Executive Summary
BSE Compliance Monitoring Review
of the
Derry Area SD

PART I
SUMMARY OF FINDINGS

A. Review Process

Prior to the Bureau's monitoring the week of November 17, 2014, the Derry Area SD was formally notified of the dates the onsite review would be conducted. Notice and invitation to comment was also provided to the Local Task Force on Right-to-Education. The school district was informed of its responsibility to compile various reports, written policies, and procedures to document compliance with requirements.

While onsite, the monitoring team employed a variety of techniques to gain an in depth understanding of the school district's program operations. This included:

- Interviews of school district administrative and instructional personnel
- Review of policies, notices, plans, outcome and performance data, special education forms and formats, and data reports used and compiled by the school district (Facilitated Self-Assessment)
- Comprehensive case studies (including classroom observations, interviews of parents, students, and general and special education teachers, and student file reviews).

B. General Findings

In reaching compliance determinations, the Bureau of Special Education (BSE) monitoring teams apply criteria contained in federal and state special education regulations. Specifically, these are:

- Individuals with Disabilities Education Improvement Act of 2004
- 22 Pa. Code Chapter 14 (State Board of Education Special Education Regulations)
- 34 CFR Part 300

This report focuses on compliance with regulatory requirements and also contains descriptive information (such as interview and survey results) intended to provide feedback to assist in program planning.

Commendations

In addition to reporting the status of compliance, the BSE wishes to recognize the Derry Area SD for the following:

- The school district is commended for its foresight in establishing a school-based mental health program.
- The school district is commended for its active pursuit of grants for the procurement of state-of-the-art assistive devices and aids for its eligible students.

C. Overall Findings

1. FACILITATED SELF ASSESSMENT (FSA)

The team reviewed the FSA submitted by the school district and conducted onsite verification activities of the information submitted in the FSA. The onsite verification activities included review of policies, notices, procedures, and file reviews.

FSA	In Compliance	Out of Compliance
Assistive Technology and Services; Hearing Aids	2	0
Positive Behavior Support Policy	1	0
Child Find (Annual Public Notice and General Dissemination Materials)	1	0
Confidentiality	1	0
Dispute Resolution (Due process hearing decision implementation)	1	0
Exclusions: Suspensions and Expulsions (Procedural Requirements)	0	0
Facilities Used for Special Education	1	0
Independent Education Evaluation	1	0
Least Restrictive Environment (LRE)	1	0
Provision of Extended School Year Services	1	0
Provision of Related Service Including Psychological Counseling	1	0
Caseload and Age Range Requirements	1	0
Parent Training	1	0
Public School Enrollment	1	0
Surrogate Parents (Students Requiring)	1	0
Personnel Training	1	0
Intensive Interagency Approach	1	0
Summary of Academic Achievement and Functional Performance/Procedural Safeguard Requirements for Graduation	1	0
Disproportionate Representation that is the Result of Inappropriate Identification	1	0

IMPROVEMENT PLAN REQUIRED*	Yes	No
Effective use of Dispute Resolution	0	1
Graduation Rates (SPP)	1	0
Dropout Rates (SPP)	1	0
Suspensions (Rates)	0	0
Least Restrictive Environment (LRE) (SPP)	0	1
Participation in PSSA and PASA (SPP)	0	1
Participation in District-Wide Assessment	0	1
Public School Enrollment	0	1
Disproportionate Representation that is the Result of Inappropriate Identification	0	1

*This determination is based on the data used for the monitoring. More recent data

provided by the LEA may demonstrate that the LEA does not require an improvement plan for this topic. Please refer to the Corrective Action Verification/Compliance and Improvement Plan for final guidance.

2. FILE REVIEW (Student case studies)

The education records of randomly selected students participating in special education programs were studied to determine whether the school district complied with essential requirements.

The status of compliance of the Derry Area SD is as follows:

Sections of the FILE REVIEW	**In Compliance**	**Out of Compliance**	**NA**
Essential Student Documents Are Present and Were Prepared Within Timelines	84	8	84
Evaluation/Reevaluation: Process and Content	212	9	659
Individualized Education Program: Process and Content	524	34	322
Procedural Safeguards: Process and Content	123	9	0
TOTALS	**943**	**60**	**1065**

3. TEACHER AND PARENT INTERVIEWS

Interviews were conducted with parents and teachers of students selected by the BSE for the sample group. The goal is to determine if the school district involves parents and professionals in required processes (e.g., evaluation, IEP development), whether programs and services are being provided, and whether the school district provides training to enhance knowledge. Parent and teacher satisfaction with the special education program is also generally assessed.

	# Yes Responses	**# No Responses**	**# of Other Responses**
Program Implementation: General Ed Teacher Interviews	243	10	87
Program Implementation: Special Ed Teacher Interviews	314	9	134
Program Implementation: Parent Interviews	149	9	84
TOTALS	**706**	**28**	**305**

4. STUDENT INTERVIEWS

Results of the student interviews are reflected on the School District Corrective Action Verification/Compliance and Improvement Planning document.

5. CLASSROOM OBSERVATIONS

Observations are conducted in classrooms of students selected by the BSE for the sample group. Two of the items observed evaluate the classroom facility, and can result in a finding of noncompliance. If a finding of facility noncompliance is made, it is included above in number 1, Facilitated Self-Assessment. The other items observed (CO 1-7) are reported here.

	# Yes Responses	**# No Responses**	**# of Other Responses**
Classroom Observations	54	0	16

6. EDUCATIONAL BENEFIT REVIEW

	In Compliance	Out of Compliance
Educational Benefit Review	X	

PART II
CORRECTIVE ACTION PROCESS

PART I of this report presented an overall summary of findings. In the Appendix to the report, we have provided the detailed findings for each of the criteria of the compliance monitoring document, i.e. FSA, File Reviews, Interviews and Classroom Observations. The detailed report of findings includes:

- Criteria Number
- Statements of all requirements
- Whether each requirement was met, not met, not applicable or other
- Statements of corrective action required for those criteria not met. ***Criteria not met that require corrective action by the school district are gray-shaded.***

In accordance with recent directives issued to states from the U.S. Department of Education, Office of Special Education Programs, in addition to corrective action designed to ensure systemic correction of noncompliance, school districts must document correction for each individual case (student specific) of noncompliance that was identified during the monitoring. Therefore, in addition to this report, the BSE will provide the school district with an Individual Corrective Action Plan (ICAP) for any student(s) where noncompliance was identified, and the required corrective action. Because the ICAP contains personally identifiable information, school districts are instructed to ensure protection of confidentiality of this information in accordance with federal and state regulations. The BSE Adviser will inform the school district further concerning requirements for the individual corrective action process

School districts are advised that in accordance with requirements of the Individuals with Disabilities Education Act, all noncompliance must be corrected as soon as possible but in no case later than one year from the date of the monitoring report. The BSE is required to verify timely correction of noncompliance, and must report annually to the federal government and the public on this requirement.

Upon receipt of this report, the school district should review the corrective action and improvement planning required. The report is formatted so that findings from all components of the monitoring are consolidated by topical area. The report lists the finding, and whether corrective action is required. For certain types of findings, corrective action will be prescribed, and will not vary from school district to school district. For example, if the finding is that the school district lacks a specific required policy, it is reasonable to have the BSE prescribe a standardized remedy and timeline for correcting this deficiency. However, the majority of corrective action activities will be individually designed by the school district based on their own unique circumstances and goals. Consistent with IDEA's general supervision requirements for states, BSE must approve all proposed corrective action.

With respect to the File Review, because students were selected at random, findings are generalized to the entire population of students with disabilities. During the corrective action review, the BSE Adviser will select students at random and will review updated data, i.e. records that were developed subsequent to the monitoring. Consequently, the school district should approach corrective action on a systemic basis. As indicated above, the school district is also required to correct student specific noncompliance identified during monitoring under the ICAP process. If there has been a finding of noncompliance in the Educational Benefit Review component, the individual students are identified to the school district and, because of the significance of the provision of a free appropriate public education (FAPE) to these students; the school district must take immediate corrective action.

The BSE Adviser will schedule an onsite visit with the school district within 60 days following issuance of the monitoring report. The BSE Adviser, school district, and PaTTAN staff will develop a School District Corrective Action Verification/Compliance and Improvement Plan. PaTTAN and IU staff is available to assist the school district.

Upon conclusion of the corrective action process, the school district will be notified of its successful completion of the monitoring process.