

**State Advisory Panel for Exceptional Children (SAPEC)  
Educational Service Center of Central Ohio  
2080 Citygate Drive, Columbus  
Sept. 9, 2010**

**AGENDA**

***Thursday, Sept. 9, 2010***

---

9:30 a.m.	<b>Call to Order</b> <ul style="list-style-type: none"><li>• Welcome</li><li>• Introductions</li></ul>	Terri McIntee Larenas, Chair
9:40 a.m.	<b>Panel Business</b> <ul style="list-style-type: none"><li>• Approval of April 1, 2010 Meeting Minutes</li><li>• Revised Manual</li><li>• Member list Review</li><li>• Report on OSEP Mega Conference</li></ul>	Terri McIntee Larenas, Chair  Deb Zielinski, Vice-Chair
10:00 a.m.	<b>Committee Reports</b> <ul style="list-style-type: none"><li>• Membership Committee</li><li>• Election Committee</li></ul>	Elizabeth Sheets, Chair Tom Ash, Chair
10:15 a.m.	<b>Vote on Members-at-large</b>	Terri McIntee Larenas, Chair
10:30 a.m.	<b>Break</b>	
10:45 a.m.	<b>Announcement of Members-at-large</b>	Terri McIntee Larenas, Chair
10:45 a.m.	<b>OEC Updates</b> <ul style="list-style-type: none"><li>• Caseload Ratio Update</li><li>• Ohio's Corrective Action Plan (CAP) and Comprehensive System for Monitoring for Continuous Improvement</li><li>• LEA Determinations Process and Decisions</li></ul>	Kathe Shelby, OEC Director
12:00 p.m.	<b>Lunch</b>	
12:45 p.m.	<b>Group Discussion on CAP and Comprehensive Monitoring System for Continuous Improvement</b>	Panel Members
1:15 p.m.	<b>LEA Determinations</b>	Thomas Lather, OEC Associate Director
1:45 p.m.	<b>Discussion and Dialogue</b> Small Group Discussions <ul style="list-style-type: none"><li>• SST Information and Activities for 2010-2011</li><li>• Indicators 12, 11, 5 and 13</li></ul>	Panel Members
2:45 p.m.	<b>Constituency Reports</b> (This is an opportunity for SAPEC members to report on relevant activities planned by the organization/constituency they represent.)	Panel Members
3:00 p.m.	<b>Public Comments</b> (This is an opportunity for non-SAPEC members to express their views.)	Terri McIntee Larenas, Chair
3:15 p.m.	<b>Adjourn</b>	Terri McIntee Larenas, Chair

***Times on the agenda are subject to change; the SAPEC meeting will be adjourned when the business items are completed.***

## STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN

Sept. 9, 2010

### ESC of Central Ohio

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
<b>Call to Order, Welcome and Introduction</b>	Reviewed agenda and introduced members and guests		
<b>Panel Business</b>	Approval of Minutes	Jed Morison moved to accept the April 1, 2010 minutes, handout #1, and April Siegel Green seconded. The minutes were approved.	
	Resignation of members	Susan Mikolic and Sheryl Roberts resigned for personal reasons.	
	SAPEC Manual	Revised SAPEC Manual contents were provided to each member in attendance.	
	OSEP Mega Conference Report	Terri McIntee and Debbie Zielinski were members of the team from Ohio that attended the OSEP Mega Conference in Washington DC. Other representatives from Ohio were ODE's Kathe Shelby, Thomas Lather, Kim Carlson and Paul Roepcke; and representatives from the Ohio Coalition for the Education of Children with Disabilities. This year the conference combined the parent information centers, Part C and Part B with a focus on collaboration.	
<b>Committee Reports</b>	Membership Committee Report	<p>The membership committee met on Sept. 8, 2010. Deb Zielinski, chair of the committee, designated Liz Sheets as the new chair. The group reviewed the committee's responsibilities for the 2010-2011.</p> <p>It was decided the membership application would be updated and presented to the full panel during the Dec. 2, 2010, meeting.</p> <p>Liz Sheets reviewed a map of Ohio that denotes where SAPEC members reside throughout the state. The panel</p>	<p>Membership application needs to be updated and will be presented to the panel during the Dec. 2, 2010 meeting.</p> <p>Membership committee will meet on November 19, 2010 to discuss</p>

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		needs representation throughout the state, and panel members' terms should be staggered.	recruitment and a plan to stagger the terms of members.
	<p>Election Committee Report</p> <p>Resolution to waive certain SAPEC bylaws for the Election of Members-at-large on Sept. 9, 2010 only—Article 5 Section 1 &amp; Article 6 Section 3 (See handout #3)</p>	<p>Tom Ash moved for the first resolution; Glenn Jirka seconded; resolution passed.</p> <p>Tom Ash moved for the second resolution; Cynthia McIntosh seconded; resolution passed.</p>	
<b>Vote of Members-at-Large</b>	<p>Members that applied to be a member-at-large (MAL) made statements before the ballot vote.</p> <ul style="list-style-type: none"> <li>• Kay Rietz-submitted a written statement</li> <li>• Mary Ellen Bargerhuff</li> <li>• Jennifer Brickman</li> <li>• Kate Kandel</li> <li>• Mary Murray</li> <li>• Linda Oda</li> <li>• Liz Sheets</li> <li>• Sandra Tolliver –did not attend or submit a statement</li> <li>• Cindy Slavens – removed herself from ballot</li> </ul>	<p>Members-at-large elected:</p> <ul style="list-style-type: none"> <li>• Jennifer Brickman – one-year term</li> <li>• Kate Kandel – two-year term</li> <li>• Mary Murray – one-year term</li> <li>• Linda Oda – two-year term</li> </ul> <p>To stagger the term limits of members-at-large, the four members-at-large MALs drew numbers to determine their term limits.</p>	
<b>OEC Updates</b>	Caseload Ratio Update	Recommendations of the Caseload Ratio Committee were approved by the state board of education. In addition, the Operating Standards have been amended to allow city, local and exempted village school districts;	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
	<p>OEC funds the OMNIE Project which helps bring new SLPs into Ohio Schools.</p>	<p>community schools; educational service centers; and county boards of developmental disabilities to submit a proposal to help identify appropriate methods for calculating service-provider caseload ratios for services provided to students with disabilities. These proposals cannot exceed the ratio outlined in the Operating Standards but they can look at the calculation of the number differently. The request for proposal (RFP) is posted on the ODE web. Click <a href="#">here</a>.</p> <p>Each project applicant may apply for up to \$35,000 to fund the development of a plan for determining student caseload ratios for intervention specialists and related services personnel. Proposals must be submitted electronically to ODE at <a href="mailto:exceptionalchildren@ode.state.oh.us">exceptionalchildren@ode.state.oh.us</a> by Oct. 15.</p> <p>Other efforts to increase the shortage of related service personnel:</p> <p>OMNIE Project—Traditionally, there had been too few speech and language pathologists (SLPs) in Ohio to meet the needs of students in Ohio schools. In collaboration with the Center for the Teaching Profession, the Office for Exceptional Children (OEC) has funded a Master’s program through the collaboration of Institutions of Higher Education to recruit more SLPs into Ohio schools. As a result, there are now 150 more SLPs in Ohio’s schools. OEC has been funding this project for the last four years.</p> <p>There appear to be a sufficient number of licensed occupational therapists (OT) and physical therapists (PT)</p>	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<p>in the state, but they tend not to be attracted to working in schools because of schools' higher than customary caseloads and lower pay when compared to a medical facility. OEC will continue discussions with OT and PT professional organizations regarding this issue.</p>	
	<p>Ohio's Corrective Action Plan (CAP) and Comprehensive System for Monitoring for Continuous Improvement</p> <p>Comprehensive System of Monitoring for Continuous Improvement (handouts #5, 7, 8 and 9) has five methods of review: Selective Review, IDEA Onsite Review, Data Verification, Compliance Indicator Review and Due Process Review.</p>	<p>Background:</p> <p>The U.S. Department of Education (USDOE), Office of Special Education Programs (OSEP) conducted a review of the Ohio Department of Education (ODE), Office for Exceptional Children (OEC) in October of 2009. OSEP's findings had two common themes: 1) ODE must ensure valid and accurate data and 2) ODE must expand its LEA monitoring system. ODE submitted a response and corrective action plan to OSEP in May and June 2010.</p> <p>ODE received a determination of Needs Intervention from the USDOE. Any state that OSEP believes has submitted invalid and/or unreliable data on a compliance indicator receives a determination of Needs Intervention.</p> <p>On Aug. 31 and Sept. 1, 2010, training was held for OEC and State Support Team (SST) staff to update them on Ohio's CAP and their role in the OEC Comprehensive Monitoring System for Continuous Improvement. OEC staff have been reorganized into regional contact teams and monitoring teams. Refer to Handout #4, Agenda for OEC and SST Training – Aug. 31-Sept. 1, 2010.</p> <p>Implementing ODE's Corrective Action Plan (CAP) involves ensuring that Ohio districts are documenting and submitting valid and reliable data to ODE. Making changes to EMIS is a slow process; therefore, OEC will be</p>	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
	Special Education Profiles for LEAs	<p>validating data through various monitoring methods.</p> <p>In addition, the OEC has redesigned its system for monitoring IDEA to be a more comprehensive, in-depth system for continuous improvement (Handout #5). The system contains five methods of reviewing LEAs: Selective Review, IDEA Onsite Review, Data Verification, SPP Compliance Indicator Review and Due Process Review.</p> <p>Refer to handouts #8 and #9 for a description and timeline for SPP Compliance Indicator Reviews.</p> <p>The special education profiles being sent to LEAs this year have been redesigned and include an LEA's results on SPP indicators from 2004-05 through 2008-09.</p>	
<b>LEA Determinations</b>	<p>Items discussed:</p> <ul style="list-style-type: none"> <li>• State Performance Plan indicators and monitoring priority areas</li> <li>• LEA determinations</li> <li>• LEA determinations stakeholder groups</li> <li>• ODE enforcement actions for LEAs not meeting requirements</li> </ul>	<p>A State Performance Plan (SPP) is submitted every six years and includes measurable and rigorous targets set by OSEP for 20 indicators (see handout #6 for the list of SPP indicators). Using data for these indicators, states must apply annual determinations of special education performance to local education agencies (LEAs). The USDOE'S Office of Special Education Programs (OSEP) applies one of four determinations in evaluating each state's implementation of the requirements of Part B of IDEA: Meets Requirements, Needs Assistance, Needs Intervention or Needs Substantial Intervention.</p> <p>To make determinations of LEAs, ODE must consider: performance on all compliance indicators; validity, reliability and timeliness of data; uncorrected noncompliance from other sources (LEAs have one year to correct); and any audit findings. Handout #10 explains the determinations process for 2010.</p>	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<p>ODE convened a stakeholder group to establish new criteria for making LEA determinations. Those criteria are detailed in handout #11, titled <i>Criteria for Making LEA Determinations</i>.</p> <p>LEAs were sent their determinations, based on 2008-2009 data, at the end of August. Handout #12 is a sample packet containing the documents each LEA receives. LEA determinations are not required to be publicly reported; however, LEA data for specific SPP/APR indicators are reported each year. The stakeholder group chose not to publicly report the LEA determinations this year; however, in May 2011 states must report the 2010 LEA determinations to OSEP and this information will be publicly available. LEAs that do not meet requirements are required to submit a corrective action plan to ODE for approval and to correct the noncompliance.</p> <p>ODE enforcement actions for LEAs not meeting requirements:</p> <ul style="list-style-type: none"> <li>• Needs Assistance Year 1 – LEA informed of technical assistance available from the SSTs and other resources.</li> <li>• Needs Assistance Year 2 – Training by SSTs required.</li> <li>• Needs Intervention – Individualized training and technical assistance from SSTs required, specific to identified areas.</li> <li>• Needs Substantial Intervention – Withhold funds, require completion of specific correction actions before release of funds, and require intensive SST support.</li> </ul>	
<b>Discussion and Dialogue</b>	Panel members asked ODE staff questions and made comments.	<b>Question:</b> What are some examples of district errors on EMIS?	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<p><b>Response:</b> Data entry personnel are only human, and typos occur. ODE expects that typos will occur, but it also expects that someone is checking the actual keyboarding/data entry results before submitting data to EMIS.</p> <p>Common mistakes beyond typos include reporting multiple dates for the same event. For example, staff from one building report a student's annual review of individualized education program (RIEP) occurred on Oct 1 and in another building someone else entered an RIEP for the same child occurring on Oct 2, a different date. Although there was just one meeting, the computer system will recognize the two dates.</p> <p>Another common error is attempting to report special education events that occurred in a district that a transfer student previously attended. In a few districts, EMIS staff members focus on submitting the Report Card data and may spend little time in ensuring special education data accuracy. This results in districts failing to report all the required data; providing numbers that are transposed; or entering the wrong disability categories.</p> <p>LEAs receive error reports from ODE throughout the year and are given opportunities to correct EMIS errors. LEAs also receive an ODE report in August with a final opportunity to correct incorrect data.</p> <p><b>Question:</b> How will making changes to EMIS assist with the data-reporting issues?</p> <p><b>Response:</b> ODE data managers are more knowledgeable</p>	



Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<p>about this. Most of the changes made in the EMIS redesign affect the speed of data-correction cycles. Districts will be able to correct erroneous data much more quickly and frequently than they currently can.</p> <p><b>Question:</b> Even if all districts had a dedicated EMIS coordinator, with all of the different systems that districts can choose from, will the data ever be accurate?</p> <p><b>Response:</b> Local control of software choices actually can contribute to data accuracy. Districts can pick software that works within its other management practices and is supported by its local Information Technology Center (ITC). If LEAs choose wisely, they can find software that provides a certain amount of error checking as data is being entered. However, having multiple software packages precludes OEC from being able to field <i>data entry</i> questions. For example, if “membership data” is a term used by a specific software package rather than a term used in EMIS, ODE will not be able to tell an LEA why it is receiving a software-prompted message that membership data are missing.</p> <p><b>Question:</b> Who is responsible for child-find and the financial obligations of child-find?</p> <p><b>Response:</b>  Preschool: The district of residence retains the fiscal and service responsibilities.  School-age: The LEA jurisdiction in which the nonpublic school is located assumes the service and fiscal responsibilities, not the district of residence.</p>	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<p><b>Question:</b> What impact will Race to the Top (RttT) money have on special needs?</p> <p><b>Response:</b> Each district that signed up to participate will have to submit a plan to be approved by ODE and USDOE. There are four main areas of RttT: Struggling schools, curriculum, effective teachers and longitudinal data systems. Children with disabilities are affected by all of these areas.</p>	
<b>Constituency Reports</b>		<p><b>Department of Youth Services (DYS)</b> Many changes have occurred in the DYS over the last several years under a consent decree/agreement. Among the many positive changes, a strength-based positive behavior management system, cognitive behavior therapy program and new curriculum have been implemented across the agency.</p> <p><b>Buckeye Association for School Administrators (BASA)</b> The state is facing an \$8 billion deficit for the upcoming budget.</p> <p><b>Ohio Department of Mental Health (ODMH)</b> The Transformation State Incentive Grant (TSIG), a five-year grant to the Governor's Office to transform mental health services and supports, will conclude Sept. 30, 2010.</p> <p>The TSIG Cultural Competency Content Working Group developed a common definition of cultural competency to be adopted by all Ohio agencies. That definition was developed by a cross-system of stakeholders relying on national research.</p>	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		The Youth and Young Adults in Transition report providing recommendations across all state agencies has gone to the Governor. The goal is to align transition services across the state.	
<b>Public Comments</b>	None	There were no public comments.	
<b>Adjourn</b>		Tom Ash moved to adjourn; Cindy Slavens seconded; meeting adjourned.	

**State Advisory Panel for Exceptional Children (SAPEC)  
Educational Service Center of Central Ohio  
2080 Citygate Drive, Columbus, Ohio**

**Thursday, April 1, 2010  
Meeting Notes**

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
<b>Call to Order Welcome and Introductions</b>	Reviewed Agenda Introduced members and guests.		
<b>Approval of January 14, 2010 Minutes</b>	Reviewed and approved January 14, 2010 Minutes.  See Handout #1	Jed Morison moved to accept the January 14, 2010 minutes and Denise Conrad seconded. The minutes were approved.	
<b>Meeting dates for next year</b>	Proposed meeting dates for 2010-2011.	The proposed meeting dates for 2010-2011 are: September 9, 2010 December 2, 2010 February 3, 2011 April 7, 2011  All meetings will be held at the Educational Service Center of Central Ohio, 2080 Citygate Drive, Columbus, Ohio.	Notification of meeting dates and location will be sent to all members and placed on the OEC Web site.
<b>Vote on Vice Chair</b>	Nominees: April Siegel-Green Debbie Zielinski	SAPEC members received written ballots to vote their choice for the next SAPEC Vice Chairperson.  Debbie Zielinski was elected to serve as SAPEC Vice Chair through June 30, 2011. Her term as SAPEC Chairperson runs from July 1, 2011 to June 30, 2013. Beginning July 1, 2013, she will serve one year as immediate past chairperson.	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
<p><b>Discussion: Office of Special Education Programs' (OSEP) Report</b></p> <p>Kathe Shelby, OEC Director</p>	<p>Reviewed highlights of OSEP's Verification Visit process and summarized findings</p> <p>See Handouts #2 and #3</p>	<p>Ohio's OSEP Report is available on OSEP's Web site at <a href="http://www2.ed.gov/fund/data/report/idea/partbvvltr/index.html#oh">http://www2.ed.gov/fund/data/report/idea/partbvvltr/index.html#oh</a></p> <p>OSEP completed their review during the week of October 26-30, 2009. The review included verification of IDEA Part B and C, Focused Monitoring of Least Restrictive Environment (LRE), American Recovery and Reinvestment Act of 2009 (ARRA) audit, and surveys conducted by the Ohio Coalition for the Education of Children with Disabilities (OCECD), and completed by the State Advisory Panel for Exceptional Children. (SAPEC). The OSEP monitoring team reviewed data and records from the 2007-2008 academic year.</p> <p>OSEP's Verification Visit report noted two basic issues throughout several sections of the document. The two repeating issues were (1) ensuring accurate and reliable data and (2) expanding Ohio's monitoring system.</p> <p>Ohio's Monitoring Process has changed dramatically since 2007-2008. Approximately 50 districts were selected by OEC for an onsite review during 2009-2010 as a result of the verification visit. OEC is developing a comprehensive monitoring system that will ensure that all LEAs are reviewed annually at varying levels of intensity. The comprehensive monitoring system will be implemented in 2010-2011.</p> <p>OSEP's report noted OEC's lack of human resources. The state's hiring freeze and other issues contributed to OEC's decrease from 60 staff members in 2002 to 38 staff members in 2010. OSEP's findings support increasing OEC's human resources to improve services for children with disabilities. OEC has been approved to hire 15 additional staff members.</p> <p>Dr. Shelby noted that the report contains several issues which</p>	<p>OEC will develop a formal Corrective Action Plan (CAP) that will address systemic and individual findings and submit it to OSEP in accordance with the timelines specified in the report.</p>

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
		<p>need to be discussed with OSEP for further clarification. OEC must develop and submit a corrective action plan to OSEP in accordance with the timelines identified in OSEP's report.</p>	
<p><b>OEC Updates:</b> Kathe Shelby, OEC Director</p>	<p><b>Items discussed:</b></p> <ul style="list-style-type: none"> <li>• <b>Caseloads and Ratios</b></li> <li>• <b>Restraint and Seclusion Policy</b></li> <li>• <b>Reauthorization of the Elementary and Secondary Education Act (ESEA)</b></li> <li>• <b>Race To The Top</b></li> </ul>	<p><b>Caseloads and Ratios</b> Recommendations for caseloads and ratios have been reviewed by the Capacity Committee of the State Board of Education (SBE). A public meeting will be held on May 10, 2010 at 10:00 a.m. at School for the Deaf with the State Board of Education. The rules governing Caseloads and Ratios will be an agenda item for the June 1, 2010 JCARR meeting tentatively scheduled for 1:30 p.m. in the Senate Finance Hearing Room. The final rules are scheduled to be adopted during the July 2010 SBE meeting.</p> <p>The recommended changes will not change the classroom ratios stipulated in the current Operating Standards, but will provide an opportunity, through an RFP process, for local districts to design, implement and evaluate alternative service delivery models. The results of these efforts will inform recommendations for changes to caseloads and ratios in the future.</p> <p><b>Restraint and Seclusion Policy</b> The Restraint and Seclusion Interagency Committee, coordinated by Ohio Department of Developmental Disabilities, consists of 14 state agencies. The group's charge was to develop the overarching policy related to restraint and seclusion. Each agency is expected to adopt this policy and then develop specific procedures that will guide practices for using restraint and seclusion for their respective agencies. The recommended policy is expected to be finalized by the Interagency committee by May 2010 and then submitted to the Governor.</p>	

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
	See Handout # 4 (Blue Print document)	<p><b>Principles for the Reauthorization of the Elementary and Secondary Education Act (ESEA).</b>  President Obama’s educational reform and direction for revamping ESEA is described in “A Blueprint for Reform.” The document was provided to SAPEC members and can be found on ODE’s Web site. The National Association of State Directors of Special Education’s (NASDSE’s) position on the reauthorization of ESEA can be accessed on NASDSE’s Web site at <a href="http://www.nasdse.org/">http://www.nasdse.org/</a></p> <p><b>Race to the Top</b>  Unfortunately, Ohio was not one of the two states, selected for RttT funding in the first selection. Delaware and Tennessee were the two states selected. Ohio will reapply for the second round of funding, applications are due June 1, 2010.</p>	
<p><b>Committee Reports:  SAPEC Operating Procedures Committee</b>  Terri McIntee Larenas,  Chair</p>	<p>Presentation and vote to adopt revised Bylaws and Operating Procedures</p> <p><b>Committee Members</b>  Terri McIntee Larenas  Tom Ash  Pat Cloppert  Jason Johnson  Cynthia Macintosh  April Siegel-Green  David Watkins  Marsha Wiley  Markay Winston  (See Handout #5)</p>	<p>A draft of the revised Bylaws and Operating Procedures for SAPEC was sent to the panel members to review and submit comments to the committee prior to the meeting.</p> <p>The Procedures Committee met in March to review the comments they received and make final revisions.</p> <p>Linda Oda moved to approve the Bylaws and Operating Procedures. Alice Roehrs seconded. The motion passed unanimously. The Bylaws and Operating Procedures were approved and are effective July 1, 2010. All members will receive a copy of the approved Bylaws and a copy will be sent to Superintendent Delisle and Dr. Wiechel as part of the annual report.</p>	<p>Bylaws effective: July 1, 2010</p> <p>Annual Report submitted to Superintendent Delisle and Associate Superintendent Wiechel</p>

Agenda Item	Key Points	Discussion/Recommendations	Next Steps
<p><b>Topical Updates or Presentations:</b> <b>Due Process Summary</b></p> <p>Chrissy Cline, OEC Consultant</p>	<p>Comparison of 2008 and 2009</p> <p>See Handouts #6, 7, 8</p>	<p>Chrissy Cline provided an update of Ohio's due process data for 2008 and 2009</p> <ul style="list-style-type: none"> <li>• There were 247 requests for impartial due process hearings between July 1, 2009 and December 31, 2009. Sixteen (16) decisions were written by hearing officers involving 13 school districts. Four (4) state level review decisions were written involving four (4) school districts. Two (2) state level decisions are pending at this time.</li> <li>• Resolution meetings were held during the thirty day resolution period for 89 of the impartial due process hearing requests. Forty-three (43) of these resolution meetings resulted in written settlement agreements which resulted in the withdrawal of the due process hearing request. During the same time period seventy (70) due process hearing requests were withdrawn due to mediated agreements.</li> </ul> <p>OEC's Due Process Archive online database can be accessed on ODE's Web site.</p> <p>Any questions regarding mediation, IEP facilitation or due process contact Ann Guinan at <a href="mailto:ann.guinan@ode.state.oh.us">ann.guinan@ode.state.oh.us</a> or 614 -752 -1004.</p>	
<p><b>Public Comments</b></p>		<p>There were no public comments.</p>	
<p><b>Adjourn</b></p>		<p>Tom Ash motioned to adjourn. Markay Winston seconded. The motion passed unanimously and the meeting was adjourned at 3:00 p.m.</p>	



The screenshot shows the EdResourcesOhio.org website interface. On the left, a vertical column of callout boxes points to specific website sections:
 

- Procedures and Guidance for Ohio Educational Agencies serving Children with Disabilities (Guidance Document)
- Ohio's Operating Standards
- Model Policies & Procedures
- Whose IDEA is This? (Procedural Safeguards- English & other languages)
- Ohio Special Education Forms (Required & Optional)
- Parentally Placed Nonpublic School Children
- Mediation Procedures
- Learning Supports Guidelines

 The website header features the EdResourcesOhio.org logo and the Ohio Department of Education Office for Exceptional Children. The main content area is titled 'Office for Exceptional Children Newsletter' and includes a 'News & Updates' section with several articles:
 

- GPS-IEP Introduction Video** (Posted on March 23, 2010): A video featuring Kathie Shelby, Director of the Office for Exceptional Children, announcing the availability of the online resource, *Goog Places with a Standards-based IEP or GPS-IEP*.
- OCALI Conference** (Posted on April 7, 2010): Information about the 2010 OCALI Conference, including a call for proposals and registration details.
- The Autism Internet Modules** (Posted on April 6, 2010): Information about the Autism Internet Modules (AIM) for comprehensive information on autism spectrum disorders.
- IDEA Analytic Tool** (Posted on April 13, 2010): Information about the IDEA Analytic Tool.
- Providing Accessible Materials for Students with Print Disabilities** (Posted on April 6, 2010): Information about the IRIS Center's STAR Legacy Modules.
- Free, online professional development library of education resources available** (Posted on April 7, 2010): Information about the LearningPart professional development library.

 On the right side of the website, a sidebar contains navigation links: Home, Contact, Archives, Ohio Resources, Federal Resources, and OSEP Documents. Below these links is a subscription form for the newsletter, with a 'Subscribe' button.

The Edresourcesohio Web site serves as the site for Ohio Department of Education, Office for Exceptional Children (ODE/OEC), to house resources pertinent to serving students with disabilities in Ohio. In addition to the resources such as the Guidance Document and required and optional forms listed on the left of the site and Ohio Resources, Federal Resources, and OSEP Documents on the right of the site, OEC uses the site to communicate information relevant to special education to educators and parents throughout Ohio. Everyone submitting their e-mail address on the Web site receives e-blast notices from Kathie Sheby, Director of the Office for Exceptional Children, when there is new, relevant, or updated news. Some of the information in the notices is posted under News and Updates on the site and all notices are archived so those looking for information can check them out. The secondary transition section is the first of other special sections such as gifted and early childhood that will be available from this Web site in the future.

**RESOLUTION TO WAIVE CERTAIN BYLAWS OF THE STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN FOR THE ELECTION OF MEMBERS-AT-LARGE ON SEPTEMBER 9, 2010 ONLY**

WHEREAS the State Advisory Panel for Exceptional Children, hereinafter referred to as SAPEC, of the State of Ohio adopted amended Bylaws and Operating Procedures, hereinafter referred to as the bylaws, on April 1, 2010 with an effective date of July 1, 2010 for such bylaws; and

WHEREAS said bylaws require that SAPEC members interested in being considered for a position known as member-at-large (which is a member of the Executive Committee duly authorized by Article VI Section 1 of the bylaws) must submit letters of interest in such member-at-large position by January 31 of the year in which such term would begin; and

WHEREAS it is not possible to submit such letters of interest by January 31, 2010 for the terms scheduled to begin for the current fiscal year; and

WHEREAS Article VI Section 3 of the bylaws requires the election of the members-at-large at the last meeting of the fiscal year preceding the fiscal year in which the term of office begins; and

WHEREAS the effective date of July 1, 2010 for the bylaws occurred following the last meeting of the fiscal year preceding the fiscal year in which the current term of office begins and thereby rendered impossible the conduct of such election;

NOW THEREFORE BE IT, AND IT IS, HEREBY RESOLVED that the following sections of the bylaws be waived on September 9, 2010 only for the sole purpose of conducting the election of said members-at-large:

Article V Section 1, as it pertains to holding the election of members-at-large at the final meeting of the fiscal year preceding a vacancy;

Article VI Section 3, as it pertains to submitting a slate of candidates to the membership of SAPEC prior to the last meeting of the fiscal year and to requiring the vote for the election of members-at-large to be conducted at the last meeting of the fiscal year; and

BE IT FURTHER RESOLVED that the election of said members-at-large is hereby authorized for the SAPEC meeting scheduled on this date, September 9, 2010.

Moved by Tom Ash and seconded by Glenn Jirka, the motion was approved.

**RESOLUTION TO WAIVE A CERTAIN BYLAW OF THE STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN FOR THE TERM OF OFFICE OF MEMBERS-AT-LARGE ON SEPTEMBER 9, 2010 ONLY**

WHEREAS the State Advisory Panel for Exceptional Children, hereinafter referred to as SAPEC, of the State of Ohio adopted amended Bylaws and Operating Procedures, hereinafter referred to as the bylaws, on April 1, 2010 with an effective date of July 1, 2010 for such bylaws; and

WHEREAS Article V Section 7 of said bylaws provides that SAPEC members interested in standing for election as members-at-large are invited to submit letters of interest that “must indicate the member’s willingness to commit to a 1 year term as a member at large;” and

WHEREAS it was the intent of the Bylaws Committee that the four members-at-large would serve two-year terms, with the term of two members-at-large ending in odd-numbered fiscal years and the term of two members-at-large ending in even-numbered fiscal years;

NOW THEREFORE BE IT, AND IT IS, HEREBY RESOLVED that the following section of the bylaw indicated below be waived on September 9, 2010 only for the sole purpose of conducting the election of said members-at-large:

Article V Section 7, as it pertains to a member’s willingness to commit to a 1 year term as a member-at-large; and

BE IT FURTHER RESOLVED that the election of said members-at-large hereby authorized for the SAPEC meeting scheduled on this date, September 9, 2010, shall provide for the election of four members-at-large, with the terms of two members-at-large to conclude at the end of fiscal year 2011 and the terms of two members-at-large to conclude at the end of fiscal year 2012; and

BE IT FURTHER RESOLVED that the length of the terms of the four members-at-large elected on September 9, 2010 shall be determined by a lottery drawing conducted by the chairperson of SAPEC on September 9, 2010.

Moved by Tom Ash and seconded by Cynthia McIntosh, the motion was approved.

**OEC and SST Training—Aug. 31 and Sept. 1, 2010**  
**Quest Business Center**

**Tuesday, Aug. 31**

Time	General Sessions	Presenter(s)	Room
9:00 – 9:30	Registration		Main Lobby Upstairs
9:30- 9:45	Welcome, Overview of the Meeting and Announcements	Kathe Shelby	#12 Columbus
9:45–10:30	Bird’s Eye View of Ohio’s Corrective Action Plan and Comprehensive System of Monitoring for Continuous Improvement	Kathe Shelby	#12 Columbus
10:30–11:30	<b>Components of the Comprehensive System of Monitoring SPP Compliance Indicator Reviews</b> <ul style="list-style-type: none"> <li>■ Understanding the process</li> <li>■ Correction of non-compliance</li> <li>■ Technical Assistance – Levels of Support to LEAs</li> <li>■ New Special Education Profiles and SPP Summary Reports</li> <li>■ Using the Profiles in the Ohio Improvement Process (OIP)</li> </ul>	Susan Wilson Kara Waldron	#12 Columbus
11:30-12:00	<b>Expectations – OEC - SST Team Discussion</b>	Kathe Shelby SPOCs SPECs	#12 Columbus
12:00–12:45	Lunch		#12 Columbus
12:45–1:45	<b>Components of the Comprehensive System of Monitoring IDEA Onsite Reviews</b> <ul style="list-style-type: none"> <li>■ Onsite Reviews for Next Year</li> <li>■ Corrective Action Plans</li> <li>■ Follow-up Technical Assistance to Corrective Action Plans</li> <li>■ Selective Reviews</li> </ul>	Paul Roepcke Jo Hannah Ward Susan Wilson	#12 Columbus
1:45 – 2:15	<b>Expectations – OEC - SST Team Discussion</b>	Kathe Shelby SPOCs SPECs	#12 Columbus
2:15 – 2:30	Break		
2:30 – 3:30	<b>LEA Determinations</b> <ul style="list-style-type: none"> <li>■ What does the determination mean?</li> <li>■ How is the determination calculated?</li> </ul>	Tom Lather Kara Waldron	#12 Columbus
3:30 – 4:00	<b>Expectations—OEC - SST Team Discussion</b>	Kathe Shelby SPOCs SPECs	#12 Columbus
4:00 – 4:15	Wrap-up	Kathe Shelby	#12 Columbus

**Wednesday, Sept. 1**

Time	General Sessions	Presenter(s)	Room
8:30 – 9:00	Review of Day One	Kathe Shelby Paul Roepcke	#12 Columbus
9:00 – 10:00	Fitting This Work Into the Ohio Improvement Process (OIP)	Betsy Apolito Sue Zake	#12 Columbus
10:00 – 10:15	Break		

**OEC and SST Training—Aug. 31 and Sept. 1, 2010**  
**Quest Business Center**

Wednesday, Sept. 1 (con't.)

Time	Breakout Sessions	Presenter(s)	Room
10:15 – 11:15	<b>Breakout Session #1</b> <b>Secondary Transition and the Individualized Education Program (IEP) – General Awareness Session</b> (This session will provide a brief description of the 8 Elements of Indicator 13, the secondary transition procedural steps, and an overview of the I-13 training that the SST's will be delivering to school districts across all 16 regions.)	Sue Beck John Magee	#14-15 Scarlet-Grey
10:15 – 11:15	<b>Breakout Session #2</b> <b>Understanding LRE for Preschool Children with Disabilities</b> (There have been many changes to preschool LRE. This session will explain them.)	Kim Carlson	#20 Polaris
10:15 – 11:15	<b>Breakout Session #3</b> <b>Response to Intervention (Rti), Child Find (Indicator 11), and Transition from C to B</b> (This session will discuss how to assist districts to identify students in a timely manner and include intervention data into the process.)	Barb Murphy Jana Perry Susan Wilson Barb Weinberg	#12 Columbus
10:15 – 11:15	<b>Breakout Session #4</b> <b>Coordinated Early Intervening Services (CEIS)</b> (This session will provide information on how to using the allowed 15% of IDEA funds to support early intervention services for non-disabled children.)	Jo Hannah Ward Earl Focht	#6 Capital

Time	Breakout Sessions	Presenter(s)	Room
11:15 – 12:00	<b>Breakout Session #5 -</b> <b>Understanding LRE for School Age Children with Disabilities (Indicator 5)</b> (Region 7 will share their plan for building awareness of LRE.)	Lawrence Dennis Ed Kapel	#20 Polaris
11:15 – 12:00	<b>Breakout Session #6</b> <b>Corrective Action Planning for Onsite Reviews – Providing TA</b> (This session is designed for SST staff responsible for providing TA to districts that had IDEA on-site reviews in 2009-2010)	Paul Roepcke Tom Main Kim Carlson	#12 Columbus
11:15 – 12:00	<b>Breakout Session #7</b> <b>EMIS Made Easy and Demystifying the School age LRE EMIS Form</b> (This session will provide an understanding of the collection of data and the importance of valid and reliable data and how OEC will use the data to verify compliance and make determinations)	Anne Skaggs Kara Waldron	#6 Capital
11:15 – 12:00	<b>Breakout Session #1 Repeated</b> <b>Secondary Transition and the IEP – General Awareness</b>	Sue Beck John Magee	#14-15 Scarlet-Grey

12:00 – 12:45	<b>Lunch</b>		#12 Columbus
---------------	--------------	--	--------------

**OEC and SST Training—Aug. 31 and Sept. 1, 2010**  
**Quest Business Center**

Time	Breakout Sessions	Presenter(s)	Room
12:45 – 1:45	<b>Breakout Session #7 Repeated</b> <b>EMIS Made Easy and Demystifying the School-age LRE EMIS Form</b>	Anne Skaggs Kara Waldron	#12 Columbus
12:45 – 1:45	<b>Breakout Session #3 Repeated</b> <b>Response to Intervention (Rti), Child Find (Indicator 11), and Transition from C to B</b>  (This session will discuss how to assist districts to identify students in a timely manner and include intervention data into the process.)	Barb Murphy Jana Perry Susan Wilson Barb Weinberg	#14-15 Scarlet-Grey
12:45 – 1:45	<b>Breakout Session #8</b> <b>Surrogate Parent Training</b>  (This session is designed for SST staff responsible for Surrogate Parent Training.)	Carolynn Head Sandy Kaufman Shelly Rensch	#6 Capital

Time	Breakout Sessions	Presenter(s)	Room
12:45 – 3:00	<b>Secondary Transition Training for Transition Specialists</b>  (This training is required for SST staff that designated to provide required PD/TA to districts non compliant with Indicator 13. It will continue on September 2, 2010.)	Sue Beck Chris Filler	#20 Polaris

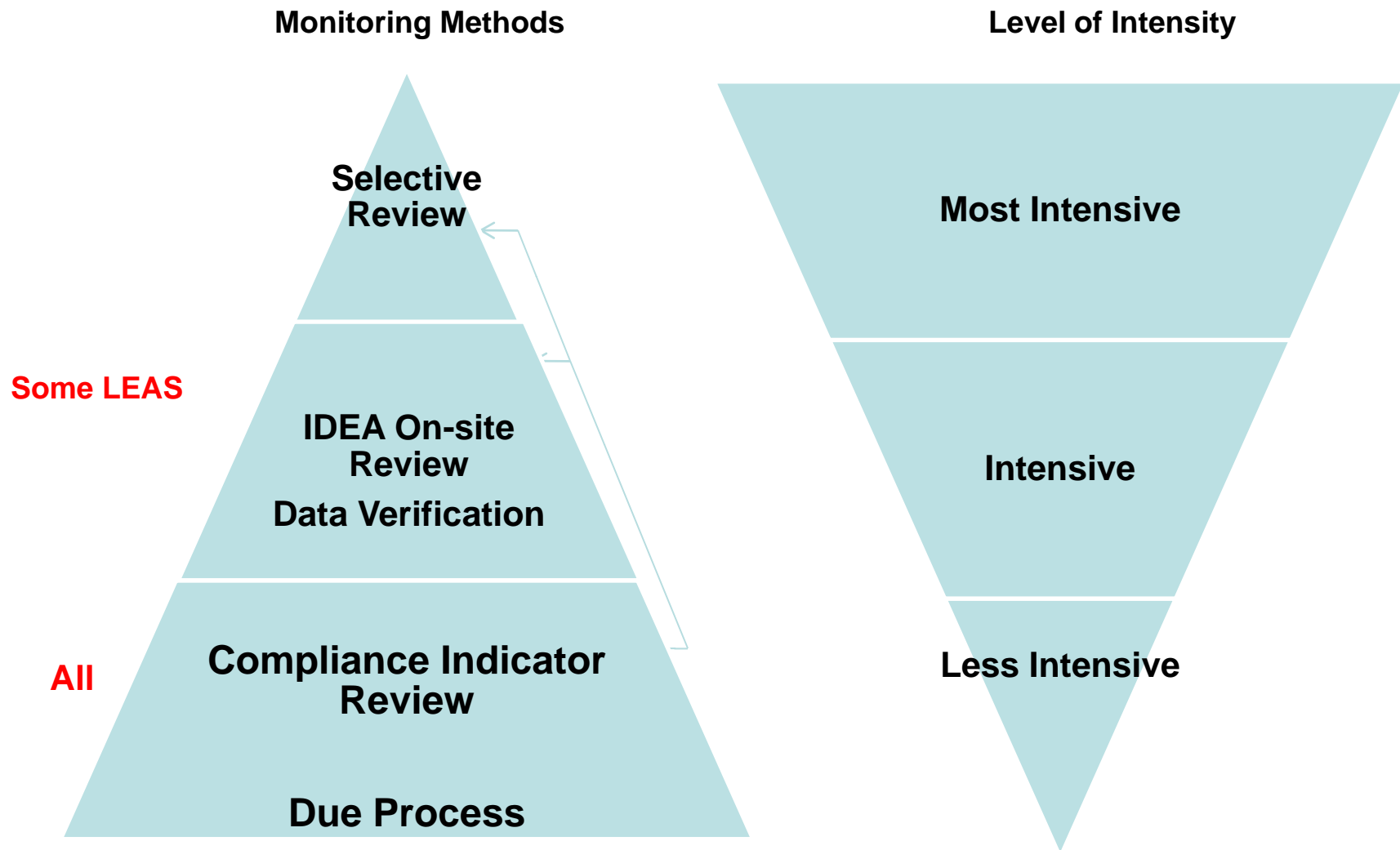
1:45 – 2:00	<b>Break</b>		
-------------	--------------	--	--

Time	Breakout Sessions	Presenter(s)	Room
2:00 – 3:00	<b>Breakout Session #4 Repeated</b> <b>Coordinated Early Intervening Services (CEIS)</b>	Jo Hannah Ward Earl Focht	#12 Columbus
2:00 – 3:00	<b>Breakout Session # 2 Repeated</b> <b>Understanding LRE for Preschool Children with Disabilities</b>	Kim Carlson	#6 Capital
2:00 – 3:00	<b>Breakout Session #5 Repeated</b> <b>Understanding LRE for School Age Children with Disabilities (Indicator 5)</b>	Lawrence Dennis Ed Kapel	#14-15 Scarlet-Grey

3:00 – 3:30	<b>Closing</b>	Kathe Shelby	#12 Columbus
-------------	----------------	--------------	--------------

---

# OEC's Comprehensive Monitoring System for Continuous Improvement



# State Performance Plan Part B Indicators

**Are young children with disabilities entering kindergarten ready to learn?**

- Indicator 6      Preschool Educational Environments
- Indicator 7      Preschool Outcomes
- Indicator 12     Early Childhood Transition from Part C to Part B

**Are children with disabilities achieving at high levels?**

- Indicator 3      Statewide Assessment
- Indicator 4      Suspension/Expulsion
- Indicator 5      School-age Educational Environments

**Are youth with disabilities prepared for life, work and postsecondary education?**

- Indicator 1      Graduation
- Indicator 2      Dropout
- Indicator 13     Secondary Transition
- Indicator 14     Postsecondary Outcomes

**Does the district implement IDEA to improve services and results for children with disabilities?**

- Indicator 8      Facilitated Parent Involvement
- Indicator 9      Disproportionate Representation - Child with a Disability
- Indicator 10     Disproportionate Representation - Eligibility Categories
- Indicator 11     Child Find
- Indicator 15     Timely Correction of Noncompliance Finding
- Indicator 20     Timely and Accurate Data



## OEC Regional Contact Teams

SST Reg 1 and 2			
RIEGER, SUSAN	995-9935	susan.rieger@ode.state.oh.us	Monitoring Services and Support
DRVOTA, MONICA	752-1835	monica.drvota@ode.state.oh.us	Procedural Safegaurds
KESSLER, CHUCK	728-5959	charles.kessler@ode.state.oh.us	Resource Management
SST Reg 3 and 4			
WILSON, SUSAN	728-7731	susan.wilson@ode.state.oh.us	Monitoring Services and Support
FOCHT, EARL	387-0940	earl.focht@ode.state.oh.us	Resource Management
SHARABI, BILL	752-1406	bill.sharabi@ode.state.oh.us	Procedural Safegaurds
SST Reg 5, 9, and 12			
WALDRON, KARA	728-1105	kara.waldron@ode.state.oh.us	Monitoring Services and Support
NELSON, BONNIE	752-1245	bonnie.nelson@ode.state.oh.us	Procedural Safegaurds
FERRELL, STEPHANIE	752-1249	stephanie.ferrell@ode.state.oh.us	Resource Management
SST Reg 6, 7, and 8			
FALOR, STEPHANIE	387-2236	stephanie.falor@ode.state.oh.us	Monitoring Services and Support
HEAD, CAROLYNN	752-1372	carolynn.head@ode.state.oh.us	Resource Management
GREGORY, ARRON	752-1410	arron.gregory@ode.state.oh.us	Procedural Safegaurds
SST Reg 10 and 11			
MAGEE, JOHN	728-1115	john.magee@ode.state.oh.us	Monitoring Services and Support
RENSCH, ROCHELLE	995-0979	rochelle.rensch@ode.state.oh.us	Procedural Safegaurds
MAIN, TOM	387-0156	tom.main@ode.state.oh.us	Resource Management
SST Reg 13, 14, 15, and 16			
PERRY, JANA	752-1187	jana.perry@ode.state.oh.us	Monitoring Services and Support
ZIEGLER, LINDA	9211	linda.ziegler@ode.state.oh.us	Field Review
BOCKRATH, DEBRA	752-4844	debra.bockrath@ode.state.oh.us	Procedural Safegaurds
LYNSKEY, MARK	644-8861	mark.lynskey@ode.state.oh.us	Resource Management

### Contact Team Expectations

*\*Contact Teams are OEC's first line of contact with city, local, exempted village school districts as well as County Boards of DD within designated SST regions. They serve as OEC's liaison to the Single Point of Contact (SPoC) and Special Education Contact (SpEC) for their assigned SST regions.*

*\*Contact teams are expected to provide information and technical assistance to their districts related to: All SPP/APR indicators – both compliance and performance indicators, Special Education Profiles and APR Summary Reports, Correction of non compliance with indicators, EMIS basics and data verification activities, Child Count data, Use of Part B funds, Federal and state laws related to the education of children with disabilities*

*\*Contact Teams may also confer with or utilize other OEC staff with greater levels of expertise in specific areas.*

## OEC Regional Contact Teams

<b>Correctional Facilities</b>			
NXUMALO, NOZIPHO	752-1398	nozipho.nxumalo@ode.state.oh.us	Monitoring Services and Support
DAVEY, LINN	728-4180	linn.davey@ode.state.oh.us	Monitoring Services and Support
<b>LEA Determinations</b>			
WALDRON, KARA	728-1105	kara.waldron@ode.state.oh.us	Monitoring Services and Support
<b>Indicator Resource Support</b>			
WEINBERG, BARBARA (12)	387-2239	barbara.weinberg@ode.state.oh.us	Early Learning and School Readiness
PERRY, JANA (11)	752-1187	jana.perry@ode.state.oh.us	Monitoring Services and Support
MAGEE, JOHN (13)	728-1115	john.magee@ode.state.oh.us	Monitoring Services and Support
FALOR, STEPHANIE (4)	387-2236	stephanie.falor@ode.state.oh.us	Monitoring Services and Support
HINSON, RONDA (9-10)	752-1467	ronda.hinson@ode.state.oh.us	Monitoring Services and Support
<b>EMIS</b>			
SKAGGS, ANNE	728-7850	anne.skaggs@ode.state.oh.us	Data Manager
MILLIGAN, SHEILA	387-2254	sheila.milligan@ode.state.oh.us	Data Manager
<b>SPP/APR</b>			
WALDRON, KARA	728-1105	kara.waldron@ode.state.oh.us	Monitoring Services and Support
<b>Community Schools</b>			
GROSH, VICKI	995-5727	vicki.grosh@ode.state.oh.us	Monitoring Services and Support
HINSON, RONDA	752-1467	ronda.hinson@ode.state.oh.us	Monitoring Services and Support
KESSLER, CHUCK	728-5959	charles.kessler@ode.state.oh.us	Resource Management
GUINAN, ANN	752-1004	ann.guinan@ode.state.oh.us	Procedural Safegaurds
<b>Parent Services</b>			
KAUFMAN, SANDY	752-1404	sandy.kaufman@ode.state.oh.us	Procedural Safegaurds
<b>SPP Compliance Reviews</b>			
WILSON, SUSAN	728-7731	susan.wilson@ode.state.oh.us	Monitoring Services and Support

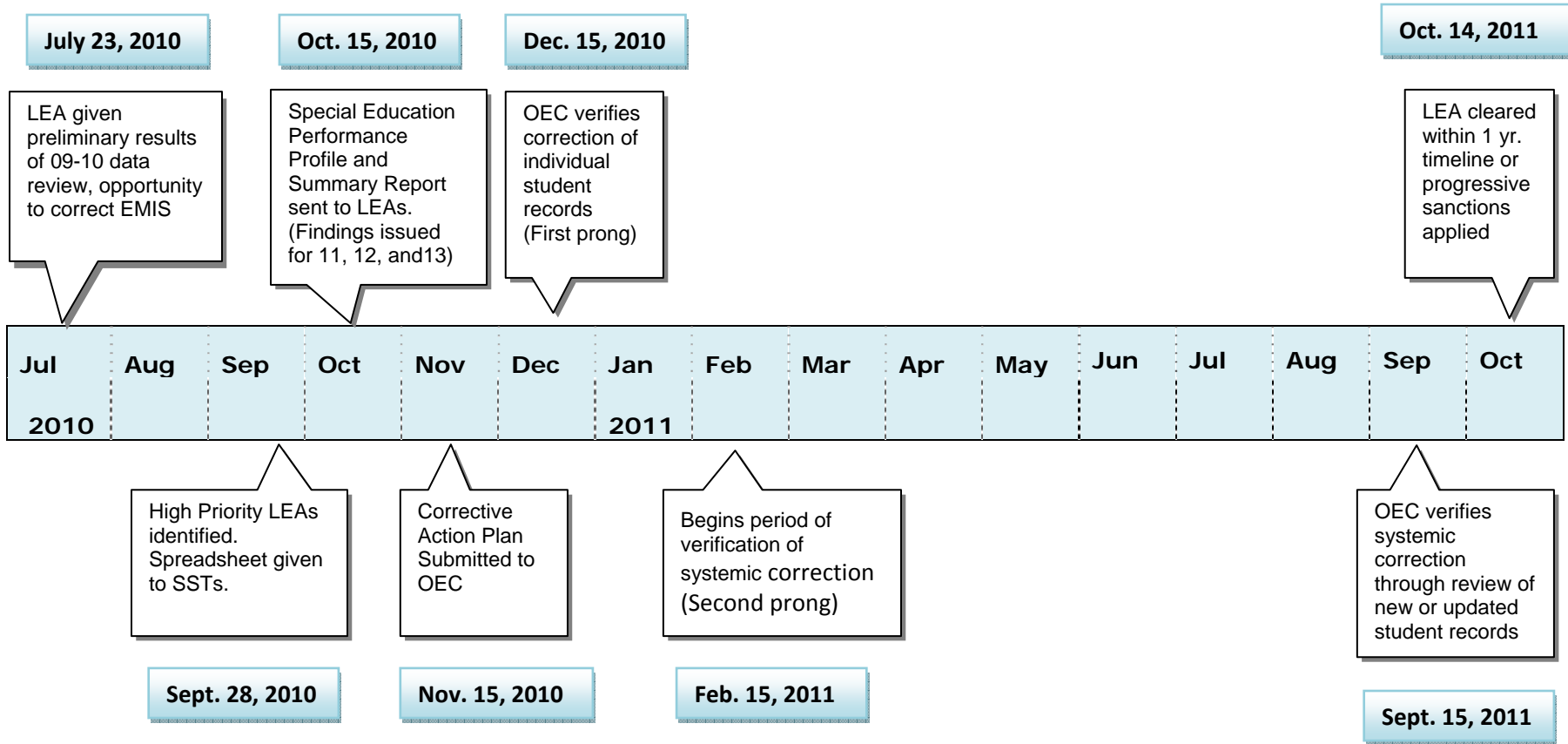
### Contact Team Expectations

*\*OEC staff will be assigned to teams that focus on Community Schools and Correctional Facilities. These teams will focus on the unique needs of these entities and provide technical assistance to them. The Correctional Facilities team will also conduct on-site reviews of the various correctional facilities in Ohio.*

## OEC Compliance Indicator Reviews for 2010-2011

Component	Description and Roles	
<b>Data Review</b>	<p>All LEAs reporting Special Education Data in EMIS reviewed annually.  <i>OEC and SST role: Assist LEAs to analyze and interpret data to identify systemic issues of noncompliance and strategies for improving services and results for SWD.</i></p>	
<b>Identification of Noncompliance</b>	<p>Comparison of Performance to SPP criteria.</p> <ul style="list-style-type: none"> <li>• Data from 2009-2010 school year reviewed in September, 2010</li> <li>• Written Notification (SPED PP) sent October 2010</li> </ul> <p><b>SST Role: Assist LEA in understanding and interpreting SPP Profile and SPP Summary and facilitate use as a tool for continuous improvement.</b></p> <p><b>OEC Role: Assist other OEC team members, SSTs and LEAs in understanding and interpreting the SPP Profile and SPP Summary and it's use as a tool for continuous improvement. Identify high priority LEAs.</b></p>	
<b>Corrective Action Plan</b>	<p>An LEA with a finding of noncompliance from any source must implement a corrective action plan to correct individual cases of noncompliance and systemic noncompliance. The CAP must be developed to ensure 100% compliance with all regulatory requirements and submitted to OEC within 30 days of the finding.</p> <p><b>SST Role: Support development and implementation of CAP.</b></p> <p><b>OEC Role: Approve CAP. CAP will be monitored quarterly by OEC Regional Contact in collaboration with SST.</b></p>	
<b>Verification of Correction (2 prongs)</b>	<b>Individual (First prong)</b>	<p>OEC will verify that the that the individual student records have been corrected, or, in the case of timelines that can not be corrected, OEC will verify that the action was completed, though late.</p> <p><b>SST Role: Provide required TA/PD to identified LEAs and others, as needed, to ensure understanding of how to correct individual cases of noncompliance.</b></p> <p><b>OEC Role: Review updated individual records for compliance with regulatory requirements.</b></p>
	<b>Systemic (Second prong)</b>	<p>OEC will review new or updated records to ensure correction is embedded in systemic policies and practices.</p> <p><b>SST Role: Provide required TA to identified LEAs and others, as needed, to ensure understanding of regulatory requirements. Assist LEA to incorporate needs into plans for continuous improvement.</b></p> <p><b>OEC Role: Review new or updated records, policies, and procedures for compliance with regulatory requirements.</b></p>

## SPP Compliance Indicator Review



## 2010 LEA Determinations Process

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) requires the Ohio Department of Education (ODE) to apply annual determinations of special education performance to entities receiving IDEA funding. The Office of Special Education Programs (OSEP) at the U.S. Department of Education applies one of four determinations in evaluating each state's implementation of the requirements of Part B of IDEA. In making determinations of the status of each local education agency (LEA), states must use the same four categories, which are:

- Meets Requirements;
- Needs Assistance;
- Needs Intervention; or
- Needs Substantial Intervention.

Determinations must evaluate LEA performance against targets set in the State Performance Plan (SPP) for indicators OSEP considers *compliance* indicators (which measure compliance with the IDEA regulations). Determinations also may evaluate LEA performance against targets for *results* indicators (which measure results for students with disabilities).

State Performance Plan	
Compliance Indicators	Results Indicators
Disproportionality (9, 10) Child Find (11) Early Childhood Transition (12) Secondary Transition Planning (13) General Supervision (15) Complaints (16) Due Process (17) Timely, Valid & Reliable Data (20)	Graduation (1) Dropout (2) Assessment (3) Discipline (4) School-age LRE (5) Preschool LRE (6) Early Childhood Outcomes (7) Parent Involvement (8) Post-School Outcomes (14) Resolution Sessions (18) Mediation Agreements (19)

To make LEA determinations states must consider:

- Performance on compliance indicators (Indicators 9-13);
- Uncorrected noncompliance from any source (Indicator 15);
- Whether data submitted by local education agencies are valid, reliable and timely (Indicator 20); and
- LEA-specific audit findings.

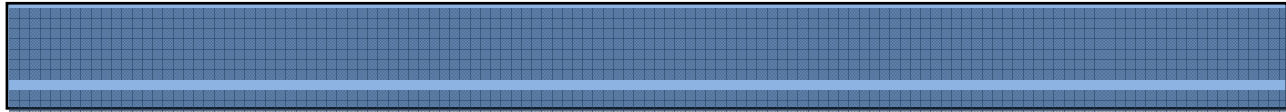
*Note:* LEA determinations do not include Indicator 16 (Complaints) or 17 (Due Process) because these indicators are measured at the state level only.

To establish criteria for making LEA determinations in 2010, the Ohio Department of Education, Office for Exceptional Children (OEC) convened a stakeholder group with representation from urban, suburban and rural school districts, community schools, Educational Service Centers, State Support Teams, the State Advisory Panel for Exceptional Children, Ohio Coalition for the Education of Children with Disabilities, Buckeye Association of School Administrators and Ohio Association of Pupil Service Administrators.

According to the group's recommendations, OEC calculated determinations by assigning points to LEAs for each of the bulleted areas listed above. The number of points received for each area was averaged to determine the overall LEA determination.

Indicators that are not applicable for a particular LEA were not calculated in the average. For example, Indicator 12 (Early Childhood Transition) is not applicable for LEAs that do not serve preschool students, such as community schools. These indicators are displayed with "NR" on the accompanying determinations profile document.

Points were assigned as follows:



<b>Indicator 9 – Disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</b>	
<b>Data Source</b>	Data collected in 2008-2009 EMIS year-end enrollment files and calculated to identify LEAs with significant risk ratios.
<b>Notes</b>	The measurement for Indicator 9 requires two steps: 1) ODE identifies disproportionate representation <u>across disability categories</u> in LEAs with risk ratios of 3.5 or above, using a minimum group size of 30 that aligns with the calculation of AYP for racial and ethnic subgroups. 2) LEAs with disproportionate representation complete a self-review of their policies, procedures and practices relating to the identification of students with disabilities. Using the results of this self-review, OEC determines if the disproportionate representation is a result of inappropriate identification.
<b>Indicator 9 Points</b>	<b>Criteria</b>
4	LEA does not have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (across disability categories).
1	LEA does have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (across disability categories).
NR	LEA does not meet the minimum group size of 30.

<b>Indicator 10 – Disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</b>	
<b>Data Source</b>	Data collected in 2008-2009 EMIS year-end enrollment files and calculated to identify LEAs with significant risk ratios.
<b>Notes</b>	The measurement for Indicator 10 requires two steps: 1) ODE identifies disproportionate representation <u>in specific disability categories</u> in LEAs with risk ratios of 3.5 or above, using a minimum group size of 30 that aligns with the calculation of AYP for racial and ethnic subgroups. 2) LEAs with disproportionate representation complete a self-review of their policies, procedures and practices relating to the identification of students with disabilities. Using the results of this self-review, OEC determines if the disproportionate representation is a result of inappropriate identification.
<b>Indicator 10 Points</b>	<b>Criteria</b>
4	LEA does not have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (in specific disability categories).
1	LEA does have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (in specific disability categories).
NR	LEA does not meet the minimum group size of 30.

<b>Indicator 11</b> – Percent of children who were evaluated within 60 calendar days of receiving parental consent for initial evaluation.	
<b>Data Source</b>	Data collected in 2008-2009 EMIS year-end Special Education Event Record.
<b>Notes</b>	<p>Using guidance from OSEP, OEC did not make findings based on 2008-2009 data for Indicator 11 among LEAs that did not have systemic issues and were able to demonstrate correction prior to ODE's release of Special Education Performance Profiles in January 2010.</p> <p>For this year only, LEAs with compliance percentages below 95 percent that <u>did not receive a finding</u> for Indicator 11 will receive an Indicator 11 score of 4.</p> <p>Note: This is a temporary issue, since next year OEC will not allot time for correction before making findings.</p>
<b>Indicator 11 Points</b>	<b>Criteria</b>
4	95% or higher
3	75 – 94%
2	50 – 74%
1	0 – 49%
NR	0 students with initial evaluations in 2008-2009

<b>Indicator 12</b> – Percent of children referred by Part C (early intervention services) prior to age 3, who are found eligible for Part B (preschool services), and who have an IEP developed and implemented by their third birthdays.	
<b>Data Source</b>	Data collected in 2008-2009 EMIS year-end Special Education Event Record.
<b>Notes</b>	<p>Using guidance from OSEP, OEC did not make findings based on 2008-2009 data for Indicator 12 among LEAs that did not have systemic issues and were able to demonstrate correction prior to ODE's release of Special Education Performance Profiles in January 2010.</p> <p>For this year only, LEAs with compliance percentages below 95 percent that <u>did not receive a finding</u> for Indicator 12 will receive an Indicator 12 score of 4.</p> <p>Note: This is a temporary issue, since next year OEC will not allot time for correction prior to making findings.</p>
<b>Indicator 12 Points</b>	<b>Criteria</b>
4	95% or higher
3	75 – 94%
2	50 – 74%
1	0 – 49%
NR	0 students transitioning from Part C to preschool special education in 2008-2009

<b>Indicator 13</b> – Percent of youth with IEPs age 16 and above with an IEP that includes:	
<ul style="list-style-type: none"> <li>a) Appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment;</li> <li>b) Transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals;</li> <li>c) Annual IEP goals related to the student's transition services needs;</li> <li>d) Evidence that the student was invited to the IEP Team meeting where transition services are to be discussed; and</li> <li>e) Evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</li> </ul>	
<b>Data Source</b>	Data collected in 2008-2009 EMIS year-end enrollment files and student program codes. Beginning in 2009-2010, Indicator 13 data will be collected in EMIS year-end enrollment files and the Special Education Event Record.
<b>Notes</b>	OSEP notified states of a change in the Indicator 13 measurement for the 2008-2009 school year. Due to this change, these data are not required to be publicly reported or used in LEA determinations in 2010.

***Timely Correction of Noncompliance from Any Source  
(Indicator 15)***

<b>Indicator 15</b> – Identified noncompliance is corrected as soon as possible but in no case later than one year from identification.	
<b>Data Source</b>	Findings of noncompliance identified from: <ul style="list-style-type: none"> <li>1) IDEA monitoring;</li> <li>2) Indicator monitoring (Indicators 11, 12 and 13);</li> <li>3) Management assistance reviews;</li> <li>4) Selective reviews;</li> <li>5) Complaints; and</li> <li>6) Due process hearings.</li> </ul>
<b>Notes</b>	Specific to findings made in <u>2007-2008</u> and due for correction in <u>2008-2009</u> .
<b>Indicator 15 Points</b>	<b>Criteria</b>
4	LEA corrected all identified noncompliance within one year (or did not receive a finding of noncompliance).
1	LEA did not correct all identified noncompliance within one year.



**Data Submitted are Valid, Reliable and Timely  
(Indicator 20)**

<b>Indicator 20 – LEA-reported data are valid, reliable and timely.</b>	
<b>Data Source</b>	Valid, reliable and timely data submission evaluated for: a) Initial evaluations (Indicator 11); b) Early childhood transition (Indicator 12); c) Secondary transition planning (Indicator 13); and d) Other areas of the 2008-2009 year-end Special Education Event Record.
<b>Indicator 20 Points</b>	<b>Criteria</b>
4	All data are valid, reliable and timely.
3	One indicator or other area is not valid, reliable, and/or timely.
2	Two indicators or other areas are not valid, reliable, and/or timely <u>or</u> Indicator 12 data are not valid and reliable.
1	Three or more indicators (or other areas) are not valid, reliable, and/or timely.
0	Significant under- or non-reporting of special education data.

**Audit Findings**

<b>IDEA Audit Findings</b>	
<b>Data Source</b>	Audits conducted by the Ohio Auditor of State's Office during the 2008-2009 school year.
<b>Audit Points</b>	<b>Criteria</b>
4	No IDEA audit findings.
3	Minor monitoring and/or reporting issues which can be easily remedied by implementing procedures according to A-133 guidance.
2	Moderate documentation and/or reporting issues which would require revision of internal financial processes.
1	Major financial tracking issues which would require the initiation of appropriate financial and accounting procedures.
NR	Not audited in 2008-2009.

**Calculating Determinations**

OEC calculated determinations by totaling the points the LEA received in all areas and dividing that figure by the total number of areas, for an average of all points. OEC identified the overall LEA determination by linking that average to the corresponding determination category, as follows:

<b>Average of All Points</b>	<b>Determination</b>
4.0 points	Meets Requirements
3.0 – 3.9 points	Needs Assistance
2.0 – 2.9 points	Needs Intervention
1.0 – 1.9 points	Needs Substantial Intervention

## Public Reporting

Beginning with 2005-2006 data, states have been required to annually report to the public on the performance of each LEA on a subset of the targets in the SPP/APR. OEC posts this report to the department website each year.

OEC previously has not reported Ohio's LEA determinations to the public because public reporting was not required. Given the extensive changes to the process, Ohio's Determinations Stakeholder Group chose to wait until the 2011 determinations to begin publicly reporting this information. However, beginning in May, 2011, states must report on the 2010 determination given to each LEA as part of Table 8 for the IDEA Section 618 data submitted to OSEP each year. Table 8 collects data on maintenance of effort reduction and coordinated early intervening services. As part of Table 8, Ohio's 2010 LEA determinations (made in August 2010) will be publicly available.

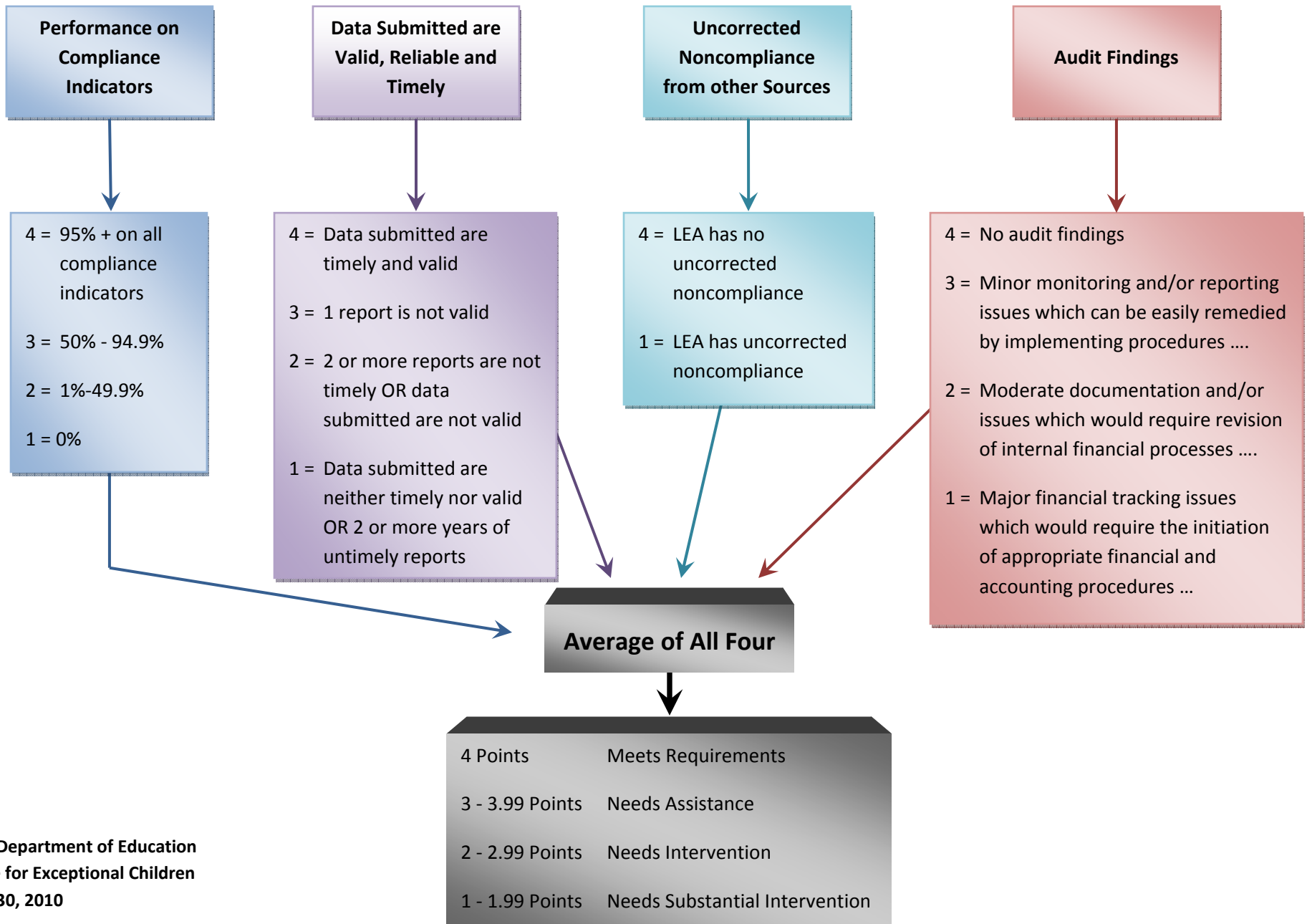
## Enforcement Actions

The IDEA Part B regulations at §300.600(a) specifically designate the enforcement actions that states must apply after an LEA is determined to "Need Assistance" for two consecutive years, "Need Intervention" for three or more consecutive years, or immediately when an LEA is determined to "Need Substantial Intervention."

Based on these regulations, the table below displays the enforcement actions required by ODE for determinations other than Meets Requirements:

Category	ODE Enforcement Actions
Needs Assistance (Year 1)	Inform LEAs of technical assistance available from State Support Teams (SSTs) and other resources.
Needs Assistance (Year 2)	Require training by SSTs with other LEAs in NA-2.
Needs Intervention	Require individualized training and technical assistance from SSTs specific to identified areas.
Needs Substantial Intervention	<ul style="list-style-type: none"><li>• Withhold, in whole or in part, any Part B funds;</li><li>• Require completion of specific corrective actions before release of funds; and</li><li>• Require intensive SST support.</li></ul>

# Criteria for Making Local Determinations





August 27, 2010

Name, Superintendent  
Sample District  
Address  
City, OH Zip  
IRN: 000000

Dear Superintendent Last Name:

The enclosed documents contain results of Sample LEA's 2010 determination of special education program performance conducted by the Ohio Department of Education's Office for Exceptional Children. Local education agencies (LEAs) can receive one of four determinations: *Meets Requirements*, *Needs Assistance*, *Needs Intervention* or *Needs Substantial Intervention*.

Sample LEA's determination is **Needs Assistance**. This determination is based on final special education program data your LEA submitted through the Education Management Information System (EMIS) for the 2008-2009 school year.

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) requires state education agencies to conduct these determinations for all LEAs receiving IDEA funds. Each state education agency also receives an annual state-level determination from the U.S. Department of Education's Office of Special Education Programs (OSEP).

The 2010 determination assessed your LEA's performance on IDEA compliance indicators 9, 10, 11, 12, 15 and 20, as it did in 2009. Indicator 13 also was included in the 2009 LEA determinations, but is not included this year.

Two additional factors in the 2010 determinations affected LEA results. These are based on specific guidance ODE received from OSEP:

- The 2010 Ohio LEA determinations also take into account audit findings related to the use of IDEA funds. This potentially affects LEAs that had findings from the Ohio Auditor of State's Office during the 2008-2009 school year.
- The 2010 Ohio LEA determinations reflect new mathematical criteria for calculating determination scores.

These criteria will be used consistently in annual LEA determinations for the next several years. The enclosed *2010 LEA Determinations Process* document provides additional details on each of these factors.

To provide general information on the new LEA determinations process, the Office for Exceptional Children will offer several sessions of a webinar September 15 and 16. Please see upcoming issues of *EdConnection* for details on how to participate in one of these webinars.

If you have specific questions about your LEA's determination, please contact ODE's Office for Exceptional Children at (614) 752-1458 or at [determinations@ode.state.oh.us](mailto:determinations@ode.state.oh.us).

Sincerely,

A handwritten signature in cursive script that reads "Kathe Shelby".

Kathe Shelby, Ph.D., Director  
Office for Exceptional Children

Enclosures

cc: Director of Special Education

# 2010 Special Education Determinations

**Sample School District  
IRN 000000**

**Determination:**

**Needs Assistance**

**Required Action:**

**SST Technical Assistance  
Recommended**

## 2010 Special Education Determinations

(Based on 2008-2009 data)

District: Sample

DIRN: 000000

Region: 00

### Performance on Compliance Indicators

### Uncorrected Noncompliance from Other Sources

### Data Submitted are Valid, Reliable and Timely

### IDEA Audit Findings

Indicator		Points
9	No disproportionality in special education due to inappropriate identification	4
10	No disproportionality in specific categories due to inappropriate identification	4
11	100% of children evaluated within 60 days of parental consent – no finding	3
12	100% of children transitioning from Part C with an IEP in place by age 3 – no finding	3

Indicator	Points
15	Findings not corrected within one year: None

Indicator	Points
20	Data issues: Indicator 12

Audit findings:	Points
NR	NR

Calculation	
Total points	20
Number of indicators with data	6
Average of all points	3.33

For this year only, LEAs with compliance rates below 95% *that did not receive a finding* for Indicators 11 or 12 will receive 4 points for their scores on these indicators, as applicable.

Categories	Score
Meets Requirements	4.0 points
Needs Assistance	3.0 – 3.9 points
Needs Intervention	2.0 – 2.9 points
Needs Substantial Intervention	1.0 – 1.9 points

Overall Score	Determination
<b>3.33</b>	<b><i>Needs Assistance</i></b>

NR – not rated due to no data reported or data below minimum group size

2009-2010 IDEA Review Onsites

SST	County	IRN	Onsite Date	District
1	Lucas	48207	2/3/2010	Anthony Wayne Local
1	Putnam	49353	3/23/2010	Leipsic Local
1	Ottawa	44651	2/17/2010	Port Clinton City
1	Lucas	44909	1/25/2010	Toledo City
1	Fulton	45641	3/3/2010	Wauseon Exempted Village
2	Huron	43596	4/21/2010	Bellevue City
2	Lorain	44263	2/9/2010	Lorain City
3	Cuyahoga	43653	2/24/2010	Brooklyn City
3	Cuyahoga	930	3/31/2010	Cleveland Entrepreneurship Preparatory School
3	Cuyahoga	43794	2/17/2010	Cleveland Heights-University Heights City
3	Cuyahoga	43786	1/11/2010	Cleveland Municipal
3	Cuyahoga	134189	4/14/2010	Hope Academy Broadway
3	Cuyahoga	195	4/12/2010	Hope Academy East Campus
3	Cuyahoga	133629	3/9/2010	Horizon Science Acad Cleveland
3	Cuyahoga	44636	3/17/2010	Parma City
3	Cuyahoga	302	4/14/2010	Summit Academy Secondary School - Parma
6	Shelby	49767	3/22/2010	Botkins Local
6	Shelby	49775	3/22/2010	Fairlawn Local
6	Champaign	46201	3/9/2010	Triad Local
7	Richland	44297	3/30/2010	Mansfield City
7	Richland	44776	4/7/2010	Shelby City
8	Summit	149054	3/29/2010	Akron Digital Academy
9	Stark	43711	2/2/2010	Canton City
9	Columbiana	45328	3/10/2010	Columbiana Exempted Village
9	Columbiana	46433	3/8/2010	Crestview Local
9	Stark	49874	3/17/2010	Louisville City
9	Stark	49924	3/15/2010	Perry Local
10	Miami	48611	2/1/2010	Bethel Local
10	Montgomery	44958	3/3/2010	Vandalia-Butler City
11	Delaware	43877	2/24/2010	Delaware City
11	Franklin	45138	4/13/2010	Worthington City
11	Franklin	725	4/14/2010	Zenith Academy
12	Belmont	45237	2/18/2010	Bridgeport EV
12	Jefferson	47803	3/10/2010	Indian Creek Local
12	Muskingum	48884	2/24/2010	West Muskingum Local
13	Warren	50419	4/26/2010	Carlisle Local
13	Clermont	46342	4/7/2010	Goshen Local
13	Warren	50443	3/10/2010	Little Miami
13	Clermont	45500	2/22/2010	Milford Exempted Village
13	Hamilton	47381	1/25/2010	Southwest
13	Hamilton	044719	2/24/2010	St. Bernard-Elmwood
16	Washington	50500	3/17/2010	Warren Local