

On-Site Compliance Review Administrative Records Checklist

OSDE-SES

SCHOOL DISTRICT/AGENCY:

SCHOOL YEAR:

Date:

Completed By:

1. Child Identification, Location, and Evaluation

A. Public Awareness activities:

- 1) Is documentation of two public awareness activities from ongoing/periodic activities available? **(please be prepared to show examples)** Examples: advertisements; news releases; public service announcements; interviews on radio or television; feature articles in newspapers and agency newsletters; placement of posters or referral cards/flyers placed in public places; mailings; distribution of brochures, newsletters, or pamphlets; films, slides, video presentations; or public forums.

- 2) Does the district extend child find activities to private/parochial schools and other agencies?

- 3) Does the district conduct a count of eligible children in private schools in conjunction with the October 1 Child Count?

- 4) How does the LEA consider geographic, cultural, and language diversity factors in the local community for selection and use of suitable, effective methods/activities to inform the public of the local child identification process?

B. Notice to Parents

The district must publish or announce notice of rights concerning personally identifiable information in newspapers or other media prior to conducting any major identification, location, screening, or evaluation activity. The newspapers or other media shall have circulation adequate to notify parents within the area. LEAs may combine notice of these rights with announcements and publications informing parents of child identification, location, screening, or evaluation activities to be conducted throughout the year.

- 1.) Does the district ensure that parents have been fully informed about the child find requirements, including:
 - a description of the children on whom personally identifiable information is maintained, the types of information sought, the methods and sources to be used in gathering the information;

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- a summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and
- a description of the rights of parents and children regarding confidentiality of information in accordance with FERPA and IDEA.

C. Screening/Referrals and Evaluation

- 1) Does the district have a procedure for screening, referral, and comprehensive evaluation?
- 2) Does the procedure include private schools?
- 3) Does the district maintain an ongoing central register of eligible students who are receiving special education and related services on an Individualized Education Program (IEP)?
- 4) Does the district maintain a record of the number of children referred, evaluated, and identified as eligible within each category?
- 5) How does the district ensure and document that evaluations and identifications are conducted in a timely manner (e.g., records, procedures, internal monitoring, etc.)?

2. Confidentiality

- A. Does the district protect confidentiality of information?
- B. Does the district designate one official responsible for ensuring the confidentiality of any personally identifiable information?

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- C. Does the district maintain, 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?

- D. Does the district maintain, for public inspection, a list of the types and locations of education records collected and maintained by the district?

- E. Does the district train/instruct all individuals collecting or using confidential information in confidentiality procedures?

- F. Does the district maintain records for five years?

3. Letter of Destruction, if agency destroys records

- A. Does the district inform parents before destruction and give the opportunity to obtain records?

4. Family Education Rights and Privacy Act (FERPA)

The initial provision of copies of the IEP, evaluations, and eligibility determinations should be at no cost to parents for the first copies in accordance with 34 CFR § 300.345. Parents and eligible students have the right to request and receive a copy of the individual student's records if failure to receive copies would effectively prevent the parent or eligible student from reviewing and inspecting the records. The fee for copies shall not exceed twenty-five cents per page. While a fee for copies may be permissible, fees for search and retrieval may not be assessed.

- A. Does the district's procedure for charging a fee, if any, for copies of records allow for access to records?

- B. Does the district allow search or retrieval at no cost?

- C. Does the district provide for:
 - 1) amendment of records?
 - 2) decision on amendment within 45 days?
 - 3) FERPA hearing, if amendment is refused?

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- D. Does the district's hearing procedures include:
- 1) that if information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the information accordingly and so inform the parents in writing;
 - 2) that if information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parents of the right to place, in the records maintained on the student, a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the district;
 - 3) that any explanation placed in the records of the child as long as the record or contested portion is maintained by the district and if disclosed by the district to any party, the explanation must also be disclosed to that party?
- E. Does the agency require parental consent for release of records to persons other than participating agencies?
- F. If a court order or subpoena overrides a parent's refusal to release information, did the LEA make reasonable effort to inform the parents?

5. Notice to Parents

A. How does the district ensure parents and eligible students currently in attendance have been informed annually in their native language of their rights under the Family Educational Rights and Privacy Act (FERPA) of the following:

- inspect and review the student's educational records;
- seek amendment of the student's educational records that the parents or eligible students believe to be inaccurate, misleading, or otherwise in violation of the students' privacy rights;
- consent to disclosure of personally identifiable information contained in the students' education records, except to the extent that FERPA and 34 CFR § 99.31 authorized disclosure without consent; and
- file with the Family Policy Compliance Office, United States Department of Education, a complaint under 34 CFR §§ 99.63 and 99.64 concerning alleged failures by the LEA to comply with the requirements of FERPA?

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6. Surrogate Parent Training

- A. Does the district have procedures for identifying whether a child with a disability is in need of a surrogate parent?
- B. Have surrogate parents been recruited/trained?
- C. Has the district complied with criteria for selection?
- D. Does the district have verification of training in each file of children with disabilities needing a surrogate parent?
- E. Does the district maintain a record of surrogate parents assigned to individual children with disabilities?

7. Independent Educational Evaluation

- A. Does the district maintain information about where an independent educational evaluation may be obtained and the agency's criteria for such evaluation?

8. Interagency Agreements/Contracts

- A. Are agreements or contracts on file with the district?

9. Teacher Certification

- A. Are teaching certificates on file? **(please have ready to review)**
- B. Concerning registries: Do you have information regarding how teachers are fulfilling this requirement?

10. Caseload/Class-Size

In general, we will monitor according to the outline in the Oklahoma Special Education Handbook by checking:

- A. Have Caseload/Class-Size requirements have been completed for each teacher? **(please have ready to review)**
- B. A letter requesting program exceptions, where appropriate.

OTHER: Are there special situations involving innovative programs?

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11. Paraprofessional Training Registry

- A. Does the district comply with use of trained paraprofessionals for children with disabilities and have verification of training? (**please have paraprofessional certificates ready to review**)

12. Educational Interpreter

- A. Are certifications for educational interpreters serving the district on file? (**please have information ready to review**)

13. Participation in Assessments

- A. Does the LEA have guidelines for the participation of children with disabilities in districtwide assessments with appropriate accommodations and modifications in administration, if necessary?

- B. Do these guidelines also address participation of children with disabilities in alternate assessments for those children who cannot participate, even with appropriate accommodations and modifications in standard districtwide assessment programs?

14. Extended School Year (ESY) Services

- A. Does the LEA have an ESY policy?

15. Lindsey Nicole Henry Scholarship

- A. Does the district notify parents in writing annually of the choices available to their children with disabilities through the Lindsey Nicole Henry Scholarship Act?

17. Private Schools

- A. Do you have a private school in your district?

- B. If yes, have you spent the funds obligated in your budget application for Private Schools?

- C. Have you provided training to private schools in your district?

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18. Time and Effort Certifications

- A. Have you documented time and effort for all employees paid with federal funds, both single and multiple cost objectives?

Comments: