

Middletown City School District IRN 044404

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

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

IDEA Review

Overview

Educational consultants from the Office for Exceptional Children (OEC) conducted IDEA review activities on December 5 through 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 9, 2011, Middletown City Schools mailed 1,168 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 on November 9, 2011 in The Middletown Journal, and on the district web site.

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. No parents or other persons attended from the public. Two State Support Team (SST) Region 13 representatives and one parent mentor were present at the public meeting. Attendees could speak to OEC representatives publicly in the meeting or individually, provide written comments, or both. No

parents or other attendees made comments during the public meeting. Written comment forms were available before, during and after the meeting. OEC received no written comments.

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 6, 2011, OEC consultants reviewed 41 records of school age students with disabilities. An OEL&SR consultant, on December 6, 2011, reviewed six records as part of the Early Childhood Special Education Review. OEC selected records of a variety of children with disabilities from four buildings.

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

4. Staff/Administrative Interviews

On December 7 and 8, 2011, OEC consultants held four sessions of interviews with eleven administrators and 19 teachers, five related services personnel, five paraprofessionals, one parent mentor, and four school psychologists. OEC interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment.

Findings

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

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

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

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

Corrective Action Plan (CAP)

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

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

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

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

CAP Due Date: 05-07-2012

Individual Correction

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

Individual Correction Due Date: 08-31-2012

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: 03-14-2013

For questions about specific components of this report please contact:

- **Special Education School Age:** John Magee, OEC Lead Consultant, at (614) 728-1115, toll-free at (877) 644-6338, or by e-mail at John.Magee@education.ohio.gov.
- **Special Education Early Childhood:** Barbara Weinberg, Educational Consultant, at (614) 387-2239, toll-free at (877) 644-6338, or by e-mail at Barbara.Weinberg@education.ohio.gov.
- **Fiscal:** Paul Sogan, Educational Consultant, at (614)-728-2098, toll-free at (877) 644-6338, or by e-mail at paul.sogan@education.ohio.gov.
- **Gifted Education:** Rosemary Pearson, Educational Consultant, at (614)-644-2641, toll-free at (877) 644-6338, or by e-mail at rosemary.pearson@education.ohio.gov.

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 school age reevaluation records indicated that the child's reevaluation was not completed within the three year timeline.</p> <p>All pre-school records indicated that the child's reevaluation was completed within the three year timeline.</p> <p><u>Other Considerations</u></p> <p>District personnel documented a clear process for assuring that reevaluation timelines are met.</p>	<p><u>Individual Correction</u></p> <p>OEC has verified that these students have a current ETR in place, so no additional individual correction is required.</p> <p><u>Systemic Correction</u></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 three preschool evaluation records of children transitioning from Part C, utilized child information from the Individual Family Service Plan (IFSP) and other documentation provided by Help Me Grow in suspecting or when determining eligibility for Part B supports and services.</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></p> <p>All school age initial evaluations appropriately documented interventions provided to resolve concerns for the child performing below grade-level standards.</p> <p><u>Interviews</u></p> <p>District personnel explained and documented a clear response to intervention process for all students who are identified with academic or behavior concerns before moving to special education evaluation.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>None</p>		<input checked="" type="checkbox"/> NA
CF-4	300.501(b)(1)	<p><u>Record Review</u></p> <p>All school age student and preschool student records showed evidence that the evaluation planning team included the parent.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>None</p>		<input checked="" type="checkbox"/> NA
CF-5	300.305(a)(1)	<p><u>Record Review</u></p> <p>One school age student evaluation did not provide evidence that the evaluation planning team reviewed existing data on the child.</p> <p>All preschool student evaluations provided evidence that the evaluation planning team reviewed existing data on the child.</p>	<p><u>Individual Correction</u></p> <p>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.</p> <p><u>Systemic Correction</u></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	
CF-6	300.305(a)(2)	<u>Record Review</u> All school age student and preschool student evaluations provided evidence that the evaluation planning team identified what additional data, if any, were needed.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
CF-7	300.304(c)(4); OAC 3301-51-01; and OAC 3301-51-06	<u>Record Review</u> All school age student and preschool student evaluations 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
CF-8	300.306(a)(1)	<u>Record Review</u> All school age student and preschool student records showed evidence that the parent of the child was involved in determining whether the child is a child with a disability.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
CF-9	300.306(a)(1)	<u>Record Review</u> All school age student and preschool student initial evaluations showed evidence that a group of qualified professionals as appropriate to the suspected disability were involved in determining whether the child is a child with a disability.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
CF-10	300.306(a)(1); 300.305(a); and 3301-51-01 (B)(21)	<u>Record Review</u> All school age and preschool reevaluations contained evidence that a group of qualified professionals as appropriate to the suspected disability were involved in determining whether the child is a child with a disability. <u>Other Considerations</u> The district's evaluation process appeared to be well-run, timely and effective.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

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>Two school age student IEPs 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>Interviews</u></p> <p>Staff members at all levels explained how the child's needs are identified through multiple processes and expressed in the IEP, including the effect of the disability relating to progress in the general curriculum.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the two IEPs identified as noncompliant to review and amend the IEP to include a statement of how the child's disability affects the child's participation in appropriate activities to access, participate and progress in the general education curriculum.</p> <p><u>Systemic Correction</u></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>
DS-2	300.320(a)(1)	<p><u>Record Review</u></p> <p>Six school age student IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p> <p>All preschool student IEPs contained PLOP that addressed the needs of the student.</p> <p><u>Interviews</u></p> <p>District staff members at all levels referred to various data sources used to develop the present levels related to specific student needs.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the six IEPs identified as noncompliant to review and amend the PLOP related to each goal to include:</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>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-3	300.320 (a)(2)(i)(A)	<u>Record Review</u> All school age student and all preschool student IEPs contained annual goals that address the child's academic area(s) of need.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
DS-4	300.320(a)(2)(i) (A)	<u>Record Review</u> Three school age student IEPs did not contain annual goals that address the child's functional area(s) of need. All preschool student IEPs contained annual goals that address the child's functional area(s) of need.	<u>Individual Correction</u> The district must reconvene the IEP teams of the three IEPs identified as noncompliant to review and amend the IEP to include annual goals that address the functional needs that were identified in the IEP or provide evidence that the IEP team, based on the severity of the needs of the child, decided to prioritize addressing the needs	<u>Systemic Correction</u> 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	
DS-5	300.320(a)(2)(i)	<p><u>Record Review</u></p> <p>Thirteen school age student and one preschool student IEPs did not contain measurable annual goals.</p> <p><u>Interviews</u></p> <p>Staff members explained the processes used in developing measurable goals, including using data from the profile and the present levels, and using a district quality check process.</p> <p><u>Other Considerations</u></p> <p>District personnel identified measurable goal writing as an area for improvement through training and technical assistance.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the 14 IEPs 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>	<input checked="" type="checkbox"/> Yes <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>Twelve school age student and three preschool student IEPs did not contain a statement of specially designed instruction that addresses the needs of the child and supports annual goals.</p> <p><u>Interviews</u></p> <p>Staff members explained in detail how specially designed instruction is developed to meet the particular student needs in each annual goal.</p> <p><u>Other Considerations</u></p> <p>This was identified as an area for improvement by district leadership.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the 15 IEPs identified as noncompliant to review and amend the specially designed instruction to describe the adaption of, as appropriate to the needs of the child, the content, methodology, or delivery of instruction.</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>
DS-7	300.320(a)(7)	<p><u>Record Review</u></p> <p>Two school age student IEPs did not indicate the location where the specially designed instruction will be provided.</p> <p>All preschool student IEPs indicated the location where the specially designed instruction will be provided.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the two IEPs 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>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-8	300.320(a)(7)	<p><u>Record Review</u></p> <p>Two school age student IEPs 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 teams of the two IEPs 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>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>
DS-9	300.320(a)(4)	<p><u>Record Review</u></p> <p>Three school age student IEPs did not identify related services that address the needs of the child and support the annual goals.</p> <p>All preschool student IEPs identified related services that address the needs of the child and support the annual goals.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the three IEPs identified as noncompliant to review and amend the IEP to include related services that were identified as needed in the IEP.</p> <p><u>Systemic Correction</u></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>
DS-10	300.320(a)(7)	<p><u>Record Review</u></p> <p>One school age student IEP did not indicate the location where the related services will be provided.</p> <p>All preschool student IEPs indicated the location where the related services will be provided.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP team of the one IEP identified as noncompliant to review and amend the IEP to include the location where the related services will be provided.</p> <p><u>Systemic Correction</u></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-11	300.320(a)(7)	<u>Record Review</u> All school age student and preschool student IEPs indicated 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)	<u>Record Review</u> All applicable school age and preschool student IEP(s) identified assistive technology to enable the child to be involved in and make progress in the general education curriculum.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
LRE-2	300.320(a)(6)(i)	<u>Record Review</u> Sixteen school age student IEPs did not identify accommodations provided to enable the child to be involved in and make progress in the general education curriculum. All preschool student IEPs identified accommodations provided to enable the child to be involved in and make progress in the general education curriculum. <u>Interviews</u> Information gain in interviews made it clear that district personnel were not all aware of the requirement to specify the amount of extended time as an accommodation.	<u>Individual Correction</u> The district must reconvene the IEP teams of the 16 IEPs identified as noncompliant to review the accommodations that would directly assist the child to access the course content without altering the amount or complexity of the information taught and include them on the IEP.	<u>Systemic Correction</u> The district must submit evidence to OEC of written procedures and practices in place regarding accommodations. OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	<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-3	300.320(a)(4)	<u>Record Review</u> Six school age student and one preschool student IEPs 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 teams of the seven IEPs identified as noncompliant to review the modifications that would alter the amount or complexity of materials or the performance expected of the child from grade level curriculum expectations and include them on the IEP. <u>Systemic Correction</u> 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> All applicable school age student and preschool student IEPs identified supports for school personnel to enable the child to be involved in and make progress in the general education curriculum.	<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	
LRE-5	300.320(a)(5)	<p><u>Record Review</u></p> <p>Five school age student IEPs did not include an explanation of the extent to which the child will not participate with nondisabled children in the regular education classroom.</p> <p>All preschool student IEPs included an explanation of the extent to which the child will not participate with nondisabled children in the regular education classroom.</p> <p><u>Interviews</u></p> <p>District staff at all levels explained clear guidelines and processes for determining when a child must be removed from the regular education setting, and for justifying that removal.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the five IEPs 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>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.
LRE-6	300.321(1)	<p><u>Record Review</u></p> <p>All school age student and preschool student IEPs indicated that the IEP Team included a parent.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>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	
LRE-7	300.321(2)	<u>Record Review</u> All school age student and preschool student IEPs indicated that the IEP Team included a regular education teacher.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
LRE-8	300.321(3)	<u>Record Review</u> All school age student preschool student IEPs indicated 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> All school age student and preschool student IEPs indicated that the IEP Team included an LEA representative.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
LRE-10	300.321(5)	<u>Record Review</u> All school age student and preschool student IEPs indicated that the IEP Team included of 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 student IEPs indicated that the child had 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 student and preschool student ETRs indicated that the child had 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> Four school age student 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	<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> 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> All preschool student initial evaluation(s) reported as being conducted within 60 days of the district receiving parental consent for the evaluation was conducted within the required timeline.	<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 IEPs 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> Six school age IEPs did not show evidence that the secondary transition plan reported in EMIS during 2010-2011 was in place that meets all eight required elements of IDEA for the student, specifically in the following area(s): <ol style="list-style-type: none"> 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. 	<u>Individual Correction</u> Six current IEPs did not contain transition plans that meet all eight required elements of IDEA. The district must reconvene the IEP teams to review and correct the secondary transition plan for the six records identified as still noncompliant or provide documentation of the student's withdrawal date. <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"/> 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	
		<p>7. There is evidence the student was invited to the IEP Team Meeting where transition services were discussed.</p> <p>8. When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting.</p> <p><u>Interviews</u></p> <p>District personnel agreed that secondary transition planning in the IEP is an area for improvement.</p> <p><u>Other Considerations</u></p> <p>The district identified an opportunity to work with career center transition specialists to improve the quality of transition planning for those students attending career-technical programs. In addition, the district special education parent mentor conducts monthly parent meetings focused on secondary transition issues.</p>		

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	Middletown City School District provided fiscal reports for the FY11 ARRA and FY12 Part B and Part C program years. The Summary Of Account (SOA) found no variances between the FINDET information provided and the FER submitted in CCIP.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

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	IDEA B and C funds were budgeted and expended for salaries and benefits for 23 staff members employed by Middletown. All expenditures are reflected in the Accounting Report. The coding was appropriate. The district made available copies of the 2010-2011 Semi Annual Single Funding Source Certification for each staff person. Time and Effort logs or hourly time sheets were maintained for some summer staff.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

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	29 vouchers were provided by Middletown and reviewed for FY11 Fund 516 special cost center 932O. There were no errors noted. 13 vouchers were provided by Middletown and reviewed for FY12 fund 516. No errors were found.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

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	The district presented a copy of its procurement policy and followed its procurement policy in the purchase of the equipment.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

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	Middletown provided an inventory list of 98 items purchased with ARRA and Part B funds. From this list, 12 items were inspected. The items were located according to the list.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA

Component 6: Non-Public Count and Proportionate Share

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

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

Regulation 34 CFR	Evidence of Findings	Evidence of Correction		Must be addressed in CAP
		Required Actions		
300.130 through 300.144	The district provided documentation that they maintain records in the number of children evaluated, determined to be SWD, and served. Timely consultations were documented and expenditures were appropriate.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> 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 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
300.165 and Part 300.201	<p>Middletown City School District held a public meeting for public input.</p> <p>The district published a notice of receipt of funding and a meeting for directed feedback and comments. The district held a meeting to share the spending plan with the public.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>None</p>	<input checked="" type="checkbox"/> NA

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 1/2 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	<p>Middletown City School District used IDEA funds for CEIS. The expenditures were less than 15% of their total allocation and were used appropriately for early intervention-related expenditures.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>None</p>	<input checked="" type="checkbox"/> NA

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 December 20, 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 34 CFR	Evidence of Findings	Evidence of Correction		Must be addressed in CAP
		Required Actions		
ORC 3306.09(G)	Evidence was provided to demonstrate that fiscal year 2011 gifted spending was equal to or more than fiscal year 2009 unit funding.	<u>Individual Correction</u>		<input checked="" type="checkbox"/> NA
		None		
		<u>Systemic Correction</u>		
		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	Must be addressed in CAP
		Required Actions	
OAC 3301-51-15(D)(4)	WEPs for ten students were provided and reviewed. Four WEPs included goals that did not match the students' areas of identification. Because the program is interdisciplinary in nature, the goals on the WEPs for students with specific academic identifications do not match their areas of identification.	<p><u>Individual Correction</u></p> <p>The district needs to review and make corrections to the WEPs of students with specific academic identifications and submit the new WEPs to ODE.</p> <p><u>Systemic Correction</u></p> <p>ODE will request WEPs next fall to confirm that the goals for students match their areas of identification.</p>	<input checked="" type="checkbox"/> Yes

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 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
ORC 3324.06(D)	<p>The district attests that each gifted service offered in the district is available to all eligible students in each building in the district at that grade level.</p> <p>A brochure indicated that staff may terminate service because of poor attendance or performance. This policy is not allowed; only parents may remove a child from service.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>The district must provide evidence to show that the policy that teachers may remove students from service has been changed.</p>	<input checked="" type="checkbox"/> Yes

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	<p>The district did not provide evidence to document the implementation of their acceleration policy.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>The district is required to submit evidence to demonstrate that parents and staff are aware of the acceleration policy and are able to submit referrals.</p>	<input checked="" type="checkbox"/> Yes

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		Must be addressed in CAP
		Required Actions		
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.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> 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		Must be addressed in CAP
		Required Actions		
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.	<u>Individual Correction</u> None	<u>Systemic Correction</u> None	<input checked="" type="checkbox"/> 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?

Regulation 34 CFR	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
		Required Actions	
OAC 3301-51-15(E)	The district attested and schedules confirmed that students spend sufficient time in their resource rooms. However, many students receive service that does not match their area of identification. The criteria for service as described in district brochures do not match the identifications of students currently being served. All students must be served for at least 225 minutes in the area of identification that is reported as served.	<u>Individual Correction</u> None <u>Systemic Correction</u> The district must determine the criteria for service and implement it across the district so that all students who meet the eligibility criteria are served for at least 225 minutes.	<input checked="" type="checkbox"/> Yes

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 3301-51-15(D)(3)(b)(i)	The district does not report any students as being served by general education teachers so no professional development is required.	<u>Individual Correction</u> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA