

**Portsmouth City School District  
IRN: 044669****Ohio Department of Education, Office for Exceptional Children  
2018-2019 IDEA Monitoring Review Summary Report****Introduction**

The Ohio Department of Education's Office for Exceptional Children (OEC) would like to extend appreciation to the Portsmouth City School District staff for their efforts, attention and time committed to the completion of the review process.

The following report is a summary of the onsite review conducted by OEC on April 3 and 4, 2019, as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. HB1.

**Overview**

During the onsite review, OEC consultants monitor the educational agency's implementation of IDEA to ensure compliance and positive results for students with disabilities. The primary focus of the review is to:

- Improve educational results and functional outcomes for all students with disabilities; and
- Ensure that educational agencies meet program requirements under Part B of IDEA, particularly those requirements that are most closely related to improving educational results for students with disabilities.

Onsite reviews are targeted to include the following specific areas:

- Child Find;
- Delivery of Services;
- Least Restrictive Environment (LRE);
- IEP Verification of delivery of services;
- Parent Input; and
- Teacher and Administrator Interviews.

**Data Sources**

During the review, OEC considered information from the following sources:

1. Public Parent Meeting and Written Comments

Portsmouth City School District mailed 461 OEC approved letters to all families with students with disabilities in the educational agency. OEC provided the educational agency with a public meeting announcement to post on the district website. Public parent meeting dates for all educational agencies selected for onsite reviews are also posted on the ODE website.

On April 3, 2019, OEC consultants held a public meeting for parents and other interested parties. Two parents and family members and two State Support Team (SST) Region 15 representatives attended the public meeting. Attendees could speak to OEC representatives publicly in the meeting, speak to OEC representatives individually, provide written comments or both. Two attendees made comments during the public meeting. Written comment forms were available before, during and after the meeting. OEC did not receive written comments.

During the public meeting, parents were advised by OEC consultants of the formal complaint process under IDEA and that their public comments did not constitute a formal complaint. The participants were also informed that while the information they provided may be helpful to the review, it may not necessarily be acted upon as part of the review process. Ohio's procedural safeguards notice was available for participants who wanted a copy.

2. Pre-Onsite Data Analysis

OEC conducted a comprehensive review which included district, building and grade level data; Special Education Performance Profile; Local Report Cards; Comprehensive Continuous Improvement Plan (CCIP); and Education Management Information System (EMIS) data. The data analysis assisted OEC in determining potential growth areas and educational agency strengths.

3. Record Review/IEP Verification

Prior to the onsite visit, OEC consultants reviewed 30 records of students with disabilities. OEC selected records of students with disabilities from a variety of disability categories and ages. Of the 30 records reviewed, 13 student records were selected for IEP verification in the classroom setting.

4. Staff/Administrative Interviews

On April 3<sup>rd</sup> and 4<sup>th</sup>, OEC consultants held 14 sessions of interviews with eight administrators and 63 teachers, school counselors, related services personnel and school psychologists. OEC interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment and Discipline.

**Findings of Noncompliance**

A finding is made when noncompliance is identified with evaluation team report (ETR) and/or individualized education program (IEP) requirements. Noncompliance that is systemic in nature or that is identified in **30% or more** of the records reviewed by OEC and substantiated through other data sources must be included in a comprehensive corrective action plan (CAP) with action steps to address each of the noncompliance findings. All noncompliance identified by OEC as part of the review (listed below and by subject area in the *OEC's Review Findings and Educational Agency Required Actions Table*) must be corrected as indicated in the *Evidence of Correction/Required Actions* column.

OEC provides separate written correspondence to the parent/guardian when action is required to correct findings of noncompliance for individual students. The educational agency will receive copies of this correspondence.

**1. Continuum of Services and Access to Curriculum**

**Finding:**

Through observations, record reviews and interviews with teachers and staff, it was found by OEC and SST 15 that a continuum of services and subsequently access to the general education curriculum is not being offered to students based on their LRE and individual learning needs. Students were being placed based upon disability category, not individual need. Staff indicated that they would like to see a greater range of placements on continuum, but there is a lack of intervention specialists, support staff or teachers required to provide the continuum of services to all students. The language regarding students' placements on the IEP was not consistent with their actual placement or need for an alternative setting. LRE change of placements were done based upon school personnel decision, not the IEP team. LRE statements were not individualized based on student need and did not demonstrate or support the existence of a continuum of service. This unilateral placement based on disability category and district personnel placement has resulted in students not being provided, to the greatest extent possible, access to the general education curriculum. The curriculum must align to Ohio learning standards or Ohio learning standards-extended. Modifications made to students' length of school day and curriculum must be made by the IEP team and based upon individual student need.

**Correction:**

Portsmouth City Schools must offer the full continuum of alternative placements to meet the specific needs of children with disabilities for special education and related services within their LRE. LRE decisions will be made by the IEP team, with informed parental consent. Students will be provided, to the greatest extent possible, access to the general education curriculum.

## 2. Workload Ratios

### **Finding:**

Portsmouth City Schools is in violation of the workload determinations and the caseload ratios established for personnel servicing children with disabilities. Portsmouth City Schools service providers are assigned numbers of children with disabilities that exceed the caseload standards and exceed the workload determinations referenced in the *Ohio Operating Standards for the Education of Children with Disabilities*. The district, with SST 15 assistance, must take into account the workload/caseload calculator for related services personnel, as they are assigned other duties.

### **Correction:**

Portsmouth City Schools, with SST 15 assistance, must determine the proper workload/caseload for each intervention specialist and related service provider working under the same citation. Additionally, Portsmouth City Schools must take immediate steps to bring special education workloads and caseloads into compliance with the assistance of SST 15.

## 3. Need for written Policies, Practices and Procedures:

### **Findings:**

Through observations, record reviews and interviews with teachers and staff, it was found by OEC and SST 15 that Portsmouth does not have any formal, written policies, practices and procedures to include, but not limited to; discipline, Response to Intervention(RTI), Positive Behavioral Intervention and Supports (PBIS), Functional Behavior Assessment(FBA), Behavior Intervention Plan(BIP), documentation of specially designed instruction, access to the curriculum, continuum of services, special education programs, Trojan Learning Center(TLC), transportation, etc.

### **Correction:**

Portsmouth, with OEC and SST 15 assistance will write, and adopt board approved written policies, practices and procedures for all areas related to special education and students with disabilities.

## **Corrective Action Plan (CAP)**

The educational agency will develop a CAP to address any items identified in this summary report. An approved form for the CAP will be provided by OEC or can be accessed on ODE's website by using the keyword search "Monitoring". The CAP developed by the educational agency must include the following:

- Activities to address all areas identified in this summary report;
- Documentation/evidence of implementation of the activities;
- Individuals responsible for implementing the activities;
- Resources needed;
- Completion dates; and
- Continued Plan for Improvement and/or Compliance.

The educational agency must submit the CAP by email to david.boso@education.ohio.gov within 30 school days from the date of this report. OEC will review the action plan submitted by the educational agency for approval. If OEC deems that a revision(s) is necessary, the educational agency will be required to revise and resubmit. The educational agency will be contacted by OEC and notified when the action plan has been approved.

**CAP Due Date: October 3, 2019**

## **OEC Trainings**

As part of the OEC monitoring process, Portsmouth City School District personnel, as identified by OEC, are required to complete the Special Education Essentials 2018-19 training modules within the Learning Management

System (LMS). OEC will provide specific instructions on completing these training modules during the Summary Report presentation. Participants must achieve a 75% or more on each quiz. Participants who do not achieve at least 75% will be contacted by the State Support Team (SST) for additional training.

*Completion of LMS Training Modules Due Date: **October 3, 2019***

### **Individual Correction**

The educational agency has **60 school days** from the date of this summary report to correct all identified findings of noncompliance for individual students, unless noted otherwise in the report. Detailed information on individual findings are provided in a separate report.

*Individual Correction Due Date: **November 19, 2019***

### **Systemic Correction**

The educational agency will provide OEC with documentation verifying the educational agency's completion of all CAP activities. OEC will verify systemic correction through the review of this documentation. If needed, OEC may request additional student records to review.

*Completion of Systemic Correction Due Date: **December 19, 2019***

Once the educational agency has completed all action plan activities, the educational agency will use OEC's monitoring process to create and implement a Strategic Improvement Plan with the OEC and SST assistance.

For questions regarding the review, please contact: David Boso, OEC Contact Consultant, at (614) 466-8903, toll-free at (877) 644-6338, or by e-mail at [david.boso@education.ohio.gov](mailto:david.boso@education.ohio.gov).

**OEC's Review Findings and Educational Agency Required Actions**

**Component 1: Child Find**

*Each educational agency shall adopt and implement written policies and procedures approved by the Ohio Department of Education, Office for Exceptional Children, that ensure all children with disabilities residing within the educational agency, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated as required by the Individuals with Disabilities Education Improvement Act of 2004 and Federal Regulations at 34 C.F.R. Part 300 pertaining to child find, including the regulations at 34 C.F.R. 300.111 and 300.646 and Rule 3301-51-03 of the Ohio Operating Standards serving Children with Disabilities.*

| Record Review Item | Regulation 34 CFR or OAC            | Evidence of Findings   | Evidence of Correction   | Must be addressed in CAP   |
|--------------------|-------------------------------------|--|--|--|
|                    |                                     |  | Required Actions   |  |
| CF-1               | 300.305(a) and 3301-51-11 (c)(1)(a) | <u>Record Review</u><br>Preschool records were not reviewed.   | <u>Individual Correction</u><br>NA<br><br><u>Systemic Correction</u><br>NA   | <input checked="" type="checkbox"/> NA   |
| CF-2               | 3301-51-06                          | <u>Record Review</u><br>Four evaluations did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards. | <u>Individual Correction</u><br>OEC has verified that these students have a current ETR in place, so no additional individual correction is required.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding documentation of intervention and supports provided prior to completion of the initial evaluation team report. | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| CF-3               | 300.501(b)(1) 3301-51-06 (E)(2)(a)  | <u>Record Review</u><br>One student record did not show evidence that the parent was afforded the opportunity to participate in the evaluation team planning meeting.    | <u>Individual Correction</u><br>The educational agency must provide evidence that the parent was involved or provided the opportunity to participate in the evaluation planning process.<br><br>The evidence may include evaluation planning form, prior written notice, parent invitation, referral form or communication log.  | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |

| Record Review Item | Regulation 34 CFR or OAC                               | Evidence of Findings   | Evidence of Correction  | Must be addressed in CAP  |
|--------------------|--|--|---|---|
|                    |  |  | Required Actions  |   |
|                    |  |  | <p>If the educational agency cannot provide documentation that the parent was involved or provided the opportunity to participate in the evaluation planning process, the educational agency must conduct evaluation planning with the parent.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices that include the parent in the evaluation planning process.</p>            |   |
| CF-4               | 300.300  | <p><u>Record Review</u></p> <p>Four student records did not provide evidence of parental consent obtained prior to new testing.</p>  | <p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices for obtaining parental consent obtained prior to new testing.</p>   | <p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p> |
| CF-5               | 300.304(c)(4)<br>3301-51-01<br>3301-51-06<br>(E)(2)(a) | <p><u>Record Review</u></p> <p>Fourteen (14) evaluations did not provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Other Considerations</u></p> <p>The records reviewed were mainly from previous school psychologists and lacked identified assessments from the planning form. ETRs completed by the current school psychologists were compliant and they showed a vast knowledge and understanding of compliance and should be looked to as a strength.</p> | <p><u>Individual Correction</u></p> <p>The educational agency will convene the ETR teams to conduct a reevaluation and provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices to provide evidence that the evaluation addresses all areas related to the suspected disability.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>               |

| Record Review Item | Regulation 34 CFR or OAC | Evidence of Findings   | Evidence of Correction  | Must be addressed in CAP   |
|--------------------|--------------------------|--|---|--|
|                    |                          |  | Required Actions  |  |
| CF-6               | 300.306(c)               | <u>Record Review</u><br>Six evaluations did not show evidence of clearly stating the summary of assessment results.                  | <u>Individual Correction</u><br>The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear and concise summary of the data and assessment conducted that meets the requirements of 3301-51-06 (G) (Summary of information). The IEP team must consider the results of this reevaluation.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding summary of data and assessment results. | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| CF-7               | 300.306(c)               | <u>Record Review</u><br>Seven evaluation team reports did not contain a clear and succinct description of educational needs.         | <u>Individual Correction</u><br>The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear and succinct description of the student's educational needs. The IEP team must consider the results of this reevaluation.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding description of educational needs.   | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| CF-8               | 300.306(c)               | <u>Record Review</u><br>Seven evaluation team reports did not contain specific implications for instruction and progress monitoring. | <u>Individual Correction</u><br>The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear description of specific implications for instruction and progress monitoring. The IEP team must consider the results of this reevaluation.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding implications for instruction and progress monitoring.                                      | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |

| Record Review Item | Regulation 34 CFR or OAC               | Evidence of Findings  | Evidence of Correction  | Must be addressed in CAP  |
|--------------------|--|---|---|---|
|                    |  |   | Required Actions  |   |
| CF-9               | 300.306(a)(1)<br>3301-51-01<br>(B)(21) | <p><u>Record Review</u></p> <p>Two evaluations did not show evidence that a group of qualified professionals, as appropriate to the suspected disability, were involved in determining whether the child is a child with a disability as well as the child's educational needs.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must provide evidence that the ETR teams and other qualified professionals, as appropriate, participated in the determination of eligibility and educational needs. If not, the ETR team must reconvene and provide OEC evidence of group participation.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the eligibility determination process.</p> | <p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p> |



**Component 2: Delivery of Services**

*Each educational agency shall have policies, procedures and practices to ensure that each child with a disability has an IEP that is developed, reviewed, and revised in a meeting and implemented in accordance with 300.320 through 300.324.*

| Record Review Item | Regulation 34 CFR or OAC                                | Evidence of Findings   | Evidence of Correction   | Must be addressed in CAP  |
|--------------------|---|--|--|---|
|                    |   |  | Required Actions   |   |
| DS-1               | SPP Indicator 13<br>300.320 (b)<br>3301-51-07<br>(H)(2) | <p><u>Record Review</u></p> <p>Ten (10) IEPs did not show evidence that the postsecondary transition plan met all eight required elements of the IDEA for the student, specifically in the following area(s):</p> <ol style="list-style-type: none"> <li>1. There are appropriate measurable postsecondary goal(s).</li> <li>2. The postsecondary goals are updated annually.</li> <li>3. The postsecondary goals were based on age appropriate transition assessment (AATA).</li> <li>4. There are transition services that will reasonably enable the student to meet the postsecondary goal(s).</li> <li>5. The transition services include courses of study that will reasonably enable the student to meet the postsecondary goal(s).</li> <li>6. The annual goal(s) are related to the student's transition service needs.</li> <li>7. There is evidence the student was invited to the IEP Team Meeting where transition services were discussed.</li> <li>8. When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting.</li> </ol> <p><u>Other Considerations</u></p> <p>All records of transition age students were non-compliant. Transition plans must be based off AATA and reflect student goals and needs. This is an area of need that will require training.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams to review and correct the postsecondary transition plan for the IEPs identified as noncompliant or provide documentation of the student's withdrawal date from the educational agency.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding transition services.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |

| Record Review Item | Regulation 34 CFR or OAC | Evidence of Findings  | Evidence of Correction   | Must be addressed in CAP  |
|--------------------|--------------------------|---|--|---|
|                    |                          |   | Required Actions   |   |
| DS-2               | 300.320(a)(1)            | <p><u>Record Review</u></p> <p>Twenty-four (24) IEPs did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p> <p><u>Other Considerations</u></p> <p>All instances of non-compliance were due to lack of quantitative data in the present levels.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the IEP teams of the IEPs identified as noncompliant to review and amend the PLOP related to each goal to include:</p> <ul style="list-style-type: none"> <li>• Summary of current daily academic/behavior and/ or functional performance (strengths and needs) compared to expected grade level standards in order to provide a frame of reference;</li> <li>• Baseline data provided for developing a measurable goal.</li> </ul> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the review of current academic/functional data when writing IEPs.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>               |
| DS-3               | 300.320(a)(2)(i)         | <p><u>Record Review</u></p> <p>Seven IEPs did not contain annual goals that address the child's academic area(s) of need.</p>   | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP. Annual goals must address the academic needs of the child unless the team provides evidence that the goals were prioritized based on the severity of the needs of the child.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of addressing identified academic needs.</p>   | <p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p> |

| Record Review Item | Regulation 34 CFR or OAC | Evidence of Findings   | Evidence of Correction  | Must be addressed in CAP  |
|--------------------|--------------------------|--|---|---|
|                    |                          |  | Required Actions  |   |
| DS-4               | 300.320(a)(2)(i)         | <p><u>Record Review</u></p> <p>Nine IEPs did not contain annual goals that address the child's functional area(s) of need.</p> <p><u>Other Considerations</u></p> <p>The IEP must address identified functional needs. There is a need to relate the IEP to the ETR.</p>   | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP. Annual goals must address the functional needs of the child unless the team provides evidence that the goals were prioritized based on the severity of the needs of the child.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of addressing identified functional needs.</p>  | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| DS-5               | 300.320(a)(2)(i)         | <p><u>Record Review</u></p> <p>Nineteen (19) IEPs did not contain measurable annual goals.</p> <p><u>Other Considerations</u></p> <p>The internal monitoring process currently being developed with the assistance of the SST will help address inconsistencies regarding the critical elements of measurable goals.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend annual goals to contain the following critical elements:</p> <ol style="list-style-type: none"> <li>1. Clearly <u>defined behavior</u>: the specific action the child will be expected to perform.</li> <li>2. The <u>condition</u> (situation, setting or given material) under which the behavior is to be performed.</li> <li>3. <u>Performance criteria</u> desired: the level the child must demonstrate for mastery <b>and</b> the number of times the child must demonstrate the skill or behavior.</li> </ol> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the development of measurable annual IEP goals.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |

| Record Review Item | Regulation 34 CFR or OAC                                      | Evidence of Findings  | Evidence of Correction   | Must be addressed in CAP   |
|--------------------|---|---|--|--|
|                    |   |   | Required Actions   |  |
| DS-6               | 3301-51-07(B) and (C)<br>3301-51-07(L)<br>3301-51-07(H)(1)(d) | <u>Record Review</u><br>Three IEPs did not show evidence that data were collected and analyzed to monitor performance on each goal and objective.   | <u>Individual Correction</u><br>None<br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices to provide evidence that the data were collected and analyzed to determine the present levels of academic and functional performance the student made on each goal and objective.   | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| DS-7               | 300.320(a)(4)<br>3301-51-07(H)(1)(e)(i)                       | <u>Record Review</u><br>Thirteen (13) IEPs did not contain a statement of specially designed instruction that addresses the individual needs of the child and supports the annual goals.<br><br><u>Other Considerations</u><br>SDI must contain skills being addressed and by what methods they are being taught. | <u>Individual Correction</u><br>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the specially designed instruction, as appropriate, to address the needs of the child.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining specially designed instruction. | <input checked="" type="checkbox"/> Yes<br>The educational agency needs to address this finding in a Corrective Action Plan.               |
| DS-8               | 3301-51-07(L)(2)  | <u>Record Review</u><br>Seven IEPs did not contain measurable annual goals and services/placement consistent with progress made.  | <u>Individual Correction</u><br>None<br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding measurable annual goals and services consistent with progress made.   | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |

| Record Review Item | Regulation 34 CFR or OAC                 | Evidence of Findings   | Evidence of Correction   | Must be addressed in CAP   |
|--------------------|--|--|--|--|
|                    |  |  | Required Actions   |  |
| DS-9               | 300.320(a)(7)<br>3301-51-07<br>(H)(1)(i) | <u>Record Review</u><br>Three IEPs did not indicate the location where the specially designed instruction will be provided.          | <u>Individual Correction</u><br>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the location where the specially designed instruction will be provided.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining the location where specially designed instruction will occur.              | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| DS-10              | 300.320(a)(7)<br>3301-51-07<br>(H)(1)(i) | <u>Record Review</u><br>Four IEPs did not indicate the amount of time and frequency of the specially designed instruction.           | <u>Individual Correction</u><br>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the amount of time and frequency of the specially designed instruction.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining the amount and frequency of specially designed instruction to be provided. | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| DS-11              | 300.320(a)(4)<br>3301-51-07<br>(H)(1)(e) | <u>Record Review</u><br>Two IEPs did not identify related services that address the needs of the child and support the annual goals. | <u>Individual Correction</u><br>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP to include related services that were identified as needed in the IEP.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of addressing identified related service needs.                                    | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |

| Record Review Item | Regulation 34 CFR or OAC                 | Evidence of Findings   | Evidence of Correction   | Must be addressed in CAP   |
|--------------------|--|--|--|--|
|                    |  |  | Required Actions   |  |
| DS-12              | 300.320(a)(7)<br>3301-51-07<br>(H)(1)(i) | <u>Record Review</u><br>One IEP did not indicate the location where the related services will be provided.   | <u>Individual Correction</u><br>The educational agency must reconvene the team of the IEP identified as noncompliant to review and amend the IEP to include the location where the related services will be provided.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining the location where related services will occur.                       | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| DS-13              | 300.320(a)(7)<br>3301-51-07<br>(H)(1)(i) | <u>Record Review</u><br>Two IEPs did not indicate the amount of time, duration and frequency of the related services to be provided.   | <u>Individual Correction</u><br>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend on the IEP the amount of time and frequency of the related services to be provided.<br><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding the IEP process of determining the amount and frequency of related services to be provided. | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |
| DS-14              | 3301-51-07                               | <u>IEP Verification</u><br>Of the 30 IEPs reviewed, OEC conducted 13 IEP Verifications in the classroom setting. All IEP Verifications provided evidence that the IEPs are being implemented as written. | <u>Individual Correction</u><br>NA<br><br><u>Systemic Correction</u><br>NA   | <input checked="" type="checkbox"/> NA   |

| Record Review Item | Regulation 34 CFR or OAC                | Evidence of Findings   | Evidence of Correction   | Must be addressed in CAP  |
|--------------------|---|--|--|---|
|                    |   |  | Required Actions   |   |
| DS-15              | 3301-51-07(L)                           | <p><u>Record Review</u></p> <p>Two IEPs did not show evidence that revisions were made based on data indicating changes in student needs or abilities.</p> <p><u>Other Considerations</u></p> <p>The IEP must be addressed due to lack of progress or goal attainment.</p>   | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams to review and amend the IEPs to reflect changes made based on current needs or abilities.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding using data to revise IEPs based on changes in student needs or abilities.</p>   | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>               |
| DS-16              | 300.324(a)(2)(v)<br>3301-51-01(B)(3)    | <p><u>Record Review</u></p> <p>Four IEPs did not identify assistive technology to enable the child to be involved and make progress in the general education curriculum.</p> <p><u>Other Considerations</u></p> <p>The IEP must address identified assistive technology needs. There is a need to relate the IEP to the ETR.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review assistive technology and/or services that would directly assist the child with a disability to increase, maintain, or improve their functional capabilities and include them on the IEP.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding assistive technology.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p>               |
| DS-17              | 300.320(a)(6)(i)<br>3301-51-07(H)(1)(g) | <p><u>Record Review</u></p> <p>Six IEPs did not identify accommodations provided to enable the child to be involved and make progress in the general education curriculum.</p>   | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review the accommodations that would directly assist the child to access the course content without altering the scope or complexity of the information taught and include them on the IEP.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding accommodations.</p>           | <p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p> |

| Record Review Item | Regulation 34 CFR or OAC                 | Evidence of Findings   | Evidence of Correction  | Must be addressed in CAP  |
|--------------------|--|--|---|---|
|                    |  |  | Required Actions  |   |
| DS-18              | 300.320(a)(4)<br>3301-51-07<br>(H)(1)(e) | <p><u>Record Review</u></p> <p>Ten (10) IEPs did not identify modifications to enable the child to be involved and make progress in the general education curriculum.</p> <p><u>Other Considerations</u></p> <p>The IEP must define the extent of the modification or identify extended standards.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review the modifications that would alter the amount or complexity of grade-level materials and would enable the child to be involved and make progress in the general education curriculum and include them in the IEP</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding modifications.</p> | <input checked="" type="checkbox"/> Yes<br><p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| DS-19              | 3301-51-07<br>(H)(1)(h)(ii)              | <p><u>Record Review</u></p> <p>All applicable student records provided evidence that the IEP team used the AASCD Participation Criteria form when deciding if the alternate assessment is appropriate for the student.</p>   | <p><u>Individual Correction</u></p> <p>NA</p> <p><u>Systemic Correction</u></p> <p>NA</p>   | <input checked="" type="checkbox"/> NA  |
| DS-20              | 300.320(a)(4)<br>3301-51-07<br>(H)(1)(e) | <p><u>Record Review</u></p> <p>Three IEPs did not identify supports for school personnel to enable the child to be involved and make progress in the general education curriculum.</p> <p><u>Other Considerations</u></p> <p>The supports for school personnel section is adult to adult.</p>          | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review the supports for school personnel that were identified by the IEP team and define the supports on the IEP including who will provide the support and when it will take place.”</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding supports for school personnel.</p>                   | <input checked="" type="checkbox"/> Yes<br><p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |



| Record Review Item | Regulation 34 CFR or OAC    | Evidence of Findings  | Evidence of Correction   | Must be addressed in CAP   |
|--------------------|-----------------------------|---|--|--|
|                    |                             |   | Required Actions   |  |
| DS-21              | 300.321(5)<br>3301-51-07(l) | <u>Record Review</u><br>Four IEPs did not indicate that the IEP Team included a group of qualified professionals. | <u>Individual Correction</u><br>For the IEPs identified as noncompliant, the educational agency must: <ul style="list-style-type: none"> <li>• Provide documentation that the parent was informed prior to the IEP meeting that the person qualified to interpret the instructional implications of evaluation results would not participate in the meeting, <b>and</b></li> <li>• Provide a written excuse signed by the parents and the educational agency that allowed the person qualified to interpret the instructional implications of evaluation results not to be in attendance at the IEP meeting, <b>or</b></li> <li>• Reconvene the IEP team to review the IEP with all required members present.</li> </ul><br><u>Systemic Correction</u><br>The educational agency must submit evidence to OEC of written procedures and practices regarding the involvement of people qualified to interpret the instructional implications of evaluation results in the IEP process. | <input checked="" type="checkbox"/> No<br>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan. |

### Component 3: Least Restrictive Environment (LRE) and IEP Alignment

Each educational agency shall ensure that to the maximum extent appropriate, children with disabilities, including children in public or nonpublic institutions or other care facilities, are educated with children who are nondisabled; and that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

| Record Review Item | Regulation 34 CFR or OAC                            | Evidence of Findings   | Evidence of Correction  | Must be addressed in CAP  |
|--------------------|---|--|---|---|
|                    |   |  | Required Actions  |   |
| LRE-1              | 300.114<br>300.320(a)(5)<br>3301-51-07<br>(H)(1)(f) | <p><u>Record Review</u></p> <p>Eighteen (18) IEPs did not include an explanation of the extent to which the child will not participate with nondisabled children in the general education classroom.</p> <p><u>Other Considerations</u></p> <p>Explanations were in terms of what the classroom offers and not what the student needs. The justification statement must reflect why the student needs prohibit them from participating with their peers.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and include a justification as to why the child was removed from the general education classroom.</p> <p>The justification should:</p> <ul style="list-style-type: none"> <li>• Be based on the needs of the child, not the disability.</li> <li>• Reflect that the team has given adequate consideration to meeting the student's needs in the general classroom with supplementary aids and services.</li> <li>• Document that the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily.</li> <li>• Describe potential harmful effects to the child or others, if applicable.</li> </ul> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to OEC of written procedures and practices regarding the least restrictive environment placement decision process.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |

**Other Considerations:**

1. The district has implemented a co-teaching model. With this being newer, there is a need for training around IEPs for all staff. The district may also want to look at scheduling to find common planning time for those using the co-teaching methods.
2. Portsmouth City School District has developed a great relationship with outside stakeholders to provide services. The collaboration of these outside entities and Portsmouth City Schools has provided a needed resource to its students.
3. The Trojan Learning Center(TLC) is a newer program within Portsmouth City Schools. The program was noted as being a positive on the alternate placement continuum and if used effectively, would provide an outlet for those students needing an alternate learning environment. There is a need for clear, formal written policies, practices and procedures surrounding its enrollment, implementation and transition back to the traditional school day. When enrolling students with disabilities, there needs to be consideration given to LRE and access to the curriculum, as this is a shortened day program.
4. Portsmouth City School District has currently around 33% students identified with disabilities district wide. The staff has self-identified a need and want for more professional development around students with disabilities for all staff. An "IEP 101" training would be beneficial and could create opportunities to foster collaboration. With the population of students identified with disabilities being higher, the district should look at their curriculum and instruction further to best capture this changing population.
5. The Response to Intervention/Intervention Assistance Team (RTI/IAT) process was created by the school psychologists and seems to very thorough and effective with gaining quantitative data based upon interventions, while giving a clear and consistent requirement for teachers. When looking at a district wide process, they should be looked to for guidance and possible leadership.
6. The district should look at the integration within the district of its students in the building program located at Portsmouth High School and operated by the career center. The staff identified a want to have district students enrolled in the program to continue to have academics provided by the district.