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severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.

(2) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.²⁵

Clearly, Congress intended schools to aggressively undertake this task. The burden of responsibility is on the schools, not the parents, to identify eligible children.

5. Evaluation

The abuses of special education programs, as well as their successes, are inextricably bound to the evaluation process. An evaluation is a procedure for discerning the nature and severity of a child's disability and his or her educational needs. Placement of a disproportionate number of minority students in classes for educable mentally retarded children based on discriminatory evaluation procedures is one example of an abusive process. Culturally biased testing or reliance on a single instrument or opinion can lead to this situation. On the other hand, many children are never assessed, or are assessed too late; other children are misclassified or receive inadequate evaluations (e.g., important aspects of the child's behavior, performance, or health are not diagnosed). In these instances, the child is denied essential educational services. Those children who receive a thorough and appropriate evaluation are more likely to receive services tailored to their needs. A good evaluation forms the cornerstone of a free appropriate public education.

IDEA and its regulations recognize that fair evaluation procedures, which culminate in comprehensive and accurate assessments of children with disabilities, are necessary in order to maximize the benefits of special education and related services. IDEA requires agencies to conduct a full and individual evaluation of a child's needs before the initial provision of special education and related services to a child with a disability.²⁶ This initial evaluation requirement is significant because it was intended to halt the arbitrary placement practices that had pervaded special education.

The statute sets forth several specific provisions that educational agencies must follow in

evaluating children with disabilities. Agencies are prohibited from using testing and evaluation materials and procedures that are culturally or racially discriminatory.²⁷ Agencies must provide and administer all tests and evaluation materials in the child's native language or primary mode of communication if at all feasible.²⁸ Evaluation materials must include those tailored to assess specific educational areas; a simple "IQ" test is inadequate.²⁹ When evaluating children with impaired sensory, manual, or speaking skills, materials must be selected and administered to ensure that the impairment itself will not distort or skew test results.³⁰ An assessment cannot rely on just one single criterion for determining a child's educational needs.³¹ Evaluations must be conducted by a multidisciplinary group including at least one teacher or specialist knowledgeable about the suspected disability.³²

Finally, each child with a disability or suspected of having a disability must be evaluated in all areas of the suspected disability. This may include health, vision, hearing, social, and emotional status, academic performance, and motor and communication abilities.³³

Independent Evaluation

If parents disagree with the public agency's evaluation, they have a right to an independent educational evaluation at public expense.³⁴ If an agency-initiated hearing finds that the original evaluation was satisfactory, parents can still obtain an independent evaluation if they pay for it. If an independent evaluation is made at private expense, the results must be considered in any decision by the IEP team regarding provision of a free appropriate public education to the child.³⁵

Re-evaluation

Recognizing that a person's needs and physical condition can change, the regulations specifically require that each child be re-evaluated at least once or more often every three years, if conditions warrant or if the parent or teacher requests it. If the parent or teacher requests it, the re-evaluation may be more frequent.³⁶ This provision protects children from becoming "forgotten" after initial placement in a special education program. It ensures that a child's changing educational needs are identified and that appropriate instructional strategies and

interventions are utilized.

6. Individualized Education Program

The centerpiece of the IDEA, the individualized education program, is the central building block that parents use to ensure that an appropriate program is developed that meets their child's unique educational needs.

Under IDEA, public agencies, as well as private schools where children with disabilities are placed by school districts, must develop and implement an IEP for each of these students.³⁷ Public agencies must conduct meetings on at least an annual basis in order to develop, revise, or review each child's IEP.³⁸ The public agency must also ensure that an IEP team for each child includes

- (1) the parents of the child,
- (2) at least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment),
- (3) at least one special education teacher of the child or, if appropriate, at least one special education provider of the child,
- (4) a representative of the public agency who
 - (i) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities,
 - (ii) is knowledgeable about the general curriculum, and
 - (iii) is knowledgeable about the availability of resources of the public agency;
- (5) an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in paragraphs (2) through (6) of this section,
- (6) at the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate, and
- (7) if appropriate, the child³⁹

The IEP is a written statement that must be in effect before special education and related services are provided to a child. After it is developed or reviewed, it must be implemented

without undue delay. It must be developed, reviewed, and revised during meetings that include a representative of the school or agency who is qualified to provide or supervise the provision of special education; the child's special education teacher; the child's parents; the child, if appropriate; an individual who can interpret the instructional implications of evaluation results; and other individuals at the request of the parent or agency.

Contents of IEP

Each IEP must contain specific information regarding the child's educational needs. It must include the following:

- a. A statement of present levels of performance including
 - i. how the child's disability affects involvement and progress in the general curriculum, and
 - ii. how, for preschoolers, the disability affects participation in appropriate activities.
- b. A statement of measurable annual goals, including benchmarks or short-term objectives, related to
 - i. meeting the child's needs that result from the child's disability to enable the child to be involved in and progress in the general curriculum, and
 - ii. meeting each of the child's other educational needs that result from the child's disability.
- c. A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, *and* a statement of the program modifications or supports for school personnel that will be provided for the child to
 - i. advance appropriately toward attaining the annual goals,
 - ii. be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities, and
 - iii. be educated and participate with nondisabled children in the general curriculum and in extracurriculum and other nonacademic activities.

- d. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class, in the general curriculum, and in other activities (extracurricular and other nonacademic activities).
- e. A statement of any individual modifications needed for the student to participate in state- and districtwide assessments, or, if the IEP team determines that the child will not participate in such assessments, a statement of why such assessments are not appropriate and how the child will be assessed.
- f. The projected date for the beginning of services and modifications and frequency, location, and duration of services and modifications.
- g. Beginning at age 14, a statement of the child's transition service needs focusing on the child's course of study (such as participation in advanced-placement courses or vocational education programs).
- h. A statement of how the child's progress toward the annual goals will be measured and how parents will be regularly informed (by such means as report cards), at least as often as parents of nondisabled children are informed of their nondisabled children's progress toward goals and the extent to which the progress is sufficient to enable the child to achieve the goals by the end of the year.

The references to the general education curriculum were added to the IEP requirements by IDEA '97. The LRE statements regarding any nonparticipation with children without disabilities were also strengthened in the reauthorization. IDEA '97 added some specific considerations for the IEP team regarding behavior needs, language needs of children with limited English proficiency, media needs for children who need instruction in Braille, communication needs for children who are deaf or hard of hearing, and assistive technology needs. The requirement that a child's IEP include a statement regarding the child's participation in state- and districtwide assessments reflects a new accountability requirement in the law. It is now expected that nearly all children with disabilities will participate in such assessments and districts will be held as accountable for their progress as they are for nondisabled children.

7. Procedural Safeguards

IDEA requires public agencies to establish and implement a system of procedural safeguards including the following:

- A right to the opportunity to examine records.⁴⁰

Parents have the right to examine all records pertaining to the identification, evaluation, or placement of a child, or to the provision of a free and appropriate education.

- A right to obtain independent educational evaluations and be assured protection in evaluation procedures.

- A right to prior notice.

Schools cannot propose or refuse to identify, evaluate, or place a child, or provide a free appropriate public education to a child with or suspected of having a disability, without first notifying the parents in writing. This notice must be sent a reasonable time in advance of the proposed action. It must describe the school's proposal (e.g., change in placement), other options considered but discarded, or any test, evaluation procedure, record, or report used by the school as a basis for its proposal. It must be written in language "understood by the general public," and, if necessary, translated into the parents' native language (if officials know that the parents do not read, the notice must be read or otherwise communicated to them so that they understand what it means).

- A right to parental consent.⁴¹

Schools must obtain parental consent before conducting any evaluation or initial provision of special education and related services. If parents do not consent, the agency can use the due process hearing procedure to obtain a decision to proceed with the evaluation or placement regardless of parental consent. Parents must be notified about their rights, the school's actions, and the outcome of the hearing, and their right to appeal.

- A right to an impartial due process hearing.⁴²

When parents disagree with the school on the identification, evaluation, placement, or their child's service needs, they can request a due process fair hearing before a neutral hearing officer.⁴³ The district or agency responsible for the child's education conducts and pays for the hearing. Further, the school is obligated to tell parents about free and low-cost legal or

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other relevant services such as expert witnesses. If a parent wins a hearing or subsequent appeal in court, a court may award attorney fees incurred in litigating the matter to the parents.

- A right to administrative appeal and civil action in state or federal court.
- A right to the provision of surrogate parents.
- A right to confidentiality.

1. 20 U.S.C. § 1400(d)(1)(A), 1401(8)(D)(1997).
2. Susanne Lea, *The Heart of the Educational Process*, Disability Rights Education and Defense Fund, 1980.
3. 34 C.F.R. § 300.305.
4. 34 C.F.R. § 300.300 (a)(1).
5. 20 U.S.C. § 1401(3) and 1412(a)(1)(B)(ii).
6. 34 C.F.R. § 300.401.
7. 34 C.F.R. § 300.402.
8. 20 U.S.C. § 1412 (a)(10)(c).
9. 20 U.S.C. § 1401 (25).
10. 34 C.F.R. § 300.16; *see also* 20 U.S.C. § 1401(22).
11. 34 C.F.R. § 104.4(b)(ii), 104.4(b)(iii).
12. 20 U.S.C. § 1412(a)(5).
13. 34 C.F.R. § 300.552.
14. 34 C.F.R. § 300.553.
15. *Id.*
16. Thomas K. Gilhool, *The Right to an Effective Education: From Brown to PL 94-142 and Beyond*. Dorothy Lipsky and Alan Gartner, *Beyond Separate Education*, 1989.
17. 34 C.F.R. § 300.552.
18. 34 C.F.R. § 300.554.
19. *Id.*
20. 34 C.F.R. § 300.555.
21. 34 C.F.R. § 300.556.

22. The term "parent" is defined to include legal guardians and designated surrogate parents. 20 U.S.C. § 1402(19).

23. 34 C.F.R. § 300.344-300.345

24. 34 C.F.R. § 300.506 *et seq.*

25. 34 C.F.R. § 300.125(a)(1)(i)-(ii).

26. 34 C.F.R. § 300.531 *et seq.*

27. 20 U.S.C. § 1414(b)(3)(I).

28. 20 U.S.C. § 1414(b)(3)(ii).

29. 20 U.S.C. § 1414(b)(2) and (3).

30. 34 C.F.R. § 300.532(c).

31. 34 C.F.R. § 300.532(d).

32. 34 C.F.R. § 300.532(e).

33. 20 U.S.C. § 1414(b).

34. 34 C.F.R. § 300.503(b).

35. 34 C.F.R. § 300.503(c)(1).

36. 34 C.F.R. § 534(b).

37. 34 C.F.R. § 300.341.

38. 34 C.F.R. § 300.343.

39. 34 C.F.R. § 300.344.

40. 34 C.F.R. § 300.502.

41. 34 C.F.R. § 300.504(b).

42. 34 C.F.R. § 300.500 *et seq.*

43. "Neutral" means the officer is not employed by the school or agency servicing the child and does not have a "personal or professional" conflict of interest that would compromise his or her objectivity in the hearing. Both the Bureau of Education for the Handicapped (BEH) and the

Office for Civil Rights (OCR) have stated that school board members cannot serve as hearing officers. (OCR Policy Interpretation No. 6, 43 F.R. 36036, August 14, 1978. BEH policy letter of April 19, 1978, 2 EHLR 211:21).

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Appendix D

Letters to Secretary Riley from Members of Congress and from One Governor

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Congress of the United States
Washington, DC 20515

September 2, 1998

Honorable Richard Riley
Secretary
U.S. Department of Education
Washington, DC 20202

Dear Mr. Secretary:

We are deeply concerned over the U.S. Department of Education's decision to impose "special conditions" on the Commonwealth of Pennsylvania's award under the Individuals with Disabilities Education Act (IDEA) for the 1998-99 school year. It appears that in making this conditional award, the Department is taking the first step towards threatening to deny over \$139 million in Federal assistance to over 200,000 children with disabilities in Pennsylvania. We strongly urge you to review the appropriateness of the Department's actions and to consider a more constructive approach to ensuring compliance with IDEA in Pennsylvania.

According to Assistant Secretary Judith Heumann's July 20th award letter to Pennsylvania Secretary of Education Eugene Hickok, the Department's decision to impose these special conditions was based on its conclusion that the Commonwealth "has a history of unsatisfactory performance and has failed to conform to the terms of previous awards with respect to its obligation to ensure provision of a free appropriate public education to children with disabilities". However, this conclusion is largely based on continued problems experienced by only one of Pennsylvania's 501 school districts, the Harrisburg School District.

It is our understanding that the issues related to Pennsylvania's supervision of local districts have already been resolved. The Office of Special Education Programs' (OSEP) 1994 report on the Commonwealth's supervision of school districts was primarily critical of the previous administration's failure to conduct reviews of school districts for compliance with the requirements of IDEA. Since Governor Ridge took office in 1995, Pennsylvania has instituted cyclical reviews of school districts throughout the Commonwealth so that all school districts are reviewed by the Pennsylvania Department of Education (PDE) every 5 years.

We also question the basis upon which the Department has made this decision. It is our understanding that in doing follow-up reviews, the Department focused on a judgmental sample of 6 school districts, with a particular focus on singling out the Harrisburg School District. The Department concedes that despite some continued deficiencies, Harrisburg has made a number of improvements in addressing its

Honorable Richard Riley
September 2, 1998
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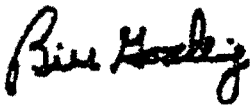
compliance issues. Moreover, PDE has extensively monitored the Harrisburg School District in addition to providing it with technical assistance. Given this, we fail to see how the Department can reasonably draw such a conclusion about Pennsylvania's overall performance in exercising supervision of local school districts under the IDEA.

Finally, despite the Harrisburg School District's progress and efforts in continuing to address these issues, the Department on several occasions has urged Pennsylvania to deny Federal IDEA funds to the district. We fail to see how taking this punitive action will improve the current situation in Harrisburg. Such an action would only hurt children with disabilities in the Harrisburg schools and shift even more of the financial costs on to local taxpayers. The Department should support PDE's continued efforts to work with the Harrisburg School District to fully comply with IDEA.

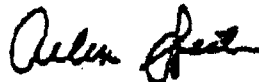
Secretary Hickok and Special Education Director Penn have demonstrated their willingness to do what is necessary to ensure that children with disabilities in Pennsylvania receive a free appropriate public education. We urge you to reconsider the conditions placed on Pennsylvania's IDEA funding and to provide additional assistance to help the Harrisburg School District comply with the IDEA requirements.

If you have any questions regarding this matter, please do not hesitate to contact any of us, or have your staff contact Jeff Andrade on the House Committee on Education and the Workforce staff at 225-6553.

Sincerely,



BILL GOODLING
Chairman, Committee on
Education and the Workforce



ARLEN SPECTER
U.S. Senator



GEORGE W. GEKAS
Member of Congress



RICK SANTORUM
U.S. Senator

THOMAS J. BILLEY, JR.
7th DISTRICT, VIRGINIA

MEMBER OF
COMMITTEE ON ENERGY
AND COMMERCE
COMMITTEE ON THE DISTRICT
OF COLUMBIA

Congress of the United States
House of Representatives
Washington, DC 20515-4607
April 15, 1994

WASHINGTON OFFICE:
2241 RAYBURN OFFICE BUILDING
(202) 225-2316

DISTRICT OFFICE:
SUITE 101
4814 ATENHUGH AVENUE
RICHMOND, VA 23130-3124
(804) 271-3104
(800) 438-3723

CLAYTON OFFICE PARK
SUITE 207
783 MARSHMAN ROAD
CLAYTON, VA 22101-2342
(703) 836-4660

The Honorable Richard W. Riley
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Secretary Riley:

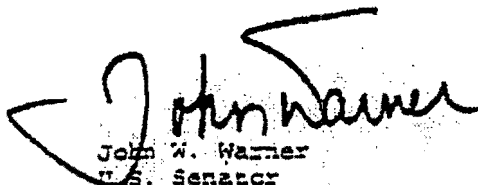
We are writing you to request that the U.S. Department of Education (DOE), Office of Special Education Programs (OSEP), release \$50 million in federal special education funding for Virginia public school divisions.

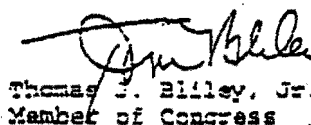
It has been brought to our attention that a disagreement has arisen between the U.S. DOE and the Virginia Department of Education (VDOE) which stems from differing interpretations of policies under the Individuals with Disabilities Education Act (IDEA). It is our understanding that recent negotiations have failed to reach a compromise and Virginia's Attorney General has filed for an injunction asking the U.S. Court of Appeals for the Fourth Circuit in Richmond to order the U.S. DOE to release \$50 million used for educating students with disabilities. The Attorney General has also filed an administrative appeal with your Department.

Approximately 76 out of 123,000 special education students are affected by the U.S. DOE's policy interpretation. Clearly, it is unfair to hold all children with special education needs in the Commonwealth hostage to a disagreement over policy interpretation. We urge the U.S. DOE to immediately release the Part B grant award under IDEA while this matter is being resolved at the administrative and the judicial level.

Your prompt response on this matter will be greatly appreciated.

Sincerely,


John W. Warner
U.S. Senator


Thomas J. Billey, Jr.
Member of Congress

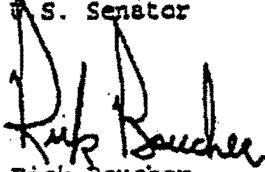
The Honorable Richard W. Riley
April 15, 1994
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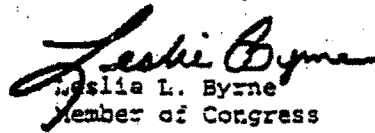
Charles S. Robb
U. S. Senator



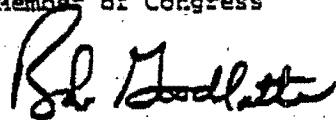
Herbert H. Bateman
Member of Congress



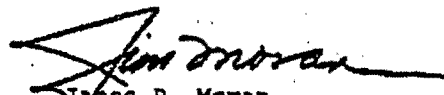
Rick Boucher
Member of Congress



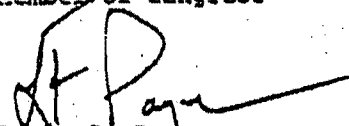
Leslie L. Byrne
Member of Congress



Robert W. Goodlatte
Member of Congress



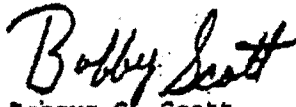
James P. Moran
Member of Congress



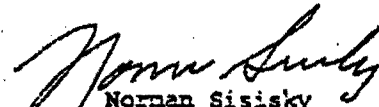
Lewis F. Payne
Member of Congress



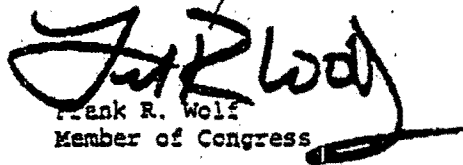
Owen B. Pickett
Member of Congress



Robert C. Scott
Member of Congress



Norman Sisisky
Member of Congress



Frank R. Wolf
Member of Congress



COMMONWEALTH of VIRGINIA

Office of the Governor

George Allen
Governor

February 18, 1994

VIA FACSIMILE

The Honorable Richard W. Riley
Secretary of Education
United States Department of Education
400 Maryland Avenue, SW
Washington, D. C. 20202

Dear Secretary Riley:

I am writing to request your assistance related to the education of children with disabilities in Virginia.

In December 1993, the Office of Special Education Programs (OSEP) requested that the Virginia Department of Education (VA DOE) incorporate in its state regulations a requirement that when a child with a disability is expelled or suspended from school because of misconduct which has been properly determined to be unrelated to the disability, the local school division must continue to provide the child with a free appropriate public education. OSEP also indicated that unless VA DOE implemented this "request", approximately \$60 million in funding under the Individuals With Disabilities Act (IDEA) would be withheld.

As you know, special education services are provided in accordance with a student's individual education plan (IEP). The IEP must meet the disability-related needs of the student. Under OSEP's policy, however, the IEP would be amended based, not on a student's disability, but on student behavior having nothing to do with his or her disability. Such a policy is without statutory support, and is not set forth in any regulation.

The circumstances in which this issue has arisen are set forth in the attached memorandum from Dr. William C. Boeber, Jr., Superintendent of Public Instruction. Of particular importance, VA DOE has met all other requirements to receive federal funds under this program.

State Capitol • Richmond, Virginia 23219 • (804) 776-2211 • TDD (804) 371-4013

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The Honorable Richard W. Riley
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The legal validity of OSEP's "request" is subject to serious question, and the withholding of funds under these circumstances is particularly inappropriate. Many localities throughout Virginia face imminent fiscal hardship as a result of OSEP's action. At a minimum, the affected funds should be released immediately, and the opportunity afforded for the issue to receive full consideration without bringing harm to the many special education children and school divisions which count on this Federal support.

As a former governor yourself, you can well appreciate the deep concern generated here in Virginia by the withholding of approximately \$60 million in federal funds to which the Commonwealth of Virginia is entitled under applicable law and regulations.

My concerns, however, go beyond the issues of federalism and finances implicated by OSEP's policy. There are also important issues of school safety and student accountability.

OSEP's policy essentially instructs students with disabilities that they may violate school disciplinary rules with impunity. Under OSEP's policy, students with disabilities enjoy special protection from disciplinary action even when their actions, constituting violations of school regulations, are unrelated to any disabling condition or conditions. This is true even in circumstances where the disability is slight and the violation is quite serious, such as bringing a firearm to school, assaulting a teacher, or distributing drugs.

Concern for the safety of students and teachers alike counsels strongly against OSEP's policy. Moreover, these are times when young people need to be taught to assume responsibility for their actions, and OSEP's policy sends exactly the opposite message.

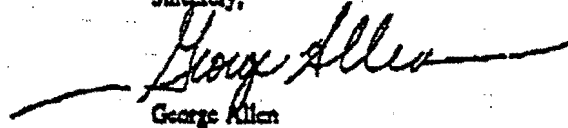
Let me assure you that we in Virginia have the highest commitment to the rights and interests of disabled citizens, and to full compliance with all applicable federal provisions. The OSEP policy, however, is to the detriment of all students - disabled and non-disabled. It is an ill-conceived "request", and one which is without a sound basis in law or public policy.

The Honorable Richard W. Riley
Page Three
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I respectfully urge you to order that the affected funds be released during the pendency of this dispute. Further, I request that the Commonwealth of Virginia be afforded a fair and adequate opportunity to present our position on this important question for consideration by you and, if necessary, the President.

The President has expressed a desire to relieve the states of unnecessary and excessive federal mandates. We are heartened by that timely expression, and look forward to your beneficial intervention in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "George Allen", with a long horizontal flourish extending to the left.

George Allen

GA/jhw

Attachment

cc: The Honorable Beverly T. Sgro
Secretary of Education

Dr. William C. Boshart, Jr.
Superintendent of Public Instruction

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Appendix E

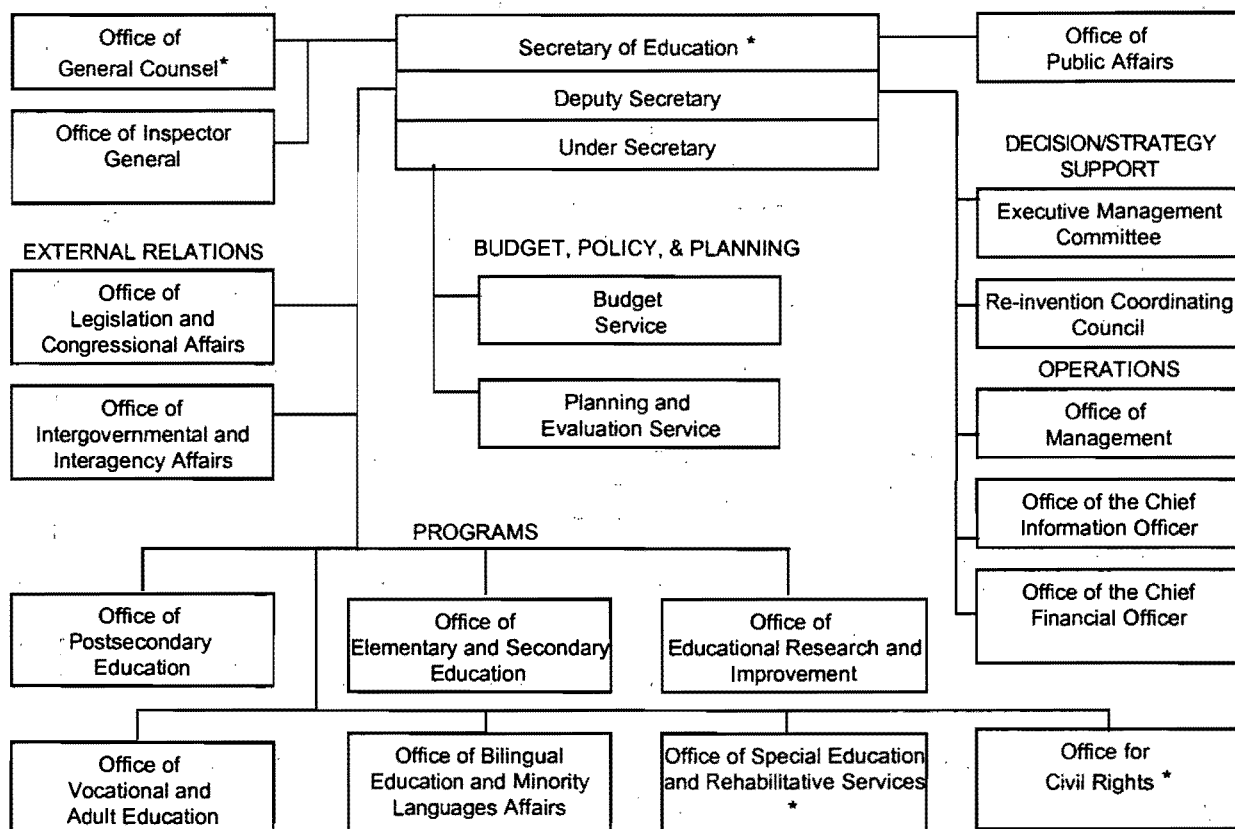
Organizational Structure of the U.S. Department of Education

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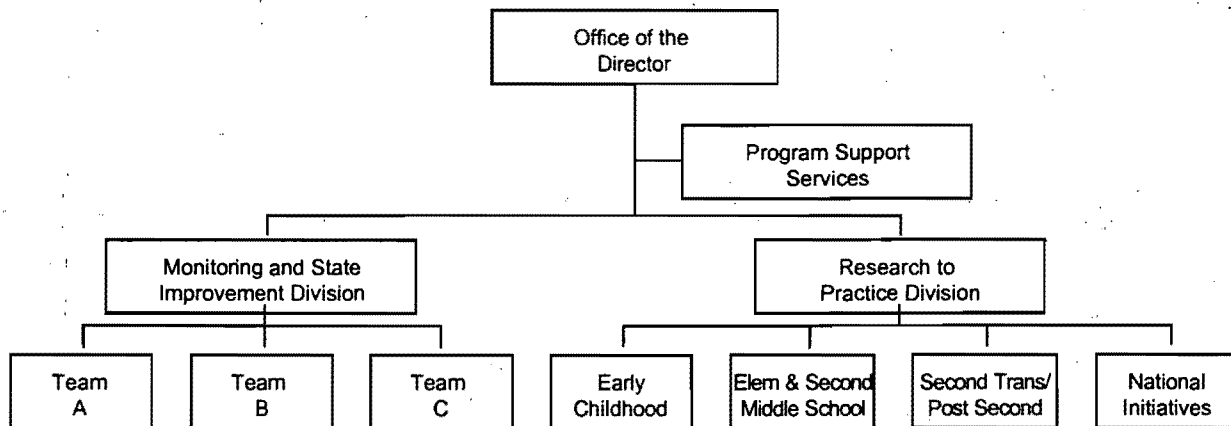
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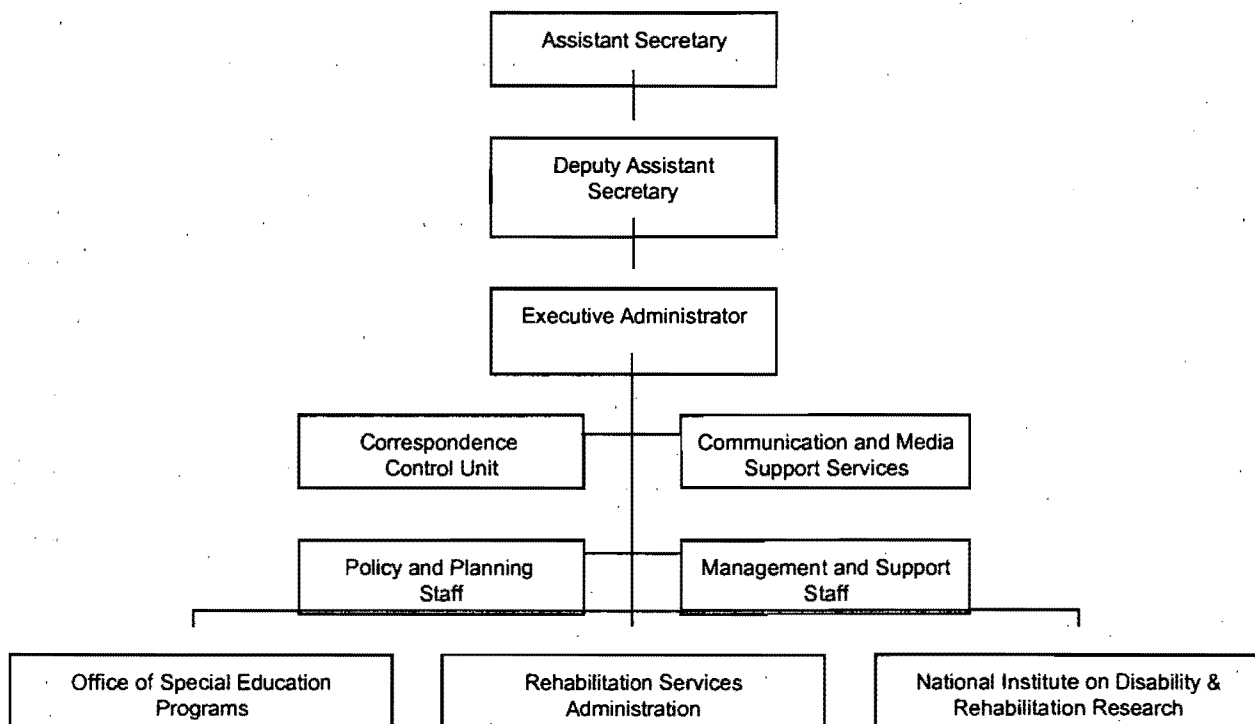


* Offices with IDEA-related enforcement responsibilities

Office of Special Education Programs



Office of Special Education and Rehabilitative Services



Appendix F

Responsibilities of Each Monitoring and State Improvement Team*

MONITORING

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- Develop and implement a program of monitoring and technical assistance.
- Conduct pre-site monitoring activities, such as self-assessment, public meetings, outreach meetings, document review, and interviews with knowledgeable individuals, to assist in the identification of issues on which to focus.
- Carry out on-site activities, such as interviews with state education agency (SEA) officials, local education agency (LEA) administrators, and service providers, and document review, for the purpose of identifying areas of noncompliance and determining needed corrective action.
- Develop monitoring report to describe areas of noncompliance and needed corrective action.
- Work with state agencies to develop corrective action plan.
- Provide or coordinate the provision of technical assistance in the development and implementation of the corrective action plan activities.
- Conduct follow-up activities to determine the effectiveness of the completed corrective actions and determine the need for further corrective action activities.
- Maintain records and materials related to compliance monitoring.
- Respond to requests for information on the monitoring of states.
- Review monitoring procedures annually and recommend revisions to improve the effectiveness and efficiency of Monitoring and State Improvement Planning Division (MSIP) monitoring procedures.

ELIGIBILITY DOCUMENTATION/APPLICATION REVIEW

- Inform states of requirements and procedures for submitting eligibility (policy and procedures) documents/application.
- Track required eligibility documents/application submissions and follow up with state agencies, as needed.
- Review state policy and procedures/application documents and recommend approval.
- Coordinate the review and approval of the policy and procedures/application with other teams, divisions, and offices.
- Provide technical assistance to state agencies to amend eligibility documents/application, as needed, to ensure their consistency with federal requirements.

- Prepare the eligibility documentation/application approval and grant award letter and track through clearance.
- Carry out any follow-up activities, such as reviewing amendments and ensuring appropriate public notification, with the state agencies and other education offices.
- Maintain records and materials related to eligibility documentation/application review and approval.

COMPLAINT RESOLUTION

- Work informally with customers and partners to provide information and resolve complaints.
- Refer complaints received to the SEA and track SEA resolution of complaints.
- Review and draft responses to requests for Secretarial Review.
- Analyze state complaints to determine patterns of noncompliance or problems in resolution and provide technical assistance to the SEA in improving its procedures.

In addition to these monitoring/eligibility determination/complaint activities, the teams provide customer service and participate in core agencywide activities such as strategic planning.

* This description of the Division's activities is adapted from a document provided by the U.S. Department of Education in September 1998, titled *Monitoring and State Improvement Planning Division*, to reflect some of the operational changes resulting from the IDEA reauthorization.

Appendix G

Summary: State by State Monitoring Outcomes

FAPE	Noncompliant
ESY	Noncompliant
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	Compliant
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Compliant

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: RLC DATE: 01/10/97

2011-0103-5

State Alaska

Date Monitoring Visit Ended 9/27/96

Date of Final Report 5/14/97

Time Elapsed in Days 229

~~CONFIDENTIAL~~

LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	Yes
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Compliant
Content	Compliant
Meetings	Compliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Compliant
Complaint Management	Compliant
Resolved within 60 Days	Compliant
Resolve Any Complaint	Compliant
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Compliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	Compliant
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	Yes
Was School for the Blind or Deaf Visited?	Yes
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	2
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	5
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	26
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	Noncompliant
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	Noncompliant
Provision of Special Education/Program Options Available	No Information
LRE	Compliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Compliant
Content	Compliant
Meetings	No Information
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	No Information
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Compliant
Resolved within 60 Days	Compliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Compliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Compliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Compliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	8
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	72
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	No Information
ESY	No Information
Related Services	Compliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Compliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	No Information
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	5
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	4
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	Noncompliant
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Compliant
Content	Compliant
Meetings	No Information
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Compliant
Resolved within 60 Days	Compliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	6
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	2
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Compliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

State Florida
Date of Final Report 9/26/97

~~CONFIDENTIAL~~

Date Monitoring Visit Ended 1/17/97
Time Elapsed in Days 252

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	Noncompliant
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Compliant
Review & Approval of LEA Applications	Compliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	5
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	4
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	Compliant

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: RLC DATE: 11/09/10

2011-0103-5

Protection in Evaluation Compliant

State Georgia

Date Monitoring Visit Ended 5/17/96

Date of Final Report 8/30/96

Time Elapsed in Days 105

FAPE Noncompliant

ESY Noncompliant

Related Services Compliant

Length of School Day No Information

Provision of Special Education/Program Options Available No Information

LRE Noncompliant

Ed. w/Nondis./Removal only when Aids/Services Standard Met Noncompliant

Nonacademic & Extracurricular No Information

Placement Based on IEP Noncompliant

Continuum Available to Extent Necessary Noncompliant

Placement Determined at Least Annually Noncompliant

If no LRE Noncompliance, was Segregated School Visited? N/A

Was School for the Blind or Deaf Visited? No

Was Private Segregated School Visited? No

Were Files of Students Placed out of State Reviewed? No

IEPs Compliant

Content No Information

Meetings No Information

Transition Services No Information

Notice No Information

Statement of Needed Services No Information

Meeting Participants No Information

General Supervision Noncompliant

Incarcerated Students No Information

Review & Approval of LEA Applications Compliant

Complaint Management Noncompliant

Resolved within 60 Days Noncompliant

Resolve Any Complaint No Information

State Monitoring of LEAs Noncompliant

Method to Determine Compliance Noncompliant

of Requirements Lacking Method 10

Complete Method to Determine Compliance Noncompliant

of Requirements Lacking Complete Method 3

Effective Method for Identifying Deficiencies No Information

of Discrepancies between Federal & State Monitoring

Correction of Deficiencies No Information

Procedural Safeguards Noncompliant

Hearing Decisions within 45 Days Noncompliant

Content of Notice Noncompliant

Prior Notice/Parent Consent Noncompliant

Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Compliant
ESY	No Information
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Compliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	Compliant
Meetings	No Information
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	Compliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	Compliant
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Compliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Compliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	No Information
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	3
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	17
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: RC DATE: 11/09/10

2011-0103-5

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	Noncompliant
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	Noncompliant
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Compliant
Content	Compliant
Meetings	Compliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	No Information
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Compliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Compliant
Prior Notice/Parent Consent	Compliant
Establishment of Procedural Safeguards	Compliant
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	Compliant
Resolved within 60 Days	Compliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	No Information
Hearing Decisions within 45 Days	Compliant
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

300

INITIALS: RLC DATE: 11/09/10

2011 - 0103 - 5

FAPE	Noncompliant
ESY	Noncompliant
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	Yes
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	21
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	1
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	6
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	Noncompliant
Protection in Evaluation	No Information

FAPE	Compliant
ESY	No Information
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Compliant
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	No Information
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	Compliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Compliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Compliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	No Information
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	No Information
Hearing Decisions within 45 Days	No Information
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	Compliant
Protection in Evaluation	No Information

FAPE	No Information
ESY	No Information
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Compliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	No Information
Resolved within 60 Days	Compliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	3
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	Compliant
Protection in Evaluation	Compliant

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	Compliant
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Compliant
Establishment of Procedural Safeguards	Compliant
Protection in Evaluation	No Information

FAPE **No Information**
 ESY No Information
 Related Services No Information
 Length of School Day No Information
 Provision of Special Education/Program Options Available Noncompliant
LRE **Noncompliant**
 Ed. w/Nondis./Removal only when Aids/Services Standard Met Noncompliant
 Nonacademic & Extracurricular Noncompliant
 Placement Based on IEP No Information
 Continuum Available to Extent Necessary No Information
 Placement Determined at Least Annually No Information
 If no LRE Noncompliance, was Segregated School Visited? N/A
 Was School for the Blind or Deaf Visited? No
 Was Private Segregated School Visited? No
 Were Files of Students Placed out of State Reviewed? No
IEPs **No Information**
 Content No Information
 Meetings No Information
Transition Services **Noncompliant**
 Notice Noncompliant
 Statement of Needed Services No Information
 Meeting Participants No Information
General Supervision **Noncompliant**
 Incarcerated Students No Information
 Review & Approval of LEA Applications No Information
 Complaint Management Noncompliant
 Resolved within 60 Days Noncompliant
 Resolve Any Complaint No Information
 State Monitoring of LEAs No Information
 Method to Determine Compliance No Information
 # of Requirements Lacking Method
 Complete Method to Determine Compliance No Information
 # of Requirements Lacking Complete Method
 Effective Method for Identifying Deficiencies No Information
 # of Discrepancies between Federal & State Monitoring
 Correction of Deficiencies No Information
Procedural Safeguards **Noncompliant**
 Hearing Decisions within 45 Days Noncompliant
 Content of Notice No Information
 Prior Notice/Parent Consent No Information
 Establishment of Procedural Safeguards No Information
Protection in Evaluation **No Information**

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: RLC DATE: 11/09/10

2011-0103-5

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	No Information
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	6
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	8
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	1
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	1
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	3
Correction of Deficiencies	Noncompliant
Procedural Safeguards	No Information
Hearing Decisions within 45 Days	Compliant
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	No Information
Related Services	Compliant
Length of School Day	Noncompliant
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	No Information
Incarcerated Students	Compliant
Review & Approval of LEA Applications	Compliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	Noncompliant
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Compliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Compliant

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: RLC DATE: 11/09/16

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FAPE	Noncompliant
ESY	Noncompliant
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	Yes
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	No Information
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	16
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	1
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	No Information
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	Noncompliant
Protection in Evaluation	Noncompliant

FAPE	Compliant
ESY	Compliant
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Compliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Compliant
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	No Information
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Compliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Compliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Compliant
Prior Notice/Parent Consent	Compliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Compliant

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statements of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	10
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	7
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	12
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	Noncompliant
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	Noncompliant
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	Noncompliant
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	24
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	Yes
Was School for the Blind or Deaf Visited?	Yes
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	54
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	4
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	36
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	10
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	24
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	Noncompliant
Protection in Evaluation	Noncompliant

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

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INITIALS: RLC DATE: 11/09/10

2011-0103-5

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/ Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	Noncompliant
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	2
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	2
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	40
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	No Information
ESY	No Information
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	Yes
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	No Information
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	No Information
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	3
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	No Information
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Compliant
Content	Compliant
Meetings	Compliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	Yes
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	Compliant
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	No Information
Meeting Participants	Noncompliant
General Supervision	No Information
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	No Information
Hearing Decisions within 45 Days	No Information
Content of Notice	Compliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

**DETERMINED TO BE AN
ADMINISTRATIVE MARKING**

INITIALS: RLC DATE: 11/09/10

2011-0103-5

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Compliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Compliant
Resolved within 60 Days	Compliant
Resolve Any Complaint	Compliant
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Compliant
Hearing Decisions within 45 Days	Compliant
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Compliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	Noncompliant
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	No Information
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	4
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	6
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: RLC DATE: 11/10/97

2011-0103-S

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	Noncompliant
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	Noncompliant
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	No Information
Resolved within 60 Days	Compliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Compliant
# of Requirements Lacking Method	
Complete Method to Determine Compliance	Compliant
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	24
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	Compliant
Meetings	No Information
Transition Services	No Information
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	No Information
Complaint Management	Noncompliant
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	No Information
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: RLC DATE: 11/09/10

2611-0103-5

FAPE	Compliant
ESY	No Information
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Compliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	No
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Compliant
Complaint Management	Compliant
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Compliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Compliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Compliant
Complaint Management	Compliant
Resolved within 60 Days	Compliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Compliant
# of Requirements Lacking Method	
Complete Method to Determine Compliance	Compliant
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	No Information
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	4
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Compliant
Hearing Decisions within 45 Days	No Information
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/ Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	Noncompliant
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	Yes
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	No Information
Statement of Needed Services	Noncompliant
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	No Information
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	4
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	8
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	No Information

FAPE	Noncompliant
ESY	No Information
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	Noncompliant
LRE	No Information
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	Yes
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	No Information
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Compliant
Complaint Management	Compliant
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	No Information
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	No Information
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	No Information
Hearing Decisions within 45 Days	No Information
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Compliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	No Information
Nonacademic & Extracurricular	No Information
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	No Information
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	5
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	10
Correction of Deficiencies	Noncompliant
Procedural Safeguards	No Information
Hearing Decisions within 45 Days	Compliant
Content of Notice	Compliant
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	No Information
ESY	No Information
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Noncompliant
Resolved within 60 Days	Noncompliant
Resolve Any Complaint	Noncompliant
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	11
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	14
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	31
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	Noncompliant
Prior Notice/Parent Consent	Noncompliant
Establishment of Procedural Safeguards	Noncompliant
Protection in Evaluation	Noncompliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	Noncompliant
Continuum Available to Extent Necessary	Noncompliant
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	No Information
Content	No Information
Meetings	Compliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Compliant
Complaint Management	No Information
Resolved within 60 Days	Compliant
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Compliant
# of Requirements Lacking Method	
Complete Method to Determine Compliance	No Information
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	
Correction of Deficiencies	Noncompliant
Procedural Safeguards	No Information
Hearing Decisions within 45 Days	No Information
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	Compliant
Protection in Evaluation	Compliant

FAPE	Noncompliant
ESY	Noncompliant
Related Services	Noncompliant
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/ Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	Yes
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	Noncompliant
Transition Services	Noncompliant
Notice	Noncompliant
Statement of Needed Services	Noncompliant
Meeting Participants	Noncompliant
General Supervision	Noncompliant
Incarcerated Students	No Information
Review & Approval of LEA Applications	Noncompliant
Complaint Management	No Information
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	15
Correction of Deficiencies	Noncompliant
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	No Information
Protection in Evaluation	Noncompliant

FAPE	No Information
ESY	No Information
Related Services	No Information
Length of School Day	No Information
Provision of Special Education/Program Options Available	No Information
LRE	Noncompliant
Ed. w/Nondis./Removal only when Aids/Services Standard Met	Noncompliant
Nonacademic & Extracurricular	Noncompliant
Placement Based on IEP	No Information
Continuum Available to Extent Necessary	No Information
Placement Determined at Least Annually	No Information
If no LRE Noncompliance, was Segregated School Visited?	N/A
Was School for the Blind or Deaf Visited?	No
Was Private Segregated School Visited?	No
Were Files of Students Placed out of State Reviewed?	No
IEPs	Noncompliant
Content	Noncompliant
Meetings	No Information
Transition Services	No Information
Notice	No Information
Statement of Needed Services	No Information
Meeting Participants	No Information
General Supervision	Noncompliant
Incarcerated Students	Noncompliant
Review & Approval of LEA Applications	Noncompliant
Complaint Management	Compliant
Resolved within 60 Days	No Information
Resolve Any Complaint	No Information
State Monitoring of LEAs	Noncompliant
Method to Determine Compliance	Noncompliant
# of Requirements Lacking Method	11
Complete Method to Determine Compliance	Noncompliant
# of Requirements Lacking Complete Method	3
Effective Method for Identifying Deficiencies	Noncompliant
# of Discrepancies between Federal & State Monitoring	1
Correction of Deficiencies	No Information
Procedural Safeguards	Noncompliant
Hearing Decisions within 45 Days	Noncompliant
Content of Notice	No Information
Prior Notice/Parent Consent	No Information
Establishment of Procedural Safeguards	Noncompliant
Protection in Evaluation	No Information

Appendix H

Overview of the New Continuous Improvement Monitoring System

CONFIDENTIAL

**DETERMINED TO BE AN
ADMINISTRATIVE MARKING**

INITIALS: RLL DATE: 11/09/10

2011-0103-S

In February 1998, the Office of Special Education Programs (OSEP) convened a national meeting of advocates and parents of children with disabilities, representatives from the states, and other stakeholder groups to gather input for the proposed revision of OSEP's monitoring system. Their input significantly affected the design of the revised system. Program improvement, accountability for outcomes, collaboration, and compliance are the multiple objectives of the new continuous improvement monitoring system. OSEP claims a stronger focus on state improvements that will significantly improve outcomes for children with disabilities without diminishing the focus on ensuring compliance. OSEP sees monitoring as having two main components, both necessary to improving compliance and actual results for children in each state. The first component is the review and corrective action/improvement process in each state, which should focus on those requirements having the greatest impact on improving results for children. The second is the data collection to support findings of noncompliance, which is still necessary.

The revised procedures will require states to assume accountability for measuring and reporting progress, identifying weak areas and identifying and implementing strategies for improvement. It will require each state to collect and use data newly required under the IDEA '97 amendments.¹ Each state will work with a steering committee made up of a broad range of stakeholders, including advocates and parents, to design and implement an ongoing monitoring process focused on improving results for children and youth with disabilities. OSEP will periodically visit programs in the states to verify their self-assessments.

Although states are not required to have a steering committee to conduct its self-assessment process, OSEP is strongly encouraging every state to use the steering committee mechanism and to ensure representation of all stakeholder interests in the self-assessment process.²

The concept of the new monitoring process differs significantly from that of the old model. OSEP defines its key characteristics as follows:

- A continuous, rather than episodic, accountability system that integrates self-assessment, continuous feedback, and response and is clearly linked to systemic change.
- A partnership with parents, students, state education agencies (SEAs), local education agencies (LEAs), and other federal agencies in a collaborative process in which stakeholders are part of the entire process, including
 - the setting of goals and benchmarks;
 - the collection and analysis of self-assessment data;
 - the identification of critical problem issues and solutions; and
 - the development, implementation, and oversight of improvement strategies to ensure compliance and improved results for children and youth with disabilities.
- A continuous improvement monitoring process in each state driven by data that focus on improving results.
- Self-assessment and monitoring processes in each state that are public, with broad dissemination of self-assessment results, monitoring reports, and the design, implementation, and results of correction/improvement plans.
- Technical assistance from OSEP as part of its on-site work in each state.
- Technical-assistance plans as part of corrective action/improvement plans in each state.
- The use of Regional Resource Centers and the National Early Childhood Technical Assistance System (NECTAS) for technical assistance throughout continuous improvement process in each state.

1. 20 U.S.C. § 1418(a).

2. Conversation with Larry Ringer, Office of Special Education Programs, Washington, DC, September 2, 1999.

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Appendix I

Complaints Received by Office for Civil Rights of the U.S. Department of Education, Related to Primary or Secondary Schools

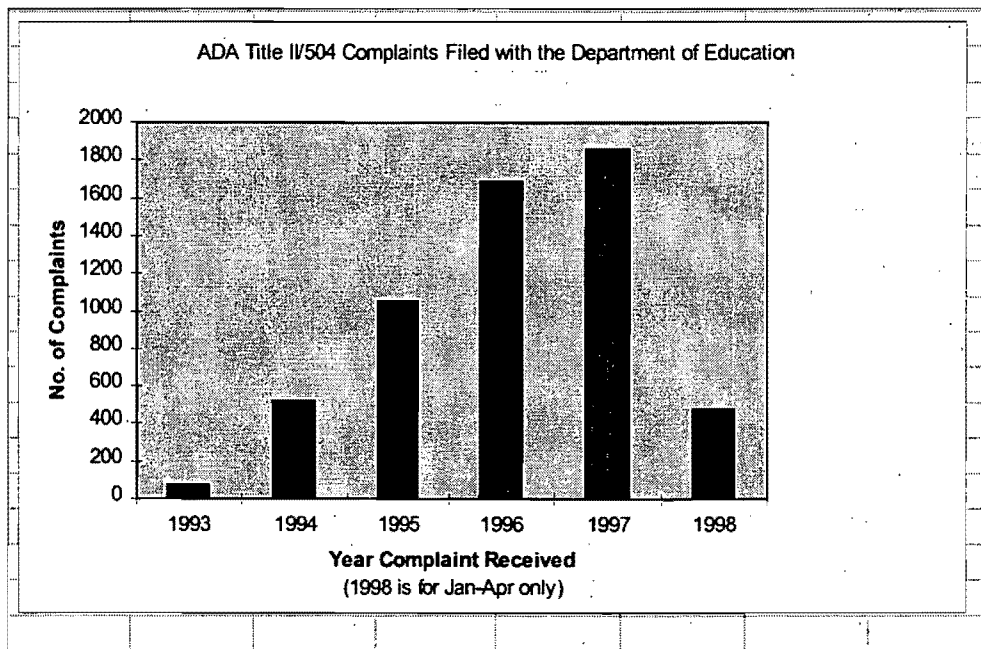
The following tables reflect discrimination complaints filed with the Office for Civil Rights (OCR) for the period October 1, 1993–May 4, 1998. The complaint data displayed in these tables are only those for which the respondent was a primary or secondary school. OCR has classified all the complaints included in these tables as complaints related to Title II of the Americans with Disabilities Act (ADA); most of them are also classified as complaints related to Section 504 of the Rehabilitation Act. There are 5,684 individual complainants (5,584 nonduplicative docket numbers) for the reporting period. These complainants raise 12,349 issues. Complainants often raise more than one issue and OCR treats each issue separately. The complaints and issues raised with respect to primary and secondary schools constitute 72.3 percent of all the individual complainants and 74.7 percent of all issues raised with the Office for Civil Rights under ADA Title II.

Chart 26 shows that the key issues for an ADA/504 complaint are admission to an education program, program services for students with disabilities, and student treatment in areas such as discipline, awards, and honors, and student or parents' rights. By far, the issue for which the most complaints are filed involves enrollment recruitment, requirements, or selection criteria and procedures. The disabilities of the complainants vary. As it is noted in Table 27, a fairly large proportion (18.65%) of the students identified had learning disabilities. Attention Deficit and Hyperactivity Disorder (ADHD) also accounts for a noticeable proportion of the complainants. Approximately 33 percent of the complainants are categorized as "general" disability or "other handicapped." It is unclear from these categories what types of disabilities are experienced by those complainants. What is clear, however, is that a large proportion of the ADA/504 complaints lodged against school districts involve students with cognitive disabilities.

The distribution of complaint resolutions is displayed in Table 28. This distribution demonstrates the OCR focus on facilitating a resolution between the parties, rather than determining violations. Approximately 40 percent of the cases are reported closed by a resolution developed by the respondent, OCR, or another federal agency (and accepted by OCR). In approximately 13 percent of the complaints, the case is closed by referral to another federal agency for investigation or resolution. OCR finds insufficient basis or evidence to support an allegation or finding in approximately 16 percent of the cases. The remaining complaints do not

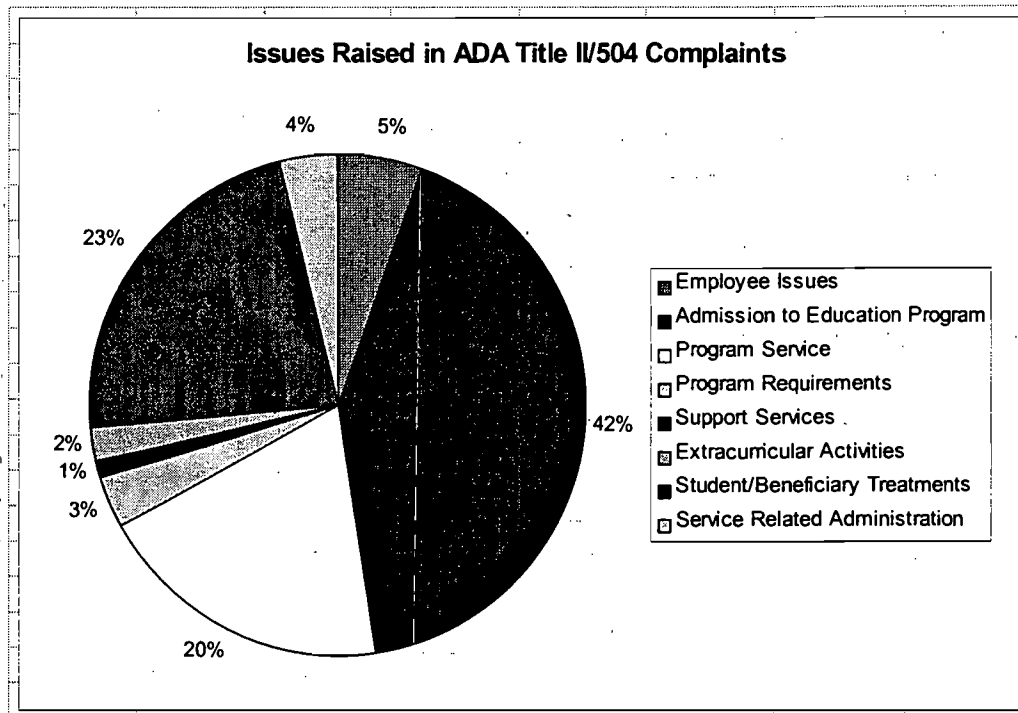
result in a finding for the complainant for a variety of technical reasons, including the absence of a signed consent by the complainant, a lack of cooperation by the complainant, lack of OCR jurisdiction, withdrawal of the complaint by the complainant, or because the complaint was previously investigated and handled and OCR has judged the current complaint as substantially the same as the previously handled complaint.

Chart 25: Number of OCR Complaints From Primary or Secondary Schools Identified as "Title II Only" or "ADA/504"



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Chart 26: Issues Raised in DOE/OCR Title II and ADA/504 Complaints



Total number of Issues Raised: 12,349

- 5% Employee Issues
- 42% Admission to Education Program
- 20% Program Services
- 3% Program Requirements
- 1% Support Services
- 2% Extracurricular Activities
- 23% Student/Beneficiary Treatments
- 4% Service Related Administration

Table 27: Type of Disability Constituting Basis of Complaint for OCR Complaints*

General	23.96%
Other health impairments	6.68%
Hearing problems	2.72%
Learning disability	18.65%
Mental illness	8.19%
Mental retardation	4.64%
Orthopedic or physical deformity impairment	6.51%
Visual impairments	1.26%
Attention Deficit Disorder (ADD)	7.38%
Attention Deficit Hyperactivity Disorder (ADHD)	8.79%
Speech impairment	1.29%
Other handicapped	9.00%
Miscellaneous (e.g., HIV/AIDS, cancer, alcohol, epilepsy)	0.94%
Total (n = 11,281)	100.0%

* Bases are calculated by issue, thus total number of bases is larger than total number of complainants.

Table 28: Distribution of OCR Complaint Resolutions*

Resolved by referral to other federal agency	1.61%
Not enough information or signed consent to proceed	4.78%
Complaint not timely	2.89%
OCR has no jurisdiction	9.07%
Complaint too suspect to proceed	0.68%
Previously investigated & handled	1.45%
Allegation is being investigated by another federal agency	11.61%
Resolved by respondent (recipient)	11.86%
OCR facilitated early resolution (ECR)	6.75%
OCR negotiates agreement for corrective action	19.96%
Resolved by other agency, OCR accepts outcome	1.33%
Complainant withdraws complaint	5.42%
Insufficient factual basis to support allegation	6.64%
Insufficient evidence to support finding of a violation	8.06%
No violation Letter of Findings (LOF) issued	0.67%

OCR negotiates agreement for corrective action & issues a "violation corrected" LOF	0.57%
Complainant does not cooperate	1.37%
Misc.	0.20%
Allegation moot or complainant died & allegations cannot be pursued	4.72%
Will treat as compliance review	<u>0.37%</u>
Total (n = 11,198)	100.00%

*Each issue raised has a resolution code. Total number of resolutions is larger than total number of complainants.

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**Appendix J
List of Acronyms**

ACAA	Air Carrier Access Act
ADA	Americans with Disabilities Act
ADD	Administration on Developmental Disabilities
ADHD	Attention Deficit and Hyperactivity Disorder
AKDE	Alaska Department of Education
ALJ	Administrative Law Judge
BEH	Bureau of Education for the Handicapped
CAP	Corrective Action Plan
CBE	Chicago Board of Education
CCD	Consortium of Citizens with Disabilities
CDE	California Department of Education
CSDE	Colorado State Department of Education
CSPD	Comprehensive System of Personal Development
DBTAC	Disability Technical Assistance Center
DCPS	District of Columbia Public Schools
DoED	Department of Education
DOJ	Department of Justice
DREDF	Disability Rights Education and Defense Fund
ECR	OCR-Facilitated Early Resolution
EDGAR	Education Department General Administrative Regulations
EHA	Education for All Handicapped Children Act
ESY	Extended School Year
FAPE	Free Appropriate Public Education

FHAA	Fair Housing Act
FLDE	Florida Department of Education
FTE	Full-time Equivalent
GAO	General Accounting Office
GEPA	General Education Provisions Act
GPRA	Government Performance and Results Act
HCPA	Handicapped Children's Protection Act
IDE	Iowa Department of Education
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
IG	Inspector General
ISBE	Illinois State Board of Education
KDE	Kentucky Department of Education
KSBE	Kansas State Department of Education
LEA	Local Education Agency
LOF	Letters of Findings
LRE	Least Restrictive Environment
MASSDE	Massachusetts Department of Education
MDE	Minnesota Department of Education
MDOE	Maine Department of Education
MOU	Memorandum of Understanding
MSIP	Monitoring and State Improvement Planning Division

NAPAS	National Association of Protection and Advocacy Systems
NARIC	National Rehabilitation Information Center
NASDSE	National Association of State Directors of Special Education
NCD	National Council on Disability
NICHCY	National Information Center for Children and Youth with Disabilities
NIDRR	National Institute on Disability and Rehabilitation Research
NMSDE	New Mexico State Department of Education
NPND	National Parent Network on Disabilities
NYSED	New York State Education Department
OCR	Office for Civil Rights
OD	Office of the Director
OGC	Office of General Counsel
OIG	Office of the Inspector General
OSEP	Office of Special Education Programs
OSERS	Office of Special Education and Rehabilitative Services
P&A	Protection and Advocacy
PAAT	Protection & Advocacy for Assistive Technology
PADD	Protection and Advocacy for Persons with Developmental Disabilities
PAIR	Protection and Advocacy for Individual Rights
PAR	Program Administrative Review
PDE	Pennsylvania Department of Education
PRDE	Puerto Rico Department of Education
PTI	Parent Training and Information
RCF	Residential Care Facilities
RFP	Request for Proposal
RSA	Rehabilitation Services Administration

RTP	Research to Practice Division
SCDE	South Carolina Department of Education
SEA	State Education Agency
SEP	Special Education Program
TEA	Texas Education Agency
VADOE	Virginia Department of Education
VIDE	Virgin Islands Department of Education

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Appendix K

Consolidated List of Findings and Recommendations

Consolidated List of Findings and Recommendations

I. The Law, the Compliance/Enforcement Scheme, and the Context

Finding # I.1

The effectiveness of DoED's internal coordination among the various offices and teams involved in IDEA implementation and enforcement is unclear.

LOSEP is responsible for IDEA compliance monitoring and enforcement consulting with several other offices within the Department of Education, as needed. Within OSEP, the close integration of enforcement responsibility with responsibilities for state grant administration, compliance monitoring, technical assistance, and program improvement can lead to conflicting internal objectives. There appears to be no process for assessing whether the current approach to internal collaboration has helped or hindered IDEA enforcement.

Recommendation # I.1

The Department of Education should assess whether its current internal organization and division of IDEA grant administration and enforcement functions/responsibilities effectively supports the Department's goals to correct persistent state noncompliance.

OSEP, the Office for Civil Rights (OCR), and perhaps the Office of General Counsel (OGC) should further articulate the objectives of their joint activities in relation to the enforcement of IDEA, Section 504, and ADA Title II, and describe the specific mechanisms and divisions of responsibility they have developed to implement each objective. In addition, OSEP and OCR should evaluate the effectiveness of their current collaboration for improving compliance monitoring and enforcement of IDEA.

Finding # I.2

The Department of Education's mechanisms for external coordination and collaboration to better implement and enforce IDEA need to be evaluated.

Recommendation # I.2

The Department of Education should also articulate the objectives and mechanisms for collaborating with other government agencies (i.e., the Department of Justice and the

Department of the Interior) on the enforcement of IDEA, and evaluate their effectiveness on an ongoing basis. At least every two years, DoED's annual report to Congress should report on the effectiveness of these mechanisms and the agencies' progress toward meeting their collaboration objectives.

II. Grassroots Perspectives on Noncompliance and Federal Enforcement of IDEA

Finding # II.1A

The ongoing struggles of many students with disabilities, their parents, and advocates to obtain services under IDEA leaves them with the impression that the Federal Government is not enforcing the law.

Finding # II.1B

As a result of 25 years of nonenforcement by the Federal Government, parents are the main enforcement vehicle for ensuring compliance with IDEA.

Recommendation # II.1A

The Department of Education must exercise leadership in enforcing the law, with parents as partners and resources in carrying out their enforcement mandate.

Recommendation # II.1B

The Department of Education should publicly articulate and implement an enforcement philosophy and plan that includes the strategic use of litigation and administrative sanctions.

When noncompliance is not corrected within the agreed upon time frame, the Department of Education should aggressively enforce the law, using clearly defined appropriate sanctions to improve accountability and achieve compliance with the law.

Finding # II.2

Parents have identified a number of obstacles to their participation as full partners in the IDEA monitoring and enforcement processes.

- **Parents have not been invited consistently to be involved in the monitoring process,**

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and if invited, have not been given an opportunity consistently to be heard.

- Parents are not knowledgeable enough about either the requirements of IDEA or the monitoring and enforcement processes.
- The presentation of compliance information in the monitoring reports is inconsistent from one monitoring period to the next, making evaluation of improvements over time difficult.

The recommendations below address how some of these obstacles can be corrected.

Recommendation # II.2A

OSEP should encourage the involvement of students with disabilities and their parents as resources to improve monitoring.

Parents stressed that they and their children have the “frontline” experience and expertise with the districts in their states and would like increased involvement in directing the monitoring process and resources to areas of noncompliance that they have already identified.

Recommendation # II.2B

Congress should direct a change in the mission of the P&As and IL centers to include a priority focus on special education advocacy, and in collaboration with the PTIs, the development of a collaborative special education advocacy strategy for their states.

The combined resources of PTIs, P&As, and IL centers are needed to develop and maintain special education advocacy services and programs statewide at a level commensurate with the need of students with disabilities and their parents for assistance in obtaining services and supports under IDEA, as well as participating effectively in monitoring and enforcement.

Recommendation # II.2C

OSEP should standardize the presentation of the monitoring reports and data.

Such standardization is essential for accurate and credible evaluation of compliance from one monitoring period to the next.

III. Grant Administration, Compliance Monitoring, Complaint Handling, and Enforcement Functions

Finding # III A.1

Many states are found eligible for full funding under Part B of IDEA while simultaneously failing to ensure compliance with the law.

Although no state is fully ensuring compliance with IDEA, states usually receive full funding every fiscal year. Once eligible for funding, a state receives regular increases, which are automatic under the formula. OSEP's findings of state noncompliance with IDEA requirements usually have no effect on that state's eligibility for funding unless (1) the state's policies or procedures create systemic obstacles to implementing IDEA, or (2) persistent noncompliance leads OSEP to enforce by imposing high risk status with "special conditions" to be met for continued funding.

Recommendation # III A.1

The Department of Education should link a state's continued eligibility for federal funding under Part B to the remedy of any noncompliance within the agreed upon time frame.

When a state is found out of compliance with the law via federal monitoring, continued eligibility for IDEA funding should be linked with achieving compliance within a designated time frame. The state corrective action plan or compliance agreement should spell out what must be done within a specific time frame to achieve compliance or the state will be found ineligible for all or part of the available grant money for the next fiscal period.

Finding # III A.2

The competitive state Program Improvement Grants are intended to make funding available to states for implementing improvement strategies to correct IDEA noncompliance problems.

Recommendation # III A.2A

OSEP should require that five percent of funds awarded under the State Program Improvement Grants be applied toward developing a statewide standardized data collection and reporting system for tracking the core data elements needed to measure state compliance

with IDEA and evaluate educational results for children with disabilities.

Recommendation # III A.2B

When a state is found out of compliance with the law via federal monitoring, continued eligibility for State Program Improvement Grant funding should be linked with achieving compliance within a designated time frame.

Finding # III B.1A

After 25 years, all states are out of compliance with IDEA to varying degrees.

An analysis of the most recent federal monitoring report available for each state (from 1994–1998) indicated that no state had carried out its responsibilities to ensure compliance with all the requirements of Part B. While the degree of noncompliance with any given requirement (based on number and seriousness of infractions) varied among the states, many states had failed to ensure compliance with a significant number of requirements. Of the seven areas analyzed, 24 percent, or 10 states, had failed to ensure compliance in five areas; 24 percent, or 10 states, had failed to ensure compliance in six areas; and 12 percent, or six states, had failed to ensure compliance in seven areas. Four percent, or two states, had failed to ensure compliance in only one area.

Finding # III B.1B

More than half of the states have failed to ensure full compliance with the following areas: general supervision (90%, or 45 states); transition (88%, or 44 states); free appropriate public education (80%, or 40 states); procedural safeguards (78%, or 39 states); and least restrictive environment (72%, or 36 states).

Other areas in which states failed to ensure compliance are IEPs (44%, or 22 states) and protection in evaluation (38%, or 19 states).

Recommendation III B.1A

Congress should ask the General Accounting Office (GAO) to conduct a study of the extent to which SEAs and LEAs are ensuring that the requirements of IDEA in the areas of general supervision, transition, free appropriate public education, procedural safeguards, and least