

January 25, 2022

**Educational Service Center of Northeast Ohio
IRN: 046532****Ohio the Department of Education, Office for Exceptional Children
2021 IDEA Monitoring Review Summary Report****Introduction**

The Ohio the Department of Education's Office for Exceptional Children would like to extend appreciation to the Educational Service Center of Northeast Ohio (ESCNEO) 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 Individuals with Disabilities Education Act (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 October 12-18, 2021, as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. H.B.1.

The Department selected three programs (Capstone Academy, Passport School Program and Positive Education Program) from the Educational Service Center of Northeast Ohio. Also, eight associate educational agencies (Akron City School District IRN: 043489, Bedford City School District IRN: 043562, Canton City School District IRN: 043711, Cleveland Municipal School District IRN: 043786, Euclid City School District IRN: 043950, Garfield Heights City School District IRN: 044040, Lorain City School District IRN: 044263 and Shaker Heights City School District IRN: 044750) which are currently sending school-age students to the three identified programs.

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

The Educational Service Center (ESC) of Northeast Ohio mailed 221 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 12, 2021, the Department consultants held a virtual public meeting for parents and other interested parties. Four State Support Team (SST) Region 2, 3, 8, and 9 representatives attended the public meeting. No parents or family members attended. The Department presented an overview of the monitoring process and provided contact information for parents to submit feedback and comments regarding the special education program at the ESC of Northeast Ohio. The Department did not receive any written comments.

During the presentation, 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 would have been 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.

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 39 records of school age students with disabilities. The Department consultants selected records of students with disabilities from a variety of disability categories and ages. Twelve (12) student IEPs were selected for verification in the classroom setting.

4. Staff/Administrative Interviews

On October 12 and 13, 2021, the Department consultants held eight sessions of interviews with 23 administrators and 33 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:

During our time reviewing the Educational Service Center of Northeast Ohio, we witnessed high-quality instruction, positive culture among staff members and genuine care for the students from staff and administrators. The staff spoke very highly of one another and of administrators. They support positive relationships, communicate and work well together. They also spoke highly of the ongoing communication and collaboration with the members from the associate educational agencies. Through their hard work, they have created a community of support throughout the buildings where everyone goes above and beyond to best serve the students. Their culture of positivity impacts students, who have a sense of self-pride and enjoy being in the buildings. OEC was impressed by staff commitment, passion for teaching and desire for learning and professional development.

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 Joe Kujkowski at 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: March 10, 2022

Department Trainings

As part of the Department monitoring process, Educational Service Center of Northeast Ohio personnel and associate educational agency 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: March 10, 2022

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: May 2, 2022

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: **October 31, 2022***

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: Joe Kujkowski, the Department's IDEA Monitoring Contact, at (614) 623-2986, toll-free at (877) 644-6338, or by e-mail at 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>	<p><u>Individual Correction</u></p> <p>NA</p> <p><u>Systemic Correction</u></p> <p>NA</p>	<input checked="" type="checkbox"/> NA
	Interviews/Public Comments			
	Concerns Noted			
CF-2	Record Review	<p>OAC 3301-51-06 [Evaluations]</p> <p>Twenty-one (21) out of 29 applicable evaluations, or 72%, 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>It is recommended that ESCNEO and associate educational agencies develop a procedure to ensure research-based interventions are being provided to students, and are correctly documented within the ETR as well as in Part 2s Summary of Interventions.</p>	<input checked="" type="checkbox"/> Yes
	Interviews/Public Comments			The educational agency needs to address this finding in a Corrective Action Plan.
	Concerns Noted	<p>For reevaluations, the summary of interventions provided would include:</p> <ol style="list-style-type: none"> 1. A description as delineated above if interventions were provided in addition to the specially designed instruction, related services, and other supports contained in the IEP. 2. If no additional interventions were provided, a statement that it was determined by the ETR team that the IEP the student is making adequate progress with current special education supports and services is required. 		

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>Three out of 39 student records, or 8%, 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><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			
CF-4	Record Review	<p>34 CFR 300.300 [Parental Consent]</p> <p>Sixteen (16) out of 34 applicable student records, or 47%, 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><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>OAC 3301-51-05(C)(4) addresses parental consent in writing as required “if the school district can demonstrate that it made reasonable efforts to obtain such consent; and the child’s parent has failed to respond.”</p> <p>In many cases, the PR-05 (Parent Consent for Evaluation) there was a handwritten note that the parent gave verbal consent, which does not meet the standard for informed written consent.</p>		

Record Review Item	Evidence of Findings		Evidence of Corrections/Recommendations	Must be addressed in CAP
			<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 prior to new testing, and documentation of policies and practices for moving forward when parents do not participate.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity for the ESCNEO and associate educational agencies to develop and implement procedures for obtaining written informed consent to document parental involvement in virtual meetings.</p>	
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>Twenty-nine (29) out of 39 evaluations, or 74%, 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>It is strongly recommended that ESCNEO, in collaboration with the associate educational agencies, develop an internal monitoring process which contains procedures to ensure:</p> <ul style="list-style-type: none"> • Active team participation in the ETR planning process; • Appropriate evaluation data is available; and • Assessments identified on the Planning form are being completed and represented in a Part 1. <p>Professional development should be provided to all identified staff members regarding participation and completion of required ETR forms thus allowing them to be an active member in the development of ETRs.</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>In several cases, assessments included on the planning form were not presented in Part 1s of the ETR, and, in other cases, assessments were reported in Part 1s that were not included on the planning form. All assessments and data listed for evaluation on the ETR planning form, and agreed upon by the parent, must appear in a Part 1.</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] Twenty-two (22) out of 39 evaluations, or 56%, did not show evidence of clearly stating the summary of assessment results.</p>	<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.</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><u>Systemic Correction</u> 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> It is strongly recommended that ESCNEO, in collaboration with the associate educational agencies, develop an internal monitoring process which contains procedures to ensure:</p>	
	Concerns Noted	<p>Sometimes information was included within a Part 2 that was not indicated or identified on the planning form or on a Part 1, such as information provided by parent, background history, medical history and/or observation. Questions arose concerning where this information came from.</p>	<ul style="list-style-type: none"> • Active team participation in the ETR planning process; • Appropriate evaluation data is available; and • Assessments identified on the Planning form are being completed and represented in a Part 1. <p>Professional development should be provided to all identified staff members regarding participation and completion of required ETR forms thus allowing them to be an active member in the development of ETRs.</p>	

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] Seventeen (17) out of 39 evaluation team reports, or 44%, did not contain a clear and succinct description of educational needs.</p>	<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.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments		<p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding description of educational needs.</p>	
	Concerns Noted	<p>Educational needs were sometimes generic in nature and did not address the child's individualized needs. Sometimes educational needs were stated in Part 1s but were not included in the Part 2 summary.</p>	<p><u>Opportunities for Improvement</u> There is an opportunity to improve the evaluation team report process by ensuring that individual student educational needs are thoroughly addressed, rather than providing generic descriptions of needs that lack individualization.</p>	
CF-8	Record Review	<p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need] Nine out of 39 evaluation team reports, or 23%, did not contain specific implications for instruction.</p>	<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.</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		<p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding implications for instruction.</p>	
	Concerns Noted	<p>Sometimes implications for instruction were stated in Part 1s but were not included in the Part 2 summary.</p>		

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>Eight out of 39 evaluations, or 21%, 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><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			
CF-10	Record Review	<p>OAC 3301-51-01 (B)(10) [Definitions] and 3301-51-06 [Evaluations]</p> <p>Fifteen (15) out of 39 evaluations, or 38%, did not provide a justification for the eligibility determination decision.</p>	<p><u>Individual Correction</u></p> <p>The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear justification for the eligibility determination.</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 decision.</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>The evaluation determination must justify the eligibility by summarizing evidence beyond repeating the definition of the disability.</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>Twelve (12) out of 20 applicable IEPs, or 60%, 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>There is an opportunity for ESCNEO to improve their Transition Planning by better connecting student's AATA, including preferences, interests, needs and strengths, to the student's Postsecondary Education and Training, Integrated Competitive Employment and Independent Living goals.</p> <p>It is recommended training be provided to all ETR and IEP members responsible for assessing and writing transition plans to ensure they are compliant and individualized to the postsecondary outcome needs of the student.</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			

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>Twenty-two (22) out of 39 IEPs, or 56%, 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><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>An internal monitoring and review system would be very helpful to promote compliance in present levels of performance.</p> <p>Additional training and/or professional development should be provided to assist staff members in developing compliant present levels of performance.</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>The present levels of performance in the IEPs reviewed were inconsistent in quality and content. Measurable baseline data were missing in many cases. Often, the present levels of performance did not relate directly to the annual goal.</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>Twenty (20) out of 39 IEPs, or 51%, 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. <u>Clearly 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. 	<input checked="" type="checkbox"/> Yes <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>
	Interviews/Public Comments		<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>An internal monitoring and review system would be very helpful to promote compliance in developing annual IEP goals.</p> <p>Additional training and technical assistance for annual IEP goal development are recommended. Focus should be given to developing a goal statement that is measurable, using the same measurement described in the present levels, and which can be reported using the same method for progress monitoring.</p>	
	Concerns Noted	<p>Measurable goals in the IEPs reviewed were inconsistent in quality and content. Often one or more required elements were missing.</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>Two out of 31 applicable IEPs, or 6%, 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>Two out of 39 IEPs, or 5%, 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><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 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>Twelve (12) out of 39 IEPs, or 31%, did not contain a statement of Specially Designed Instruction (SDI) including related services that addresses the individual needs of the child and supports the annual goals.</p>	<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.</p> <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.</p> <p><u>Opportunities for Improvement</u> It is strongly recommended that the district consider additional training and technical assistance focused on individualizing SDI that reflect the specific academic or functional needs described in the corresponding present levels and goals.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	At times, SDI lacked the specificity required to address individual needs(s) described in the present levels and goal statements.		
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>Three out of 39 IEPs, or 8%, did not indicate the specific location where the specially designed instruction will be provided.</p>	<p><u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the location where the specially designed instruction will be provided.</p> <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 the location where specially designed instruction 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			
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>Eight out of 39 IEPs, or 21%, did not indicate the amount of time and frequency of the specially designed instruction.</p>	<p><u>Individual Correction</u> 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> 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>	<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-9	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>Eight out of 21 applicable IEPs, or 38%, 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><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>Assistive technology mentioned in the ETR as a need or mentioned within measurable goals must be identified in Section 7 under Assistive Technology. Phrases like “as needed,” “may need” and “at teacher’s discretion” are not acceptable in describing assistive technology.</p>		
DS-10	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>Thirty-one (31) out of 39 IEPs, or 79%, 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 from SSTs as well as an internal monitoring review system would be very helpful to promote compliance in the areas of accommodations.</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>IEP accommodations listed were not explained regarding conditions and extent of the accommodation. Phrases like “as needed” and “may need” are not acceptable in describing accommodations. Accommodations cannot be the choice of the teacher or the student.</p>		

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-11	Record Review	<p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e) [Definition of IEP] Twenty (20) out of 36 applicable IEPs, or 56%, 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> 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> The educational agency must submit evidence to the Department of written procedures and practices regarding modifications.</p> <p><u>Opportunities for Improvement</u> An internal monitoring and review system would be very helpful to promote compliance in this area.</p>	<input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.
	Interviews/Public Comments			
	Concerns Noted	Please be careful not to include language which can be interpreted as predetermination (e.g., student x will not be required to demonstrate mastery of the Ohio Learning Standards-Extended).		
DS-12	Record Review	<p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e) [Definition of IEP] Nine out of 24 applicable IEPs, or 38%, 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> 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> 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> An internal monitoring and review system would be very helpful to promote compliance in this area.</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-13	Record Review	<p>OAC 3301-51-07 (H)(1)(h)(ii) [Definition of IEP] All applicable student records reviewed 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> NA</p> <p><u>Systemic Correction</u> NA</p>	<input checked="" type="checkbox"/> NA
	Interviews/Public Comments			
	Concerns Noted			

Record Review Item	Evidence of Findings		Evidence of Correction/Recommendations	Must be addressed in CAP
DS-14	Record Review	<p>OAC 3301-51-07(L)(2) [Development, review and revision of IEP]</p> <p>Five out of 39 student records, or 13%, did not show evidence of progress reporting data collected and analyzed to monitor performance on each goal.</p>	<p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>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"/> 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-15	Record Review	<p>OAC 3301-51-07(L) [Development, review and revision of IEP]</p> <p>Two out of six applicable IEPs reviewed, or 33%, 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><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			
DS-16	Record Review	<p>34 CFR 300.321(5) [IEP team]</p> <p>OAC 3301-51-07(I) [IEP team]</p> <p>Five out of 39 IEPs, or 13%, 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. <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"/> 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			

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>Six out of 39 IEPs, or 15%, 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><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			
	Concerns Noted			

Additional Considerations and Opportunities for Improvement:

- Based upon interviews and discussions with staff members, Educational Service Center of Northeast Ohio needs to redefine/refresh their Response to Intervention/Multi-Tiered System of Support (RTI/MTSS) process so that every staff member knows exactly what is expected of them, how the entire process is carried out (Tiers I, II and III), as well as exactly what interventions and data collection information is available for them to use. If a formal document delineating processes and procedures for RTI/MTSS does not exist, the ESCNEO will need to create one for staff members to refer to after training. Also, Educational Service Center of Northeast Ohio needs to identify and select researched-based interventions along with decision rules for all tiered interventions including academic and behavior concerns.
- Educational Service Center of Northeast Ohio should highly consider developing and implementing a formal process of tracking specially designed instruction (SDI) to ensure a Free Appropriate Public Education [OAC 3301-51-07 (K)].
- Based upon interviews and discussions with staff members, the Educational Service Center of Northeast Ohio would benefit from developing a formal reintegration process for students returning to their home district. Most reintegration plan(s) were individualized to the students' needs but lacked a formal process with decision rules.