
SPECIAL EDUCATION ACCOUNTABILITY PROCESS

2024-2025



south dakota
DEPARTMENT OF EDUCATION

Learning. Leadership. Service.

COMPONENTS OF GENERAL SUPERVISION



U.S. Department of Education, Office of Special Education Programs

REVIEWS COULD OCCUR...

Accountability Reviews

- All districts/agencies
- 5-year cycle
- File reviews
- Child Count audits
- Comprehensive plans
- Indicator 13
- Other programming

Compliance Indicators

- Suspensions
 - Indicator 4
- Disproportionality
 - Indicator 9 and 10

Extraordinary Cost Funds (ECF)

- State additional funding
- If district applies for ECF, in spring, could be subject for focus review.

Significant Disproportionality

- Disability Category
- Placement/LRE
- Discipline Removals
- Fiscal Impact

STAY UP TO DATE WITH RESOURCES

- Special Ed List Serve
 - Monthly Newsletter
- Special Education Website:
<https://doe.sd.gov/sped/>
 - Monthly Special Education calls (all sped staff)
 - Office of Special Education staff contacts
 - Regional Representative
 - Specialty areas
- Transition Services Liaison Project (www.tslp.org)
- State Performance Plan data collection
- Professional Webinars
- Guidance Documents
 - [IEP TA Guide](#)
 - [Eligibility Tools and Resources](#)
- Individual Education Plan documents
- Fiscal
- Administrative Rules of South Dakota (ARSD) [chapter 24:05](#)

STATE LEVEL STAFF

Accountability Manager

- DOE
- Oversee
- Corrective Action Plans
- Correspondence

Special Education Program Staff

- Review team members

CONTRACTORS

Results Driven Accountability Coaches (RDA)

Team Lead

- Leads the process
- Communicates with district
- Technical assistance
- Corrective Action Plan
- Member of the review team

Transition Service Liaison Project

- Transition Liaison Staff
- Reviews transition files for ages 15 years and older
- Indicator 13 Data Collection
- Provides technical assistance for high school transition
- www.tslp.org

DISTRICT STAFF

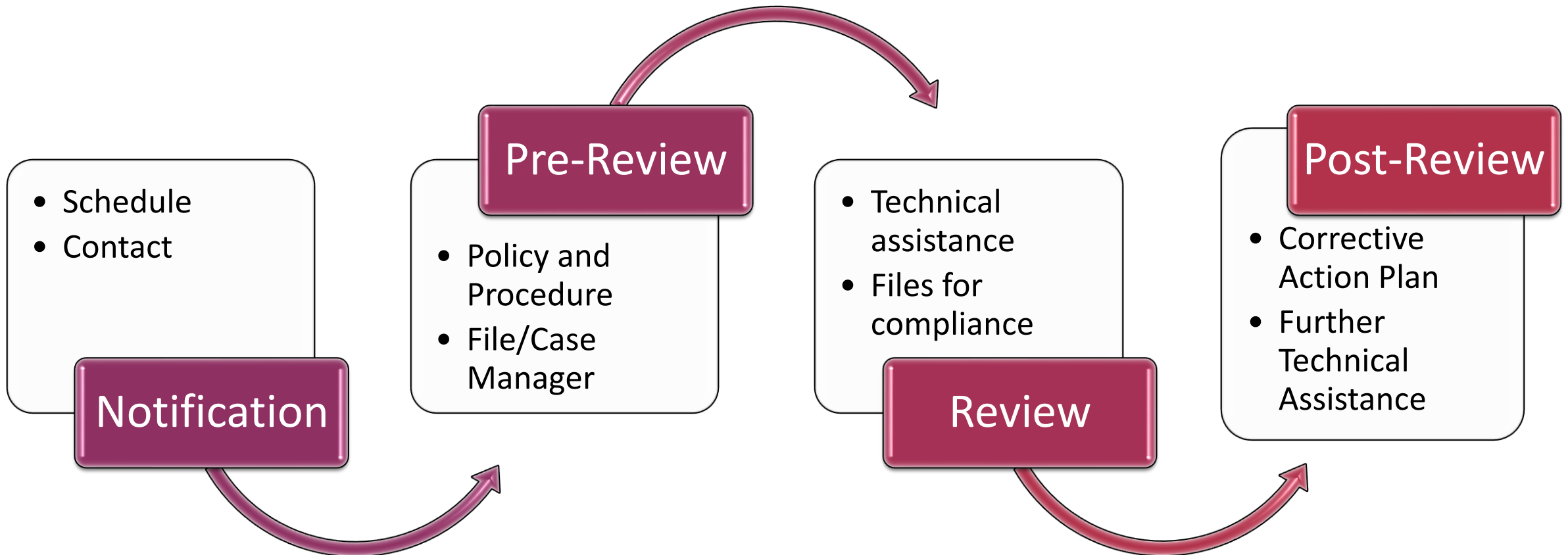
Special Education Director or designee

- Communicates with team lead
- Notifies local special education staff
- Make electronic copies for child count verification
- Create a list of all initial and re-evaluations by staff within last year
- Work with Team Lead on development of the review schedule and technical assistance needs
- Ensures all files and information is prepared and ready for review

Special Education Staff

- Prepare files for review
- Assist reviewer with identifying items in file and explain process
- Take notes on potential compliance, best practice suggestions, and items to discuss with administration
- Bring questions regarding special education process

TIMELINES AND PROCESS – SUBJECT TO CHANGE



PRE-SITE ACTIVITIES WITH TEAM LEAD

Between July and October

- Team Leader – sends an email/phone call to make initial contact with the District Superintendent and Special Education Director
 - At this point the district's primary contact person will be established.

- Schedule Letter – delivered through email
 - Provides the review date(s)
 - Review process letter
 - Identifies the review team members

DISTRICT PRE-SITE PREPARATION

Notify

- District administration will notify staff of upcoming review
 - Dates
 - Regular updates regarding process

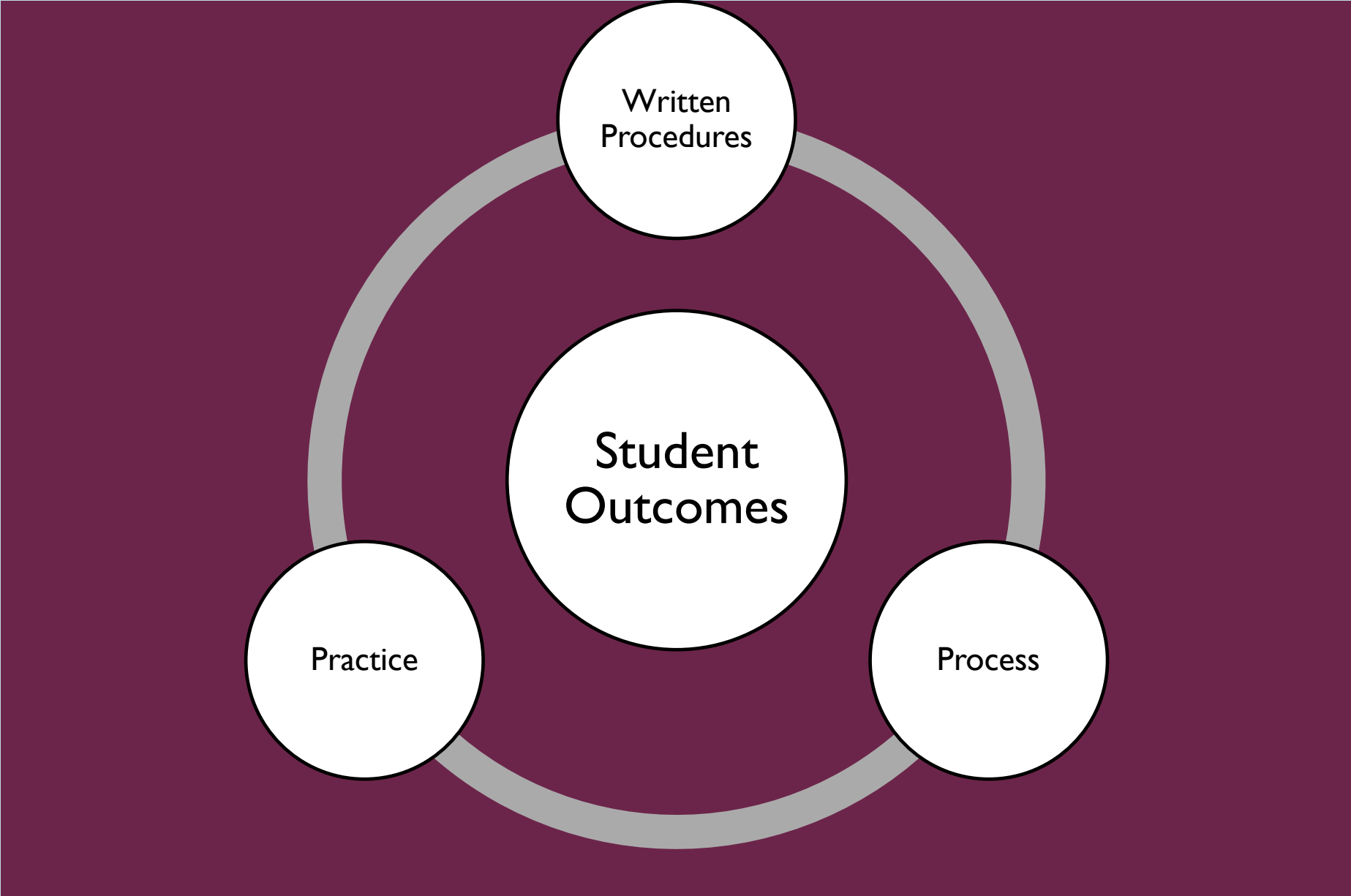
Support

- Support staff in preparation of the review
 - Prepare for file reviews: Utilize the Internal Review form on [Accountability Process](#) website, IEP TA guide and Eligibility Tools and Resources

Resource

- Contact Transition Services Liaison Project
 - Individualized training and self assessment to high school staff on Indicator 13 data collection

Pre-Review



Special Education
Comprehensive
Plan

Updated
Annually

Document
District Sped
Procedures

Child find
processes

Independent
Education
Evaluation

Out of District
Placements

Suspension
Processes

Surrogate
Procedures and
List

Other

Procedures and
List

DISTRICT ADMINISTRATORS KNOWLEDGE



- Building level administrators serve an important role in supporting students with disabilities and staff.
- During reviews, interviews will be conducted with building administrators or others. We will also meet with the Special Education Director to review the district's policies, procedures, and practices.

STAFF SUPPORT

- Personnel requirements
 - Certified Staff
 - Special education and teaching content
 - Qualified Paraprofessionals
 - Sped verse Title
- Staff and Paraprofessionals receive necessary training
 - IEP workshops
 - Specialized training
 - Understand Roles and Responsibilities
- During review, ensure all staff are certified and following correct procedures.

Resource: Personal Record Form

Certification Questions: Division of Accreditation and Certification



CHILD COUNT VALIDATION

- The team leader will validate the 2023 December child count.
- Sample selection
- Team lead will send the list
- Still require an **electronic** copy of the front page of each IEP in effect by the 2023 December child count will need to be given to the team lead. District will also include a copy of the official child count from Launch Pad.

Note: child count validation is need as part of a fiscal audit and ensure accurate and valid data for federal reporting.



Review

FILE REVIEWS

TYPES SELECTED



FILE REVIEWS

Minimum of 1 per case manager

- Includes sped teacher, speech therapist, early childhood, etc....
- Based on their case load
- Preference file: an evaluation they recently conducted

Check a representative sample:

- Every disability category
- Ages 3-21
- Transfers
- Out of district placement
- Private school (plan in place and evaluated every 3 years)

Resources to Assist in Compliance

- <https://doe.sd.gov/sped/IEP.aspx>
- Complete the Internal Review Process annually
- Utilizing Technical Assistance Documents
- Participate in IEP workshops
- Stay up to date on Sped Monthly Calls and Recordings

Files Include

Past

If applicable

Record of Access

3 Year Eligibility

Behavior Plans

Current evaluation reports should include information pulled forward.

Last IEP

Amendments

Meeting notice

Manifest Determination

Current Individual Education Plans

If graduated or aged out, a summary of performance

Parental Prior Written Notice

If graduated, PPWN of exit

Initial Consent Document

Note: If a student has moved, please retain information according to school district records retention requirements

INDICATOR 13: TRANSITION IEP SECTION

Districts are responsible to ensure students on IEPs have a transition plan in place on 16th birthday.

Process begins at age 15 or younger.

During a review, a sample of transition files age 16-21 will be selected

Based on a representative sample of disability categories and number of transition students served. Transition files should demonstrate evidence of invitation of outside agency process.

Resources

- Transition Services Liaison Project will cover the requirements and best practices
 - www.tslp.org
- State Regional Representative



OUT OF DISTRICT PLACEMENTS

- Who is responsible to ensure IDEA/Special Education Paperwork is in compliance?
 - District ultimately responsible
 - Agency and District Collaboration
 - District personnel must be included in decisions
- During review will request to review files related to out of district placements.
- Ensure the district has all the evaluation and IEP documentation on the student available.
- District must ensure student receives FAPE. The district is responsible for compliance in the process and paperwork

OTHER FILES

Private School within district boundaries:

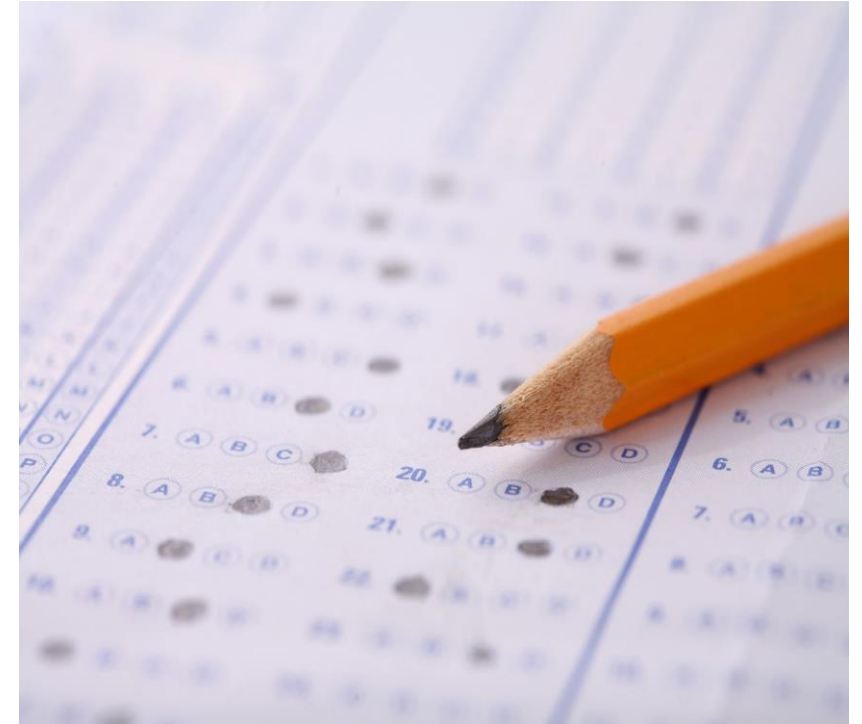
- District required to evaluate (child find) private school students.
- A proportionate share of IDEA Federal Funds must go to providing services to private school students.
- District and private school(s) will consult on type of services that will be provided and location of services. Identified in consultation and reported in IDEA Federal Flow Through Application.
- During a review, if district has private school students, will review a sample of student files.
- May discuss some information on funds utilized for private schools.
- Resource: [Private Schools Q and A](#)

Suspension greater than 10 days

- Ensure district is following correct discipline procedures


STATE/DISTRICT ASSESSMENT: ACCOMMODATIONS AND ALTERNATE ASSESSMENT

- District must ensure that accommodations are provided for the applicable district and statewide assessments.
 - Communication on process through district Testing Coordinator.
 - Accommodations to be enable submitted to the state prior to state assessment
 - Alternate Assessment students are identified in campus.
- **During review,**
 - Did accommodations on state assessments were given according to the IEP.
 - If district had students take alternate assessment, review a sample to ensure students meet the criteria and IEP has appropriate documentation.



EXITERS

A sample of the following students will be requested:



Students, who **graduated**, will be pulled to ensure that PPWN was issued, and the graduation data was entered correctly in campus.
Summary of Performance for graduates and age out students will also be checked.

Resources:

[Sped Exit Codes](#) can be found in Student Data Collections Desk Guide or SPED Reporting Sheets.

Data pulled from the SD STARS Exit Report after second Friday in June

[Exit Code Training webinar](#)



POST REVIEW

PROCESS AFTER REVIEW IS COMPLETED



CORRECTIVE ACTION PLAN (CAP)



■ Purpose:

■ OSEP Q and A 23-01 identified two federal requirements:

○ Prong 1

- Fix the file in which noncompliance was identified.
- If required, participate in technical assistance or training.

○ Prong 2

- The district will provide additional documentation as evidence of continued correction of noncompliance.

INITIAL CAP PROCESS

Compile Evidence



Draft CAP



Reviewed and Finalized by SEP



Sent to District



Team Lead and District Complete Process



- A copy of the Accountability CAP will be sent in an email.
 - Prong 1
 - 60 days to submit Prong 1 corrections.
 - Individual files requiring immediate correction.
 - Prong 2
 - 1 year timeline starts from report date.
 - Additional IEP documentation and/or update policy, procedure, and practice.

Note: Districts notified at 10 months if corrections are not being submitted sanctions may apply. ARSD 24:05:20:23

CAP REPORTS

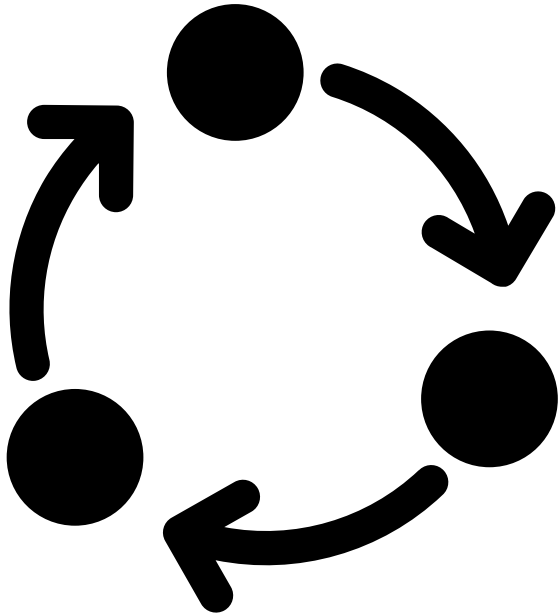
Public Report

- Lists the ARSDs that are in non-compliance
- Posted to the State website

District Report

- Prong 1
 - Student/ Teacher Name
 - Specific noncompliance issued
 - What documents need to be submitted
- Prong 2
 - Requirements to show continued compliance

CAP CLOSURE



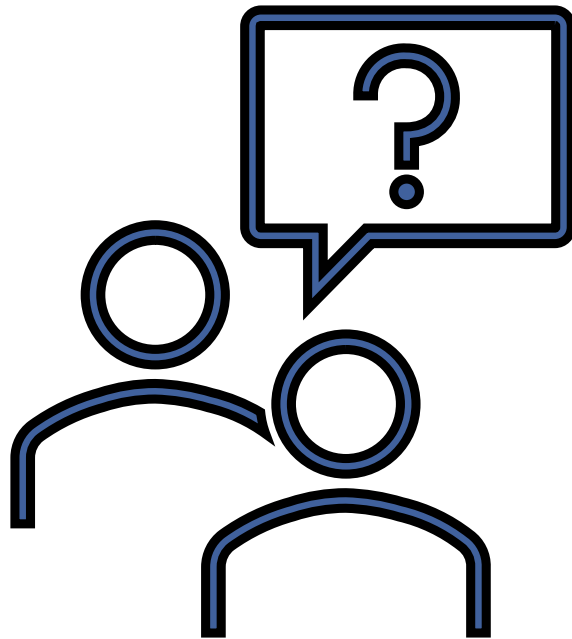
- District has met requirements for Prong 1 and Prong 2:
 - Team lead will notify the Accountability Manager
 - Accountability Manager will send the district a letter stating all items in the CAP have been met and the CAP is closed.
 - CAP is sent via email to the Superintendent and Special Education Director
 - Public Report is updated and posted to the website
- Even through the process is ended, district should continue to work toward improvements and stay up to date on changes.

TOP NONCOMPLIANCE NOTED

- Prior Written Notice Consent content (Individualized and description of information)
- All evaluations conducted and only those on PPWN Consent
- Skill based report requirements
- Prior Written Notice content (individualized and 5-day requirement)
- Specific Learning Disability Eligibility Documentation
- Measurable Annual Goals and Objectives
- Specialized Services frequency, duration, and location: specifically broken down by area and location
- H.S. Transition – Indicator 13 (Invite outside agency process, post-secondary goals, transition reports, etc..)
- Parent input documented in evaluation process and IEP.
- Accommodations must not have “modified test” or “modified assignment”

BEGIN PREPARATION BEFORE CONTACT

- Review comprehensive plan – is it individualized to the district.
- List of students evaluated in last year to 18 months and connected case managers.
- Ensure out of district placed student files are in district.
- If private school, ensure the district is following the consultation process documented.
 - Reference: <https://doe.sd.gov/sped/idea.aspx>
- If transition IEP is out of compliance, conduct an amendment to fix it.
- Utilize the internal review process in preparation for review.



Questions: Melissa.Flor@state.sd.us

Note: Procedures are subject to change