

**Steel Academy**  
**IRN: 014927****Ohio Department of Education, Office for Exceptional Children**  
**2018-2019 IDEA Selective Monitoring Review Summary Report****Introduction**

The Ohio Department of Education's Office for Exceptional Children (OEC) would like to extend appreciation to Steel Academy staff for their efforts, attention and time committed to the monitoring review process.

The following report is a summary of the onsite review conducted by OEC on November 27-28, 2018, as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. HB1.

**Overview**

During the onsite review, OEC consultants monitor the educational agency's implementation of IDEA to ensure compliance and positive results for students with disabilities. The primary focus of the review is to:

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

Onsite reviews are targeted to include the following specific areas:

- Child Find;
- Delivery of Services;
- Least Restrictive Environment;
- IEP Verification of delivery of services;
- Parent Input; and
- Teacher and Administrator Interviews.

**Data Sources**

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

1. Public Parent Meeting and Written Comments

Steel Academy mailed 58 OEC approved letters to all families with students with disabilities in the educational agency. OEC provided the educational agency with a public meeting announcement to post on the district website. Public parent meeting dates for all educational agencies selected for onsite reviews are also posted on the ODE website.

On November 27, 2018, OEC consultants held a public meeting for parents and other interested parties. One parent and two State Support Team (SST) Region 8 representatives attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting, speak to OEC representatives individually, provide written comments or both. One attendee 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. Ohio's procedural safeguards notice was available for participants who wanted a copy.

## 2. Pre-Onsite Data Analysis

OEC conducted a comprehensive review which included district, building and grade level data; Special Education Performance Profile; Local Report Cards; Comprehensive Continuous Improvement Plan (CCIP); and Education Management Information System (EMIS) data. The data analysis assisted OEC in determining potential growth areas and educational agency strengths.

## 3. Record Review/IEP Verification

Prior to the onsite visit, OEC consultants reviewed 15 records of students with disabilities. OEC selected records of students with disabilities from a variety of disability categories and ages. Eight student records were selected for IEP verification in the classroom setting.

## 4. Staff/Administrative Interviews

On November 27-28, 2018, OEC consultants held four sessions of interviews with four administrators and 13 teachers, school counselors, related services personnel and school psychologists. OEC interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment and Discipline.

## **Findings of Noncompliance**

A finding is made when noncompliance is identified with evaluation team report (ETR) and/or individualized education program (IEP) requirements. Noncompliance that is systemic in nature or 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 review (listed by subject area in the OEC's Review Findings and Educational Agency Required Actions Table) must be corrected as indicated in the Evidence of Correction/Required Actions column.

OEC provides separate written correspondence to the parent/guardian when action is required to correct findings of noncompliance for individual students. The educational agency will receive copies of this correspondence.

## **Corrective Action Plan (CAP)**

Steel Academy will be delivered a Directed Corrective Action Plan to address any items identified to:

- Improve educational results and functional outcomes for all children with disabilities; and
- Ensure that Steel Academy meets program requirements under Part B of IDEA, the Ohio Revised Code and Ohio Administrative Code, particularly those requirements that are most closely related to improving educational results for children with disabilities.

The educational agency must submit the CAP by email to [debra.shirley@education.ohio.gov](mailto:debra.shirley@education.ohio.gov) within 30 school days from the date of this report. OEC will review the action plan submitted by the educational agency for approval. If OEC deems that a revision(s) is necessary, the educational agency will be required to revise and resubmit. The educational agency will be contacted by OEC and notified when the action plan has been approved.

***CAP Due Date: March 18, 2019***

## **OEC Trainings**

As part of the OEC monitoring process, Steel Academy personnel, as identified by OEC, are required to complete the Special Education Essentials 2018-19 training modules within the Learning Management System (LMS). OEC will provide specific instructions on completing these training modules during the Summary Report presentation. Participants must achieve a 75% or more on each quiz. Participants who do not achieve at least 75% will be contacted by the State Support Team (SST) for additional training.

***Completion of LMS Training Modules Due Date: March 18, 2019***

## Individual Correction

The educational agency has **60 school days** from the date of this summary report to correct all identified findings of noncompliance for individual students, unless noted otherwise in the report. Detailed information on individual findings are provided in a separate report.

*Individual Correction Due Date: **May 8, 2019***

## Systemic Correction

The educational agency will provide OEC with documentation verifying the educational agency's completion of all CAP activities. OEC will verify systemic correction through the review of this documentation. If needed, OEC may request additional student records to review.

*Completion of Systemic Correction Due Date: **November 22, 2019***

For questions regarding the review, please contact: Debra Shirley, OEC Contact Consultant, at (614) 466-9520, toll-free at (877) 644-6338, or by e-mail at [debra.shirley@education.ohio.gov](mailto:debra.shirley@education.ohio.gov).

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## IDEA Noncompliance Findings

### 1. Continuum of Alternative Placements

#### Requirement:

34 CFR 300.115 requires that each public agency ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. The continuum that is required must include the following settings: instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. The continuum must also make provisions for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

#### Findings:

Steel Academy only provides what is described by Steel Academy staff members as "general education classrooms" and is not offering a continuum of alternative placements to students based on their least restrictive environment (LRE) and individual learning needs. It was determined that the ratio of disabled students to nondisabled students in classrooms exceeded 50%, establishing the setting as a special education classroom.

#### Correction(s) Required:

Steel Academy must offer the full continuum of alternative placements to meet the specific needs of children with disabilities for special education and related services within their LRE.

### 2. Required Services for Students with Multiple Disabilities

#### Requirement: 34 CFR 300.8(c)(7)

"Multiple Disabilities" means "concomitant impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities category does not include deaf-blindness. Specific Learning Disability (SLD) is specifically not a concomitant impairment when determining the disability category of multiple disability.

#### Findings:

Students identified as having multiple disabilities were not receiving services and supports commensurate with the requirements of this definition, within their LRE in a classroom for students identified under this disability category. These students were receiving the same services as students without disabilities would receive in a general education classroom. A classroom for students with multiple disabilities must provide the necessary services to support the needs of these students. A classroom for students with multiple disabilities shall include at least one full-time paraprofessional. In a classroom serving only students with multiple disabilities, there shall be no more than 8 students during any one instructional period.

**Correction(s):**

Steel Academy must review all ETRs that determined the category of multiple disabilities and ensure that the determination process meets the definition contained in 34 CFR 300.8(c), specifically that a student identified as having multiple disabilities has “such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments.” Steel Academy must also offer a classroom/LRE specifically designed to meet the learning needs of these students outside of the general education setting.

**3. Policy on Positive Behavior Interventions and Support, and Restraint and Seclusion**

**Requirement:** Each educational agency must develop, publish and implement written policies to govern the use of emergency safety interventions (physical restraint and seclusion) in all its schools. Educational agencies must make their written policies on the use of emergency safety interventions available to parents annually and post the policy on its website.

At minimum, written policies must conform to the standards, definitions and requirements set forth in this policy. Ohio Administrative Code 3301-35-15(H). Practices that do not adhere to the standards and requirements set forth in this policy are prohibited, and physical restraint and seclusion shall not occur, except when there is an immediate risk of physical harm to the student or others. The educational agency shall utilize physical restraint and seclusion only in a manner that protects the safety of all children and adults at school.

Any school that employs physical restraint or seclusion practices shall have established:

- a. Pre-established emergency procedures,
- b. Specific procedures and training related to the use of restraint and seclusion, and
- c. A process for the collection of data regarding the use of restraint or seclusion.

**Findings:** In all interviews, it was noted that all school staff members have been trained in restraint and seclusion. Steel Academy has a *Positive Behavior Interventions and Support Restraint & Seclusion Policy* with a date approved of August 22, 2018.

There was contradiction between administrative and teacher interviews as to the number of restraint instances. One teacher reported that there were at least three instances and the administration reported zero instances and no data has been collected. It is concerning that teachers believe restraint had been used, but failed to complete the required documentation and reporting the incident immediately to building administration. (Steel Academy *Positive Behavior Interventions and Support Restraint & Seclusion Policy* Section X)

**Correction(s):** Steel Academy must review with all staff the Steel Academy's *Positive Behavior Interventions and Support Restraint & Seclusion Policy*. Steel Academy must ensure that all staff members understand the definitions of restraints and seclusion.

Building administration must ensure that all incidents of restraint are reported and documented at the time the event occurs.

**4. Lack of appropriate behavior goals and/or Functional Behavior Assessments (FBA) and Need for Behavior Intervention Plans (BIP), where necessary**

**Requirement:** Pursuant to 34 CFR §300.530(f), FBAs and BIPs are required when the educational agency, the parent and relevant members of the student's IEP team determine that a student's conduct was a manifestation of his or her disability under 34 CFR §300.530(e). If a child's misconduct has been found to have a direct and substantial relationship to his or her disability, the IEP team will need to conduct an FBA of the child, unless one has been conducted. Similarly, the IEP team must write a BIP for this child, unless one already exists. If a BIP already exists, then the IEP team will need to review the plan and modify it, as necessary, to address the behavior.

**Findings:** While it is not necessary for every student with a behavior goal to have an FBA or BIP, the educational agency must ensure that services are provided to support the student's needs. Steel Academy staff agree that there are instances where these plans would be beneficial to the students and staff to provide consistency in behavior management and behavior modifications.

**Correction(s):** Steel Academy will participate in training provided by SST Region 8 around the FBA and BIP policies and procedures no later than May 17, 2019. These will be board approved policies and Steel Academy will begin the implementation of these procedures immediately following the trainings.

## 5. Adoption Process of ETR/IEP and Internal Monitoring System

**Requirement: 3301-51-07 (K)(5) and 300.323** Upon the enrollment of a child with an existing ETR/IEP from another school district or state, the school district must determine if it will accept the existing ETR/IEP or reconvene the teams to change the existing ETR/IEP.

If the child moved into the district from another state, the district must provide the parents with a copy of the procedural safeguards notice. If the child transfers into the district from another district in the state, the district provides the parents with a copy of the procedural safeguards notice if the sending school district had not provided the parents with a copy during the current school year.

If the district determines that a new evaluation is necessary for a child who transfers from out of state, the evaluation is considered an initial evaluation. If the IEP team refers a child who transfers from another district in the state for additional evaluation assessments, the evaluation is considered to be a reevaluation. The district must provide the Prior Written Notice to Parents PR-01 form and obtain written parental consent (Parent Consent for Evaluation PR-05 form).

**Findings:** During the record review conducted by OEC, it was determined that a majority of the records reviewed were written by other educational agencies. When records are adopted by Steel Academy, Steel Academy assumes all the responsibility for compliance of those records. If documents are found to be noncompliant through the adoption process, it must be addressed by the adopting educational agency. Issues of noncompliance were found due to the lack of oversight in the internal monitoring process.

**Correction(s):** (1) Each record (15) that was initially requested by OEC will be reevaluated, in its entirety. Subsequently, all IEPs must be revisited as a result of the new evaluation. An SST Region 8 and/or OEC consultant will attend selected ETR/IEP meetings to ensure procedures are being followed as outlined in the Federal Register, Ohio Operating Standards and Ohio Revised Code for the corrections and reevaluations. (2) Due to the Findings that involve records of newly-enrolled students, an internal monitoring process must be established to ensure only compliant records are being adopted. This internal monitoring process will be defined in conjunction with policies and procedures affecting the development and construction of ETRs and IEPs.

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## Other Considerations

### 1. “Success Lab”

During interviews, a new program in development at Steel Academy was described to OEC and SST staff. The program was described as a separate setting where students, in grades 7-12, who have been removed from the regular classroom setting will work on computer modules as well as core classroom assignments. Students will then incrementally be returned to regular classroom subject areas. Concern was noted by the interviewers that other considerations in the planning of the new program needs to be addressed including licensure of the staff overseeing the program to ensure that students are taught by properly licensed personnel, that the change of placement is appropriately addressed as an amendment in the IEP and with parents, and that the “Success Lab” does not become an In-School Suspension placement. Also noted during the beginning of the interview process, the “Success Lab” would be an opportunity for **all** students, at the end of the interview, it appeared that the program was only for students with special needs. The “Success Lab” will be included in Steel Academy’s written policies and procedures.

### 2. Student Career Technical Center (CTC) considerations

Through interviews, it was determined that if a student wants to attend a career-technical program at a CTC, the student must unenroll from Steel Academy and return to their district of residence in order to enroll in the CTC. This raised the concern that a student enrolled in Steel Academy may miss opportunities to investigate career paths at the CTC as Steel Academy may not be included in CTC outreach activities. Students may then miss CTC deadlines for application, acceptance and enrollment. Steel Academy must include in the policies and procedures to ensure that students have an opportunity to discover CTC career training programs and include vital communication between Steel Academy, the district of residence and the CTC to ensure that all students are afforded the opportunity to enroll in the CTC.

**OEC's Review Findings and Educational Agency Required Actions**

**Component 1: Child Find**

*Each educational agency 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 educational agency, 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 the 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 Ohio Operating Standards 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	300.305(a) and 3301-51-11 (c)(1)(a)	<p><u>Record Review</u></p> <p>Steel Academy does not serve preschool students.</p>	<p><u>Individual Correction</u></p> <p>NA</p> <p><u>Systemic Correction</u></p> <p>NA</p>	<input checked="" type="checkbox"/> NA
CF-2	3301-51-06	<p><u>Record Review</u></p> <p>Four evaluations did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.</p> <p><u>Interviews</u></p> <p>Described in interviews was a robust system of interventions including services through Title 1. Teachers discussed the tracking of intervention data. However, a process is needed to ensure that this information is included in evaluations.</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>The educational agency must submit evidence to OEC of written procedures and practices regarding documentation of intervention and supports provided prior to completion of the initial evaluation team report.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
CF-3	300.501(b)(1) 3301-51-06 (E)(2)(a)	<p><u>Record Review</u></p> <p>Six student records did not show evidence that the parent was afforded the opportunity to participate in the evaluation team planning meeting.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must provide evidence that the parent was involved or provided the opportunity to participate in the evaluation planning process.</p> <p>The evidence may include evaluation planning form, prior written notice, parent invitation, referral form or communication log.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs 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	
			<p>If the educational agency cannot provide documentation that the parent was involved or provided the opportunity to participate in the evaluation planning process, the educational agency must conduct evaluation planning with the parent.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices that include the parent in the evaluation planning process.</p>	
CF-4	300.300	<p><u>Record Review</u></p> <p>Four student records did not provide evidence of parental consent obtained prior to new testing.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices for obtaining parental consent obtained prior to new testing.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p>
CF-5	300.304(c)(4) 3301-51-01 3301-51-06 (E)(2)(a)	<p><u>Record Review</u></p> <p>Eleven (11) evaluations did not provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Other Considerations</u></p> <p>Evaluation Team Reports did not include all assessments identified on the planning form. Appropriately completed observations were frequently missing.</p>	<p><u>Individual Correction</u></p> <p>The educational agency will convene the ETR teams 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 educational agency must submit evidence to OEC of written procedures and practices to provide evidence that the evaluation addresses all areas related to the suspected disability.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>



Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
CF-6	300.306(c)	<u>Record Review</u> Five evaluations did not show evidence of clearly stating the summary of assessment results.	<u>Individual Correction</u> The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear and concise summary of the data and assessment conducted that meets the requirements of 3301-51-06 (G) (Summary of information). The IEP team must consider the results of this reevaluation.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding summary of data and assessment results.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
CF-7	300.306(c)	<u>Record Review</u> Six evaluation team reports did not contain a clear and succinct description of educational needs.	<u>Individual Correction</u> The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear and succinct description of the student's educational needs. The IEP team must consider the results of this reevaluation.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding description of educational needs.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
CF-8	300.306(c)	<u>Record Review</u> Ten (10) evaluation team reports did not contain specific implications for instruction and progress monitoring.	<u>Individual Correction</u> The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear description of specific implications for instruction and progress monitoring. The IEP team must consider the results of this reevaluation.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding implications for instruction and progress monitoring.	<input checked="" type="checkbox"/> Yes The educational agency needs 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-9	300.306(a)(1) 3301-51-01 (B)(21)	<p><u>Record Review</u></p> <p>Six evaluations did not show evidence that a group of qualified professionals, as appropriate to the suspected disability, were involved in determining whether the child is a child with a disability as well as the child's educational needs.</p> <p><u>Other Considerations</u></p> <p>Qualified professionals must be appropriately identified by title on the signature page. The Psychology Assistant must sign as such, and not be represented with the title of School Psychologist. There must be no misrepresentations to parents of the professionals serving their student.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must provide evidence that the ETR teams and other qualified professionals, as appropriate, participated in the determination of eligibility and educational needs. If not, the ETR team must reconvene and provide OEC evidence of group participation.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the eligibility determination process.</p>	<input checked="" type="checkbox"/> Yes <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>

**Component 2: Delivery of Services**

*Each educational agency 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	SPP Indicator 13 300.320 (b) 3301-51-07 (H)(2)	<p><u>Record Review</u></p> <p>Eight (8) IEPs did not show evidence that the postsecondary transition plan met all eight required elements of the IDEA for the student, specifically in the following area(s):</p> <ol style="list-style-type: none"> <li>1. There are appropriate measurable postsecondary goal(s).</li> <li>2. The postsecondary goals are updated annually.</li> <li>3. The postsecondary goals were based on age appropriate transition assessment (AATA).</li> <li>4. There are transition services that will reasonably enable the student to meet the postsecondary goal(s).</li> <li>5. The transition services include courses of study that will reasonably enable the student to meet the postsecondary goal(s).</li> <li>6. The annual goal(s) are related to the student's transition service needs.</li> <li>7. There is evidence the student was invited to the IEP Team Meeting where transition services were discussed.</li> <li>8. When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting.</li> </ol> <p><u>Interviews</u></p> <p>Intervention specialists are responsible for transition services. There is a lack of training/resources for completing meaningful AATAs or transition services/activities. Staff responsible for providing transition services to students were given no training or support regarding post-secondary services.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams to review and correct the postsecondary transition plan for the IEPs identified as noncompliant or provide documentation of the student's withdrawal date from the educational agency.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding transition services.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs 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	
		It was determined through interviews that teachers could discuss transition services for ALL students, but were unable to describe the individualization of transition services for students on IEPs.		
DS-2	300.320(a)(1)	<p><u>Record Review</u></p> <p>Thirteen (13) IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p> <p><u>Other Considerations</u></p> <p>There is a need for training/technical assistance in identifying the present levels of performance and the direct relationship to the goal and goal measurement.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the IEP teams of the IEPs identified as noncompliant to review and amend the PLOP related to each goal to include:</p> <ul style="list-style-type: none"> <li>• Summary of current daily academic/ behavior and/ or functional performance (strengths and needs) compared to expected grade level standards in order to provide a frame of reference;</li> <li>• Baseline data provided for developing a measurable goal.</li> </ul> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the review of current academic/functional data when writing IEPs.</p>	<input checked="" type="checkbox"/> Yes <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
DS-3	300.320(a)(2)(i)	<p><u>Record Review</u></p> <p>Two IEPs did not contain annual goals that address the child's academic area(s) of need.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP. Annual goals must address the academic needs of the child unless the team provides evidence that the goals were prioritized based on the severity of the needs of the child.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of addressing identified academic needs.</p>	<input checked="" type="checkbox"/> No <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-4	300.320(a)(2)(i)	<u>Record Review</u> Four IEPs did not contain annual goals that address the child's functional area(s) of need.	<u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP. Annual goals must address the functional needs of the child unless the team provides evidence that the goals were prioritized based on the severity of the needs of the child.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of addressing identified functional needs.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
DS-5	300.320(a)(2)(i)	<u>Record Review</u> Nine IEPs did not contain measurable annual goals.	<u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend annual goals to contain the following critical elements: <ol style="list-style-type: none"> <li>1. Clearly <u>defined behavior</u>: the specific action the child will be expected to perform.</li> <li>2. The <u>condition</u> (situation, setting or given material) under which the behavior is to be performed.</li> <li>3. <u>Performance criteria</u> desired: the level the child must demonstrate for mastery <b>and</b> the number of times the child must demonstrate the skill or behavior.</li> </ol> <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding the development of measurable annual IEP goals.	<input checked="" type="checkbox"/> Yes The educational agency needs 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-6	3301-51-07(B) and (C) 3301-51-07(L) 3301-51-07(H)(1)(d)	<p><u>Record Review</u></p> <p>One IEP did not show evidence that data were collected and analyzed to monitor performance on each goal and objective.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices to provide evidence that the data were collected and analyzed to determine the present levels of academic and functional performance the student made on each goal and objective.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p>
DS-7	300.320(a)(4) 3301-51-07(H)(1)(e)(i)	<p><u>Record Review</u></p> <p>Five IEPs did not contain a statement of specially designed instruction that addresses the individual needs of the child and supports the annual goals.</p> <p><u>Interviews</u></p> <p>It was determined through interviews that students are advocating for their own specially designed instruction. The responsibility is on the school, not the students, for the proper provision of educational services.</p> <p>a. The schedule of the Interventions Specialists needs to be clarified. The calendar shows that Intervention Specialists are assigned to all academic classrooms, but report that they may be asked to take a disruptive student out of the classroom, provide accommodations to students taking tests (read aloud, extended time), and may subsequently not be available for classroom supports. General Education teachers report never having an Intervention Specialist in their classroom.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the specially designed instruction, as appropriate, to address the needs of the child.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining specially designed instruction.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs 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	
		<p>b. Steel Academy needs to formalize the method by which SDI is tracked. During the onsite, the documentation of SDI provided was presented on yellow and white notebook paper. The documentation appeared to be illustrating a small group interaction, was not individualized and reviewers were unable to align the group time to individualized services for students.</p> <p>c. During the interviews, it was determined that teachers had only received the Excel spreadsheet with student accommodations four days prior to the onsite review.</p> <p><u>Other Considerations</u></p> <p>Steel Academy must provide SDI to all students as prescribed in Section 7 of their IEPs. SDI must be individualized and adapted to the needs of the student. The IEP should include the amount of time/frequency, location and person responsible for the delivery of service.</p>		
DS-8	3301-51-07(L)(2)	<p><u>Record Review</u></p> <p>Five IEPs did not contain measurable annual goals and services/placement consistent with progress made.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding measurable annual goals and services consistent with progress made.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-9	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> One IEP did not indicate the location where the specially designed instruction will be provided.	<u>Individual Correction</u> The educational agency must reconvene the team of the IEP identified as noncompliant to review and amend the location where the specially designed instruction will be provided.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining the location where specially designed instruction will occur.	<input checked="" type="checkbox"/> No The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.
DS-10	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> All IEPs reviewed indicated the amount of time and frequency of the specially designed instruction.	<u>Individual Correction</u> NA  <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-11	300.320(a)(4) 3301-51-07 (H)(1)(e)	<u>Record Review</u> One IEP did not identified related services that address the needs of the child and support the annual goals.	<u>Individual Correction</u> The educational agency must reconvene the team of the IEP identified as noncompliant to review and amend the IEP to include related services that were identified as needed in the IEP.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of addressing identified related service needs.	<input checked="" type="checkbox"/> No The educational agency 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-12	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> One IEP did not indicate the location where the related services will be provided.	<u>Individual Correction</u> The educational agency must reconvene the team of the 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 educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining the location where related services will occur.	<input checked="" type="checkbox"/> No The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.
DS-13	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> All IEPs reviewed indicated the amount of time, duration and frequency of the related services to be provided.	<u>Individual Correction</u> NA  <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-14	3301-51-07	<u>IEP Verification</u> Of the 15 IEPs reviewed, OEC conducted eight IEP Verifications in the classroom setting.  All eight verifications showed evidence that the IEPs were being implemented as written.	<u>Individual Correction</u> NA  <u>Systemic Correction</u> NA	<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	
DS-15	3301-51-07(L)	<p><u>Record Review</u></p> <p>One IEP did not show evidence that revisions were made based on data indicating changes in student needs or abilities.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the team to review and amend the IEP to reflect changes made based on current needs or abilities.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding using data to revise IEPs based on changes in student needs or abilities.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
DS-16	300.324(a)(2)(v) 3301-51-01(B)(3)	<p><u>Record Review</u></p> <p>One IEP did not identify assistive technology to enable the child to be involved and make progress in the general education curriculum.</p> <p><u>Other Considerations</u></p> <p>Assistive Technology cannot be written on an “as needed” basis.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the team of the 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 educational agency must submit evidence to OEC of written procedures and practices regarding assistive technology.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
DS-17	300.320(a)(6)(i) 3301-51-07(H)(1)(g)	<p><u>Record Review</u></p> <p>One IEP did not identify accommodations provided to enable the child to be involved and make progress in the general education curriculum.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the team of the IEP identified as noncompliant to review the accommodations that would directly assist the child to access the course content without altering the scope or complexity of the information taught and include them on the IEP.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding accommodations.</p>	<p><input checked="" type="checkbox"/> No</p> <p>The educational agency 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-18	300.320(a)(4) 3301-51-07 (H)(1)(e)	<u>Record Review</u> Three IEPs did not identify modifications to enable the child to be involved and make progress in the general education curriculum.	<u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review the modifications that would alter the amount or complexity of grade-level materials and would enable the child to be involved and make progress in the general education curriculum and include them in the IEP  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding modifications.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
DS-19	3301-51-07 (H)(1)(h)(ii)	<u>Record Review</u> This area was not reviewed. The records reviewed were prior to the requirement of the AASCD Participation Criteria form when deciding if the alternate assessment is appropriate for the student.  <b>Please Note: The AASCD criteria form is a required document on records written after July 1, 2018.</b>	<u>Individual Correction</u> NA  <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-20	300.320(a)(4) 3301-51-07 (H)(1)(e)	<u>Record Review</u> All IEPs reviewed identified supports for school personnel to enable the child to be involved and make progress in the general education curriculum.	<u>Individual Correction</u> NA  <u>Systemic Correction</u> NA	<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	
DS-21	300.321(5) 3301-51-07(I)	<p><u>Record Review</u></p> <p>Five IEPs did not indicate that the IEP Team included a group of qualified professionals.</p> <p><u>Interviews</u></p> <p>It was noted that the school counselor attends the meeting when the building principal is unavailable. In this instance, it is unclear if the school counselor has the authority to act as the district representative for purposes of allocating resources.</p> <p><u>Other Considerations</u></p> <p>A general education teacher(s) must be included in the IEP team meeting. If an appropriate general education teacher is to be excused, there must be ample time for the teacher to provide input and for the parent to accept the excusal prior to the meeting date.</p>	<p><u>Individual Correction</u></p> <p>For the IEPs identified as noncompliant, the educational agency must:</p> <ul style="list-style-type: none"> <li>• Provide documentation that the parent was informed prior to the IEP meeting that the person qualified to interpret the instructional implications of evaluation results would not participate in the meeting, <b>and</b></li> <li>• Provide a written excuse signed by the parents and the educational agency that allowed the person qualified to interpret the instructional implications of evaluation results not to be in attendance at the IEP meeting, <b>or</b></li> <li>• Reconvene the IEP team to review the IEP with all required members present.</li> </ul> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the involvement of people qualified to interpret the instructional implications of evaluation results in the IEP process.</p>	<input checked="" type="checkbox"/> Yes <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>

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

Each educational agency 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	300.114 300.320(a)(5) 3301-51-07 (H)(1)(f)	<p><u>Record Review</u></p> <p>Five IEPs did not include an explanation of the extent to which the child will not participate with nondisabled children in the general education classroom.</p> <p>Section 11 of the IEP must include a statement that justifies the student's removal from the general education setting or placement in their LRE based on the student's individual needs.</p> <p><u>Interview</u></p> <p>Through interviews, it was noted that more than half the students in the class have IEPs. A schedule of Intervention Specialist assignments and classroom locations was shared with the interviewers showing intervention specialist support in all classrooms. Some teachers noted that they have never had an Intervention Specialist in their classroom. The schedule should be reviewed in order to provide support to students in all classrooms.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and include a justification as to why the child was removed from the general education classroom.</p> <p>The justification should:</p> <ul style="list-style-type: none"> <li>• Be based on the needs of the child, not the disability.</li> <li>• Reflect that the team has given adequate consideration to meeting the student's needs in the general classroom with supplementary aids and services.</li> <li>• Document that the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily.</li> <li>• Describe potential harmful effects to the child or others, if applicable.</li> </ul> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the least restrictive environment placement decision process.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>