

March 22, 2021

**Barberton City School District
IRN: 043539****Ohio the Department of Education, Office for Exceptional Children
2019-2020 IDEA Monitoring Review Summary Report****Introduction**

The Ohio the Department of Education's Offices for Exceptional Children and Early Learning and School Readiness would like to extend appreciation to the Barberton City School District 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 onsite review conducted by the Department on November 2, 4, and 6, 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

Barberton City School District mailed 601 of 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 Wednesday, November 4, 2020, the Department consultants held a virtual public meeting for parents and other interested parties via a remote conference platform. No parents or family members attended the virtual meeting. Five State Support Team (SST) Region 8 representatives and eight ODE/OEC consultants attended the 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 received two written comments.

During the public meeting, parents would have been 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 reviewed three (3) records of preschool students with disabilities. The Department consultants selected records of students with disabilities from a variety of disability categories and ages. Twelve student records were selected for IEP verification in the classroom and/or remote learning setting.

4. Staff/Administrative Interviews

On November 2 and 4, 2020, the Department consultants held nine sessions of interviews with 16 preschool and school-age administrators and 50 preschool and school-age teachers, school counselors, related services personnel, school psychologists, and paraprofessionals. The Department interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment and Discipline.

Strengths/Commendations:

1. Barberton City School District staff are passionate, caring and dedicated not only to students with disabilities, but the entire student body. This was evident through the interviewing process and IEP verifications.
2. Staff feel very supported by district Administration. Multiple staff members shared in the interview sessions that district leaders understand the support and resources needed for teachers to be successful, as well as create a caring and inclusive setting for all students. In addition, the district committed to a Least Restrictive Environment pilot project aimed at increasing the amount of time students with disabilities are educated with non-disabled peers in the general education instructional setting.
3. The Preschool Teacher Based Team (TBT) meets routinely and collaborates with the School Age Teams to ensure a strong transition from preschool to Kindergarten. Preschool leaders are included in the District Leadership Team to coordinate efforts across the district at all grade levels.
4. Barberton City School District preschool program is commended for operating highly inclusive preschool classroom environments. Preschool students with disabilities who attend the center-based program are provided the general education curriculum with students without disabilities and received special education and related services itinerantly within the general education setting. Preschool students with disabilities attending remote learning alternative were provided individual backpacks supplied with an assortment of various materials to assist in both specially designed instruction and access to the general curriculum.

Other Considerations/Opportunities for Improvement

1. The district experienced challenges and concerns in the face of providing remote instruction to students with disabilities and all students, while maintaining in-person learning within the district. The issues of special education staffing for remote and in-person instruction, delivery and tracking of specially designed instruction and related services minutes, and continuous progress monitoring of annual IEP goals have become problematic.
2. This is an opportunity to strengthen the RTI/MTSS system across the district. It is deployed well at some grade levels but not throughout the district.
3. After the monitoring review, Barberton City Schools was presented a letter dated January 12, 2021, indicating a finding of a Free Appropriate Public Education (FAPE) violation in the area of delivery of services for one student. The letter indicated required actions of the district to address the violation with timelines for correction of no later than 20 days from the delivery of the FAPE letter (February 10, 2021). The delivery of service concern for this student has been addressed, and corrective action has been implemented to provide compensatory time along with additional instruction in the identified area of need which will continue through the end of the 2020-2021 school year. Furthermore, the special education leadership team completed a district-wide survey and analysis of the delivery of special education services based upon needs and services described in each child's IEP. As a result, IEP teams have made scheduling adjustments and IEP amendments where necessary to ensure instruction and services are delivered as required; and the district continues to monitor the delivery of services for all students with special needs.

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 john.magee@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: May 11, 2021

Department Trainings

As part of the Department monitoring process, Barberton City School District 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: **May 11, 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: **September 9, 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 31, 2022***

Monitoring of FAPE Violation Corrective Action:

The educational agency will continue to provide the Department with documentation verifying the educational agency's completion of all required actions described in the OEC FAPE Violation Letter dated January 12, 2021. Upon verification of correction as outlined in the required corrective actions contained in the letter, the Department will issue a letter of clearance from the FAPE violation findings.

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

For questions regarding the review, please contact: John Magee, the Department's IDEA Monitoring Contact, at 614-593-5316, toll-free at (877) 644-6338, or by e-mail at john.magee@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>All applicable preschool evaluation records of a child transitioning from Part C, utilized child information from the Individual Family Service Plan (IFSP) and other documentation provided by Help Me Grow in suspecting or when determining eligibility for Part B supports and services.</p> | <p><u>Individual Correction</u> NA</p> <p><u>Systemic Correction</u> NA</p> | <input checked="" type="checkbox"/> NA |
| | Interviews/Public Comments | | | |
| | Concerns Noted | | | |
| CF-2 | Record Review | <p>OAC 3301-51-06 [Evaluations]</p> <p>All applicable preschool evaluations appropriately documented interventions provided to resolve concerns for the child performing below grade-level standards.</p> <p>Six (6) out of 12, or 50% applicable school age evaluations reviewed did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.</p> | <p><u>Individual Correction</u></p> <p>The Department has verified that these students have a current ETR in place, so no additional individual correction is required.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding documentation of intervention and supports provided prior to completion of the initial and reevaluation team report.</p> <p><u>Opportunities for Improvement</u></p> <p>The district will receive further training and technical assistance to address the documentation of required interventions when internal monitoring training is provided by the Office for Exceptional Children.</p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. (School age only) |
| | Interviews/Public Comments | District personnel have recently received evaluation team report training and technical assistance to address this issue, including reiteration of the requirement to provide a summary of evidence-based interventions or a statement regarding the current IEP supports and services. | | |
| | Concerns Noted | | | |

| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|---|---|
| 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>All applicable preschool student records showed evidence that the parent was afforded the opportunity to participate in the evaluation team planning meeting.</p> <p>Four (4) out of 17, or 24% school age student records did not show evidence that the parent was afforded the opportunity to participate in the evaluation team planning meeting.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must provide evidence that the parent was involved or provided the opportunity to participate in the evaluation planning process.</p> <p>The evidence may include evaluation planning form, prior written notice, parent invitation, referral form or communication log.</p> <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.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices that include the parent in the evaluation planning process.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity to strengthen the documentation and tracking procedure for attempts to contact and involve parents in the evaluation (and 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> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>The lack of documented opportunity for parent involvement was often attributed to missing parent signatures, planning forms, or proof of attempts to involve the parent.</p> | | |

| 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]</p> <p>All applicable preschool student records provided evidence of parental consent obtained prior to new testing.</p> <p>Six (6) out of 17, or 35% school age student records did not provide evidence of parental consent obtained prior to new testing.</p> | <p><u>Individual Correction</u></p> <p>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.</p> <p>The evidence may include, prior written notice, parent invitation, communication log, or other documented attempts to obtain parental informed, written consent.</p> <p>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.</p> <p><u>Systemic Correction</u></p> <p>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.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity for the district to strengthen the policies and practices on obtaining written, informed consent for evaluations.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>Some reviewed records indicated consent was mailed home or obtained by phone but there is no evidence that informed, written consent was obtained. Additionally, some records had consent obtained after new testing was conducted and/or the planning form indicated sufficient data existed, but new assessments were completed.</p> | | |

| 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>Five (5) out of five (5), or 100% preschool evaluations did not provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p>Ten (10) out of 17, or 59% school age evaluations did not provide evidence that the evaluation addresses all areas related to the suspected disability.</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 the Department of written procedures and practices to provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Opportunities for Improvement</u></p> <p>This area can be addressed through the required Office for Exceptional Children district internal monitoring training which will build upon the district's already existing internal monitoring process.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | Often assessment areas listed and assigned on the evaluation planning form were not reported in the ETR part 1 Individual Evaluator's Assessment pages. | | |
| CF-6 | Record Review | <p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need]</p> <p>Two (2) out of five (5), or 40% preschool evaluations did not show evidence of clearly stating the summary of assessment results.</p> <p>Ten (10) out of 17, or 59% school age evaluations did not show evidence of clearly stating the summary of assessment results.</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 the Department of written procedures and practices regarding summary of data and assessment results.</p> <p><u>Opportunities for Improvement</u></p> <p>The district has an opportunity to strengthen their already existing policies, practices and procedures in the development of evaluation team reports.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | Often, assessments reported in part 1 of the ETR were not summarized and reported in part 2 of the ETR. All assessments conducted must be summarized in the ETR part 2. | | |

| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|--|---|
| CF-7 | Record Review | <p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need]</p> <p>One (1) out of five (5), or 20% preschool evaluation team reports did not contain a clear and succinct description of educational needs.</p> <p>Six (6) out of 17, or 35% school age evaluation team reports did not contain a clear and succinct description of 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 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 the Department of written procedures and practices regarding description of educational needs.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity to improve the already mature evaluation team report process by addressing issues of omission of assessment results and educational needs, or generic descriptions of needs and implications for instruction that lack individualization.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>At times, the description of educational needs omitted areas of concern noted in part 1 individual evaluator's assessment pages, or areas of need described in the ETR part 2 summary of assessments.</p> | | |
| CF-8 | Record Review | <p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need]</p> <p>One (1) out of five (5), or 20% preschool evaluation team reports did not contain specific implications for instruction.</p> <p>Two (2) out of 17, or 12% school age evaluation team reports did not contain specific implications for instruction.</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 the Department 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> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | | | |

| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|---|---|
| CF-9 | Record Review | <p>34 CFR 300.306(a)(1) [Determination of eligibility] OAC 3301-51-01 (B)(21) [Applicability of requirements and definitions]</p> <p>All preschool evaluations showed evidence that a group of qualified professionals, as appropriate to the suspected disability, were involved in determining whether the child is a child with a disability as well as the child's educational needs.</p> <p>Eight (8) out of 17, or 47% school age 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>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 the Department evidence of group participation.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the eligibility determination process.</p> <p><u>Opportunities for Improvement</u></p> <p>The district is asked to address the issue of documenting parent involvement in the ETR process and strengthening the structure of ETR meetings to ensure that all required team members are present and sign the ETR document or verify remote involvement.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>Parents were the qualified group member missing at the ETR meetings in the identified ETR records. There was no evidence submitted to document reasonable efforts to involve the parent in the ETR meetings. There is a need for further training and development for ensuring a qualified team makes the determination decision in the ETR process.</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 | 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 (6) out of eight (8), or 75% applicable school age 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"> 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>An opportunity for improvement includes enhancing and strengthening Age Appropriate Transition Assessments, individualized to each separate post-school goal, and including emphasis on individual needs in light of these post-school goals.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | Interviewees described a widely deployed system of transition planning, including resources and links available to teachers, students and families. | | |
| | Concerns Noted | Overall, transition services need to be refined and clarified to focus on outcomes for students with disabilities. The district routinely includes students in their IEP meetings. | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|---|---|
| DS-2 | Record Review | <p>34 CFR 300.320(a)(1) [Definition of individualized education program]</p> <p>Five (5) out of five (5), or 100% preschool IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p> <p>Eleven (11) out of 17, or 65% school age IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</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"> • 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. | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Interview respondents described a process using Google Classroom to guide IEP development, including present levels of need.</p> <p>Interview respondents for preschool attribute limited data sample size leading to difficulty in development of baseline data provided in the Present Levels of Academic Achievement and Functional Performance (PLOP)</p> | <p><u>Systemic Correction</u></p> <p>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.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity to strengthen the present levels measurement process so that each measurement matches the measurement for goal performance. In addition, the statement of comparison to grade level expectations should be addressed. A strengthened internal monitoring and review system would be helpful for promoting compliance in present levels.</p> | |
| | Concerns Noted | <p>Preschool personnel need to establish a process for assessment planning in order to yield more quantifiable baseline data. For all students, baseline data generally did not directly relate to the goal measurement.</p> | | |

| 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>Five (5) out of five (5), or 100% preschool IEPs did not contain measurable annual goals.</p> <p>Nine (11) out of 17, or 53% school age IEPs 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>Additional training and technical assistance for annual IEP goal development is recommended. Focus should be given to a goal statement that is empirically measurable, with the same measurement in the present levels, and which can be reported in progress monitoring in the same way. And this can be accomplished through the internal monitoring and review training.</p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. |
| | Interviews/Public Comments | <p>The IEP annual goals development process was described in detail.</p> <p>Interviewees explained a strong collaboration between general education teachers and intervention specialists when developing annual IEP goals.</p> | | |
| | Concerns Noted | <p>There is still room for improvement concerning all the elements of measurable goals.</p> | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|--|---|
| DS-4 | Record Review | <p>34 CFR 300.320(a)(2)(i) [Definition of individualized education program]</p> <p>All applicable preschool IEPs contained annual goals that address the child’s academic area(s) of need.</p> <p>Four (4) out of 16, or 25% applicable school age IEPs did not contain annual goals that address the child’s academic area(s) of need.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP. Annual goals must address the academic needs of the child unless the team provides evidence that the goals were prioritized based on the severity of the needs of the child.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of addressing identified academic needs.</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> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | | | |
| DS-5 | Record Review | <p>34 CFR 300.320(a)(2)(i) [Definition of individualized education]</p> <p>All applicable preschool IEPs contained annual goals that address the child’s functional area(s) of need.</p> <p>Five (5) out of 14, or 36% applicable school age IEPs did not contain annual goals that address the child’s functional area(s) of need.</p> | <p><u>Individual Correction</u></p> <p>The 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 the Department of written procedures and practices regarding the IEP process of addressing identified functional needs.</p> <p><u>Opportunities for Improvement</u></p> <p>The district may consider training and technical assistance in identifying functional needs through the ETR process, documentation of those needs in the ETR, and methods for assuring these needs are addressed in the resulting IEPs.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | <p>Interviewees described a close working relationship and communications between intervention specialists and general education teachers that leads to responsive, individualized goal development.</p> | | |
| | Concerns Noted | <p>At times, functional or behavioral needs described in the ETR or IEP profile are not addressed through IEP annual goal or other supports and services.</p> | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|--|--|
| 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>Two (2) out of five (5), or 40% preschool IEPs did not contain a statement of specially designed instruction that addresses the individual needs of the child and supports the annual goals.</p> <p>Six (6) out of 17, or 35% school age IEPs did not contain a statement of specially designed instruction that addresses the individual needs of the child and supports the annual goals.</p> | <p><u>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 the Department of written procedures and practices regarding the IEP process of determining specially designed instruction.</p> <p><u>Opportunities for Improvement</u></p> <p>The district should consider additional training and technical assistance focused on individualizing specially designed instruction with methods, materials, concepts, content and delivery that reflect the specific academic or functional needs described in the corresponding present levels and annual goals.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Respondents described a data-driven, needs based development process for specially designed instruction.</p> | | |
| | Concerns Noted | <p>At times, SDI lacked the specificity required to address individual need(s) described in the present levels and goal statement.</p> | | |
| 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 (2) out of five (5), or 40% preschool IEPs did not indicate the specific location where the specially designed instruction will be provided.</p> <p>One (1) out of 17, or 6% school age IEPs did not indicate the specific location where the specially designed instruction will be provided.</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 location where the specially designed instruction will be provided.</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 determining the location where specially designed instruction will occur.</p> <p><u>Opportunities for Improvement</u></p> <p>Although the district encourages a process of co-servicing and co-teaching for students with disabilities, focusing on enhanced outcomes for these students, there is an opportunity to further clarify the role of the general education teacher and intervention specialist in this process.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan (Preschool Only).</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>At times, the location for instruction was not clear or indicated two locations.</p> | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|---|--|
| 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>One (1) out of five (5), or 20% preschool IEPs did not indicate the amount of time and frequency of the specially designed instruction.</p> <p>Six (6) out of 17, or 35% school age IEPs did not indicate the amount of time and frequency of the specially designed instruction.</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 amount of time and frequency of the specially designed instruction.</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 determining the amount and frequency of specially designed instruction to be provided.</p> <p><u>Opportunities for Improvement</u></p> <p>Amount of time and frequency should be explained in terms of the actual intended delivery so that the parent and team members understand exactly what the child will receive, and at what intervals the instruction or service is intended to be delivered.</p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. (School age only) |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>At times, the description of amount and frequency was too general or too vague.</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 (1) out of four (4), or 25% applicable preschool IEPs did not identify related services that address the needs of the child and support the annual goals.</p> <p>Two (2) out of six (6), or 33% applicable school age IEPs did not identify related services that address the needs of the child and support the annual goals.</p> | <p><u>Individual Correction</u></p> <p>The 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> <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 related service needs.</p> <p><u>Opportunities for Improvement</u></p> <p>Related services must be described in terms individualized to the child's needs that are documented in the corresponding present levels and annual goals.</p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. (School age only) |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>At times, the related services description lacked the specificity required to address individual needs described in the present levels and goal statement.</p> | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|--|--|
| DS-10 | Record Review | <p>34 CFR 300.320(a)(7) [Definition of individualized education] OAC 3301-51-07 (H)(1)(i) [Definition of IEP]</p> <p>One (1) out of four (4), or 25% applicable preschool IEPs did not indicate the location where the related services will be provided.</p> <p>One (1) out of five (5), or 20% applicable school age IEPs did not indicate the location where the related services will be provided.</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 to include the location where the related services will be provided.</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 determining the location where related services will occur.</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>The location must be specific to the nature of the related service and should indicate a location on the continuum of alternative placements.</p> | | |
| DS-11 | 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>All applicable preschool IEPs indicated the amount of time, duration and frequency of the related services to be provided.</p> <p>One (1) out of five (5), or 20% applicable school age IEPs did not indicate the amount of time, duration and frequency of the related services to be provided.</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 on the IEP the amount of time and frequency of the related services to be provided.</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 determining the amount and frequency of related services to 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 | | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|--|---|
| DS-12 | Record Review | <p>34 CFR 300.324(a)(2)(v) [Development of IEP] OAC 3301-51-01(B)(3) [Applicability of requirements and definitions]</p> <p>All applicable preschool IEPs identified assistive technology to enable the child to be involved and make progress in the general education curriculum.</p> <p>Six (6) out of eight (8), or 75% applicable school age IEPs did not identify assistive technology to enable the child to be involved and make progress in the general education curriculum.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the 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 the Department of written procedures and practices regarding assistive technology.</p> <p><u>Opportunities for Improvement</u></p> <p>Training and technical assistance for enhancing assistive technology descriptions in part 7 of the IEP are recommended.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>Assistive technology should include a statement explaining the student's individualized need for the specific assistive technology that is listed.</p> | | |
| 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>Four (4) out of four (4), or 100% preschool IEPs did not identify accommodations provided to enable the child to be involved and make progress in the general education curriculum.</p> <p>Twelve (12) out of 16, or 75% applicable school age IEPs did not identify accommodations provided to enable the child to be involved and make progress in the general education curriculum.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the 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 the Department of written procedures and practices regarding accommodations.</p> <p><u>Opportunities for Improvement</u></p> <p>Training and technical assistance for improving the descriptions of accommodations in part 7 of the IEP are recommended.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>Accommodations must describe the conditions for and extent of the accommodations.</p> | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|--|---|
| 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>Six (6) out of six (6), or 100% applicable school age IEPs did not identify modifications to enable the child to be involved and make progress in the general education curriculum.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the 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> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding modifications.</p> <p><u>Opportunities for Improvement</u></p> <p>Training and technical assistance for improving the descriptions of modifications in part 7 of the IEP are recommended.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>Modifications must describe the nature of and extent of the modifications; and, when applicable, refer to the Ohio Learning Standards – Extended.</p> | | |
| 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>Four (4) out of four (4), or 100% preschool IEPs did not identify supports for school personnel to enable the child to be involved and make progress in the general education curriculum.</p> <p>Eight (8) out of eight (8), or 100% applicable school age IEPs did not identify supports for school personnel to enable the child to be involved and make progress in the general education curriculum.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the 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> <p><u>Systemic Correction</u></p> <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>Training and technical assistance on describing supports for school personnel in the IEP is recommended.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>The concept of supports for school personnel is generally understood by district personnel, however, its description in the IEP is not always well-developed.</p> | | |
| | Concerns Noted | | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|---|---|
| DS-16 | Record Review | <p><i>OAC 3301-51-07 (H)(1)(h)(ii) [Definition of IEP]</i> Three (3) out of five (5), or 60% applicable school age student records 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> | <p><u>Individual Correction</u> 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> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | | <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the determination of participation in the AASCD.</p> | |
| | Concerns Noted | <p>The justification statement for AASCD participation must be included in the IEP.</p> | <p><u>Opportunities for Improvement</u> Training and technical assistance are recommended to enhance the understanding and use of the recent decision-making tool for determining eligibility for the Alternate Assessment for Students with Significant Cognitive Disabilities.</p> | |
| DS-17 | Record Review | <p><i>OAC 3301-51-07(L)(2) [Development, review and revision of IEP]</i> One (1) out of two (2), or 50% preschool student records did not show evidence of progress reporting data collected and analyzed to monitor performance on each goal. Three (3) out of six (6), or 50% applicable school age student records did not show evidence of progress reporting data collected and analyzed to monitor performance on each goal.</p> | <p><u>Individual Correction</u> None</p> <p><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.</p> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Collaboration between intervention specialists and general education teachers in reviewing student data for progress reporting was described by interviewees.</p> | <p><u>Opportunities for Improvement</u> Although progress monitoring is understood and maintained across the district, precise reporting in specific terms of the goal measurements is not fully implemented.</p> | |
| | Concerns Noted | <p>Progress on annual IEP goals must be reported in the same measurement that is used in the annual goal.</p> | | |

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|---|---|
| DS-18 | Record Review | <p><i>OAC 3301-51-07(L) [Development, review and revision of IEP]</i></p> <p>All applicable preschool IEPs showed evidence that revisions were made based on data indicating changes in student needs or abilities.</p> <p>Three (3) out of three (3), or 100% applicable school age IEPs did not show evidence that revisions were made based on data indicating changes in student needs or abilities.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the 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 the Department of written procedures and practices regarding using data to revise IEPs based on changes in student needs or abilities.</p> <p><u>Opportunities for Improvement</u></p> <p>Training and technical assistance as well as the internal monitoring review system would be helpful to promote compliance in the areas of IEP revisions.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan. (School age only)</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>The IEP team is required to meet and make necessary adjustments to the IEP whenever a student fails to make progress on goals, or when a student achieves mastery of a goal.</p> | | |
| DS-19 | Record Review | <p><i>34 CFR 300.321(5) [IEP team]</i> <i>OAC 3301-51-07(I) [IEP team]</i></p> <p>Two (2) out of five (5), or 40% preschool IEPs did not indicate that the IEP Team included a group of qualified professionals.</p> <p>Four (4) out of 17, or 24% school age IEPs 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 attend the IEP meeting, or • Reconvene the IEP team to review the IEP with all required members present. <p><u>Systemic Correction</u></p> <p>The 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><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | | | |
| | Concerns Noted | <p>There is a need for further training and development for ensuring a qualified team participates in every IEP meeting.</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>Five (5) out of five (5), or 100% preschool 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>Nine (9) out of 15, or 60% applicable school age 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>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"> • 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. <p><u>Systemic Correction</u></p> <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>Training and technical assistance as well as internal monitoring review system would be helpful to promote compliance in the area of developing LRE justifications that align with the settings described in section 7.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comment | | | |
| | Concerns Noted | <p>Often the justification for removal from the general education setting was not fully explained.</p> <p>This is a problematic area for some IEPs where LRE placement in section 7 did not match the explanation in the placement in section 11.</p> | | |