

Cyclical Compliance Monitoring
DISTRICTS RECEIVING AN
ON-SITE VISIT 2015 - 2016
YEAR TWO

State Board of Education

Vision

To create a world-class educational system that gives students the knowledge and skills to be successful in college and the workforce, and to flourish as parents and citizens

Mission

To provide leadership through the development of policy and accountability systems so that all students are prepared to compete in the global community

State Board of Education Goals

5-Year Strategic Plan for 2016-2020

- ✓ All Students Proficient and Showing Growth in All Assessed Areas
- ✓ Every Student Graduates High School and is Ready for College and Career
- ✓ Every Child Has Access to a High-Quality Early Childhood Program
- ✓ Every School Has Effective Teachers and Leaders
- ✓ Every Community Effectively Using a World-Class Data System to Improve Student Outcomes

Cyclical Compliance Monitoring

- **Focus of the Cyclical Compliance Monitoring:**
- **Alignment of Compliance Monitoring to Strategic Plan;**
 - Ensure continuous examination of ALL Local Education Agencies' (LEAs) practices in priority areas;
 - Identify noncompliance;
 - Ensure correction in a timely manner; and
 - Ensure consistency with the requirements set forth in OSEP Memorandum 09-02.

Introduction

- **Three Components of the Comprehensive Monitoring System for continuous improvement:**
 - Compliance Indicator Reviews
 - On-site Reviews
 - Data
 - Fiscal
 - Programming
 - Selective Targeted Reviews

Cyclical Compliance Monitoring

- SELECTION CRITERIA:
 - Each LEA in Mississippi is selected for on-site compliance monitoring at least once every four years.
 - LEAs were randomly selected and assigned to a cycle year based on Enrollment Groups (district size by total student enrollment).

Cyclical Compliance Monitoring

- ENROLLMENT GROUPS
 - Group One – 5,500 students and up
 - Group Two – 3,200 to 5,499 students
 - Group Three – 1,700 to 3,199 students
 - Group Four – 1,699 students and below

Cyclical Compliance Monitoring

- CYCLICAL SCHEDULE:
 - Thirty-five LEAs were selected in year one (1) for on-site cyclical monitoring;
 - Thirty-six LEAs selected in year two (2);
 - Thirty-eight LEAs selected in year three (3);
and
 - Thirty-seven in year four (4).

Cyclical Compliance Monitoring

- **PRIORITY AREAS:**

- Child Find process;
- Delivery of services and alignment with IEPs;
- Least restrictive environment (LRE) decisions;
- Discipline; and
- Fulfillment of IDEA Part B fiscal requirements.

Cyclical Compliance Monitoring

- Roles of Selected Districts
 - Conduct a Self-Review;
 - Assist with data collection;
 - Ensure team has documentation and data requested;
 - Participate in the Self-Review meeting and present district's findings as a result of the Self-Review;

Cyclical Compliance Monitoring

- Roles of Selected Districts
 - Participate in interviews; and
 - Provide information and assistance to team leader in the conduct of the monitoring visit.

Cyclical Compliance Monitoring

- **WHERE ARE WE IN THE PROCESS?**
 - Completed year one/monitored 35 districts;
 - Issued 16 monitoring evaluation reports, 19 reports in process;
 - Scheduling technical assistance for selected districts in response to required corrective actions; and
 - Drafted tentative 2015 -2016 calendar.

Cyclical Compliance Monitoring

- **CHALLENGES/WHAT HAVE WE LEARNED?**
 - Collaborative planning/scheduling visits;
 - Sped director's time on-site for fiscal and programming components of visit;
 - Issuing reports (30 day timelines);
 - Staff resource (four monitors), more people;
 - Current process – paper monitoring;

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- **CHALLENGES/WHAT HAVE WE LEARNED?**

- Protocols/not addressing FAPE;
- Record selection;
- Requested documentation (Attachment A and B);
- TST documentation;
- Self-Review process; and
- Procedures/protocols.

Cyclical Compliance Monitoring

- **RECOMMENDATIONS:**
 - District feedback;
 - Revise procedures;
 - Revise protocols;
 - Expand process; and
 - Utilize contractual staff.

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- **PRE-SITE VISIT ACTIVITIES**

- District Notification;
- OSE request for documentation prior to the scheduled visit (Attachment A); and
- Documentation to be made available to the monitoring team upon their arrival (Attachment B).

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- **PRE-SITE VISIT ACTIVITIES** (Attachment A)
 - District Policies and Procedures;
 - Pre-referral documentation;
 - Current MSIS roster by school and teacher;
 - Roster for each Speech Language Pathologist and Speech Language Therapist;
 - Findings of district Self-Review; and
 - Fiscal documentation.

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- **PRE-SITE VISIT ACTIVITIES** (Attachment B)
 - Suspension and expulsion records;
 - List of students with completed FBAs and BIPs;
 - List of students in residential placements;
 - Continuum of placement options available;
 - Documentation of Child Find activities; and
 - List of related service personnel.

Cyclical Compliance Monitoring

- **PRE-SITE VISIT ACTIVITIES**
- District's Self-Review
 - Analyze data in priority areas;
 - Review a number of records utilizing monitoring protocols;
 - Reach valid conclusions based on data on status of special education services; and
 - Discuss results of Self-Review/Findings.

Cyclical Compliance Monitoring

- District's Self-Review
 - Analyze data in priority areas:
 - ❖ Identification process – (Indicators 11, 12, 15, 20)
 - ❖ Appropriate Services and Supports – (Indicators 4, 5, 6, 12, 15, 20)
 - ❖ Appropriate Student Progress – (Indicators 3, 4, 5, 15, 20)

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- District's Self-Review
 - Analyze data, utilize the protocols to review records and develop Improvement Plans;
 - Protocols have been developed as tools to facilitate the district's review; and
 - Provide a structure for districts to measure the status and progress of student outcomes.

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- Review records utilizing monitoring protocols
- Enrollment Groups – # of student records:
 - Group 1 – Twenty-five student records;
 - Group 2 – Twenty student records;
 - Group 3 – Fifteen student records; and
 - Group 4 – Thirteen student records.

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- Results of Self-Review/Findings
 - Reach valid conclusion based on data; and
 - Summarize the district's findings and analysis of data relative to the priority area of focused monitoring.

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- District's Self-Review
 - Who should serve on the District Review Team?
 - Director of Special Education;
 - Building principal;
 - Special education teacher;
 - General education teacher;

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- District's Self-Review
 - Related service provider; and
 - Representative of any other critical stakeholder.

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- District's Self-Review
 - District Review Team and OSE Team will meet on Day 1 of the visit;
 - Discuss Self-Review process;
 - Supporting data/SPP Indicators;
 - Identify findings/issues;

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- District's Self-Review
 - Following the Self-Review, monitoring team will conduct on-site activities that include:
 - Record Reviews;
 - Interviews; and
 - Conducting classroom observations

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- **ON-SITE ACTIVITIES (DAY 1)**
 - Entrance meeting with Superintendent or designee and Special Education Director;
 - Results of district's Self-Review;
 - OSE team will conduct student record reviews using the appropriate monitoring protocols; and
 - Upon completion of Day 1 monitoring, the team will review and consolidate the monitoring information.

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- **ON-SITE ACTIVITIES (DAY 2)**

- The OSE team will conduct record reviews at the Central Office on Day 2;
- The team leader will conduct additional interviews if necessary to verify record review findings;
- The team will review and consolidate information; and
- The team will meet with the Director of Special Education for an exit meeting. The preliminary list of findings will be discussed.

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POST-SITE VISIT ACTIVITIES

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POST-SITE VISIT ACTIVITIES

- Issue Monitoring Report;
- District submission of Improvement Plan (IP);
- MDE review of IP;
- Follow-up/Technical Assistance;
- Follow-up visit within 6-8 months after the initial visit;

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POST-SITE VISIT ACTIVITIES

- Development of a follow-up report; and
- Notify Office of Accreditation regarding compliance status with Standard 17.4.

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MONITORING EVALUATION REPORT

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- **POST-SITE VISIT ACTIVITIES**
- **MONITORING AUTHORITY**
- SPP/APR (Indicator 15) General supervision system identifies and corrects non-compliance as soon as possible, but in no case no later than one year from identification.
- Target: 100% of non-compliance related to monitoring priority area and indicators will be corrected within one year of identification.

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- **POST-SITE VISIT ACTIVITIES**

- Upon completion of the visit, a summary report is developed to summarize the findings from each area of the on-site review;
- Report identifies findings of individual and systemic noncompliance with IDEA and State Board Policy 7219;
- OSE will review the final report before submitting the report to the district;
- Report is sent to the district's Superintendent with copies to the Special Education Director; and
- The report will address findings of noncompliance, required corrective actions and recommendations for improvement.

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- **POST-SITE VISIT ACTIVITIES**
- Correction of noncompliance:
 - The MDE/OSE issues the report of findings to the district within 30 days of the visit;
 - The OSE is available to provide technical assistance and training in identified areas of noncompliance; and
 - All noncompliance must be corrected as soon as possible, but no later than 12 months from the date of identification.

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- **POST-SITE VISIT ACTIVITIES**

- The district must submit an Improvement Plan;
- The OSE conducts a follow-up visit (usually within 6 – 8 months of the initial visit) to ensure correction of all noncompliance in accordance with 09-02 Memorandum;
- The OSE issues a follow-up report; and
- Additional follow-up and technical assistance are provided until district corrects all identified noncompliance.

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➤ COMMON FINDINGS

(Child Find)

- A review of the district's Child Find policies indicate the policies are inconsistent with State Board Policy 7219 and did not specifically address each of the following special populations: homeless children, wards of the State, private school children, children advancing from grade to grade, and highly mobile and/or migrant children.

Cyclical Compliance Monitoring

- **COMMON FINDINGS**
- Delivery of Services – Revisions to IEPs, missing components, not meeting the unique needs of the students, Secondary Transition services
- Corrective Actions: timeline (30 days)
- Review/revise the IEPs of identified students to include all requirements in accordance with 34 C.F.R. §§ 300.320 through 300.324 and State Board Policy 7219.

Cyclical Compliance Monitoring

- **COMMON FINDINGS**

- Delivery of Services – Revisions to IEPs, missing components, not meeting the unique needs of the students, Secondary Transition services.

- Corrective Actions: timeline (90 days)

- Provide additional IEP training to appropriate personnel;
- Submit district procedures detailing how the district will implement the board approved policies;
- Provide training on policies and procedures.

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➤ **COMMON FINDINGS**

(Delivery of Services)

- Transition planning elements of the IEP are noncompliant with criteria established on the National Secondary Transition Technical Assistance Center (NSTTAC) Indicator 13 Checklist.

Cyclical Compliance Monitoring

- **COMMON FINDINGS (SYSTEMIC FINDINGS):**
 - Inconsistent/insufficient district policies and procedures for Child Find, LRE and Discipline
 - Corrective Actions: timeline (90 days)
 - Submit to MDE board approved policies;
 - Submit district procedures detailing how the district will implement the board approved policies; and
 - Provide training on policies and procedures.

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➤ COMMON FINDINGS

(Least Restrictive Environment)

- In one (1) of fifteen (15) student records reviewed there was no evidence to indicate placement decisions were made by a group of persons, including the parents, who are knowledgeable about the child, the meaning of the evaluation data and the placement options.

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➤ COMMON FINDINGS

(Discipline)

- The district failed to complete a manifestation determination review to determine if the conduct was a manifestation of the student's disability.

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- **POST-SITE VISIT ACTIVITIES**
- **Correction of noncompliance:**
 - Two prongs of verifying correction of noncompliance;
 - Prong 1 – district has corrected each individual case of noncompliance; and
 - Prong 2 – district is correctly implementing the specific regulatory requirements.

Cyclical Compliance Monitoring

- **TIPS TO PREPARE FOR THE ON-SITE VISIT**
 - Data analysis (Part B SPP Indicators);
 - Examine Policies and Procedures;
 - Review monitoring protocols;
 - Identify personnel for the Self-Review Team;
 - Review what the evaluation team will review, i.e. Attachment A and B; and
 - Develop a plan of action to address any identified area of noncompliance or issues of concerns.

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- **MONITORING PROTOCOLS**
 - Appropriate Identification Process;
 - Appropriate Services and Supports; and
 - Appropriate Student Progress.

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➤ **Appropriate Identification Process:**

Overarching Analysis Question:

- ❖ Does the district implement appropriate identification procedures and practices to ensure that ALL students suspected of having a disability receive a special education evaluation and services, if appropriate?

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- **Appropriate Student Progress:**
- **Overarching Analysis Question:**
- ❖ Are students with disabilities making appropriate progress with the general curriculum as compared to grade-level standards and expectations?

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➤ **Appropriate Services and Supports:**

Overarching Analysis Question:

- ❖ Are appropriate procedures in place to ensure students with disabilities receive FAPE in the LRE to access the general curriculum?

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- **Fulfillment of IDEA Part B fiscal requirements:**
Overarching Analysis Question:
 - ❖ How does the district align fiscal funds to appropriately meet needs?

Fiscal Process

- **Selected LEAs will be required to provide:**
 - Fiscal Policy and Procedures
 - Fixed Asset Listing by location
 - History Transaction Listing
 - Employee Payroll Listing
 - Purchase orders
 - Semi-annual Certification forms
 - Personnel Activity Report (PAR)

Fiscal Aids

- **In preparation for the visit, these items can be found on our webpage**
 - Fiscal Monitoring Instrument
 - Top Ten (10) findings
 - Tips to prepare for the visit

On-Site Activities

- Conduct an Entrance meeting
- Discuss the district's fiscal process/procedures
- Review documents
- Conduct a random inventory review
- Conduct an Exit briefing

Top Ten Findings

1. Time sheets/Semi-Annual Certification forms not available and/or not signed by employee and/or supervisor
2. Equipment not on the Asset List
3. Equipment not tagged and funding source not indicated
4. Purchasing of equipment not approved or deleted from Project Application
5. Invalid or no contracts for contractual services

Top Ten Findings

6. Asset Listing does not indicate description of item, serial number or location
7. Equipment not properly hand receipted
8. Equipment not being used for its intended purpose
9. Unauthorized use of IDEA funds
10. Equipment purchased with IDEA funds used in general education classrooms

Tips to Prepare for the Visit

1. Prepare your staff
2. Assemble the players
3. Set the tone
4. Organize documentation
5. Be prepared to address identified noncompliance as they arise
6. Select a meeting/work place
7. Use the Fiscal Protocol to prepare

Non-Cyclic Audits

- A financial review will be conducted of each LEA
 - Purpose is to determine the level of financial risk
- Financial Risk Assessment reviews four areas
 - General Assessment
 - Monitoring/Audit Assessment
 - Fiscal Assessment
 - Financial Stability
- Each area has a total point value assigned
 - Questions within each area have a point value
- 100 total points

Risk Assessment Factors

- **General Assessment (25 points)**
 - Is the Special Education Director new to operating or managing IDEA funds?
 - Has the LEA been untimely in submission of reports?
 - Have any other entities alerted us of potential risk areas?

Risk Assessment Factors

- **Monitoring/Audit Assessment (10 points)**
 - Has the LEA had a single audit exception?
- **Fiscal Assessment (35 points)**
 - Has the LEA returned any unspent funds or been untimely in the request of funds?
 - Does the LEA have a large amount of budget carryover?
 - Does the LEA have any variation between expenditures and the approved budget?

Risk Assessment Factors

- **Financial Stability Assessment (30 points)**
 - Has the State placed the LEA in a special financial status?
 - Has the State placed special financial conditions on the LEA's award?
 - Has the LEA met Maintenance of Effort?

Risk Assessment Scoring

- Risk assessment scores are determined by the number of points received
- LEAs are assigned a risk level based on their scores
- Three levels of risks
 - High Risk – 60 points or more
 - Medium Risk – 30 points to 59 points
 - Low Risk – 29 points and below

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