

**NORTH DAKOTA DEPARTMENT
OF PUBLIC INSTRUCTION**

SPECIAL EDUCATION UNIT



PROCEDURES FOR FOCUSED MONITORING

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INTRODUCTION

Major changes are taking place in education across the nation. Two important federal education laws, the *No Child Left Behind Act* and the *Individuals with Disabilities Education Act*, require states and local school districts to be more accountable for the educational practices in their state. There is an increased emphasis on achievement results for students. Stricter accountability and data-driven decision making have also become increasingly common in schools.

One requirement of the *Individuals with Disabilities Education Act* (IDEA, 2004) is for a state education agency (SEA) to have a six year special education State Performance Plan. The IDEA Part B, Section 300.600(a) of the Federal Regulations states:

The state must monitor the implementation of this part, enforce this part in accordance with §300.604 (a)(1) and (a)(3), (b)(2)(i) and (b)(2)(v), and (c)(2), and annually report on performance under this part. (b) The primary focus of the State’s monitoring activities must be on: (1) improving educational results and functional outcomes for all children with disabilities; and (2) ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

The purpose of the State Performance Plan (SPP) is to increase activities and strategies toward the improvement of outcomes for children and youth with disabilities based on district and State data. Each year the state must also submit an Annual Performance Report (APR) and provide details on how the state is progressing toward the established targets of the State Performance Plan. In addition to the requirement of the SPP, is the requirement of monitoring indicator data and verifying results.

The North Dakota Department of Public Instruction (NDDPI) is responsible for ensuring that the requirements of IDEA 2004 are carried out within the state. Each educational program for children with disabilities administered within the state is included in the department’s components within the general supervision monitoring cycle. Focused monitoring is one component of the State’s general supervision system. Other monitoring/verification components include the random monitoring, self-assessment monitoring (SAM) and verification, district level of determination, and consolidated DPI Accountability Reports. Each of these components occurs annually in varying districts ensuring each district is thoroughly monitored within the five years monitoring cycle.

The NDDPI wishes to thank the Wyoming Department of Education, Special Education Unit for their shared information and training activities and for being a continued system of support.

FOCUSED MONITORING PROCESS

Focused monitoring is a process that purposefully selects state priority areas to examine for compliance and performance results. Focused monitoring is intended to maximize resources and emphasize important variables by reviewing those requirements that are most closely related to improving educational results for children with disabilities. This goal is addressed through the following activities:

- Purposeful review of student level data;
- Onsite verification of accurate data reporting by districts;
- Helping districts identify positive outcomes for students with disabilities;
- Helping to identify research-based strategies to address needs;
- Helping to identify district and state resources; and
- Providing technical assistance.

These activities occur at various stages in the focused monitoring process.

SPECIAL EDUCATION UNIT SELECTION

The NDDPI staff uses student outcome data to identify special education units that are in need of improvement in the State Performance Plan (SPP) priority areas. Using these data, NDDPI staff ranks local special education units based on the previous three years in each priority area. In addition to selecting local special education units for focused monitoring based on student outcome data, district level onsite visits within the unit may also occur due to a pattern of issues identified through the IDEA complaint process or through a random selection process.

Each of the priority areas has data decision tools to direct local special education unit selection including trend data, policy review, and/or compliance sustainability of the districts within the special education unit. The data decision procedures are based on the three most recent years of data reported by each district within the local special education units on the following performance indicators:

- * Graduation Data;
- * Achievement Data; and
- * LRE Placement Data.

The local special education units with the lowest ranking score are selected to receive a focused monitoring visit. The NDDPI staff analyzes student outcome data related to the priority areas to identify which school buildings within the district will receive onsite visits and to determine which parents, students, and district staff will participate in the focused monitoring activities.

PRE-ONSITE ACTIVITIES

After a district within a special education unit has been selected for onsite visit, NDDPI staff members begin a process known as pre-staffing. In this process, monitoring staff analyze district data for students with disabilities and determine potential areas of noncompliance that may account for the district's performance in certain areas. These data are not limited to the focus indicators; instead NDDPI staff utilizes all data available for the district including SPP indicator data, state assessment results, graduation rates, discipline data, related service data, and more.

Prior to the pre-staffing meeting, data reports are prepared by NDDPI's contracted statistician. These data reports compile information from the sources mentioned above and assist with the brainstorming at the beginning of each pre-staffing meeting. In the pre-staffing meeting, the NDDPI staff examines district performance on a variety of indicators and compares that performance to corresponding state rates and target rates. Some comparison areas include:

- * Overall identification rate for students with disabilities;
- * Demographic information for identified students;
- * Related service types and rates;
- * Statewide assessment proficiency rates;
- * Least Restrictive Environment data;
- * Exit information; and/or
- * District results on other indicators of the State Performance Plan.

Areas in which district data vary significantly from state data are examined more closely (See Appendix A for sample review). For example, a district may have a higher rate of students placed in self-contained environments when compared to the state rate. This would lead the team to further examine the characteristics of students in these self-contained settings. The team would drill down into the data to consider more details, such as:

- * Grade levels of students in self-contained settings;
- * Disability categories of these students;
- * Proficiency rates for these students;
- * Self-assessment results (when available);
- * Related services received by students in self-contained settings; and
- * Possible correlation between restrictive placements and discipline incidents.

A key point is that *district data that are significantly above or below state data are not proof of noncompliance in any area*. Rather, data anomalies and discrepancies only *suggest* noncompliance. The NDDPI staff uses the information gathered during the data drill down to develop Compliance Hypotheses regarding the type(s) of noncompliance that may account for the district's suggestive data. The NDDPI staff cannot definitively determine whether or not noncompliance truly exists in any area without conducting a variety of onsite activities to either substantiate or disprove a compliance hypothesis. If noncompliance was not found during the onsite visit, the NDDPI monitoring team can only state that *no violation was found during the onsite visit*.

Compliance Hypotheses

In general, a hypothesis has been defined as —a reasoned proposal suggesting a possible correlation between multiple phenomena. In the NDDPI’s focused monitoring system, a compliance hypothesis is simply a statement regarding the specific type of noncompliance that may be suggested by the district’s data. Again, a hypothesis is *not* a conclusion or finding of noncompliance. The intent of this effort is to create questions for further exploration that will assist the team in uncovering possible connections between suggestive district data and areas of noncompliance. In other words, the NDDPI staff uses compliance hypotheses to guide and focus its onsite activities in order to determine whether or not violations exist that, if corrected, could positively influence educational results and improve functional outcomes for children (as measured by the various data points and indicators reviewed during the pre-staffing). Developing clear and concise hypotheses allows the monitoring team to conduct a structured and systematic onsite visit.

Consistent with the requirements established in 34 C.F.R. §§300.600 through 300.604, the typically developed compliance hypotheses are in those areas that closely relate to improving student performance, educational results and functional outcomes for students with disabilities. Common compliance hypotheses have been developed in the areas of Free Appropriate Public Education (FAPE), Least Restrictive Environment (LRE), Extended School Year (ESY), Assistive Technology (AT), Provision of Related Services, and more. In summary, compliance hypotheses provide a context for the team’s onsite activities, allowing the team to focus its resources in particular areas of concern and still allow an expanded review if necessary.

Sample Selection

For each compliance hypothesis developed, the NDDPI monitoring team selects a sample of students for closer examination. The onsite activities revolve around these core samples, so the samples are of the utmost important. The composition of each sample varies with each hypothesis and can be generated in one of two ways:

- * *Purposeful Sampling* – In a purposeful sample includes students who are the most likely to be affected by a district’s possible noncompliance.
- * *Random Sampling* – A random sample selects a statistically significant portion of the district’s population that will allow for meaningful review and analysis. The random sample may be used when the data drill down does not reveal any specific paths or trends that could be used in crafting a purposeful sample.

In some cases, the NDDPI staff will use a combination of the two sample types in order to make a large purposeful sample more manageable. For example, a purposeful sample may be reduced by only considering students at particular schools or in certain grade levels. This enables the monitoring team to maximize its resources (primarily staff and time) without burdening the district with a lengthy visit.

Special Education File Reviews

Once the samples have been determined for each hypothesis, the team members carefully examine the sample files, documenting pieces of evidence to answer the question. Example of the question surrounding each hypothesis can be found in Appendix B. Students whose files provide evidence of noncompliance remain in the sample for further examination during the onsite visit.

However, student files that do not contain evidence of noncompliance are removed from the sample for that particular question. In fact, at each step of the monitoring process, students may be removed from any sample during the monitoring team's review of each student's file. Student files may be added to samples drawn for other questions if during the file review information indicates other areas of potential noncompliance. In order to confirm the quality and accuracy of the districts' data, the NDDPI monitoring team will compare the following student-level information included in district data reports with that in the students' special education files:

- * Primary Disability;
- * LRE;
- * Specialized Instruction;
- * Assistive Technology;
- * Related Services; and
- * Extended School Year

If questions for a certain hypothesis can not be answered through the TIENET file review, an onsite file review may be warranted before the onsite visit. The focus monitoring team leader will contact the Unit's Special Education Director if this is necessary.

Resource Allocation

Once the monitoring team has determined the students remaining in the sample for the onsite visit, the team leader determines the follow:

- * Approximate number of time needed onsite;
- * Number of staff needed for the onsite visit; and
- * Task assignments for individual team members.

District Preparation

Although little preparation is required by district staff prior to the onsite monitoring visit, there are some tasks that must be completed by the district. One month before the visit the special education unit director is notified (Appendix C). Approximately two weeks prior to the onsite visit, the NDDPI monitoring team leader sends the district special education director a list of the individual identification numbers indicating which students are in the various samples for review. If hardcopy documents are necessary for a complete review, the monitoring team leader will notify the Unit's Special Education Director to ensure that all files are pulled and placed in a secure location before the NDDPI monitoring team's arrival. This location should be a space large enough to accommodate the team while allowing minimum interruption and maximum privacy for confidentiality purposes. Unless other arrangements are made with the district, the focused monitoring team will use this location as its base of operations for the duration of the visit.

Also, the NDDPI staff asks that the Special Education Unit Director provide the monitoring team leader with the names and contact information of each parent of a child with a disability. The NDDPI monitoring team will develop a parent survey containing questions related to their experiences with special education services provided by their district. Parent surveys will be sent after the onsite visit. Randomly selected parents will also be interviewed. The results of the surveys and parent interviews will be incorporated within the final monitoring report.

One week prior to the onsite visit, the monitoring team leader will contact the Special Education Unit director to answer questions and finalize the arrangements for the visit.

ONSITE ACTIVITIES

Opening Meeting

Upon arrival in the district, the NDDPI onsite monitoring team may meet with the district team to provide an overview of the focused monitoring onsite activities. The following may be discussed during the entrance meeting:

- The department's statutory responsibility for monitoring each district;
- Focused monitoring onsite procedures;
- LEA and/or special education unit questions;
- Onsite logistics;
- Summary review of the results of the district's data analysis; and
- Review of the previous corrective action plans.

During the Onsite Visit

Once onsite, the team employs a variety of monitoring methodologies to answer its compliance questions. Methodologies that may be used include: additional student record reviews, interviews of district staff and parents, observations, review of service provider time logs, policy/procedure reviews, data analysis, and focus group or survey results. Although not all of the described methodologies may be used to answer every question, the onsite monitoring team will not make a substantive finding of noncompliance without having at least three separate pieces of evidence.

POST-ONSITE ACTIVITIES

Focused Monitoring Report

Following a focused monitoring visit in a district, the NDDPI onsite team will review findings and develop a written focused monitoring report to the district (Appendix D). The report will contain:

- * District root cause statements related to the priority area;
- * Areas of strength related to the focused monitoring priority area;
- * Findings;
- * Supporting evidence; and
- * Information on improvement planning and the verification process.

The focused monitoring report is completed by the NDDPI monitoring team leader within 90 days of the onsite visit. A record of the visit is maintained in the NDDPI Special Education office as part of the focused monitoring file.

District Improvement Plan and Implementation

Within 60 days of receiving the focused monitoring written report, the district must submit to the department an improvement plan to address the findings and to correct noncompliance. The plan is developed by a district team composed of the district and building administrator, local special education unit director, special and general education staff working in consultation with the NDDPI

monitoring team leader. The improvement plan is submitted to the department for review. Within 30 days of receipt of the plan, the improvement plan is approved by the department or revised by the district working in consultation with the NDDPI special education coordinator. The district may begin to implement the portions of the improvement plan that are approved while continuing to work with the NDDPI special education coordinator to develop or revise the remainder of the plan to address all findings.

The improvement plan includes:

- * District Improvement Plan team members and roles;
- * Activities/improvement strategies to address findings and noncompliance including revisions to policies, procedures, and practices; professional development, and supervision;
- * Personnel responsible for implementing the activities and the targeted recipients; and projected timeline;
- * Evidence of change or how district will document the change;
- * Needed resources and rationale;
- * How the district will monitor progress; and
- * Quarterly progress reporting to the NDDPI special education coordinator until corrective actions are complete.

Technical Assistance

As part of the focused monitoring follow-up, the local special education unit director will work with the NDDPI special education team leader to determine what technical assistance specific to the priority areas is necessary for completion of the corrective action plan. Technical assistance may be available from DPI staff, university staff, local contractors, and regional technical assistance agencies.

Verification

The NDDPI special education focus monitoring team leader will conduct regular progress monitoring of the implementation of the improvement plan and results. Once completion of the Corrective Action Plan has been verified a letter will be sent to the Special Education Unit director closing out this process (See Appendix E).

The NDDPI special education staff realizes that improvement of student outcomes may take more than one year to achieve. Therefore, if continued compliance is not evident, the improvement plan will be evaluated on an annual basis over a three-year period by the special education unit director and the NDDPI special education coordinator allowing revisions to be made as appropriate and as necessary. The review includes verification that improvement strategies are occurring as specified in the plan and that the desired results are being achieved. Once compliance has been established a *close-out* letter will be sent to the special education unit director, district superintendent, and building principal.

Appendix A
Sample Onsite Review

Ind 1:	Graduation data show no real issues
Ind 2:	Only 7 students had an exit code of DO since 2003. 6 LD, 1 ED, 4 RE, 3 RR, 6 white, 1 Hispanic
Ind 3a	Too small
Ind 3b:	Below state rate at every level. But there were only 3 students total, so it's one student per level. This year's data indicate that only one student didn't participate – no issues to look into further.
Ind 3c:	Proficiency rates – looking for common factors among students in each grade level. 52 students scored below proficiency on the state tests. All white, 33 were LD, the rest were split between other disabilities.
Ind 4	4 students – all ED – 3 RE, 3 RR, grades 6, 7, 9
Ind 5	Removed from regular classroom. 81 – RR , 5 AT, 6 ED, 48 LD, 4 MR, 2 MU, 3 SL, 12 OHI. K – 1, 1 – 3, 2 – 9, 3 – 11, 4 – 11, 5-6, 6 -6, 7- 5, 8 – 10, 9 – 5, 10-5, 11 – 5, 12- 4. 4 SC - 2 AT, 1 OHI, 1 MR. K- 1, 8 – 1, 12 – 2. (85 total). 56 RE students – 1 AT, 3 – TBI, 3 – ED, 1 OHI, 21 – LD, 27 – SL.
Ind 8	Parent Survey – no concerns
Ind 9 and 10	There are almost no Race or Ethnic groups in this district (5%)
Ind 11	No problem
Ind 13	Use the 8 point checklist while onsite.
Ind 16 - 19	No Issues

Hypothesis	Sample	Methodology
1) FAPE	<p>48 students: 1.) LD Students 2.) Resource room setting Proficiency; 30 took the state assessment, 27 below proficient on at least one assessment. All have LD and are in the RR.</p> <p>4 ED students below proficiency on any state assessment.</p> <p>Creates a sample of 31 total.</p>	<p>1) File review: review assessments needs. Recommendations in assessments should be in the IEP. IEP should be comprehensive enough to meet student needs. IEP goals, services, and other concerns. Progress reports – validate lack of progress. Review accommodations and modifications. Student grades Did the IEP team reconvene to discuss student’s needs? Can remove students from the sample if they are progressing.</p> <p>2) Interviews: Always start with “tell me a little about ‘student’ . general ed, special ed, counselors, (admin as appropriate). Through interviews validate progress. Ask “If ‘student’ had X, would “student” progress? Has the team reconvened? If not, why not? Report non-compliance</p>
2) ESY - FAPE	<p>19 students below proficiency in all 27 below in at least two areas represented in state data but not in this district data – 62. No one above grade 6 received ESY 10 in non- NDSA grades: TBI, MY, ED, VI 11K, 11 G1, 3G2, 3G3, 2G5, 1G6, 2G9, 3G10, 1G12</p> <p>Used for sample: 29 19 below proficiency in all 3 NDSA 10 didn’t take NDSA - TBI, MY, ED, VI</p>	<p>1.) File review: standards used for ESY considerations. Progress or lack of Goals, services. If progress is validated the student can be removed from sample.</p> <p>2.) Interviews: Always start with “tell me a little about ‘student’ . Validate progress Ask “If ‘student’ had ESY, would ‘student’ progress?” Or “would ‘student’ have made more progress if she received X through the summer?”</p>
3) LRE	<p>RR – 81 43 received no other services 16 students are already in hypotheses 1 or 2 so they can be</p>	<p>1.) File review: LRE justifications and standards If justification is accurate, supports are necessary and</p>

	<p>removed from this one.</p> <p>14 students are proficient in at least 2 and are in RR 19 receive no related services and are in no other samples 4 are in SC</p> <p>37 students for sample</p>	<p>require self-contained setting – take out of sample. ** “Due to the nature of the student’s disability, the student cannot be taught in the general classroom” is NOT a justification. Do the goals, services, etc require a self-contained classroom? Is the student receiving accommodations or modifications – can they be offered in the general classroom? If behavior was the reason, is the program adequate now? Is there a plan in place? Validate progress of each student.</p> <p>2.) Interviews: Tell me about ‘student’. How much time is the student spending in the general classroom? How’s he doing? What areas? what supports? What assistance does the student need? Given this support, could ‘student’ spend more time in the general classroom?</p> <p>3.) Observation: while observing in the self-contained classroom, do all services really have to stay in that room? Could these same supports be offered in the general classroom?</p>
<p>4) Related Services: SL - FAPE</p>	<p>50 students, primary or secondary disability. Request for student files on these children who are receiving SLP services – either through special ed or SLP. And request the same but for those not receiving SLP services.</p> <p>All SI children are not receiving SLP services Sample size – 50</p>	<p>There is no measure of how the child is progressing.</p> <p>1.) File review: look at progress report and IEP goals related to SLP. If the child is making good progress, take student out of the sample/ What are the child’s needs? Review assessments, IEP needs section – if not there trace back to referral, etc. to see how they were identified – if it was SL. Look at IEP goals and services – in relationship to</p>

		<p>each other. Behavioral issues and attendance.</p> <p>2.) Interviews: validate issues particular to each child, i.e. goals, services, needs, etc. Ask the ‘what if’ questions “If ‘student’ had X, would “student” progress? If the district has more SLP – what would you do differently? Look at attendance and behavior – does it have to do with the SL issue? Teacher and Parents: validate success and/or issues. Ask “If ‘student’ had X, would “student” progress?”</p>
<p>5) Related Services – AT - FAPE</p>	<p>23 students with Autism, TBI, MR</p> <p>Sample - 23</p>	<p>1.) file review: Are they getting AT but it wasn’t reported correctly. If so, remove from sample. And track for Indicator 20 (this year just give district a warning of inappropriate data collection – reporting) Check: was an AT assessment conducted? Several possible findings – at assessment was not conducted – nothing was offered, AT assessment was conducted – nothing was offered, AT assessment was conducted – AT was offered. Need to look at areas of AT the student needs then find out of they are getting it. Look at goals, services, and needs in the IEP. Look at if the student is successful without AT – check grades and progress reports in relation to the goals. If progress is found, remove from sample. Minimal progress stays in sample. Are there behavioral issues?</p> <p>2.) Interviews: Related Service providers: validate progress, needs, adequacy of goals. “If ‘student’ had X, would ‘student’ progress?”</p>

Appendix B
Onsite Review Documents

HYPOTHESIS #X

All Hyp. for this student:

After File Review: IN OUT Reason: _____ Who: _____
After Interview: IN OUT Reason: _____ Who: _____

XX Special Education Unit

XX School District

Monitoring, Xxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

LEAST RESTRICTIVE ENVIRONMENT (LRE)

Yes	No	N/A	Areas for Review	Comments
			SERVICES: List all SpEd and Related Services the student receives outside of the regular education classroom.	<small>34 CFR §300.320(a)(4)</small>
			LRE: Document the team’s justification for the student’s removal from settings with nondisabled peers. If the justification meets IDEA standards, remove from sample.	<small>34 CFR §300.114(a)(2)</small> <small>34 CFR §300.320(a)(5)</small> <small>34 CFR §300.116</small>
			LRE: There is evidence that the IEP team considered and ruled out a less restrictive environment. Provide details for ‘yes’ or ‘no.’	<small>34 CFR §300.114(a)(2)</small> <small>34 CFR §300.115</small> <small>34 CFR §300.116(b)(e)</small>
			LRE: The student’s behavior appears to have been a factor in the placement decision. If yes, describe the behavior needs, goals, and services included in the IEP.	<small>34 CFR §300.114(a)(2)</small> <small>34 CFR §300.115(b)(2)</small> <small>34 CFR §300.116(b)(e)</small>
			EVALUATION: If behavior issues are mentioned in the file, the IEP team conducted an FBA. Add additional details.	<small>34 CFR §300.304(b)(3)</small> <small>34 CFR §300.304(c)(4)</small> <small>34 CFR §300.304(c)(6)</small>
			LRE: The student’s communication appears to have been a factor in the placement decision. If yes, describe the communication needs, goals, and services included in the IEP.	<small>34 CFR §300.114(a)(2)</small> <small>34 CFR §300.115(b)(2)</small> <small>34 CFR §300.116(b)(e)</small>

		<p>EVALUATION: If communication needs are mentioned in the file, the team conducted assessments in these areas. Add details.</p>	<p>34 CFR §300.304(b)(3) 34 CFR 300.304(c)(1)(ii) 34 CFR §300.304(c)(4) 34 CFR §300.304(c)(6)</p>
		<p>SERVICES: The IEP designates the provision of supplementary aids and services. If yes, list them – including type, frequency, duration, and location.</p>	<p>34 CFR §300.320(a)(4)</p>
		<p>PROGRESS REPORTS: The student’s progress in each goal area is clearly documented in the file. If no, describe which reports are missing or unclear.</p>	<p>34 CFR §300.320(a)(3)</p>
		<p>PROGRESS REPORTS: The student is making adequate or expected progress in each goal area. If no, describe IEP team’s response to the lack of progress.</p>	<p>34 CFR §300.324(b)(1)(ii)</p>
		<p>OTHER CONCERNS: There is evidence that all IEP team members’ concerns (check notes, minutes, PWN, etc) about the student’s placement have been addressed. If no, describe details.</p>	<p>34 CFR §§300.320 - 321</p>

Interviews (LIST NAMES OF STAFF FROM IEP):

- Special Education Teachers
- Case Managers
- Related Service Providers
- General Education Teachers

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to LRE:

- "Tell me about _____."
- "Why do you think _____ is in the XXX placement?"
- "What are some of the barriers that keep _____ from being educated in a general education environment?"
- For Gen Ed teacher, "what is _____ missing when he/she is pulled out of your class for special ed services?" Follow up: "Is there an educational consequence to missing these parts of the day?"
- For Gen Ed teacher, "What kinds of support do you receive to help you as you work with _____? Is this level of support adequate for you?"
- "At _____'s IEP meeting, were other placement options discussed?" If so, "Why were these options rejected?"
- "In your view, could _____ spend more time in the regular classroom if he was provided with certain supports or services?" If yes, "What would those supports and services look like?"

HYPOTHESIS #X

All Hyp. for this student:

After File Review: IN OUT Reason: _____ Who: _____
After Interview: IN OUT Reason: _____ Who: _____

XX Special Education Unit

XX School District

Monitoring, Xxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

FAPE – Educational Benefit

Yes	No	N/A	Areas for Review	Comments
			EVALUATION: What are the student’s needs according to the most recent IEPs? List the needs and any applicable recommendations from reports.	<div style="text-align: right;"> <small>34 CFR §300.301(c)(2)(ii)</small> <small>34 CFR §300.304(b)(1)(ii)</small> <small>34 CFR §300.305(a – d)</small> </div>
			NEEDS: The student’s needs (as determined through the evaluation reports) are all incorporated into the IEP. If no, list the needs not incorporated into the IEP.	<div style="text-align: right;"> <small>34 CFR §300.320(a)(1)</small> <small>34 CFR §300.324(a)(1 – 2)</small> </div>
			GOALS: The IEP contains annual goals addressing each area of need described in the PLAAFP. List the student’s current IEP goals.	<div style="text-align: right;"> <small>34 CFR §300.320(a)(2)(i)</small> </div>
			GOALS: Each annual goal is measurable (direction of movement, baseline, target, method of measurement). If no, describe/list.	<div style="text-align: right;"> <small>34 CFR §300.320(a)(3)(i)</small> </div>
			SERVICES: The IEP contains an appropriate package of services to reasonably enable the student to meet the annual goals. List them (SpEd and Related).	<div style="text-align: right;"> <small>34 CFR §300.320(a)(4)</small> </div>
			SERVICES: The IEP designates the provision of supplementary aids and services. If yes, list them – including type, frequency, duration, and location.	<div style="text-align: right;"> <small>34 CFR §300.320(a)(4 & 6)</small> </div>
			PROGRESS REPORTS: The student’s progress in each goal area is clearly documented in the file. If no, describe which reports are missing or unclear.	<div style="text-align: right;"> <small>34 CFR §300.320(a)(3)</small> </div>

			<p>PROGRESS REPORTS: The student is making adequate or expected progress in each goal area. If no, describe IEP team's response to the lack of progress.</p>		34 CFR §300.324(b)(1)(iii)
			<p>PRIOR IEPs: The IEP goals have changed meaningfully from year to year. If no, describe what aspects remained the same over time.</p>		34 CFR §300.324(b)(1)
			<p>PARENT CONCERNS: List any applicable and/or pertinent info.</p>		34 CFR §300.322(a)
			<p>OTHER CONCERNS: There is evidence that all IEP team members' educational concerns (check notes, minutes, PWN, etc) about the student have been addressed. If no, describe.</p>		34 CFR §§300.320 - 321
			<p>CUMULATIVE FILE: The student currently has grades of at least 'C-' in all of the four core academic content areas. If no, list details.</p>		34 CFR §300.320(a)(1-2) 34 CFR §300.324(b)(1)(ii)(A)
			<p>CUMULATIVE FILE: The student's attendance record shows generally positive attendance habits (few absences and/or tardiness). If no, describe the attendance history.</p>		34 CFR §300.320(a)
			<p>CUMULATIVE FILE: The student's file shows generally positive behavior at school (≤3 discipline incidents). If no, list number of incidents and describe them in general.</p>		34 CFR §300.320(a)

Interviews (LIST NAMES OF STAFF FROM IEP):

- Special Education Teacher
- Case Manager
- Related Service Provider
- General Education Teachers

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to FAPE – Educational Benefit:

- “How is _____ doing this year?”
- “Do you think he/she has some needs that are not currently being addressed?”
- “I noticed _____ doesn’t seem to be progressing (according to NDSA results, grades, & progress reports)...” – VALIDATE LACK OF PROGRESS
- “Are there any supports or services for _____ that might help him/her make more progress?” – VALIDATE RELEVANT NEED
- “In your view, what are the barriers that keep _____ from making more/better progress?”
- “Has the IEP team reconvened to talk about any of this?” If no, “Can you tell me why not?” If yes, “Did the team discuss the needs and services you mentioned? What changes were made to the IEP?”

NOTE: If the interviewee is firm in the belief that the student is making sufficient progress in spite of information from the file review, and presents compelling evidence to support his/her view, the student may be dropped from the sub-sample.

HYPOTHESIS #X

All Hyp. for this student:

After File Review: IN OUT Reason: _____ Who: _____
After Interview: IN OUT Reason: _____ Who: _____

XX Special Education Unit

XX School District

Monitoring, Xxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

Low Incidence Disabilities: FAPE – Educational Benefit

Yes	No	N/A	Areas for Review	Comments
			EVALUATION: What are the student’s needs according to the most recent IEP? List the needs and any applicable recommendations from student file.	<div style="text-align: right;"> 34 CFR §300.301(c)(2)(ii) 34 CFR §300.304(b)(1)(ii) 34 CFR §300.305(a – d) </div>
			EVALUATION: The evaluation was conducted in a comprehensive manner so that all needs could be identified. If no, describe (learning media, functional vision, audiology)	<div style="text-align: right;"> (34 CFR §300.304(b – c)) </div>
			EVALUATION: If additional assessments were not determined to be necessary, the PWN documents legitimate reasons why (reeval only).	<div style="text-align: right;"> 34 CFR 300.303(b)(2) 34 CFR 300.305(a)(2)(i)(B) </div>
			NEEDS: The student’s needs (as determined through the evaluation reports) are all incorporated into the IEP. If no, list the needs not incorporated into the IEP.	<div style="text-align: right;"> 34 CFR §300.320(a)(1) 34 CFR §300.324(a)(1 – 2) </div>
			GOALS: The IEP contains annual goals addressing each area of need described in the PLAAFP. List the student’s current IEP goals.	<div style="text-align: right;"> 34 CFR §300.320(a)(2)(i) </div>
			GOALS: Each annual goal is measurable (direction of movement, baseline, target, method of measurement). If no, describe/list.	<div style="text-align: right;"> 34 CFR §300.320(a)(3)(i) </div>

		<p>SERVICES: The IEP contains an appropriate package of services to reasonably enable the student to meet the annual goals. List them (SpEd and Related Services).</p>	<p>34 CFR §300.320(a)(4)</p>
		<p>SERVICES: For a student who is HI or VI, there is documentation that the student receives services from a highly qualified service provider.</p>	<p>HQ requirement</p>
		<p>SERVICES: The IEP designates the provision of supplementary aids and services (especially concerning accessibility of materials). If yes, list them – including type, frequency, duration, and location.</p>	<p>34 CFR §300.320(a)(4 & 6) Add'l citations</p>
		<p>SERVICES: For a student who uses amplification, there is documentation that the aids or cochlear implants are checked daily. If no, provide details.</p>	<p>Checking aids requirement</p>
		<p>PROGRESS REPORTS: The student's progress in each goal area is clearly documented in the file. If no, describe which reports are missing or unclear.</p>	<p>34 CFR §300.320(a)(3)</p>
		<p>PROGRESS REPORTS: The student is making adequate or expected progress in each goal area. If no, describe IEP team's response to the lack of progress.</p>	<p>34 CFR §300.324(b)(1)(ii)</p>
		<p>PRIOR IEPs: The IEP goals have changed meaningfully from year to year. If no, describe what aspects remained the same over time.</p>	<p>34 CFR §300.324(b)(1)</p>

			<p>PARENT CONCERNS: List any applicable and/or pertinent info.</p>	<p>34 CFR §300.322(a)</p>
			<p>OTHER CONCERNS: There is evidence that all IEP team members' educational concerns (check notes, minutes, PWN, etc) about the student have been addressed. If no, describe.</p>	<p>34 CFR §§300.320 - 321</p>
			<p>CUMULATIVE FILE: If the student's curriculum is not modified, the student currently has grades of at least 'C-' in all of the four core academic content areas. List details.</p>	<p>34 CFR §300.320(a)(1 - 2) 34 CFR §300.324(b)(1)(ii)(A)</p>
			<p>CUMULATIVE FILE: The student's attendance record shows generally positive attendance habits (few absences and/or tardiness—for ALL classes and services). If no, describe.</p>	<p>34 CFR §300.320(a)</p>
			<p>CUMULATIVE FILE: The student's file shows generally positive behavior at school (≤3 discipline incidents). If no, list number of incidents and describe them in general.</p>	<p>34 CFR §300.320(a)</p>

Interviews (LIST NAMES OF STAFF FROM IEP):

- Special Education Teacher
- Case Manager
- Related Service Provider
- General Education Teachers

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to Low Incidence Disabilities

FAPE – Educational Benefit:

- “How is _____ doing this year?”
- “Do you think he/she has some needs that are not currently being addressed?”
- “I noticed _____ doesn’t seem to be progressing (according to NDSA results, grades, & progress reports)...” – VALIDATE LACK OF PROGRESS
- “Are there any supports or services for _____ that might help him/her make more progress?” – VALIDATE RELEVANT NEED
- “In your view, what are the barriers that keep _____ from making more/better progress?”
- “Has the IEP team reconvened to talk about any of this?” If no, “Can you tell me why not?” If yes, “Did the team discuss the needs and services you mentioned? What changes were made to the IEP?”

NOTE: If the interviewee is firm in the belief that the student is making sufficient progress in spite of info from the file review, and presents compelling evidence to support his/her view, the student may be dropped from the sub-sample.

HYPOTHESIS #X

All Hyp. for this student:

After File Review: IN OUT Reason: _____ Who: _____
After Interview: IN OUT Reason: _____ Who: _____

XXXX Special Education Unit

Xxxxx School District #X

Monitoring, Xxxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

FAPE – Assistive Technology

Yes	No	N/A	Areas for Review	Comments
			The student is receiving Assistive Technology. If yes, remove from sample. If no, continue below.	
			EVALUATION: IEP team reports describe need(s) that could be potentially addressed through the provision of AT. If yes, list needs.	<div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.301(c)(2)(ii)</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.304(b)(1)(ii)</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.304(c)(6)</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.305(a – d)</div>
			EVALUATION: the evaluation was conducted in a comprehensive manner so that AT-related needs could be identified. If no, describe	<div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.304(b – c)</div>
			CONSIDERATION: there is evidence that AT was considered at IEP meeting. If no, describe.	<div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.324(a)(2)(v)</div>
			NEEDS: the IEP includes student needs that could potentially be addressed through use of assistive technology. If yes, describe.	<div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.105(a)</div>
			GOALS: The IEP contains annual goals addressing each area of need described in the PLAAFP. List the student’s current IEP goals.	<div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.320(a)(2)(i)</div>
			GOALS: Each annual goal is measurable (direction of movement, baseline, target, method of measurement). If no, describe/list.	<div style="border: 1px solid black; padding: 2px; display: inline-block;">34 CFR §300.320(a)(3)(i)</div>

		<p>SERVICES: The IEP contains an appropriate package of services to reasonably enable the student to meet the annual goals. List them (SpEd and Related).</p>	<p>34 CFR §300.320(a)(4)</p>
		<p>SERVICES: The IEP designates the provision of supplementary aids and services. If yes, list them – including type, frequency, duration, and location.</p>	<p>34 CFR §300.320(a)(4 & 6)</p>
		<p>PROGRESS REPORTS: The student’s progress in each goal area is clearly documented in the file. If no, describe which reports are missing or unclear.</p>	<p>34 CFR §300.320(a)(3)</p>
		<p>PROGRESS REPORTS: The student is making adequate or expected progress in each goal area. If no, describe IEP team’s response to the lack of progress.</p>	<p>34 CFR §300.324(b)(1)(ii)</p>
		<p>PRIOR IEPs: The IEP goals have changed meaningfully from year to year. If no, describe what aspects remained the same over time.</p>	<p>34 CFR §300.324(b)(1)</p>
		<p>OTHER CONCERNS: There is evidence that all IEP team members’ AT concerns (from notes, minutes, PWN, etc.) about the student have been addressed. If no, describe.</p>	<p>34 CFR §§300.320 - 321</p>

Interviews (LIST NAMES OF STAFF FROM IEP):

- SpEd Teachers
- GenEd Teachers
- Case Manager
- Related Service Providers

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to FAPE – AT:

- Determine whether or not the student is receiving Assistive Technology.
- “I noticed _____ doesn’t seem to be progressing (according to progress reports & other info from file)...”
- “Is there any support for _____ that might help him/her make additional progress (or progress at a faster rate)?” – VALIDATE RELEVANT NEED
- “Would the provision of AT result in more/better progress for _____?” – If interviewee not sure, prompt with ideas.
- “Do you currently use any AT devices with your students?”
- “Are these devices/aides currently listed on students’ IEPs, or are they available for anyone in the class who needs them?”

HYPOTHESIS #X

All Hyp. for this student:
1 2 3 4

After File Review: IN OUT Reason: _____ Who: _____
After Interview: IN OUT Reason: _____ Who: _____

Xxxxx Special Education Unit

Xxxxx School District

Monitoring: Xxxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

Evaluation Procedures and Eligibility Determination – LD

Yes	No	N/A	Areas for Review	Comments
			ELIGIBILITY: the student has a primary disability label of Learning Disability (LD). If no, remove from the sample.	
			BLST RECORDS: list the concerns that led to the student’s referral to the Rtl team. Why was the child referred?	
			BLST RECORDS: describe the interventions that were attempted during the Rtl process (name, length of implementation, results).	
			BLST RECORDS: list the concerns from the Rtl process that prompted the team to seek a special education referral (may also be found on PWN).	
			EVALUATION: the initial Part B evaluation covered all areas of suspected disability. If no, describe.	34 CFR §300.304(c)(4)
			EVALUATION: in evaluation the student, the team used a variety of assessment tools and strategies used. If no, please describe.	34 CFR §300.304(b)(1)
			EVALUATION: information from the parent was included as part of the evaluation.	34 CFR §300.305(a)(2)
			EVALUTION: assessments were administered by trained and knowledgeable personnel. If no, list concerns.	34 CFR §300.304(c)(1)(iv)

		<p>EVALUATION: the evaluation included: a review of existing data; current classroom-based, local or state assessments; classroom-based observations; observations by teachers and related service providers. If no, describe.</p>	<p>34 CFR §300.305(a)(1)(ii)</p>
		<p>ELIGIBILITY: the team used information from a variety of sources in order to make the eligibility determination. If no, describe.</p>	<p>34 CFR §300.306(c)(1)(i)</p>
		<p>ELIGIBILITY: the team ruled out each of the exclusionary factors before finding the student eligible under LD criteria. If no, describe.</p>	<p>34 CFR §300.306(b)</p>

Interviews (LIST NAMES OF STAFF FROM IEP):

- Special Education Teacher
- General Education Teacher
- Related Service Provider
- Other Team Member (assessors)

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to Evaluation Procedures:

- “Why do you suppose _____ was referred for special education services?”
- “Can you tell me about the interventions and services _____ received prior to being found eligible for special education?”
- “Were those interventions successful? What other approaches were attempted prior to the Sp Ed referral?”
- Address areas of concern that came from file review: lack of assessment in other area(s) of concern, qualifications of personnel, etc.
- “In your view, is there another disability category in which this student might also meet eligibility criteria?”
- LAST QUESTION: We noticed that Xxxxx #X has comparatively high number of students with Learning Disabilities. Why do you suppose that is the case?

HYPOTHESIS #X

All Hyp. for this student:

After File Review: IN OUT Reason: _____ Who: _____

After Interview: IN OUT Reason: _____ Who: _____

XX Special Education Unit

XX School District

Monitoring, Xxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

Evaluation Procedures and Eligibility Determination – All Disabilities

Yes	No	N/A	Areas for Review	Comments	Reference
			ELIGIBILITY: the student has a primary disability label. If no, remove from the sample.		
			EVALUATION: the initial Part B evaluation covered all areas of suspected disability. If no, describe.		34 CFR §300.304(c)(4)
			EVALUATION: in evaluation the student, the team used a variety of assessment tools and strategies used. If no, please describe.		34 CFR §300.304(b)(1)
			EVALUATION: information from the parent was included as part of the evaluation.		34 CFR §300.305(a)(2)
			EVALUTION: assessments were administered by trained and knowledgeable personnel. If no, list concerns.		34 CFR §300.304(c)(1)(iv)
			EVALUATION: the evaluation included: a review of existing data; current classroom-based, local or state assessments; classroom-based observations; observations by teachers and related service providers. If no, describe.		34 CFR §300.305(a)(1)(ii)
			ELIGIBILITY: the team used information from a variety of sources in order to make the eligibility determination. If no, describe.		34 CFR §300.306(c)(1)(i)
			EVALUATION: the evaluation was conducted in the student’s native language if other than English.		34 CFR §300.304(c)

			ELIGIBILITY: the evaluation team determined that the disability is affecting educational benefit to the extent that special services are required.		34 CFR §300.306(c)

Interviews (LIST NAMES OF STAFF FROM IEP):

- Special Education Teacher
- General Education Teacher
- Related Service Provider
- Other Team Member (assessors)

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to Evaluation Procedures-All Disabilities:

- “Why do you suppose _____ was referred for special education services?”
- “Can you tell me about the interventions and services _____ received prior to being found eligible for special education?”
- “Were those interventions successful? What other approaches were attempted prior to the Sp Ed referral?”
- Address areas of concern that came from file review: lack of assessment in other area(s) of concern, qualifications of personnel, etc.
- “In your view, is there another disability category in which this student might also meet eligibility criteria?”
- LAST QUESTION: We noticed that XXXXX has comparatively high number of students with XXXXX. Why do you suppose that is the case?

HYPOTHESIS #X

After File Review: IN OUT Reason: _____ Who: _____
After Interview: IN OUT Reason: _____ Who: _____

Xxxxx Special Education Unit

Xxxxx School District

Monitoring: Xxxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

Evaluation Procedures and Eligibility Determination – Preschool

Yes	No	N/A	Areas for Review	Comments	Reference
			ELIGIBILITY: the student has a primary disability label. If no, remove from the sample.		
			EVALUATION: the initial Part B evaluation covered all areas of suspected disability. If no, describe.		34 CFR §300.304(c)(4)
			EVALUATION: in evaluation the student, the team used a variety of assessment tools and strategies used. If no, please describe.		34 CFR §300.304(b)(1)
			EVALUATION: information from the parent was included as part of the evaluation.		34 CFR §300.305(a)(2)
			EVALUTION: assessments were administered by trained and knowledgeable personnel. If no, list concerns.		34 CFR §300.304(c)(1)(iv)
			EVALUATION: the evaluation included: a review of existing data; current classroom-based,; classroom-based observations; observations by teachers and related service providers. If no, describe.		34 CFR §300.305(a)(1)(ii)
			ELIGIBILITY: the team used information from a variety of sources in order to make the eligibility determination. If no, describe.		34 CFR §300.306(c)(1)(i)
			Documentation to support NCD (if disability category)		34 CFR §300.306(b)
			EVALUATION: the evaluation was conducted in the student’s native language if other than		34 CFR §300.304(c)

			English.		
			ELIGIBILITY: the evaluation team determined that the disability is affecting educational benefit to the extent that special services are required.		34 CFR §300.306(c)

Interviews (LIST NAMES OF STAFF FROM IEP):

- Special Education Teacher
- General Education Teacher
- Related Service Provider
- Other Team Member (assessors)

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to Evaluation Procedures-Preschool:

- “Why do you suppose _____ was referred for special education services?”
- “Can you tell me about the interventions and services _____ received prior to being found eligible for special education?”
- “Were those interventions successful? What other approaches were attempted prior to the Sp Ed referral?”
- Address areas of concern that came from file review: lack of assessment in other area(s) of concern, qualifications of personnel, etc.
- “In your view, is there another disability category in which this student might also meet eligibility criteria?”
- LAST QUESTION: We noticed that **XXXXXX** has comparatively high number of students with **XXXXXXXXX**. Why do you suppose that is the case?

HYPOTHESIS #X

After File Review: IN OUT Reason: _____ Who: _____
After Interview: IN OUT Reason: _____ Who: _____

Xxxxx Special Education Unit

Xxxxx School District

Monitoring: Xxxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

FAPE: Extended School Year (ESY)

Yes	No	N/A	Areas for Review	Comments
			<p>The student is receiving ESY according to the current IEP. If yes, remove from sample. If no, continue below.</p>	
			<p>EVALUATION: IEP team reports describe need(s) that could be potentially addressed through the provision of ESY. If yes, list needs.</p>	<p>34 CFR §300.301(c)(2)(ii) 34 CFR §300.304(b)(1)(ii) 34 CFR §300.304(c)(6) 34 CFR §300.305(a – d)</p>
			<p>CONSIDERATION: there is evidence that ESY was considered at IEP meeting. If no, describe.</p>	<p>34 CFR §300.106</p>
			<p>NEEDS: the IEP includes student needs that could potentially be addressed through delivery of ESY. If yes, describe.</p>	<p>34 CFR §300.106 34 CFR §300.320(a)</p>
			<p>GOALS: The IEP contains annual goals addressing each area of need described in the PLAAFP. List the student’s current IEP goals.</p>	<p>34 CFR §300.320(a)(2)(i)</p>
			<p>GOALS: Each annual goal is measurable (direction of movement, baseline, target, method of measurement). If no, describe/list.</p>	<p>34 CFR §300.320(a)(3)(i)</p>
			<p>SERVICES: The IEP contains an appropriate package of services to reasonably enable the student to meet the annual goals. List them (SpEd and Related).</p>	<p>34 CFR §300.320(a)(4)</p>

			SERVICES: The IEP designates the provision of supplementary aids and services. If yes, list them – including type, frequency, duration, and location.	34 CFR §300.320(a)(4 & 6)
			PROGRESS REPORTS: The student’s progress in each goal area is clearly documented in the file. If no, describe which reports are missing or unclear.	34 CFR §300.320(a)(3)
			PROGRESS REPORTS: The student is making adequate or expected progress in each goal area. If no, describe IEP team’s response to the lack of progress.	34 CFR §300.324(b)(1)(ii)
			PRIOR IEPs: The IEP goals have changed meaningfully from year to year. If no, describe what aspects remained the same over time.	34 CFR §300.324(b)(1)
			OTHER CONCERNS: There is evidence that all IEP team members’ ESY concerns (from notes, minutes, PWN, etc.) about the student have been addressed. If no, describe.	34 CFR §§300.320 - 321

Interviews (LIST NAMES OF STAFF FROM IEP):

- Special Education Teachers
- Case Managers
- Related Service Providers

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

Questions directly related to FAPE – ESY:

- “I noticed _____ doesn’t seem to be progressing (according to NDSA results & progress reports)...” – VALIDATE LACK OF PROGRESS
- “Would _____ benefit from receiving services beyond the regular school year?” – Does interviewee believe ESY might be necessary?
- “Does he/she have trouble catching up after breaks or vacations? Is there any regression after such times away from school?”
- “Has the IEP team reconvened to talk about this?” If no, “Can you tell me why not?” If yes, “Did the team discuss ESY?”
- “If _____ was to receive ESY, how would those services look? Which goals and objectives would need to be continued?”
- “Does XCSD #X have a policy on ESY? If so, could you please describe it?”

HYPOTHESIS #X

All Hyp. for this student:

After File Review: IN OUT Reason: _____ Who: _____

After Interview: IN OUT Reason: _____ Who: _____

XX Special Education Unit

XX School District

Monitoring, Xxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

FAPE – Occupational Therapy

Yes	No	N/A	Areas for Review	Comments
			The student is receiving Occupational Therapy. If yes, remove from sample. If no, continue below.	
			EVALUATION: IEP team reports describe need(s) that could be potentially addressed through the provision of OT. If yes, list needs.	<div style="border: 1px solid black; padding: 2px;">34 CFR §300.301(c)(2)(ii)</div> <div style="border: 1px solid black; padding: 2px;">34 CFR §300.304(b)(1)(ii)</div> <div style="border: 1px solid black; padding: 2px;">34 CFR §300.304(c)(4, 6)</div> <div style="border: 1px solid black; padding: 2px;">34 CFR §300.305(a – d)</div>
			EVALUATION: the evaluation was conducted in a comprehensive manner so that OT-related needs could be identified. If no, describe	<div style="border: 1px solid black; padding: 2px; text-align: right;">34 CFR §300.304(b – c)</div>
			NEEDS: the IEP includes student needs that could potentially be addressed through the provision of OT. If yes, describe.	<div style="border: 1px solid black; padding: 2px; text-align: right;">34 CFR §300.105(a)</div>
			GOALS: The IEP contains annual goals addressing each area of need described in the PLAAFP. List the student’s current IEP goals.	<div style="border: 1px solid black; padding: 2px; text-align: right;">34 CFR §300.320(a)(2)(i)</div>
			GOALS: Each annual goal is measurable (direction of movement, baseline, target, method of measurement). If no, describe/list.	<div style="border: 1px solid black; padding: 2px; text-align: right;">34 CFR §300.320(a)(3)(i)</div>
			SERVICES: The IEP contains an appropriate package of services to reasonably enable the student to meet the annual goals. List them (SpEd and Related Services).	<div style="border: 1px solid black; padding: 2px; text-align: right;">34 CFR §300.320(a)(4)</div>

		<p>SERVICES: The IEP designates the provision of supplementary aids and services. If yes, list them – including type, frequency, duration, and location.</p>	<p>34 CFR §300.320(a)(4 & 6)</p>
		<p>PROGRESS REPORTS: The student’s progress in each goal area is clearly documented in the file. If no, describe which reports are missing or unclear.</p>	<p>34 CFR §300.320(a)(3)</p>
		<p>PROGRESS REPORTS: The student is making adequate or expected progress in each goal area. If no, describe IEP team’s response to the lack of progress.</p>	<p>34 CFR §300.324(b)(1)(ii)</p>
		<p>PRIOR IEPs: The IEP goals have changed meaningfully from year to year. If no, describe what aspects remained the same over time.</p>	<p>34 CFR §300.324(b)(1)</p>
		<p>OTHER CONCERNS: There is evidence that all IEP team members’ OT concerns (from notes, minutes, PWN, etc.) about the student have been addressed. If no, describe.</p>	<p>34 CFR §§300.320 - 321</p>

Interviews (LIST NAMES OF STAFF FROM IEP):

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

- SpEd Teachers
- GenEd Teachers
- Case Manager
- Related Service Providers

Questions directly related to FAPE – OT:

- Determine whether or not the student is receiving Occupational Therapy.
- “I noticed _____ doesn’t seem to be progressing (according to progress reports & other info from file)...”
- “Is there any support for _____ that might help him/her make additional progress (or progress at a faster rate)?” – VALIDATE RELEVANT NEED
- “Would the provision of OT result in more/better progress for _____?” – If interviewee not sure, prompt with ideas.



HYPOTHESIS #X

All Hyp. for this student:

After File Review: IN OUT Reason: _____ Who: _____

After Interview: IN OUT Reason: _____ Who: _____

XX Special Education Unit

XX School District

Monitoring, Xxxx XX, 2010

File Reviews/Methodology/Interview Questions

NDDPI Team Leader: _____

Student ID: _____

Student Name: _____

Current School: _____

Current Grade: _____

Disability Category: _____

Most Recent IEP: _____

Most Recent 3-yr. Eval: _____

FAPE: Social, Emotional & Behavioral Services and Supports

Yes	No	N/A	Areas for Review	Comments
		N/A	EVALUATION: What are the student’s social, emotional, and/or behavioral needs according to the most recent IEP team reports? List the needs and recommendations from reports.	<div style="text-align: right;"> 34 CFR §300.301(c)(2)(ii) 34 CFR §300.304(b)(1)(ii) 34 CFR §300.304(b)(3) 34 CFR §300.304(c)(4) 34 CFR §300.304(c)(6) 34 CFR §300.305(a – d) </div>
			EVALUATION: the evaluation was conducted in a comprehensive manner so that Soc/Emo/Beh-related needs could be identified. If no, describe	<div style="text-align: right;"> 34 CFR §300.304(b – c) </div>
			EVALUATION: If behavior issues are mentioned in the file, the team conducted an FBA. Add additional details.	<div style="text-align: right;"> 34 CFR §300.304(b)(3) 34 CFR §300.304(c)(4) 34 CFR §300.304(c)(6) </div>
			NEEDS: The student’s social, emotional, and/or behavioral needs (as determined through the evaluation reports) are all incorporated into the IEP. If no, list the needs not incorporated into the IEP.	<div style="text-align: right;"> 34 CFR §300.320(a)(1) 34 CFR §300.324(a)(1 – 2) </div>
			GOALS: The IEP contains annual goals addressing each area of social, emotional, and/or behavioral need described in the PLAAFP. List the goals in these areas.	<div style="text-align: right;"> 34 CFR §300.320(a)(2)(i) </div>
			GOALS: Each annual goal is measurable (direction of movement, baseline, target, method of measurement). If no, describe/list.	<div style="text-align: right;"> 34 CFR §300.320(a)(3)(i) </div>

		<p>SERVICES: The IEP contains an appropriate package of services to reasonably enable the student to meet the annual goals. List them (SpEd and Related Services).</p>	<p>34 CFR §300.320(a)(4)</p>
		<p>SERVICES: The IEP designates the provision of supplementary aids and services. If yes, list them – inc. type, frequency, duration and location.</p>	<p>34 CFR §300.320(a)(4 & 6)</p>
		<p>SERVICES: The file contains evidence of a Behavior Intervention Plan (BIP). If no, is the student likely to benefit from one?</p>	<p>34 CFR §300.320(a)(4 & 6) 34 CFR §300.324(a)(2)(i)</p>
		<p>PROGRESS REPORTS: The student's progress in each goal area is clearly documented in the file. If no, describe which reports are missing or unclear.</p>	<p>34 CFR §300.320(a)(3)</p>
		<p>PROGRESS REPORTS: The student is making adequate or expected progress in each goal area. If no, describe IEP team's response to the lack of progress.</p>	<p>34 CFR §300.324(b)(1)(ii)</p>
		<p>PRIOR IEPs: The IEP goals have changed meaningfully from year to year. If no, describe what aspects remained the same over time.</p>	<p>34 CFR §300.324(b)(1)</p>
		<p>PARENT CONCERNS: List any applicable and/or pertinent info.</p>	<p>34 CFR §300.322(a)</p>
		<p>OTHER CONCERNS: There is evidence that all IEP team members' Soc/Emo/Beh concerns (check notes, minutes, PWN, etc) about the student have been addressed. If no, describe.</p>	<p>34 CFR §§300.320 - 321</p>
		<p>CUMULATIVE FILE: The student currently has grades of at least 'C-' in all of the four core academic content areas. If no, list details.</p>	<p>34 CFR §300.320(a)(1 - 2) 34 CFR §300.324(b)(1)(ii)(A)</p>

		<p>CUMULATIVE FILE: The student's attendance record shows generally positive attendance habits (few absences and/or tardiness). If no, describe the attendance history.</p>	<p>34 CFR §300.320(a)</p>
		<p>CUMULATIVE FILE: The student's file shows generally positive behavior at school (≤3 discipline incidents). If no, list number of incidents and describe them in general.</p>	<p>34 CFR §300.320(a)</p>

Interviews (LIST NAMES OF STAFF FROM IEP):

SPECIFIC QUESTIONS TO ANSWER / ISSUES TO CLARIFY THROUGH INTERVIEWS:

- SpEd Teachers
- Case Managers
- Related Service Providers
- GenEd Teachers

Questions directly related to FAPE – Social, Emotional & Behavioral Services and Supports:

- “How is _____ doing this year?”
- “I noticed _____ has had some [social, emotional, or behavior] problems over the past couple of years (according to discipline data, IEP, cumulative file, etc.)...” – VALIDATE LACK OF PROGRESS
- “Do you think he/she has some social/emotional or behavioral needs that are not currently being addressed?”
- “Are there any behavior supports or services for _____ that might help him/her make more progress?” – VALIDATE RELEVANT NEED
- “In your view, if _____ had _____, would he/she make more/better progress?”
- “Has the IEP team reconvened to talk about any of this?” If no, “Can you tell me why not?” If yes, “Did the team discuss the needs and services you mentioned? What changes were made to the IEP?”

NOTE: If the interviewee is firm in the belief that the student is making sufficient progress in spite of info from the file review, and presents compelling evidence to support his/her view, the student may be dropped from the sub-sample.

Appendix C
Letter of Notification to Unit

SPACE FOR LETTERHEAD

SE Unit Director name

XX Special Education Unit

Address

Date: (one month before the visit)

Re: Notification of Focused Monitoring

Dear SE Unit Director Name

The North Dakota Department of Public Instruction (NDDPI), Special Education Unit is responsible for ensuring local educational agency compliance with state and federal special education laws and regulations. NDDPI meets this responsibility, in part; by conducting onsite focused monitoring in LEAs identified for improvement. The NDDPI staff uses student outcome data to identify special education units that may be in need of improvement in the State Performance Plan (SPP) priority areas. Using these data, NDDPI staff ranks local special education units based on the previous three years in each priority area. Based on the results, the XXXX Special Education Unit has been selected for a special education onsite focused monitoring visit date.

This focused monitoring process includes activities that will occur before, during, and after the onsite monitoring. As part of pre-onsite activities, two weeks prior to the visit you will receive a list of possible noncompliance and the list of student identification numbers who will be reviewed during the visit. The monitoring team leader requests a list of contact information for all of the parents with children receiving special education services in the districts reviewed. Parent surveys will be sent after the onsite visit. Randomly selected parents will also be interviewed. The results of the surveys and parent interviews will be incorporated within the final monitoring report.

During the onsite focused monitoring visit, the monitoring team will conduct student file reviews, and interviews with staff and principals. Based upon findings, NDDPI will assist you in developing a corrective action plan to address any findings of noncompliance and will provide follow-up technical assistance.

Throughout the onsite focused monitoring process, your NDDPI contact will be XXXX, the onsite monitoring team leader. You may contact your monitoring team leader, at 328-0000 or @nd.gov.

It is our hope that you will find the focused monitoring process to be a valuable and supportive addition to your efforts to achieve positive results for children with disabilities in your special education unit.

Sincerely,

XXX

Director of Special Education

CC:

XX, XX School District Superintendent

Appendix D
Summary of Findings Report

Letterhead

XX, Director
XX, Special Education Unit
Address

Date:

Dear XXXXX:

The Individuals with Disabilities Education Act (IDEA) 2004 requires the North Dakota Department of Public Instruction (NDDPI) to monitor and enforce the implementation of IDEA in all local educational agencies (LEAs) in the state. The primary focus of NDDPI's monitoring activities is on improving educational results and functional outcomes for all children with disabilities while ensuring the requirements of IDEA are met. The DPI must monitor LEAs using quantifiable indicators to measure performance in each of the priority areas including the provision of a free appropriate public education in the least restrictive environment. In **date**, **#** special education units were selected for focused monitoring visits based on data submitted by districts within the units. Your special education unit was selected for an onsite focused monitoring.

On **date**, a team from NDDPI conducted a focused monitoring visit of the **XXXX** special education unit's implementation of state and federal special education regulations. The team focused its review on compliance and procedural requirements most closely related to improving outcomes for students with disabilities. Activities included an analysis of student outcome data, a review of policies and procedures, as well as individual interviews with district staff. The team also analyzed results from pre-onsite activities, including the results from the district's self-assessment.

I would like to thank you and your staff for the cooperation and hospitality extended to the team during their visit. I also would like to compliment you on the noteworthy positive aspects of your special education unit's services for children with disabilities that were highlighted in the attached report.

Included with this letter is the **XXXX** Special Education Unit Focused Monitoring Report. The NDDPI Focus Monitoring Team Leader, **XXXX**, will work with your special education unit to provide technical assistance in developing and implementing a corrective action plan.

It is our hope you find this focused monitoring process to be constructive and supportive. We value our partnership with you and are committed to providing you with the technical assistance necessary to improve educational results and positive outcomes for children with disabilities while ensuring the requirements of IDEA are met. If you have any questions about the content of the enclosed report, please call **XXXXXX** 701-328-0000.

Sincerely,

XXXXXX
Director of Special Education
Enc: Focused Monitoring Report

**NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SPECIAL EDUCATION UNIT**

**FOCUSED MONITORING
*SUMMARY OF FINDINGS***

**XX SPECIAL EDUCATION UNIT
XX, DIRECTOR OF SPECIAL EDUCATION**

**XX DISTRICT
XX, SUPERINTENDENT**

ONSITE MONITORING TEAM LEADER

XX

ONSITE MONITORING TEAM MEMBERS

XX

XX

XX

XX

DATE OF FOCUSED MONITORING: XX, X, 2011



**Kirsten Beasler, State Superintendent
Department of Public Instruction
600 E Boulevard Ave, Dept. 201
Bismarck, ND 58505-0440**

Introduction

A team of (# of team members) monitors conducted an onsite visit on (date), as a component of the focused monitoring process. (Name) School District was selected under the Focused Monitoring category of monitoring due to concerns in the areas of ... (list noncompliance – issues). The focus of the (Name) School District onsite monitoring team’s investigation was to determine if this district was found to be in noncompliance with the issues listed above.

The Five Steps of ND Focused Monitoring Process:

1. Review data and develop compliance questions;
2. Develop investigative methodologies to test the hypotheses;
3. Conduct onsite focused monitoring;
4. Draw conclusions regarding compliance with statutory and regulatory requirements; and
5. Complete the final report with corrective actions or improvement activities recommended.

Demographic and performance information regarding (Name) School District can be found in the *Special Education Performance Profile* located on the department’s website at <http://www.dpi.state.nd.us/dpi/reports/Profile/index.shtm>

Monitoring Strategies, Methods, and Activities

- Review of (number) student records, including random and purposeful reviews of students’ IEPs, evaluation reports, report cards, and class schedules.
- Review of the *Special Education Policies and Procedures Handbook* and forms currently in use.
- Review of disciplinary records at school sites and central office.
- Review of professional development activities.
- Interviews with (Name) school-site personnel, including administrators, regular educators, and special educators.
- Observations of services being provided to students through onsite visits to schools, including (number) elementary schools, (number) middle schools, and (number) high schools.
- Gather information from (number) parent surveys (or who attended a parent focus group meeting).

Parent Focus Group Meeting OR Describe Parent Survey Process

A parent focus group meeting was conducted on (Date). This meeting was only open to parents and monitoring team members. (Names of team members or individual) served as meeting facilitators. Follow-up telephone interviews were also conducted, when necessary. Comments and notes taken during the parent meeting were considered in the monitoring process.

Focused Monitoring Results for XX School District

A. Areas of Strengths found while onsite:

B. Areas of Focused Monitoring:

Suspected Root Cause:

Validation of Data on Focus Topic:

(Narrative and data findings)

Based on the information obtained during the onsite visit, there was (was no) indication of noncompliant policies, practices, and procedures in the identification of students with disabilities.

Evidence was (was not) found regarding noncompliant practices, policies, and procedures, (however,) recommendations for the school district are as follows:

- 1.
- 2.
- 3.

C. Area of Focused Monitoring:

Suspected Root Cause:

Validation of Data on Focus Topic:

(Narrative and data findings)

Based on the information obtained during the onsite visit, there was (was no) indication of noncompliant policies, practices, and procedures in the identification of students with disabilities.

Evidence was (was not) found regarding noncompliant practices, policies, and procedures, (however,) recommendations for the school district are as follows:

- 4.
- 5.
- 6.

D. Area of Focused Monitoring:

Suspected Root Cause:

Validation of Data on Focus Topic:

(Narrative and data findings)

Based on the information obtained during the onsite visit, there was (was no) indication of noncompliant policies, practices, and procedures in the identification of students with disabilities.

Evidence was (was not) found regarding noncompliant practices, policies, and procedures, (however,) recommendations for the school district are as follows:

- 7.
- 8.
- 9.

Systemic Noncompliance:

(No) Evidence of systemic noncompliance was found during this monitoring visit.

Suspected Root Causes:

The following are NDDPI recommendations for corrective action planning. These corrections must be complete by (Date) and verified by NDDPI staff by (Date):

- 1.
- 2.
- 3.
- 4.

Note: The Student-Specific Findings of Noncompliance in this report contain confidential information and should be deleted from the report when copies are made for the general public.

Appendix E
Verification Close-out Letter

Letterhead

XX , Director
XX, Special Education Unit
Address

Date:

Dear XXXXX:

The Individuals with Disabilities Education Act (IDEA) 2004 requires the North Dakota Department of Public Instruction (NDDPI) to monitor and enforce the implementation of IDEA in all local educational agencies (LEAs) in the state. The primary focus of NDDPI's monitoring activities is on improving educational results and functional outcomes for all children with disabilities while ensuring the requirements of IDEA are met. The NDDPI must monitor LEAs using quantifiable indicators to measure performance in each of the priority areas including the provision of a free appropriate public education in the least restrictive environment. In November 2010, four special education units were selected for focused monitoring visits based on data submitted by districts within the units. Your special education unit was selected for an onsite focused monitoring.

On XXXXX, a team from NDDPI conducted the onsite focused monitoring visit in specific districts within the XX Special Education Unit. The NDDPI focused monitoring team would like to thank you and your staff for the attention given to the areas of noncompliance found during the onsite visit. This letter confirms that the necessary improvements have been successfully completed as documented in the XX Special Education Unit's Corrective Action Plan.

We value our partnership with you and are committed to assisting you with the technical assistance necessary to improve educational results and positive outcomes for children with disabilities while ensuring the requirements of IDEA are met. If you have any questions or require additional assistance, please feel free to contact me at 328-XXXX or by email, XXXX@nd.gov

Sincerely,

XXXXX
Director of Special Education

CC:
XX, XX District Superintendent

