Focused Monitoring Report

Education Agency: Dale County
Special Education Coordinator: Mrs. Beverly Jones Lampkin
Focused Monitoring Date: May 12-15, 2014
Date Mailed to Coordinator: May 15, 2014
Special Education Services Team Leader: Ms. Fannie Adams
Special Education Services Data Analyst: Ms. Courtney Utsey

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:

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

GLOSSARY

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

**PROTECTION IN EVALUATION PROCEDURES**

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)

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)(d); 34 CFR § 300.304(c)(4)

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)

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)

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)(c); 34 CFR § 300.306(b)(1-2)

Convene the IEP Team and review the eligibility of the students discussed during the on-site visit.

Reevaluate students as determined appropriate by a review of eligibility.

Convene the IEP Team/ Eligibility Committee and determine eligibility for the students who were evaluated as determined appropriate by the review.

Use the information in the file to correct the eligibility report by documenting the missing information on the appropriate pages of the Notice and Eligibility Decision Regarding Special Education Services form for the students.

Indicate corrected copy and date of correction on the Notice and Eligibility Decision Regarding Special Education Services form.

Complete the Notice of Intent Regarding Special Education Services form with explanation.

Provide to the appropriate teachers and administrators information, training, and/or technical assistance on the following:

- The proper completion of the Notice of Proposed Meeting/ Consent for Agency Participation form.
- Ensuring parents are given an opportunity to participate in all meetings when decisions are being made regarding identification, evaluation, placement, and provision of services.
- Timeline compliance and documentation.
- Overdue eligibility determinations, including any that were overdue at the time of the monitoring visit.

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.

The participant sign-in forms should contain columns for the following: name, position, and school/worksite.
<table>
<thead>
<tr>
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<td>The required assessments were not administered to each student before the eligibility determination meeting. AAC 290-8-9-.03; 34 CFR § 300.301(a)</td>
<td>regarding omissions of the documentation on the eligibility report. Send a copy of both forms to the parent and/or student. Document the date sent in the appropriate place on the Notice and Eligibility Decision Regarding Special Education Services form. Provide to the parent/student the Notice of Intent Regarding Special Education Services form with explanation regarding corrective action taken.</td>
<td>Refining the central office procedures for monitoring compliance to timelines for initial and continued eligibility. The evaluation, eligibility, and reevaluation process/ criteria and requirements for each disability area. The evaluation process, using appropriate assessment data to determine eligibility. On interpreting evaluation data correctly. The required information that must be documented on the eligibility report. The reevaluation process.</td>
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<td>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. AAC 290-8-9-.02(6)(c); 34 CFR § 300.303(b)(1)(2)</td>
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<td>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 § 300.157</td>
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3-Month Training | 6-Month Training | 3-Month Training | 6-Month Training
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<td>The appropriate steps to take to complete the initial evaluation or reevaluation process.</td>
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**Individualized Education Program (IEP)**

- Each student with disabilities does not have an appropriate IEP developed prior to receiving services.  
  AAC 290-8-9-.05(2)(b); 34 CFR § 300.3231(a)

- 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)

- Each student's IEP does not include a statement of measurable annual goals.  
  AAC 290-8-9-.05(6)(b)(c); 34 CFR § 300.320(a)(i)(ii)

- 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)

- 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)

  - **Review the IEPs of the students discussed during the on-site visit.**
  - **Revise IEPs as determined appropriate by the review.**
  - **Address the components that were not completed as required.**
  - **Send a copy of the completed/amended IEP to the parents of the students.**
  - **Send the Notice of Intent Regarding Special Education Services form to the parent with explanation regarding corrective action taken.**
  - **Document the date sent in the appropriate place on the IEP form.**
  - **Convene the IEP team to develop a current IEP for the applicable student(s).**

  - **Provide to the appropriate teachers and administrators information, training, and/or technical assistance on the following:**
    - **The proper completion of the Notice of Proposed Meeting/Consent for Agency Participation form.**
    - **The required IEP Team composition.**
    - **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 diploma option, changing between diploma/exit options, transition**

  - **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.**

  - **The participant sign-in forms should contain columns for the following: name, position, and school/worksite.**
**FINDINGS OF NONCOMPLIANCE**

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<td>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)</td>
<td>Develop a progress report reflecting progress toward IEP goals students.</td>
<td>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.</td>
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<td>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)</td>
<td>Provide a copy of the progress report to the parent.</td>
<td>The completion of the Alabama Student Assessment forms in the IEP.</td>
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<tr>
<td>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)</td>
<td>Review the IEPs and complete the Alabama Student Assessment forms for the students: Send a copy of the revised/amended IEP, including the Alabama Student Assessment forms, to the parent and document the date sent on the signature page of the IEP.</td>
<td>Progress reports that reflect progress toward IEP goals and are provided to the parent according to the schedule in the IEP.</td>
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<td>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)</td>
<td>Obtain the missing consent form for the students indicated. Complete the Notice of Intent Regarding Special Education Services form with explanation regarding the missing consent form.</td>
<td>Completion of the notice and consent forms.</td>
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<td>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)</td>
<td>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)</td>
<td>The process for entering student information into the STISETS program.</td>
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**IMPROVEMENT STRATEGIES**

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<td>Develop a progress report reflecting progress toward IEP goals students.</td>
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<td>Provide a copy of the progress report to the parent.</td>
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<td>Review the IEPs and complete the Alabama Student Assessment forms for the students:</td>
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<td>Send a copy of the revised/amended IEP, including the Alabama Student Assessment forms, to the parent and document the date sent on the signature page of the IEP.</td>
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<td>Obtain the missing consent form for the students indicated. Complete the Notice of Intent Regarding Special Education Services form with explanation regarding the missing consent form.</td>
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<td>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.</td>
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<td>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)</td>
<td>compensatory services for the affected students.</td>
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<tr>
<td>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)</td>
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<tr>
<td>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)</td>
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<td>The education agency does not utilize a variety of means to involve the parent in developing the IEP. AAC 290-8-9-.05(c); 34 CFR § 300.322(c)</td>
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<td>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)</td>
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<td>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)</td>
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<td>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. AAC 290-8-9-.05(2)(c)</td>
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<td><em>Least Restrictive Environment</em></td>
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<td>The education agency does not ensure that, to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, will be educated with students who do not have disabilities and document this based on the IEP. AAC 290-8-9-.06; 34 CFR § 300.114(a)(2)</td>
<td>Determine if the service delivery (e.g., opportunities for interaction with non-disabled peers, etc.) is appropriate. Convene the IEP Team for students discussed during the onsite visit. Determine if the service delivery is appropriate. Justify the LRE on the IEP</td>
</tr>
<tr>
<td>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. AAC 290-8-9-.06; 34 CFR § 300.114(a)(2)</td>
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<td>The placement is not as close as possible to the student's home nor is this justified on the IEP. AAC 290-8-9-.06(1)(c); 34 CFR § 300.116(b)(3)</td>
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<td>The education agency does not ensure that a student with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum. AAC 290-8-9-.06(1)(f); 34 CFR § 300.116(b)(3)(c)</td>
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**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.