



# Arkansas

## DEPARTMENT OF EDUCATION

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RAYMOND SIMON, Director

October 5, 2001

Barbara Marsac, Assistant Director  
Contracts and Community Programs  
Division of Youth Services  
700 Main Street  
P.O.Box 1437, S503  
Little Rock, Arkansas 72203-1437

Dear Ms. Marsac:

On, September 14, 2001, the special education program of the Alexander Youth Services Center (hereafter the District) was officially monitored in accordance with the Memorandum of Understanding between the Arkansas Department of Education and the Division of Youth Services. The information contained in this report reflects the findings regarding the district's compliance with state and federal regulations governing programs for students with disabilities. During the monitoring visit, a random sample of 10 folders was selected and reviewed. Other on-site and off-site data, including District policies and procedures for special education services, were reviewed. Classroom observations were conducted.

The district was found to be in substantial compliance with state and federal regulations in the following areas:

Procedures for Evaluating Specific Learning Disabilities  
Confidentiality of Information

It should be noted that the Arkansas Department of Education, Special Education, monitors school districts for 13 issue reference areas; however in the case of the Alexander Youth Service Center, issues surrounding Least Restrictive Environment, Children with Disabilities in Private Schools, Use of Funds, and Coordinated Service System were not reviewed because of the Center's unique residential limitations.

Listed below are the areas of noncompliance and the reason(s) for corrective action(s) on the accompanying Compliance Action Plan (CAP):

## **CHILD FIND:**

The district did not show evidence of a record being kept of all school age children receiving special education.

There was insufficient evidence presented that the district has maintained a file documenting child find location and identification activities.

## **DUE PROCESS:**

Referral forms reviewed in student due process folders were incomplete.

There was insufficient evidence presented that initial notices of all conferences are being written and mailed to parents.

There was insufficient evidence presented that prior notice is being given to parents when the district proposes to initiate or change the identification, evaluation, or educational placement of, or provide free appropriate public education to student(s) with disabilities.

Evidence indicates that the district did not adhere to specified timelines in conducting due process activities.

In the review of student due process folders, there was insufficient evidence that parents were being notified of decision(s) reached at the conference(s).

Student folders contained insufficient documentation of reason(s) for temporary placement.

There was insufficient evidence that the district is conducting Functional Behavioral Assessments on students with disabilities either before or not later than 10 business days after removing the student for more than 10 school days in a school year or commencing a removal that constitutes a change in placement.

There was insufficient evidence that the district is developing and/or implementing Behavioral Intervention Plans for students removed from the regular school setting for disciplinary infractions for more than 10 school days during the school year.

## **PROTECTION IN EVALUATION PROCEDURES:**

The review of student folders indicated incomplete evaluation data on students determined to be emotionally disturbed.

The review of student folders indicated incomplete evaluation data on students determined to be other health impaired.

The review of student folders indicated missing or incomplete documentation of a statement of adverse affect on educational performance.

There was insufficient evidence that the district is insuring that the evaluation of each student with a disability is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified.

### **INDIVIDUALIZED EDUCATION PROGRAMS:**

Evidence does not indicate that the district has developed and implemented an Individualized Education Program for each identified student with disabilities within the district.

There was insufficient evidence that Individualized Education Programs are developed and in place prior to the student receiving special education and related services.

Evidence indicated that parents are not afforded timely notice in advance of the Individualized Education Program meeting(s) to insure their opportunity to attend.

The district is not utilizing other methods to afford parents the opportunity to participate in Individualized Education Program meetings.

All Individualized Education Programs did not include appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.

Evidence indicated that components of Individualized Education Programs were not developed to address the unique needs of individual students.

### **FREE APPROPRIATE PUBLIC EDUCATION:**

Some special education facilities are inadequate with regard to health and safety standards.

The teacher/pupil ratios are not in accordance with the Arkansas Department of Education standards for program approval.

In the review of student folders there was insufficient evidence that related services are provided to all eligible students with disabilities, as appropriate.

The district has presented insufficient evidence of a written comprehensive plan to ensure the provision of related services to any eligible student.

There was insufficient evidence presented that services provided to disabled students are addressing all of the student's identified special education and related service needs, and are

based on student's identified needs and not the student's disability category.

### **COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT:**

The district has presented insufficient evidence of the provision of annual personnel development activities.

The district has presented insufficient evidence of recruitment activities to obtain qualified, appropriately certified/licensed personnel.

### **FULL EDUCATIONAL OPPORTUNITY GOAL:**

The provision of facilities, personnel and services necessary to insure a full educational opportunity for all identified students with disabilities was not in evidence.

The attached CAP lists the issues which require corrective activities and evidence to be submitted within corresponding timelines. Please sign the CAP, keep a copy and return the original to the Arkansas Department of Education, Special Education Section, by December 03, 2001. If you have questions concerning this plan, please notify this office. The district has the right to request a hearing with the Associate Director, Special Education, to challenge a notice of deficiency within this Compliance Action Plan.

The district was found to be in substantial compliance with state and federal regulations in 2 of 9 issue reference areas reviewed. There were also findings and determinations of deficiencies which, on the basis of "pattern and practice", do not require a Compliance Action Plan, but clearly must be corrected. The following issue reference area(s) address the reason(s) and/or recommendation(s) to remediate the deficiencies, where applicable. Review and make applications of the information to your program. If attention is not given to these identified areas, it may result in the district's noncompliance in the future.

### **CHILD FIND:**

The district must maintain a record of all school age students receiving special education.

### **DUE PROCESS:**

The district must maintain a record documenting that the district has consulted with representatives of private schools in carrying out its child find activities.

## **INDIVIDUALIZED EDUCATION PROGRAMS:**

Student Individualized Education Programs (IEP) are written plans developed in a meeting with the school representative, the teacher, the parent and when appropriate, the child. It is appropriate for staff to come prepared with statements of present levels of educational performance and recommendations concerning annual goals and short-term instructional objectives; however, these are only recommendations for review and discussion in committee. The finalization of IEP information must take place at the IEP meeting before services are provided to a child. Review the procedures for IEP development with staff to insure conformance with the requirements.

Review of Individualized Education Programs (IEP) revealed that annual goals and short-term objectives are not being written to address the needs identified through assessment nor to accommodate the student's present level of educational performance. A direct relationship among the components should be observable in the content of the IEP. IEP conferences should be held immediately to revise IEPs which do not address identified needs of students.

Classwork in the special education setting must be consistent with the goals and objectives stated in the Individualized Education Program (IEP). Student's daily lesson plans are drawn from the short-term objectives in the IEP. Review this requirement with staff to insure that instruction implements the IEP.

## **FULL EDUCATIONAL OPPORTUNITY GOAL:**

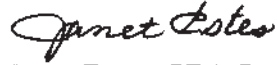
The district shall insure that a goal of providing full educational opportunity to all students with disabilities is established and implemented. Review this requirement with staff to insure conformity.

Under the Individuals with Disabilities Education Act Amendments of 1997, if your agency fails to comply with the compliance actions identified in this monitoring report, the Arkansas Department of Education, Special Education Unit is required to reduce or withhold further payments to your district until the State Educational Agency is satisfied that the district is complying with the requirements noted in the report.

The Arkansas Department of Education, Special Education Unit, in accordance with the "Memorandum of Understanding" between the Arkansas Department of Education and the Division of Youth Services regarding Alexander Youth Service Center entered into on December 16, 1998, will monitor the Alexander Youth Services Center again during the month of December, 2001.

It is the intention of the special education office that this information will assist the Alexander School District in further developing its special education program. Please contact me if I can be of additional assistance.

Respectfully,



Janet Estes, SEA Supervisor  
Monitoring/Technical Assistance  
Special Education

cc: Kurt Knickrehm, Director  
Department of Human Services

Woodrow Cummins, Deputy Director  
Arkansas Department of Education

Lanelle Mott, Education Liaison  
Division of Youth Services

Mike Crowley, Administrator  
Monitoring/Technical Assistance  
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