

Kosrae State Special Education Focused Verification Monitoring Report

March 26-29, 2013

Introduction

The Federated States of Micronesia, Department of Education receives funding under Part B the Individuals with Disabilities Education Act (IDEA) through the U.S. Department of Education. This funding is designed to supplement the provision of special education and related services for eligible children with disabilities within each State of the FSM and to improve and expand programs and services for children with disabilities. The special education and related services supported by IDEA are consistent with the approved FSM Special Education Handbook and P.L. 14-08.

Under the requirements of the IDEA grant, the National FSM Government has assured through the provisions of Public Law 14-08, that all children with disabilities will receive a **Free Appropriate Public Education (FAPE)** consistent with the requirements of IDEA. The FSM Special Education Program, operated through the Department of Education, contains specific requirements and provisions for funding special education program within each State. In receiving funding under IDEA, each state must assure that the provisions of Public Law 14-08 and the requirements of IDEA, Part B are being fulfilled. Additionally, to be eligible for IDEA funding, each State must annually submit a Special Education LEA Application that includes specific Assurances for the delivery of special education and related services, a Local Performance Plan (LPP) and a detailed budget for the coming school year.

For FY 2013, the National Special Education Program will monitor each State to ensure that the requirements of IDEA are being fully implemented. The Monitoring Team conducted the Kosrae State Special Education Focused Verification Monitoring

Site Visit from March 26-29, 2013. Focused Verification Monitoring visits to the States will include a follow up and through review of continuing areas of non compliances over the past three years. The focused monitoring areas for Kosrae are Individual Education Plan (case management) and Fiscal Management. The members of the Monitoring Team included; Mrs. Linda Phillip, Fiscal Officer, FSM Special Education Program and Ethel James, Compliance Monitor and Evaluator for FSM Special Education Program. Yap was scheduled to support but was absent due to flight complications.

This Monitoring Report presents findings based on the evidence collected by the Monitoring Team. The report details areas of non-compliance with IDEA and specific corrective actions that must be corrected within one year of the date of this report.

Monitoring Process

The Monitoring process represents a continuing partnership between the National Department of Education and each State Department of Education to improve and expand high quality special education programs and services. An entrance meeting was first conducted with Mr. Lyndon Cornelius, Director of Kosrae Education Program. Then, Monitoring Team met with the Coordinator for Kosrae Special Education Program, and data and case managers to provide a briefing on the purpose of the monitoring visit and the monitoring activities that would be implemented to accomplish the objectives of the visit. Monitoring activities included reviewing records; interviews with the special education program coordinator, data manager, case manager, general education administrative and procurement officers, school teachers and parents. The Monitoring Team conducted school and homebound visits and provided technical assistance and training on the Fiscal Management Procedures. Two exit meetings were conducted at the end of monitoring visit with Director of Kosrae Department of Education and special education staff. The exit meeting with Director included a summary and discussion of the outcomes of monitoring activities. The exit meeting with the Kosare State special education staff involved discussion and finalizing of draft findings of non compliances and corrective actions. The Agenda for the Monitoring activities and a Summary of Findings of Non Compliance and Corrective Actions are attached to this report.

Program Status

The Monitoring Team met with the KDOE Special Education staff to review the current status of the special education program. The team, although recognizing areas that need improvement in the program, was pleased to note that the special education program continues to be administered in a manner that ensures students in need of special education are identified, referred, assessed, and placed within appropriate special education programs and services.

The total enrollment in Kosrae public schools was 2,281 in SY 11-12. In SY 12-13, the enrollment was 2,212. The decrease in the number of students was caused by either graduating from high school, transferring to other schools outside of Kosrae or dropping out.

In special education programs, there were 188 students served in SY 11-12 and 164 students in SY 12-13. This represents a decrease of 24 students compared to the previous year. The percentage of students served in special education program for SY 11-12 was 8.2% and for SY 12-13 the percentage was 7.4%.

The Monitoring Team reviewed overall enrollment trends in special education during the past year and found that there were 51 students terminated from special education and a total of 31 new students added to the program. 4 students were transferred to other schools outside of Kosrae School System. Of the 4 students transferred from the school system, 2 were from Tafunsak Elementary School, 1 from Sansrik Elementary School and 1 from Kosrae High School. As of school year 2010-2011, there were 3 IEP students graduated, and in 2011-12, the number of IEP students graduated was 6.

Special Education Parent Meeting

The Monitoring Team selected 14 IEPs to review and selected 9 from Kosrae High School and Lelu Elementary School to interview their parents. Of the 9 records selected, only parents of 4 IEPs showed up for the meeting on March 28, 2013. Interviews were conducted individually with the 4 parents. Parents were asked these following questions:

1. Are you aware of the kinds of services being provided to your child?
2. Based on last year to this year, how is your child performing? Is he/she improving?
3. Do you think the services provided to your child are appropriate to the learning needs of your child?
4. How often are you visited for review of your child's IEP?
5. Do you have any concerns on how services are being provided to your child?
6. Do you have any recommendations for the program to consider on how to improve services provided to your child?

Based on interviews conducted with these 4 parents, Special Education staff are ensuring to update parents especially during IEP Annual Review Meetings concerning what services the program is providing to children with disabilities. Additionally, parents reported that student progress, especially in the subject areas of mathematics and language arts are improving and parents report that they are aware of the kinds of services the program is providing to their children in the classrooms.

Data and Case Management

The Monitoring Team reviewed 14 special education IEPs to determine the completeness and accuracy of records. The Team found continued significant improvement in the case and data management and record keeping practices of the Kosrae State Special Education program. The Data Manager continues to ensure that official records are consistent to the program's Student Information Tracking System (SITS) database. The case managers continued to conduct monthly case review meetings to ensure accuracy and completion of records. The Special Education Program has a full time Data Manager and three Case Managers.

Even though improvements were noted, there are still areas that need further development and attention to improve overall case management results. It was noted 2 of the 14 IEPs reviewed showed that services developed and provided were not consistent with the results of the evaluation report. There was no documentation to support how the eligibility of the student was determined. The Evaluation Reports for these two students were not complete. . The Team noted that the procedures for evaluation were not being

fully implemented, and concluded that there was a need for technical assistance in the revised procedural manual, especially in the area of eligibility determination.

School Site and Homebound Visits

The Monitoring Team conducted school visits to verify consistency of school records to office records and implementation of services. The Monitoring Team reviewed 7 Central Office IEPs and visited one school and homebound sites to review special education practices. The Monitoring Team visited Tafunsak Elementary School and 2 homebound students. During Tafunsak Elementary School site visit, records and IEPs were reviewed for consistency with Central Office records, principals, teachers and parents were interviewed, and teacher schedules and case manager school visits reviewed. The team also reviewed special education program for one ECE student at the school Tafunsak Elementary School.

At Tafunsak Elementary there are 3 special education resource room teachers and 2 special education teacher assigned to ECE. There are a total of 31 IEP students at Tafunsak Elementary School; 6 of the 31 are ECE IEP students.

The Monitoring Team found that the records between KDOE Central Office and the school visited were consistent and being well maintained. Generally speaking, special education services on the 5 IEPs reviewed at the school site were being delivered based on the needs identified in the IEPs. For the two homebound students, services were also provided and implemented based on the needs of these 2 individuals with disabilities as specified in their IEPs. In reviewing the schedules of the Resource Room teachers, it was determined that the teachers only provide direct services and one on one direct teacher instruction during pull out services provided in the resource room for mathematics and reading. The resource room teachers only provide 45 minutes in each area for a total of 90 minutes of instruction per day. Special education students all receive the same services. Students receive reading and math for 45 minutes five times a week. For resource room teachers, the rest of the day is spent doing paperwork or duties as assigned by other personnel in the school and co-teaching with general education teachers whom children with disabilities are assigned to them for other subject areas.

The monitoring team verified that Kosrae Special Education Program continued to implement services consistent with IEP specifications at the school level and homebound. Case managers also continued to visit schools to verify delivery of services at the schools. Additionally, Kosrae Special Education program continued to implement the program's local monitoring procedure to ensure consistency of special education services implemented at the schools consistent with IEPs. The Team reviewed a sample of a local monitoring report as evidence that the local monitoring procedures were being implemented.

Commendations

- The Special Education Coordinator and Staff are to be commended for having corrected all outstanding findings of non compliance. The 7 findings of non compliance found during the last monitoring visit had been corrected within the required one year timeline.
- The Special Education case managers are to be commended for continuing to implement the program's monthly case review meetings, as well as visit schools to verify services implemented and consistency of records to office records. Records are well organized.
- The Special Education Data Manager is to be commended for keeping his records well organized and secured.
- The parents of students with disabilities are to be commended for showing participation and interest in the parent meeting.
- Regardless of the current situation that the program is facing (staffs had not been paid for about 4 weeks), Director of Kosrae Department of Education, the Special Education Staff, especially Coordinator, Data Manager and Case Managers are to be commended for supporting the Monitoring Team in accessing data, showing participation during school site visits, and keeping up with the monitoring activities.
- Data Manager is to be commended for helping the team complete the monitoring activities after working hours. Data Manager sacrificed his time with his family and worked with the team night time to review records for accuracy, pulled and made copies of student records for the team's use and reference.

Fiscal Management

The U.S. Office of Special Education Programs (OSEP) has initiated additional fiscal monitoring requirements to ensure that IDEA Part B funds are expended in a manner consistent with federal regulations. The monitoring team reviewed the financial management practices of the Kosrae DOE Special Education Program and determined that fiscal practices were not consistent with FSM Financial Management Regulations. One Finding of Noncompliance resulted from the review of the fiscal practices at KDOE SPED Program. Following are the results of review in the areas highlighted:

- **Documentation on procurement and bidding requirements and procedures.**

The Monitoring Team reviewed fiscal records on procurements and found that bidding requirements and procedures were not consistently implemented. There was no bidding documentations; competitive price quotations and public announcements for RFPs found in 3 of the 10 fiscal records selected for review.

- **Documentation of personnel and assignments.**

The Monitoring Team reviewed personal records and determined that previous discrepancies had been corrected.

- **Documentation of Part B expenditures and consistency with approved budget, and Timely obligation and expenditures of Part B funds.**

The Monitoring Team was not able to verify if IDEA Part B funds were being expended consistent with the approved budget. Additionally, the Team could not verify timely obligation of funds due to notification from FSM Finance Department to freeze all procurement activities and the Kosrae Finance system not being functional during the time of the monitoring visit. A recommendation is being made to conduct a follow up fiscal monitoring visit within 6 months to determine if the fiscal management issues have been corrected.

Recommendations

- Kosrae Special Education Program has in place a systematic way of ensuring cases are accurate and updated in a timely manner. However case managers need to implement Kosrae Special Education Program's monthly case review meeting procedure, and ensure that student records and IEPs are completed and fully documented, report and file more specifically outcomes of case review meetings.

- Case managers need to document school site visits with specific Case Management Reports.
- Special Education case managers need to review evaluation reports and ensure that services are developed and provided based on needs identified in the evaluation report.
- Program Coordinator needs to monitor whether or not case managers are ensuring evaluation results are being followed up with parents and Health Services.
- Special Education staff needs to be trained on the revised procedural manual to ensure completion and validity of data in the student records.
- Special Education Program needs to ensure that all employees are fully compensated based on their personal actions.
- KDOE needs to review the terms and conditions of the Grant Award and ensure to hire contract employees for 2 years only.
- KDOE also needs to ensure that the program's actual payroll listing is consistent to the personnel listing submitted to NDOE. KDOE needs to review personal actions and ensure that salaries, correct names of employees and social security numbers are correct.

New Findings of Non Compliance Identified (see attached Findings of Noncompliance and Corrective Actions) – During the monitoring visit, the Team found 2 new findings of non compliance that must be corrected as soon as possible but no later than one year from the date of receipt of this report.

1. **K12-01-IEP/Case Management 03.28.13** - The Monitoring Team reviewed 14 IEPs to ensure that special education services were developed and provided based on evaluation report results. 2 of the 14 IEPs reviewed are receiving services that are not consistent to the learning needs of the students. In these 2 cases, the reported disabilities are hearing impairment and other health impairment; however the only services provided are specialized instruction for mathematics and reading. While the Evaluation Reports for both students indicated problems in the area of reading and math, the required medical referrals to determine the impact of health related issues on the student's education performance had not been completed. There was no documentation to show these 2 cases were examined by a doctor before the development of the IEPs.. This is an indication that IEP services developed and provided may not be appropriate to the learning

needs of the students. It is also an indication that evaluation procedures were not fully completed.

2. **K12-02-Fiscal Management 03.28.13** - The monitoring Team reviewed fiscal records and found that in 3 of the 10 records, special education funds were procured without following bidding regulations and procedures. 3 competitive price quotations and public announcement for an RFP from OCE, repair, maintenance and quarterly inspection of program vehicles, fixed assets and contractual were not found in fiscal records selected for review. It is an indication of the fiscal management procedures not being followed and implemented consistently.

Conclusion

During the monitoring visit, the team was impressed with the commitment and efforts of the Special Education staff and the Kosrae State Department of Education leadership to fully implement the provisions of the program's local monitoring procedure and monthly case review meetings and school visits by case managers to improve the quality of the special education program in Kosrae State. The efforts being made to ensure that services implemented consistent with IEPs at Tafunsak Elementary School are to be commended. The new findings of non compliance and corrective actions identified in this report will help to significantly improve the quality of special education programs in Kosrae State. The Monitoring Team also looks forward to working with the special education staff to address the findings of non-compliance in a manner that will support improved services for children with disabilities and their families.