

Oregon's System of General Supervision

Integrated Monitoring



Introduction

The Oregon Department of Education (ODE), through its Office of Enhancing Student Opportunities (OESO), maintains a comprehensive *System of General Supervision* to ensure that all Local Educational Agencies (LEAs) meet their obligations under the Individuals with Disabilities Education Act (IDEA) and Oregon state law. This system serves dual purposes: ensuring compliance with legal requirements and promoting continuous improvement in educational outcomes for disabled students and students experiencing disabilities.

Under 34 CFR § 300.600, states must monitor implementation of IDEA, enforce compliance, and annually report on LEA performance. *Oregon's System of General Supervision* fulfills these federal obligations while advancing the state's commitment to equity, inclusion, and meaningful educational results for every student. These monitoring protocols support ODE's ability to assess, support, and when necessary, enforce LEA compliance with special education requirements.

Purpose and Philosophy

Oregon's monitoring approach is grounded in the principle that compliance and results are inextricably linked. Technical compliance without meaningful outcomes fails students; similarly, good intentions without adherence to legal safeguards undermines the protections IDEA provides. These protocols seek to assess both the letter and spirit of special education law, examining whether LEAs have created systems that honor individual student rights while building capacity for sustained improvement.

The monitoring process serves multiple functions:

- **Shared Accountability:** Ensuring ODE supports LEAs to meet minimum federal and state requirements
- **Support:** Identifying areas where technical assistance can improve practice
- **System Building:** Promoting development of sustainable structures for compliance
- **Continuous Improvement:** Using data to drive ongoing enhancement of services
- **Student Protection:** Safeguarding individual rights while promoting systemic change

Monitoring Framework

Oregon's differentiated monitoring system operates at three distinct levels, ensuring all LEAs receive appropriate oversight while targeting intensive resources where most needed:

Universal Accountability and Support (ALL LEAs)

Every LEA participates in universal monitoring activities that establish baseline compliance and performance data:

- **Risk Assessment:** Annual analysis of data indicators to identify potential areas of concern
- **LEA Determinations:** Federal requirement to annually determine each LEA's compliance status
- **Dispute Resolution:** Investigation and resolution of state complaints, due process hearings, and mediation
- **IDEA Project Application:** Review of LEA applications for federal special education funding
- **Fiscal Accountability Audits:** Examination of special education expenditures and fiscal compliance
- **State Performance Plan/Annual Performance Report (SPP/APR) Data Collection and Reporting:** Compilation of required federal and state performance indicators

These universal activities provide ODE with comprehensive data to inform differentiated monitoring decisions and identify LEAs requiring additional review.

Cyclical Accountability and Support (SOME LEAs)

Using a cohort model, each Oregon LEA undergoes comprehensive monitoring every three years. ODE directly conducts all monitoring activities, which may include:

- **File Reviews:** ODE staff examine individual student records using these protocols
- **Policy and Procedure Reviews:** Analysis of LEA special education policies for legal compliance
- **Classroom Observations:** Direct observation of special education service delivery
- **Staff Interviews:** Structured conversations with administrators, teachers, and service providers
- **Focus Groups:** Facilitated discussions with parents, students, and community partners

All applicable priority areas are reviewed during cyclical monitoring. Specific activities examined during cyclical monitoring are determined based on:

- LEA risk indicators from universal monitoring data
- Current state priorities and areas of concern
- Previous monitoring findings and correction status
- Local context and unique LEA characteristics

Focused Accountability and Support (FEW LEAs)

Intensive monitoring through onsite or virtual reviews is reserved for LEAs with significant compliance or performance concerns. Focused monitoring may be triggered by:

- **High-Risk Status:** LEAs with multiple indicators of noncompliance or poor student outcomes
- **Emerging State Priorities:** Investigation of systemic issues affecting multiple students
- **Enforcement Actions:** Response to failure to correct previously identified noncompliance
- **Significant Complaints or Due Process Findings:** Patterns suggesting systemic problems

Focused monitoring employs all available review methods with increased depth and intensity. ODE collaborates with each selected LEA to plan the focused monitoring process.

Priority Areas

Oregon's System of General Supervision encompasses seven priority areas, each addressing critical aspects of special education implementation:

1. **Least Restrictive Environment (LRE):** Ensuring placement decisions are individualized and students experiencing disabilities are educated with their peers to the maximum extent appropriate
2. **Individualized Education Program (IEP) Development:** Examining the procedural and substantive requirements for developing comprehensive, IEPs that meet student needs
3. **Free Appropriate Public Education (FAPE):** Assessing whether students receive meaningful educational benefit through appropriately ambitious programs tailored to individual circumstances
4. **Discipline (DIS):** Reviewing protections for disabled students and students experiencing disabilities facing disciplinary actions, including manifestation determinations and continued services
5. **Secondary Transition (SEC):** Evaluating planning and services that prepare students for post-school success in education, employment, and independent living
6. **Child Find and Evaluation Procedures (CFE):** Examining systems for identifying, locating, and evaluating all children suspected of having disabilities within LEA jurisdiction
7. **Abbreviated School Day Programs (ASDP):** Monitoring compliance with Oregon's strict requirements limiting reduced school days for students with disabilities

ODE also reserves the right to establish emerging/emergent priority areas to be used within monitoring processes.

Protocol Structure

Each priority area protocol follows a consistent structure designed to support thorough, reliable review:

- **Introduction:** Establishes legal foundation, explains the priority area's importance, and contextualizes requirements within broader IDEA framework
- **Record Review Items:** Specific compliance standards with clear criteria for assessment, each tied to regulatory requirements
- **Related Authorities:** Citations to relevant federal regulations (34 CFR) and Oregon Administrative Rules (OAR) that establish legal requirements
- **Potential Documentation:** Examples of documents that may demonstrate compliance, though not exhaustive lists
- **Evidence of Compliance:** Clear rubrics defining what constitutes compliance ("YES"), noncompliance ("NO"), or non-applicability ("N/A").
- **Summary Sheets:** Tools for aggregating findings across student files and identifying patterns requiring systemic correction
- **Focus Group Questions:** Structured inquiries for various stakeholders to assess systemic implementation and identify improvement opportunities

Regulatory Foundation

These protocols operationalize requirements from multiple sources:

- The Individuals with Disabilities Education Act (IDEA) and implementing regulations at 34 CFR Parts 300-303
- Oregon Revised Statutes (ORS) Chapter 343
- Oregon Administrative Rules (OAR) Chapter 581, Division 15
- Relevant case law and federal guidance

Citations within protocols capture core requirements without attempting to be exhaustive. LEAs remain responsible for compliance with all applicable federal and state requirements, whether specifically referenced in these protocols or not.

Documentation and Evidence

Effective monitoring requires systematic documentation review and evidence analysis. These protocols provide guidance on potential documentation sources while recognizing that compliance may be demonstrated through various means.

- **Documentation** refers to written records, data systems, policies, and procedures that may demonstrate compliance. Examples include IEPs, evaluation reports, meeting notices, progress data, and correspondence.
- **Evidence** encompasses the specific information within documentation that demonstrates whether requirements are met. Reviewers must look beyond document existence to examine content quality and implementation fidelity.

LEAs should maintain comprehensive special education records that allow for efficient compliance review. However, absence of specific documents listed in protocols does not automatically indicate noncompliance if alternative evidence demonstrates requirement fulfillment.

Compliance Determination Process

Review teams assess each item using provided rubrics:

- **“YES”** indicates evidence demonstrates the requirement was met for the specific student or systemic practice reviewed.
- **“NO”** indicates evidence does not demonstrate compliance with the identified requirement.
- **“NA”** applies when a requirement does not pertain to the specific student or circumstance under review.

Individual instances of noncompliance must be corrected as soon as possible for affected students. Patterns across multiple files may indicate systemic noncompliance requiring broader corrective action. ODE considers factors including:

- Number and percentage of files with noncompliance
- Severity of identified issues
- Impact on student outcomes
- LEA history and improvement efforts
- Root causes and systemic factors

Correction of Noncompliance

Upon identification of noncompliance, LEAs must:

1. **Correct each individual instance** by ensuring the specific student receives required services or protections.
2. **Address systemic issues** through policy revision, professional development, or system redesign.
3. **Demonstrate sustained correction** through subsequent file reviews showing 100% compliance.
4. **Implement improvement plans** addressing root causes to prevent recurrence.

Standard correction timelines require correction as soon as possible and in no case later than:

- 60-day correction when noncompliance denies 10+ instructional days
- One-year maximum for all other noncompliance

Continuous Improvement

Beyond compliance correction, these protocols support continuous improvement through:

- **Data Analysis:** Aggregating findings to identify trends and target professional development
- **Root Cause Analysis:** Examining systemic factors contributing to noncompliance patterns
- **Stakeholder Engagement:** Using focus group feedback to understand implementation challenges
- **Technical Assistance:** Connecting identified needs with targeted support resources
- **Progress Monitoring:** Tracking improvement over time through subsequent reviews

Conclusion

Oregon's System of General Supervision reflects our commitment to ensuring that students experiencing disabilities and disabled students receive the full protection of their educational rights while achieving meaningful outcomes. These protocols provide the framework for systematic, fair, and thorough monitoring to ensure compliance.

Through consistent application of these protocols, collaboration between ODE and LEAs, and commitment to continuous improvement, we work toward a system where every student receives the individualized, appropriate education to which they are entitled, in environments that maximize their participation with peers, with services that enable meaningful progress toward ambitious goals.