

# Focused Monitoring Report



Education Agency:	<b>Cherokee County</b>
Special Education Coordinator:	<b>Ms. Tara Blanchard</b>
Focused Monitoring Date:	<b>September 29, 2015</b>
Special Education Services Team Leader:	<b>Mrs. Susan Goldthwaite</b>
Special Education Services Data Analyst:	<b>Mrs. Courtney Utsey</b>

The Continuous Improvement Process is a blend of compliance monitoring and improving outcomes for students. During Phase I of the Continuous Improvement Process, a designated number of student files were reviewed to verify compliance with state and federal requirements.

Based on Phase I review, a Corrective Action Plan (CAP) is developed. The CAP is implemented by the Local Education Agency (LEA) and compliance is ensured by the Alabama State Department of Education (ALSDE).

The purpose of this report is to provide feedback to the agency in identifying findings of noncompliance that must be corrected as soon as possible, and in no case later than one year from identification of noncompliance. The report also identifies the corrective action that must be taken by the agency as well as the documentation that must be submitted to the ALSDE. In addition, the report informs the agency of the steps the ALSDE will take in order to ensure 100% correction of noncompliance with the statutory requirement(s).

The Focused Monitoring Report will include the following:

- FINDINGS OF NONCOMPLIANCE
- IMMEDIATE CORRECTION STRATEGIES
- IMPROVEMENT STRATEGIES
- DOCUMENTATION OF CORRECTIVE ACTION

## GLOSSARY

AAA.....	Alabama Alternate Assessment	LEA .....	Local Education Agency (to include State-Operated/ State-Supported Agencies)
AAC .....	Alabama Administrative Code	LEP .....	Limited English Proficiency
ADRS.....	Alabama Department of Rehabilitation Services	LRE .....	Least Restrictive Environment
ALSDE.....	Alabama State Department of Education	MD.....	Multiple Disabilities
AMSTI .....	Alabama Math, Science and Technology Initiative	OHI.....	Other Health Impairment
ARI.....	Alabama Reading Initiative	OI.....	Orthopedic Impairment
AYP.....	Adequate Yearly Progress	OT.....	Occupational Therapy
AOD .....	Alabama Occupational Diploma	PST .....	Problem Solving Team
CRS .....	Children’s Rehabilitation Services	PT .....	Physical Therapy
CTIP.....	Career Technical Implementation Plan	SES .....	Special Education Services
DB.....	Deaf-Blindness	SETS.....	Special Education Tracking System
DD.....	Developmental Delay	SLD .....	Specific Learning Disability
ECEC .....	Environmental, Cultural, and/or Economic Concerns Checklist	SLI.....	Speech or Language Impairment
ED .....	Emotional Disability	SPDG.....	State Personnel Development Grant
EI.....	Early Intervention	SSR.....	Student Services Review
ESL .....	English as a Second Language	STI.....	Software Technology Incorporated
ESY .....	Extended School Year	TBI.....	Traumatic Brain Injury
HI .....	Hearing Impairment	VI.....	Visual Impairment
ID .....	Intellectual Disability	VRS .....	Vocational Rehabilitation Services
IEP.....	Individualized Education Program		

FINDINGS OF NONCOMPLIANCE	IMMEDIATE CORRECTION STRATEGIES (30-Day items)	IMPROVEMENT STRATEGIES		DOCUMENTATION OF CORRECTIVE ACTION	
		3-Month Training	6-Month Training	3-Month Training	6-Month Training
<b>Protection In Evaluation Procedures</b>					
<p>The education agency did not assess all areas related to the suspected disability, whether or not commonly linked to the disability category. AAC 290-8-9-.02(1)(f); 34 CFR § 300.304(c)(4)</p> <p>In evaluation decisions the education agency did not administer tests and other evaluation materials as may be needed to produce the data needed to determine whether the child has a particular disability or continues to be a child with a disability. AAC 290-8-9-.02(1)(d)(2)(v); 34 CFR § 300.305(a)(c)</p> <p>Upon completing the administration of tests and other evaluation materials, the eligibility decision did not include documentation that, if eligible, was not due to the student's lack of instruction in math or reading or LEP. AAC 290-8-9-.04(1)(e); 34 CFR § 300.306(b)(1-2)</p> <p>Persons conducting intellectual assessments do not meet the approved criteria. AAC 290-8-9-.02(3)(a)</p>	<p>Convene the IEP Team and review the eligibility of the students discussed during the on-site visit.</p> <p>Reevaluate students as determined appropriate by a review of eligibility.</p> <p>Convene the IEP Team/ Eligibility Committee and determine eligibility for the students who were evaluated as determined appropriate by the review.</p> <p>Use the information in the file to correct the eligibility report by documenting the missing information on the appropriate pages of the <i>Notice and Eligibility Decision Regarding Special Education Services</i> form for the students.</p> <p>Indicate corrected copy and date of correction on the <i>Notice and Eligibility Decision Regarding Special Education Services</i> form.</p>	<p>Provide to the appropriate teachers and administrators information, training, and/or technical assistance on the following:</p> <p>The proper completion of the <i>Notice and Invitation to a Meeting/ Consent for Agency Participation</i> form.</p> <p>The evaluation, eligibility, and reevaluation process/ criteria and requirements for each disability area.</p> <p>The evaluation process, using appropriate assessment data to determine eligibility.</p> <p>The required information that must be documented on the eligibility report.</p>		<p>Provide to the ALSDE documentation of the information, training, and/or technical assistance provided including, but not limited to, training agenda/outline and participant sign-in forms.</p> <p>The participant sign-in forms should contain columns for the following: name, position, and school/worksite.</p>	

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		3-Month Training	6-Month Training	3-Month Training	6-Month Training
	<p>Complete the <i>Notice of Proposal or Refusal to Take Action</i> form with explanation regarding omission of the documentation on the eligibility report.</p> <p>Send a copy of both forms to the parent and/or student.</p> <p>Document the date sent in the appropriate place on the <i>Notice and Eligibility Decision Regarding Special Education Services</i> form.</p> <p>Provide to the parent/student the <i>Notice of Proposal or Refusal to Take Action</i> form with explanation regarding corrective action taken.</p>				
<b>Individualized Education Program (IEP)</b>					
<p>Each student's IEP does not include a statement of measurable annual goals.  AAC 290-8-9-.05(6)(b)(o); 34 CFR § 300.320(a)(i)(ii)</p> <p>Each student's IEP is not written to the general education content standards; or Alabama Extended Standards for students with significant cognitive disabilities who are being assessed with the Alabama Alternate Assessment; or Developmental Standards for preschool children with disabilities.  AAC 290-8-9-.05(6)(o)</p>	<p>Review the IEPs of the students discussed during the on-site visit.</p> <p>Revise IEPs as determined appropriate by the review.</p> <p>Address the components that were not completed as required.</p>	<p>Provide to the appropriate teachers and administrators information, training, and/or technical assistance on the following:</p> <p>The proper completion of the <i>Notice of Proposed Meeting/Consent for Agency Participation</i> form.</p>		<p>Provide to the ALSDE documentation of the information, training, and/or technical assistance provided including, but not limited to, training agenda/outline and participant sign-in forms.</p> <p>The participant sign-in forms should contain columns for the following:</p>	

FINDINGS OF NONCOMPLIANCE	IMMEDIATE CORRECTION STRATEGIES (30-Day items)	IMPROVEMENT STRATEGIES		DOCUMENTATION OF CORRECTIVE ACTION	
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<p>Each student's IEP does not include a statement of the special education and related services and supplementary aids and services or program modifications or supports for school personnel.  AAC 290-8-9-.05(6)(c); 34 CFR § 300.320(a)(4)</p> <p>Each student's IEP does not include a statement of any individual modifications in the administration of the state testing program or why that assessment is not appropriate.  AAC 290-8-9-.05(6)(e); 34 CFR § 300.320(a)(6)(i)</p> <p>Each student's IEP does not include, beginning with the IEP in effect when the child is 16, and updated annually thereafter, age-appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills; and the transition services needed to assist the child in reaching those goals.  AAC 290-8-9.05(6)(h); 34 CFR § 300.320(7)(b)(1)(2)</p> <p>Each student's IEP does not include consideration of special factors.  AAC 290-8-9-.05(6)(1); 34 CFR § 300.324(a)(2)(i-v)</p> <p>The IEP and/or student's file does not document the involvement in each IEP meeting of other individuals or agency representatives, as appropriate.  AAC 290-8-9-.05(3)(h)(i); 34 CFR § 300.321(b)(3)</p> <p>There is no documentation that a copy and/or access to the IEP is provided to regular/special education teacher(s) and other related service provider(s).  AAC 290-8-9-.05(7); 34 CFR § 300.323(d)(1)</p>	<p>Send a copy of the completed/ amended IEP to the parents of the students.</p> <p>Send the <i>Notice of Proposal or Refusal to Take Action</i> form to the parent with explanation regarding corrective action taken.</p> <p>Document the date sent in the appropriate place on the IEP form.</p> <p>Convene the IEP team to develop a current IEP for the applicable student(s).</p> <p>Complete the Persons Responsible form for the students discussed during the onsite visit.</p> <p>Review the IEPs and complete the <i>Alabama Student Assessment</i> forms for the students:</p> <p>Send a copy of the revised/amended IEP, including the <i>Alabama Student Assessment</i> forms, to the parent and document the date sent on the signature page of the IEP.</p>	<p>IEP development that includes completion of the form as well as the process for developing an IEP based on the individual needs of the student. Begin with the profile and continue through the delivery and evaluation of services. Specifically train on all required IEP components.</p> <p>IEP development that includes completion of the form, all required components of the transition page of the IEP including the requirement and selection of the most appropriate pathway, transition assessments, transition goals, transition services, and appropriate implementation of transition planning as well as the process for developing an IEP based on the individual needs of the student.</p>		<p>name, position, and school/worksite.</p>	

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<p>There is no documentation that each teacher and provider is informed of his/her specific responsibilities relating to implementing the IEP.  AAC 290-8-9-.05(7); 34 CFR § 300.323(d)(2)(i)</p> <p>There is no documentation that each teacher and provider is informed of the specific accommodations, modifications, and supports that must be provided in accordance with the IEP.  AAC 290-8-9-.05(7); 34 CFR § 300.323(d)(2)(ii)</p> <p>For a student with a disability beginning at age 16, or younger, if appropriate, the notice does not include that a purpose of the meeting will be transition and indicate that the student and other agency representatives are invited.  AAC 290-8-9-.05(b); 34 CFR § 300.322(b)(2)(i)(A)</p> <p>Consent is not obtained prior to the initial provision of special education services.  AAC 290-8-9-.04(4)(a); 34 CFR § 300.300(b)(1)</p> <p>Children with disabilities are not included in the general state and district-wide assessment programs with appropriate accommodations and modifications in administration, if necessary.  AAC 290-8-9-.02(8); 34 CFR § 300.320 (a)(5)(6)(i)(ii)(A)(B).</p>	<p>Obtain the missing consent form for the students indicated.</p> <p>Complete <i>the Notice of Proposal or Refusal to Take Action</i> form with explanation regarding the missing consent form.</p>	<p>The completion of the <i>Alabama Student Assessment</i> forms in the IEP.</p> <p>Completion of the notice and consent forms.</p>			

### **Steps to be taken by the ALSDE to ensure compliance with the Statutory Requirements**

1. For each Immediate Correction Strategy (30-day item), the ALSDE will review corrections on line.
2. Sixty calendar days from the date the LEA received notification of the status of the immediate correction strategies, a random sample of updated data will be pulled and reviewed. The education agency must show 100% correction of noncompliance before SES is allowed to clear/close out the focused monitoring process. If the same findings are identified during the review of updated data, the education agency will not show 100% correction of noncompliance and Step 3 will be taken.
3. Twenty calendar days from the last review of new/updated data, a random sample of new/updated data will be pulled and reviewed. The education agency must show 100% correction of noncompliance before SES is allowed to clear/close out the focused monitoring process. If the same findings are identified during the review of updated data, the education agency will not show 100% correction of noncompliance and Step 4 will be taken.
4. Ten calendar days from the last review of new/updated data, a random sample of new/updated data will be pulled and reviewed. The education agency must show 100% correction of noncompliance before SES is allowed to clear/close out the focused monitoring process. If the same findings are identified during the review of updated data, the education agency will not show 100% correction of noncompliance and the ALSDE will determine what enforcement procedures will be considered.

#### **Enforcement Procedures:**

1. The Special Education Coordinator will receive a call from the Program Coordinator of Special Education.
2. A letter will be written to the Superintendent outlining the seriousness of correction of noncompliance.
3. A Compliance agreement will be implemented.
4. The Superintendent will be directed to come to the ALSDE and meet with the Director of the Office of Learning Support, Program Coordinator of Special Education, Focused Monitoring Administrator, and the Focused Monitoring Team Leader.
5. Withholding of funds procedures may be implemented.