

## **Sample School District Special Education Focused Monitoring Closeout of Findings of Noncompliance**

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**District Code:** Sample School District (00000)  
**ISD Code:** Sample ISD (00)  
**Date of Report:** 4/15/2015  
**Date of Focused Monitoring Report of Findings:** 4/15/2014  
**OSE Technical Assistance Provider:** \_\_\_\_\_  
**ISD Monitor:** \_\_\_\_\_

### **Focused Monitoring Priority:**

Rates of Suspension and Expulsion by Race/Ethnicity - B-4B

### **Selection Criteria:**

The Sample School District (local) was selected for focused monitoring during the 2013-2014 school year due to its suspension/expulsion data by race/ethnicity for students with individualized education programs (IEPs). Michigan identifies locals with data greater than or equal to the State threshold of 3.6 percent in at least one racial/ethnic group of students with IEPs suspended/expelled out of school for greater than ten days as having a significant discrepancy.

### **Summary of Data:**

Selection of your local was made as a result of a review of your 2012-2013 data regarding suspensions/expulsions of students with IEPs. Your data indicate a significant discrepancy in the percent of Two or More Races students with IEPs suspended/expelled for greater than ten days out of school, cumulatively during the school year.

### **Policies, Procedures, and Practices:**

Based on the evidence from the focused monitoring visit, it was determined that the policies, procedures, and practices that were used for the suspensions and expulsions of students with IEPs were not compliant with the *Individuals with Disabilities Education Act* (IDEA) and the *Michigan Administrative Rules for Special Education* (MARSE) and contributed to the significant discrepancy.

### **Verification of Correction:**

Following the local's request for closeout and verification of correction of findings, the Office of Special Education (OSE) conducted a verification activity. The verification and closeout of findings require a review by the OSE of evidence that the local completed all activities in the approved corrective action plan and is correctly implementing the specific regulatory requirements. Evidence of correction includes a review of current policies, procedures, and practices, student record reviews, and staff interviews.

## Findings of Noncompliance and Evidence of Subsequent Correction:

Findings of Noncompliance	Required Evidence of Correction	Documentation of Correction of Noncompliance
<p>The local is not in compliance with the IDEA regarding student discipline including:</p> <p>a. Considering whether a series of removals constitutes a pattern.  b. Consulting appropriate personnel when removals constitute a change in placement.  c. Consulting appropriate personnel when removals do not constitute a change in placement.  d. The provision of educational services after the tenth day of removal.  e. The provision of procedural safeguards to parents.</p>	<p>The local must develop discipline procedures to document and ensure:</p> <p>a. The consideration of whether a series of removals constitutes a pattern and, therefore, a change of placement.  b. If the removal is a change of placement the student's IEP team determines needed services.  c. If the current removal is not a change of placement school personnel including one of the student's regular education teachers were present to assist with determining needed services.  d. The provision of educational services after the tenth day of removal.  e. The provision of procedural safeguards to parents on the date the decision is made that a removal from school constitutes a change of placement.</p> <p>For the students where there was no documentation or there was incomplete documentation of the provision of educational services, the local must provide an assurance statement that educational services were provided. If services were not provided, the local must develop a plan, provide and document educational services so as to enable continued participation in the general education curriculum.</p> <p>Provide professional development for all relevant staff regarding the new procedures.</p> <p>Evidence of change in the local's practice must be provided and verified by the Office of Special Education (OSE).</p>	<p>The local, in collaboration with staff of the intermediate school district, developed a document of discipline procedures and forms. Included in the procedures are: a) Pattern of Removal forms, FAPE documentation forms, offers of FAPE with team members noted, sample suspension letters with procedural safeguards attached. Guidance is also included for manifestation determination reviews and counting days of removal. All of the documents and forms are available as Google documents for staff use. The local director also conducted monthly meetings with district administrators to review suspension data.</p> <p>Trainings were conducted for the local's administrative staff August 15, 2014 and for special education staff on August 21, 2014. Agendas, handouts, and sign-in sheets were reviewed at the verification visit on February 12, 2015.</p> <p>The technical assistance (TA) provider and ISD monitor reviewed the only three records available of students suspended for more than 10 days in the first semester of 2014-2015. The records were 100% compliant for the pertinent items.</p> <p>(Assurance statement previously submitted)</p>

<b>Findings of Noncompliance</b>	<b>Required Evidence of Correction</b>	<b>Documentation of Correction of Noncompliance</b>
<p>The local is not in compliance with the IDEA regarding IEP development including:</p> <p>a. Specific present level of academic achievement and functional performance (PLAAFP) statements including behavioral needs.</p> <p>b. Measurable annual goals and short-term objectives.</p> <p>c. Consideration of the use of positive behavioral interventions and supports and other strategies to address the behavior.</p>	<p>The local must revise or develop procedures to document and ensure that:</p> <p>a. All IEPs include specific PLAAFP statements based on the student needs.</p> <p>b. All IEPs include measureable goals and short-term objectives which address students' needs that are identified in their PLAAFP statements.</p> <p>c. In the case of a student whose behavior impedes the student's learning or that of others, the IEP team has documentation to show that consideration was given to the use of PBIS, and other strategies, to address that behavior.</p> <p>Provide professional development to all relevant staff on the new procedures.</p> <p>Evidence of change in the local's practice must be provided and verified by the OSE.</p>	<p>The local developed an IEP procedural guidance document for the student data system in the fall of 2014. Included in the document was: PLAAFP guidance, measurable annual goals, and consideration of behavior supports when students exhibit challenging behaviors. The director conducted monthly checks of the three compliance areas in all of the district's IEPs.</p> <p>Training on compliant IEP development was provided to special education staff on August 21, 2014. Agendas, sign-in sheets, and handouts were reviewed at the time of the verification visit.</p> <p>The TA provider and ISD monitor reviewed six student records for compliance with the three targeted areas. All six records were fully compliant.</p>

**Final Disposition:**

The Sample School District has corrected all areas of noncompliance. Evidence of correction in the targeted areas was verified by the OSE. The local's corrective action plan is closed out.