



# **Special Education Focused Monitoring Manual**



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# **I. Introduction to Focused Monitoring**

The *Individuals with Disabilities Education Act* (IDEA) of 2004 identified three priority areas to monitor for Part B (children and youth ages 3-21).

The Part B priority areas are:

- The provision of a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).
- Disproportionate Representation by race and ethnicity of students identified for special education, Disproportionate Representation by race and ethnicity in specific disability categories, Disproportionate Representation in Discipline and Disproportionate Representation in Educational Environments.
- State exercise of general supervisory authority, including child find, effective monitoring, the use of resolution sessions, mediation, voluntary binding arbitration, and a system of transition services.

Based on these priorities, the Michigan Department of Education (MDE) Office of Special Education (OSE) reviews and analyzes local data, develops selection criteria, and, for each priority area, identifies locals for a focused monitoring activity.

Focused monitoring is defined by the National Center for Special Education Accountability and Monitoring (NCSEAM) as “a process that purposefully selects priority areas to examine for compliance/results while not specifically examining other areas for compliance/results.”

In Michigan, focused monitoring activities are conducted by a team that includes a team lead, a technical assistance (TA) provider, the intermediate school district (ISD) monitor, and other members, as appropriate.

At an on-site review, the monitoring team gathers information through interviews, student record reviews (SRRs), and reviews of policies, procedures, and practices. The team uses collected evidence to evaluate the local’s performance in both regulatory and program areas relative to compliance, and issues a *Report of Findings/No Findings*.

## **II. Selection Criteria and Process**

Local data are reviewed annually to analyze performance in each priority area based on the State Performance Plan (SPP). Selection criteria are determined annually based on guidance from the U.S. Office of Special Education Programs (OSEP) and other factors. Based on the local’s data as provided by the performance reporting unit and previous focused monitoring activities, a determination is made of the appropriate locals to participate in focused monitoring.

## **III. Procedures for On-Site Review**

### **Phase I: Preparation**

#### **Development of schedule and assignment of team members**

Based on the locals' student enrollments, geographic locations, calendar of statewide activities, school calendars, and other factors, the OSE assigns dates and team members for each review.

#### **Notification of Local**

Locals selected for an on-site review are notified via the *CIMS Workbook* and/or e-mail. The notification includes the reason for the selection, the date(s) of the site visit(s), and the contact information of the team lead, and requests the superintendent's attendance at the exit meeting. The notification is addressed to the local superintendent, with copies to the special education (SE) administrator, ISD director, and monitor.

#### **Preparation of data for FM module in the CIMS Workbook**

Staff from the OSE prepare and gather data for each local including data reports, student record review forms, student names for SRRs, and interview forms.

#### **Training of focused monitoring teams**

Monitoring team members participate in a training prior to the start of the monitoring cycle to ensure consistency in monitoring practices and full understanding of the compliance issues related to the monitoring priorities.

#### **Contact of local by FM team lead**

The team lead sends an introductory e-mail to the local SE administrator, with copies to the local superintendent, ISD director, and monitor. The team lead follows up with the local SE administrator by e-mail and/or phone to provide the review agenda and the names of team members and to request a meeting room for the team, local documentation, and notification that student names for SRRs will be included in the *Workbook*. Locals are referred to the CIMS Web site for resources to assist in getting ready for the on-site review.

### **Phase II: On-site Review**

#### **Initial meeting with SE administrator and others**

The team gathers in a pre-selected location as arranged by the team lead and local SE administrator. The team lead explains the purposes of the on-site review and the schedule of the visit. A time is arranged for the exit meeting with the superintendent and others, as appropriate.

#### **Interviews**

The purpose of the interviews is to gather information that leads to an understanding of the issues related to the priority area or to provide evidence to support findings/no findings.

Interview questions probe the relationship of the priority area and the local's policies, procedures, and practices.

Interviews are conducted using questions specifically developed for the priority area. Additional questions may be asked to probe responses that need further clarification. The purposes of probe questions are to assist in identifying findings of noncompliance, collect supporting evidence, or confirm a lack of findings.

Documentation of responses must have adequate detail for use as supporting evidence for findings.

The SE administrator interview occurs first. All members of the monitoring team attend the local SE administrator interview. The team lead facilitates the interview with others serving as listeners and recorders.

Immediately following the SE administrator interview, the team analyzes the content of the interview. Consideration is given to potential areas of noncompliance in the local's policies, procedures, and practices.

Other staff members are selected to be interviewed based on the priority area. They may include service providers, general education (GE) and SE administrative staff, GE and SE teachers, and/or community partners who by virtue of their position may have knowledge of the priority area. The focused monitoring team, in consultation with the SE administrator, determines specific staff members to interview.

For certain priority areas, it may be appropriate to interview students and/or parents.

### **Student Record Reviews**

The purpose of SRRs is to gather information regarding local practices. Reviews are conducted using monitoring criteria specifically developed for the priority area. Records are randomly selected from a list generated by the OSE from data submitted by the local. Names of selected students are communicated through the CIMS *Workbook*. If student-level noncompliance is identified through an SRR, locals must complete a Student Level Corrective Action (SLCAP). SLCAPs must be corrected within 30 days, submitted to the ISD monitor, and then verified and closed by the OSE. SLCAPs can be found under the Data tab in CIMS.

Whenever locals do not submit SLCAPs within the required timeline, the local will be subject to OSE interventions which may include one or more of the following:

- Local Determination affected for upcoming school year,
- OSE filing a state complaint against the district,
- OSE imposing financial sanctions.

### **Review of policies, procedures, and practices**

The team reviews all available documents provided by the local regarding the priority area. Policy documents are reviewed to determine if they are current and address the priority area. Procedural documents are reviewed to determine if they are current and compliant. The team reviews current practices to ensure that the

policies and procedures are being consistently implemented. If no written policies and procedures exist, information from interviews with staff that reflect common understanding and/or practice in the local will be considered as documentation of compliance.

### **Preparation of the *Preliminary Summary***

When the team determines that sufficient evidence has been collected and all SRRs have been completed, the lead prepares the *Preliminary Summary* and uses that to guide the discussion at the exit meeting.

### **Exit meeting with local superintendent**

The purposes of the exit meeting are to review the activities that occurred during the on-site review; provide a copy of the *Preliminary Summary* of the areas of consideration, which may/may not lead to findings of noncompliance; and review the process for correction of any identified SLCAPs, timelines for receipt of *Report of Findings/No Findings*, and the development of any corrective action plans (CAPs). This meeting also provides an opportunity to verbally highlight positive things identified in the local and answer any questions about the monitoring process.

## **Phase III: Analysis of Results and Reporting**

### **Report of Findings/No Findings**

The team lead prepares the *Final Report Worksheet*, a standard template in the *FM Module* that describes the purpose, process, and results of the on-site review. It includes:

- District code/ISD code
- Dates of visit
- Focused monitoring team
- Focused monitoring priority area(s)
- Statutory authority for MDE monitoring
- SPP Indicator, if appropriate
- Selection criteria
- Local data related to priority area
- Local hypotheses of root cause
- Local areas of strength
- Results of on-site review
- Findings of any noncompliance
- Evidence

- Applicable regulations/rules
- Required corrective actions and timelines
- Directive to submit CAP(s)
- Enforcement actions

### **Submission of *Final Report Worksheet* to the OSE**

The team lead submits the local's *Final Report* within the *FM Module* no later than one week following the on-site review. The OSE staff will review/edit/format the report and submit it to the director/assistant director for approval.

### **Expedited Correction**

If the FM team decides a local may be eligible for expedited correction, the team lead must submit the rationale in writing to the OSE via the *Final Report Worksheet* no later than three days after the on-site visit. The Coordinator for the Monitoring and Technical Assistance Team reviews the rationale and notifies the FM team lead in writing indicating whether the request for expedited correction has been approved or denied. The FM lead subsequently notifies the local of the decision.

The FM lead may notify the local of the recommendation for expedited correction when the recommendation is made; however, the final approval/denial is made by the Coordinator for the Monitoring and Technical Assistance Team.

### **Report issued to local in *CIMS Workbook***

Information from the *Final Report* is used to populate the *Report of Findings/No Findings*. The *Report of Findings/No Findings* is issued through the *CIMS Workbook* per the CIMS schedule.

## **Phase IV: Local Response and Follow-Up if Findings of Noncompliance are issued**

### **Local development of CAPs**

The purposes of CAPs are:

- To identify the root cause of the noncompliance;
- Plan activities that will achieve compliance with the IDEA and MARSE; and
- To ensure systemic change that will result in positive educational outcomes for students with an individualized education program (IEP) and their families.

The TA provider meets with the RAP team and ISD monitor to develop the CAP(s). One or more meetings may be required to finalize the plans within the 45-day timeline.

Each finding must be addressed with a plan to correct in each CAP.

The CAPs must contain specific information regarding the tasks or activities to be conducted, when they will be conducted, who will conduct them, why these activities were selected, what tasks and activities will result, and how the effectiveness of the activity will be determined. The CAP template is found in the *CIMS Workbook*. When appropriate, CAPs must include assurance statements.

### **Submission of CAPs for OSE approval**

Within 45 days of receipt of the Report of Findings/No Findings, the CAPs must be submitted to the OSE through the *CIMS Workbook*. OSE staff review the CAPs for all required components and assurances that the activities and tasks are effective in the timely correction of the areas of noncompliance. Notification of approval is through the *CIMS Workbook*. CAPs requiring clarification or revision will be returned and locals are then directed to resubmit as soon as possible.

### **Implementation of CAPs**

The local will immediately begin implementation of the activities as stated in the plan while awaiting approval from the OSE, keeping in mind the progress-reporting dates, as well as the timelines and methods used to monitor the effectiveness of the activities. The TA provider is available and in contact with the local and ISD monitor to discuss any barriers, issues, or concerns with the CAP implementation.

### **Submission of Progress Reports**

The local will submit a *Progress Report* through the *CIMS Workbook* per the established calendar. The report will detail the progress made in the implementation of the approved activities and the results of these activities. The *Progress Report* forms are found in the *CIMS Workbook*.

### **Verification of corrective action and closeout**

The TA provider meets regularly with the local to review documentation of their evidence of correction. The TA provider recommends closeout based on the progress made by the local; the corrections in policies, procedures, and practices; staff interviews; and the results of student record reviews for verification of correction. The TA provider submits an *FM Closeout Verification Worksheet* to the OSE. Once CAP activities have been completed and are approved by the TA provider, the local submits a CAP closeout request within the *CIMS Workbook* and provides assurance that the finding(s) of noncompliance has (have) been corrected.

Upon verification that the local has provided evidence of correction, the OSE staff will close out the CAP(s) in the *CIMS Workbook* and issue a *Closeout Report* in the next *CIMS Workbook* confirming that the local has provided evidence of correction and is thereby closed out. If the local has not provided evidence of correction, the OSE will require further technical assistance and/or other enforcement actions to bring the local into compliance as soon as possible.

### **Uncorrected Noncompliance**

If a TA provider is unable to verify the correction of noncompliance, the CAP becomes uncorrected noncompliance (UNC). The TA provider must revisit the local following the issuance of an UNC to meet with the RAP team again. At that meeting,

the RAP team will review the original CAP to determine which elements were unsuccessful. The team will write a new CAP which the TA provider will upload in the TA notes section of the CIMS *Workbook*. Any local who's CAP becomes an UNC will submit written monthly updates to the TA provider which will also be uploaded in the TA Notes. The TA provider and the Monitoring and Technical Assistance team will closely monitor the local until such time as the local is able to demonstrate correction of the noncompliance and the TA provider can verify the correction.

## **On-site Review – Roles & Responsibilities**

### **OSE Staff**

#### **Prior to on-site review:**

- Review local data, develop selection criteria, and finalize list of locals.
- Schedule reviews and notify monitoring teams.
- Gather data and develop reports for the *FM Module*.
- Schedule and prepare priority area specific training for monitoring teams.
- Check with the team leads to ensure all is ready prior to reviews.

#### **After on-site review:**

- Receive and accept *Preliminary Summary* and *SLCAP Summary* from team lead.
- Ensure that the *Final Report Worksheet* is submitted within one week of on-site visit.
- Verify the correction of SLCAPs via evidence submitted by ISD monitors per established due date.
- Convene a team to review CAPs.
- Review and accept CAP progress reports.
- Review and verify TA provider recommendation for closeout of CAPs, finalize closeout report and change status in *Workbook*.
- If not closed out, review report and confer with TA provider to identify corrective action required and timeline for compliance.

### **Team Lead**

#### **Prior to on-site review**

- Participate in the priority area specific training.
- Contact local and all team members with information regarding review, including agenda, documents needed, and room requirements during visit.

- Review local information as presented in training and *FM Module*.
- Coordinate on-site review logistics, such as meeting space at local and hotel for team.
- Confer with team prior to on-site review to coordinate activities.

### **During on-site review**

- Facilitate special education administrator interview.
- Lead the team debriefings.
- Determine buildings to visit, interviews to conduct, student records to review, and team assignments.
- Collect and organize all documentation.
- Schedule exit meeting to include superintendent.
- Focus on collecting data that address areas of concern, local hypothesis of root cause, areas of strength, and evidence which supports potential findings/no findings.

### **Prior to exit meeting**

- Organize all data into the *Preliminary Summary* in the *FM Module* which contains pre-populated data and addresses areas for consideration related to the priority areas.
- Prepare summary of SLCAPs.
- Review all of the above with team members and the possibility of recommending expedited correction. Make copies of *Preliminary Summary* for all attendees.
- Facilitate exit meeting and present the *Preliminary Summary* and SLCAPs, if any.

### **After on-site review**

- Prepare draft of *Final Report Worksheet* and submit to the OSE within one week within the *FM Module*.
- Contact the OSE with feedback/special concerns regarding the visit and recommend expedited correction, if appropriate.

### **Team member**

- Attend training meeting.
- Review all correspondence from the team lead.

- Participate in debriefing meetings.
- Conduct SRRs and interviews as assigned.
- Participate in organizing data into hypotheses, areas of strength, and supporting evidence for areas under consideration for inclusion in the *Preliminary Summary*, *Final Report Worksheet*, and *Report of Findings/No Findings*.
- Complete all documentation as required.

## **TA provider**

- Same as team member.
- Attend the meeting to begin the development of the CAP(s) with RAP team.
- Check CIMS *Workbook* for local's *Strand Report*.
- Facilitate development and submission of CAP(s) within 45 days in collaboration with ISD monitor using template in the CIMS *Workbook*.
- Support the implementation of the CAP(s).
- Monitor the timely submission of progress reports through the CIMS *Workbook*.
- Schedule ongoing meetings to review local evidence of correction.
- Verify correction of noncompliance by reviewing additional student records.
- Include ISD monitor in all communications with the local.
- Contact the OSE as soon as possible if the local is having difficulties completing activities within the approved timelines.
- Draft and submit a closeout report immediately after reviewing the local's evidence of correction.
- Maintain a log of all contacts with the local in the TA Notes.

## **ISD monitor**

- Same as team member.
- Provide background information on the local to the team lead prior to the visit.
- Share information with the local about the focused monitoring process; assist the local, if requested, to prepare any data or documents required for the visit.

- Monitor the completion of the activities required for any SLCAP(s) and upload documentation by the established date through the *CIMS Workbook*.
- Act as resource/support to local RAP team in development and implementation of the CAP(s).
- Participate in the local evidence of correction review meetings.

## On-site Workflow

Activity	Responsible Party	Timeline
Identify priorities for focused monitoring	OSE	Per CIMS calendar
Develop selection criteria for monitoring activities	OSE	Prior to monitoring cycle
Provide draft calendars of activities to ISD and state monitors	OSE	Prior to monitoring cycle
Select locals for on-site review	OSE	Prior to monitoring cycle
Notify locals and ISD monitors selected for on-site review	OSE	Prior to monitoring cycle
Identify data needs and obtain from Performance Reporting for <i>FM Module</i>	OSE	Prior to monitoring cycle
Obtain names for SRRs from Performance Reporting	OSE	Prior to monitoring cycle
Monitor training prior to each cycle	OSE	1-2 weeks prior to cycle
Notification of SLCAP completion to the local	OSE	Following the monitoring cycle

Activity	Responsible Party	Timeline
Contact local to discuss review: <ul style="list-style-type: none"> <li>• Explain what is involved in on-site review</li> <li>• Send agenda</li> <li>• Send list of documents required</li> <li>• Advise local to locate student list in <i>CIMS Workbook</i> and pull student files</li> </ul>	Team lead	
Conduct activities <ul style="list-style-type: none"> <li>• Record reviews</li> <li>• Staff Interviews</li> <li>• Document review of policies, practices, and procedures</li> <li>• Prepare and make copies of <i>Preliminary Summary</i> and <i>SLCAP Summary</i> for exit interview</li> <li>• Schedule and conduct exit interview with superintendent and other local administrators</li> </ul>	Team	
Submit <i>Preliminary Summary</i> ; contact the OSE with any special circumstances or request for expedited correction	Team lead	Last day of on-site

<b>Activity</b>	<b>Responsible Party</b>	<b>Timeline</b>
Complete <i>Final Report Worksheet</i> and review with team members	Team lead	
Submit <i>Final Report Worksheet</i>	Team Lead	Within 7 days
Review and upload documentation of corrective action on SLCAPs	ISD monitor	Per date prescribed
Report issued to local through CIMS <i>Workbook</i>	OSE	
Complete and submit CAP(s)	Local SE administrator/ CIMS coordinator, RAP team, TA provider, ISD monitor	Within 45 days of receipt of Report
Review and approve CAP(s)	OSE	
Implement CAP(s) and submit <i>Progress Reports</i>	Local SE administrator/ CIMS coordinator as reviewed by TA provider and ISD monitor	Per CIMS calendar
Verify evidence of correction and submit <i>FM Closeout Verification Worksheet</i>	TA provider in collaboration with ISD monitor	Per CIMS calendar
Request CAP closeout	Local SE administrator/ CIMS coordinator	Per CIMS calendar