

# Focused Monitoring Report



|  |                              |
|--|------------------------------|
| Education Agency:                        | <b>Muscle Shoals City</b>    |
| Special Education Coordinator:           | <b>Ms. Pam Russell</b>       |
| Focused Monitoring Date:                 | <b>December 9 – 12, 2013</b> |
| Date Transferred to Coordinator:         | <b>December 12, 2013</b>     |
| Special Education Services Team Leader:  | <b>Ms. Jan Enstrom</b>       |
| Special Education Services Data Analyst: | <b>Ms. Cynthia C. Lester</b> |

The Focused Monitoring Process is a blend of compliance monitoring and improving outcomes for students. This report is based on findings from the System Profile Information, Special Education Coordinator's Questionnaire, Student File Review, Student Services Review, and any other information obtained during the on-site visit.

During the Focused Monitoring Process, a designated number of student files were reviewed to verify compliance with state and federal requirements. Also, during the on-site process, a number of students were selected to determine student status and related system performance results. Each SSR provides information to determine if there is a match between the individual needs of the student and the services being provided to the student by the agency.

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 Alabama State Department of Education (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:

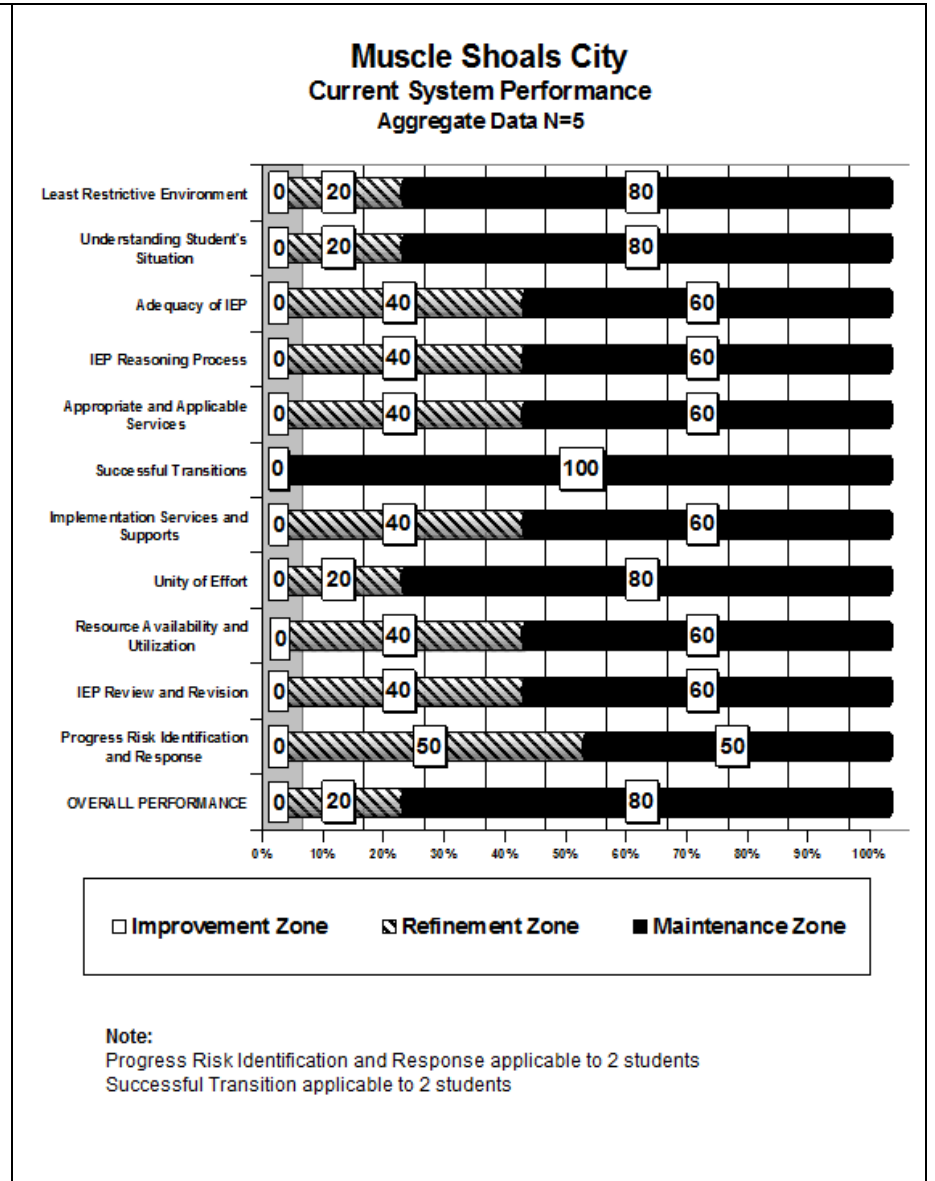
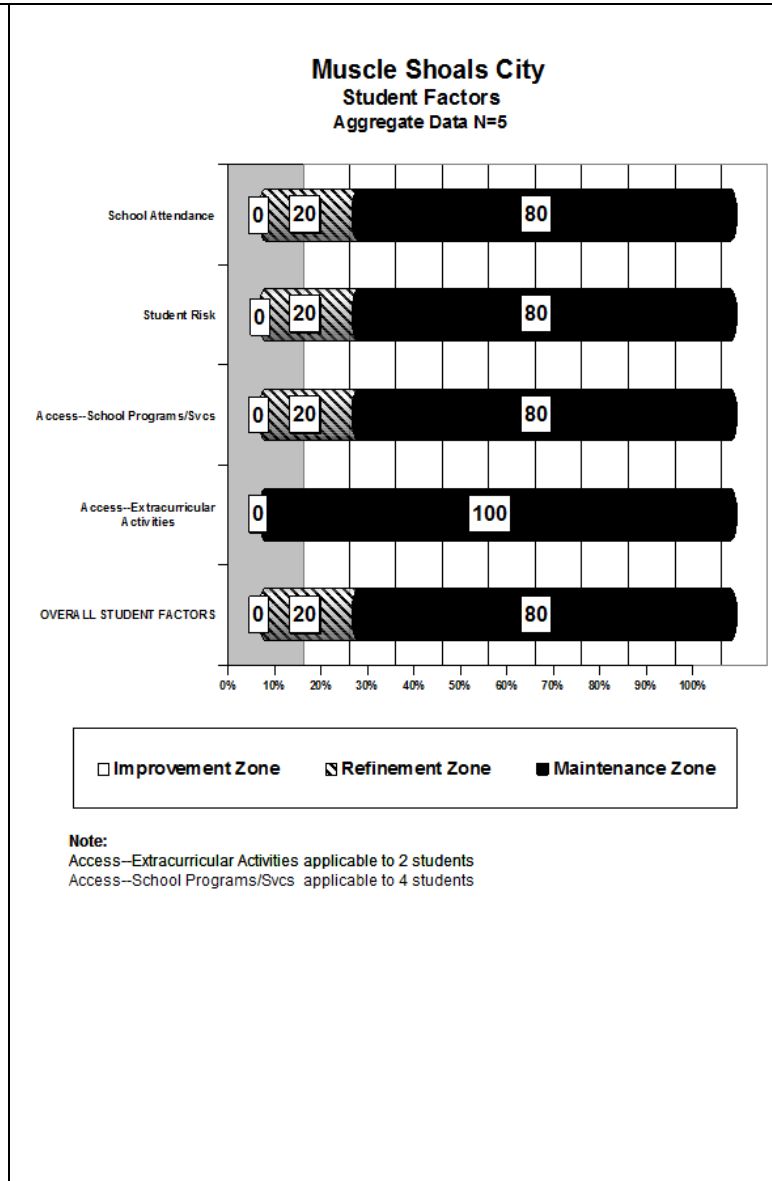
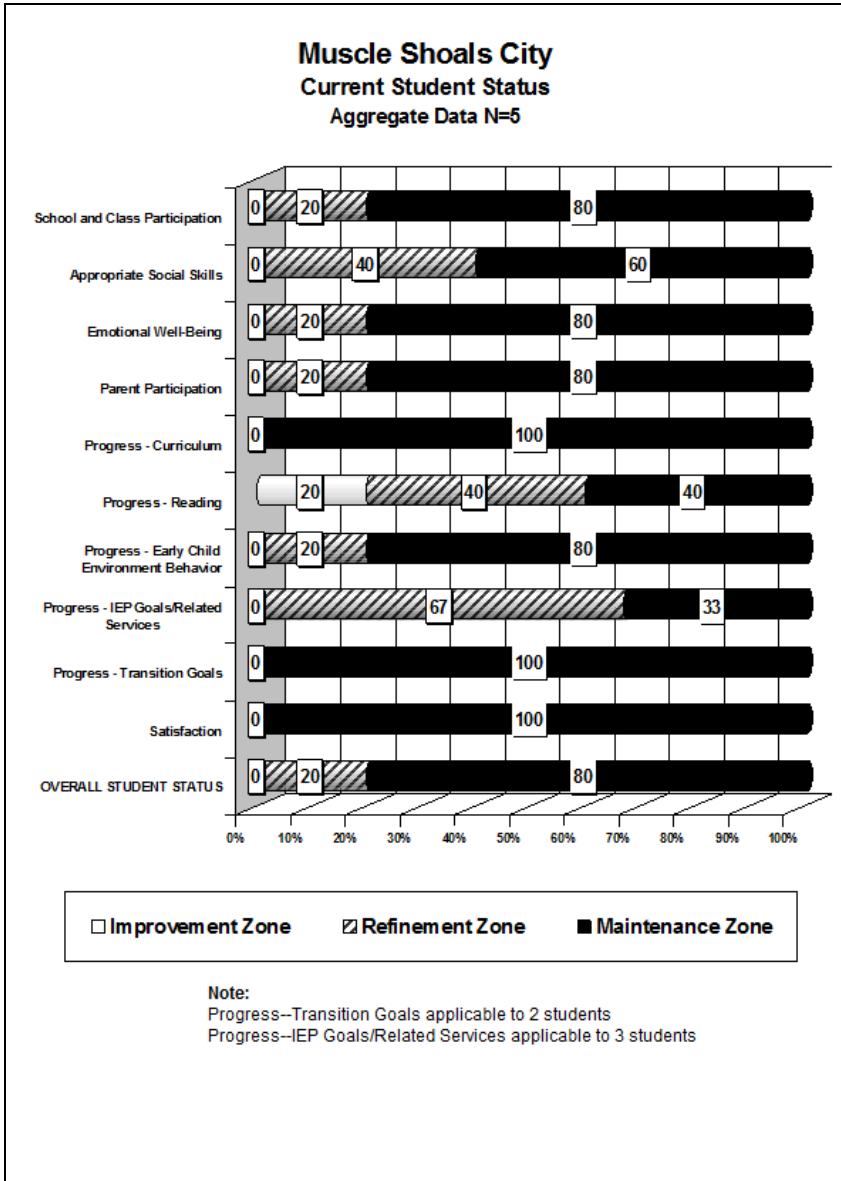
- COMMENDATIONS
- STRENGTHS
- SSR RESULTS
- FINDINGS OF NONCOMPLIANCE
- IMMEDIATE CORRECTION STRATEGIES
- IMPROVEMENT STRATEGIES
- DOCUMENTATION OF CORRECTIVE ACTION

## GLOSSARY

|            |  |           |   |
|------------|--|-----------|---|
| AAA.....   | Alabama Alternate Assessment                                   | LEA.....  | Local Education Agency (to include State-Operated/<br>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<br>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                               |           |   |

**SSR Results:** (Legend—Maintenance Zone=Optimal/Good Conditions; Refinement Zone=Fair/Borderline Conditions; Improvement Zone=Poor/Adverse Conditions)

The graphs depicting the results of the SSR Reviews are based on a selected number of students with disabilities and should not be interpreted to represent the services as a whole for all students with disabilities in the LEA



| 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 conduct a full and individual initial evaluation, before the initial provision of special education and related services to a student with a disability.<br/>AAC 290-8-9-.02(1)(c); 34 CFR § 300.301(a)</p> <p>The education agency did not assess all areas related to the suspected disability, whether or not commonly linked to the disability category.<br/>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.<br/>AAC 290-8-9-.02(1)(l); 34 CFR § 300.304(b)(3)(c)(7)</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.<br/>AAC 290-8-9-.02(1)(d)(2)(v); 34 CFR § 300.305(a)(c)</p> <p>The required assessments were not administered to each student before the eligibility determination meeting.<br/>AAC 290-8-9-.03; 34 CFR § 300.301(a)</p> | <p>Convene the IEP Team and review the eligibility of the students discussed during the on-site visit.</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>Complete the <i>Notice of Intent Regarding Special Education Services</i> form with explanation regarding omission of the documentation on the eligibility</p> | <p>Provide to the appropriate teachers and administrators information, training, and/or technical assistance on the following:</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>On interpreting evaluation data correctly.</p> <p>The required information that must be documented on the eligibility report.</p> <p>The appropriate steps to take to complete the initial evaluation or 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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|  |  | 3-Month Training  | 6-Month Training | 3-Month Training   | 6-Month Training |
|  | <p>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 Intent Regarding Special Education Services</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.<br/> 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.<br/> AAC 290-8-9-.05(6)(o)</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.</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 Intent Regarding Special Education Services</i> form to the parent with</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: name, position, and school/worksite.</p> |                  |

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|   |  | 3-Month Training  | 6-Month Training | 3-Month Training                   | 6-Month Training |
| <p>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>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>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.</p> | <p>explanation regarding corrective action taken.</p> <p>Document the date sent in the appropriate place on the IEP form.</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 Intent Regarding Special Education Services</i> form with explanation regarding the missing consent form.</p> <p>Meet with the students eligible to explain the transfer of rights and document on the current IEP form the date that the student was informed. Students with disabilities have a right to the length of the regular school day unless justified in the</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 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</p> |                  |                                    |                  |

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|  |  | 3-Month Training   | 6-Month Training | 3-Month Training                   | 6-Month Training |
| <p>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.<br/> AAC 290-8-9-.05(b); 34 CFR § 300.322(b)(i)</p> <p>The education agency does not provide a copy of the IEP to the parent(s).<br/> 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.<br/> AAC 290-8-9-.04(4)(a); 34 CFR § 300.300(b)(1)</p> <p>The education agency is not in operation for at least the length of the regular school term and school day unless the IEP Team specifies a different length of time based on the individual needs of the child.<br/> AAC 290-8-9-.05(2)(c)</p> | <p>IEP due to an individual need. Ensure that decisions regarding shortened school day are based on individual need and not administrative convenience .</p> | <p>appropriate diploma option, changing between diploma/exit options, 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 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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|--|---|--|--|------------------------------------|--|
|  |   | 3-Month Training   | 6-Month Training   | 3-Month Training                   | 6-Month Training   |
|  |   | The process for entering student information into the STISETS program. |  |                                    |  |
| <b>Least Restrictive Environment</b>   |   |  |  |                                    |  |
| The education agency does not ensure that special classes, separate schooling or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes, separate schooling or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes, with the use of supplementary aids and services, cannot be achieved satisfactorily and document this based on the IEP.<br>AAC 290-8-9-.06; 34 CFR § 300.114(a)(2) | Anticipated Frequency of Service(s), Amount of Time, and Location of Service(s) must be directly linked and consistent with the student's LRE.<br><br>Convene the IEP Team for the students discussed during the on-site visit. Ensure the LRE code correctly reflects the frequency, amount of time, and location of services. |  |  |                                    |  |
| <b>Professional Development</b>  |   |  |  |                                    |  |
| The education agency inservice program did not make provisions for meeting the needs of parents.<br>34 CFR § 300.34(8)(i); .207  |   |  | Provide training to parents that address issues specific to the needs of the parents. (i.e. homework assistance, disability specific information, access to community resources, current laws, etc.) |                                    | Provide to the ALSDE documentation of required training including, but not limited to, training agenda/outline and the sign-in forms that include the names of the participants. |
| <b>Case Manager</b>  |   |  |  |                                    |  |
| Is each special education teacher assigned as a Case Manager within the guidelines for the number of records they are responsible for?<br>AAC 290-8-9-.11; 34 CFR § 300.101  |   |  | Ensure that each special education teacher is assigned as a case manager as required by the AAC.   |                                    | Provide to the ALSDE documentation that this has occurred.   |



### **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.
- 6.