

A photograph of a diverse group of young students sitting at wooden desks in a classroom. They are looking towards the front of the room with attentive expressions. The background shows a typical classroom setting with posters and educational materials.

# Oregon Special Education General Supervision Framework

## Overview September 2022



OREGON  
DEPARTMENT OF  
EDUCATION

## General Supervision Under IDEA

The Individuals with Disabilities Education Act (IDEA) requires each state to ensure that the requirements of IDEA are carried out. General supervision is how the state meets IDEA requirements, monitors and provides support for IDEA implementation by local education agencies (LEAs), and improves educational results and functional outcomes for students experiencing disabilities.

## LEA Responsibility Under IDEA

IDEA places the responsibility for providing a free appropriate public education (FAPE) on each LEA that is determined to be responsible for students in its jurisdiction who are or may be experiencing disabilities. In Oregon, LEAs are districts and other programs responsible for providing FAPE.

## ODE Office of Enhancing Student Opportunities (OESO) Authority

Under Oregon Revised Statute (ORS) 343.041 and Oregon Administrative Rule (OAR) 581-015-2015, the ODE is authorized to administer general supervision as follows: – “a system that enables the Department to monitor whether the requirements of the Individuals Disabilities Education Act (IDEA), Oregon Revised Statutes (ORS), and Oregon Administrative Rules (OAR) are being effectively implemented by school districts and programs in compliance with legal and regulatory requirements”. Oregon’s General Supervision Framework incorporates “Integrated monitoring activities, including but not limited to, district, and program self-assessment, data collection, analysis and reporting, on-site visits, review of policies and procedures, review of the development and implementation of IEPs and IFSPs, improvement planning, corrective action, and auditing federal fund use”.

## The Oregon General Supervision Framework

OESO’s General Supervision Framework is grounded in improving outcomes for students experiencing disabilities. This is the “why of the framework.

## What is the Goal for Oregon Students Experiencing Disabilities?

*The ultimate goal is for Oregon students to be happy, self-determined, life-long learners who are fully included, valued, contributing members of society with the knowledge and ability to work through barriers and enjoy life.*

### How will Oregon reach this goal?

*Districts, schools, and programs support students to reach this goal by providing access to inclusive and individualized, equitable, and flexible instruction and support based on strengths and needs and values of students, families, staff and communities.*

## Differentiated Accountability and Support Activities

The Oregon IDEA General Supervision Framework illustration demonstrates how OESO provides accountability and supports at three levels:

- Universal Accountability and Support
- Cyclical Accountability and Support
- Focused Accountability and Support

OESO Accountability and Supports are organized in monitoring priority areas that encompass student results and the IDEA requirements that contribute to improved results: Least Restrictive Environment (LRE), Individualized Education Program (IEP), Free Appropriate Public Education (FAPE), Discipline, Secondary Transition, and an OESO-Determined Emergent or Emergency Priority Area.

Protocol for examining each Priority Area are provided to LEAs by OESO and available on the OESO website.

# Oregon IDEA General Supervision Framework

The Office of Enhancing Student Opportunity's (OESO's) General Supervision Framework is implemented statewide to provide accountability and support to Oregon LEAs. OESO's accountability and supports are differentiated in accordance with state priorities and LEA needs.

## Differentiated Accountability

OESO provides a multi-tiered system of accountability for LEAs, identifying and targeting LEAs based on risk and selecting mechanisms and levels of monitoring using LEA data from multiple general supervision components.

### Focused **FEW LEAS**

On-site or virtual focused monitoring activities may include file and policy & procedure reviews, classroom observations, staff interviews, and focus groups and are reserved for a few LEAs as determined by OESO. Focused monitoring:

- May occur for high-risk LEAs.
- May be used to investigate emerging state priorities.
- May be an enforcement action based on lack of correction or improvement.

### Cyclical **SOME LEAS**

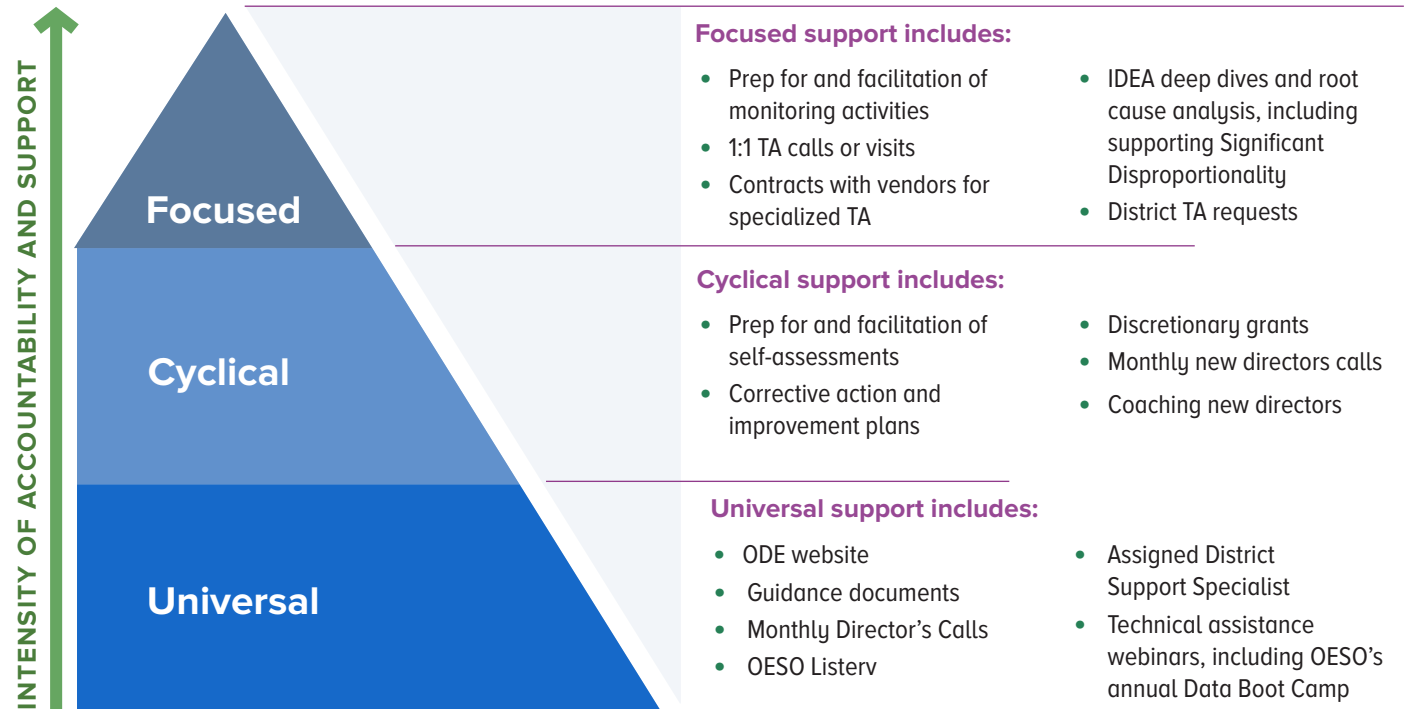
Using a cohort model, every three years, each Oregon LEA engages in a self-assessment that is verified by OESO. Self-assessment and onsite monitoring activities may include file and policy & procedure reviews, classroom observations, staff interviews, and focus groups. Activities and areas are determined based on risk and state priorities.

### Universal **ALL LEAS**

Universal accountability activities include: risk assessment, LEA Determinations, dispute resolution, IDEA project application, fiscal accountability audits, and SPP/APR data collection and reporting.

## Differentiated Support

OESO ensures LEAs receive support that matches the intensity of the accountability. Support is allocated based on LEA needs and aims to result in measurable progress for special education compliance and student results.



## General Supervision Components

These components are used for decision-making and to provide and evaluate the differentiated accountability and support:

- Fiscal Management
- Integrated Monitoring
- Sustaining Compliance And Improvement
- Implementation Of Policies And Procedures
- Technical Assistance And Professional Development
- Dispute Resolution Data
- State Performance Plan/ Annual Performance Report

## Universal Accountability and Support

Universal accountability and support activities are conducted on an annual basis and/or are regularly available for all LEAs.

### Annual LEA Risk Assessment

Oregon conducts an annual programmatic risk assessment to determine each LEA's risk of potential noncompliance and inform the state's differentiation of accountability and support activities.

### Annual LEA Determinations

As required by IDEA, OESO assigns an annual determination to each LEA. Each LEA receives one of four determinations: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. Technical assistance is provided as an integral part of LEA determinations.

### Annual IDEA Project Application

Each LEA is monitored annually as part of the ODE review and approval of the LEA's IDEA project application and budget submission demonstrating eligibility for IDEA Part B grant awards. The application includes separate program plans for fiscal requirements including Coordinated Early Intervening Services (CEIS) and proportionate share for parentally-placed private school students.

### Fiscal Accountability Audits

Each LEA is required to have a fiscal audit conducted annually and submit the results of that audits to ODE.

### SPP/APR Data Collection and Public Reporting

OESO collects SPP/APR data from each LEA for compliance and results indicators. Data are used for reporting in the SPP/APR, reporting to the public on the performance of each LEA, and to make annual LEA determinations.

### Dispute Resolution

Dispute resolution mechanisms include facilitated IEPs, voluntary mediation, formal state complaints, due process hearings, and resolution sessions. OESO reviews the outcomes and findings of

substantiated complaints and due process hearings.

### ODE Website

Through the [special education page of the ODE website](#), OESO communicates information to LEAs, other partners, and the public and establishes the expectation of compliance.

### Monthly Director's Calls and Weekly Office Hours

OESO conducts a monthly call with all Oregon LEA Special Education Directors to communicate information from OESO to LEAs, to solicit input from local directors on OESO activities, and to provide technical assistance.

Weekly Office Hours provide an opportunity for LEA Directors and other staff to verify their understanding of information provided by OESO and to ask questions about implementation.

### OESO Listserv

Special education administrators, teachers, and community and family members can [subscribe to the OESO special education listserv](#). OESO distributes information to increase the capacity of the field to meet IDEA requirements.

### Technical Assistance and Professional Learning Webinars

OESO regularly conducts technical assistance webinars and hosts webinars conducted by technical assistance providers. Topics for webinars are determined based on LEA data and LEA requests for assistance.

### Annual Regional Data Trainings

OESO's Data Team provides half-day Regional Trainings each fall for all staff responsible for reporting special education data.

### Assigned District Support Specialist

Each LEA is assigned an OESO District Support Specialist. District Support Specialists are single points of contact that assist the LEA to navigate the differentiated accountability and support activities.

## **Cyclical Accountability and Support**

OESO conducts monitoring on a three-year cycle. Cyclical monitoring can be done through a self-assessment that is verified or through on-site activities facilitated or directed by OESO.

Specific monitoring activities, self-assessed or OESO-directed, may include file and policy & procedure reviews, classroom observations, staff interviews, and focus groups. Cyclical monitoring activities are determined and organized for each LEA in at least two priority areas: LRE, IEP, FAPE, Discipline, Secondary Transition, and/or the OESO emergent or emergency priority area.

### Preparation and District Data Review

OESO holds a training for all LEAs selected for cyclical monitoring. Following notification of upcoming monitoring activities, the LEA will be asked to identify key staff to participate in monitoring activities.

Cyclical monitoring begins with a review of the LEA's data. OESO encourages LEAs to consider compliance and performance data, disaggregated by race, ethnicity, disability category, and gender, and other available sources when available (e.g., Student Success Act Engagement, Comprehensive Needs Assessment, ESSA Improvement Planning). These data inform focused monitoring activities.

### Self-Assessment with OESO Verification

Self-assessment offers a way for LEAs to conduct an analysis of their special education program, including the review of student files and data to determine whether the system is achieving the intended outcomes for students experiencing disabilities.

### Submission of Results

The self-assessment results and associated files should be submitted to the OESO electronically according to the monitoring schedule.

### OESO Verification

OESO reviews the results of each LEA's self-assessment and, after conducting validation of the LEA's self-assessment, makes findings of noncompliance where evidence demonstrates noncompliance with IDEA or state requirements.

### Interviews and Additional Information

Cyclical monitoring may also include observations, follow-up interviews, on-site visits, focus groups, or requests for additional information based on OESO's initial review of LEA data and again based on its verification of the results of the self-assessment.

### Monitoring Report and Correction of Noncompliance

Within 60 days of the conclusion of the cyclical monitoring activities and submission of any additional information requested of the LEA, OESO will issue a monitoring report, including any findings of noncompliance, to the LEA.

### Preparation for and Facilitation of Monitoring Activities and Individualized Technical Assistance to Develop Correction and Improvement Plans

OESO will assist each LEA to prepare for and participate in cyclical monitoring activities.

### New Director Handbook, Monthly Calls and Coaching

Informed by state and national data and best practices, OESO is committed to providing stable leadership support to new directors.

### Discretionary Grants

OESO may allocate its IDEA state set-aside funds or other state funds toward discretionary priorities. This means that LEAs may apply to receive additional funding in exchange for implementing innovative practice or making extra efforts to increase compliance or improve results for students experiencing disabilities.

### Annual Data Boot Camp for New Data Staff

OESO's Data Team offers two one-day trainings for new District and ESD staff responsible for reporting special education data.

## **Focused Accountability and Support**

Focused accountability and support activities are more individualized than cyclical activities and take place outside of the three-year monitoring cycle and in addition to any universal activities. Focused support activities match the increased intensity of focused monitoring activities.

Focused monitoring activities are conducted by OESO, on-site or virtually, and may include file and policy & procedure reviews, classroom observations, staff interviews, and community focus groups. Focused monitoring activities and areas are determined and organized for each LEA in by priority area: LRE, IEP, FAPE, Discipline, Secondary Transition, and/or the OESO emergent or emergency priority area.

### Focused Monitoring for High-Risk LEAs

LEAs identified with extremely high risk (i.e., generally the 2% of LEAs with the highest risk assessment scores) are required to participate in focused monitoring activities, regardless of when they last participated in cyclical or other risk-based monitoring. In addition to any LEA identified as having extremely high risk, any LEA identified as Needs Substantial Intervention is required to complete focused monitoring activities.

### Focused Monitoring for Emerging Priorities and Emergency Issues

Utilizing either an existing protocol or developing a customized protocol, OESO may engage in focused monitoring for emerging emergency priorities and issues. Examples include focused monitoring for abbreviated day and joint monitoring with other ODE offices and teams for a particular focal group of students (e.g.; dually identified ELL SWD).

### Focused Monitoring as an Enforcement Action

If an LEA has longstanding noncompliance, has not submitted required information to OESO, or has not made progress in demonstrating improvement, OESO may conduct focused monitoring as an enforcement action.

### Focused Monitoring for Disproportionality

LEAs flagged for compliance indicators B4b, B9 and B10 or identified as having significant

disproportionality will have additional focused monitoring activities to complete in addition to cyclical self-assessments or outside of their cyclical cohorts. LEAs identified with disproportionality will be required to conduct or participate in policy and procedure reviews as part of the focused monitoring activities.

### Preparation and LEA Data Review

OESO holds a training for all LEAs selected for focused monitoring. Following notification of upcoming monitoring activities, the LEA will be asked to identify key staff to participate in monitoring activities.

Focused monitoring begins with a facilitated review of the LEA's data. OESO will use its own data summary, including of the LEA's compliance and performance, disaggregated by race, ethnicity, disability category, and gender, and other available sources when available (e.g., Student Success Act Engagement, Comprehensive Needs Assessment, ESSA Improvement Planning). These data inform focused monitoring activities.

### Interviews and Additional Information

Focused monitoring may also include observations, follow-up interviews, on-site visits, focus groups, or requests for additional information based on OESO's review of LEA data.

### Monitoring Report and Correction of Noncompliance

Within 60 days of the conclusion of the focused monitoring activities and submission of any additional information requested of the LEA, OESO will issue a monitoring report, including any findings of noncompliance, to the LEA.

### Contracts with Vendors for Specialized Technical Assistance

To sustain compliance and improvement, OESO may direct an LEA to use a portion of its IDEA funds to address the LEAs need by contracting with a vendor to provide supports to the district.

### IDEA Deep Dives and Root Cause Analysis

When an LEA is unable to demonstrate correction of noncompliance or improve performance, OESO and the LEA may identify the need for additional

exploration of the factors contributing to the noncompliance or lack of improvement. OESO or contract technical assistance providers, can engage with LEA teams to explore data beyond those reviewed for cyclical or intensive monitoring, or to use new data methodologies.

### LEA TA Requests

OESO has limited resources to provide technical assistance to LEAs outside of the focused support to LEAs based on the LEA Risk Assessment and other factors. If an LEA requests technical assistance that requires the development of materials or building expertise on a topic, OESO will evaluate whether the technical assistance requested (1) would be useful to additional LEAs; and (2) aligns with its priority areas. If resources are available and the requested technical assistance is determined to be relevant and useful to other LEAs, OESO will provide the technical assistance.

## **Identification and Correction of Noncompliance**

When OESO identifies LEA noncompliance with IDEA through any of its accountability activities, it makes a written finding of noncompliance notifying the LEA of the noncompliance, describing the noncompliance, and requiring the LEA to, as soon as possible, but no later than one year from identification:

- Correct any instances of noncompliance for individual students and provide documentation to OESO;
- Correct any noncompliant policies, procedures or practices; and
- Demonstrate, through data collected subsequent to the initial identification of noncompliance, that the LEA is implementing the regulations correctly for a period of time to be set by OESO.

OESO sets specific parameters for correction and follows up until the LEA is implementing the regulations correctly.

## **ODE Responses or Enforcement Actions: Incentives and Sanctions**

If an LEA does not demonstrate correction of the identified noncompliance within one year from the notification of noncompliance, OESO will notify the LEA of enforcement actions it plans to take. OESO incentives and sanctions available to use as enforcement actions with an LEA include:

- Providing technical assistance tailored to address an LEA's area(s) of need.
- Decreasing LEA reporting requirements when noncompliance is corrected or increasing reporting requirements when not corrected.
- Conducting additional on-site monitoring.
- Imposing special conditions on an LEA's IDEA subgrant award(s).
- Directing the use of or withholding an LEA's IDEA funds.

## **For More Information on Oregon's General Supervision Framework**

- Contact your District Support Specialist.
- Visit the [OESO website](#).

## Overview of Activities

### Universal Activities

Activity	Timeline	Resources
Annual LEA Risk Assessment	April – June	Programmatic Risk Assessment Excel template
Annual LEA Determinations	April – June, issued to LEAs in June	LEA Determination Letter and Notification of Correction of Noncompliance – June 2022 draft
Annual IDEA Project Application	April – July	Special Education Funding and Finance webpage; CIFR
Fiscal Accountability Audits	Single audits are due to ODE in January.	ODE District Budget and Accounting Website
SPP/APR Data Collection and Public Reporting	Due annually by February 1. Data collection windows vary for indicators.	FFY 2020-25 Measurement Table; ODE Collection Catalog; OSEP Responses; Special Education Report Cards
Dispute Resolution	Ongoing throughout the year	Dispute Resolution webpage; IEP Meeting Facilitation; Oregon Comprehensive Dispute Resolution Guidance; Procedural Safeguards
ODE Website	Ongoing	ODE Website Special Education Page
Monthly Director's Calls	Last Wednesday of the month 2:00 - 3:00	
Weekly Office Hours	Thursdays 11:00 – 12:00	
OESO Listserv	Ongoing	ODE Subscriptions, Newsletter Archive



Activity	Timeline	Resources
Technical Assistance and Professional Learning Webinars	Ongoing; Second Thursday 10:00-11:30 beginning 9/8/22	Archive of ODE Q&A Webinars for State Directors, FACT On-Demand Webinars
Annual Regional Data Trainings	Fall	Boot Camp Materials, Special Education Child Count Training Resources
Assigned District Support Specialist for Each LEA	Assignments communicated over summer and as needed	

### Cyclical Activities

Activity	Timeline	Resources
Cyclical Monitoring	Fall and winter; LEAs submit Self-Assessment by December 15 <sup>th</sup> ; OESO reviews and issues monitoring reports and any findings of noncompliance by March 15 <sup>th</sup> .	Monitoring manual; Oregon IDEA Cyclical Monitoring Cohorts; Priority Area Monitoring Protocol
Preparation for and facilitation of monitoring activities and individualized technical assistance to develop correction and improvement plans	July – December; January – June	General Supervision Framework Manual
New Director Guidance, Monthly Calls and Coaching	Monthly; Ongoing	New Special Education Director Guidance; Monthly Calls Information; COSA New Special Education Directors Academy
Discretionary Grant	Ongoing	Time-Limited Grant Programs

Activity	Timeline	Resources
Annual Data Boot Camp for New Data Staff	September – October	Boot Camp Materials, Special Education Child Count Training Resources

### Focused Activities

Activity	Timeline	Resources
Focused Monitoring	September – December primarily but can be utilized at any time.	Monitoring manual
Contracts with Vendors for Specialized Technical Assistance	As needed	
IDEA Deep Dives & Root Cause Analysis	As needed	New Special Education Director Guidance; Monthly Calls Information; COSA New Special Education Directors Academy
LEA TA Requests	In response to districts as OESO capacity allows	