School Age: Individual Procedural Compliance Review (PCR)

SPR&I 2019-20

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# Overview

Districts and programs must conduct special education programs and provide special education services according to applicable federal and state laws and regulations, primarily the Individuals with Disabilities Education Act (IDEA), Part B (34 CFR Part 300), Oregon Revised Statutes (ORS) Chapter 343, and Oregon Administrative Rules (OAR) Chapter 581, Division 15.

1. This form is used to review student file information for compliance with these requirements as one component of the state’s general supervision responsibilities.
2. This document contains selected IDEA and OAR requirements, referred to as “compliance standards” or “standards” and file review guidance to help ensure consistent understanding and application of federal and state law, as well. The document also indicates the required corrective action for each standard marked out of compliance.
3. This form contains standards in each of the following categories:
* IEP Meeting Notice
* IEP Team Members
* IEP Content

# Reviewing and Recording PCR Data

1. Lock in students through SPR&I. Only lock in and review students that are **currently IDEA eligible and are currently being served by the district/program**.
2. Once a student is locked in, print a file review form for that student using the “Print Blank Form” function. This blank form will have the student’s name and SSID number, and will contain only those standards that apply to the student based on the information provided during the lock in process.
3. For each standard on the file review form:
* Read the standard.
* Review guidance included below the standard.
* Locate required information in the student file and review according to guidance. Some standards require reviewing the **INITIAL** while some require the **MOST RECENT** document.
* Rate each standard by marking the appropriate response:
	+ Yes (Meets Requirement)
	+ No (Does Not Meet Requirement)
	+ N/A (Not Applicable)
* Include an explanatory comment for every standard identified as No or N/A.

# Corrective Action Guide (CAG)

1. Noncompliance **must always** be corrected **as soon as possible**.
2. Whenever possible, noncompliance must be corrected at the individual student file level. In addition, ODE requires evidence of current compliance through additional file reviews.
3. Some noncompliance cannot be corrected (e.g., missed timelines, student no longer eligible, student moved out of district, student graduated with a regular diploma). In those cases, additional files need to be reviewed to establish evidence of current compliance.
4. To establish correction and current compliance, the additional files reviewed must include files where the evidence of compliance occurs **after** the noncompliance reported in the initial student file review.
5. In cases where noncompliance occurred in a previous district, the current district has a responsibility to ensure the current file is complete and compliant at the time of student transfer. If the file is not compliant at the time of student transfer, the current district must take appropriate action to make the file complaint as soon as possible.
6. If further noncompliance is identified during the additional file review process, the noncompliance is considered systemic and additional follow-up is required.

In the case of **systemic noncompliance** (>33% of files out on any single standard ***or*** additional noncompliance found through additional file review), ODE requires LEAs to:

* Report required corrective action and date corrected in SPR&I for standards that can be corrected at the individual student file level;
* Conduct an analysis of the cause(s) for the noncompliance and choose appropriate intervention;
* Document the projected and actual dates of completion of the intervention in SPR&I;
* Conduct a second review of files on the same standard where the evidence of compliance occurs after intervention; and,
* Report number of compliant files in SPR&I - must be 100% of files reviewed after intervention for ODE to verify correction.

In the case of **non-systemic noncompliance** (<33% of files show noncompliance for any single standard), ODE requires LEAs to:

* Report the required corrective action and the date it was corrected in SPR&I for standards that can be corrected at the individual file level; and,
* For all standards with noncompliance, including those that cannot be corrected at the individual student file level, conduct an analysis for the cause(s) of noncompliance and review additional files[[1]](#footnote-1). Report the SSID and compliance status for each additional file reviewed in the SPR&I database.

# Verification Prior to Reviewing File

*OAR 581-015-2010 (Census and Data Reporting); OAR 581-015-2120 (Determination of Eligibility); OAR 581-015-2200 (Content of IEP); OAR 581-015-2220 (When IEPs Must be in Effect)*

## Lock-In Criteria

1. List the Student’s SSID and disability code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/\_\_\_\_\_\_\_\_
2. List the student’s date of birth: \_\_\_\_\_\_\_\_\_\_\_\_
3. List the date range of the current IEP in effect and used for the review:
Start date: \_\_\_\_\_\_/\_\_\_\_\_\_ End date: \_\_\_\_\_\_\_\_/\_\_\_\_
4. List the student’s current grade (for the IEP in effect at the time of review, not census year grade): \_\_\_\_\_\_\_\_\_\_\_\_
5. Has the student been reevaluated (3 year reevaluation) since initial eligibility? O Yes O No
6. Did the district establish current eligibility? O Yes O No
7. Did the student transfer into district from another Oregon district with eligibility? O Yes O No
8. Did the student transfer from out of state with eligibility? If yes, district must have established Oregon eligibility since the transfer. O Yes O No
9. Will the student be taking all general assessments? O Yes O No
10. Will the student be taking all alternate assessments? O Yes O No
11. Will the student be taking a mix of general and alternate assessments? O Yes O No
12. For the IEP in effect at the time of review, is this an initial IEP (1st year IEP)? O Yes O No

## Notes on lock-in items (A-L):

* Items A and B will be populated in SPR&I by the system since this information comes directly from the SECC.
* Item C is used with Item B to determine if transition standards apply to the student (e.g., if the student will turn 16 while the current IEP is in effect).
* Item D is used to determine if assessment standards apply for the current IEP in effect. Assessment grades include 3-8 and 11.
* Item E is used to determine if the standard for the three year reevaluation applies.
* Items F, G and H are used to determine if the current district is responsible for noncompliance during the initial evaluation-eligibility process, or if it occurred in a previous district.
* **In cases where noncompliance occurred in a previous district, the current district has a responsibility to ensure the file is complete and compliant at the time of transfer. If not, the district must take appropriate action to make it compliant.**
* Items I, J, and K are used to determine which assessment standards apply to the student.

## Eligibility and Census Verification

The student file being reviewed includes each of the following:

* Documentation that the student was enrolled in the district on December 1st of the census review year;
* A statement of Oregon eligibility, signed by an Eligibility Team, that was in effect on December 1st of the census review year;
* An Oregon Individualized Education Program (IEP) that was in effect on December 1st of the census review year;
* The IEP in effect on December 1st of the census review year contained specially designed instruction; and,
* The student is **still enrolled** in the district and **eligible** for special education at the time of review.
* **If the answer is "No" to any one of these, the file should not be reviewed and an alternate file must be selected for review, except for LTCT, YCEP, and JDEP programs. Because these programs specialize in the temporary placement of students, the student files must still be reviewed. Mark "yes" for LTCT, YCEP, and JDEP student files and enter the student information in order to complete the lock-in process even when the student was not enrolled in the district on December 1st of the census review year.**
* NOTE: For compliance purposes, the **CURRENT** IEP in effect must be used for the PCR review, not the IEP in effect during the December 1st SECC census.

### Guidance

Documentation for students enrolled in the district but receiving services outside of the district may include: Inter-district Agreements, contact logs showing that tutoring was being provided, and attendance reports from service providers (e.g., state or regional programs).

### To Replace Student:

* Use “replace” function in the SPR&I system
* Select reason for replacement using the drop-down options
* Contact ODE county contact if you have questions.

# IEP Team Meeting Notice

*OAR 581-015-2190 (Parent Participation – General); OAR 581-015-2195 (Additional Parent Participation Requirements for IEP and Placement Meetings)*

## Standard 16: Transition Age Student Invited

Beginning with the first IEP in effect when the student turns **16**, the IEP Team Notice:

* Invited the student; 34 CFR § 300.322

### Guidance for Standard

* Check **most recent** Team Meeting Notice to ensure the student was invited.
* For a student who is 15 and turns 16 while the IEP is in effect, the student must be invited. 34 CFR 300.322(b)(2)

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Review additional files where this event occurred after incidence of noncompliance and list in SPR&I compliance status for each.

# IEP Team Members

*OAR 581-015-2195 (Additional Parent Participation Requirements for IEP and Placement Meetings); OAR 581-015-2210 (IEP Team)*

## Standard 22: Agency Participation

For transition age students, the **most recent** IEP meeting also included, to the extent appropriate, and with the consent of the parent or adult student, a representative of any participating agency that was likely to be responsible for providing or paying for transition services. 34 CFR § 300.321

### Guidance for Standard

* Agency participation **requires the consent** of the parent (or adult student) **before** inviting these representatives. OAR 581-015-2210(2)(b)
* This standard does not apply to representatives the parent have invited.
* This standard does not apply to YTP transition specialists who are employees of the district or ESD.
* Check the IEP notice or other correspondence for evidence that an agency representative was invited.
* If invited, check student records for written evidence that the parent or adult student consented to the inclusion of the agency representative.
* Check IEP for evidence that an agency representative attended.
* **Mark the standard Yes if the IEP team decided an agency representative was not appropriate.**
* **Mark the standard Yes if the invited agency representative was invited, but failed to attend the meeting** (district cannot compel their attendance).

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene team with required members or gather required documentation. Document in SPR&I the date the team met or documentation gathered.
2. Review additional files where this event occurred after incidence of noncompliance and list in SPR&I compliance status for each.

# IEP Content

*OAR 581-015-2200 (Content of IEP); OAR 581-015-2205 (IEP Team Considerations and Special Factors); OAR 581-015-2215 (Oregon Standard IEP); OAR 581-015-2235 (School District and Participating Agency Responsibilities for Transition Services)*

## Standard 26: PLAAFP Contains Academic Performance and Functional Performance

The **most recent** IEP includes a statement of Present Levels of Academic Achievement and Functional Performance including all of the following:

* Input from parent(s) in the areas of academic achievement and functional performance, including concerns for enhancing the education of their child;
* Present level of academic performance, including strengths, needs, and how the student’s disability affects involvement and progress in the general education curriculum, and including the student’s most recent performance on State or district-wide assessments; and
* Present level of functional performance, including strengths, needs, and how the student’s disability affects involvement and progress in the general education curriculum, and including the results of the initial or most recent evaluation. 34 CFR §300.320 §300.324

### Guidance for Standard

* Check the Present Levels of Academic Achievement and Functional Performance to be sure **each** bullet point above has been included.
* If the parent expressed no concerns, a statement of this should be noted in the Present Levels.
* As it relates to “parent input”, mark **Yes**, if multiple attempts were made to obtain parent input in the development of the IEP document; attempts should occur in a variety of ways, such as telephone calls and copies of correspondence sent to parent; documentation of the attempts and results of those attempt.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise IEP, or enter into written agreement with parent to amend IEP without a meeting and revise it. Document in SPR&I the date IEP was revised (and if written agreement was used, the date parent signed agreement)
2. Review additional files where this event occurred after the incidence of noncompliance and list in SPR&I compliance status for each.

## Standard 27: PLAAFP Contains AATA and PINS

For students who turn **16** when the **most recent** IEP is in effect or who are older than 16, the IEP contains Present Levels of Academic Achievement and Functional Performance including all of the following:

* results of age-appropriate transition assessments. 34 CFR § 300.320(b)(1)
* student’s preferences, needs, interests, and strengths 34 CFR § 300.43(a)(2)

### Guidance for Standard

* Review results of age-appropriate transition assessments (e.g. results of interest inventories, interviews, surveys) and review the IEP, meeting minutes or notes, to verify that the student’s preferences and interests are considered.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise IEP, or enter into written agreement with parent to amend IEP without a meeting and revise IEP. Document in SPR&I the date the IEP was revised (and if written agreement was used, date parent signed agreement)
2. Review additional files where this event occurred after the incidence of noncompliance and list in SPR&I compliance status for each.

## Standard 31: Annual Goals

**The most recent** IEP contains a statement of measurable Annual Goals including academic & functional goals. 34 CFR §300.320

### Guidance for Standard

Check the IEP for annual goals, written in measurable terms that describe what the student can reasonable accomplish in a 12-month period.

* Check the IEP for evidence of a direct link between goal(s) and the student’s present levels of academic achievement and functional performance.
* The annual goals must relate to meeting student’s needs that result from the disability, meeting the student’s needs to enable involvement in and progress with the general education curriculum, and meet other education needs that result from the disability.
* Measurable short-term objectives for students working towards regular achievement standards may be included on the IEP, but are not required.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise IEP, or enter into written agreement with parent to amend IEP without a meeting and revise IEP. Document in SPR&I date the IEP was revised (and if written agreement was used, the date parent signed agreement)
2. Review additional files where this event occurred after incidence of noncompliance and list in SPR&I compliance status for each.

## Standard 33: Goals Align to Transition Services

For students who turn **16** when the **most recent** IEP is in effect or who are older than 16, the annual IEP goals are related to the student’s transition services. 34 CFR § 300.320

### Guidance for Standard

* Check annual IEP goals for alignment to transition services.
* Check the IEP for annual goals, written in measurable terms that describe what student can reasonably accomplish in a 12-month period.
* Check the IEP for evidence of a direct link between goal(s) and student’s present levels of academic achievement and functional performance.
* The annual goals must relate to meeting student’s needs that result from the disability, meeting the student’s needs to enable involvement in and progress with the general education curriculum, and meeting other educational needs that result from the disability.
* Measurable short-term objectives for students working toward regular achievement standards may be included on the IEP, but are not required.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise IEP, or enter into written agreement with parent to amend IEP without a meeting and revise IEP. Document in SPR&I date IEP was revised (and if written agreement was used, date parent signed agreement)
2. Review additional files where this event occurred after incidence of noncompliance and list in SPR&I compliance status for each.

## Standard 34: Appropriate Post-Secondary Goals

For students who turn **16** when the **most recent** IEP is in effect or who are older than 16, the IEP includes appropriate **measurable post-secondary transition goals** related to training, education, employment, and, where appropriate, independent living skills, based upon age-appropriate transition assessments. 34 CFR § 300.320

### Guidance for Standard

Postsecondary goals refer to goals that a student hopes to achieve after leaving secondary school. Check to verify that the IEP includes all of the following:

* Postsecondary goals were developed based on the student’s preferences and interested, and age-appropriate transition assessment(s).
* Postsecondary goals were considered and developed in the areas of education, training, employment and independent living skills (e.g. financial management, transportation, housing, interpersonal relationships, recreation/leisure activities, and personal care) as determined by the IEP team.
* There **MUST** be a goal in the areas of employment, education and/or training, and independent living skills, where appropriate.
* Post-secondary goals are measurable and can be observed.
* Post-secondary goals support post-graduation activities.
* Post-secondary goals identify outcomes after graduation, exiting, or aging out of school.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise IEP, or enter into written agreement with parent to amend IEP without a meeting and revise it. Document in SPR&I the date IEP was revised (and if written agreement was used, the date parent signed agreement)
2. Review additional files where this event occurred after incidence of noncompliance and list in SPR&I compliance status for each.

## Standard 35: Post-Secondary Goals Updated Annually

For students who turn **16** when the **most recent** IEP is in effect or who are older than 16, the **post-secondary transition goals** related to training, education, employment, and where appropriate, independent living skills **were updated annually**. 34 CFR § 300.320(b)

### Guidance for Standard

* Check current IEP date and compare to previous year’s IEP to verify that IEP was reviewed and revised within 365 days. There are NO allowable exceptions to the 365-day requirement.
* Check IEP present levels, transition planning and/or meeting notes for evidence that post-secondary goals were reviewed and updated annually.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise IEP, or enter into written agreement with parent to amend IEP without a meeting and revise it. Document in SPR&I the date IEP was revised (and if written agreement was used, the date parent signed agreement)
2. Review additional files where this event occurred after the incidence of noncompliance and list in SPR&I the compliance status for each.

## Standard 36: Transition Services Included

For students who turn **16** when the **most recent** IEP is in effect or who are older than 16, the IEP includes transition services needed to assist the student in reaching the post-secondary goals. 34 CFR § 300.320; 34 CFR § 300.43

### Guidance for Standard

Transition services are defined as a “coordinated set of activities for a child with a disability…to facilitate movement from school to post-school activities” including independent living and community participation.

* Check the IEP to verify that transition services assist the student in meeting postsecondary goals.
* Evidence may be found in various parts of the IEP, including: present levels, service summary, transition planning.
* Transition services should be based on the **individual** child’s needs, taking into account the child’s strengths, preferences, and interests; and **may** include:
	+ Instruction;
	+ Related services;
	+ Community experiences’
	+ The development of employment and other post-school adult living objectives;
	+ If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
* Transition services for children with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a child with a disability to benefit from special education.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise the IEP, or enter into written agreement with parent to amend IEP without a meeting and revise IEP. Document in SPR&I date IEP was revised (and if written agreement was used, the date parent signed agreement).
2. Review additional files where this event occurred after the incidence of noncompliance and list in SPR&I the compliance status for each.

## Standard 37: Course of Study

For students who turn **16** when the **most recent** IEP is in effect or who are older than 16 the IEP includes **courses of study** needed to assist the student in reaching the postsecondary goals. 34 CFR § 300.320(b)(2)

### Guidance for Standard

Check to verify that the IEP includes the following:

* A multi-year description of coursework to achievement student’s desired post-secondary goals, from student’s current year to anticipated exit year
* A course of study

The course of study is a list or a description of the type of courses students **will** take from the date of the current IEP to their anticipated exit year. It is not simply the coursework required to attain a specific high school diploma or a listing of courses the students have already taken. Courses of study must be correlated to the post-secondary goals.

### Corrective Action Required for Standard in the Event of Non-Compliance

1. Reconvene IEP team to review and revise the IEP, or enter into written agreement with parent to amend IEP without a meeting and revise IEP. Document in SPR&I date IEP was revised (and if written agreement was used, the date parent signed agreement).
2. Review additional files where this event occurred after incidence of noncompliance and list in SPR&I compliance status for each.

# Appendix 1: Individual PCR Form

| Student Information |
| --- |
| Student Name: |  |
| Student SSID: |  |
| Student DOB: |  |
| Student Disability Code: |  |
| Grade: |  |
| IEP Start Date: |  |
| IEP End Date: |  |
| Lock-In Criteria Questions |
| E | Has the student been reevaluated (3 year reevaluation) since initial eligibility? | Y | N |
| F | Did the district establish current eligibility? | Y | N |
| G | Did the student transfer into district from another Oregon district with eligibility? | Y | N |
| H | Did the student transfer from out of state with eligibility? If yes, district must have established Oregon eligibility since the transfer. | Y | N |
| I | Will the student be taking all general assessments? | Y | N |
| J | Will the student be taking all alternate assessments? | Y | N |
| K | Will the student be taking a mix of general and alternate assessments? | Y | N |
| L | For the IEP in effect at the time of review, is this an initial IEP (1st year IEP)? | Y | N |
|  IEP Team Meeting Notice |
| 16 | Transition Age Student Invited | Y | N | N/A |
| IEP Team Members |
| 22 | Agency Participation | Y | N | N/A |
| Section VI – IEP Content |
| 26 | PLAAFP Contains Academic Performance and Functional Performance | Y | N | N/A |
| 27 | PLAAFP Contains AATA and PINS | Y | N | N/A |
| 31 | Annual Goals | Y | N | N/A |
| 33 | Goals Align to Transition Services | Y | N | N/A |
| 34 | Appropriate Post-Secondary Goals | Y | N | N/A |
| 35 | Post-Secondary Goals Updated Annually | Y | N | N/A |
| 36 | Transition Services Included | Y | N | N/A |
| 37 | Course of Study | Y | N | N/A |
| Comments |
|  |

1. If the standard involved a particular age linked requirement (e.g., ECSE, school age, transition), disability type, or files from a unique program, the additional files to be reviewed need to target that age, disability type or program. [↑](#footnote-ref-1)