

Focused Monitoring Report



Education Agency:	Macon County
Special Education Coordinator:	Dr. Kenneth P. Oliver
Focused Monitoring Date:	January 8-10, 2014
Date Transferred to Coordinator:	January 10, 2014
Special Education Services Team Leader:	Ms. Cynthia Lester
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:

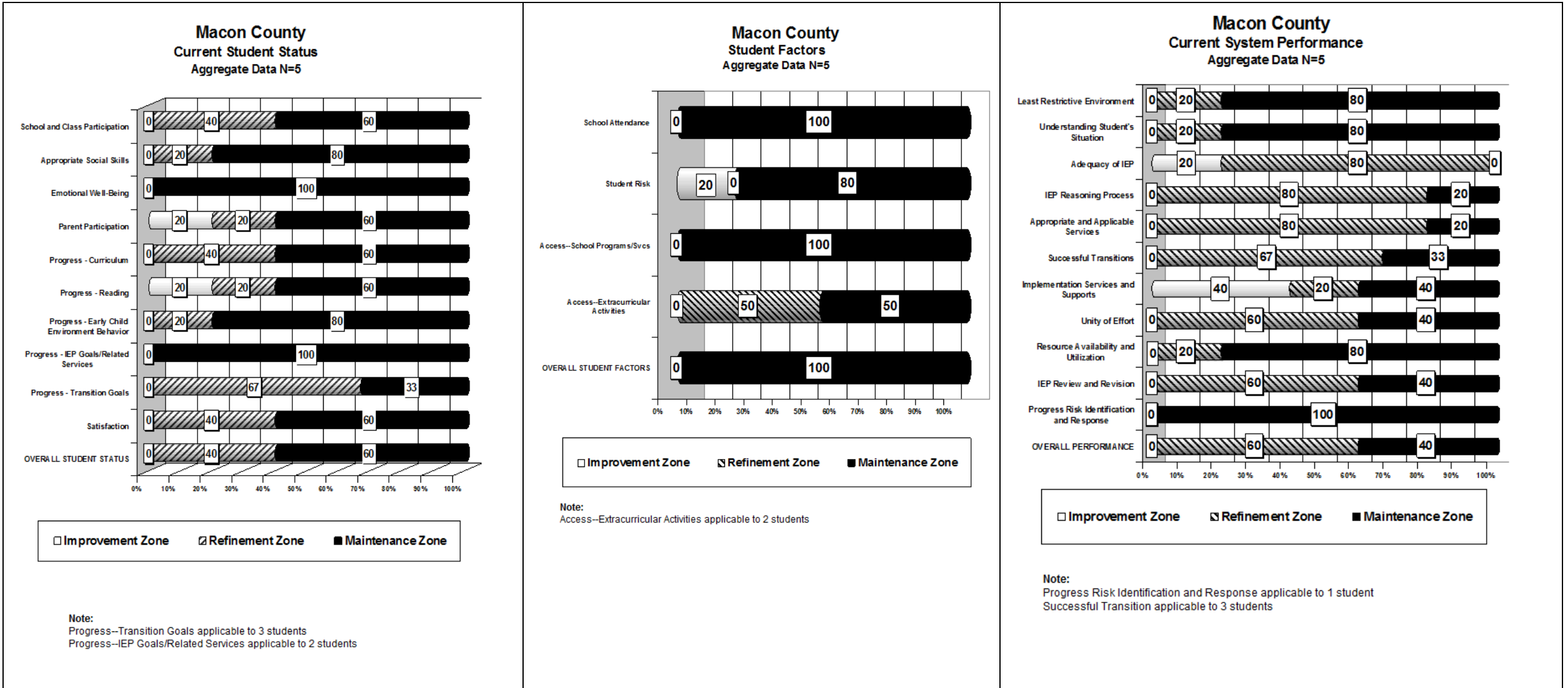
- SSR RESULTS
- FINDINGS OF NONCOMPLIANCE
- IMMEDIATE CORRECTION STRATEGIES
- IMPROVEMENT STRATEGIES
- DOCUMENTATION OF CORRECTIVE ACTION

GLOSSARY

AAA.....	Alabama Alternate Assessment	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		

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
Private School					
<p>The education agency did not send written notification to private schools of available services for students with disabilities residing in the jurisdiction of the LEA. AAC 290-8-9-.10(8); 34 CFR § 300.134</p>			<p>Convene a meeting or send a letter soliciting input from representative of the private school and parents of children with disabilities placed in a private school.</p> <p>Develop a plan of service offered to students eligible for special education services and disseminate the plan to the directors of the private school</p>		<p>Provide to the ALSDE documentation of the meeting with representatives of the private schools. The documentation must describe how children with a disability in a private school can participate equitably, how parents teacher, and private school officials will be informed of the process, determining available fund, consultation process to ensure meaningful participation, where and by whom special education services and related services will be provided, process for handling disagreements and how the services will be evaluated.</p> <p>Provide to the ALSDE documentation of the plan and dissemination list including private school names/addresses and date mailed.</p>

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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 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>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>The report did not indicate the child does not achieve adequately for the child's age or meet state-approved grade level standards. AAC 290-8-9-.03(10)(a)(d)(2)(1); 34 CFR § 300.311(a)(5)(i)</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>Complete the <i>Notice of Intent Regarding Special Education Services</i> form with explanation</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 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>Timeline compliance and documentation.</p> <p>Overdue eligibility determinations, including any that</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>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>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)</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 § 300.157</p>	<p>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>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>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>			

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		<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 need for additional data to determine continued eligibility.</p>			
Individualized Education Program (IEP)					
<p>Each student with disabilities does not have a current IEP developed. AAC 290-8-9-.05(2)(b); 34 CFR § 300.323(a)</p> <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>Review the IEPs of the students discussed during the on-site visit.</p> <p>Develop a plan to ensure all students eligible for special education services under Speech and Language Impaired are receiving services as stated in the IEP.</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</i></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>	

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<p>Each student with disabilities does not have the IEP implemented at the beginning of the school year. AAC 290-8-9-.05(2)(a)(b); 34 CFR § 300.101(b)(2); .300.323(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 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>Provide to the ALSDE a list of students who have not received services since the beginning of the 2013-2014 school year and develop a plan for providing compensatory services for the affected students.</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>Convene the IEP team to develop a current IEP for the applicable students.</p> <p>Develop a progress report reflecting progress toward IEP goals.</p>	<p><i>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>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>		<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 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>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 projected date for the beginning of services and modifications and the anticipated frequency, location, and duration. AAC 290-8-9-.05(6)(f); 34 CFR § 300.320(a)(7)</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 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</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>Students with disabilities have a right to the length of the regular school day unless justified in the IEP due to an individual need. Ensure that decisions regarding shortened school day are based on individual need and not administrative convenience.</p> <p>Provide to the ALSDE a list of students who have not received services since the beginning of</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>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> <p>On timeline compliance for implementation of the initial IEP, to</p>			

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<p>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>Each student's IEP does not include extended school year services documentation. AAC 290-8-9-.05(9); 34 CFR § 300.106(a)(b)</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. AAC 290-8-9-.05(7); 34 CFR § 300.323(d)(2)(ii)</p>	<p>the 2013-2014 school year and develop a plan for providing compensatory services for the affected students.</p>	<p>include implementation of a child's IEP on his/her third birthday if the child transitioned from EI.</p> <p>The process for entering student information into the STISETS program.</p>			

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<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>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>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>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)</p>					
Least Restrictive Environment					
<p>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)</p>	<p>Determine if the service delivery (e.g., school placement, grade placement, age-range of students in same class at same time, opportunities for interaction with non-disabled peers, etc.) is appropriate.</p>		<p>Develop a system-wide plan, including timeline, for transitioning students into an age-appropriate setting and/or providing appropriate opportunities for interaction with non-disabled peers.</p>		<p>Provide to the ALSDE a copy of the plan for transitioning students into an age-appropriate setting and/or providing opportunities for interaction with non-disabled peers.</p>

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<p>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, 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)</p> <p>The student is not educated in the school which he/she would attend if not disabled nor is this justified on the IEP. AAC 290-8-9-.06(1)(d); 34 CFR § 300.116(b)(3)(c)</p>					
Professional Development					
<p>The education agency inservice program did not make provisions for meeting the needs of special education teachers. 34 CFR § 300.156; .207</p> <p>The education agency inservice program did not make provisions for meeting the needs of regular education teachers. 34 CFR § 300.156; .207</p> <p>The education agency inservice program did not make provisions for meeting the needs of administrators. 34 CFR § 300.156; .207</p>			Provide special education teachers, general education teachers and administrators training on the following: <i>Makes Sense Strategies</i> and <i>Positive Behavior Supports</i> .		Provide to the ALSDE documentation of required training including, but not limited to, training agenda/outline and the sign-in forms that include the name, position, and school/worksite of the participants.
Case Manager					
<p>Is each special education teacher assigned as a Case Manager within the guidelines for the number of records they are responsible for? AAC 290-8-9-.11; 34 CFR § 300.101</p>			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.