

Focused Monitoring Report



Education Agency:	Monroe County
Special Education Coordinator:	Ms. Teresa Bullard
Focused Monitoring Date:	April 26, 2016
Special Education Services Team Leader:	Mrs. Tina Sanders
Special Education Services Data Analyst:	Mrs. Courtney Utsey

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

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
Protection In Evaluation Procedures					
<p>The education agency did not conduct a full and individual initial evaluation, before the initial provision of special education and related services to a student with a disability. AAC 290-8-9-.02(1)(c); 34 CFR § 300.301(a)</p> <p>Tests and other evaluation materials were not utilized that provide a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about the child including information provided by the parent. AAC 290-8-9-.02(1)(1); 34 CFR § 300.304(b)(1)</p> <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 utilize a variety of assessment tools and strategies used to gather relevant information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general curriculum (or for a preschool child, to participate on appropriate activities. AAC 290-8-9-.02(1)(l); 34 CFR § 300.304(b)(3)(c)(7)</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. Complete the <i>Notice of Proposal or Refusal to Take</i></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 completion of the <i>Alabama Student Assessment</i> forms in the IEP.</p> <p>Ensuring parents are given an opportunity to participate in all meetings when decisions are being made regarding identification, evaluation, placement, and provision of services.</p> <p>The evaluation, eligibility, and reevaluation process/</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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<p>In evaluation decisions the education agency, as part of an initial evaluation and as part of any reevaluation, did not utilize an IEP Team including the parent. AAC 290-8-9-.02(1)(d); .05(3)(a); 34 CFR § 300.304(a)(b)(c)(d)</p> <p>In evaluation decisions the education agency did not review existing evaluation, such as current classroom-based assessments and observations, data on the child including evaluations, and information provided by the parents of the child. AAC 290-8-9-.02(1)(d)(1); 34 CFR § 300.305(a)(1)(i-iii)</p> <p>In evaluation decisions the team, on the basis of the review and input from the child’s parents, did not identify what additional data, if any, was needed to determine if a child has a particular category of disability or whether the child continues to have such a disability. AAC 290-8-9-.02(1)(d)(i); 34 CFR § 300.305(a)(2)</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, a team of qualified professionals and the parent of the student did not determine whether the student has a disability. AAC 290-8-9-.04(1); 34 CFR § 300.306(a)(1); .10(c)(2)</p>	<p><i>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> <p>Obtain the missing consent form for the students.</p>	<p>criteria and requirements for each disability area.</p> <p>The evaluation process, using appropriate assessment data to determine eligibility.</p> <p>On interpreting evaluation data correctly.</p> <p>The required information that must be documented on the eligibility report.</p> <p>The required Eligibility Committee or IEP Team composition.</p> <p>On providing a copy of the eligibility report to the parent and documenting that a copy was given on the <i>Notice and Eligibility Decision Regarding Special Education Services</i> form.</p>			

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<p>Upon completing the administration of tests and other evaluation materials, the education agency did not provide a copy of the evaluation report and documentation of determination of eligibility to the parent. AAC 290-8-9-.04(2)(b); 34 CFR § 300.306(a)(2)</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>Upon completing the administration of tests and other evaluation materials, the evaluation team did not include the required members for a child suspected of having a specific learning disability. AAC 290-8-9-.03(10)(b)(2); 34 CFR § 300.321(a)</p> <p>The required assessments were not administered to each student before the eligibility determination meeting. AAC 290-8-9-.03; 34 CFR § 300.301(a)</p> <p>Parental consent is not obtained for reevaluation if new assessments are needed to determine continued eligibility. AAC 290-8-9-.02(6)(e); 34 CFR § 300.300(c)(1)(i)</p> <p>If the determination is that no additional data is needed to determine whether the student continues to be a student with a disability, the education agency does not notify the parents of the determination and the reason(s)</p>		<p>The proper use and completion of notice and consent forms.</p> <p>The appropriate steps to take to complete the initial evaluation or reevaluation process.</p>			

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for it and of the right of the parent to request an assessment to determine continued eligibility. AAC 290-8-9-.02(6)(d); 34 CFR § 300.305(d)					
Individualized Education Program (IEP)					
<p>Each student's IEP does not include a student profile, detailing how the student's disability affects the student's involvement and progress in the general curriculum or for preschool children as appropriate, how the disability affects the child's involvement. AAC 290-8-9-.05(6)(a); 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>Each student's IEP does not include, if required, benchmarks enabling the student to be involved in and progress in the general curriculum. AAC 290-8-9-.05(6)(b); 34 CFR § 300.320(a)(2)(B)(ii)</p> <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 an explanation of the extent, if any, to which the student will not</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>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>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>The required IEP Team composition.</p> <p>Parental participation in all meetings when decisions are being made regarding identification, evaluation, placement, and provision of services.</p> <p>IEP development that includes completion of the form as well as the process for developing</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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<p>participate with nondisabled students in extracurricular and nonacademic activities. AAC 290-8-9-.05(6)(d); 34 CFR § 300.320(a)(5)</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 documentation of completed progress notes. AAC 290-8-9-.05(6)(g); 34 CFR § 300.320(a)(3)(ii)</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 the LEA representative. AAC 290-8-9-.05(3)(d); 34 CFR § 300.321(a)(4)(i-iii)</p> <p>The IEP and/or student's file does not document the involvement in each IEP meeting of at least one special</p>	<p>Develop a progress report reflecting progress toward IEP goals students.</p> <p>Provide a copy of the progress report to the parent.</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>Obtain the missing consent form for the students indicated.</p> <p>Complete the <i>Notice of Proposal or Refusal to Take Action</i> form with explanation regarding the missing consent form.</p>	<p>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>Procedures for providing a copy of</p>			

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<p>education teacher, or if appropriate, at least one special education provider. AAC 290-8-9-.05(3)(c); 34 CFR § 300.321(a)(3)</p> <p>The IEP and/or student's file does not document the involvement in each IEP meeting of one or both parent. AAC 290-8-9-.05(3)(a); 34 CFR § 300.321(a)(1)</p> <p>The IEP and/or student's file does not document the involvement in each IEP meeting of at least one general education teacher of the child. AAC 290-8-9-.05(3)(b); 34 CFR § 300.321(a)(2)</p> <p>The IEP and/or student's file does not document the involvement in each IEP meeting of an individual who can interpret the instructional implications of evaluation results. AAC 290-8-9-.05(3)(e); 34 CFR § 300.321(a)(5)</p> <p>The IEP and/or student's file does not document the involvement in each IEP meeting of the student, at the age when transition services are discussed, and other times when appropriate. AAC 290-8-9-.05(3)(g); 34 CFR § 300.321(b)(1)(2)</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>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>the IEP to parents/students.</p> <p>The completion of the <i>Alabama Student Assessment</i> forms in the IEP.</p> <p>Progress reports that reflect progress toward IEP goals and are provided to the parent according to the schedule in the IEP.</p> <p>Completion of the notice and consent forms.</p>			

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<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>The IEP notice does not include the purpose, time, location, anticipated participants, and inform the parents that they may bring other individuals who have special expertise regarding the child. AAC 290-8-9-.05(b); 34 CFR § 300.322(b)(i)</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>The education agency does not provide a copy of the IEP to the parent(s). AAC 290-8-9-.05(f); 34 CFR § 300.322(f)</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>					

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.