

**OKLAHOMA STATE DEPARTMENT OF EDUCATION  
SANDY GARRETT  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION**

**COMPLIANCE REVIEW: SPECIAL EDUCATION PROGRAMS**

**SCHOOL DISTRICT/AGENCY:**  
Pleasant Grove Public School District

**TEAM MEMBERS:**  
Kathryn Crutchfield      Coordinator, OSDE-SES  
Lydia Vaquera            Coordinator, OSDE-SES  
Tina Spence                Coordinator, OSDE-SES

**COUNTY:**  
Seminole

**DATE OF REVIEW**  
October 22, 2009

**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. The Oklahoma State Department of Education (OSDE), Special Education Services (SES) conducted an on-site compliance review on October 22, 2009.

Pleasant Grove Public School District is a dependent district serving 17 children with disabilities, ages three through 14, as reported on their October 2008, Child Count Report. At the time of the review, Pleasant Grove Public School District employed one special education teacher who has certification in one or more of the following area(s): learning disability, mentally handicapped, and physically handicapped. The district has a contract for services in the area of speech language pathology.

**II. AREAS THAT REQUIRE CORRECTIVE ACTIONS AND IMPROVEMENT:**

**1) Area of Noncompliance: Parent Notice/Consent for Evaluation**

**IDEA Part B Requirements**  
34 CFR § 300.300 Parental consent.

**OSDE Findings:**  
Based on two of nine files reviewed, the Parent Notice/Consent for Evaluation, OSDE Draft Form 4, could not be located.

**Improvements Required:**  
Within 30 days of the receipt of this report, Pleasant Grove Public School District will develop, implement, and submit a written improvement plan. This plan shall document how the district will ensure that parents are fully informed of all information relevant to the evaluation components for which consent is sought. This improvement plan shall include methods of internal monitoring, safeguards, the person(s) responsible for the implementation, and the date of implementation.

**2) Area of Noncompliance: Evaluation and Reevaluation**

**IDEA Part B Requirements**  
34 CFR § 300.303 Reevaluations.  
34 CFR § 300.304 Evaluation procedures.  
34 CFR § 300.305 Additional requirements for evaluations and reevaluations.

**OSDE Findings:**

Based on one of nine files reviewed, the Review of Existing Data (RED), OSDE Draft Form 3, could not be located. Based on two of ten files reviewed, the Multidisciplinary Evaluation and Eligibility Group Summary (MEEGS), OSDE Draft Form 5, for initial evaluation was not completed within the 45 school day timeline. Based on three of ten files reviewed, the MEEGS, OSDE Draft Form 5, components were not appropriately documented. Based on one of ten files reviewed, reevaluations could not be located.

**Improvements Required:**

Within 30 days of the receipt of this report, Pleasant Grove Public School District will develop, implement, and submit a written improvement plan. This plan shall document how the district will provide students with evaluations/reevaluations in accordance with the above federal regulations. This improvement plan shall include methods of internal monitoring, safeguards, the person(s) responsible for the implementation, and the date of implementation.

Within 60 days of the receipt of this report, the Individualized Education Program (IEP) team for the student(s) identified during the OSDE-SES review with evaluations/reevaluations that were missing or not appropriately documented will convene a meeting to ensure that the students receive an evaluation/reevaluation in accordance with the above federal regulations. Submit documentation to verify this action (i.e., RED, OSDE Draft Form 3; Parent Notice/Consent for Evaluation, OSDE Draft Form 4; MEEGS, OSDE Draft Form 5; Notification of Meeting, OSDE Draft Form 6; and Prior Written Notice to Parents, OSDE Draft Form 8).

Within 60 days of the receipt of this report, Pleasant Grove Public School District will provide instruction and guidance to district special education personnel regarding proper evaluation/reevaluation procedures, timelines, and utilization of the RED, OSDE Draft Form 3; Parent Notice/Consent for Evaluation, OSDE Draft Form 4; MEEGS, OSDE Draft Form 5; Notification of Meeting, OSDE Draft Form 6; and Prior Written Notice to Parents, OSDE Draft Form 8, in accordance with the above federal regulations. This activity shall be scheduled and confirmed with the OSDE-SES. Submit documentation to verify this action (i.e., memo announcement(s), meeting agenda(s), meeting date(s), verification of attendance [sign-in sheets]).

**3) Area of Noncompliance: IEP Components****IDEA Part B Requirements**

34 CFR § 300.114 LRE requirements.

34 CFR § 300.320 Definition of individualized education program.

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

**OSDE Findings:**

Based on file reviews, IEP components were missing and/or inappropriate in one or more of the following areas:

- a) strengths (including anticipated effects) and educational needs; (three of nine files)
- b) measurable annual goals; (two of nine files)
- c) measures for progress in annual goals; (two of nine files)
- d) methods of informing parents of progress toward annual goals; (two of nine files)
- e) frequency of reporting progress to parent; (two of nine files)
- f) documentation of progress toward current annual goals; (two of nine files)
- g) extent of progress toward previous annual goals; (eight of nine files)
- h) type of service(s); (one of nine files)
- i) continuum of placement (LRE continuum); (eight of nine files)
- j) amount/time/frequency of services; (one of nine files)
- k) extent of nonparticipation in general education curriculum or age appropriate activities; (three of nine files)
- l) participation in state/districtwide assessment; (one of nine files)
- m) LRE, options considered and reasons; (six of nine files)
- n) LRE, normally attend/close to home; (one of nine files)

- o) LRE, potential harmful effects; (three of nine files)
- p) LRE, removal from general education environment; (four of nine files)
- q) team participant signatures; (seven of nine files)
- r) documentation of parent participation; (one of nine files)

**Improvements Required:**

Within 30 days of the receipt of this report, Pleasant Grove Public School District will develop, implement, and submit a written improvement plan. This plan shall document how the district will ensure that IEPs are developed in accordance with the above federal regulations. This improvement plan shall include methods of internal monitoring, safeguards, the person(s) responsible for the implementation, and the date of implementation.

Within 60 days of the receipt of this report, the IEP team for the student(s) identified during the OSDE-SES review with components of the IEP found to be in noncompliance shall convene a meeting to ensure that the student’s IEP reflect compliance with the above federal regulations. Submit documentation to verify this action (i.e., Notification of Meeting, OSDE Draft Form 6; IEP, OSDE Draft Form 7; Prior Written Notice to Parents, OSDE Draft Form 8).

Within 60 days of the receipt of this report, Pleasant Grove Public School District will provide instruction and guidance to district special education personnel on proper completion of the IEP utilizing the Policies and Procedures for Special Education in Oklahoma, 2007. This activity shall be scheduled and confirmed with the OSDE-SES. Submit documentation to verify this action (i.e., memo announcement(s), meeting agenda(s), meeting date(s), verification of attendance [sign-in sheets]).

**4) Area of Noncompliance: Administrative Records**

**IDEA Part B Requirements**

34 CFR § 300.502 Independent educational evaluation.

34 CFR § 300.623 Safeguards.

34 CFR § 300.624 Destruction of information.

Policies and Procedures for Special Education in Oklahoma, 2007

**OSDE Findings:**

Based on file reviews, the following administrative records were missing and/or could not be located at the time of the review:

- a) Documentation on maintaining, for public inspection, a current listing of the names and positions of those persons in the district who may have access to personally identifiable information;
- b) Documentation on how the district informs parents before destruction and gives parents the opportunity to obtain records; and
- c) Documentation on maintaining information about where an independent educational evaluation may be obtained and the agency’s criteria for such an evaluation could not be located.

**Improvements Required:**

Within 60 days from the receipt of this report, Pleasant Grove Public School District will develop, implement, and submit the required administrative policies in accordance with the above State and federal requirements.

**III. ASSURANCE STATEMENT:**

**Assurance Statement with superintendent’s signature required.**

Within 30 days of the receipt of this report, submit a signed, written assurance that the improvements described in this report will be or have been implemented to remedy the identified compliance deficiencies.

Content: *“This district shall develop and implement improvements for areas of noncompliance in order to comply with State and federal laws and regulations. Improvements and remedies will include ‘technical assistance and training’ necessary to assist teachers and administrators of the district in their efforts to implement a free appropriate public education (FAPE) in the least restrictive environment, with parent participation, and in accordance with procedural safeguards under IDEA Part B.”*

#### **IV. OTHER INFORMATION:**

Subsequent monitoring activities may 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.

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.