SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS

Flandreau School District
Continuous Improvement Monitoring Process Report 2006-2007

Team Members: Linda Shirley, Team Leader; Barb Boltjes, and Deb Zebill, Education Specialists; Angie Boddicker, Special Education Programs; and Bev Petersen, Transition Liaison.

Dates of On Site Visit: March 7 & 8, 2007

Date of Report: April 16, 2007

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data Sources used:

State Data Tables:

B – District Instructional Staff Information

C – Suspension and Expulsion Information
D – Statewide Assessment Information
E – Enrollment Information
F – Placement Alternatives
G – Disabling Conditions
H – Exiting Information

Suggested District Data Points to Consider:

1. Student progress data
2. Surveys
3. Private school information
4. Local Education Association (LEA) flow through funds request information
5. Information on home school students
6. Comprehensive plan
7. Comprehensive system of personnel development plan
8. District annual needs assessment
9. Teacher Assistance Team (TAT): referral vs. non referral information
10. Needs assessment information (such as personnel, facilities, etc)
11. Personnel training
12. Budget information
13. Screening

Meets Requirements

Promising Practice: Based on the interagency unofficial agreements, Flandreau has an excellent preschool child find.

Meets Requirments: Based on the documentation kept by the school district and the comprehensive plan, the school district has established and effectively implemented onging child find system to locate, identify, and evaluate children with disabilities, ages birth through 21 years who may need special education.

Based on the comprehensive plan, school documentation, and staff/parent surveys, the district has an effective pre-referral and referral system in place to ensure students are identified without unnecessary delay.

Based on the data-based decision-making procedures to review and analyaze school district-level data to determine if the school is making progress toward state's performance goals and indicators.

Based on state tables, the district comprehensive plan and district policy, the district reviews and analyzes discipline date to revise policies if significant discrepancies are occurring for long-term suspension and expulsion rates for children with and without disabilities**:** Based on personnel hiring, all personnel are appropriately supervised and fully licensed to work with children with disabilities. Parent surveys indicated that 7 parents were invited to training programs offered to teachers, 7 parents indicated they were not invited, 5 parents did not know if they were invited and 3 indicated that participation in training programs offered to teachers did not apply to them.

District staff has completed in-service training needs assessments provided by spring 2006 for the past 3 years. State did not send us results.

32 teacher surveys indicated they have input into the identification of staff development needs and planning of activities related to students with disabilities, 16 teacher disagreed, and 8 teachers indicated they did not know, 7 not applicable.

47 teachers felt they have adequate training, information, and supports to implement student IEPs and 10 teachers indicated they did not, 1 didn't know, and 4 not applicable.

Validation Results

Promising practice:
The Flandreau School has a nationally recognized program called EBB (Everything But Boring). This is a before and after school program for students K thru 6. It opens at 6:30 AM and is open after school till 6:00 PM.

The Elementary School in Flandreau has a reading recovery program which helps struggling readers.

The Middle School has two programs to help struggling students. The first program is from 8:05 AM till 8:30 AM. Students are encouraged to go to teachers and get help with any areas they are having difficulty with. The second program is a Homework Help Program. Every Tuesday and Thursday students can get help with their homework from 3:45 till 5:00 from teachers.

The High School at Flandreau has a 1 on 1 initiative with lap top computers. Every student has a lap top and teachers give and receive assignments electronically. The High School also has a new program called Credit Recovery. Students can come to a room the last hour of the day and do independent work to regain credits they have not completed. The High School also has a program called JOM (Johnson O'Malley Program). Mainly Native American Students who are struggling have a tutor after school to help them succeed.

Meets requirements
The monitoring team agrees with the steering committee data for Principle One, General Education with the exception of the state training needs results. The results to the survey are located on the Special Education website.

Out of Compliance: Needs Intervention

ARSD 24:05:17:03 Annual report of children served

The monitoring team was unable to validate an active IEP was in affect for three students.

Student numbers: 18, 19 and 20.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data Sources Used:

State Data tables
Comprehensive plan
File Reviews
Surveys
Annual IDEIA Application
Out of School Placement information
Review of suspension information

Meets Requirements:

Based on the actions of the school, and the procedures of the comprehensive plan, student with disabilities who are suspended or expelled are provided with FAPE.
The district provides a free appropriate public education to all eligible children with disabilities.
The district comprehensive plan procedures for suspension/expulsion provide directions and procedures for the removal of a child.

From 2000 to the present date, 1 student with disabilities has been suspended for more than 10 days.

1. An IEP meeting is convened before or not later than, 10 business days after the child is removed for more than 10 school days or the child is removed to an alternate placement triggering a change in placement. At the IEP meeting, the team will:
    - develop a plan to conduct a functional behavioral assessment, and implement a behavioral intervention plan;

      Or
    - review the existing behavior plan and modify the plan and its implementation as necessary to address the behavior.
    -

An IEP team meeting was held on 3/20/06 to review the existing behavior plan, IEP, and do a manifestation determination.

2. A manifestation determination review is conducted which:
    - consists of the IEP team and other qualified personnel;

- is conducted no later than 10 school days after the decision to suspend/expel the student or remove the student to an alternate placement, triggering a change in placement; and
- considers ALL relevant information, including the following:
  - evaluation and diagnostic results, including results or other relevant information supplied by the parents of the child;
  - observations of the child;
  - the child's IEP and placement.
- The review team then determines:
  - in relation to the behavior subject to disciplinary action, if the child's IEP and placement were appropriate, and that all elements of the child's program were provided consistent with the child's IEP and placement;
  - whether the child's disability did not impair the ability of the child to understand the impact and consequences of the behavior subject to disciplinary action;
  - whether the child's disability did not impair the ability of the child to control the behavior that is subject to disciplinary action.
- If the review team determines that any of the above standards were not met, the behavior is considered a manifestation of the child's disability.
- If the review team identifies deficiencies in the child's IEP or placement, it takes immediate steps to remedy the deficiencies.

Suspension was done on 3/3/06; Manifestation determination was conducted on 3/20/06. This was Easter break and the school met the 10 school day requirement. This student's manifestation showed his disability was not related to the conduct and addressed all required content.

3. If a child with a disability is being removed to an interim alternate placement setting (IAES) the placement must allow:
   - the child is able to continue to progress in the regular curriculum;
   - the child continues to receive special education services and modifications described in the child's IEP so that the child may continue to work towards meeting the goals of that IEP; and
   - the placement includes services and modifications to address the behavior that resulted in the removal. These services and modifications are designed to prevent the behavior from recurring.

Due to the manifestation of the disability not being related to the conduct, no IAES was used. However, services were provided to one student at an alternate setting before the student went into treatment. Student did not request services after treatment was completed.

4. Placements in IAES do not exceed 45 calendar days.

Placement in IAES was 30 calendar days long. This student was in jail for some days, he also went to court 1 day. Services were provided by school personnel in the court house for instruction due to the weapons violation. Student went to treatment on 4/18/06 and did not come back to school after treatment.

5. Children not eligible for special education and related services may assert Individuals with Disabilities Act (IDEA) protections if the district/agency had knowledge that the child was a child with a disability before the behavior resulting in disciplinary action occurred. The district/agency had knowledge if:
    - the parent of the child expressed concern in writing (or orally if unable to write) to the district/agency of the need for the child to receive special education services;
    - the behavior/performance of the child demonstrated the need for services;
    - the parent requested an evaluation of the child for special education services (but none was completed, or appropriate procedures were not followed for denial of evaluation); or
    - the teacher of the child or other district/agency personnel expressed concern about the behavior/performance of the child to special education administration or other personnel directly responsible for child find/referral systems in the district/agency.

Validation Results

Meets requirements
The monitoring team agrees with all areas identified by the steering committee for Principle Two Free and Appropriate Public Education.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data Sources Used:
State Data Tables
File Reviews
Surveys
Personnel Training
Personnel Certification
Assessments

Meets Requirements:
Based on the file reviews, comprehensive plan, and district polices the school district provide appropriate written notice and obtains informed consent before assessments are administered.
In 38 of 39 student files reviewed the parent failed to respond to consent for re-evaluation.

In 37 of 38 evaluations functional assessments were available to determine present levels of performance.
In 28 of 39 files reviewed, parent input into the evaluation process was acquired through phone conversations, and face to face interactions.

A variety of assessment tools and strategies are used to gather relevant functional and developmental information including how the child will be involved in and progress in the general education curriculum. An MDT report was available in the files of 16 of 16 students with learning disabilities.

In 16 of 16 files reviewed, the MDT documented all required content**.**

Based on the file reviews and surveys, proper identification of students with disabilities is provided through the evaluation process.
Based on file reviews, surveys, the district ensures reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility now.

Out of Compliance:
Parental Input into evaluation was not documented in some of the files review. This is currently being done.

Validation Results
Meets Requirements:
The prior notice contains all required content. An MDT was found in all files of students with a specific learning disability.

Out of compliance: Needs Assistance
The monitoring team agrees with the steering committee findings of parent input into the evaluation process.

ARSD 24:05:24.01:09. Developmental delay defined. A student three, four, or five years old may be identified as a student with a disability if the student has one of the major disabilities listed in § 24:05:24.01:01 or if the student experiences a severe delay in development.

Three students in the developmental delay category were evaluated, but were not placed before their 6th birthday.

Out of Compliance: Needs Assistance
ARSD 24:05:25:04.02 Determination of needed evaluation data. As part of an initial evaluation, if appropriate, the individual education program team required by § 24:05:27:01.01 and other individuals with knowledge and skills necessary to interpret evaluation data, determine whether the child has a disability, and determine whether the child needs special education and related services, as appropriate, shall:

(1) Review existing evaluation data on the child, including:

(a) Evaluations and information provided by the parents of the child;

The monitoring team agrees with the steering committee that the Flandreau School District has not consistently documented parental input into the evaluation planning process.

ARSD 24:05:25:11 Observation for specific learning disabilities. At least one team member other than the child's regular teacher must observe the child's academic performance in the regular classroom setting.

The monitoring team validates the steering committees conclusion that observations are not being completed for students identified as a student with a special learning disability. Observations are not individualized and are generic. There are not specifics in the majority of observations.

ARSD 24:05:30:04 Prior notice and parent consent
Informed parental consent must be obtained before conducting a first-time evaluation, reevaluation, and before initial placement of a child in a program providing special education or special education and related services. Parental consent is not required before:

(1) Reviewing existing data as part of an evaluation or reevaluation; or

(2) Administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children.

24:05:25:04 Evaluation procedures
School districts shall ensure, at a minimum, that evaluation procedures include the following:

(7) The child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;

The monitoring team identified that evaluations are being administered without consent from parents, and evaluations listed on the prior notice are not being given. Areas of concern listed are not all being administered. Functional evaluations were not found in all the evaluations. The functional evaluations are not skill specific to the suspected disability.

Out of Compliance: Needs Intervention

ARSD 24:05:22:03. Certified child.
A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an Individual Education Program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies

to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

The monitoring team identified the following.

Student 10 reported as a disability of deafness.

ARSD 24:05:24.01:08. Deafness defined. Deafness is a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, even with amplification.

A student may be identified as deaf when the unaided hearing loss is in excess of 70 decibels and precludes understanding of speech through the auditory mechanism, even with amplification, and demonstrates an inability to process linguistic information through hearing, even with amplification.

Student 10 has hearing aids and a FM system. With the aids and FM system he is hearing in the classroom. The present levels of Academic and Functional Assessment show that he only has problems hearing in the classroom when these systems are not working properly. The speech therapist states in her report "she does not really see any struggles within the classroom with his oral speech."

Student 14 is reported as a student with OHI on the 2005 child count. The student has been reevaluated and the MDT report indicates Autism. The student does not meet the criteria for Autism. The evaluation in the file does not support the placement of Autism. The student was evaluated at the Sioux Valley Children's Specialty Clinic in April of 2006. The team felt that the child presented traits of attention deficit/hyperactivity disorder of the combined type as well as some oppositional behavior. The student was reevaluated in December of 2006. The scores on the Behavior Assessment System for Children (BASC) and Achenbach Child Behavior Checklist showed no clinically significant scores. The Gilliam Autism Rating Scale was rated mildly-moderate. The Gilliam Asperger's rating scales rated the student as highly probable for Aspergers. Functional communication was rated as average. In the area of communication it stated he was very verbal and used sentences and complex utterances. He included some spontaneous elaboration of his own responses for the examiner. The report states the student appears to have appropriate gaze. The student exhibited some reciprocal social communication. No unusual sensory interests were observed. Goals for this student are social skills, counseling, writing, and reading. The student is in the classroom for all academics. The report from the doctor states concerns about Apraxia. There are no evaluations to assess Apraxia.

Student 13 is reported as a student with OHI on the 2005 child count. The student has been reevaluated and the MDT report indicates Autism. The student does not meet the criteria for Autism. The evaluation in the file does not support the placement of Autism. The student was evaluated at the Children's Specialty Clinic in April of 2004. The Dr. report states a combination of motor developmental delays and sensory integration problems. The doctor is reported as saying, "This would result in a developmental coordination disorder, a disorder of written

expression and AD/HD of the combined typed. Attention problems appear to be an interfering factor to his learning and socialization in school." The student is currently on medication. The student was reevaluated 11/16/06. The BASC and Achenbach Child Behavior Checklist were given to the student and there were no areas clinically significant. The student was rated in the mildly-moderate autistic range using The Gilliam Autism Rating Score -2. The Gilliam Aspergers rating score showed a high probability of Aspergers. Testing in the area of communication shows the student is very verbal and uses sentences with complex utterances. Spontaneous information about the student was told to the examiner. Spontaneous information was used such as pointing, shrugging and head nodding. Responsiveness to social interaction was seen, but somewhat limited and socially awkward. The quality of rapport was best described as some comfortable interaction but not sustained. The report states "The student appears to exhibit characteristics associated with Asperger's Syndrome which is at the high end function of the autism spectrum."

Student 8 is reported as a student with a specific learning disability. Through out the report there are concerns about behavior. The student is seeing a counselor. There was no behavior evaluations completed. The student is receiving counseling. The student was not evaluated in all suspected areas of disability.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The agency makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Comprehensive Plan
File Reviews
Surveys
Forms
Parent rights
Surrogate plan
Student records

Meets requirements

Based on file reviews the district ensures parents are informed of their parental rights under the IDEIA.

The school district/agency has policies and procedures for selection, training, and administrative considerations regarding the appointment of a surrogate parent for a child with disabilities.

The districts comprehensive plane, surveys, and policies all parents have the right to inspect their children's records when requested.

Validation Result
The monitoring team agrees with the steering committee data for Principle Four Procedural Safeguards...

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in Principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data Sources Used:
Comprehensive Plan
Surveys
File Reviews

Meets Requirements:
Based on parent surveys, and file reviews the district ensures that written notice is provided for all IEP meetings and includes the required content.
A regular educator was present at IEP meetings in 18 of 39 – (21 were not applicable) student files reviewed. Six of 39 preschool or preschool speech did not have regular education or head start teacher.
18 of 23 parents surveyed indicated they get information concerning their child from each teacher at the IEP meeting.

38 of 39 IEPs reviewed considered special factors when developing the student's program.

The special factor of positive behavior interventions and supports if a student's behavior impedes his/her learning or that of others has not always been checked correctly.
37 of 39 files reviewed contained a written justification as to why instruction could not be conducted in the regular classroom setting.
Five of five IEPs reviewed for students 16 year old or younger, documented transition goals, services and/or activities needed by the student. These services linked to the student's life planning outcomes, present levels of performance and transition assessments.

Based on the comprehensive plan, file reviews and surveys, the district has policies and procedures in place to ensure an appropriate IEP is developed and in effect for each eligible student.

Out of Compliance:
Based on the file reviews there were six files that showed that the general education teacher was not at the meeting for preschool special education.

Validation Results
Meets Requirements:
The monitoring team agrees with the steering committee data for Principle five Individual Educational Program.
The monitoring team was not able to validate the area out of compliance identified by the steering committee.

Out of Compliance: Needs Assistance
ARSD 24:05:27:01.03 Content of individualized education program (IEP) Present level of academic achievement and functional performance and annual goals
A student's IEP must contain present levels of academic achievement and functional performance based upon the skill areas affected by the student's identified disability. The present levels of academic achievement and functional performance are based upon the functional assessment information gathered during the comprehensive evaluation process.

The monitoring team found student files lacked the required content in the present levels of academic achievement and functional performance (PLAAFPs) (i.e. specific skill area(s) affected by the student's disability, to include strengths and needs, along with how the disability affects the student's involvement in the general curriculum and parent input). File reviews indicated functional assessments are not being completed to acquire the skill-based information to develop present levels of performance for students eligible for special education services.

ARSD 24:05:27:01.02 Development, review and revision of the IEP-Consideration of Special Factors
In developing, reviewing, and revising each student's IEP, the team shall consider the strengths of the students and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the students as appropriate, and the results of the student's performance on any general state or district-wide assessment program. The individualized education program team also shall: In the case of a student whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, and supports, to address the behavior.

In several student files reviewed, behavioral assessment and/or present levels of academic achievement and functional performance contained information regarding the impact of student behavior on educational performance. However, in developing the IEPs for these students, the team checked the behavior does not impede learning and did not address strategies, including positive behavioral interventions and supports, to address the behaviors.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Comprehensive Plan
State Data Tables
File Reviews
Training Records

Meets Requirements:
Based on file reviews, district surveys all students receive services in the LRE with the supports they need for successful participation.
The number of students receiving services in the resource room has gone from 22% to 19% to 22% over the past 3 years. The state average for year 2002 - 04 was 22% to 22% to 22%.

Middle school general education staff participated in an in-service on roles and responsibilities of the general educator in the IEP process and the implementation of modification for student with disabilities in fall of 2006.

Validation Results

Meets Requirements:
The monitoring team agrees with the steering committee data for Principle Six Least Restrictive Environment.