

Focused Monitoring Report



Education Agency:	Phenix City
Special Education Coordinator:	Ms. Lynn Herman
Focused Monitoring Date:	February 4, 2015
Special Education Services Team Leader:	Mrs. Billie Thompson
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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:

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

GLOSSARY

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

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>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, 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 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>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.</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 of Proposed Meeting/ Consent for Agency Participation</i> form.</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 process, using appropriate assessment data to determine eligibility.</p>	<p>Provide to the appropriate teachers and administrators information, training, and/or technical assistance on the following:</p> <p>Timeline compliance and documentation.</p> <p>Overdue eligibility determinations, including any that were overdue at the time of the monitoring visit.</p> <p>Refining the central office procedures for monitoring compliance to timelines for initial and continued eligibility.</p> <p>The evaluation, eligibility, and reevaluation process/ criteria and requirements for each disability area.</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>	<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>AAC 290-8-9-.04(1); 34 CFR § 300.306(a)(1); .10(c)(2)</p> <p>An evaluation is not conducted every three years for each student with disabilities unless the parent and the education agency agree that a reevaluation is unnecessary.</p> <p>AAC 290-8-9-.02(6)(c); 34 CFR § 300.303(b)(1)(2)</p>	<p>Complete the <i>Notice of Intent Regarding Special Education Services</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 Intent Regarding Special Education Services</i> form with explanation regarding corrective action taken.</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> <p>The proper use and completion of notice and consent forms.</p> <p>The reevaluation process.</p> <p>The process of comprehensively reviewing data to make decisions on the</p>			

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		<p>need for additional data to determine continued eligibility.</p> <p>The appropriate steps to take to complete the initial evaluation or reevaluation process.</p>			
Individualized Education Program (IEP)					
<p>Each student with disabilities does not have the IEP developed within thirty days of eligibility determination. AAC 290-8-9-.05(2)(a)(b); 34 CFR § 300.101(b)(2); .323(a)</p> <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 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 does not include an explanation of the extent, if any, to which the student will not participate with nondisabled students in extracurricular and nonacademic activities. AAC 290-8-9-.05(6)(d); 34 CFR § 300.320(a)(5)</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 explanation regarding corrective action taken.</p> <p>Document the date sent in the appropriate place on the IEP 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 of Proposed Meeting/Consent for Agency Participation</i> form.</p> <p>Parental participation in all meetings when decisions are being made regarding identification, evaluation, placement, and provision of services.</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>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 a statement of how the student's progress toward the annual goal will be measured. AAC 290-8-9-.05(6)(g); 34 CFR § 300.320(a)(3)(i)</p> <p>Each student's IEP does not include a statement of how the student's parents will be regularly informed of the student's progress toward annual goals. 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, beginning not later than the IEP that will be in effect when the child reaches 18, a statement that the student has been informed of his/her rights that will transfer to the student on reaching the age of majority. AAC 290-8-9.08(8); 34 CFR § 300.320(7)(c)</p>	<p>Convene the IEP team to develop a current IEP for the applicable student(s).</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>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</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>			

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<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 parents are not notified of the IEP meeting early enough to ensure participation. AAC 290-8-9-.05(a); 34 CFR § 300.322(a)(1)</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 document a variety of means to involve the parent in developing the IEP. AAC 290-8-9-.05(d); 34 CFR § 300.322(d)(1)(2)(3)</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>IEP form the date that the student was informed.</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>			

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.