

March 9, 2021

Alternative Education Academy (OHDELA)
IRN: 143396**Ohio the Department of Education, Office for Exceptional Children**
2019-2020 IDEA Monitoring Review Summary Report**Introduction**

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

Definition of terms in this document:

Individual Corrections or Record Corrections refers to the correction of Individualized Education Programs (IEPs), Evaluation Team Reports (ETRs) and other special education records that were reviewed by the Department and found to be non-compliant.

Systemic Corrections refers to non-compliance within the larger systems at work to implement IDEA within the district. This includes but is not limited to: Systemic Correction of records, and special education procedures and practices to document ongoing compliance with IDEA requirements.

Overview

The following report is a summary of the review conducted by the Department on September 28, 2020 through October 2, 2020, as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. H.B.1.

During the onsite review, the Department monitors 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, Special Education Service Providers and Administrator Interviews.

Data Sources

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

1. Public Parent Meeting and Written Comments

Alternative Education Academy (OHDELA) mailed 519 the Department approved letters to all families with students with disabilities in the educational agency. The Department 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 Department website.

On October 1, 2020, the Department consultants held a public meeting for parents and other interested parties. Two parents and family members and three State Support Team (SST) Region 8 representatives attended the public meeting. Attendees could speak to the Department representatives publicly in the meeting, speak to the Department representatives individually, provide written comments or both. No attendees made comments during the public meeting. Written comment forms were available before, during and after the meeting. The Department did not receive any written comments or phone calls.

During the public meeting, parents were advised by the Department 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

The Department conducted a comprehensive review which included district, building and grade level data; Special Education Performance Profile; Ohio School Report Cards; Comprehensive Continuous Improvement Plan (CCIP) and/or OnePlan; and Education Management Information System (EMIS) data. The data analysis assisted the Department in determining potential growth areas for improvement and educational agency strengths.

3. Record Review/IEP Verification

Prior to the onsite visit, the Department consultants reviewed 19 records of school age students with disabilities. The Department consultants selected records of students with disabilities from a variety of disability categories and ages. Ten student records were selected for IEP verification in the classroom setting.

4. Staff/Administrative Interviews

On September 28, 29 and 30, 2020, the Department consultants held nine sessions of interviews with six administrators and 39 teachers, special education coordinators, transition coordinator, related service personnel and school psychologists. On October 20, 2020, the Department consultants held one session of interviews with five engagement coaches. The Department interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment and Discipline.

Strengths/Recommendations:

1. Within the past couple of years, the RTI process has been embedded into the school's Teacher Based Teams at certain grade levels.
2. Through interviews, it was noted that there is strong collaboration between intervention specialists and general education teachers. They are utilizing data available through various learning platforms (for example: I-ready and Dela Dash) to inform instruction.
3. Although not all in one physical location, teachers always have access to collaborate with one other. They use Google chat in real time to ask/answer questions and have found it easier to support one another remotely than in building or by using email.
4. Teachers are actively working to document all student contact in the school's systems. They are prioritizing the students who are struggling and after repeated attempts will refer students to either the Engagement Coach/or administration and appropriate intervention teams.
5. Staff has expressed that, "*OHDELA organization is better this year with communication and letting them know what is needed and timelines for meetings, etc.*"

Findings of Noncompliance/Required Actions

A finding is made when noncompliance is identified by the Department with IDEA and Ohio Operating Standards requirements. Findings are also made when noncompliance is identified in relation to the evaluation team report (ETR) and/or individualized education program (IEP) requirements. For a noncompliance level of 30% or greater in any single area or for identified areas of concern that did not reach 30% or greater, a Corrective Action Plan (CAP) will be developed to address those areas. All noncompliance identified by the Department as part of the review (listed by subject area in the *Department's Review Findings and Educational Agency Required Actions Table*) must be corrected as indicated in the *Evidence of Correction/Recommendations* column.

Refer to the details of requirements in the **Evidence of Findings and Evidence of Correction/Recommendations table below**, and the attached **Individual Record Review Comment Sheets for specific individual record corrections**.

The Department 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 the Department or can be accessed on the Department's website by using the keyword search "Monitoring". The CAP developed by the educational agency with SST assistance 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 joseph.kujkowski@education.ohio.gov within 30 school days from the date of this report. The Department will review the corrective action plan submitted by the educational agency for approval. If the Department determines that a revision(s) is necessary, the educational agency will be required to revise and resubmit. The educational agency will be contacted by the Department and notified when the action plan has been approved.

CAP Due Date: April 27, 2021

Department Trainings

As part of the Department monitoring process, Alternative Education Academy (OHDELA) personnel, as identified by the Department, are required to complete the Special Education Essentials 2019-2020 training modules within the Learning Management System (LMS). The Department 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: April 27, 2021

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 whose records were selected and reviewed by the Department during the onsite review unless noted otherwise in the report. Detailed information on individual findings are provided in a separate report.

Individual Correction Due Date: August 25, 2021

CAP Activities and Systemic Correction

The educational agency will provide the Department with documentation verifying the educational agency's completion of all CAP activities and all systemic corrections noted in this summary report. The Department will verify systemic correction through the review of this documentation and a review of additional student records.

Completion of CAP Activities and Systemic Correction Due Date: January 26, 2022

Once the educational agency has completed all action plan activities, the educational agency will use the Department's monitoring process to review its data and complete a Self-Review Summary Report with the Department and SST assistance.

For questions regarding the review, please contact: Joe Kujkowski, the Department's IDEA Monitoring Contact, at (614) 623-2986, toll-free at (877) 644-6338, or by e-mail at to joseph.kujkowski@education.ohio.gov.

The Department'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	Evidence of Findings		Evidence of Corrections/Recommendations	Must be addressed in CAP
CF-1	Record Review	<p>34 CFR 300.305(a) [Review of Existing evaluation data] and OAC 3301-51-11 (c)(1)(a) [Preschool children eligible for special education]</p> <p>Preschool records were not reviewed.</p>	<u>Individual Correction</u> NA <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
	Interviews/Public Comments			
	Concerns Noted			
CF-2	Record Review	<p>OAC 3301-51-06 [Evaluations]</p> <p>Ten out of 12, or 83% of evaluations reviewed did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.</p>	<u>Individual Correction</u> The Department has verified that these students have a current ETR in place, so no additional individual correction is required. <u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding documentation of intervention and supports provided prior to completion of the initial and reevaluation team report. <u>Opportunities for Improvement</u>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	<p>During the interview sessions, it was shared that the RTI process "changes every year" therefore, they felt they are unable to build any type of consistency among staff (especially at the high school level).</p>		
	Concerns Noted	<p>There is no formal RTI process being consistently utilized at the school. Additionally, there does not appear to be consistent knowledge on how to select and monitor interventions and how this information may eventually be included into a special education evaluation.</p>	Alternative Education Academy (OHDELA) would benefit from reviewing and revising their RTI and MTSS processes. Once revised, the school would benefit from providing professional learning to all staff on the process and procedures. Monitoring from administrative staff would be beneficial to ensure there is consistency in the implementation of the processes and procedures. There is the opportunity for the school to participate in technical assistance	

Record Review Item	Evidence of Findings		Evidence of Corrections/Recommendations	Must be addressed in CAP
			and professional learning on how to report interventions in the ETR. Alternative Education Academy (OHDELA) would benefit from developing an internal monitoring process to ensure that interventions being provided to students are correctly documented within the Part 1 Individual Evaluator's Assessment as well as in the Part 2 Summary of Interventions.	
CF-3	Record Review	<p>34 CFR 300.501(b) [Parent participation in meetings] and OAC 3301-51-06 (E)(2)(a) [Evaluation procedures].</p> <p>Five out of 19, or 26% student records reviewed did not show evidence that the parent was afforded the opportunity to participate in the evaluation team planning meeting.</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. The evidence may include evaluation planning form, prior written notice, parent invitation, referral form or communication log.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	<p>During the interview sessions, staff shared they were unsure if there is a "true meeting" that is occurring for planning purposes. Staff also shared that they were "<i>not involved in the planning meeting nor had input on what domains to assessed- it's kind of predetermined.</i>"</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 a reevaluation planning meeting with the parent.	
	Concerns Noted	<p>Although the district secured the parent signatures, the dates of the team members varied – therefore questioning if the parent was afforded the opportunity to participate in the planning.</p>	<u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices that include the parent in the evaluation planning process. <u>Opportunities for Improvement</u> Alternative Education Academy (OHDELA) would benefit from developing internal procedures on completing the planning form to ensure the parent/guardian was afforded the opportunity to participate in the evaluation team planning meeting. The developed procedures should include accurate documentation of signatures and dates.	

Record Review Item	Evidence of Findings		Evidence of Corrections/Recommendations	Must be addressed in CAP
CF-4	Record Review	<p>34 CFR 300.300 [Parental Consent] Seven out of 19, or 37% student records reviewed did not provide evidence of parental consent obtained prior to new testing.</p>	<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.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>There appears to be unclear procedures on how to obtain informed, written parental consent for evaluations as evidenced through the record reviews. When verifying parental consent through the PR-05s, three (3) records did not have signatures and were left blank, three (3) records had assessments conducted prior to the date of written, parental consent and for one (1) record it was unable to be determined who signed consent (the student or parent and there was not evidence that an age of majority transfer had occurred).</p>	<u>The evidence may include</u> , prior written notice, parent invitation, communication log, or other documented attempts to obtain parental informed, written 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 the Department 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. <u>Opportunities for Improvement</u> It is recommended that Alternative Education Academy (OHDELA) review its special education policies and procedures to ensure that the practice of obtaining written, parental consent is consistently being implemented correctly. This would include ensuring that parent/guardian written signatures include a date to confirm the actual date of consent along with completing assessments as written on the planning form with which the parent/guardian had the opportunity to participate.	

Record Review Item	Evidence of Findings	Evidence of Corrections/Recommendations	Must be addressed in CAP
CF-5	Record Review <p>34 CFR 300.304(c)(4) [Other evaluation procedures] OAC 3301-51-01 [Applicability of requirements and definitions] and 3301-51-06 (E)(2)(a) [Evaluation procedures]</p> <p>Nineteen out of 19, or 100% of evaluations reviewed did not provide evidence that the evaluation addresses all areas related to the suspected disability.</p>	<u>Individual Correction</u> 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. <u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices to provide evidence that the evaluation addresses all areas related to the suspected disability.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	<p>During interviews, it was expressed that not all team members are aware of this process and how input is garnered as well as how areas are determined for additional testing needed.</p>	
	Concerns Noted	<p>Every submitted ETR for review had concerns with assessments indicated on the planning form not being included in Part 1 of the ETR. All assessment and data listed for evaluation on the planning form, and agreed upon by the parent/guardian, must appear in Part 1 Individual Evaluator's Assessment Report. On the planning form, the person responsible for conducting evaluations should be a school employee (or contracted employee). While information can be provided by a parent as part of an assessment, the person responsible for summarizing and providing any indicated educational needs or implications for instruction should be a school or contractual employee, not a parent. There were multiple occasions of inconsistencies with dates on planning forms and ETRs compared to signatures and dates. One signature on a planning form was dated after the ETR meeting was held. How did this person have the opportunity to participate in providing input in the planning form if they did not do so until after all assessments were completed and the ETR meeting was held?</p>	

Record Review Item	Evidence of Findings		Evidence of Corrections/Recommendations	Must be addressed in CAP
CF-6	Record Review	<p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need]</p> <p>Fourteen (14) out of 19, or 74% of evaluations reviewed did not show evidence of clearly stating the summary of assessment results.</p>	<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.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	Staff shared that they did not have a role in the development of the Part 2 Team Summary.	<u>Systemic Correction</u>	
	Concerns Noted	Information included in the summary was often copied and pasted from Part 1 Individual Evaluator's Assessments and was not summarized in a clear and concise manner for the parent/guardian to understand or for the IEP team to develop an actionable IEP. All Part 1 information must be summarized in Part 2, even if it was determined by the team that the area in which the evaluation was conducted was not impacting student performance.		
CF-7	Record Review	<p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need]</p> <p>Thirteen (13) out of 19, or 68% of evaluation team reports reviewed did not contain a clear and succinct description of educational needs.</p>	<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.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	Staff shared that they did not have a role in the development of the Part 2 Team Summary.	<u>Systemic Correction</u>	
	Concerns Noted	In several records, educational needs were stated in Part 1 but were not included in the Part 2 summary. Educational needs should be written in a way that allows for them to be used by the IEP team to develop meaningful and actionable goals and services. The needs should be specific to the individual student and not stated in broad, generic terms.	The educational agency must submit evidence to the Department of written procedures and practices regarding description of educational needs.	

Record Review Item	Evidence of Findings		Evidence of Corrections/Recommendations	Must be addressed in CAP
CF-8	Record Review	<p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need]</p> <p>Eleven (11) out of 19, or 58% of evaluation team reports reviewed did not contain specific implications for instruction.</p>	<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. The IEP team must consider the results of this reevaluation.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	Staff shared that they did not have a role in the development of the Part 2 Team Summary.	<u>Systemic Correction</u>	
	Concerns Noted	In several records, implications for instruction were stated in Part 1 but were not included in the Part 2 summary. Implications for instruction should be written in a way that allows for them to be used by the IEP team to develop meaningful and actionable goals and services and not only a list of accommodations and/or modifications. The implications should be specific to the individual student and not stated in broad, generic terms.	<u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding implications for instruction.	
CF-9	Record Review	<p>34 CFR 300.306(a)(1) [Determination of eligibility]</p> <p>OAC 3301-51-01 (B)(21) [Applicability of requirements and definitions]</p> <p>Eight out of 19, or 42% of evaluations reviewed 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>	<u>Individual Correction</u> 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 the Department evidence of group participation.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments		<u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the eligibility determination process.	
	Concerns Noted	Almost half of the records reviewed did not include a group of qualified professionals at the ETR meeting. Qualified team members must be present at the ETR meeting and cannot be excused. Reasonable efforts to gain the parent/guardian's participation in the ETR meeting must be documented with evidence.	<u>Opportunities for Improvement</u> Alternative Education Academy (OHDELA) would benefit from developing an internal practice to monitor the attendance of all qualified team members at ETR meetings.	

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	Evidence of Findings	Evidence of Correction/Recommendations	Must be addressed in CAP	
DS-1	Record Review	<p>SPP Indicator 13 34 CFR 300.320(b) [Transition services] OAC 3301-51-07 (H)(2) [Definition of individualized education program]</p> <p>Six out of 15, or 40% of IEPs reviewed 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"> 1. There are appropriate measurable postsecondary goal(s). 2. The postsecondary goals are updated annually. 3. The postsecondary goals were based on age appropriate transition assessment (AATA). 4. There are transition services that will reasonably enable the student to meet the postsecondary goal(s). 5. The transition services include courses of study that will reasonably enable the student to meet the postsecondary goal(s). 6. The annual goal(s) are related to the student's transition service needs. 7. There is evidence the student was invited to the IEP Team Meeting where transition services were discussed. 8. When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting. 	<p><u>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 the Department of written procedures and practices regarding transition services.</p> <p><u>Opportunities for Improvement</u></p> <p>Alternative Education Academy (OHDELA) would benefit from developing an internal review/monitoring process to ensure that transition plans are not missing essential components and developed to meet the individual student transition needs.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	<p>Staff expressed concern with the transition coordinator having limited involvement in transition goals and that responsibility falls on intervention specialists.</p>		

Record Review Item	Evidence of Findings	Evidence of Correction/Recommendations	Must be addressed in CAP	
	Concerns Noted	<p>There were a couple of records that did not have evidence that an Age Appropriate Transition Assessment was completed to determine the transition needs, preferences, interests and strengths of the student. Other records did not include IEP goals that aligned to the transition services. A couple of records did not indicate an IEP goal related to the student's transition service needs. There is concern that the transition services are often written as one-time occurrences and if that will reasonably assist students in meeting the written postsecondary transition goals.</p>		
DS-2	Record Review	<p>34 CFR 300.320(a)(1) [Definition of individualized education program]</p> <p>Nineteen (19) out of 19, or 100% of IEPs reviewed did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p>	<u>Individual Correction</u> 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: <ul style="list-style-type: none"> • 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; • PLOP must relate to the goal measurement; • Baseline data provided for developing a measurable goal. 	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>IEPs did not contain baseline data in the PLOP that aligned to the developed measurable goals. The PLOP must also include a comparison statement to grade level standards/expectations, which was missing in some of the reviewed IEPs.</p>	<u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the review of current academic/functional data when writing IEPs. <u>Opportunities for Improvement</u> There is the opportunity for Alternative Education Academy (OHDELA) to develop and Internal Monitoring team that will review and monitor the PLOP to ensure compliance with developing PLOPs that address the individual needs of the students. Technical assistance can be of benefit in helping service providers identify means of obtaining current levels of student performance that aligns to the condition, behavior/skill and performance criteria of the annual goal.	

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-3	Record Review	<p>34 CFR 300.320(a)(2)(i) [Definition of individualized education program]</p> <p>Seventeen (17) out of 19, or 89% of IEPs reviewed did not contain measurable annual goals.</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 annual goals to contain the following critical elements:</p> <ol style="list-style-type: none"> 1. Clearly <u>defined behavior</u>: the specific action the child will be expected to perform. 2. The <u>condition</u> (situation, setting or given material) under which the behavior is to be performed. 3. <u>Performance criteria</u> desired: the level the child must demonstrate for mastery and the number of times the child must demonstrate the skill or behavior. <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the development of measurable annual IEP goals.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity for Alternative Education Academy (OHDELA) to develop an Internal Monitoring team that will review and monitor measurable goals developed to address individual needs of students to ensure compliance in this area. Technical assistance can be of benefit in helping service providers write goals that include a clearly defined condition, behavior and performance criteria.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>Most of the reviewed IEPs had measurable goals that had one or more elements of the goal missing or the element was unclear as written. Some goals had multiple behaviors listed with only one performance criteria making it unclear as to how the behaviors would be measured. Some goals were identical for multiple students which does not appear to reflect individualization of goals based upon each student's current level of performance and academic/functional learning needs.</p>		
DS-4	Record Review	<p>34 CFR 300.320(a)(2)(i) [Definition of individualized education program]</p> <p>Three out of 19, or 16% of IEPs reviewed 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 the Department of written procedures and practices regarding the IEP process of addressing identified academic needs.</p>	<input checked="" type="checkbox"/> No The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted			

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-5	Record Review	<p>34 CFR 300.320(a)(2)(i) [Definition of individualized education]</p> <p>Seven out of 12, or 58% of IEPs reviewed did not contain annual goals that address the child's functional area(s) of need.</p>	<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.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>Approximately half of the IEPs did not address functional needs identified in either the ETR or profile of the IEP. Any functional need identified for a student should be addressed through services, supports and/or supplementary aids in the IEP unless the team provides a statement indicating that they have determined there is no longer a need in this area for the student or that they are prioritizing needs and the needs will therefore not be addressed in the current IEP.</p>	<u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of addressing identified functional needs. <u>Opportunities for Improvement</u> Alternative Education Academy (OHDELA) would benefit from developing an internal practice to monitor that identified functional needs of students are addressed in IEPs.	
DS-6	Record Review	<p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e)(i) [Definition of IEP]</p> <p>Ten out of 19, or 53% of IEPs reviewed did not contain a statement of specially designed instruction that addresses the individual needs of the child and supports the annual goals.</p>	<u>Individual Correction</u> 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.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments	<p>Teachers expressed that SDI is offered to students who do not attend class asynchronously through teacher provided activities and online assignments with programs such as IXL.</p> <p>There is a lack of understanding of delivering SDI as staff indicated, "<i>They still get their SDI because I still send them activities and expect them to complete them.</i>"</p>	<u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of determining specially designed instruction. <u>Opportunities for Improvement</u> Alternative Education Academy (OHDELA) would benefit from professional learning and technical assistance with defining and implementing specially designed instruction. Additionally, the staff who develop IEPs would benefit from professional learning on how to complete Section 7, providing clear statements of SDI which describe the nature of instruction that aligns to the needs of the students and supports achievement of the measurable annual goals. The SDI should describe specific skills and methods used for the instruction of the measurable, annual goals.	
	Concerns Noted	<p>Specially designed instruction was not written with the nature of instruction aligned to the individual needs of the student that would support his/her achievement of annual goals. Additionally, strategies listed were not clearly defined.</p>		

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-7	Record Review	<p>34 CFR 300.320(a)(7) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(i) [Definition of IEP]</p> <p>Two out of 19, or 11% of IEPs reviewed did not indicate the specific location where the specially designed instruction will be provided.</p>	<u>Individual Correction</u> <p>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.</p>	<input checked="" type="checkbox"/> No The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted		<u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of determining the location where specially designed instruction will occur.</p>	
DS-8	Record Review	<p>34 CFR 300.320(a)(7) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(i) [Definition of IEP]</p> <p>Four out of 19, or 21% of IEPs reviewed did not indicate the amount of time and frequency of the specially designed instruction.</p>	<u>Individual Correction</u> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the amount of time and frequency of the specially designed instruction.</p>	<input checked="" type="checkbox"/> No The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>Some records included multiple providers of SDI. Intervention specialists should be listed as providers of SDI and general education teachers should be listed under Supports for School Personnel.</p>	<u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of determining the amount and frequency of specially designed instruction to be provided.</p>	
DS-9	Record Review	<p>34 CFR 300.320(a)(7) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e) [Definition of IEP]</p> <p>One out of one, or 100% of applicable IEPs reviewed did not identify related services that address the needs of the child and support the annual goals.</p>	<u>Individual Correction</u> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP to include related services that were identified as needed in the IEP.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>The identified record did not include any strategies and/or methods that will be utilized to implement the related services.</p>	<u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of addressing identified related service needs.</p>	

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-10	Record Review Interviews/Public Comments Concerns Noted	<p>34 CFR 300.320(a)(7) [Definition of individualized education] OAC 3301-51-07 (H)(1)(i) [Definition of IEP]</p> <p>All applicable IEPs reviewed indicate the location where the related services will be provided.</p>	<u>Individual Correction</u> NA <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-11	Record Review Interviews/Public Comments Concerns Noted	<p>34 CFR 300.320(a)(7) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(i) [Definition of IEP]</p> <p>All applicable IEPs reviewed indicate the amount of time, duration and frequency of the related services to be provided.</p>	<u>Individual Correction</u> NA <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA
DS-12	Record Review Interviews/Public Comments Concerns Noted	<p>34 CFR 300.324(a)(2)(v) [Development of IEP] OAC 3301-51-01(B)(3) [Applicability of requirements and definitions]</p> <p>There were no applicable IEPs reviewed for identifying assistive technology to enable the child to be involved and make progress in the general education curriculum.</p>	<u>Individual Correction</u> NA <u>Systemic Correction</u> NA	<input checked="" type="checkbox"/> NA

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-13	Record Review	<p>34 CFR 300.320(a)(6)(i) [Definition of individualized education] OAC 3301-51-07 (H)(1)(g) [Definition of IEP]</p> <p>Seventeen (17) out of 18, or 94% of IEPs reviewed did not identify accommodations provided to enable the child to be involved and make progress in the general education curriculum.</p>	<u>Individual Correction</u> <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> <u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding accommodations.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted			
DS-14	Record Review	<p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e) [Definition of IEP]</p> <p>Seven out of eight, or 88% of applicable IEPs reviewed did not identify modifications to enable the child to be involved and make progress in the general education curriculum.</p>	<u>Individual Correction</u> <p>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.</p> <u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding modifications.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted			

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-15	Record Review	<p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e) [Definition of IEP]</p> <p>One out of one applicable IEP reviewed, or 100%, did not identify supports for school personnel to enable the child to be involved and make progress in the general education curriculum.</p>	<u>Individual Correction</u> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review the supports for school personnel that were identified by the IEP team and define the supports on the IEP including who will provide the support and when it will take place.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>The identified IEP did not list the adult-to-adult consultation. In this section, the components of which adult is providing the support, which adult is receiving the support and what support the adult is providing should be identified. This is the section where the general education teacher would be noted as receiving consultation from the intervention specialist including what specific support will be provided.</p>	<u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding supports for school personnel.</p> <p><u>Opportunities for Improvement</u></p> <p>There is the opportunity for Alternative Education Academy (OHDELA) to participate in professional learning that will assist staff in completing the Supports for School Personnel section of the IEP to clarify who will provide, who will receive and what support will be provided in the adult-to-adult consultation.</p>	
DS-16	Record Review	<p>OAC 3301-51-07 (H)(1)(h)(ii) [Definition of IEP]</p> <p>Two out of five, or 40% of applicable student records reviewed did not have a justification statement explaining why the student cannot participate in the regular assessment and why the alternate assessment is appropriate for the student.</p>	<u>Individual Correction</u> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and determination if the alternate assessment is appropriate for the student.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>The justification statements provided in IEPs were re-statements of services provided to the student and the student's level of functioning. The team must provide a statement that explains why the alternate assessment is appropriate for the student which includes why the student cannot participate in the general education assessment.</p>	<u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the determination of participation in the AASCD.</p>	

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-17	Record Review	<p>OAC 3301-51-07(L)(2) [Development, review and revision of IEP]</p> <p>Fourteen (14) out of 19, or 74% of student records reviewed did not show evidence of progress reporting data collected and analyzed to monitor performance on each goal.</p>	<u>Individual Correction</u> None <u>Systemic Correction</u> The educational agency must submit evidence to the Department 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.
	Interviews/Public Comments			
	Concerns Noted	<p>Many progress reports included reports that student progress was unable to be measured due to a lack of attendance. There were progress reports that had not been updated since December of 2019 or January and February of 2020. Several progress reports included progress that was noted in different measurement criteria than what was defined in the measurable goal. Terms such as "AP", "NP" and "MP" should be avoided as they do not provide descriptive feedback on student progress aligned to the goal performance criteria.</p>	<u>Opportunities for Improvement</u> Alternative Education Academy (OHDELA) would benefit from technical assistance and training on monitoring and reporting of student progress on annual, measurable goals.	
DS-18	Record Review	<p>OAC 3301-51-07(L) [Development, review and revision of IEP]</p> <p>Three out of four, or 75% of applicable IEPs reviewed did not show evidence that revisions were made based on data indicating changes in student needs or abilities.</p>	<u>Individual Correction</u> The educational agency must reconvene the teams to review and amend the IEPs to reflect changes made based on current needs or abilities. <u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding using data to revise IEPs based on changes in student needs or abilities.	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>Records reviewed showed that the student had either met the goal during the progress reporting period or had the same goal for the IEP period without any progress and there was no indication that the IEP team met to discuss the need to revise any goals, services or supports.</p>	<u>Opportunities for Improvement</u> Alternative Education Academy (OHDELA) would benefit from developing an internal practice to monitor progress monitoring and reporting and when the IEP team should reconvene to consider revisions of goals, services or supports.	

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-19	Record Review	<p>34 CFR 300.321(5) [IEP team] OAC 3301-51-07(I) [IEP team]</p> <p>Six out of 19, or 32% of IEPs reviewed did not indicate that the IEP Team included a group of qualified professionals.</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"> Provide documentation that the parent was informed prior to the IEP meeting that the person qualified to interpret the instructional implications of evaluation results would not participate in the meeting, and Provide a written excuse signed by the parents and the educational agency that allowed the person qualified to interpret the instructional implications of evaluation results not to be in attendance at the IEP meeting, or Reconvene the IEP team to review the IEP with all required members present. 	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	<p>The parent/guardian was the team member who was not present on the identified IEPs. If the parent is not in attendance, the district must provide documentation of reasonable efforts made to obtain parent participation at the IEP meeting.</p>	<p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department 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><u>Opportunities for Improvement</u></p> <p>It is recommended that Alternative Education Academy (OHDELA) develop a procedure of checks and balances to ensure all members of the IEP team are in attendance for IEP meetings.</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	Evidence of Findings	Evidence of Correction/Recommendations	Must be addressed in CAP
LRE-1	Record Review <p>34 CFR 300.114 [LRE requirements] and 300.320(a)(5) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(f) [Definition of individualized education program]</p> <p>Fifteen (15) out of 19, or 79% of IEPs reviewed did not include an explanation of the extent to which the child will not participate with nondisabled children in the general education classroom.</p>	<u>Individual Correction</u> <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"> • Be based on the needs of the child, not the disability. • Reflect that the team has given adequate consideration to meeting the student's needs in the general classroom with supplementary aids and services. • 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. • Describe potential harmful effects to the child or others, if applicable. 	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews		
	Concerns Noted <p>IEPs contained descriptions of the location of the delivery of SDI but did not provide a justification of how the individual student need(s) cannot be served in the general education setting. This statement must be based upon individual student needs. The statement must match the location listed in Section 7 for specially designed instruction.</p>	<u>Systemic Correction</u> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the least restrictive environment placement decision process.</p> <p><u>Opportunities for Improvement</u></p> <p>Alternative Education Academy (OHDELA) will benefit from technical assistance and training on developing LRE statements to ensure that the statements written in IEPs provide a justification for why the student is not participating in the general education environment based on the individual student need(s) and aligns with the specially designed instruction and/or related services location listed in Section 7.</p>	

Additional Concerns:

1. During interviews, record reviews and IEP verifications it was noted that student attendance and engagement are problematic. Staff members were not able to speak to the attendance/engagement process for the school with certainty. It was noted that the process had been updated the past year, but staff could not with confidence or clarity speak to how this process works. Further questioning with administrative staff led to clarification of the process and procedures but questions remain regarding how many students are actively involved in the process and the outcome of any engagement or intervention plans. Many IEPs that were reviewed included notes that students had not been attending class and therefore receiving their specially designed instruction for prolonged periods of time. One record indicated that the student had yet to receive any related services in the past year due to the inability to reach parent and the student being made available for services. Subsequently, progress reports included similar notes indicating that progress was not monitored due to lack of student attendance and engagement in specially designed instruction. OEC will communicate the concern regarding student attendance and engagement to the Office of Integrated Student Supports for further consideration and support.
2. It was expressed during interviews that there is concern with caseloads becoming too large with the influx of students due to the pandemic and many parents enrolling their children in an online school such as Alternative Education Academy (OHDELA). During IEP verifications, it was observed that some classes had ninety or more students signed in for online instruction. There is concern with overall large class sizes and how the student of record is determined for all students to ensure that the student to teacher ratio does not exceed 125:1 for an online school. OEC will communicate the concern about teacher of record and student/teacher ratios to the Office of Community Schools and Office of Educator Licensure for further consideration and support.