

UNC Process for Technical Assistance (TA) Providers



WHAT IS AN UNC?

“Uncorrected noncompliance” (UNC) is a determination made at the end of a Corrective Action Plan (CAP). Under an initial finding of noncompliance, a district must write and implement a Corrective Action Plan (CAP) and must correct all findings as soon as possible, but in no case later than one year including verification. If a district does not correct the noncompliance within one year, the status of the CAP becomes an UNC.

WHAT HAPPENS NOW?

1) **Planning Meeting:** As the assigned technical assistance (TA) provider, the first step will be to convene and facilitate a Review and Analysis Process (RAP) team meeting with the district’s special education administrator and key staff members, identified by the district, who can assist in identifying the underlying factors that contributed to the failure of the original CAP and aid in the development of new a CAP.

a. **Meeting Preparation:**

Before this meeting, the TA provider will need to communicate with the ISD representative to identify specific details regarding the district’s previous CAP that may have resulted in continued non-compliance. Consult with the OSE Monitoring staff to gather indicator specific data, and identify historical patterns of noncompliance.

In collaboration with the ISD representative, outline what deliverables the district will need to provide, such as agendas and handouts for staff training, copies of new procedures, and follow up documentation for staff re-training.

b. **CAP Review:** During this meeting, the TA provider and the ISD representative should guide the district personnel in discovering the underlying factors that contributed to the lack of success with the original CAP.

2) **CAP Development:** A new CAP should be developed addressing the factors that contributed to the continued non-compliance. New activities and deadlines should be developed along with documentation of the activities and on-going monitoring for compliance.

- For **FM CAPS**, the newly developed CAP should be uploaded into the CIMS workbook on the TA Notes page.
- For **Data CAPS**, the district can add new CAP Activity pages. In the original CAP, on the CAP Activity Page, they will click “Add”, name the

page, complete the form, and save. The TA can review this when the district has completed it.



Contact a member of the Monitoring and TA staff to inform them that this has been completed.

- 3) **Ongoing Monitoring:** Consult with the OSE Monitoring staff to identify strict timelines for new CAP development, staff trainings, and progress monitoring towards achieving compliance. A schedule for trainings, progress reports and a date for verification and closeout will be coordinated and monitored by OSE and the TA provider. Be sure to document each time there is contact with the district by using the TA Notes page in the CAP. This becomes part of the historical record and is an important communication feature.

TA support will need to be increased for a district with uncorrected noncompliance. The amount of support that the TA provider affords to the district will need to be established directly through discussion with the OSE Monitoring and TA assistance staff. Approval from the OSE for additional support(s) to a district is necessary prior to any onsite visits.

WHAT IS REQUIRED IN CIMS?

When a district has a UNC, there will be two items on the district task list in CIMS: the original CAP and the UNC. Districts must continue to document all work within the original CAP. While at the UNC status (UNC In Progress), districts can access and edit all forms:

- For **Data CAPs**, this includes the CAP Cover Page, Activity Page, Progress Report and Request for Verification & Closeout.
- For **FM CAPs**, this includes the FM CAP Cover Page, FM CAP Finding Page and Progress Report.

The process for CAP verification and closeout remains the same even though you have an UNC. You can still change the status from **UNC In Progress** to **Verification & Closeout Request Submitted** for Data CAPs or **FM CAP Complete – TA Verify/Closeout** for FM CAPs.



Please note that the UNC item on the district task list serves only as a reminder—there is no new work required in this item; however, new work may be completed inside the original CAP.

HOW DOES VERIFICATION AND CLOSEOUT WORK?

Data CAPS

After the district and TA provider have decided the district is ready for verification and closeout, the district will change the status of its CAP in CIMS to **Verification & Closeout Request Submitted**.

The TA provider will now have access to edit the CAP Verification Activity. Please complete these with the new information regarding the completion of all activities and the data gathered from file reviews and interviews, if needed.

In the CAP Verification Activity, please complete the following items:

- Complete the *CAP Activity Verification* section verifying that all CAP activities have been completed according to the updated CAP.
- Complete the *Data Verification through Student Record Reviews* section with updated student information and the date each record was completed.
- Complete the *Verification Notes* section as needed.

FM CAPS

After the district and TA provider have decided the district is ready for verification and closeout, the district will change the status of its CAP in CIMS to **FM CAP Complete – TA Verify/Closeout**. The TA provider will schedule a time to visit the district and verify the correction in person.

The TA provider will have access to edit the FM Closeout Verification Worksheet and FM Verification Appendix within the original CAP. Please complete these with the new information regarding the completion of all activities and the data gathered from file reviews and staff interviews.

In the FM Closeout Verification Worksheet, please complete the following items:

- The drop down menu at the top of the page
- The date of the report
- The previous Documentation of Correction of Noncompliance can be deleted and new information entered
- Final Disposition
- Change the status to submit verification to MDE

Once MDE receives this request, it will review the verification activity. If OSE agrees with the TA provider recommendation, it will change the status to **Verified and Closed by MDE** (for Data CAPs) or **FM CAP Verified and Closed by MDE** (for FM CAPs).



If OSE does not agree with the recommendations, or has questions, the CAP will be returned to the TA provider for additional work, after which the TA provider can resubmit its recommendations to MDE for closeout

CONTINUED NONCOMPLIANCE

If compliance is not achieved within the timeframe set by the OSE, then the TA provider should:

- Contact the OSE to alert them that the district will not be able to close out their UNC CAP within the predetermined timeframe.
- Instruct the district to **not change** the status of their CAP. If the district has already changed the status, please contact the CIMS Help Desk to have the CAP returned back to the **UNC In Progress** status so that the district may continue their work within the CAP.

- Continue to work with the district as directed by the OSE

The Office of Special Education (OSE) will:

- Issue an official notice to the district in the next *Workbook* of their continuing noncompliance;
- Outline additional mandated correction activities for the district; and
- Possibly issue additional sanctions to the district.

WHO CAN I GO TO FOR HELP?

If you have a technical question about CIMS including accessing the original CAP, completing forms, or changing statuses, please contact the CIMS Help Desk at 877-474-9023 or help@cimsmichigan.org.

If you have a policy question or need further assistance in determining if a district has corrected their noncompliance, please contact Jeanne Anderson Tippett at andersontippettj@michigan.gov for further guidance.