

## **Chuuk State Special Education Program Annual Verification Monitoring Report**

**March 24-28, 2014**

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### **Introduction**

The Federated States of Micronesia (FSM) National Department of Education (NDOE) 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. In addition, funds are being used to improve and expand programs and services for children with disabilities in the four states. The special education and related services implemented by use of the IDEA funds are consistent with the approved FSM Special Education Handbook (2012) and FSM P.L. 14-08.

Under the requirements of the IDEA, the FSM Government has assured the grantor 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 2014, the National Special Education Program will conduct an on-site comprehensive review of each State's service delivery and their progresses in correcting

previously identified Findings of Non Compliances to ensure that the requirements of the program as mandated by IDEA, FSM and State procedures are complied with. To this end, this year's on-site monitoring for Chuuk State will have specific focus on the areas fiscal management and eligibility determination, as these are areas of non-compliance compliance found last year and were corrected within the one year timeline, and the monitoring team will verify if they are still corrected.

The Monitoring Team conducted the Chuuk State Special Education Annual Verification Monitoring on-site visit from March 24-28, 2014. The members of the Monitoring Team included Ethel James, Compliance Monitor and Evaluator for FSM Special Education Program, Anseliter Fredrick, Fiscal Officer for FSM Special Education Program, Cynthia Saimon, ECSE Coordinator for FSM Special Education Program, Carlina Henry, Coordinator for Pohnpei Special Education Program, and Maxipa Harris, ECSE case manager for Pohnpei Special Education Program.

This Monitoring Report presents findings based on meetings/interviews with parents, program staff, school principals, and the Inter-agency council (IAC). In addition, the team reviewed student records, financial records, and other program records/documents. This report details the Findings of Non-Compliance 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. The Monitoring Team first met with Ansina Kony, Coordinator of Chuuk State Special Education Program, for an overview of the monitoring plan and purposes and to finalize the scheduled activities for the 5-day monitoring visit. Immediately thereafter, the Monitoring Team paid a courtesy visit to Noah Ruben, Acting Director of Education, to present the team and an overview of the week's plan. The team appreciates the usual hospitality and warm welcome by Acting Director Ruben and his high regards of the team's intent and purposes to improve services for children with disabilities throughout the state school system and at homes.

The Monitoring Team followed a process of meeting with Special Education central office staff to review records and conduct interviews related to the Local Education Agency (LEA, in this case is CSSS) Monitoring Checklist, meeting with parents, special education resource room (RR) teachers and Interagency Agreement Council members, and conducting school site visits. The Agenda for the Monitoring activities and Summary of Findings of Non Compliance and corrective actions are attached to this report.

### **Program Status**

The Monitoring Team met with the Chuuk State School System (CSSS) Special Education central office staff to review the current status of the special education program. Part of this review included interviewing staff and reviewing documents and reports. In general, the team was pleased to note that the special education program continues to be administered in a manner that ensures improvement towards meeting IDEA, FSM and State regulations and procedures, and that the daily practices of providing a Free Appropriate Public Education (FAPE) and delivery of special education services are implemented consistent with the requirements. However, the team noted and seeks to further verify possible issues in the areas of assessment for eligibility determination/assessment for initial evaluations, appropriate placement of students in learning environments consistent with assessment reports/recommendations, consistency and validity of data between office records and the Student Information Tracking System (SITS) database, and meeting the 60 and 30 days timeline. Details of these areas of concern will follow with Findings of Non Compliance and Corrective Actions.

The total student enrollment of Chuuk public schools for this monitoring school year is 11,265, compared to 12,700 in SY 12-13. This represented a reduction of 1,435 students or an 11% reduction in the school population compared to the previous year. The monitoring team was not able to determine the cause of this decrease in student enrollment but was told that it may be due to students dropping out of school and outmigration.

As for the total enrollment for IEP students, there are 977 active IEP students served in school year 2013-2014, compared to 928 in 2012-2013. The increase in the total

enrollment was a result of on-going referrals and consistent implementation of the child identification process resulting in more students determined as needing special education services. The number of students served in special education increased from 928 to 977. This represents an increase of 49 students compared to the previous year. Overall, the overall percentage of students served in special education increased from 7.3% to 8.7% of the students.

From the beginning of school year 2013-2014 to date, 99% (268/269) of referrals were assessed and determined to be eligible to receive special education services. The team commends Chuuk for their on-going efforts to comply with the referral and identification process to ensure that children with special needs are identified and provided with appropriate services.

### **Data and Case Management**

The monitoring team reviewed 29 Individual Education Plans (IEPs) or student records to determine consistency of the implementation of the program’s procedural manual and Student Information Tracking System (SITS) database. 17% (5/29) of the IEPs were selected from the SITS validation report showing that Annual Review and Re-evaluation dates were due in days or weeks. The remaining 24 IEPs were randomly selected from the community schools of the 5 IEPs due annual reviews and re-evaluation timelines, and the selected Response to Intervention (RTI) target school. All 29 IEPs were from the Chuuk High School, Iras Elementary School, Mwan Elementary School, Mechitiew Elementary School, P&P Elementary School, and 2 Home service settings. See table below for breakdown by school.

Site	# Sample IEP	Total IEP	SpEd Tchrs.
CHS	5 (18%)	28	2
Iras	13 (21%)	61	5
Mwan	3 (12%)	26	2
Mechitiew	4 (40%)	10	2
P&P	2 (15%)	13	1
Homebound	2 (6%)	31	5

Total	29	169	17
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Although the monitoring team noted improvement in the overall practice of data management and case management, the team also noted issues that need to be improved. The monitoring team found that 34% (10/29) of IEPs have issues relating to assessment for eligibility determination. Teacher interview and classroom observation were the only 2 assessment tools used to determine these 10 IEP students with Specific Learning Disability (SLD). Also, 21% (6/29) student records reviewed were found not showing supporting documentations for determining eligibility. There was no documentation of evaluations results or evaluations reports found in these 6 student records. The monitoring team also found that 66% (19/29) of the IEPs have general oversight errors, i.e., continuum of placement options not checked with remarks. In addition, 48% (14/29) of IEPs were not consistent with SITS database information printout. The team concluded that IEPs at the school are updated and complete but that case managers and data managers were not reviewing IEPs to ensure completion, validity and consistency of data before updating the SITS database. Attached to this report is the Child Record Review Summary sheet as compared with the SITS validation checklist.

Upon careful review of IEPs and related documents and further interviews with program staff, the team found the program not in compliance with Section 614(b) “Evaluation Procedures” of IDEA and the FSM Special Education procedures. The team concluded from the IEPs reviewed that assessments conducted are not sufficient to determine eligibility for 10 SLD IEP students. Other diagnostic assessments are needed to determine eligibility for SLD students. For the other 6 IEP students, the team concluded that assessment was not done due to lack of documentation in file.

As this is a finding of non-compliance, the program is charged to ensure all the IEPs that were reviewed and found to have this issue must be corrected immediately to ensure that proper placement and services are accorded to each child. In addition, the team recommends that the program review all existing IEPs and ensure that there are assessment reports in each IEP and that appropriate decisions for placement and services

are based on the assessment reports. NDOE will expect that state report progress of their corrective efforts in the April 15, 2014 and July 15, 2014 quarterly progress reports.

### **School Site and Homebound Visits**

The monitoring team conducted site visits at the schools listed above and to 2 homes to verify consistency of student IEPs with placement and services delivered.

Schedule of services, Related Service Assistant (RSA) service logs, and outcomes of school visits conducted by the LEA were reviewed before the team visited the selected schools and the homebound student. Review of these documentations indicated that Chuuk Special Education Program continues to implement a process to improve to ensure that delivery of special education services were being provided at the schools and at the homes.

During the school visits, the team interviewed the school Principals, special education Resource Room teachers, Early Childhood Special Education teachers, and the families, specifically the parents of the homebound students. The interviews and dialogues with the school Principals, teachers and parents, along with observation of classrooms and homes, indicated to the team that Chuuk Special Education Program continues to ensure that special education services are being provided to eligible students with disabilities at the schools and at homes.

### **Special Education Parent Meeting**

There were a total of 4 parents that showed up for the parent meeting at the Special Education office conference room. Discussions and sharing from the parents seem to indicate that they understand their parental rights and are aware of the special education services being provided to their children. Parents indicated that the program does provide them updates of services and activities the program provides to their children during IEP meetings, and that they are satisfied with the services the program is providing to their children.

Chuuk Special Education program continues to ensure that service providers read and explain parents' rights before they give consent for initial assessments or before placing and providing services during IEP meetings.

Although parents are satisfied with the special education services provided to their children, the team recommends that Chuuk Special Education Program strengthen its effort to document all concerns, requests, and issues parents present the program and respond to each concern with documentation. The program must ensure that the existing Due Process and Mediation procedures are used if such concerns, requests, or issues presented by parents merit the use of the procedural forms to ensure proper handling and disposing of such concerns, requests, or issues.

### **Advisory Council (AC) Meeting**

Only the Interagency Council vice chairman and Coordinator of Special Education program attended the meeting AC meeting. There are 20 members within this group. 19/20 members did not attend the meeting due to work obligations and other work related meetings, such as budget hearing meeting.

The active members of this group are representatives from offices and agencies such as Department of Health-Public Health Services, Department of Education- Special Education Program, General Education and Early Childhood Education, and Parent Representatives from each region. Through collaboration, this group assists Chuuk Special Education Program in identifying suspected children with disabilities, training parents on health related issues, assisting resolve any issues that the program might have with regards to policies concerning students with disabilities in the general education setting as well as the communities, and healthy nutrition.

The vice chairman of the advisory council and coordinator for Chuuk Special Education program, who is also a member of the AC shared their activities during job shadowing and related awareness workshops held. Although these are the activities that the vice chairman and one of the members of the AC discussed to the monitoring team that they have implemented for children with disabilities, there was no documentation provided to the monitoring team to show that these activities were actually implemented. As such, the monitoring team, while commending on the fact that the council exists and is functional, there is room for improvement in how the council conduct business to ensure a close working relationship with parents and the Special Education Program. The team hereby recommends that the advisory council establish annual goals/objectives

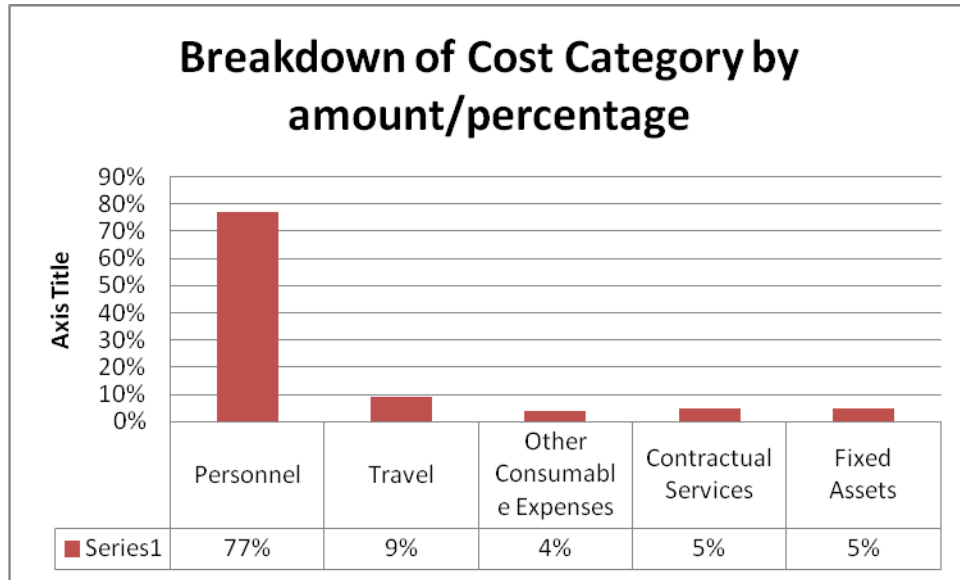
aligned with the program's LPP, maintain documentation of periodical council meetings and activities, and report all activities to the Special Education program. The Special Education program will then compile all reports and include in its quarterly progress reports to NDOE.

### **Fiscal Management**

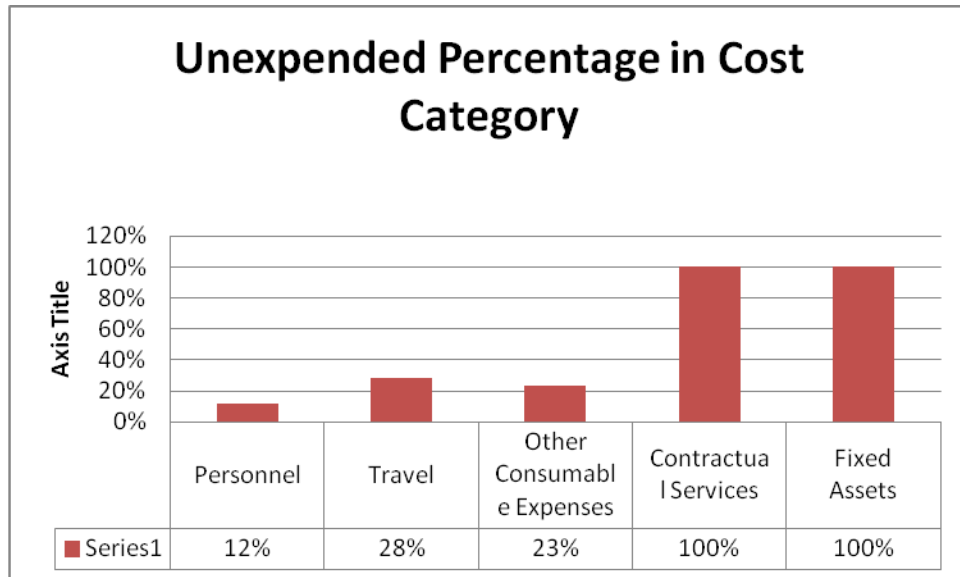
Fiscal records were reviewed to determine compliance with IDEA, national and state fiscal management procedures. The samples selected and reviewed were of expenditures using FY13 funds. The cost categories of the selected expenditures are in the areas of Personnel, Travel, Other Consumable Expenses (OCE), Contractual Services, and Fixed Assets. Outcomes of the review indicated that although there is improvement in the implementation of fiscal management procedures in the areas identified above, Chuuk Special Education program needs to improve in expending program funds. This is 3<sup>rd</sup> quarter of the School Year (SY) 2013-2014, and the program has a lot of funds remaining in OCE, contractual and fixed asset. For FFY 2013, Chuuk Special Education program has not expended any funds budgeted in contractual and fiscal.

Chuuk Special Education Program applied for funding and was awarded \$1,016,554.00, the same amount it received in previous funding years. Based on the approved state budget, the following is the breakdown of cost category by amount/percentage:





Based on review of expenditure reports, the program have expended about 78% of its FY2013 approved budget. The following are the unexpended percentage in each of the cost category:



The team was concerned that there was significant unexpended funds in contractual and fixed assets. The team recommends that CSSS expends remaining funds in the categories identified before FY 2013-2014 ended.

## **Personnel**

Reviewing Chuuk Special Education FY14 approved budget, the program has 76 budgeted positions and all positions are currently filled. The monitoring team was able to review all 10/76 Personnel Actions Forms (PAF) and found no significant discrepancies in all 10 PAFs.

## **Travel**

The monitoring team reviewed 10 Travel Authorizations (TA) provided for review, and found no indication of inappropriate use of program funds. Of the 10 TAs reviewed, all travelers are Special Education employees and purpose for travel were trips that are related to the special education program. The team commended the program for continued compliance in this area. The team, however, recommended that all travels outside of FSM need to get prior approval from OSEP.

## **OCE**

The Monitoring Team did not find any Other Consumable Expenditure (OCE) sample documents beside telecommunication billings to review in the fiscal files. The monitoring team found that telecommunications billings were processed following fiscal management procedures. According to interviews with Chuuk Special Education program's fiscal officer, Chuuk Finance did not process Chuuk Special Education program's purchase requisitions for other consumable goods. The monitoring team interviewed Chuuk Finance staff responsible to process the program's purchase requisitions, and found out that the reason Chuuk State Finance did not process the program's purchase requisitions for office supplies and other consumable goods was due to purchase requisitions exceeding the remaining balance that Chuuk Special Education program has left in the budget of OCE. Accordingly to Chuuk State Finance staff, she had advised that they redo or edit to equate the exact remaining balance for OCE and submit to Chuuk State finance for review and processing. The monitoring team recommends that Chuuk Special Education program ensures to edit or make adjustments on the program's purchase requisitions and submit to Chuuk State Finance for processing

as soon as possible so that the Chuuk Special Education program and the schools can get the resources they need for children with disabilities.

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

The monitoring team found out that Chuuk Special Education program has not expended any funds from the contractual category. As for fixed assets, 4 items were reviewed; 2 purchase orders (Pos) for 2 laptops, 1 keyboard, and 1 PA system. All these 4 items were purchased following fiscal management procedures. These 2 POs were processed in December of 2013 using the 2012 Budget. There were no Fixed Assets bought yet from the 2013 budget. The team found no documentation in the fiscal records and files for purchases made in the 2013 budget.

### **Commendations**

1. Special Education Program Coordinator and staff are to be commended for having corrected 3/3 previously identified findings of non compliances in May 2013.
2. Special Education Program Coordinator and staff are to be commended for the support shown to the Monitoring Team. Due to the staff's support, the team accomplished the objectives of the annual verification monitoring visit.
3. Special Education Program staffs are to be commended for active participation during meetings, school visits, and for their candidness during the monitoring visit.
4. Special Education Program RSAs and Visually Impaired (VI) specialist responsible for the homebound students visited are to be commended for providing the appropriate services. The relationship observed between the RSAs, VI specialist and the children during the home visit was impressive.
5. Special Education teachers at Iras, Mwan, Mechitiw, and P & P are to be commended for implementing the appropriate special education services to IEP students.

### **Recommendations**

1. The monitoring team counted student records or IEPs to account for the 977 active students shown on SITs database as of March 21, 2014, and was able to verify 964 in the filing cabinets. Accordingly to data managers, the other 13 not accounted for might be with the case managers for annual or re-evaluation

- updates. The monitoring team recommends that Chuuk Special Education program ensures student records exist and filed in the filing cabinets for all active IEP students, especially during audit and state monitoring visits.
2. The 29 student records reviewed did not have the “access or confidentiality” form in file. The monitoring team recommends that Chuuk Special Education program ensures that all student records contain “access or confidentiality” forms in student files.
  3. Chuuk Special Education Program should include in their monthly case review meeting a review of 10 student records using the child record review checklist and the SITS validation checklist to ensure records are completed according to the procedural manual and correct any inconsistencies of data. The program must include its review summary in their next quarterly report due NDOE by April 15, 2014.
  4. Chuuk Special Education Program needs to ensure that case managers visit schools on a monthly basis to observe implementation of services as well as work with the teachers and principals to update annual and re-evaluations reviews. According to Chuuk High School Principal (CHS), he did not know who the case manager for CHS is.
  5. Chuuk Special Education program needs to assist parents in becoming more aware of the complaint and parent survey forms to document parental concerns.
  6. Advisory Council should establish an annual calendar of activities and reports its accomplishments and progresses to the program. It seems evident that the council is engaged and have on-going work, but without documentation of work done and needs, it will be difficult to leverage supports to one another. The team is hereby requesting that the council’s report be included in the next quarterly progress report due NDOE on April 15, 2014.

### **Finding of Non Compliance**

1. **Eligibility Determination/Assessment:** The monitoring team finds that Chuuk State School System (CSSS) is not in compliance with the assessment and eligibility determination procedures. The monitoring team reviewed student records and questioned the eligibility determination for 10 of the 29 IEP student records selected for review. These 10 IEP students were determined as eligible students in the Specific Learning Disability (SLD) category; however the only assessments used for determining their eligibility status were teacher interview and classroom observation. The monitoring

team is concerned that these 10 students were not properly assessed before they were determined eligible to receive special education services. The monitoring team is concerned that a more comprehensive diagnostic assessment, like the Brigance is needed to determine the SLD category. Also, 6/29 student records reviewed showed no documentation of assessment conducted. There were no outcomes of evaluation, or evaluation reports found in these 6 student records. As a result, based on the documentation in the student records, there is insufficient data to make an eligibility determination for these 16 students. Also, as a result of not having a comprehensive assessment, the Present Levels Of Performances (PLOP) on their IEPs are not appropriate to their learning needs.

**Corrective Action:**

Within 60 days, CSSS must submit procedures to ensure that pending cases are reviewed during monthly case review meetings to ensure that 60 day and 30 day timelines are being met.

In addition, CSSS must submit copies of case review meeting agendas, report explaining what was discussed the meeting, and attendance sheet

2. **60 and 30 Days Timeline:** The monitoring team reviewed student records and found 7/29 not meeting the 60 day timeline for eligibility determination and 3/29 the 30 day timeline for completing the IEP was not met. On the 7 student records, the monitoring team was not able to determine the 60 days timeline due to parent consent forms not dated. Parents gave consent, the forms were not dated. For the other 3 student records, eligibility determination forms were not dated resulting in the team not being able to determine the 30 days timeline.

**Corrective Action:**

Within 60 days, CSSS must submit procedures to ensure that pending cases are reviewed during monthly case review meetings to ensure that 60 day and 30 day timelines are being met.

In addition, CSSS must submit copies of case review meeting agendas, report explaining what was discussed the meeting, and attendance sheet.

3. **General Supervision-Data Management:** The monitoring team found CSSS not in compliance with general supervision requirements to ensure consistency and validity data. The monitoring team reviewed 29 records to

determine consistency and validity of data between office records and SITS database. As an outcome, the monitoring team found 14/29 with discrepancies relating to, school, grade level, service delivery, annual reviews and re-evaluations.

**Corrective Action:**

Within 60 days, CSSS needs to submit in their next quarterly progress reports evidence that data managers are using the SITS validation checklist to ensure consistency and validity of data between office records and SITS during their case review meetings. CSSS needs to provide NDOE a copy of the procedures CSSS use to ensure validity and consistency data. Case review meeting also needs to be conducted twice a month and not on a monthly basis to ensure validity and consistency of data. 5 samples of the SIT validation summary checklist must be sent to NDOE for review in their next quarterly progress reports.

**Conclusion**

The monitoring team acknowledges Acting Director Ruben and Coordinator Martin and staff for their continued efforts to improve services for children with disabilities in Chuuk.

NDOE will continue to work closely with CSSS and the Special Education program to ensure that corrections of the findings listed above are corrected in a timely manner. We will continue to support the state to ensure improvement in the areas of eligibility determination/assessment, meeting the 60 and 30 days timelines, and ensuring general supervision of consistency and validity of data between office records and SITS database. Chuuk Special Education Program needs to ensure improvement in implementing procedures and practices in the areas requiring improvement.

NDOE looks forward to working with the special education staff to address the 3 new findings of non-compliance within the one year timeline and in a manner that will support improved services for children with disabilities and their families.