



May 12, 2023

Fairborn Digital Academy
IRN: 149088

Ohio the Department of Education, Office for Exceptional Children
2022-2023 IDEA Monitoring Review Summary Report

Introduction

The Ohio Department of Education's Office for Exceptional Children would like to extend appreciation to the Fairborn Digital Academy staff for their efforts, attention and time committed to the completion of the review process.

Definition of terms in this document:

Individual Corrections or Record Corrections refers to the correction of Individualized Education Programs (IEPs), Evaluation Team Reports (ETRs) and other special education records that were reviewed by the Department and found to be noncompliant.

Systemic Corrections refers to noncompliance within the larger systems at work to implement the Individuals with Disabilities Education Act (IDEA) requirements within the district. This includes but is not limited to systemic correction of records and special education procedures and practices to document ongoing compliance with IDEA requirements.

Overview

The following report is a summary of the onsite review conducted by the Department on February 8-10, 2023, as part of its general supervision requirements under the Individuals with Disabilities Education Act (IDEA) and Am. Sub. H.B.1.

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

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

Monitoring reviews are targeted to include the following specific areas:

- Child Find
- Delivery of Services
- Least Restrictive Environment
- IEP Verification of Delivery of Services
- Parent Input; and
- Teacher, Special Education Service Provider and Administrator Interviews

Data Sources

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

1. Parent Input

Fairborn Digital Academy mailed 39 letters of the Department's notification of review to all families with students with disabilities in the educational agency. The educational agency posted the notification of review on its website which included a link to a recorded presentation from the Department providing an overview of the monitoring review process. The presentation also provides contact information and requests parents to provide comments to the Department regarding the special education program in their school. The notification of review was also posted on the Department's website.

The Department received no written comments.



2. Pre-Onsite Data Analysis

The Department conducted a comprehensive review which included district and grade-level data; Special Education Profile; Ohio School Report Card; Comprehensive Continuous Improvement Plan (CCIP) and/or One Plan; and Education Management Information System (EMIS) data. The data analysis assisted the Department in determining potential growth areas for improvement and educational agency strengths.

3. Record Review/IEP Verification

Prior to the review activities, the Department consultants reviewed 13 records of school-age students with disabilities. The Department consultants selected records of students with disabilities from a variety of disability categories and ages. 11 student records were selected for IEP verification in the classroom setting. During the IEP verifications, OEC staff noticed that teachers were very knowledgeable of the students' needs in their IEP and were able to talk to SST and OEC staff about students' goals and progress. OEC staff also noted that students seemed to be appreciative of the support received from the teachers and have a great relationship with them.

4. Staff/Administrative Interviews

On February 8 and 10, 2023, the Department staff held three sessions of interviews with three administrators and one sponsor representative, eight teachers, two related service providers and the school psychologist. The Department interviews focused on the following review areas: Child Find; Delivery of Services; Least Restrictive Environment (LRE) and IEP alignment and Discipline.

Strengths/Commendations:

Staff stated they try hard to engage with parents and build relationships. Teachers are heavily involved with their students and are working with families, looking at the supports that are needed based on academics or behavior.

Staff members are aware they work in a particular type of school with a particular type of student. They accept their students with open arms, they talk to their students more and give them more chances to succeed.

OEC and SST staff noticed, during IEP verifications, that teachers were aware of students' needs and ensured that they were not only comfortable but confident in their skills. Teacher support was effectively making students able to successfully complete the assignment at hand.

Administration staff stated during the interview that a lot of students who have had behavior issues in prior school environments enrolled in Fairborn Digital Academy. Staff usually see students improve and not get as frustrated just by being able to go at their own pace.

Staff are very proud of the kids they help graduate that probably would not have otherwise.

Findings of Noncompliance/Required Actions

A finding is made when noncompliance is identified by the Department with IDEA and Ohio Operating Standards requirements. Findings are also made when noncompliance is identified in relation to the evaluation team report (ETR) and/or individualized education program (IEP) requirements. For a noncompliance level of 30% or greater in any single area or for identified areas of concern that did not reach 30% or greater, a Corrective Action Plan (CAP) will be developed to address those areas. All noncompliance identified by the Department as part of the review (listed by subject area in the *Department's Review Findings and Educational Agency Required Actions Table*) must be corrected as indicated in the *Evidence of Correction/Recommendations* column.

Refer to the details of requirements in the **Evidence of Findings and Evidence of Correction/Recommendations** table below, and the attached **Individual Record Review Comment Sheets** for specific individual record corrections.



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

Corrective Action Plan (CAP)

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

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

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

CAP Submission Due Date: September 11, 2023

Department Trainings

As part of the Department monitoring process, Fairborn Digital Academy personnel, as identified by the Department, are required to complete the OEC Required Special Education Essentials training modules within the Learning Management System (LMS). The Department will provide specific instructions on completing these training modules during the Summary Report presentation. Participants must achieve 80% or more on each quiz. Participants who do not achieve at least 80% will be contacted by the State Support Team (SST) for additional training.

Completion of LMS Training Modules Due Date: September 11, 2023

Individual Correction

The educational agency has **60 school days** from the date of this summary report to correct all identified findings of noncompliance for individual students whose records were selected and reviewed by the Department during the onsite review unless noted otherwise in the report. Detailed information on individual findings is provided in a separate report.

Individual Correction Due Date: October 26, 2023

CAP Activities and Systemic Correction

The educational agency will provide the Department with documentation verifying the educational agency's completion of all CAP activities and all systemic corrections noted in this summary report. The Department will verify systemic correction through the review of this documentation and a review of additional student records.

Completion of CAP Activities and Systemic Correction Due Date: March 1, 2024

Once the educational agency has completed all action plan activities, the educational agency will plan for continuous improvement through the One Needs Assessment and One Plan with Department and SST assistance.

For questions regarding the review, please contact: Adriana Golumbeanu, the Department's IDEA Monitoring Contact for this review, at 614-965-2422, toll-free at (877) 644-6338, or by e-mail at adriana.golumbeanu@education.ohio.gov.



The Department’s Review Findings and Educational Agency Required Actions

Component 1: Child Find

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

| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|---|--|
| CF-1 | Record Review | <p>34 CFR 300.305(a) [Review of Existing evaluation data] and OAC 3301-51-11 (c)(1)(a) [Preschool children eligible for special education] Preschool records were not reviewed.</p> | <p><u>Individual Correction</u> NA <u>Systemic Correction</u> NA</p> | <input checked="" type="checkbox"/> NA |
| CF-2 | Record Review | <p>OAC 3301-51-06 [Evaluations] Seven out of 13, or 54%, evaluations reviewed did not appropriately document interventions provided to resolve concerns for the child performing below grade-level standards.</p> | <p><u>Individual Correction</u> The Department has verified that these students have a current ETR in place, so no additional individual correction is required. <u>Systemic Correction</u></p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. |
| | Interviews/Public Comments | <p>From the interviews conducted, it seems staff are not very familiar with either the Response to Intervention (RTI) or the Multi-Tiered System of Supports (MTSS). Almost all students come with existing ETRs and IEPs, as they transfer from other schools and/or districts.</p> | <p>The educational agency must submit evidence to the Department of written procedures and practices regarding documentation of intervention and supports provided prior to completion of the initial and reevaluation team report.</p> | |
| | Concerns Noted | <p>The educational agency must provide a summary of actual interventions in this section and not simply a list of possible accommodations or description of LRE. For reevaluations, if no additional interventions were provided, noting that the team agreed the current IEP supports and services are suitable to meet the student’s needs will suffice.</p> | <p><u>Opportunities for Improvement</u> Fairborn Digital Academy would benefit from SST 10 training on MTSS, providing professional learning to all staff on the process and procedures. Administrative staff need to ensure there is consistency in the implementation of the process and procedures. Additionally, school would benefit from technical assistance from SST 10 on how to accurately document interventions in Part 2 of the Evaluation Team Report.</p> | |



| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|---|---|
| CF-3 | Record Review | <p>34 CFR 300.501(b) [Parent participation in meetings] and OAC 3301-51-06 (E)(2)(a) [Evaluation procedures].</p> <p>Six out of 13, or 46%, of the student records reviewed did not show evidence that the parent was afforded the opportunity to participate in the evaluation team planning process.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must provide evidence that the parent was involved or provided the opportunity to participate in the evaluation planning process. The evidence may include evaluation planning form, prior written notice, parent invitation, referral form or communication log.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices that include the parent in the evaluation planning process.</p> <p><u>Opportunities for Improvement</u></p> <p>Participation and required signatures can be documented via email attachment, standard mail, scanned document, photograph of the signature or any other electronic means, and the method of IEP team review and signature collection should be documented in a prior written notice form (PR-01).</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Interviewees described coordinated efforts to communicate with parents and involve them in their children’s special education process whenever possible.</p> | | |
| | Concerns Noted | <p>In most cases, there was no further documentation submitted to support that the parent was provided an opportunity to participate in the planning process (PR-01, PR-02, OP-9).</p> | | |
| CF-4 | Record Review | <p>34 CFR 300.300 [Parental Consent]</p> <p>Eight out of 13, or 62%, student records reviewed did not provide evidence of parental consent obtained prior to the evaluation.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must provide evidence that the parent provided informed, written consent for evaluation, based upon the planning form, or the agency must show documented repeated attempts to obtain informed, written consent to which the parent did not respond.</p> <p>The evidence may include prior written notice, parent invitation, communication log, or other documented attempts to obtain parental informed, written consent.</p> <p>If the educational agency cannot provide documentation that the parent provided informed, written consent for evaluation, or did not respond to</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Staff shared that they use Same Goal to document signatures- this is shared with parents and they are able to sign electronically. However, in some cases, parents find it difficult to sign electronically.</p> | | |
| | Concerns Noted | <p>PR-05 in most cases is blank, is missing or has a note saying “verbal” consent.</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|---|--|--|---|
| | <p>Consent via phone is not written consent. There must be a written parent signature on the PR-05 form. Parents must give informed, written consent for purposes of evaluating or reevaluating their child's eligibility for special education services. If written consent is given electronically, that documentation needs to be included in the ETR documentation, including a prior written notice (PR-01).</p> | | <p>repeated attempts to obtain consent, the agency must conduct a reevaluation including documentation of parental consent.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices for obtaining informed parental consent.</p> <p><u>Opportunities for Improvement</u></p> <p>Participation and required signatures can be documented via email attachment, standard mail, scanned document, photograph of the signature or any other electronic means, and the method of IEP team review and signature collection should be documented in a prior written notice form (PR-01).</p> | |
| CF-5 | Record Review | <p>34 CFR 300.304(c)(4) [Other evaluation procedures] OAC 3301-51-01 [Applicability of requirements and definitions] and 3301-51-06 (E)(2)(a) [Evaluation procedures]</p> <p>Thirteen (13) out of 13, or 100%, evaluations reviewed did not provide evidence that the evaluation addresses all areas related to the suspected disability.</p> | <p><u>Individual Correction</u></p> <p>The educational agency will convene the ETR teams to conduct a reevaluation and provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices to provide evidence that the evaluation addresses all areas related to the suspected disability.</p> <p><u>Opportunities for Improvement</u></p> <p>Fairborn Digital Academy must develop an internal monitoring process which contains procedures to ensure:</p> <ul style="list-style-type: none"> Active team participation in the ETR planning process. | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Staff stated that all teachers who need to complete a Part 1 do so and it is not difficult to get the forms back. However, they also stated that no guidance has been provided regarding the compliant way to complete the Part 1 assigned.</p> | | |
| | Concerns Noted | <p>Through record reviews, it was noted that the observation provided was not a true observation in</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------|---|---|--------------------------|
| | | <p>many cases. A true observation should be done in the child’s learning environment (including the general education classroom setting) to document the child’s academic performance and behavior in the areas of difficulty and should be conducted by a member of the group of qualified professionals while the child is engaging in academic performance in the classroom.</p> | <ul style="list-style-type: none"> • Appropriate evaluation data is available; and • Assessments identified on the Planning form are being completed and represented in a Part 1. <p>There is a need to refine the ETR planning and individual evaluator’s input process.</p> <p>The school should consider using the assessment title on the planning form when completing a Part 1.</p> <p>Observations are required for all initial and reevaluations. The school “must ensure that the child is observed in the child’s learning environment, including the regular classroom setting, to document the child’s academic performance and behavior in the areas of difficulty.” (300.310)</p> <p>The school should consider implementing a system of checks and balances to ensure that when more than one person is identified as being responsible for the same assessment, all staff members complete a Part 1 for that assessment.</p> <p>Training and technical assistance from SST staff as well as an internal monitoring review system would be very helpful to promote compliance in the completion of a Part 1.</p> | |



| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|--|---|
| CF-6 | Record Review | <p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need] Eleven (11) out of 13, or 85%, evaluations reviewed did not show evidence of clearly stating the summary of assessment results.</p> | <p><u>Individual Correction</u> The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear and concise summary of the data and assessment conducted that meets the requirements of 3301-51-06 (G) (Summary of information). The IEP team must consider the results of this reevaluation.</p> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Staff indicated that they are not actively involved in the development of the Part 2 summary of assessment results.</p> | <p><u>Systemic Correction</u></p> | |
| | Concerns Noted | <p>The information from Part 1 was not summarized in a clear and concise manner in Part 2. In some instances, the information was entirely omitted without explanation. Information in Part 1 must be brought forward to Part 2 in a manner that can be clearly understood by the parent and used by the IEP team to develop meaningful goals and services for the student.</p> | <p>The educational agency must submit evidence to the Department of written procedures and practices regarding summary of data and assessment results.</p> <p><u>Opportunities for Improvement</u> Fairborn Digital Academy has an opportunity to develop an internal practice that will monitor the completion of the Part 2 Team Summary of the Evaluation Team Report so that all areas assessed in a Part 1 Individual Evaluator's Assessment are summarized in the Part 2.</p> <p>Training and technical assistance from SST staff as well as an internal monitoring review system would be very helpful to promote compliance in the completion of the Part 2 Team Summary.</p> | |



| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|---|--|
| CF-7 | Record Review | <p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need] Six out of 13, or 46%, evaluation team reports reviewed did not contain a clear and succinct description of educational needs.</p> | <p><u>Individual Correction</u> The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear and succinct description of the student's educational needs. The IEP team must consider the results of this reevaluation.</p> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>From interviews, it appears that no professional development on writing compliant Part 1s has been offered or is available, and there is some confusion regarding what kind of information to include for all three required components.</p> | <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding description of educational needs.</p> | |
| | Concerns Noted | <p>Some ETRs did not include all the needs identified in Part 1 and the needs were not summarized in Part 2. In many cases, the educational needs were generic in nature and not individualized based on the summary of assessment results.</p> | <p><u>Opportunities for Improvement</u> Fairborn Digital Academy has an opportunity to develop an internal practice that will monitor the completion of the ETR Part 2 Team Summary so that all areas assessed in a Part 1 Individual Evaluator's Assessment are summarized in the Part 2 summary. There is an opportunity for professional development from SST staff.</p> | |
| CF-8 | Record Review | <p>34 CFR 300.306(c) [Procedures for determining eligibility and educational need] Six out of 13, or 46%, evaluation team reports reviewed did not contain specific implications for instruction.</p> | <p><u>Individual Correction</u> The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear description of specific implications for instruction. The IEP team must consider the results of this reevaluation.</p> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>From interviews, it appears that no professional development on writing compliant Part 1s has been offered or is available, and there is some confusion regarding what kind of information to include for all three required components.</p> | <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding implications for instruction.</p> | |
| | Concerns Noted | <p>In some records, implications for instruction were stated in Part 1 but were not included in the Part 2</p> | <p><u>Opportunities for Improvement</u> Fairborn Digital Academy has an opportunity to develop an internal practice that will monitor the</p> | |



| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|--|--|
| | | summary. Implications for instruction were generic in nature and not specific to the needs of students. | completion of the ETR Part 2 Team Summary so that all areas assessed in a Part 1 Individual Evaluator's Assessment are summarized in the Part 2. There is an opportunity for professional development from SST staff. | |
| CF-9 | Record Review | <p>34 CFR 300.306(a)(1) [Determination of eligibility] OAC 3301-51-01 (B)(21) [Applicability of requirements and definitions]</p> <p>Nine out of 13, or 69%, evaluations reviewed did not show evidence that a group of qualified professionals, as appropriate to the suspected disability, were involved in determining whether the child is a child with a disability as well as the child's educational needs.</p> | <p><u>Individual Correction</u> The educational agency must provide evidence that the ETR teams and other qualified professionals, as appropriate, participated in the determination of eligibility and educational needs. If not, the ETR team must reconvene and provide the Department evidence of group participation.</p> <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the eligibility determination process.</p> <p><u>Opportunities for Improvement</u> Parent and staff participation and required signatures can be documented via email attachment, standard mail, scanned document, photograph of the signature or any other electronic means, and the method of IEP team review and signature collection should be documented in a prior written notice form (PR-01). Staff listed must either participate and sign and date the Part 5 or be removed from the list of participants. There is no excusal form for not participating in the ETR meeting.</p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. |
| | Interviews/Public Comments | <p>Related services staff shared that parent communication is lacking. Despite many attempts to contact parents in regard to student truancy or completion of assignments, parents often do not respond.</p> | | |
| | Concerns Noted | <p>Parent was not present in many cases. No OP-9 or additional PR-01s or PR-02s were submitted to show if the district made reasonable attempts to involve the parent. Attempts to involve the parents must be documented in PR-01, PR-02s and OP-9s.</p> <p>Staff name is in some cases listed but did not sign or date the ETR/Part 5.</p> <p>For three records, a general education teacher was not present in the ETR meeting. On another record, SLP was listed but did not sign or date the ETR. The special education teacher was absent from the ETR meeting in another record.</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Corrections/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|--|---|
| CF-10 | Record Review | <p><i>OAC 3301-51-01 (B)(10) [Definitions] and 3301-51-06 [Evaluations]</i> Eight out of 13, or 62%, evaluations reviewed did not provide a justification for the eligibility determination decision.</p> | <p><u>Individual Correction</u> The educational agency will reconvene the ETR teams to conduct a reevaluation and provide a clear justification for the eligibility determination.</p> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Staff indicated they could use additional training to understand how to write a compliant justification statement for the disability determination.</p> | <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the eligibility determination decision.</p> | |
| | Concerns Noted | <p>The justification does not include how the student's disability affects the student's access and progress in the general education curriculum. The statement does not provide a justification for the eligibility determination decision describing how the student meets or does not meet the eligibility criteria.</p> | <p><u>Opportunities for Improvement</u> Fairborn Digital Academy has the opportunity to participate in professional development provided by SST 10 in determining special education eligibility. This training should include how to document the effect of the disability on student's progress in the general education curriculum.</p> | |



Component 2: Delivery of Services

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

| Record Review Item | Evidence of Findings | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|--|--|---|
| DS-1 | <p>Record Review</p> <p>SPP Indicator 13 34 CFR 300.320(b) [Transition services] OAC 3301-51-07 (H)(2) [Definition of individualized education program]</p> <p>Thirteen (13) out of 13, or 100%, IEPs reviewed did not show evidence that the postsecondary transition plan met all eight required elements of the IDEA for the student, specifically in the following area(s):</p> <ol style="list-style-type: none"> 1. There are appropriate measurable postsecondary goal(s). 2. The postsecondary goals are updated annually. 3. The postsecondary goals were based on age-appropriate transition assessment (AATA). 4. There are transition services that will reasonably enable the student to meet the postsecondary goal(s). 5. The transition services include courses of study that will reasonably enable the student to meet the postsecondary goal(s). 6. The annual goal(s) are related to the student's transition service needs. 7. There is evidence the student was invited to the IEP Team Meeting where transition services were discussed. 8. When appropriate, there is evidence that a representative of any participating agency was invited to the IEP Team Meeting. | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams to review and revise the postsecondary transition plan for the IEPs identified as noncompliant or provide documentation of the student's withdrawal date from the educational agency.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding transition services.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity to strengthen the development of IEP transition services by conducting thorough, relevant, and comprehensive Age-Appropriate Transition Assessments so that services are individualized based upon each student's needs, strengths, interests and preferences.</p> <p>Training and technical assistance should be provided to all ETR and IEP members responsible for assessing and writing transition plans to ensure they are compliant and beneficial to the student.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|-----------------------------------|---|--|--------------------------|
| | Interviews/Public Comments | Staff mentioned during interviews they had transition training the previous year, but they could benefit from additional professional development on how to complete the transition section. | Fairborn Digital Academy would benefit from developing an internal review/monitoring process to ensure that transition plans are not missing essential components. | |
| | Concerns Noted | <p>Transition Services are often unclear and not individualized. They must be individualized based on the student's needs – different from what is provided to other typical students.</p> <p>There is minimal evidence that the age-appropriate transition assessment provided information on the student's preference, interests, needs, and strengths for the three transition areas.</p> <p>Many times, goals did not relate to the type of employment students wanted to obtain post high school/college. Please remember that the postsecondary goal(s) need to occur after the student has graduated from high school.</p> <p>Courses of Study must include either Ohio Learning Standards or Ohio Learning Standards-Extended.</p> <p>Students must be invited to attend their own IEP meeting when transition planning is being considered, starting at age 14 or younger, if appropriate.</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|--|--|---|
| DS-2 | Record Review | <p>34 CFR 300.320(a)(1) [Definition of individualized education program]</p> <p>Thirteen (13) out of 13, or 100%, IEPs reviewed did not contain Present Levels of Academic Achievement and Functional Performance (PLOP) that addressed the needs of the student.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the IEP teams of the IEPs identified as noncompliant to review and amend the PLOP related to each goal to include the following information as it relates to each goal:</p> <ul style="list-style-type: none"> • Summary of current daily academic/behavior and/or functional performance compared to expected grade-level standards or to expected age-appropriate performance in order to provide a frame of reference for annual goal development in the specific area of academic and/or functional need; • Baseline data provided for developing a measurable goal (for example, ETR results, if current, formative academic assessments, curriculum-based measurements, transition assessments or functional behavior assessments); • Current performance measurement directly relates to the goal measurement. <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the review of current academic/functional data when writing IEPs.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity for Fairborn Digital Academy to develop an Internal Monitoring team that will review and monitor the PLOP to ensure it addresses the individual needs of the student and aligns to the condition, behavior/skill and performance criteria of</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Staff mentioned that students come to their school several years behind. Staff use STAR assessments to establish a baseline.</p> <p>Another concern they had is that students miss a lot of their services and fall even further behind, therefore moving the baseline even lower. This was noticed during the IEP verifications, as students struggled with information they should have already mastered.</p> | | |
| | Concerns Noted | <p>Most of the IEPs reviewed did not contain baseline data in the PLOP that aligned to the measurable goals. The PLOP must also include a comparison statement to grade-level expectations, which was missing in most of the reviewed IEPs.</p> <p>In many cases, baseline data to identify present levels did not match the goal measurements. In other instances, the present levels contained too much other information that distracted from the focus on student needs and important baseline data.</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
|--------------------|----------------------------|---|---|--|
| | | | the measurable annual goal. Technical assistance can be of benefit in helping service providers identify means of obtaining student present levels of performance. | |
| DS-3 | Record Review | <p>34 CFR 300.320(a)(2)(i) [Definition of individualized education program]</p> <p>Seven out of 13, or 54%, IEPs reviewed did not contain measurable annual goals.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend annual goals to contain the following critical elements:</p> <ol style="list-style-type: none"> 1. Clearly <u>defined behavior</u>: the specific action the child will be expected to perform. 2. The <u>condition</u> (situation, setting or given material) under which the behavior is to be performed. 3. <u>Performance criteria</u> desired: the level the child must demonstrate for mastery and the number of times the child must demonstrate the skill or behavior. <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the development of measurable annual IEP goals.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity for the Academy to develop an Internal Monitoring team that will review and monitor the measurable annual goals to ensure compliance in this area. Technical assistance can be of benefit in helping service providers write goals that include a clearly defined condition, behavior/skill and performance criteria.</p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. |
| | Interviews/Public Comments | <p>Related services staff shared they are not part of the adoption process when students transfer into the school and do not have the opportunity to provide input on the goals.</p> | | |
| | Concerns Noted | <p>Many of the reviewed IEPs had measurable goals that had one or more elements of the goal missing or the goal was unclear as written. Some goals on two IEPs had multiple behaviors listed with only one performance criteria, making it unclear as to how the behaviors would be measured.</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| DS-4 | Record Review | <p>34 CFR 300.320(a)(2)(i) [Definition of individualized education program]</p> <p>Two out of 13, or 15%, IEPs reviewed did not contain annual goals that address the child's academic area(s) of need.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP. Annual goals must address the academic needs of the child unless the team provides evidence that the goals were prioritized based on the severity of the needs of the child.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of addressing identified academic needs.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity for professional development and targeted technical assistance in documenting academic needs mentioned in the ETR. If academic needs were listed in the ETR or IEP profile as being an area of concern, they must be addressed in the IEP in some capacity. The academic need can either be addressed through services and/or supports or a statement that indicates the team has prioritized needs or found that it is not an area of concern at this time.</p> | <p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Although most respondents indicated familiarity with identifying academic needs within the ETR, there is still a need for further training and technical assistance in this area.</p> | | |
| | Concerns Noted | <p>Additional academic needs were mentioned in two ETRs as being an area of need but were not addressed in the IEP or were not noted as not a priority at this time.</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| DS-5 | Record Review | <p>34 CFR 300.320(a)(2)(i) [Definition of individualized education]</p> <p>Two out of nine, or 22%, applicable IEPs reviewed did not contain annual goals that address the child’s functional area(s) of need.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the IEP. Annual goals must address the functional needs of the child unless the team provides evidence that the goals were prioritized based on the severity of the needs of the child.</p> | <p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p> |
| | Concerns Noted | <p>Two records indicated functional needs (such as behavior) in the current ETR or IEP profile; however, these needs were not addressed in the IEP. If the IEP team has determined there is no longer a need in a functional area, a statement to this effect would need to be included.</p> | <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of addressing identified functional needs.</p> <p><u>Opportunities for Improvement</u></p> <p>There is an opportunity for professional development and targeted technical assistance in writing compliant IEPs that document all functional needs identified in the ETR. If functional needs were listed in the ETR or IEP profile as being an area of concern, they must be addressed in the IEP in some capacity. The functional need can either be addressed through services and/or supports or a statement that indicates the team has prioritized needs or found that it is not an area of concern at this time.</p> | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| DS-6 | Record Review | <p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e)(i) [Definition of IEP]</p> <p>Eleven (11) out of 13, or 85%, IEPs reviewed did not contain a statement of specially designed instruction including related services that addresses the individual needs of the child and supports the annual goals.</p> | <p><u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the specially designed instruction, as appropriate, to address the needs of the child.</p> <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of determining specially designed instruction.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Although most respondents indicated some familiarity with the required elements for SDI components, there is still a need for further training and technical assistance in this area.</p> <p>Staff stated that parents and students are informed of the SDI times but, in many cases, students choose to not show up. In some cases, such as related services, the providers have large caseloads and are unable to send reminders each time the student has SDI.</p> | <p><u>Opportunities for Improvement</u> Fairborn Digital Academy would benefit from professional development and technical assistance in understanding what SDI is and how to develop SDI based upon each student's specific academic and/or functional needs. Additionally, the staff who develop IEPs would benefit from professional development on how to complete Section 7, providing clear statements of SDI which describe the nature of instruction that aligns to the individual needs of the student and supports achievement of the measurable annual goals. SDI should describe skills and methods used in the instruction of the measurable annual goals.</p> | |
| | Concerns Noted | <p>Statements were vague or unclear to the nature of the instruction that aligns with the need(s) of the child and support achievement of annual goals. Many records evidenced lack of individualization and specificity that would make this instruction specialized. Some records also had, in lieu of SDI, a list of services and accommodations.</p> <p>In some records, the specially designed instruction was not different from the instruction delivered in the general education classroom.</p> | <p>Fairborn Digital may want to implement an automatic system reminder that would send reminders before each scheduled SDI time thus providing documentation the school is addressing the concerns of chronic absenteeism.</p> | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| | <p>Some records had multiple providers in the SDI area. Only the intervention specialist or related service provider that will be delivering specially designed instruction for the goal and the amount and frequency with which that is occurring should be listed in this area. General education teachers or other professionals should be indicated in Supports for School Personnel to consult with the intervention specialist on specially designed instruction.</p> <p>In some records, one-on-one instruction and small group instruction were not separated into two SDI sections. They need to be separated, along with specific amounts of time and/or frequency the student will receive SDI in each setting.</p> <p>Staff stated that, in most cases, students do not show up for their scheduled SDI times and it is very hard for the teachers, once they do show up, to cover areas that were missed in a short amount of time.</p> | | | |
| DS-7 | <p>Record Review</p> | <p>34 CFR 300.320(a)(7) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(i) [Definition of IEP]</p> <p>Twelve (12) out of 13, or 92%, IEPs reviewed did not indicate the specific location where the specially designed instruction (SDI) will be provided.</p> | <p><u>Individual Correction</u></p> <p>The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the location where the specially designed instruction will be provided.</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of determining the location where specially designed instruction will occur.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | <p>Concerns Noted</p> | <p>During the record reviews, "Virtual Classroom" was listed as the location for SDI delivery. It was unclear as to whether it was a general education or special education virtual classroom.</p> | | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| | | <p>During IEP verifications, it was noted for one student that the SDI location stated "Virtual Classroom," but the student attended school in person. If a student attends SDI delivery in person, this needs to be mentioned in Section 7 and Section 11 of the IEP.</p> | <p><u>Opportunities for Improvement</u> Training and technical assistance from SST staff as well as an internal monitoring review system would be very helpful to promote compliance in the areas of specially designed instruction, including documenting the location of the provision of SDI.</p> | |
| DS-8 | Record Review | <p>34 CFR 300.320(a)(7) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(i) [Definition of IEP] Four out of 13, or 31%, IEPs reviewed did not indicate the amount of time and frequency of the specially designed instruction.</p> | <p><u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and amend the amount of time and frequency of the specially designed instruction.</p> <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the IEP process of determining the amount and frequency of specially designed instruction to be provided.</p> <p><u>Opportunities for Improvement</u> Training and technical assistance from SST staff as well as an internal monitoring review system would be very helpful to promote compliance in the areas of specially designed instruction, including documenting the amount of time and frequency of the provision of SDI.</p> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Staff stated that, in most cases, students do not show up for their scheduled SDI times.</p> | | |
| | Concerns Noted | <p>For one record, the frequency was missing for one goal. For two records, multiple providers were listed, with no specific amount of time and frequency for each provider.</p> <p>For the fourth record, related services time and frequency were given in minutes per quarter.</p> | | |
| DS-9 | Record Review | <p>34 CFR 300.324(a)(2)(v) [Development of IEP] OAC 3301-51-01(B)(3) [Applicability of requirements and definitions] Assistive technology to enable the child to be involved and make progress in the general education curriculum was not applicable for the records reviewed.</p> | <p><u>Individual Correction</u> NA</p> <p><u>Systemic Correction</u> NA</p> | <p><input checked="" type="checkbox"/> NA</p> |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| DS-10 | Record Review | <p>34 CFR 300.320(a)(6)(i) [Definition of individualized education] OAC 3301-51-07 (H)(1)(g) [Definition of IEP]</p> <p>Eleven (11) out of 13, or 85%, IEPs reviewed did not identify accommodations provided to enable the child to be involved and make progress in the general education curriculum.</p> | <p><u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review the accommodations that would directly assist the child to access the course content without altering the scope or complexity of the information taught and include them on the IEP.</p> <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding accommodations.</p> <p><u>Opportunities for Improvement</u> Training from SST staff as well as an internal monitoring review system would be very helpful to promote compliance in the area of accommodations.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | <p>Staff are aware of students' need for accommodations but are not aware of how much detail they should add in an IEP so that the students' needs can be met by any teacher in any district.</p> | | |
| | Concerns Noted | <p>The condition(s) and/or extent were not clearly explained (who provided the services and when and where those services were provided).</p> | | |
| DS-11 | Record Review | <p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e) [Definition of IEP]</p> <p>Five out of five applicable IEPs reviewed, or 100%, did not identify appropriately modifications to enable the child to be involved and make progress in the general education curriculum.</p> | <p><u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review the modifications that would alter the amount or complexity of grade-level materials and would enable the child to be involved and make progress in the general education curriculum and include them in the IEP.</p> <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding modifications.</p> <p><u>Opportunities for Improvement</u> There is an opportunity for professional development and/or targeted technical assistance to address the use of modifications. The amount or complexity of</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Concerns Noted | <p>During record reviews, it was noted that the extent of and conditions for modifications were not explained.</p> | | |



| Record Review Item | Evidence of Findings | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| | | materials are altered from grade level curriculum expectations for the content students are expected to learn. When an instructional or curriculum modification is made, either the specific subject matter is altered, or the performance expected of the student is changed. | |
| DS-12 | <p>Record Review</p> <p>34 CFR 300.320(a)(4) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(e) [Definition of IEP] One out of one of applicable IEPs reviewed, or 100%, identified supports for school personnel to enable the child to be involved and make progress in the general education curriculum.</p> | <p><u>Individual Correction</u></p> <p>NA</p> <p><u>Systemic Correction</u></p> <p>NA</p> | <input checked="" type="checkbox"/> NA |
| DS-13 | <p>Record Review</p> <p>OAC 3301-51-07 (H)(1)(h)(ii) [Definition of IEP] There were no applicable IEPs for this review item (a justification statement explaining why the student cannot participate in the regular assessment and why the alternate assessment is appropriate for the student).</p> | <p><u>Individual Correction</u></p> <p>NA</p> <p><u>Systemic Correction</u></p> <p>NA</p> | <input checked="" type="checkbox"/> NA |
| DS-14 | <p>Record Review</p> <p>OAC 3301-51-07(L)(2) [Development, review and revision of IEP] Eight out of nine, or 89%, applicable student records reviewed did not show evidence of progress reporting data collected and analyzed to monitor performance on each goal.</p> | <p><u>Individual Correction</u></p> <p>None</p> <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding measurable annual goals and services consistent with progress made.</p> | <input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan. |
| | <p>Interviews/Public Comments</p> <p>Related service providers keep their own notes / data checklists for the school administration if they ask for this documentation. The school administration has not asked for it so far; however, school staff can see notes uploaded by providers in Same Goal.</p> | <p><u>Opportunities for Improvement</u></p> <p>Training from SST staff as well as an internal monitoring review system would be very helpful to promote compliance in the area of progress monitoring.</p> | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| | Concerns Noted | In many cases, there was no evidence of data collected and/or reported on each annual goal through progress reports. Progress on goals should be reported in alignment to the measurement used in the annual goal statement. | | |
| DS-15 | Record Review | <p><i>OAC 3301-51-07(L) [Development, review and revision of IEP]</i></p> <p>One out of two, or 50%, of applicable IEPs reviewed did not show evidence that revisions were made based on data indicating changes in student needs or abilities.</p> | <p><u>Individual Correction</u> The educational agency must reconvene the teams to review and amend the IEPs to reflect changes made based on current needs or abilities.</p> <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding using data to revise IEPs based on changes in student needs or abilities.</p> <p><u>Opportunities for Improvement</u> Training from SST staff as well as an internal monitoring review system would be very helpful to promote compliance in the area of IEP revisions based on data.</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Concerns Noted | Progress report indicated that certain goals were mastered however the IEP was not revised to either increase the mastery criteria or to add a new goal. | | |
| DS-16 | Record Review | <p><i>34 CFR 300.321(5) [IEP team]</i> <i>OAC 3301-51-07(I) [IEP team]</i></p> <p>One out of 13, or 8%, of the IEPs reviewed did not indicate that the IEP Team included a group of qualified professionals, including the parent.</p> | <p><u>Individual Correction</u> For the IEPs identified as noncompliant, the educational agency must:</p> <ul style="list-style-type: none"> • Provide evidence that the IEP team, including the parent, participated in the IEP meeting; or • Provide evidence that the educational agency made reasonable attempts to include the parent in the IEP meeting; and/or • Provide documentation that the parent and the educational agency consent, in writing, to excuse the required member prior to the IEP meeting; or | <p><input checked="" type="checkbox"/> No</p> <p>The educational agency does <u>not</u> need to address this finding in a Corrective Action Plan.</p> |
| | Interviews/Public Comments | Staff stated that they reach out to parents all the time. The teachers are in constant contact to see what is going on at home and what parents are seeing. They make a lot of attempts to contact the parent. Administration staff stated they also make visits home if they are unable to reach the parent. | | |



| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| | | <p>Related services staff shared that parent communication is lacking. Despite many attempts to contact parents in regard to student truancy or completion of assignments, parents often do not respond.</p> | <ul style="list-style-type: none"> Reconvene the IEP team to review the IEP with all required members present. <p><u>Systemic Correction</u></p> <p>The educational agency must submit evidence to the Department of written procedures and practices regarding the involvement of all required team members, including the parent, in IEP meetings.</p> <p><u>Opportunities for Improvement</u></p> <p>Parent participation and required signatures can be documented via email attachment, standard mail, scanned document, photograph of the signature or any other electronic means, and the method of IEP team review and signature collection should be documented in a prior written notice form (PR-01).</p> | |
| | <p>Concerns Noted</p> | <p>Parent was not present in this case. No OP-9 or additional PR-01s or PR-02s were provided to show if district made reasonable attempts to involve the parent. Attempts to involve the parents must be documented in PR-01, PR-02s and OP-9s.</p> | | |



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

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

| Record Review Item | Evidence of Findings | | Evidence of Correction/Recommendations | Must be addressed in CAP |
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| LRE-1 | Record Review | <p>34 CFR 300.114 [LRE requirements] and 300.320(a)(5) [Definition of individualized education program] OAC 3301-51-07 (H)(1)(f) [Definition of individualized education program] Eleven (11) out of 13, or 85%, IEPs reviewed did not include an explanation of the extent to which the child will not participate with nondisabled children in the general education classroom.</p> | <p><u>Individual Correction</u> The educational agency must reconvene the teams of the IEPs identified as noncompliant to review and include a justification as to why the child was removed from the general education classroom. The justification should:</p> <ul style="list-style-type: none"> • Be based on the needs of the child, not the disability. • Reflect that the team has given adequate consideration to meeting the student's needs in the general classroom with supplementary aids and services. • Document that the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily. • Describe potential harmful effects to the child or others, if applicable. <p><u>Systemic Correction</u> The educational agency must submit evidence to the Department of written procedures and practices regarding the least restrictive environment placement decision process.</p> <p><u>Opportunities for Improvement</u> Fairborn Digital Academy has the opportunity to participate in professional development and/or targeted technical assistance provided by SST 10 in writing the LRE justification statement. This training should include all the elements of the justification identified above.</p> | <p><input checked="" type="checkbox"/> Yes The educational agency needs to address this finding in a Corrective Action Plan.</p> |
| | Concerns Noted | <p>During <u>record reviews</u>, it was noted that:</p> <ul style="list-style-type: none"> • The description of LRE does not align with SDI or related service location in Section 7. • Many times, the LRE statement only references testing. The LRE statement needs to be about the day in and day out supports as well. • The LRE statement in the IEP states student 'may' be in non-inclusive setting for SDI; Section 7 states "Virtual Classroom." • "Virtual Classroom" was listed as the location for SDI delivery. It was unclear as to whether it was a general education or special education virtual classroom. <p>During <u>IEP verifications</u>, it was noted that:</p> <ul style="list-style-type: none"> • The SDI location in the IEP for another student stated "Virtual Classroom," but student attended school in person. If a student attends SDI delivery in person, Section 11 needs to align with the location listed in Section 7 of the IEP. | | |



Opportunities for Improvement:

- Develop a formal process of tracking specially designed instruction (SDI) to ensure a Free Appropriate Public Education (FAPE) for students.
- During IEP verifications, it seemed many teachers had not seen students in a long time. Because of the lack of prior instruction due to students being absent, teachers prompted a lot, and the goal did not seem appropriate for the students' current ability level. There is an opportunity for improvement for Fairborn Digital Academy regarding attendance policies, procedures, and practices. There is a need for procedures for staff to follow when students do not attend their SDI and the school needs to do more to have students attend their SDI.
- Progress Monitoring: Progress Monitoring is extremely important in creating IEPs that are best suited for individual student needs. There is a need for professional development regarding what must be monitored, how that information connects to student need, and the tracking of progress toward annual IEP goals. Procedures should be developed to ensure parents/guardians receive progress updates for their child.
- There is a need for Fairborn Digital Academy to examine practices regarding documentation of student needs in the IEP, which is detailed in the record review summary. The school should consider how they can improve documentation of student needs more thoroughly within the IEP.
- Staff stressed that a lot of students come with IEPs from other schools/districts. With the large turnover of students, there is a need for Fairborn Digital Academy to develop a formal process of adopting special education records from out of district or state. This will help to ensure that students are receiving services and supports based upon their individualized needs and that records are compliant.
- During the interview sessions, teachers indicated professional development (PD) opportunities are rare, since their schedule is so busy. It would be beneficial for Fairborn Digital Academy staff to attend PD offerings by SST staff to stay up to date and current on special education law, best practices, and guidance.