

## **Pohnpei State Special Education Focused Verification Monitoring Report**

**April 8-12, 2013**

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### **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 Pohnpei State Special Education Focused Verification Monitoring

Site Visit from April 8-12, 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 area for Pohnpei Department of Education, Special Education Program is Individual Education Plan (case management). The members of the Monitoring Team included; Mrs. Linda Phillip, Fiscal Officer, FSM Special Education Program; Miyai Keller, Data Coordinator, FSM Special Education Program, and Ethel James, Compliance Monitor and Evaluator for FSM Special Education Program. Kosrae 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 Findings of non-compliance with IDEA and specific corrective actions that must be completed 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 the staff of Special Education Program. Due to an urgent educational matter that summoned Director of Education's immediate attention, Director approved the entrance meeting to be conducted with the staff of Special Education Program. During the entrance meeting, the Monitoring Team met with the Coordinator for Pohnpei Special Education Program, 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 to determine accuracy and completion of student records; interviews with the special education program coordinator, data manager, case managers, and school teachers to determine the extent to which Pohnpei State Department of Education is fully implementing the requirements of IDEA and the Special Education Handbook. The

Monitoring Team uses the information gathered to determine whether the systems in place ensure the provision and implementation of high quality special education services.

The Monitoring Team conducted school visits to verify record keeping practices and implementation of special education services. Two exit meetings were conducted at the end of monitoring visit with Director of Pohnpei 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 Pohnpei State special education staff involved discussion and finalizing of draft findings of non compliance 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 PDOE 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 Pohnpei public schools was 10,690 in SY 11-12. In SY 12-13, the enrollment was 10,451. The decrease in the number of students was caused by either graduating from high school, transferring to other schools outside of Pohnpei or dropping out.

In special education programs, there were 738 students served in SY 11-12 and 743 students in SY 12-13. This represents an increase of 5 students compared to the previous year. The percentage of students served in special education program for SY 11-12 was 7% and for SY 12-13 the percentage was 7%.

### **Data and Case Management**

The Monitoring Team reviewed 15 IEPs to determine consistency of IEP services provided to evaluation results and eligibility determinations. All 15 IEPs were found to be appropriately describing the results of evaluations and eligibility determinations. The

Monitoring Team noted that the procedures for evaluation, eligibility determination and IEP were being fully implemented. Although there was improvement in the procedures for evaluation, eligibility determination and IEP, and Data Manager continues to ensure that official records are consistent to the program's Student Information Tracking System (SITS) database, SITS database continues to have over due cases on annual reviews and re-evaluations. There were 19 over due annual reviews and 9 over due re-evaluations found during the monitoring visit. The Monitoring Team found that although Coordinator and case managers continued to implement the program's biweekly case review meeting procedure to ensure accuracy and completion of record, the program sometimes found difficulty arranging IEP meetings with parents of IEP students. According to interviews with Coordinator and case managers there were pending or overdue cases that could sit undone on SITS for a long period of time due to inconsistency of parent scheduling to meet with IEP teams in a meeting. Also another contributing factor to overdue cases involved other education activities. Sometimes case review meetings were postponed to the next one due to other educational activities. Monthly documentation of activities provided by the Coordinator of special education program determined one of the reasons bi-weekly case review meetings were sometimes not conducted on a bi-weekly basis. This is an indication of student records or cases not carefully reviewed and followed up on to ensure completeness and accuracy of data. Special Education Program has a full time Data Manager and three Case Managers.

### **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 15 Central Office IEPs and visited one high school, 4 elementary schools and 2 ECE centers to review special education practices. The Monitoring Team visited Madolehnihmw High School, Sapwalap Elementary School and ECE, Ohmine Elementary School and Kolonia Elementary School, Palikir Elementary School and ECE, and 1 homebound. The Monitoring Team found that although Pohnpei Special Education program continued to conduct school site visits and implement the program's local biweekly monitoring procedure to ensure consistency of special education services to

IEPs, special education services were found to be not provided and consistent with IEPs to 4 of the 15 IEPs reviewed.

4 of the 41 IEPs reviewed at Madolenihmw High School were reviewed for consistency of IEP special education services implemented at the classroom level. Accordingly to interviews with principal of the high school, case manager, regular and special education teachers, schedules of resource room schedules and classroom observation, the Monitoring Team found that for all 4 records reviewed, special education services were provided and consistent with the IEPs at Madolenihmw High School.

There were 4 resource teachers and 1 case manager at Madolehnhmw High School. The resource teachers were tasked to implement special education services in the classrooms or during pullouts and attend to paperwork while the case manager assisted with paperwork and monitored that resource teachers implement services in the classrooms.

At Sapwalap Elementary School, there were 3 resource teachers including ECE, 1 related service assistant, and 1 case manager. At this school, 2 of the 57 IEPs were reviewed for consistency of IEP special education services to implementation in the classrooms. It was found through a review of IEPs, related service assistant service delivery log sheets, teacher schedules and interviews with Principal, case manager, ECE teacher, resource teachers and a related service assistant and classroom observation that the one ECE IEP student and homebound student were receiving services according to their IEPs.

However at the elementary level, the Monitoring Team found that about 54% of IEP students were not provided with special education services. According to the schedules of the 2 resource teachers at the elementary level, special education services were only provided to 1<sup>st</sup>, 3<sup>rd</sup> and 5<sup>th</sup> graders. There were 24 IEP students in these grade levels. In grades 2<sup>nd</sup>, 4<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup>, there was no teacher schedule provided to the Monitoring Team to indicate to the team that there are special education services being provided to these grade levels. There were a total of 31 IEP students in these grade levels. This is an indication that special education was not provided to 24 of the 55 elementary students at Sapwalap Elementary school.

Implementation of special education services were also reviewed and observed at Ohmine School and Kolonia Elementary Schools, Palikir Elementary School and Palikir ECE, At these schools, records and schedules were reviewed, principals and vice principal, case managers, and resource teachers both at elementary levels and ECE were interviewed, and classroom observation conducted. 3 IEPs were selected for verification of implementation of services to IEPs at Ohmine Elementary School and services were found to be accurately implemented consistent to the 3 IEPs. There were 37 IEP students at Ohmine Elementary School, 1 case manager and 2 resource teachers.

At Kolonia Elementary School, there were 56 IEP students, 1 case manager and 3 resource teachers. At this school, 1 IEP was selected for verification of special education transportation services due to a verbal complaint from a parent. Interviews with Special Education Coordinator, resource teacher at Kolonia Elementary School and bus driver assigned, a review of the bus driver's delivery schedule, and examination of the physical conditions of special education buses indicated to the Monitoring Team 2 reasons the 1 student at Kolonia Elementary School was not provided with Special Education services. One, vehicle number GE620 had maintenance issues and was kept at Pohnpei State car pool to await maintenance. Replacement for GE620, GE651 was given for delivery of IEP students to schools and return home, however the parent of that one student at Kolonia Elementary School did not like the conditions of the bus. Two, accordingly to the bus driver, although the parent did not like the condition of the bus, the bus driver for GE651 continued to check on that IEP student, except during the week of Easter. There was no school during Easter week at Kolonia Elementary school. The verbal complaint from the parent was made to FSM Special Education Office after Easter week. GE620 was verified as repaired and servicing after the monitoring visit. Accordingly to Coordinator of Special Education Program, the one IEP student at this particular school had moved to Kitti after the focused monitoring due to family issues and obligations. The program had ensured arrangement of provision of transportation services to this IEP student.

At Palikir Elementary School, there are 3 ECE IEPs and 34 Elementary School IEP students with disabilities ranging from Specific Learning Disabilities (SLDs) to multiple disabilities. There were 2 resource teachers, 1 ECE and 1 elementary resource

teacher, and 1 case manager. At this school, 4 IEPs were reviewed for implementation of services. Review results indicated to the Monitoring Team that services were not provided and not consistent to IEPs to 3 of the 4 IEPs. Special education services for 2 of the 4 IEPs were not reflected on the resource teacher's schedule provided to the Monitoring Team. Also, special education services for 1 of the 4 IEPs as reflected on the resource teacher's schedule were not consistent to IEP. This one IEP was supposed to be receiving 90 minutes in mathematics and reading 3x a week, however on the resource teacher's schedule, the IEP student was receiving 45 minutes 2x a week, and not indicating special education services in what subject area.

The one homebound student visited for verification of services at the home was found to be not receiving special education services. Based on related service delivery log sheet, special education services for this homebound ceased in December of 2012. There was no documentation to show that special education services were provided to this homebound from December 2012 to April 2013. Based on interviews with Pohnpei Special Education staff, special education services were not provided to this homebound child from December 2012 to April 2013 because the guardian of this child moved him to another place without informing Pohnpei Special Education Program. Pohnpei Special Education Program found this child through phone calls after he was moved, however there is no documentation to show what Pohnpei Special Education did to ensure that this homebound child receive the special education services he needs from December 2012 to April 2013. Accordingly to interviews with the staff, service providers and the related service assistant for this homebound child had difficulty getting to this place called Dehpek to provide the service. As described by Pohnpei Special Education staff Dehpek is only accessible by boat, and on rainy days, it was impossible to get to the home of this homebound child. This one case was amongst the 18 IEP reviews overdue 30 days on SITS database validated during the focused verification monitoring visit. This child was found to be moved back from Dehpek to the home where he on a weekly basis receives special education services during the focused verification monitoring visit. Interview with the guardian, grandparent of the homebound child indicated to the Monitoring Team that this homebound child did not receive special education services beginning December 2012 to April 2013, due to the homebound child being moved from

one place to another without informing Special Education Program where the child moved. This indicated to the Monitoring Team that there is little effort both from Pohnpei Special Education Program and the guardian towards ensuring that his homebound child receives the special education services he needed. An annual review was conducted for this homebound student during the focused verification monitoring visit. This homebound child died after the focused verification monitoring visit.

### **Fiscal Management**

Fiscal records were reviewed during the focused verification monitoring visit for Pohnpei Special Education Program to determine compliance and consistency of implementation of fiscal practices to the fiscal management procedure. Fiscal record reviewing was conducted on Pohnpei Special Education Program's FY2012 Budget and in the areas of Personnel, Travel, Other Consumable Expenses (OCE), Contractual Services, and Fixed Assets. Review results indicated to the Monitoring Team that although there continued to be improvement in fiscal practices, there is still areas that need improvement.

### **FY2012 Budget**

The Monitoring Team found that Pohnpei Special Education Program used about 97% of their approved FY2012 Budget to implement the activities needed to assist the program in meeting IDEA and FSM regulations. 79% of the approved FY2012 Budget for Pohnpei Special Education Program was expended on Personnel. Pohnpei Special Education Program has 88 employees on board. There are 47 resource and vocational teachers, 4 related service assistants, 12 bus drivers, 4 educational specialist, 5 teacher aids and 16 support staff. 8% was expended on Travel, 9% on OCE, and 1% on Contractual Services and Fixed Assets. The remaining 3% was reprogrammed to Travel.

### **Personnel**

The Monitoring Team reviewed 10 Personnel Actions to determine consistency of data to Pohnpei Special Education's updated Personnel and Payroll listings. A review of the 10 Personnel Actions and Payroll Listing indicated to the team that employees of the 10

Personnel Actions selected for review were receiving the biweekly salaries they are supposed to be getting. Social security numbers and names were also consistent. However, a review of the Personnel Listing submitted to NDOE indicated to the team that Pohnpei Special Education Program needs to update the program's Personnel Listing. The team found inconsistencies in social security numbers and salaries.

### **Travel**

The Monitoring Team reviewed 10 Travel fiscal record samples and found 4 Travel Authorizations (TAs) with question cost. TA activities were not related to special education services and activities. TA participants were also not special education employees.

### **OCE**

A review of OCE fiscal records indicated to the Monitoring Team that although procurement of POL, tires for program vehicles, repair and maintenance of vehicles, utilities, printing and reproduction of forms, rental service, instruction materials, office supplies and pig feed were approved in the FY2012 Budget, Pohnpei Special Education Program did not follow procedures for purchasing program consumable goods. Of the 10 records selected for review, the team found no documentations of written price quotations from potential vendors in files. This indicated to the Monitoring Team that Pohnpei Special Education Program did not follow fiscal management procedure in soliciting 3 written bids from vendors for procurement of program consumable goods.

The Monitoring Team found that 9% of Pohnpei Special Education Program's FY2012 Budget was approved to be expended in OCE; 2% on POL, 6% instructional materials and 1% on utility. The Monitoring Team found that of the 9% expended for OCE, 5% was procured for POL, 2% on instructional materials and pig feed, and about 2% on cash power provided to the schools where there were IEP students and buildings utilized for special education office space. This indicated to the team that Pohnpei special education funding in OCE was not appropriated accordingly to what was approved on Budget.

According to interviews from Special Education Program staff, due to increasing cost of

fuel, the program expended more than what was budgeted. Interview comments from school principals and special education resource teachers from the schools visited indicated to the team that although sometimes instructional materials were received late, requested instructional materials were provided to aid the needs of eligible students with disabilities.

### **Contractual Service and Fixed Assets**

The Monitoring Team reviewed fiscal records in these two areas and found all procedures being implemented accordingly to the fiscal management procedure. Although there was 1 bus servicing Madolenihmw IEP students in repair shop, Pohnpei Special Education Program ensured transportation services by arranging the other 2 Madolenihmw special education buses to deliver IEP students affected. A review of bus driver delivery service schedules and interviews with Madolenihmw High School and Sapwalap Elementary School principals, resource teachers, and bus drivers indicated to the team that transportation services was provided to students whom their IEPs specified transportations services.

### **Commendations**

- Special Education Coordinator and Staff are to be commended for having corrected all outstanding findings of non compliances. The 5 findings of non compliance found during the last monitoring visit were corrected within the required one year timeline.
- Special Education Coordinator and Staff are to be commended for continuing to implement the program's local monitoring procedure to ensure validity of data, completion of student records and provision and implementation of special education services and related services consistent to IEP.
- Special Education Coordinator, Data Manager and Case Managers are to be commended for using the child record review checklist and child record review summary forms to determine completion of records and accuracy of data during local monitoring visits to the schools.
- Special Education Coordinator and case managers are to be commended for continuing to implement the program's biweekly case review meetings to ensure validity of data and completion of student records and IEPs.

- Special Education Coordinator and fiscal staff are to be commended for maintaining files in an organized manner, and submitting fund status reports in a timely manner.
- Special Education Data Manager is to be commended for continuing to keep records well organized and secured.
- Special Education Coordinator and Staff are to be commended for continuing to develop transportation schedules needed to guide bus drivers transport children with disabilities to and from school.
- Special Education Coordinator and Staff are to be commended for documenting monthly special education activities implemented.
- Related Service Assistants and Mobility Therapist are to be commended for continuing to use service delivery logs to document services provide to homebound students.

### **Recommendations**

- Special Education Program needs to ensure appropriation of special education funds based on approved Budget.
- Case managers need to document results of school visits with resource teachers to indicate to the program what is happening at the school level pertaining to reviewing and updating of cases, and implementation of services.
- Pohnpei Special Education Program needs to review the program's Personnel Listing and ensure that employee salaries, social security numbers, and names are consistent to Personnel Actions.
- Pohnpei Special Education Program has vehicle maintenance and reporting systems in place. However, Special Education Coordinator and Staff need to implement the procedures and ensure that special education vehicles are well maintained to ensure security of IEP students. Also to ensure safe delivery of IEP students, program staff need to ensure tune up for all program vehicles in three months time, and put in mechanic shops those vehicles that need repair.
- Special Education Coordinator and Staff need to ensure equal distribution of program vehicles transporting IEP students to and from school in all school zones that require transportation.

**New Findings of Non Compliance Identified** (see attached Findings of Noncompliance and Corrective Actions) – During the monitoring visit, the Team found 4 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. P12-01-Fiscal Management/Travel 04.12.13** - The Monitoring Team reviewed 10 travel fiscal records, and found 4 TAs with question cost concerning employees traveling and travel activities. Travel activities were not related to special education program activities and TA participants were not employees of special education program.

**2. P12-02-Fiscal Management/Soliciting Written Bids 04.12.13** - The Monitoring Team reviewed fiscal records for OCE and that Pohnpei Special Education Program did not follow fiscal management procedures. Of the 10 records selected for review, the team found no documentations of written price quotations from potential vendors in files. This indicated to the Monitoring Team that Pohnpei Special Education Program did not follow fiscal management procedure in soliciting 3 written bids from vendors for procurement of program consumable goods

**3. P12-03-FAPE 04.12.13** - The Monitoring Team reviewed daily schedules for special education resource teachers, service delivery logs for related service assistants and services implemented at Sapwalap Elementary School, and found services not provided to most IEP students at the school. At Sapwalap Elementary School, there were a total of 57 students; 1 ECE, 24 in grades 1, 3, and 5, and 32 in grades 2, 4, 6, 7, and 8. Resource teacher classroom schedules provided to the Monitoring Team reflected provision of special education services only to the ECE IEP student and students in 1<sup>st</sup>, 3<sup>rd</sup> and 5<sup>th</sup> grade from 8:00am to 2:45pm. There was no resource teacher classroom schedules provided to the team for the other grade

levels. This indicated to the Monitoring Team that special education services were not provided to 32 IEP students at Sapwalap Elementary School.

**4. P12-04-FAPE/Homebound Services 04.12.13** – The Monitoring Team reviewed the IEP of one homebound child and found that special education services were not provided to this IEP student. A review of the IEP showed that annual review for this IEP child was overdue, and service delivery logs showed that provision of special education services stopped in December, 2012. There was no documentation provided to the Team to indicate what efforts Pohnpei Special Education Program did to ensure provision of special education services to this IEP child from December 2012 to April 2013.

**5. P12-05-IEP 04.12.13** - The Monitoring Team reviewed IEPs and the schedules for ECE and Elementary resource teachers at Palikir Elementary School, and found that special education services were not provided and consistently implemented to 3 IEP students. 2 of these 3 IEPs reviewed were not reflected on the schedule of the resource teacher providing special education services to children with disabilities at the primary level, and the other IEP reviewed showed that tutoring services in mathematics and reading was not provided and inconsistent to IEP. The IEP of this student indicated that there will be tutoring services in mathematics and reading 90 minutes a day 3 times a week. However, the teacher's schedule reflected tutoring 90 minutes a day 2 times a week, and did not identify the subject areas.

## **Conclusion**

During the monitoring visit, the Monitoring Team although noted there continued to be improvement in meeting IDEA and FSM regulation in some areas, the team noted that Pohnpei Special Education Program continued to need improvement in the area of IEP. There still continued to be issues relating to timely update of IEP annual reviews and reevaluations and provision of FAPE and implementation of IEP specific special education services at the school level and homebound. Pohnpei Special Education

Program needs to ensure that IEPs are timely updated and special education services provided and consistently implemented to IEPs. Fiscal practices also were reviewed, and the team noted that Pohnpei Special Education Program needs improvement in ensuring that fiscal management procedures are implemented accordingly. 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 Pohnpei 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.