



# **Compliance Monitoring: Special Education Part I**

Bessemer City Board of Education

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## **Introduction**

The Special Education Continuous Improvement System is a compliance review process that provides an effective system of general supervision to (1) support practices that improve educational results and functional outcomes; (2) uses multiple methods to identify and correct noncompliance; and (3) uses mechanisms to encourage and support improvement as well as compliance. This model also supports efforts to improve student growth and achievement, close the achievement gap, increase graduation rate, and increase the number of student graduating from high school that are college and career ready to compete in our global society.

**A. Protection In Evaluation Procedures**

| <b>Label</b>         | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|----------------------|---|-----------------|----------------|-------------------|
| Special Education 1. | 1. Does the education agency 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) | N/A             |                |                   |

| <b>Label</b>         | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|----------------------|--|-----------------|----------------|-------------------|
| Special Education 2. | 2. Are tests and other evaluation materials validated for the specific purpose for which they are used? AAC 290-8-9-.02 (1)(j)(k); 34 CFR § 300.304(c)(i)(iii) | N/A             |                |                   |

| <b>Label</b>         | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|----------------------|--|-----------------|----------------|-------------------|
| Special Education 3. | 3. Are tests and other evaluation materials selected and administered as best to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills, except where those skills are the factors which the test purports to measure? AAC 290-8-9-.02 (1)(p); 34 CFR § 300.304(i)(3) | N/A             |                |                   |

| <b>Label</b>         | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|----------------------|---|-----------------|----------------|-------------------|
| Special Education 4. | 4. Are tests and other evaluation materials provided and administered in the student's native language or other mode of communication? AAC 290-8-9-.02 (i)(h); 34 CFR § 300.304(c)(i)(ii) | N/A             |                |                   |

| <b>Label</b>         | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|----------------------|--|-----------------|----------------|-------------------|
| Special Education 5. | 5. Are tests and other evaluation materials administered by trained personnel in accordance with the instructions provided by their producers that directly assists in determining the educational needs of the child? AAC 290-8-9-.02 (1)(j); 34 CFR § 300.304(c) | N/A             |                |                   |

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| Label                | Assurance   | Response | Comment | Attachment |
|----------------------|---|----------|---------|------------|
| Special Education 6. | 6. Are tests and other evaluation materials 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) | N/A      |         |            |

| Label                | Assurance  | Response | Comment | Attachment |
|----------------------|--|----------|---------|------------|
| Special Education 7. | 7. Are materials and procedures tailored to assess a child with limited English proficiency selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills? AAC 290-8-9-.02 (1)(r); 34 CFR § 300.304(c)(3); .29(a)(1) | N/A      |         |            |

| Label                | Assurance   | Response | Comment | Attachment |
|----------------------|---|----------|---------|------------|
| Special Education 8. | 8. Are tests and other evaluation materials tailored to assess specific areas of educational need and not merely those which are designed to provide a single intelligence quotient? AAC 290-8-9-.02 (1)(h); 34 CFR § 300.304(c)(2) | N/A      |         |            |

| Label                | Assurance   | Response | Comment | Attachment |
|----------------------|---|----------|---------|------------|
| Special Education 9. | 9. Does the education agency utilize more than a single procedure to determine whether a student has a disability and for determining appropriate educational programs? AAC 290-8-9-.02 (1)(g)(h); 34 CFR § 300.304(c)(2) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 10. | 10. Does the education agency 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 11. | 11. Are hearing and vision screenings provided prior to other initial evaluations? AAC 290-8-9-.03 | N/A      |         |            |

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|-----------------------|---|----------|---------|------------|
| Special Education 12. | 12. In evaluation decisions does the education agency 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 13. | 13. In evaluation decisions does the LEA, as part of an initial evaluation and as part of any reevaluation, utilize IEP Team including the parent? AAC 290-8-9-.02 (1)(d); .05(3)(a); 34 CFR § 300.304(a)(b)(c)(d) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 14. | 14. In evaluation decisions does the education agency 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 15. | 15. In evaluation decisions does the team, on the basis of the review and input from the child's parents, identify what additional data, if any, are 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 16. | 16. In evaluation decisions does the education agency 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 17. | 17. Upon completing the administration of tests and other evaluation materials does a team of qualified professionals and the parent of the student determine whether the student has a disability? AAC 290-8-9-.04(1); 34 CFR § 300.306(a)(1); .10(c)(2) | N/A      |         |            |

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| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 18. | 18. Upon completing the administration of tests and other evaluation materials does the education agency 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 19. | 19. Upon completing the administration of tests and other evaluation materials does the eligibility decision include documentation that, if eligible, was not due to the student's lack of instruction in math or reading or limited English proficiency? AAC 290-8-9-.04(1)(e); 34 CFR § 300.306(b)(1-2) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 20. | 20. Upon completing the administration of tests and other evaluation materials does the evaluation team 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 21. | 21. Upon completing the administration of tests and other evaluation materials does the report indicate for SLD students, that the severe discrepancy is not the result of vision, hearing or motor disabilities mental retardation, emotional disturbances, environmental, cultural or economic disadvantage or limited English proficiency? AAC 290-8-9-.03(10)(c)(3); 34 CFR § 300.311(a)(6) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 22. | 22. Does the report 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 23. | 23. Are the required assessments administered to each referred student before the eligibility determination committee meeting? AAC 290-8-9-.03; 34 CFR § 300.301(a) | N/A      |         |            |

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|-----------------------|---|----------|---------|------------|
| Special Education 24. | 24. Does the education agency ensure that testing and evaluation materials and procedures used for the purposes of evaluation and placement of students with disabilities are selected and administered so as not to be racially or culturally discriminating? AAC 290-8-9-.02(1)(k); 34 CFR § 300.304(c)(1)(i) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 25. | 25. Is an evaluation 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) | Yes      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 26. | 26. Are reevaluations conducted not more than once a year unless the parents and the education agency agree otherwise? AAC 290-8-9-.02(6)(c); 34 CFR § 300.303(b)(1)(2) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 27. | 27. Is parental consent 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 28. | 28. If the determination is that no additional data is needed to determine whether the student continues to be a student with a disability, does the education agency notify the parents of the determination and the reason(s) 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 29. | 29. Do the persons conducting intellectual assessments meet the approved criteria? AAC 290-8-9-.02(3)(a) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 30. | 30. Does the agency provide parents, on request, information as to where independent evaluations may be obtained? AAC 290-8-9-.02(4)(a); 34 CFR § 300.502(a)(1)(2) | Yes      |         |            |



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|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 31. | 31. Does the education agency consider parent-initiated independent evaluations in decisions regarding identification, evaluation, or placement? AAC 290-8-9-.02(4)(e); 34 CFR § 300.502(c)(1) | Yes             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 32. | 32. Does the education agency follow procedures for independent evaluations? AAC 290-8-9-.02(4)(e); 34 CFR § 300.502 | Yes             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 33. | 33. Do independent evaluations meet the same criteria as education agency initiated evaluations? AAC 290-8-9-.02(4)(a); 34 CFR § 300.502(e)(1) | Yes             |                |                   |

| <b>Label</b>          | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|---|-----------------|----------------|-------------------|
| Special Education 34. | 34. Are children with disabilities included 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 | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|---|-----------------|----------------|-------------------|
| Special Education 35. | 35. Is consent obtained prior to conducting an initial evaluation? AAC 290-8-9-.02(1)(a); 34 CFR § 300.300(a) | N/A             |                |                   |

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**B. Individualized Education Program (IEP)**

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 36. | 36. Does each student with disabilities have an appropriate IEP developed prior to receiving services? AAC 290-8-9-.05(2)(b); 34 CFR § 300.3231(a) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 37. | 37. Does each student with disabilities have a current IEP developed? AAC 290-8-9-.05(2)(b); 34 CFR § 300.323(a) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 38. | 38. Does each student with disabilities 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 39. | 39. Does each student with disabilities have the IEP reviewed annually? AAC 290-8-9-.05(2)(b); 34 CFR § 300.323(a) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 40. | 40. Does each student with disabilities 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 41. | 41. Does each student's IEP 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 and progress in the general education 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 42. | 42. Does each student's IEP include a statement of measurable annual goals? AAC 290-8-9-.05(6)(b); 34 CFR § 300.320(a)(i)(i) | N/A             |                |                   |

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|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 43. | 43. Does each student's IEP indicate it is 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 44. | 44. Does each student's IEP 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 45. | 45. Does each student's IEP 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 46. | 46. Does each student's IEP 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 47. | 47. Does each student's IEP 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|---|-----------------|----------------|-------------------|
| Special Education 48. | 48. Does each student's IEP 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) | N/A             |                |                   |

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| Special Education 49. | 49. Does each student's IEP 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 50. | 50. Does each student's IEP 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 51. | 51. Does each student's IEP include documentation of completed progress notes? AAC 290-8-9-.05(6)(g); 34 CFR § 300.320(a)(3)(ii) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 52. | 52. Does each student's IEP 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 53. | 53. Does each student's IEP 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 54. | 54. Does each student's IEP include consideration of special factors? AAC 290-8-9-.05(6)(1); 34 CFR § 300.324(a)(2)(i-v) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 55. | 55. Does each student's IEP include extended school year services documentation? AAC 290-8-9-.05(9); 34 CFR § 300.106(a)(b) | N/A      |         |            |

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|-----------------------|---|-----------------|----------------|-------------------|
| Special Education 56. | 56. Does the IEP and/or student's file 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 57. | 57. Does the IEP and/or student's file document the involvement in each IEP meeting of at least one special education teacher, or if appropriate, at least one special education provider? AAC 290-8-9-.05(3)(c); 34 CFR § 300.321(a)(3) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|---|-----------------|----------------|-------------------|
| Special Education 58. | 58. Does the IEP and/or student's file document the involvement in each IEP meeting of one or both parents? AAC 290-8-9-.05(3)(a); 34 CFR § 300.321(a)(1) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|---|-----------------|----------------|-------------------|
| Special Education 59. | 59. Does the IEP and/or student's file 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 60. | 60. Does the IEP and/or student's file 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) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|---|-----------------|----------------|-------------------|
| Special Education 61. | 61. Does the IEP and/or student's file 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) | N/A             |                |                   |

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|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 62. | 62. Does the IEP and/or student's file 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) | N/A             |                |                   |

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|-----------------------|--|----------|---------|------------|
| Special Education 63. | 63. Is there 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)(2) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 64. | 64. Is there documentation that each teacher and provider is informed of his/her responsibilities relating to implementing the IEP? AAC 290-8-9-.05(7); 34 CFR § 300.323(d)(2)(i) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 65. | 65. Is there 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 66. | 66. Are the parents notified of the IEP meeting early enough to ensure participation? AAC 290-8-9-.05(a); 34 CFR § 300.322(a)(1) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 67. | 67. Does the IEP notice 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) | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 68. | 68. For a student with a disability beginning at age 16, or younger, if appropriate, does the notice 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 69. | 69. Does the education agency utilize a variety of means to involve the parent in developing the IEP? AAC 290-8-9-.05(c); 34 CFR § 300.322(c) | N/A      |         |            |

**Compliance Monitoring: Special Education Part I**

Bessemer City Board of Education

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 70. | 70. Does the education agency document this? AAC 290-8-9-.05(d); 34 CFR § 300.322(d)(1)(2)(3) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 71. | 71. Does the education agency provide a copy of the IEP to the parent(s)? AAC 290-8-9-.05(f); 34 CFR § 300.322(f) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 72. | 72. Does the education agency ensure that students with disabilities participate, as appropriate, in a variety of educational programs and services, including art, music, industrial arts, consumer and home making education, and vocational education? AAC 290-8-9-.06(c); .07(3); 34 CFR § 300.107(a)(b); 117 | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 73. | 73. Does the LEA ensure the development of the IEP and the rights of students with disabilities for those students referred to and receiving special education and related services at non-LEA public facilities? AAC 290-8-9-.10(6); 34 CFR § 300.146 | N/A      |         |            |

| Label                 | Assurance  | Response | Comment | Attachment |
|-----------------------|--|----------|---------|------------|
| Special Education 74. | 74. Does the education agency provide or arrange for nonacademic and extracurricular services? AAC 290-8-9-.06(2); 34 CFR § 300.107; 117 | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 75. | 75. Is consent obtained prior to the initial provision of special education services? AAC 290-8-9-.04(4)(a); 34 CFR § 300.300(b)(1) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 76. | 76. The education agency is 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) | N/A      |         |            |

| Label                 | Assurance   | Response | Comment | Attachment |
|-----------------------|---|----------|---------|------------|
| Special Education 77. | 77. Is transportation provided at no cost to parents? AAC 290-8-9-.07(8); 34 CFR § 300.34(16) | N/A      |         |            |

**Compliance Monitoring: Special Education Part I**Bessemer City Board of Education

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| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 78. | 78. Is transportation provided with modification, if necessary? AAC 290-8-9-.07(8)(b); 34 CFR § 300.34(16)(1)(iii) | N/A             |                |                   |

| <b>Label</b>          | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-----------------------|--|-----------------|----------------|-------------------|
| Special Education 79. | 79. Does the education agency implement the goal of full educational opportunity to all students with disabilities from birth to 21 years of age? AAC 290-8-9-.01(a); .10; 34 CFR § 300.109; 300.111(a)(i) | N/A             |                |                   |





# **Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

Dr. Keith A. Stewart  
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1621 5th Ave. North  
Bessemer, AL 35021-1230

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## **Introduction**

The Special Education compliance review is a process that provides an effective system of general supervision to (1) support practices that improve educational results and functional outcomes; (2) uses multiple methods to identify and correct noncompliance; and (3) uses mechanisms to encourage and support improvement as well as compliance. This model also supports efforts to improve student growth and achievement, close the achievement gap, increase graduation rate, and increase the number of student graduating from high school that are college and career ready to compete in our global society.

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

**A. Child Find**

| <b>Label</b>                 | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 1. | 1. Does the education agency have an on-going Child Find process? AAC 290-8-9-.01(a)(b)(c)(d); 34 CFR § 300.111(a)(i)(c)(i)(2);109 | Yes             |                |                   |

| <b>Label</b>                 | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 2. | 2. Does the education agency activities include identification of students with disabilities birth to 21? AAC 290-8-9-.01(a); 34 CFR § 300.101(a);.301(c)(1)(i);.323(c)(1) | Yes             |                |                   |

| <b>Label</b>                 | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 3. | 3. Does the education agency have written procedures to locate, identify, and evaluate? AAC 290-8-9-.01(a); 34 CFR § 300.111(a)(i) | Yes             |                |                   |

| <b>Label</b>                 | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 4. | 4. Is an appropriate system utilized to track the special education process? AAC 290-8-9-.01(b); 34 CFR § 300.111(a)(ii) | Yes             |                |                   |

| <b>Label</b>                 | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 5. | 5. Does the education agency participate in transition (Part C to Part B) planning conferences arranged by the designated lead agency? AAC 290-8-9-.01(d); 34 CFR § 300.124 | Yes             |                |                   |

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

**B. Private School**

| <b>Label</b>                 | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 6. | 6. Does the education agency 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 | Yes             |                |                   |

| <b>Label</b>                 | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 7. | 7. For students enrolled by their parents in private schools and having been designated to receive special education services, has the education agency participated in the development of an IEP/Services Plan that describes the specific special education and related service the public education agency will provide? AAC 290-8-9-.10(8)(k); 34 CFR § 300.137(c)(2) | N/A             |                |                   |

| <b>Label</b>                 | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 8. | 8. Does the public education agency ensure that each student with disabilities placed in, or referred to, a private school by the public education agency is provided special education and related services: Has an individualized education program/services plan been developed and implemented? AAC 290-8-9-.10(8)(k); 34 CFR § 300.137(c)(1) | N/A             |                |                   |

| <b>Label</b>                 | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 9. | 9. At no cost to parents? AAC 290-8-9-.10(8)(k); 34 CFR § 300.137(c)(1) | N/A             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 10. | 10. Which meets the standards that apply to state local education agencies? AAC 290-8-9-.10(8)(i); 34 CFR § 300.146(b) | N/A             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 11. | 11. Including all the rights of a student with disabilities? AAC 290-8-9-.10(6); 34 CFR § 300.146(c) | N/A             |                |                   |

**Compliance Monitoring: Special Education Part II**

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| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 12. | 12. Has the public education agency developed an IEP prior to placing or referring a student with disabilities to a private school? AAC 290-8-9-.10(6)(a); 34 CFR § 300.325(a) | N/A      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 13. | 13. Has the public education agency ensured that the parents and the public education agency representative are involved in reviewing and revising IEPs of students with disabilities placed at private schools? AAC 290-8-9-.10(6)(b)(c); 34 CFR § 300.325(b) | N/A      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 14. | 14. Has the public education agency ensured the implementation of IEPs of students with disabilities placed at private schools? AAC 290-8-9-.10(6)(d); 34 CFR § 300.325(b) | N/A      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 15. | 15. For students receiving services at a private school or facility, any meetings to review or revise the student's IEP may be initiated and conducted by the private school or facility at the discretion of the public agency. If the private school or facility initiates and conducts these meetings, does the public agency ensure that all required participants are involved in any decision about the child's IEP? AAC 290-8-9-.10(6)(b)(c); 34 CFR § 300.325(b)(2)(i) | N/A      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 16. | 16. For students receiving services at a private school or facility, any meetings to review or revise the student's IEP may be initiated and conducted by the private school or facility at the discretion of the public agency. If the private school or facility initiates and conducts these meetings, does the public agency agree to any proposed changes in the program before those changes are implemented? AAC 290-8-9-.10(6)(b)(c); 34 CFR § 300.325(b)(2)(ii) | N/A      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 17. | 17. For students enrolled by their parents in private schools and having been designated to receive special education services, has the education agency participated in the development of an IEP/Services Plan that describes the specific special education and related services the LEA will provide? AAC 290-8-9-.10(8)(k); 34 CFR § 300.137(c)(2) | N/A      |         |            |

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 18. | 18. For students enrolled by their parents in private schools, has the education agency consulted with appropriate representatives of private school children with disabilities and provided them with a genuine opportunity to express their views regarding each matter that is subject to the consultation? AAC 290-8-9-.10(8); 34 CFR § 300.131-141 | N/A             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 19. | 19. How these children can participate equitably? AAC 290-8-9-.10(8); 34 CFR § 300.131-141 | N/A             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 20. | 20. How the proportionate funding is utilized? AAC 290-8-9-.10(8); 34 CFR § 300.131-141 | N/A             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 21. | 21. How the consultation process will operate throughout the school year? AAC 290-8-9-.10(8); 34 CFR § 300.131-141 | N/A             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 22. | 22. How, where, and by whom special education and related services will be provided? AAC 290-8-9-.10(8); 34 CFR § 300.131-141 | N/A             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 23. | 23. How disagreements are handled between the public education agency and the private school officials? AAC 290-8-9-.10(8); 34 CFR § 300.131-141 | N/A             |                |                   |

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

**C. Free Appropriate Public Education**

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 24. | 24. Has the education agency plan been approved by SDE? AAC 290-8-9-.10(3); 34 CFR § 300.200-.213;.220 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 25. | 25. Are first priority students served? AAC 290-8-9-.01(1);.10(3); 34 CFR § 300.109 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 26. | 26. Were existing interagency contracts verified? AAC 290-8-9-.00(7); 34 CFR § 300.154 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 27. | 27. Is a free appropriate public education provided to all students with disabilities ages 3-21, including students who have been suspended or expelled from school, at no cost to parents? AAC 290-8-9-.01(10); 34 CFR § 300.101(a) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 28. | 28. Were eligible students, including students who have been suspended or expelled from school, evaluated and an IEP developed within the required timeline? AAC 290-8-9-.02(1)(b);.05(2)(a)(b); 34 CFR § 300.101(a);.301(c)(1)(i);.323(c)(1) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 29. | 29. Does the education agency ensure the proper functioning of hearing aids? AAC 290-8-9-.07(4); 34 CFR § 300.113 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 30. | 30. Does the education agency furnish the DOE with necessary information concerning students with disabilities upon request? AAC 290-8-9-.10(10); 34 CFR § 300.211; .640-646 | Yes             |                |                   |



**Compliance Monitoring: Special Education Part II**

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| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 31. | 31. Does the education agency maintain records, which verify the correctness of information submitted? AAC 290-8-9-.10(10); 34 CFR § 300.211; .640-.646. | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 32. | 32. Does the education agency afford the DOE access to records, which verify correctness of information? AAC 290-8-9-.10(10); 34 CFR § 300.211; .640-.646 | Yes             |                |                   |

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

**D. Least Restrictive Environment**

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 33. | 33. Does the education agency 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) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 34. | 34. Does the education agency 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) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 35. | 35. Is the placement determined by the IEP? AAC 290-8-9-.06(1)(b); 34 CFR § 300.116(b)(2) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 36. | 36. Is the placement as close as possible to the student's home and if not, is this justified on the IEP? AAC 290-8-9-.06(1)(c); 34 CFR § 300.116(b)(3) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 37. | 37. Is the placement reviewed for possible harmful effects and quality of services? AAC 290-8-9-.06(1)(c); 34 CFR § 300.116(d) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 38. | 38. Is the decision reviewed annually? AAC 290-8-9-.06(1)(a); 34 CFR § 300.116(b)(1) | Yes             |                |                   |

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 39. | 39. Does the education agency 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)(e) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 40. | 40. Is the student educated in the school which he/she would attend if not disabled? If not, is this justified on the IEP? AAC 290-8-9-.06(1)(d); 34 CFR § 300.116(b)(3)(c) | No              |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 41. | 41. Does the education agency provide a continuum of all alternative placements available to meet the needs of students with disabilities for special education and related services? AAC 290-8-9-.06(3); 34 CFR § 300.115 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 42. | 42. Does the education agency ensure participation to the maximum extent appropriate in nonacademic/extracurricular activities? AAC 290-8-9-.06(2); 34 CFR § 300.107; .117 | Yes             |                |                   |

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

**E. Procedural Safeguards**

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 43. | 43. Is documentation available to show that procedural safeguards were provided to parents upon initial referral, notification of IEP meeting (including parents of students who have reached the age of majority), reevaluation of the student, and when requesting a due process hearing? AAC 290-8-9-.08(6); 34 CFR § 300.504 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 44. | 44. Is personally identifiable information safeguarded according to state and federal guidelines? AAC 290-8-9-.08(2); 34 CFR § 300.623 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 45. | 45. Does the education agency post lists of persons authorized to review confidential data? AAC 290-8-9-.08(2)(b); 34 CFR § 300.623(d) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 46. | 46. Does the education agency maintain records of parties obtaining access? AAC 290-8-9-.08(2)(b); 34 CFR § 300.614 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 47. | 47. Are parents requested to give consent before personally identifiable information is disclosed? AAC 290-8-9-.08(2)(d)(2); 34 CFR § 300.622(a) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 48. | 48. Does the education agency provide a list of the types and locations of education records collected, maintained, or used to parents on request? AAC 290-8-9-.08(2)(c)(9); 34 CFR § 300.623(d) | Yes             |                |                   |

**Compliance Monitoring: Special Education Part II**

Bessemer City Board of Education

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 49. | 49. Has the education agency developed and implemented procedures for determining whether the student needs a surrogate parent? AAC 290-8-9-.08(1)(a); 34 CFR § 300.519(a)(b)(1) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 50. | 50. Has the education agency developed and implemented procedures for assigning a surrogate parent? AAC 290-8-9-.08(2)(c); 34 CFR § 300.519(b)(2) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 51. | 51. Has the education agency developed and implemented procedures for training a surrogate parent? AAC 290-8-9-.08(1)(b)(iii); 34 CFR § 300.519(d)(2)(iii) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 52. | 52. Does the education agency follow the current policy regarding suspension and expulsion of students with disabilities? AAC 290-8-9-.09; 34 CFR § 300.530-.536 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 53. | 53. Does the education agency provide written notice to parents of a student with a suspected disability or disability before proposing to initiate or change the identification, evaluation, or educational placement of the child or refuses to initiate or change the identification, evaluation or educational placement of a student? AAC 290-8-9-.08(b)(1); 34 CFR § 300.503(a)(1)(2) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 54. | 54. Does the written notice contain a description of the action proposed or refused? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.300;.503(a)(1)(2) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 55. | 55. Does the written notice contain an explanation of why the agency proposes or refuses to take the action? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.503(b)(2) | Yes             |                |                   |

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|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 56. | 56. Does the written notice contain a description of any other options that the agency considered and the reasons why those options were rejected? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.503(b)(6) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 57. | 57. Does the written notice contain a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed decisions? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.503(b)(3) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 58. | 58. Does the written notice contain a statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.503(b)(4) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 59. | 59. Does the written notice contain a description of any other factors relevant to the agency's proposal or refusal? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.503(b)(7) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 60. | 60. Does the written notice contain a source for parents to contact to obtain assistance in understanding the notice? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.503(b)(5) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 61. | 61. Is the parent's native language or mode of communication used for all forms? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.503(c)((ii) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 62. | 62. Is the parent's native language or mode of communication used at all meetings? AAC 290-8-9-.08(4)(b)(2); 34 CFR § 300.322(e) | Yes             |                |                   |

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| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 63. | 63. Are due process procedures followed for mediation? AAC 290-8-9-.08(9)(b); 34 CFR § 300.506 | Yes      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 64. | 64. Are due process procedures followed for due process hearings? AAC 290-8-9-.08(9)(c); 34 CFR § 300.507-.518 | Yes      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 65. | 65. Are due process procedures followed for complaints? AAC 290-8-9-.08(9)(a); 34 CFR § 300.507-.508 | Yes      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 66. | 66. Does the education agency implement appropriate confidentiality procedures for parental review of records? AAC 290-8-9-.08(2)(c); 34 CFR § 300.501(a); 613(a) | Yes      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 67. | 67. Does the education agency implement appropriate confidentiality procedures for provision of copies of records? AAC 290-8-9-.08(2)(c)(3)(10); 34 CFR § 300.613(b)(2) | Yes      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 68. | 68. Does the education agency implement appropriate confidentiality procedures for amendment of records at parent's request? AAC 290-8-9-.08(2)(f); 34 CFR § 300.618(a)(b)(c) | Yes      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 69. | 69. Does the education agency implement appropriate confidentiality procedures for release of information? AAC 290-8-9-.08(2)(d)(2)(3)(4); 34 CFR § 300.611(c); 622(a)(b)(1)(2) | Yes      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 70. | 70. Does the education agency implement appropriate confidentiality procedures for hearings? AAC 290-8-9-.08(2)(g); 34 CFR § 300.619(c); 620; 621 | Yes      |         |            |

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|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 71. | 71. Does the education agency implement appropriate confidentiality procedures for records on more than one student? AAC 290-8-9-.08(2)(c)(8); 34 CFR § 300.615 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 72. | 72. Does the education agency implement appropriate confidentiality procedures for affording rights of privacy to students? AAC 290-8-9-.08(2); 34 CFR § 300.610 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 73. | 73. Does the education agency implement appropriate confidentiality procedures for obtaining parental consent? AAC 290-8-9-.08(2)(d)(2); 34 CFR § 300.611(c); 300.622(a) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 74. | 74. Does the education agency implement appropriate confidentiality procedures for destroying information? AAC 290-8-9-.08(2)(h); 34 CFR § 300.624(b) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 75. | 75. Does the education agency implement appropriate confidentiality procedures for, at the age of majority, the rights afforded to parents are transferred to the student? AAC 290-8-9-.08(3)(8); 34 CFR § 300.520 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 76. | 76. Has an official been designated to assume responsibility for ensuring the confidentiality of any personally identifiable information maintained on students? AAC 290-8-9-.08(2)(a); 34 CFR § 300.623(b) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 77. | 77. Do all persons collecting or using such data receive instructions regarding the policies and procedures for handling confidential information? AAC 290-8-9-.08(2)(b); 34 CFR § 300.623(c) | Yes             |                |                   |



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|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 78. | 78. Is the fee charged for copying of records reasonable, so that parents are not effectively prevented from exercising their right to inspect and review those records? AAC 290-8-9-.08(2)(c)(10); 34 CFR § 300.617(a) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 79. | 79. Does the education agency search or retrieve information regarding student records at no cost to parents? AAC 290-8-9-.08(2)(c)(10); 34 CFR § 300.617(a) | Yes             |                |                   |

**F. Professional Development**

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 80. | 80. Does the education agency inservice program make provisions for meeting the needs of special education teachers? 34 CFR § 300.156; .207 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 81. | 81. Does the education agency inservice program make provisions for meeting the needs of regular education teachers? 34 CFR § 300.156; .207 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 82. | 82. Does the education agency inservice program make provisions for meeting the needs of support personnel? 34 CFR § 300.156; .207 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 83. | 83. Does the education agency inservice program make provisions for meeting the needs of administrators? 34 CFR § 300.156; .207 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 84. | 84. Does the education agency inservice program make provisions for meeting the needs of related services personnel? 34 CFR § 300.156; .207 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 85. | 85. Does the education agency inservice program make provisions for meeting the needs of parents? 34 CFR § 300.34(8)(i); .207 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 86. | 86. Are all special education teachers teaching infield? AAC 290-8-9-.00(7); 34 CFR § 300.18 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 87. | 87. Are related service personnel properly certified? 34 CFR § 300.34 | Yes             |                |                   |

**Compliance Monitoring: Special Education Part II**

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**G. Fiscal: IDEA Part B Grants**

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 88. | 88. The LEA's Single Audit Review (most current) has no special education program findings. 2CFR § 200.501 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 89. | 89. Does the LEA have completed IDEA Fiscal Monitoring Self-Assessment Checklists completed? 2CFR § 200.331(b) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 90. | 90. Does the LEA ensure the sub-award is used appropriately and in compliance with the award and all associated regulations. 2CFR § 200.331(d) | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 91. | 91. Does the LEA ensure that no contracts are made with businesses or entities that have been debarred or suspended? 34 CFR § 200.319 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 92. | 92. Does the LEA have written procedures for determining the allowability of costs in accordance with Subpart E- Cost Principles of EDGAR and the terms and conditions of the Federal award? 2 CFR § Part 200; .200.302(b)(7); .200.403 | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 93. | 93. The LEA provides documentation of allowable expenditures. | Yes             |                |                   |

| <b>Label</b>                  | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|-------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 94. | 94. Does the LEA have an approved electronic grant (eGAP) application for IDEA funds that was submitted on time? 34 CFR § 300.200 | Yes             |                |                   |

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| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 95. | 95. Does the LEA maintain financial and programmatic records, supporting documents, and other records of the LEA for five years from the end of the liquidation period for the applicable grant? 2 CFR § 200.333 Record Retention and Access | Yes      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 96. | 96. The LEA has documentation on file to detail the proportionate share amount of funds that must be reserved for providing services to parentally-placed private school students with disabilities. 34 CFR § 300.133 | Yes      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 97. | 97. The LEA is required to set aside 15% of its IDEA grant allocation for CEIS, or voluntarily set aside IDEA funds for CEIS; has documentation to show that the funds were used for allowable cost. 34 CFR § 300.206;.226 | Yes      |         |            |

| Label                         | Assurance  | Response | Comment | Attachment |
|-------------------------------|--|----------|---------|------------|
| Special Education Part II 98. | 98. Does the LEA meet the Maintenance of Effort (MOE) requirement based on one or more calculation with supporting documentation? 34 CFR § 300.203; 204;.205 | Yes      |         |            |

| Label                         | Assurance   | Response | Comment | Attachment |
|-------------------------------|---|----------|---------|------------|
| Special Education Part II 99. | 99. Does the LEA have on file, personnel activity reports (PARs) to track employees funded from different sources, for their employees paid partially from IDEA? 2 CFR § 200.104;.415;.430;.431 | Yes      |         |            |

| Label                          | Assurance  | Response | Comment | Attachment |
|--------------------------------|--|----------|---------|------------|
| Special Education Part II 100. | 100. Does the LEA have on file, documentation for the employees funded 100% from the IDEA grant allocation, which worked solely on the program for the period covered? (Semi-Annual Certification) 2 CFR § 200.104;.430;.431 | Yes      |         |            |

| Label                          | Assurance   | Response | Comment | Attachment |
|--------------------------------|---|----------|---------|------------|
| Special Education Part II 101. | 101. The LEA or other sub-recipients provided documentation of their inventory management systems, showing the item(s) associated with the reimbursement request(s). 2 CFR § 200.300, 303 | Yes      |         |            |

**H. Reporting**

| <b>Label</b>                   | <b>Assurance</b>   | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|--------------------------------|--|-----------------|----------------|-------------------|
| Special Education Part II 102. | 102. Does each education agency receiving state and/or federal dollars and are providing special education and related services to students with disabilities complete reports as required by the SDE? AAC 290-8-9-.10(10); 34 CFR § 300.211 | Yes             |                |                   |

**I. Case Manager**

| <b>Label</b>                   | <b>Assurance</b>  | <b>Response</b> | <b>Comment</b> | <b>Attachment</b> |
|--------------------------------|---|-----------------|----------------|-------------------|
| Special Education Part II 103. | 103. 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 | Yes             |                |                   |