



OKLAHOMA STATE
DEPARTMENT of EDUCATION

**COMPLIANCE AND PERFORMANCE REPORT
OFFICE OF SPECIAL EDUCATION SERVICES**

SCHOOL DISTRICT/AGENCY:

Western Heights Public Schools

OSDE-SES TEAM MEMBER(S):

Tina Spence	Director of Compliance & Monitoring
Lori Chestnut	Specialist
Susan Bouse	Specialist

County: Oklahoma

DATE OF REVIEW: February 4, 2021 – March 3, 2021

REPORT DATE: March 16, 2021

I. INTRODUCTION

Local educational agencies (LEAs) must adopt policies and procedures consistent with State and federal requirements and are responsible for implementing programs that comply with the Individuals with Disabilities Education Act (IDEA), Part B. General supervision of LEAs is carried out at the State level.

Western Heights Public School District was identified through our annual Differentiated Monitoring Results (DMR) process as needing Level 3 Support. This designation was given primarily because the district did not meet state target in the following area(s):

- Indicator 1: Graduation Rate
- Indicator 2: Drop-Out Rate

For more information about the DMR process, please see the General Supervision System Manual on Results-based Accountability on the Oklahoma State Department of Education (OSDE) Office of Special Education Services (SES) website.

Due to the Level 3 Support designation, the OSDE-SES conducted a compliance and performance review to assist the LEA in providing appropriate educational services to students receiving special education services. The review consisted of an examination of district data, the review of 28 student files, and discussion of possible improvement activities.

**II. FINDINGS IDENTIFIED DURING THE REVIEW THAT REQUIRE
CORRECTIVE ACTIONS AND IMPROVEMENTS: FOCUS AREA(S)**

**1) Areas of Noncompliance: Multidisciplinary Evaluation and Eligibility Group
Summary (MEEGS) components**

IDEA, Part B Requirements

34 CFR §300.304 Evaluation procedures

OSDE Findings:

Based on file reviews, MEEGS components were missing and/or inappropriate in the following areas:

- a) Evaluation and/or reevaluation missing required components or current data to determine eligibility in 13 files.

2) Areas of Noncompliance: IEP Components**IDEA, Part B Requirements**

34 CFR §300.324 Development, review, and revision of IEP

OSDE Findings:

Based on file reviews, IEP components are missing and/or inappropriate in the following areas:

- a) Present Levels are missing for identified areas of needs in 9 files.
- b) Secondary transition annual assessments were not located in 1 file.
- c) Secondary transition postsecondary goals did not address the students' desires after high school in 3 files.
- d) Secondary transition annual goals were inappropriate in 2 files.

III. FINDINGS IDENTIFIED DURING THE REVIEW THAT REQUIRE CORRECTIVE ACTIONS AND IMPROVEMENTS: OTHER AREA(S)**3) Caseload****Oklahoma Special Education Policies, 2017****OSDE Findings:**

Based on caseload verification, the following teachers exceeded the special education caseload of 1.0.

- Michelle Nuckolls (1.285)

IV. CORRECTIVE ACTION PLAN

Due to the areas of noncompliance described in this report, complete the following by May 7, 2021:

- 1) Professional Development:
 - Specially Designed Instruction - Pepper Module (OKSE 124)
 - Must be completed by instructional staff and administrators assigned to students ages 3 through 12th grade.

- Secondary Transition - Pepper Module (OKSE 121)
 - Must be completed by instructional staff and administrators assigned to students grades 8 through 12.
- Special Education Handbook, Chapter 4 Initial Evaluation and Eligibility - The district will provide the professional development covering all information in Chapter 4 of the Special Education Handbook.
 - Must be completed by instructional staff and administrators assigned to students ages 3 through 12th grade.

Evidence that such training has occurred must be documented via course completion certificates or an agenda and sign in sheet if completed as a group and submitted to the OSDE-SES.

- 2) Submit information and data to describe the process towards the district improvement plan submitted through the Grants Management System (GMS). Describe the progress towards compliance and if needed, amend the plan to ensure movement towards compliance. Progress towards your plan are to be submitted through GMS by March 31, 2021 and May 30, 2021.
- 3) The district will review, revise, and submit policy, procedures, and practices to address the following:
 - a. Address each area of the noncompliance listed in section II and III of this report.
 - b. Ensure all certified teacher caseloads will meet the State maximum caseload (1.0).
- 4) Submit caseload exemption for all special education staff whose caseloads exceed 1.0.
- 5) Complete the Compliance Monitoring Corrective Action Plan (CAP) provided for each area of child specific findings addressed above. See the attached CAP.
- 6) Submit an assurance statement signed by the Superintendent and all School Board Members, ensuring:
 - All District IEPs will be developed and implemented pursuant to 34 CFR §§300.320-328;
 - The district improvement plans will be implemented and monitored;
 - The district will ensure caseloads for all special education staff meet Oklahoma Policy; and
 - The professional development listed above will be implemented accordingly.

Please submit the documentation detailed above to the OSDE-SES as follows:

Oklahoma State Department of Education
 Office of Special Education Services
 Attn.: Felica Denton
 2500 N. Lincoln Blvd., Suite 411
 Oklahoma City, OK 73105
Felica.Denton@sde.ok.gov

V. TECHNICAL ASSISTANCE

The State's comprehensive approach to technical assistance enables the OSDE-SES to differentiate the scope of services provided for LEAs based on local needs. For example, the OSDE-SES makes available for all LEAs Technical Assistance (TA), such as meetings with local LEAs, webinars to support compliant implementation of the IDEA, updates via email, webinars, and training on the Oklahoma Special Education Handbook and Process Guide.

VI. OTHER INFORMATION

Within ten days from the receipt of the final report, the LEA may submit a written request to the OSDE-SES, requesting a hearing if the LEA alleges that the OSDE has violated state or federal statutes or regulations. Hearing procedures shall be in accordance with federal regulations for State Administered Programs (34 CFR §§ 76.401 and 76.783) and General Education Provisions Act (34 CFR §§ 81.30 - 81.45).

Under the Open Records Act, it may be necessary for the LEA or the OSDE to provide access to this public document upon request. In the event that the OSDE receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could constitute an unwarranted invasion of privacy and confidentiality.

In accordance with 34 CFR § 300.212, Public Information, the LEA will make such public documents, relating to the eligibility of the agency under IDEA, Part B, available to the parents of children with disabilities and to the general public, as necessary.

VII. VERIFICATION OF CONTINUOUS COMPLIANCE

Subsequent monitoring activities will be initiated as necessary to ensure the LEA's compliance is consistent with policies, procedures, and regulations and in accordance with the state educational agency's responsibilities required by 34 CFR § 300.149.

The district must ensure that any noncompliance is corrected in accordance with the identified corrective action requirement. Furthermore, as soon as possible, but in no case more than one year from identification, the OSDE-SES must ensure that the LEA has demonstrated systemic compliance for each individual case of noncompliance that was identified during the on-site visit (34 CFR §300.600). In ensuring that each individual case of noncompliance has been corrected, the State does not need to review each child's record in the LEA where the noncompliance occurred, but rather may review a reasonable sample of the previously noncompliance files to verify that the noncompliance was corrected.