

Kosrae State Special Education Program Annual Verification Monitoring Report

February 24-28, 2014

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 2014, the National Special Education Program will conduct an on-site comprehensive review of each State's service delivery and their progress in correcting previously identified Findings of Non Compliance 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 Kosrae State will have specific focus on the areas of IEP development, IEP service delivery, and fiscal management, as these were areas of non-compliance in 2012 and 2013.

The Monitoring Team conducted the Kosrae State Special Education Annual Verification Monitoring on-site visit from February 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, John Bugulrow, Coordinator for Yap Special Education Program, and Jeffery Filenguy, Fiscal Officer for Yap Special Education Program.

This Monitoring Report presents findings based on the evidence collected by the Monitoring Team. This report details Findings of non-compliance and specific recommended corrective actions that must be implemented and/or 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 the Marbe Martin, Coordinator of Kosrae 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 Mr. Lyndon Cornelius, Director of Education, to present the team and an overview of the week's plan. The team appreciated the usual hospitality and warm welcome by Director Cornelius and his high regards of the team's intent and purposes to improve services for children with disabilities throughout the state school system and for students served in home and community settings.

The Monitoring Team followed a process of meeting with Special Education central office staff to review records and conduct interviews related to the LEA 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 a Summary of Findings of Non Compliance and recommended corrective actions are attached to this report.

Program Status

The Monitoring Team met with the Kosrae Department of Education (KDOE) Special Education central office staff to review the current status of the special education program. Part of this review included interviews with staff and a review of 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 provision of 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 fiscal management, conducting assessments for eligibility determination and assessments for annual review and re-evaluations, and appropriate placement of students in learning environments consistent with assessment reports/recommendations. Details of these areas of concern will follow with a determination of findings of non compliance and specific corrective actions.

The total student enrollment of Kosrae public schools for this monitoring school year is 2,105, compared to 2,212 in SY 12-13. The monitoring team was not able to ascribe this slight decrease in student enrollment to available documentation 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 181 active IEP students served in school year 2013-2014, compared to 164 in 2012-2013. This represents an increase of 17 students and an overall increase of 9% in the number of students served. Compared to the total school population, there was an increase from 7.8% to 8.1% of the students in Kosrae being served within special education programs. 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. From the beginning of school year 2013-2014 to date, 81% (35/43) of referrals were assessed and determined to be eligible to receive special education

services. The team commends Kosrae 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 18 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. 50% (9/18) of the IEPs were selected from the SITS validation report showing that Annual Review and Re-evaluation dates were not met. The remaining 9 IEPs were randomly selected from the community schools of the 9 IEPs not meeting the review and re-evaluation timelines. All 18 IEPs were from the Kosrae High School, Malem Elementary School, Tafunsak Elementary School, Utwe Elementary School, and a Home service setting. See table below for breakdown by school.

Site	# Sample IEP	Total IEP	SpEd Tchrs.
KHS	2 (6%)	35	3
MES	3 (12%)	25	3
UES	3 (19%)	16	2
TES RR/ECE	9 (26%)	35	5
Homebound	1 (25%)	4	1
Total	18	115	14

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 89% (16/18) of IEPs have issues relating to assessment for eligibility determination. 50% (9/18) of IEPs were not properly placed as reflected in assessment summary reports. And that 39% (7/18) IEPs have general oversight errors, i.e., continuum of placement options not checked with remarks. In addition, 50% (9/18) of IEPs were not consistent with SITS database information printout. Attached to this report is the Child Record Review Summary sheet as compared with the SITS validation

checklist documenting the discrepancies noted. The team chose to prioritize the discrepancies related to assessment and eligibility determination as result will make that a finding of non compliance.

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 noted from 16/18 of the IEPs reviewed that the assessment reports did not provide any information related to the student's current level of academic performance. The single page assessment report only listed tests that were to be given and did not provide results of the tests. As a result, the Team concluded that eligibility decisions for these students could not be made because there was not any assessment data provided from which the eligibility committee could make a determination of disability and need for special education. In addition, assessment raw data requested for review were not available.

School Site and Homebound Visits

The monitoring team conducted site visits at the schools listed above and to a home to verify consistency of student IEPs with placement and services delivered. It should be noted the total student enrollment in SY2013-2014 is 181 and that 10% of the IEP (18/181) was selected, as described above, and reviewed for the purposes stated earlier in this report.

Local level monitoring reports, schedule of services, Related Service Assistant (RSA) service logs, and outcomes of school visits were reviewed before the team visited the selected schools and the homebound student. Review of these documents indicated that Kosrae Special Education Program continues to improve in ensuring that delivery of special education services were being provided at the schools and at the home.

During the school visits, the team interviewed the school Principals, special education Resource Room teachers, Early Childhood Special Education teachers, and the family of the homebound student. The interviews and dialogues with the school Principals, teachers and parents, along with observation of classrooms and homes, indicated to the team that Kosrae 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 21 parents that showed up for the parent meeting at the SMD center, which is the only special day school in Kosrae. Meeting participants included the President of Kosrae Special Parent Network (KSPN). 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 for their children during IEP meetings, and that they are satisfied with the services the program is providing for their children. This is consistent with the 2013 parent survey outcomes showing 68% “Satisfied/Understood/Included” and 29% “Somewhat”, with only 3% indicating “Not Enough”, as reported in the FSM FFY12 APR/SPP.

Kosrae 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 for their children, the team recommends that Kosrae 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.

Interagency Council (IAC) meeting

A total of 16 Interagency Council members attended the meeting. This accounts for more than 80% of the active members of the council. This council is a merging of the former Advisory Panel members with IAC. It is important to note that this merging of Interagency and Advisory councils combines all duties and responsibilities under both

councils into one, which Kosrae agreed to keep under the name Interagency Council (IAC).

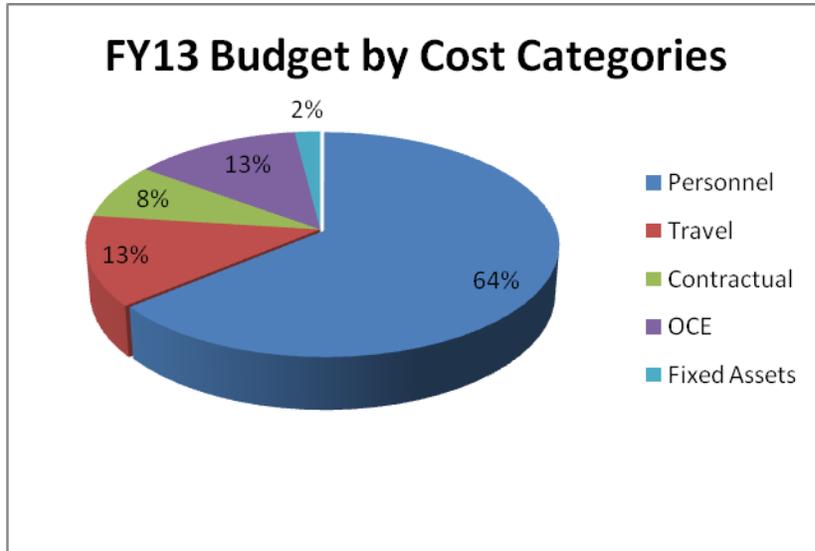
The active members of this group are representatives from offices and agencies such as Department of Health-Public Health Services, Department of Education- Special Education Program, Workforce Development and Skill Training (WD&ST), College of Micronesia-Land Grant, Social Security and KSPN. Through collaboration, this group assists Kosrae Special Education Program in identifying suspected children with disabilities, training parents on health related issues and healthy nutrition.

The IA council shared their recent activities during the Kosrae Disability Day (D-Day)), in which job shadowing and related awareness workshops were held. The council also conducted workshops during D-Day to ensuring that policies pertaining to children with disabilities are followed through. Although these are the activities that the IAC discussed to the monitoring team that they are implementing for children with disabilities during Kosrae Disability Day for example, 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 IA 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.

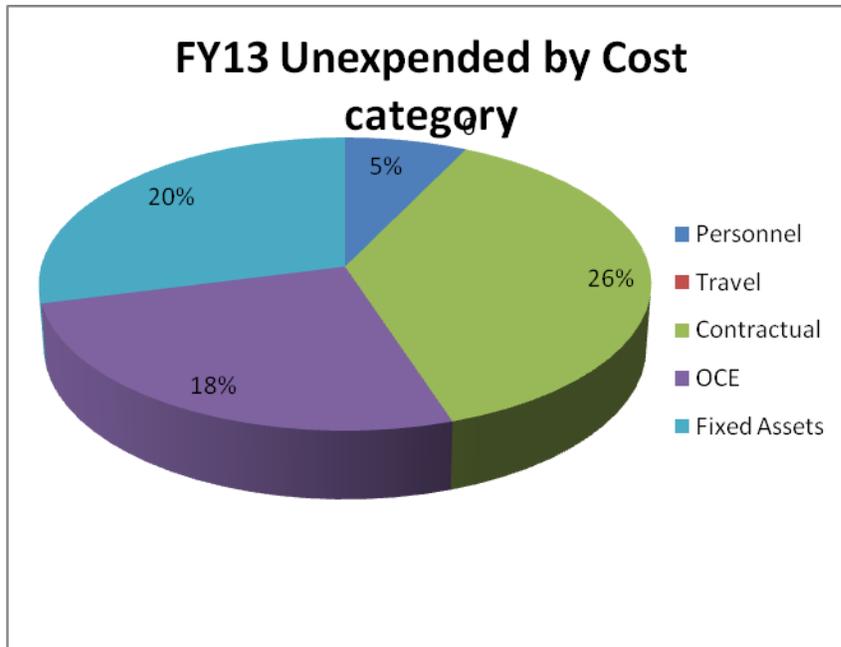
Fiscal Management

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 continued to be improvement in fiscal practices, there are still areas that need improvement.

Kosrae Special Education Program applied for funding and was awarded \$569,053, 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 has expended about 61% 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, OCE and fixed assets. The team recommends that KDOE expends remaining funds in the categories identified before FY 2013-2014 ended.

Personnel

Reviewing Kosrae Special Education FY14 approved budget, the program has 44 budgeted positions and all positions are currently filled. The monitoring team was able to review all 44 Personnel Actions Forms (PAF) and found no significant discrepancies in all 44 PAFs. The team, however, noted minor discrepancies in 9 of the 44 PAFs have salary and terms of employment not consistent with the accompanying employment contract document. These discrepancies are apparent oversights and state assured the monitoring team that these will be immediately corrected.

Travel

The monitoring team reviewed 7 of 15 Travel Authorizations (TA) provided for review, and found no indication of inappropriate use of program funds. Of the 7 TAs reviewed, all travelers are Special Education employees and purposes for the travel were directly related to special education activities. The team commended the program for continued compliance in this area. The team, however, recommended that all travel documents, i.e., flight itinerary/boarding passes, invitation letters, and meeting/conference agenda, or other related documents that are normally required for processing of TAs, are maintained in office files.

OCE

The Monitoring Team reviewed 10 Other Consumable Expenditure (OCE) samples, and found that while Kosrae Special Education Program continues to comply with fiscal requirements, the program is not consistently following the requirements relating to bidding and price competition. It becomes evident from the 10 samples reviewed that the program did not collect price quotations from at least three (3) vendors for purpose of price comparison. The team finds the program not in compliance with the fiscal requirement listed in the *FSM Special Education Procedures for Use of IDEA, Part*

B Funds Section (F(3)(a)(b). The team hereby recommends that the program include in its next quarterly progress report to NDOE, at least 2 purchase orders/miscellaneous payment requests with all documents, including price quotes from at least 3 vendors.

Contractual Service and Fixed Assets

The monitoring team reviewed documentation of one contract services for office space renovation and procurement of 3 desktop computers. The team noted that all 3 computers were purchased following requirements and there was documentation as to where they are physically located. The team even physically saw the computers and confirmed their locations.

As for the renovation contractual service, the team noted a discrepancy in the amount in the renovation contract with the final payment. The team will be working closely with the program to better understand and/or justify the discrepancy. The team recommends the program to submit any related documents to explain this discrepancy. If the program does not provide evidence to justify this discrepancy within 60 days, this issue will become a finding of non-compliance.

Commendations

1. Special Education Program Coordinator and staff are to be commended for having corrected all previously identified findings of non compliance in March 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 staff are to be commended for active participation during meetings, school visits, and for their candidness during the monitoring visit.
4. Related Service Assistants (RSA) and Resource Room (RR) teachers at Tafunsak Elementary School (TES) and Malem Elementary School (MES) are to be commended for ensuring appropriate services were provided and implemented for IEP students.

5. Special Education Program RSA responsible for the homebound is to be commended for providing the appropriate services. The relationship observed between the RSA and the child during the home visit was impressive.

Recommendations

1. Kosrae 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.
2. Resource Room (RR) teachers to make copies of master assessment worksheets before submitting to the central office for review and filing.
3. Case Managers should schedule regular visits to all schools, even for the distant school.
4. The program should hold regular meetings with parents, especially KSPN Officers, to ensure they are informed of program activities and can actively participate and provide in-kind support to strengthen services for their children. Any concerns and issues raised by parents should be documented and addressed in a timely manner. For instance, if a parent needs additional accommodation for a wheelchair, that request must be documented and looked into.
5. IAC should establish an annual calendar of activities and report its accomplishments and progress 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 support 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.
6. Procurement Officer should make copies of any fiscal documents for office filing before sending out to DOE and/or State Finance.

Findings of Non Compliance and Corrective Actions

1. **Eligibility Determination/Assessment:** Upon careful review of 18 IEPs and related documents and interviews with program staff, the team found the program is not in compliance with Section 614(b) "Evaluation Procedures" of IDEA and the FSM Special Education procedures. The team noted that in 16/18 of the IEPs reviewed, that the Assessment Report did not provide any information concerning the Present Level of Performance of the student. The

one page assessment report provided only listed the tests that were to be given. As a result, there was not sufficient data for the Eligibility Committee to make a valid Eligibility determination.

Corrective Action: Within 60 days, KDOE must review each of the 16 IEPs identified and ensure that a comprehensive assessment is conducted and reported. Once the assessments have been completed, the Eligibility Committee must meet to determine whether or not the student is a student with a disability and in need of special education. If eligible, an IEP must be developed based on the current performance levels and needs identified in the assessment reports. KDOE must document for each IEP that the Assessment Report was updated and corrected and the Eligibility Determination was consistent with the data provided in the assessment report. Finally, documentation must be provided to ensure that the IEP for each of the students found to be eligible was consistent with the findings of the assessment report and the eligibility determination. In addition, the team recommends that the KDOE 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 quarterly progress reports.

2. **Fiscal/Price Competition:** The Monitoring Team reviewed 10 Other Consumable Expenditure (OCE) samples, and found that the program is not consistently following the requirements relating to bidding and price competition as prescribed in the *FSM Special Education Procedures for Use of IDEA, Part B Funds*. States are required to compare price quotes from at least 3 vendors and it is evident that the program is not complying with this requirement.

Corrective Action: Within 30 days, as a general supervision requirement for NDOE, the KDOE special education program is required to include in its next quarterly progress report to NDOE, at least 2 purchase orders/miscellaneous payment requests with all documents, including price quotes from at least 3 vendors.

3. **Fiscal/Funds management:** See discussions under Fiscal Management. If this issue is not resolved or justified, this will become a finding of non-compliance. KDOE must provide sufficient documentation to resolve the discrepancy between the remodeling contract and the final payment.

Conclusion

The monitoring team acknowledges Director Cornelius and Coordinator Martin for their continued efforts to improve services for children with disabilities in Kosrae. This is evident in the improvements noted and verified during the visit. It is also evident in the timely correction of non-compliance from the previous monitoring.

NDOE will continue to work closely with Kosrae DOE and the Special Education program to ensure that corrective actions for the findings listed above are completed in a timely manner. We will continue to support the state to ensure improvement in the areas of eligibility determination/assessment and fiscal management pertaining to soliciting competitive price quotations. Kosrae 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 2 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.