

<b>Achieve Career Preparatory Academy IRN: 011507</b>
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## **Ohio Department of Education, Office for Exceptional Children 2019-2020 IDEA Monitoring Review Summary Report**

### **Introduction**

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

The following report is a summary of the onsite review conducted by OEC on December 10 and 11, 2019, as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. H.B.1.

### **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

Achieve Career Preparatory Academy mailed 41 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 December 10, 2019, OEC consultants held a public meeting for parents and other interested parties. One parent, one grandparent, and one State Support Team (SST) Region 1 representative 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 received no 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 14 records of students with disabilities. OEC selected records of students with disabilities from a variety of disability categories and ages. Five student records were selected for IEP verification in the classroom setting. All five IEP verifications showed evidence of acceptable IEP implementation.

## 4. Staff/Administrative Interviews

On December 10, 2019, OEC consultants held four sessions of interviews with three administrators and five teachers, 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. A noncompliance level of 30% or greater in any single area or in specific areas of concern found during the onsite review activities, a Corrective Action Plan (CAP) will need to be developed to address those areas. 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)**

The educational agency will develop a CAP to address any items identified in this summary report. An approved form for the CAP will be provided by OEC or can be accessed on ODE's website by using the keyword search "Monitoring". The CAP developed by the educational agency must include the following:

- Activities to address all areas identified in this summary report;
- Documentation/evidence of implementation of the activities;
- Individuals responsible for implementing the activities;
- Resources needed;
- Completion dates; and
- Continued Plan for Improvement and/or Compliance.

The educational agency must submit the CAP by email to [john.magee@education.ohio.gov](mailto:john.magee@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: April 27, 2020**

### **OEC Trainings**

As part of the OEC monitoring process, Achieve Career Preparatory Academy personnel, as identified by OEC, are required to complete the Special Education Essentials 2019-2020 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: June 8, 2020**

## 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: **August 27, 2020***

## CAP Activities and Systemic Correction

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

*Completion of CAP Activities and Systemic Correction Due Date: **November 11, 2020***

Once the educational agency has completed all action plan activities, the educational agency will use OEC's monitoring process to create and implement a Strategic Improvement Plan with the OEC and SST assistance.

For questions regarding the review, please contact: John Magee, OEC Contact Consultant, at (614) 728-1115, toll-free at (877) 644-6338, or by e-mail at [john.magee@education.ohio.gov](mailto:john.magee@education.ohio.gov).

## IDEA Noncompliance

As a result of the onsite review, which consisted of record reviews, classroom observations, Achieve Academy staff interviews, parent meetings and an analysis of district data, procedures and student outcomes, OEC identified one additional area of IDEA noncompliance:

### **34 CFR 300.115 Continuum of alternative placements.**

(a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

(b) The continuum required in paragraph (a) of this section must—

(1) Include the alternative placements listed in the definition of special education under § 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and

(2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

**Also see Ohio Administrative Code (OAC) 3301-51-09 Delivery of services (C).**

### **Finding:**

Students with disabilities who require instruction or services in a resource room setting (special classes) do not uniformly have access to this setting, which may be the least restrictive environment described in the Individual Education Program (IEP). In some cases, students whose IEP stipulate a resource room setting were being instructed in a general education classroom with typical students. It was clear from IEP verification visits that the instruction provided in this setting was not appropriate for every student in the class.

### **Correction:**

Achieve Career Preparatory Academy must address the requirement to provide a continuum of alternative placements as described above for all children with disabilities enrolled. The school shall develop, or review and revise, written policies, procedures and practices to assure a true continuum of alternative placements is available to all children with disabilities as soon as possible, but no later than **April 27, 2020**. In addition, the school must review all ETRs and IEPs of enrolled children with disabilities and adjust the placement in the least restrictive environment of these students as required by individual student need. This review and placement update must be certified in writing to OEC by **April 27, 2020**.

**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> Preschool records were not reviewed.</p>	<p><u>Individual Correction</u> NA</p> <p><u>Systemic Correction</u> NA</p>	<input checked="" type="checkbox"/> NA
CF-2	3301-51-06	<p><u>Record Review</u> Eight (8) evaluations did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.</p> <p><u>Interviews</u> Although interventions are documented through the Fusion process and student running records, the school does not have a reliable process for summarizing the interventions in part 2 of the ETR.</p>	<p><u>Individual Correction</u> 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> 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> Seven (7) student records did not show evidence that the parent was afforded the opportunity to participate in the evaluation team planning meeting.</p> <p><u>Interviews</u> Interviews revealed that the school has difficulty involving parents in required meetings in some cases. There is a need to develop and implement processes and procedures regarding the completion of evaluations and IEPs when parents do not respond to repeated attempts to involve them.</p>	<p><u>Individual Correction</u> 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> <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 agency must conduct a reevaluation including a planning meeting with the parent.</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	
			<u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices that include the parent in the evaluation planning process.	
CF-4	300.300	<u>Record Review</u> Seven (7) student records did not provide evidence of parental consent obtained prior to new testing.  <u>Other Considerations</u> There is a need to develop and implement processes and procedures regarding the documentation of attempts to obtain informed, written parental consent for evaluation before proceeding with the ETR process.	<u>Individual Correction</u> The educational agency must provide evidence that the parent provided informed, written consent for evaluation, based upon the planning form. Or the agency must show documented repeated attempts to obtain informed, written consent to which the parent did not respond.  The evidence may include, prior written notice, parent invitation, communication log, or other documented attempts to obtain informed, written parental consent.  If the educational agency cannot provide documentation that the parent provided informed, written consent for evaluation, or did not respond to repeated attempts to obtain consent, the agency must conduct a reevaluation including documentation of parental consent.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices for obtaining parental consent obtained prior to new testing or policies and practices for moving forward when parents will not participate.	<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-5	300.304(c)(4) 3301-51-01 3301-51-06 (E)(2)(a)	<p><u>Record Review</u></p> <p>Twelve (12) evaluations did not provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Other Considerations</u></p> <p>Record reviews and interviews revealed a need for closer alignment between the planning form listing assessments required and the actual reporting of these assessment areas in part 1 of the evaluation. Often areas of assessment listed on the planning form were not addressed in the ETR part 1.</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>
CF-6	300.306(c)	<p><u>Record Review</u></p> <p>Ten (10) evaluations did not show evidence of clearly stating the summary of assessment results.</p> <p><u>Other Considerations</u></p> <p>From record reviews, the summary of assessment results either did not include all areas reported in part 1, or the information was not summarized sufficiently, making it cumbersome and, at times, confusing.</p>	<p><u>Individual Correction</u></p> <p>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.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding summary of data and assessment results.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
CF-7	300.306(c)	<p><u>Record Review</u></p> <p>Ten (10) evaluation team reports did not contain a clear and succinct description of educational needs.</p> <p><u>Other Considerations</u></p> <p>The descriptions of educational needs should be clear, concise and explained in parent-friendly language. In addition, some explanations of educational needs were generic, and not specific to the individual student instructional or functional needs.</p>	<p><u>Individual Correction</u></p> <p>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.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding description of educational needs.</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-8	300.306(c)	<p><u>Record Review</u></p> <p>Four (4) evaluation team reports did not contain specific implications for instruction.</p> <p><u>Other Considerations</u></p> <p>The implications for instruction were often generic in nature or did not focus on specific instructional strategies to address individual educational needs.</p>	<p><u>Individual Correction</u></p> <p>The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear description of specific implications for instruction. The IEP team must consider the results of this reevaluation.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding implications for instruction.</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-9	300.306(a)(1) 3301-51-01 (B)(21)	<p><u>Record Review</u></p> <p>Eight (8) 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>Record reviews often revealed that required members of the ETR team, including the parent, were not present at the team meeting. There is an opportunity for the school to develop clear procedures and practices around ensuring required attendance and signatures at ETR meetings.</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>	<p><input checked="" type="checkbox"/> Yes</p> <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>Fourteen (14) 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>Interview participants often were unclear about the responsibilities for gathering transition assessment data and developing the transition planning section of the IEP.</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	
		<p><u>Other Considerations</u></p> <p>Interviews identified a need to develop and implement policies and practices defining the responsibilities for, and development of, the secondary transition planning section of the IEP. In addition, record reviews revealed the need for clear and thorough age appropriate transition assessments that identify individual transition service needs, based upon student preferences, interests and strengths. Several transition plans appeared to be nearly identical from student to student, and not individualized.</p>		
DS-2	300.320(a)(1)	<p><u>Record Review</u></p> <p>Fourteen (14) 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>There is an identified need to provide targeted training and technical assistance for all staff members in the development of clearly stated present levels of academic achievement and functional performance that directly align with the measurable IEP goals.</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>• PLOP must relate to the goal measurement; and</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>	<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-3	300.320(a)(2)(i)	<u>Record Review</u> Three (3) 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"/> No The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.
DS-4	300.320(a)(2)(i)	<u>Record Review</u> Two (2) IEPs did not contain annual goals that address the child's academic 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 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.  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of addressing identified academic 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-5	300.320(a)(2)(i)	<p><u>Record Review</u></p> <p>Six (6) IEPs did not contain annual goals that address the child's functional area(s) of need.</p> <p><u>Other Considerations</u></p> <p>Several IEPs did not address functional or behavioral needs that were identified in the corresponding ETR, or in the profile section of the IEP.</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 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.</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 functional needs.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
DS-6	300.320(a)(4) 3301-51-07 (H)(1)(e)(i)	<p><u>Record Review</u></p> <p>Eight (8) IEPs did not contain a statement of specially designed instruction that addressed the individual needs of the child and supported the annual goals.</p> <p><u>Other Considerations</u></p> <p>Specially designed instruction (SDI) was very generic in nature, and not individualized to student needs described in the IEP goals and present levels. In addition, many statements of SDI appeared to be nearly identical from IEP to IEP.</p> <p>Staff members clearly have developed rapport with students, and understand their needs; however, there is an opportunity for training and technical assistance to document and address those needs more clearly through the IEP process, including SDI that addresses these individual needs.</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	
DS-7	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> Two (2) IEPs did not indicate the location where the specially designed instruction will be provided.	<u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs 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-8	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> All IEPs 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-9	300.320(a)(4) 3301-51-07 (H)(1)(e)	<u>Record Review</u> All IEPs identified related services that address the needs of the child and support the annual goals.	<u>Individual Correction</u> NA  <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-10	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> All IEPs indicated the location where the related services will be provided.	<u>Individual Correction</u> NA  <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-11	300.320(a)(7) 3301-51-07 (H)(1)(i)	<u>Record Review</u> All IEPs 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

Record Review Item	Regulation 34 CFR or OAC	Evidence of Findings	Evidence of Correction	Must be addressed in CAP
			Required Actions	
DS-12	300.324(a)(2)(v) 3301-51-01(B)(3)	<p><u>Record Review</u></p> <p>Three (3) IEPs 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 must be explained in terms of what generic device or process will be provided for what purpose, in what circumstance, and to what extent.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs 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>	<input checked="" type="checkbox"/> Yes <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
DS-13	300.320(a)(6)(i) 3301-51-07 (H)(1)(g)	<p><u>Record Review</u></p> <p>Seven (7) IEPs did not identify accommodations provided to enable the child to be involved and make progress in the general education curriculum.</p> <p><u>Other Considerations</u></p> <p>Again, the provision of accommodations must be explained in terms of the conditions for and extent of each accommodation. Also, the term “as needed” is not acceptable.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs 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>	<input checked="" type="checkbox"/> Yes <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
DS-14	300.320(a)(4) 3301-51-07 (H)(1)(e)	<p><u>Record Review</u></p> <p>One (1) IEP did not identify modifications to enable the child to be involved and make progress in the general education curriculum.</p> <p><u>Other Considerations</u></p> <p>Modifications must explain the extent of the modification – at what reading level, ability level, etc., or refer to the learning standards – extended.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the team of the IEP 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</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding modifications.</p>	<input checked="" type="checkbox"/> Yes <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-15	300.320(a)(4) 3301-51-07 (H)(1)(e)	<u>Record Review</u> All applicable IEPs 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
DS-16	3301-51-07 (H)(1)(h)(ii)	<u>Record Review</u> All applicable student records have a justification statement of why the student cannot participate in the regular assessment and the particular alternate assessment selected is appropriate for the student.	<u>Individual Correction</u> NA <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-17	3301-51-07(L)(2)	<u>Record Review</u> Fourteen (14) IEPs did not contain measurable annual goals and services/placement consistent with progress made.  <u>Other Considerations</u> Progress reports were not made available for review. The school must address the issue of appropriate data collection for monitoring of student behavior and academic progress. There is a need to develop and implement written policies and procedures for the collection and use of progress monitoring data. This would include for progress reporting purposes, and for informing instruction in light of progress made, or lack of progress.	<u>Individual Correction</u> None  <u>Systemic Correction</u> The educational agency must submit evidence to OEC of written procedures and practices regarding measurable annual goals and services consistent with progress made.	<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-18	3301-51-07(L)	<p><u>Record Review</u></p> <p>Ten (10) IEPs did not show evidence that revisions were made based on data indicating changes in student needs or abilities.</p> <p><u>Other Considerations</u></p> <p>When data shows a lack of progress toward goals, or the documented achievement of goals, the IEP team must reconvene to address and revise the goals as appropriate. Without available progress monitoring for IEP goals, teams cannot determine the need for IEP revision.</p>	<p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams to review and amend the IEPs 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-19	300.321(5) 3301-51-07(l)	<p><u>Record Review</u></p> <p>One (1) IEP did not indicate that the IEP Team included a group of qualified professionals.</p>	<p><u>Individual Correction</u></p> <p>For the IEP 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>	<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>

### 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>Eight (8) 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><u>Interviews</u></p> <p>From discussion with staff members, it was clear that a specific continuum of alternative placements is not available at Achieve Career Preparatory Academy. Although staff members are adept at providing supports and services for individual students, there were LRE descriptions in IEPs that did not match the instructional practices observed.</p> <p><u>Other Considerations</u></p> <p>The school and staff have an opportunity to address the challenge of providing FAPE in the least restrictive environment to all students being served. From IEP verification observations, it became clear that placements may be made for scheduling and staffing convenience, rather than individual student needs.</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>