SOUTH DAKOTA DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS
OFFICE OF SPECIAL EDUCATION

Miller School District
Continuous Improvement Monitoring Process Report 2001-2002

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Dates of On Site Visit: November 4th and 5th, 2002

Date of Report: November 5, 2002

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Office of Special Education. 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:

- News paper clippings
- Comprehensive plan
- Child find book
- Child count document
- General district data table A

- Student handbook
- Teacher packets
- Student file reviews
- Child find
- Flow through application
- District budget
- SAT 9 participation
- Drop-out data table
- Suspension/expulsion data table
- Instructional staff data table
- Staff development form
- Personnel records
- District policy

Meets requirements
The steering committee concluded that the Miller School District meets the requirements for the on-going child find system, pre-referral systems, special education and related services for private schools and that the district determines progress toward performance goals/indicators through a data analysis system.

Needs improvement
The steering committee indicted the district consistently analyzes the needs for personnel development; however surveys reflected the need for more parent involvement.

Validation Results

Meets requirements
The monitoring team agrees with all areas identified as meets requirements for general supervision as concluded by the steering committee.

Needs improvement
The monitoring team agrees with all areas identified as needs improvement for general supervision as concluded by the steering committee.

Out of compliance
24:05:17:03. Annual report of children served.
The review team was unable to verify that services were being provided to one student listed on the district's 2001 child count. Interview also confirmed there was not an IEP in effect on December 3rd of 2001 for this student.

24:05:24:01. Referral. Referral includes any written request which brings a student to the attention of a school district administrator. Referral documentation was not present in 5 of 10 files reviewed. Staff interview also confirmed that referrals generated through preschool screenings were not consistently documented.

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:

- District budget
- Student file reviews
- Parent and teacher surveys
- Instructional staff data table
- Part C exit information
- Placement alternative data
- Enrollment data
- Child find book
- Suspension and expulsion data
- Comprehensive plan

Meets requirements

The steering committee concluded that services are provided to all identified and eligible children with disabilities. Based on the information regarding tracking systems, procedures are in place to monitor and carry out suspensions and expulsions. Even though cases in point have been sufficiently handled, no data statements address administration training in this area.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meets requirements for free appropriate public education as concluded by the steering committee.

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:

- Student file reviews
- Comprehensive plan

- Parental rights
- Prior notice
- Parent surveys
- Teacher surveys
- Student surveys
- State data tables

Meets requirements
The steering committee concluded significant input is gathered from knowledgeable staff and parents in order to achieve a comprehensive evaluation prior to determining eligibility, valid and reliable evaluations are administered and that the IEP team uses the evaluation findings to determine if a disability exists. Parents receive copies of evaluation data and staff and parents determine appropriate evaluations applicable to the suspected area of disability.

Needs improvement
Based upon the 5-day prior notice for evaluation and documentation of parental rights sent with the prior notice, the steering committee concluded the district needs to revise the procedure and documentation to meet appropriate guidelines for consent.

Validation Results

Meets requirements
The monitoring team agrees with all areas identified as meets requirements for appropriate evaluation as concluded by the steering committee.

Needs improvement
The review team did not validate this as an area in need of improvement. District staff interpreted the 5 day prior notice requirement to apply after signed consent was received. Through interview and a review of student records the district was implementing the 5 day prior notice requirement according to state guidelines therefore, the district meets the requirements.

Out of compliance
24:05:25:04 Evaluation procedures
School districts shall ensure a child is assessed in all areas of related to the suspected disability and that evaluation procedures include a variety of assessment tools and strategies to gather relevant functional and developmental information about the child, including information provided by parents, that may assist in developing the content of the child's IEP. In five student files reviewed the monitoring team found that district staff did not include functional information in the evaluation process. In six additional files, functional information was available; however, the data was not analyzed so the IEP team could develop present levels of performance that linked to evaluation. Transition evaluations were not administered in 3 of 4 files reviewed therefore present levels of performance were not developed and included in the student's IEP. The steering committee noted transition assessment as an area in need of improvement under Principle 5, individual education program. The need to conduct transition assessments was also confirmed by the review team through staff interviews.

24:05:25:10. Prohibitions concerning identification of specific learning disabilities**.**
For students identified as having a specific learning disability, the IEP team needs to consider if the severe discrepancy between ability and achievement is primarily the result of environmental, cultural, or economic disadvantage. Through staff interview and a review of 7 student files, the review team found this content item had been removed from the district's multidisciplinary team report.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school 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

Data sources used:

- Complaint data table
- Hearing data table
- Parent rights brochure
- File reviews
- Teacher surveys
- Parent surveys
- IEP form
- Student handbook
- Newspaper articles
- Comprehensive plan

Meets requirements

The steering committee concluded that parents are fully informed of their parental rights and have the opportunity to inspect and review records. Policies and procedures are in place for responding to requests for due process and complaint actions that ensure compliance.

Needs improvement

The steering committee indicated the comprehensive plan policy regarding the appointment of a surrogate parent was in place but the actual process was pending board approval.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meets requirements for procedural safeguards as concluded by the steering committee.

Needs improvement

The review team did not validate the surrogate parent process as an area in need of improvement. The comprehensive plan was amended and approved by the board to include the process outlined in the surrogate parent technical assistance manual developed by the Office of Special Education. The district surrogate parent process meets requirements.

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:

- Parent surveys
- IEP form
- Student file reviews
- Child count
- Prior notice form
- Staff surveys
- Budget
- Part C exit information

Meets requirements

The steering committee concluded that IEP meetings are held with parents present, written notice is provided for all IEP meetings, prior notice includes all required content and an appropriate IEP is developed and in effect for each eligible student.

Needs improvement

The steering committee concluded that the district does not consistently produce functional assessment reports and needs to conduct more complete transition assessments. Transition assessment will be addressed under Principle Three, Evaluation Procedures.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meets requirements for individual education program as concluded by the steering committee.

Needs improvement

24:05:27:01.02. Development, review, and revision of individualized education program. The regular education teacher of a student with a disability, as a member of the individualized education program team, must, to the extent appropriate, participate in the development, review, and revision of the student's individualized education program. This includes assisting in the determination of appropriate positive behavioral interventions and strategies for the student and the determination of supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student.

24:05:27:01.04. Access to IEP. Each school district shall ensure that the child's IEP is accessible to each regular education teacher, special education teacher, related services provider, and other service provider who is responsible for its implementation. Each teacher and provider described above is informed of:

(1) His or her specific responsibilities related to implementing the child's IEP; and
(2) The specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

File review information and staff interviews raised some questions regarding the ability of teachers to provide modifications/accommodations to students, specifically in situations where students receive reading or math instruction in the resource room, then return to the regular classroom. General education staff are not always familiar with the IEP requirements for new students, especially those with IEPs due in September/October. Interviews indicated the special education staff does an excellent job in letting regular classroom teachers know prior to the start of school which students are on IEPs and informing them of the skill areas involved. Interviews also indicated that the implementation of modifications by general education staff has significantly improved. In some cases information is provided to the receiving teacher prior to the end of the term and in some cases sending and receiving teachers attend IEP meetings. Teachers do not typically receive copies of the student's goals and objectives or the modification pages from the IEP and rely on the information provided by the special education staff. The district may want to review its procedures to assure general educators are provided with sufficient information regarding their responsibility for implementing modifications while students are in the general classroom setting, particularly, the team's decision regarding the location and frequency of the individual student modifications.

Out of compliance

24:05:27:13.02. Transition services

Transition services are a coordinated set of activities for a student, designed within an outcome-oriented process.

24:05:27:01.03. Content of individualized education program

For each student beginning at age 16 or younger, the IEP is to include a statement of the needed transition services, including interagency responsibilities. Beginning at least one year before a student reaches the age of majority under state law, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority.

The life planning outcomes regarding employment and living were based on how the team felt or the parents felt and were not student driven. Due to the lack of transition assessment as noted in 3 of 4 student files reviewed, transition/vocational information was not included in the present levels of performance resulting in a lack of identified transition services in the student's IEP.

Information regarding the transfer of rights was not provided to two students at least one year before they reached age of majority.

Functional assessment issues are addressed under evaluation procedures in Principle Three.

24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider, in the case of a student whose behavior impedes his or her learning or that of others, strategies, including positive behavioral interventions, strategies, and supports, to address that behavior.

In four files reviewed, behavioral assessment and/or present levels of performance contained information regarding the impact of student behavior on their educational performance. In developing the IEPs for these students the team checked "no" that the behavior does not impede learning and did not address strategies, including positive behavioral interventions and supports to address the behaviors. Interviews with district staff revealed a lack of understanding regarding this requirement and how they were to address this section of the IEP.

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

Data sources used:

- Placement alternative data
- Hearing data
- Complaint data
- Placement by disabling condition
- IEP form
- Parent/teacher/student surveys
- Child count
- Student file reviews

Meets requirements

The steering committee concluded that appropriate steps are taken to make sure students are placed in the least restrictive environment. Also, students and parents feel much is done to ensure students are placed appropriately.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meets requirements for least restrictive environment as concluded by the steering committee.