

Tech Con Institute IRN 000473
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**Ohio Department of Education, Office for Exceptional Children
2011-2012 Onsite Review Summary Report**

Introduction

The Ohio Department of Education's Office for Exceptional Children would like to extend appreciation to the district staff for their efforts, attention and time committed to the completion of the review processes.

The following report is a summary of the onsite review conducted on January 24-25, 2012 by the Ohio Department of Education's Office for Exceptional Children (OEC) and Office of Early Learning and School Readiness (OEL&SR) as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. HB1. The onsite visit consisted of 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 January 24-25, 2012. During the IDEA Review, OEC consultants monitor the LEA's implementation of the IDEA to ensure compliance. The primary focus of the IDEA Review is to:

- Improve educational results and functional outcomes for all children with disabilities; and
- Ensure that LEAs meet program requirements under Part B of IDEA, particularly those requirements that are most closely related to improving educational results for children with disabilities.

OEC focused the review on the following areas:

- Child Find;
- Delivery of Services;
- Least Restrictive Environment;
- Data Verification.

This school does not serve the preschool population; therefore the preschool record review items are not applicable.

Data Sources

During the review, OEC considered information from the following sources:

1. Public Parent Meeting, Individual Parent Meetings and Written Comments

On January, 9, 2012, Tech Con Institute mailed 66 OEC approved letters to all families with active students in their school district. OEC provided the district with a public meeting announcement for inclusion on its website or newsletter. The school posted the information regarding the meeting January 24, 2012 on its school district website.

On January 24, 2012, OEC consultants held a public meeting for parents and other interested parties. Public parent meeting dates for all districts selected for IDEA Reviews are posted on the ODE website. Two parents and one State Support Team (SST) Region 10 representative attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting or individually, provide written comments, or both. Two parents made comments during the public meeting. Written comment forms were available before, during and after the meeting. OEC did not receive any written comments

During the public meeting, parents were advised by OEC consultants of the formal complaint process under IDEA and that their public comments did not constitute a formal complaint. The participants were also informed that while the information they provided may be helpful to the review, it may not necessarily be acted upon as part of the review process. "Whose IDEA Is This?", Ohio's procedural safeguards notice, was available for participants who wanted a copy.

2. Pre-Onsite Data Analysis

OEC consultants reviewed district, building and grade level data. School data analyzed included the Special Education Performance Profile, Local Report Cards, and Education Management Information System (EMIS) data. The data analysis assists OEC in determining potential growth areas and district strengths.

3. Record Review

On January 24, 2012, OEC consultants reviewed eight records of school age students with disabilities. OEC selected records for all of children with disabilities from the only building representing this school.

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

4. Staff/Administrative Interviews

On January 25, 2012, OEC consultants held three sessions of interviews with four administrators and two teachers. 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.

FAPE Finding

The LEA was notified of this finding on March 19, 2012. The district must meet the following timelines;

The district must submit a compliant IEP for all seven students to OEC by **April 17, 2012**.

The district must submit a corrective action plan by **May 09, 2012** indicating how it will ensure compliance with the requirements of (OAC) 3301-51-09(H) (1), OAC 3301-24, (ORC) Chapter 3323 for students identified with a disability attending your district.

See Page 26 of this report.

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 Tech Con Institute. 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 OEC Lead Consultant Stephanie Falor at Stephanie.Falor@education.ohio.gov. 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: 05-09-2012

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: 09-25-2012

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: 03-25-2013

For questions about specific components of this report please contact:

- **Special Education School Age:** Stephanie Falor, OEC Lead Consultant, at (614) 387-2236, toll-free at (877) 644-6338, or by e-mail at Stephanie.Falor@education.ohio.gov.
- **Fiscal:** Earl Focht, Educational Consultant, at (614) 387-0940, toll-free at (877) 644-6338, or by e-mail at Earl.Focht@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>One reevaluation records indicated that the child's reevaluation was not completed within the three year timeline.</p> <p><u>Interviews</u></p> <p>During the interviews it was discussed that it is difficult to obtain student records from some students' previous school districts and that a plan of support needs to be put in place to ensure that records are transferred in an appropriate time frame.</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>Not Applicable</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)	<u>Record Review</u> All school age initial evaluations appropriately documented interventions provided to resolve concerns for the child performing below grade-level standards.	<u>Individual Correction</u> None <u>Systemic Correction</u> None		<input checked="" type="checkbox"/> NA
CF-4	300.501(b)(1)	<u>Record Review</u> All school age student records showed evidence that the evaluation planning team included the parent.	<u>Individual Correction</u> None <u>Systemic Correction</u> None		<input checked="" type="checkbox"/> NA
CF-5	300.305(a)(1)	<u>Record Review</u> All school age student evaluations provided 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> All school age student evaluation(s) 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

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
CF-7	300.304(c)(4); OAC 3301-51-01; and OAC 3301-51-06	<p><u>Record Review</u></p> <p>One school age student evaluation did not provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Interviews</u></p> <p>During the staff and administrative interviews, it was discussed that this school district provides services to an alternative student population therefore It is not designed to meet the needs of a typical student or a student with disabilities.</p>	<p><u>Individual Correction</u></p> <p>The district will convene the ETR team to conduct a reevaluation and provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place to provide evidence that the evaluation addresses all areas related to the suspected disability.</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.
CF-8	300.306(a)(1)	<p><u>Record Review</u></p> <p>All school age student records showed evidence that the parent of the child was involved in determining whether the child is a child with a disability.</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-9	300.306(a)(1)	<p><u>Record Review</u></p> <p>All school age 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.</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-10	300.306(a)(1); 300.305(a); and 3301-51-01 (B)(21)	<p><u>Record Review</u></p> <p>All school age reevaluations showed evidence that a group of qualified professionals as appropriate to the suspected disability were involved in determining whether the child is a child with a disability.</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 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>One school age student IEP did not address 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 of the one IEP 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>Three 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><u>Interviews</u></p> <p>During the interviews staff and administrators acknowledge the need to receive training on writing compliant IEPs and support this process.</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 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.
DS-3	300.320 (a)(2)(i)(A)	<p><u>Record Review</u></p> <p>Two school age student IEPs did not contain annual goals that address the child's academic area(s) of need.</p> <p><u>Interviews</u></p> <p>During the interviews the staff and administrators discussed how to include the web-based universal screening that is conducted for all students into the students IEP. It was shared that each student, regardless of their educational placement or identification receives an individual educational plan, during the interview we discussed ways to document specific specially designed instruction into the students IEP.</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 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>	<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-4	300.320(a)(2)(i) (A)	<p><u>Record Review</u></p> <p>Three school age student IEPs did not contain 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 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</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"/> 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-5	300.320(a)(2)(i)	<p><u>Record Review</u></p> <p>Seven school age student IEPs did not contain measurable annual goals.</p> <p><u>Interviews</u></p> <p>During the staff and administrative interview we reviewed specific student records to address the lack of measurable annual goals. All interviewed were enthusiastic to receive training from the State Support Team.</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the seven 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>	<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>Four school age 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>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the four 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>Four school age student IEPs 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 teams of the four 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>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>

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>Three school age student IEPs did not indicate 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 three 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>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"/> Yes</p> <p>A Corrective Action Plan is required due to meeting the 30% threshold of non-compliance.</p>
DS-9	300.320(a)(4)	<p><u>Record Review</u></p> <p>One school age student IEPs did not identify 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 team of the one IEP identified as noncompliant to review and amend the IEP to include related services that were identified as needed in the IEP.</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 related service 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-10	300.320(a)(7)	<u>Record Review</u> One school age student IEP did not indicate the location where the related services will be provided.	<u>Individual Correction</u> 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. <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"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.
DS-11	300.320(a)(7)	<u>Record Review</u> One school age student IEP did not indicate the amount of time and frequency of the related services to be provided.	<u>Individual Correction</u> The district must reconvene the IEP team of the one IEP identified as noncompliant to review and amend on the IEP the amount of time and frequency of the related services to be provided. <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 amount and frequency of related services to be provided. OEC will contact the district for submission of new records and review these records to determine compliance with this regulation.	<input checked="" type="checkbox"/> No The district does <u>not</u> need to address this finding in a Corrective Action Plan.

Component 3: Least Restrictive Environment (LRE) and IEP Alignment

Each school district shall ensure that to the maximum extent appropriate, children with disabilities, including children in public or nonpublic institutions or other care facilities, are educated with children who are nondisabled; and that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

Record 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>One school age student IEP did not 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>The district must reconvene the IEP team of the one IEP identified as noncompliant to review assistive technology and/or services that would directly assist the child with a disability to increase, maintain, or improve their functional capabilities and include them on the IEP.</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding assistive technology.</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>
LRE-2	300.320(a)(6)(i)	<p><u>Record Review</u></p> <p>Three 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</p>	<p><u>Individual Correction</u></p> <p>The district must reconvene the IEP teams of the three 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.</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>	<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-3	300.320(a)(4)	<u>Record Review</u> Three school age 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 three IEPs identified as noncompliant to review the modifications that would alter the amount or complexity of materials or the performance expected of the child from grade level curriculum expectations and include them on the IEP. <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 student 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>One school age student IEP 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><u>Individual Correction</u></p> <p>The district must reconvene the IEP team of the one IEP 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>Two school age student IEPs did not indicate that the IEP Team included a regular education teacher.</p>	<p><u>Individual Correction</u></p> <p>For the two IEPs 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)	<p><u>Record Review</u></p> <p>Seven school age student IEP(s) did not indicate that the IEP Team included a special education teacher.</p>	<p><u>Individual Correction</u></p> <p>For the seven 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 special education teacher would not participate in the meeting, and • Provide a written excuse signed by the parents and the district that allowed the special education teacher not to be in attendance at the IEP meeting, or • Reconvene the IEP team to review the IEP with all 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 special 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"/> 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-9	300.321(4)	<u>Record Review</u> One school age student 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.

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
LRE-10	300.321(5)	<p><u>Record Review</u></p> <p>One school age student IEP did not indicate that the IEP Team included of a person qualified to interpret the instructional implications of evaluation results.</p>	<p><u>Individual Correction</u></p> <p>For the one IEP 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 person qualified to interpret the instructional implications of evaluation results would not participate in the meeting, and • Provide a written excuse signed by the parents and the district that allowed the person qualified to interpret the instructional implications of evaluation results not to be in attendance at the IEP meeting, or • Reconvene the IEP team to review the IEP will all required members present. <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding people qualified to interpret the instructional implications of evaluation results involvement in the IEP process.</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 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 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 ETRs indicated that the child had an ETR in effect as reported on the LEA's December 1, 2010 Child Count Report. <u>Interviews</u> During the interviews we discussed the challenges that this school faces obtaining student records from other school districts. We discussed solutions with tracking dates, adopting current information, or re-evaluating a student to ensure that services are appropriately and timely provided.	<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	
DV-3	SPP Indicator 20: Accurate and Timely Reporting of Special Education Event Record	<u>Record Review</u> All school age student records had accurate 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): <ul style="list-style-type: none"> 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> None <u>Systemic Correction</u> None	<input checked="" type="checkbox"/> NA
DV-4	SPP Indicator 11 300.301(c)(1)(i)	<u>Record Review</u> All school age student initial evaluations reported as being conducted within 60 days of the district receiving parental consent for the evaluation was conducted within the required timeline.	<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> Not Applicable	<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	
DV-6 A/B	SPP Indicator 20 for Secondary Transition Plans	<p><u>Record Review</u></p> <p>Four school age IEPs did not show evidence that the secondary transition plan reported in EMIS during 2010-2011 was in place that meets all 8 required elements of IDEA for the student, specifically in the following area(s):</p> <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. 7. There is evidence the student was invited to the IEP Team Meeting where transition services were discussed. 8. When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting. <p><u>Interviews</u></p> <p>During the public meeting we discussed ways for parents to request an IEP team meeting. We also discussed how helpful a clear and compliant transition plan helps all team members including the parents and students.</p>	<p><u>Individual Correction</u></p> <p>Four current IEP(s) did not contain transition plans that meet all 8 required elements of IDEA.</p> <p>The district must reconvene the IEP teams to review and correct the secondary transition plan for the four records identified as still noncompliant or provide documentation of the student's withdrawal date.</p> <p><u>Systemic Correction</u></p> <p>The district must submit evidence to OEC of written procedures and practices in place regarding data reporting.</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.

(FAPE ISSUE) ADDITIONAL FINDING

Ohio Administrative Code (OAC) 3301-51-09(H)(1) requires a school to ensure that all personnel are appropriately prepared, trained and licensed per OAC 3301-24 to serve children with disabilities. A substitute teaching license does not meet these requirements except for limited specific periods of time during which a certified teacher is not available due to illness, accident or other unforeseen circumstances. In the event that a substitute teacher needs to be utilized beyond a very limited time frame the school is required to provide the students with disabilities compensatory time for the instructional time that was lost due to the unavailability of a licensed teacher.

An analysis of special education licensure requirements for community schools revealed that community schools are not exempt from the special education teacher and intervention specialist licensure provisions and requirements of Ohio law.

- Community schools are required to provide special education services in accordance with Ohio Revised Code (ORC) Chapter 3323. Ohio's Operating Standards for Educational Agencies serving Children with Disabilities require special education teachers and intervention specialists to be adequately prepared and trained, have content knowledge and skills, and hold appropriate licensure as defined by Ohio Administrative Code (OAC) 3301-24.
- Community school special education teachers, intervention specialists and related service personnel are required to meet ODE licensure and HQT requirements consistent with special education teachers, intervention specialists and related service personnel of traditional public schools.
- Related service personnel must have qualifications consistent with state-approved or state-recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services, which includes meeting ODE's Pupil Services Licensure requirements.

This current school year, the LEA has been serving children with disabilities using a teacher holding only a substitute teaching license. This means that all seven children who are currently receiving services under an IEP are entitled to compensatory education in an amount to be determined by their IEP team and approved by the Ohio Department of Education, Office for Exceptional Children (ODE/OEC).

The parameters for compensatory education as outlined by the Sixth Circuit Court of Appeals are that the child receives compensatory services in an amount that would make the child "whole". The parameters, as outlined by the court, for making a child "whole" is that the child is at the same level of learning as the child would have been if they had been taught by a certified intervention specialist for the entire school year.

CORRECTIVE ACTION DUE DATE:

The district must submit a compliant IEP for all seven students to OEC by **April 17, 2012**.

The district must submit a corrective action plan by **May 09, 2012** indicating how it will ensure compliance with the requirements of (OAC) 3301-51-09(H) (1), OAC 3301-24, (ORC) Chapter 3323 for students identified with a disability attending your district.

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

Component 1: Statement of Accounts

The district/school has submitted its FY11 FERs for IDEA – ARRA funds and IDEA Pre-School ARRA funds. The Financial Detail (FINDET) Report for those funds and the Final Expenditure Reports are consistent and in agreement. The fiscal reports are evidence that ensure that district children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	<p>The district needs to contact Grants Management to make an adjustment to their FY11 516 ARRA FER due to the fact that purchased services were expended to a non-certificated/license Intervention Specialist.</p> <p>This information has been sent via email to the district contact person.</p>	<p><u>Individual Correction</u> Yes – The district needs to contact Grants Management to resolve 516 FY11 ARRA FER.</p> <p><u>Systemic Correction</u> The district needs to develop a protocol for reviewing credentials and certification/licensure upon hiring staff or when contracting for purchase services to ensure that proper licensures have been issued.</p>	<p>Individual Correction for Fiscal Requires the following due date:</p> <p>*30 days from receipt of this report.</p>	<input checked="" type="checkbox"/> Yes

Component 2: Payroll Expenditures

The district/school is able to document that the federal funds were expended for an appropriate purpose; payroll expenditures are supported by Time and Effort Logs or Semi-Annual Certification; expense were properly coded to the correct function and object code; all staff in certified positions have appropriate licensure; all funded positions have position descriptions; district's ACCRPTs and FERs are in agreement.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	There were no funds expended for payroll.	<p><u>Individual Correction</u> None</p> <p><u>Systemic Correction</u> None</p>		<input checked="" type="checkbox"/> NA

Component 3: Non-Payroll Expenditures

The district/school is able to document that the federal funds were expended for an appropriate purpose and reasonable for the program; that fiscal coding is appropriate and the funds were charged to the proper fund, function and object; that the district is able to document the expenditure with a purchase order, receipt statement or invoice.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	IDEA 516 FY11 ARRA and FY12 Non Payroll funds were expended for purchased services for a psychologist and intervention specialist. As previously mentioned, The district needs to contact Grants Management to make an adjustment to their FY11 516 ARRA FER due to the fact that purchased services were expended to a non-certificated/license Intervention Specialist. As noted in the communication sent to the district, the current Intervention Specialist has been provided several options – obtain an Intervention Specialist license by June 30, 2012 or cease services. If the Intervention Specialist chooses to discontinue services, then the district will need to complete a journal correction entry for FY12 516 funds.	<u>Individual Correction</u> Yes – the district needs to contact Grants Management to resolve 516 FY11 ARRA FER. <u>Systemic Correction</u> The district needs to develop a protocol for reviewing credentials and certification/licensure upon hiring staff or when contracting for purchase services to ensure that proper licensures have been issued.	Individual Correction for Fiscal Requires the following due date: *30 days from receipt of this report.	<input checked="" type="checkbox"/> Yes

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

If the district/school expended funds for Capital Outlay and/or equipment, the district/school evidences that it has followed the board adopted procurement policy. The district must ensure that equipment and supplies placed in the non-public school are used for Part B purposes only and can be removed from the non-public school without remodeling the school facility.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	No funds were expended for Capital Outlay.	<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 an equipment disposal policy; The district requested disposition instructions from ODE prior to disposing of assets with at fair market value of more than \$5,000.00, and sale proceeds were deposited back into the original grant.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.202	No equipment has been purchased in the past two years with IDEA funds.	<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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.130 through 300.144	Not Applicable	<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.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.165 and Part 300.201	The district did not hold a meeting to share the spending plan with the public. I provided a copy of the law to the district's contact person.	<u>Individual Correction</u> None <u>Systemic Correction</u> Yes - The district will review the law as it pertains to public participation and develop a policy and procedure to ensure the requirements of the law are met. The district will provide evidence that it held a public meeting for school year 2012-13.		<input checked="" type="checkbox"/> Yes

Component 8: Redirection of funds

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

If the district/school reduced its local expenditure, it was by no more than 1/2 of its additional allocation amount and the district can document the expenditures/reduction and the amount is shown in the CCIP.

Findings Citation	Evidence	Evidence of Correction		Must be addressed in CAP
		Required Actions	Date Due	
300.205	The district did not participate in redirecting their funds for CEIS.	<u>Individual Correction</u> None <u>Systemic Correction</u> None		<input checked="" type="checkbox"/> NA