



# School District/Charter School Compliance Monitoring System

## Introduction

Pennsylvania Department of Education  
Bureau of Special Education



## Compliance Monitoring for Continuous Improvement (CMCI) System

For the past several years, the Bureau of Special Education (BSE) has been conducting comprehensive monitoring of local special education programs throughout the commonwealth. In the 2001-02 school year, the BSE implemented the CMCI system to monitor school districts and charter schools. Under this system, Local Education Agencies (LEAs) engage actively in the monitoring process, from participating in pre-monitoring training, through self-assessment, on-site collaboration with the BSE team, corrective action planning and implementation. BSE will continue to work with LEAs to fulfill the monitoring requirements of the CMCI process.

In 2007-08, important changes were made to the CMCI system, as the BSE and LEAs continued to align with federal requirements under the State Performance Plan. The Individuals with Disabilities Education Act (IDEA 2004) imposed new requirements on states for monitoring and enforcement. These requirements are detailed in the IDEA Federal Regulations at 34 CFR Part 300.600. Under these regulations, each state is required to submit a State Performance Plan/Annual Performance Report (SPP/APR) to the U.S. Department of Education, Office of Special Education Programs (OSEP). The SPP, first submitted in 2005, and now expanded to 2018, is a multi-year plan to guide improvement in special education programs. It is built around federally mandated indicators of performance and compliance and includes baseline data and measurable and rigorous targets for each indicator. States must report data annually to OSEP on the state's performance in meeting the established targets. IDEA 2004 also requires states to report annually to the public on the performance of each LEA in the state on the targets in the SPP. Data reported in the SPP/APR are used by OSEP to determine the extent to which a state is complying with IDEA.

Beginning in 2015, all states were required to incorporate a State Systemic Improvement Plan (SSIP) into their SPP/APR. This new requirement is part of OSEP's implementation of a revised accountability system under the IDEA. The SSIP is a comprehensive, ambitious, multi-year plan for improving results for

students with disabilities. The BSE collaborated with multiple stakeholders to select a focus for its SSIP. This focus area is called a State Identified Measurable Result (SIMR). Pennsylvania has selected increasing the graduation rate for students with disabilities as its SIMR. The SSIP is designated as an indicator within the SPP/APR. Therefore, states must also report annually to OSEP and the public on their performance in meeting targets in the SSIP.

LEAs are encouraged to be familiar with the SPP/APR/SSIP, and should use the targets and information in these documents as benchmarks to evaluate their own status in key compliance and performance indicators. These plans and reports may be accessed on the Pennsylvania Department of Education (PDE) and Pennsylvania Training and Technical Assistance Network (PaTTAN) websites. BSE will continue aligning monitoring, corrective action, and improvement planning with SPP/APR/SSIP targets and ongoing annual reporting.

In 2008-09, the CMCI system was revised to correspond with changes in State Regulations, 22 PA. Code Chapter 14 and 22 PA. Code Chapter 711. Both sets of regulations became effective on July 1, 2008. In anticipation of these changes, the BSE invited a broad-based workgroup of stakeholders to provide input and make recommendations to BSE for improvement of the CMCI system. Additional public input was solicited, and incorporated into the final monitoring document wherever feasible.

The goals and unique aspects of the CMCI system are described below.

1. **Alignment with OSEP's monitoring of states through their Continuous Improvement and Focused Monitoring and Results Driven Accountability Systems.** CMCI allows the BSE to generate information to respond to federal monitoring, as well as other federally required state performance plans, annual reports, and grant activities. It also informs the BSE about other statewide monitoring priorities.

2. **Focus on outcomes and improvement of results.** Nationally, states are shifting their monitoring of special education programs from process-oriented to outcome-oriented systems. Pennsylvania's current monitoring system has been recognized by OSEP as comprehensive, in part because CMCI addresses both procedural regulatory requirements and student outcome measures. While the BSE remains ultimately responsible for conducting comprehensive monitoring, and overseeing all corrective action and improvement requirements, in CMCI the LEA has increased direct responsibility for assessing its operations through the Facilitated Self Assessment (FSA) and planning effective corrective action and improvement strategies.
3. **Direct linkage with technical assistance for improvement of results.** One of the unique features of CMCI is the direct link to technical assistance. The BSE and LEA, based on the LEA's unique needs, mutually agree upon corrective action and improvement strategies and the PaTTAN and Intermediate Unit personnel have defined roles to assist LEAs within the system. This results in more effective targeted technical assistance and more comprehensive follow up monitoring of corrective action and improvements.

## Description of the CMCI Process

Note that all monitoring activities, including preparation for on-site, conducting the monitoring, and follow up are standardized statewide.

## Components of Monitoring

**The Facilitated Self Assessment** - LEA assesses and reports on its compliance and accomplishments with respect to a variety of policies, procedures, student outcomes, file reviews and program operations. The FSA is prepared by the LEA prior to the on-site component of monitoring. It is used to facilitate discussion between the LEA and monitoring team and to identify areas of noncompliance and potential

noncompliance, as well as areas of needed improvement.

**File Review** - Monitoring team reviews student records on-site to determine compliance with requirements for evaluation, IEP, placement, secondary transition, and procedural safeguards, etc.

**Parent and Teacher Interviews** - Monitoring team interviews parents and teachers of students selected by the BSE for the sample group. The goal is to determine if the LEA involves parents and professionals in required processes (e.g., IEP development), whether effective programs and services are being provided, and whether the LEA provides training to enhance knowledge. Parent and teacher satisfaction with the LEA's special education program is also generally reflected.

**Administrative Interview** - Monitoring team interviews the LEA administrative team to gain a general understanding of local operations and unique circumstances affecting the delivery of special education in the LEA.

**Classroom Observation** - Monitoring team conducts observation at the classroom level to gain further knowledge about the actual implementation of programs and services for students with disabilities.

**Parent Survey** - A web-based parent survey is made available to parents of all students with disabilities within the LEA. Information generated from the parent survey is provided to the LEA prior to completion of the FSA. The parent survey results are used to guide and inform LEA staff and the monitoring teams regarding areas of potential non-compliance and improvement planning.

**Teacher Survey** - A web-based teacher survey is made available to all teachers currently employed by the LEA. Information generated from the teacher survey is provided to the LEA prior to completion of the FSA. Teacher survey results are also used to guide and inform LEA staff and the monitoring team regarding areas of potential need for professional development and improvement planning.

**Student Survey** - Upon recommendation of the Pennsylvania Special Education Advisory Panel (SEAP), beginning with the 2015-16 school year, a web-based student survey was incorporated into cyclical monitoring. The survey is only open to students at the secondary level (ages 14 and older). Information from the student survey is provided to the LEA prior to completion of the FSA. The student survey results can provide LEAs with useful information to assist them in planning and implementing effective secondary transition programs.

## The Monitoring Report

When monitoring has been completed, the BSE prepares and issues a report to the LEA. The report consists of findings in topical areas, including:

- Policies and Procedures
- Performance Outcomes
- Training for Parents and Professionals
- Evaluation of Students
- IEPs
- IEP Implementation
- Secondary Transition
- Educational Placement (including LRE)
- Discipline
- Procedural Safeguards

The report is formatted so that findings from all components of the monitoring are consolidated by topical area. It lists the finding, and whether corrective action and/or improvement planning is required.

## Corrective Action and Improvement Planning

LEAs need to be aware of the federal requirement that all corrective action required for noncompliance

must be completed by the LEA and closed by the BSE as soon as possible, but in no case later than one year from the date the monitoring report is issued. It is essential that all corrective action be appropriately designed and implemented to ensure compliance with this timeline.

For certain types of findings, corrective action will be prescribed, and will not vary from LEA to LEA. For example, if the finding is that the LEA lacks a specific required policy, it is reasonable to have the BSE prescribe a standardized remedy and timeline for correcting this deficiency. However, the LEA, based on its unique circumstances and goals, will individually design the majority of corrective action strategies to be implemented once approved by PDE. PaTTAN and IU staffs are available to link appropriate technical assistance into this process.

PaTTAN educational consultants participate in the development of the Compliance Plan for Corrective Action. PaTTAN and IU consultants forward documentation to the LEA as assigned in the agreed upon Compliance Plan for Corrective Action. LEA personnel are responsible for providing documentation to their BSE Single Point of Contact (SPOC) to verify completion of corrective action.

As documented in the LEA's Compliance Plan for Corrective Action, the SPOC and PaTTAN Educational Consultant follow a verification schedule. The SPOC maintains overall responsibility for documenting implementation of the Compliance Plan for Corrective Action. However, PaTTAN staff will support the LEA in corrective action verification in a variety of ways, (e.g., providing technical assistance to improve LEA file reviews, collecting and reviewing required documents, providing and verifying required training as outlined in the Plan). All activity is documented via a template that is available electronically, so that tracking can occur and be maintained by the BSE.

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