR Part 300.201 reads “The LEA, in providing for the education of children with disabilities within its jurisdiction, must have in effect policies, procedures, and programs that are consistent with the State policies and procedures established under §§ 300.101 through 300.163, and §§ 300.165 through 300.174.”</p> <p>Cincinnati Public Schools must assure that this opportunity is made available each year.</p>	<p><u>Individual Correction</u></p> <p>Although Cincinnati Public Schools did hold a public hearing, it was a general budget hearing and did not meet the intent of 300.165 or 300.201. The district must continue to annually announce and provide the opportunity for public participation in the planning for the use of IDEA funds. There must be adequate notice and the opportunity for comment available to the general public.</p> <p><u>Systemic Correction</u></p> <p>There is no systemic correction as long as the district continues to provide the opportunity for public participation in the planning for use of its IDEA funds.</p> <p>The district must provide a copy of the announcement of its public hearing for the 2012-13 school year.</p>	<input checked="" type="checkbox"/> No

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 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
300.205	The district did not redirect funds for CEIS, nor did it reduce its local expenditures in FY11.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> No