

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

### General Supervision Position Paper

In 1975, Congress passed PL 94-142, the Education of the Handicapped Act, which said that all students with disabilities are entitled to a free appropriate public education (FAPE). The Education of the Handicapped Act has been reauthorized six times since its inception, in 1983, 1986, 1990, 1992, 1997, and in 2004. The North Carolina Department of Public Instruction Exceptional Children Division (NCDPI – ECD) has the responsibility to ensure that all students with disabilities in this state receive a FAPE. Section 616 of the 2004 amendments to the Individuals with Disabilities Education Improvement Act (IDEA) states, “ The primary focus of the Federal and State Monitoring activities described in paragraph (1) shall be on— (A) improving educational results and functional outcomes for all children with disabilities; and (B) ensuring that States meet the requirements under this part, with a particular emphasis on the requirements that are most closely related to improving educational results for children with disabilities. NCDPI-EC Division under its general supervision authority is required to monitor the implementation of all special education programs for all eligible students with disabilities in the state. The federal Office of Special Education Program (OSEP) monitors NCDPI-EC Division to ensure that processes and procedures are in place to meet the state’s general supervision requirements. To comply with the requirements of this Act, the NCDPI – EC Division has reviewed the mechanisms for monitoring and developed a comprehensive general supervision system. The system:

1. Supports practices that improve educational results and functional outcomes for children and youth with disabilities;
2. Uses multiple methods to identify and correct noncompliance as soon as possible but no later than one year after noncompliance is identified; and
3. Utilizes mechanisms to encourage and support improvement and enforce compliance.

### Components of North Carolina’s General Supervision System

There are eight components of the General supervision system:

1. State Performance Plan (SPP) and Annual Performance Report (APR)
2. Policies, Practices, and Procedures
3. Dispute Resolution System
4. Data Collection
5. Monitoring Activities
6. Improvement, Correction, Incentives, and Sanctions
7. Targeted Technical Assistance
8. Fiscal Management

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

Each component, while separate in its description, connects to form a comprehensive system. Through the triangulation of these activities NCDPI – EC Division complies with federal regulations.

### 1. State Performance Plan (SPP) and Annual Performance Report (APR)

IDEA 2004 required all states to submit a State Performance Plan (SPP) that evaluates the State's efforts to implement the requirements and purposes of Part B of the Act. The State Performance Plan (SPP) serves as an accountability mechanism for states and local education agencies (LEA). Each of the SPP indicators has been purposely written to provide a measurable indication of a state's performance in specific statutory priority areas under Part B – Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), Disproportionality, and Effective General Supervision, including Child Find and Effective Transitions. The SPP contains 17 prescribed indicators that are clustered in three priority areas. For the areas of General Supervision and Disproportionality, measurable and rigorous targets were established by the Office of Special Education Programs (OSEP). North Carolina, through stakeholders, established the measurable and rigorous targets for some of the FAPE indicators. Data are used to establish baselines, to set targets, and to measure progress and slippage towards reaching the target. Certain FAPE indicators were aligned with the targets set by the Elementary and Secondary Education Act. The SPP is a living document that is revised as needed and used as the mechanism for guiding improvement efforts at the state and local levels. The analysis of the progress and slippage, including compliance and performance, is used to prioritize the Division's activities for each upcoming year. Improvement activities relate to the targets and are based on the analysis and interpretation of the data gathered. North Carolina evaluates LEAs' performance against the targets. Resources and technical assistance to facilitate improved results are allocated to LEAs.

Annually, performance on the SPP indicators is submitted in the Annual Performance Report (APR). This document must be submitted February 1 of each year through 2014. North Carolina is required to report publicly on the performance of each LEA against the SPP targets. The public reports can be found on the [North Carolina Public School Exceptional Children website](#).

Authority: 34 CFR 300.169(c) and (d); 300.361(a) (3); 300.602(b) (1) (i) (A); 300.602(b) (1) (i) (B))

### 2. Policies, Procedures, and Effective Implementation

North Carolina is required to have policies and procedures that are aligned to support the implementation of IDEA. Article 9 of the state statutes governing special education was revised to align with the requirements of the IDEA. The revised Article 9 was signed into law and became effective July 1, 2006.

*Policies Governing Services for Children with Disabilities* was revised to comply with IDEA 2004. The State Board of Education approved those revisions on November 1, 2007, with the most recent amendment in July 2014. The procedural safeguards notice, Handbook on Parents' Rights has undergone revisions to comply with IDEA. LEAs to include charter schools, State Operated Programs, and Psychiatric Residential Treatment Facilities (PRTFs) are provided

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

ongoing training and technical assistance or the implementation of the requirements. Additionally, the NCDPI–ECD provides model forms to facilitate implementations of the regulations

Authority: 34 CFR 300.100; 34 CFR 76.700; 20 U.S.C 1232d (b) (1); 34CFR 300.600(a); 34CFR 80.40(a) and 80.43; U.S.C. 1232d; 34 CFR 300.200–300.201; U.S.C. 1232(b) (1) and 1232 e (b) (1); 34CFR 300.156(a) and 300.201; CFR 300.156; 34 CFR 300.100 and 300.200; 34CFR 300.154

### 3. Dispute Resolution – Mediations, Complaints, and Due Process

The NCDPI–EC Division provides offers the formal means for dispute resolution required by federal and state law. Mediation, formal written complaints, and due process hearings are all components of the system. The timely resolution of complaints, mediations, and due process actions is required for compliant dispute resolutions. Effective dispute resolutions also track the issues identified to determine whether patterns or trends exist. Additionally, through the tracking of the issues over time, it is possible to evaluate the resolutions’ effectiveness and determine whether resolution was maintained in future situations. It is important to determine the extent to which parents, families, and students understand their rights related to dispute resolution. In addition to the formal processes, the system also includes informal inquiries and the facilitation IEP process. Dispute Resolution Consultant as well as other consultants within the EC Division responses to numerous inquiries from a variety of customers. This information is considered with decisions.

#### *Mediation*

Under IDEA, special education mediation must be made available to parents of children with disabilities. Mediation is an informal meeting of parents and school representatives led by a neutral third party, the mediator. Mediation is a voluntary process, which the parties themselves control. The mediator helps the parents and school system resolve disagreements concerning the child’s identification, evaluation, program or placement. Mediation is a confidential process.

IDEA requires the NCDPI-EC Division to provide the option of mediation whenever a due process hearing is requested and as a stand-alone (w/o a due process petition).

Mediation may be requested by the parent, guardian, or surrogate parent of a student with a disability, the district and/or the student who has reached the age of majority. A request for mediation is sent to the Exceptional Children Division and then a staff person from DPI contacts the other party to the dispute to determine whether they agree to mediate. If both parties agree, the DPI contact assigns a case number and a mediator.

#### *Formal Complaints*

IDEA and the Education Department General Administrative Regulations (EDGAR) require the NCDPI-EC Division to investigate and resolve complaints alleging the Department, LEA or participating public agency has violated a provision (statute or regulation) of Part B of the IDEA, the

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

EDGAR ( 34CFR parts 74 and 76) or Article 9 of Chapter 115C of North Carolina General Statutes.

### *Due Process*

The NCDPI-ECD is required to administer requests for due process hearings regarding the identification, evaluation, and educational placement of the student or the provision of FAPE to a student with a disability. A parent or adult student or an LEA may request a due process hearing regarding the school district's proposal or refusal to initiate or change the identification, evaluation, educational placement and /or provision of FAPE to the student. A request for a due process hearing may be initiated by filing a petition with the OAH and the superintendent of the local school system.

### *Facilitated IEP Meeting*

In 2005 North Carolina developed a Facilitated Individualized Education Program (IEP) Team Meeting Program. When parents or school representatives are apprehensive about the IEP meeting, or it is a complex meeting with numerous participants, or communication between home and school is becoming tense, an impartial facilitator can be requested to assist the IEP team members in communicating more effectively, keeping the focus on student outcomes, and developing compliant IEPs. There is a cadre of trained facilitators and one can be assigned when a request is made.

Authority: 34 CFR 300.152(a); 300.506(b)(5); 300.508; 300.510; 300.511(e) and 300.515; CFR500.152; 300.506(b)(6) and(7); 300.510(d)(2); 300.513; 300.514; and 300.537; 300.506(b)(1)(iii) and 300.511(c); NC1504-1

## 4. Data Collection

As a part of the state's general supervision responsibilities the following actions are undertaken when data are used for decision making about program management and improvement. The following actions occur:

1. Collection and verification of data;
2. Examination and analysis of data;
3. Reporting of data;
4. Status determination; and
5. Improvement.

### *Collection and Verification of Data*

Data are collected from LEAs through such means as the 618 State-reported data collection. To effectively use these data, LEAs regularly update the data and NCDPI-ECD routinely examines and verify the collected data.

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

NCDPI-ECD uses the 618 data and information from other sources, such as state collected data, patterns and trends in dispute resolution data, and previous monitoring findings to evaluate the performance of the state and LEAs on the SPP indicators. These data are also useful in selecting LEAs for monitoring based on performance, especially when these data are compared across indicators.

Another important consideration is the extent to which NCDPI-ECD can ensure the data collected from LEAs are accurate, as well as submitted in a timely manner. Accuracy has multiple levels including that the data follow rules of entry or submission and that they reflect actual practice at the program level.

### *Examination and Analyses*

Data must be examined in a variety of ways to identify and determine patterns and trends. SPP indicators are clustered to identify connections among the indicators. These connections are considered when developing improvement activities.

### *Reporting of Data*

The 618 data are required submissions to the federal government. These data are a part of the annual report to Congress and must be valid, reliable and timely. Additionally, the NCDPI - EC must annually report on the performance of each LEA on the SPP indicators compared to the state targets. Each LEAs performance is publicly accessible. The LEA reports are reported to the public and are publicly accessible.

### *Status Determinations*

Data on the performance of each LEA on the SPP indicators, as well as from other sources (e.g. fiscal audits, timely submissions) are used to make determinations of the status of each LEA. LEAs are categorized as *meets requirements*, *needs assistance*, *needs intervention*, or *needs substantial interventions*.

### *Improvement*

Through the NCDPI-ECD improvement activities in the SPP and from the examination of the LEAs performance, data are used for program improvement as well as progress measurement. Technical assistance activities, designed to address the needs of each individual LEA, are based on data that are collected and analyzed. The NCPI-ECD analyze the data for each LEA and determine the LEAs that are in the greatest need of program improvement.

Authority: 334 CFR 300.640-300.646; 34CFR 300.601(b); 34CFR 300.602(b) (1) (B); 34 CFR 300.602(b); 34CFR 300. 600(a); 1505-3

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

### 5. Monitoring Activities

The North Carolina Continuous Improvement Focused Monitoring System (CIFMS) includes the following:

- A. LEA Self-Assessment and Improvement Plan
- B. Targeted on-site visits;
- C. Focused Monitoring;
- D. Program Compliance Reviews; and
- E. LEA Program Assessments
- F. Data Base Reviews

#### *A. LEA Self-Assessment and Improvement Plan*

The LEAs, charter schools, and state operated programs (SOPs) conduct a self-assessment and develop an improvement plan. This process supports problem-solving; drives decision-making and technical assistance at the LEA, regional, and state levels; and bridges improvement efforts across the agency. The five-step process includes data collection, summary and analysis, improvement planning, implementation, and evaluation. The SEA provides a data profile which includes indicator and other relevant data as well as the LEAs status on policy and fiscal compliance. The LEA then completes a practice profile to assess how the LEA develops and implements IEPs, uses problem-solving for improvement, selects and implements research-based instructional practices and programs, and communicates and collaborates with stakeholders (including the SEA). Data from all of these sources is summarized and analyzed to identify a focus for improvement. LEAs then design, implement, and evaluate a three year improvement plan with support from NCDPI-ECD.

#### *B. Targeted On-site Visits*

Targeted on-site visits target a particular area where the data suggest that there is a systematic problem. Examples of targeted on-site visits include review of students placed on homebound; Intellectually Disabled (ID) and Serious Emotional Disabled (SED) record reviews to address disproportionate representation, verification of CIPP indicators, and verification of child counts. In addition to selecting districts for targeted on-site visits based on data, districts may also be selected due to a pattern of issues identified through the IDEA complaint process.

#### *C. Focused Monitoring*

Focused monitoring is a process that purposefully selects state priority areas to examine for compliance and results while not specifically examining other areas for compliance. Focused monitoring is intended to maximize resources, emphasize important variables and increase the probability of improved results. The primary goal of focused monitoring is to positively impact educational results and functional outcomes for all children with disabilities while ensuring that districts meet state and federal requirements under IDEA 2004. It draws attention to those requirements that are most closely related to improving educational results for children with disabilities. This goal is addressed by the department through focused monitoring activities that include:

- Verifying the accuracy of data reported by districts;

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

- Helping districts identify why students with disabilities are not achieving desired outcomes;
- Helping identify research-based strategies to address needs;
- Helping identify district and state resources; and
- Providing technical assistance.

These activities occur at various stages in the focused monitoring process.

### Stakeholder Involvement

A key principle of an effective focused monitoring system is input and feedback from a diverse group of stakeholders. The NCDPI-EC Division worked with the National Center for Special Education Accountability Monitoring (NCSEAM) on the development of the CIFMS and the stakeholder process. NCDPI-EC Division in collaboration with NCSEAM brought together a group of diverse stakeholders. A stakeholder meeting was held in August 2006 with representation from across the state. The Stakeholders selected four indicators in need of attention through the focused monitoring system.

They were:

- Increase the number of students with disabilities graduating with a regular diploma;
- Decrease the number of students with disabilities dropping out of high school;
- Improve transition services; and
- Improve post school outcomes.

### District Selection

NCDPI uses student outcome data to identify districts that are in need of improvement in the priority areas. In 2004, the CIFMS stakeholder group identified four student enrollment groups within the state from which a select number of school districts are identified for focused monitoring. NCDPI ranks districts within the enrollment groups using data related to each priority area. NCDPI uses trend data to identify districts for focused monitoring. Data are also used to determine which school buildings within a district the NCDPI on-site team visits. In addition to group size, trend data and geographic location are considered.

Authority: 34 CFR 300.600; 300.600(b), (c), and (d); 1505-1.1-1.3

#### *A. Program Compliance Reviews*

Program Compliance Reviews are on-site visits conducted once every five years in each LEA, charter school, and State Operated Program (SOP) in the state. The visit is also conducted for charter schools during the second semester of the first year of operation and every five years thereafter. Each entity is monitored by the Exceptional Children Division for compliance with IDEA procedures and regulations at the individual and district level. During the on-site visit a sampling of exceptional children records are reviewed using the revised North Carolina Monitoring Protocol. The data gathered from the on-site visits are reported in the SPP/APR for Indicators 13 and 15. Additional data are gathered in order to provide recommendations and provide technical assistance to ensure meaningful student outcomes at the local level. A written report is sent to the LEAs, charter schools, and SOPs identifying any noncompliance that has been identified. Upon receipt of that letter, all

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

noncompliance must be corrected as soon as possible, but in no case later than one year from notification.

### Core Elements Include:

1. Student Record Review;
2. Interviews regarding EC Process;
3. Student Service Verification;
4. Related Services Verification;
5. Student Outcomes;
6. LEA Resources; and
7. Licensure of EC Service Providers.

### *B. LEA Program Assessment*

The LEA Program Assessment is a comprehensive monitoring activity where data are collected in multiple areas to determine the effectiveness of the Exceptional Children Program. This monitoring activity will be conducted for LEAs that failed to meet the targets set for student outcomes indicators over multiple years.

### Data Analysis

Prior to the on-site visit the LEA provides the following information, as applicable:

1. Policies, Procedures, and Practices pertaining to attendance, discipline, and dropout prevention;
2. Suspension data;
3. LRE data;
4. Demographic data for each school;
5. Graduation/drop out data for each school (as applicable);
6. Copies of Licensure of all EC personnel;
7. School District Improvement Plan;
8. List of EC staff;
9. School bell schedules;
10. Master schedules;
11. Schedules of EC staff and related service provider;
12. Class size enrollment;
13. Caseload schedule;
14. Student performance on statewide assessments;
15. Student/Staff handbook;
16. Student Code of Conduct; and
17. For charter schools, a copy of the Charter and student enrollment & application forms.

### On-site Activities



## NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

### OFFICE OF EXCEPTIONAL CHILDREN

Activities conducted during the on-site Program Assessment visit are based on the review of all relevant data sources. Activities for each Program Assessment visit may include but are not limited to the following:

1. Interviews with LEA administrators, teachers, and other school personnel;
2. Interviews with parents;
3. Student Record Review;
4. Classroom Observations; and
5. Review schedules and licensure of EC staff and related service providers.

For virtual charter schools, online access to classes will be required. DPI-ECD staff will need to be able to log-on, observe instruction, and view any student and teacher interaction, as part of the monitoring process.

#### *C. Data Base Review*

##### *Indicators 4B, 9, and 10*

Annually the State data base collects data from all LEAs, charter schools, and SOPs that are used to calculate discrepancies in suspensions by race/ethnicity and disproportionate representation by race/ethnicity in the exceptional children population of LEAs, charter schools, and SOPs that have 40 or more students in the subgroup. If LEAs, charter schools, and SOPs do not meet the state criteria, the second step of the process is to review the practices, policies and procedures in each agency to determine if there is noncompliance. Targeted on-site visits can be scheduled based the review of the practices, policies and procedures. If noncompliance is identified, the LEA will be notified of the finding and must correct the noncompliance within a year.

Virtual charter schools should plan for NCDPI-EC staff to log-on to activities that may include professional development for staff; consultation and collaboration between general education, special education and coaches; IEP Team meetings; and implementation of IEPs.

##### *Indicator 11*

The data for Indicator 11 are collected annually through the Comprehensive Exceptional Children Accountability System (CECAS). All LEAs, charter schools, and SOPs enter data annually into CECAS. LEAs, charter schools, and SOPs with findings of noncompliance are required to submit data/evidence of correction as soon as possible and no later than one year from notification, that the referral, evaluation, eligibility and placement determinations have been completed for all child specific findings for whom the 90 day timeline was not met. Additional data are reviewed through CECAS to document correct implementation of the regulatory requirement(s) for all students.

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

Virtual charter schools should clearly outline Child Find procedures to include a network of evaluators across all catchment areas that includes face-to-face interaction between the evaluator and the student.

### Indicator 12

Annually each LEA that provides special education and related services to the pre-school population submits data electronically utilizing a department created excel spreadsheet which automatically calculates the percentage of timely transitions. Each LEA is directed to have the Exceptional Children Director sign a letter of assurance as to the accuracy of the data. LEAs with findings of noncompliance are required to submit data/evidence of correction as soon as possible and no later than one year from notification that the transition of students from Part C to Part B has been completed. LEAs are required to submit additional data for review to document correct implementation of the regulatory requirement(s) for all students.

### 6. Improvement, Correction, Incentives, and Sanctions

The enforcement of regulations, policies, and procedures are required by the IDEA and state statutes. Successful completion of corrective actions and improvement activities means the LEA has corrected the noncompliance and made progress towards meeting the targets on the performance indicators. The strategy to reward and recognize high performing and the most improved school districts and to provide consequences to low performing and substantially noncompliant schools districts centers on public reporting. Its foci are to (1) identify and recognize those school districts that achieve or exceed targets and indicators of the SPP that demonstrate significant improvement over time; (2) provide the consequences to low performing school districts that are substantially noncompliant with statutory and regulatory requirements.

The system must be based on a continuum of consequences and sanctions that are efficient and effective and result in timely compliance and improvement. An efficient and effective system of recognition and sanctions for school districts to improve results for students with disabilities must consider our own resources and be based on building public support, creating partnerships and promoting effective practices. The proposed system of recognition and rewards had been designed to serve as an incentive for school districts to be high performers and to lead to the identification and replication of best practices. An incentive for change occurs when there is public notice about results.

The following incentives may be used to acknowledge districts performance or improvement:

- Letter of commendation/acknowledgement to superintendent and/or local board of education from the State Superintendent and the Chairman of the State Board of Education;
- Commendation on the NCDPI website;
- Identification as a exemplary school district; and/or
- Allocation of grant funds, as available, for replication of commended strategies.

## NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

### OFFICE OF EXCEPTIONAL CHILDREN

The following are the determinations that could be assigned to an agency after an analysis of data, documentation of evidence of change, or documentation of correction of noncompliance.

#### *Level One: Meets Requirements*

#### *Level Two: Needs Assistance (Noncompliance not corrected within two years)*

In the instance when the SEA determines that an LEA, charter school or SOP needs assistance in implementing the requirements of the IDEA requirements and the CIFMS, the SEA shall take one or more of the following actions:

- The SEA will direct the LEA, charter school, or SOP to allocate additional time and resources for technical assistance and guidance related to areas of noncompliance. Technical assistance may include assistance from NCDPI, distinguished superintendents, principals, special education administrators, and staff at institutions of higher education, special education teachers, and other teachers to provide recommendations, technical assistance and support.
- The SEA will impose special conditions on the LEA's application for IDEA funds.
- The SEA will direct how the LEA utilizes IDEA funds to address the remaining findings of noncompliance. The LEA must track the use of these funds to show the SEA how the funds are targeted to address areas of noncompliance.

#### *Level Three: Needs Intervention (Noncompliance not corrected within three years)*

If the SEA determines for three consecutive years that an LEA needs assistance in implementing the requirements of IDEA and the CIFMS, the following shall apply:

- The SEA may take any of the actions described in Level One;
- The SEA shall withhold in whole or in part, any further payments of IDEA funds to the LEA; and
- The SEA shall require the LEA enter into a compliance agreement if the SEA believes that the LEA cannot correct the problem within one year.

#### *Level Four: Needs Substantial Intervention*

In addition to the sanctions described in Levels One and Two, at any time the SEA determines that an LEA needs substantial intervention in implementing the requirements of the IDEA and the CIFMS, or that there is substantial failure to comply, the SEA shall take one or more of the following actions:

- The SEA will direct the LEA's implementation of a Compliance Agreement, billed to the LEA;
- Recover IDEA funds; or
- Refer the LEA for appropriate enforcement under State or Federal law.

Authority: 20 U.S.C. 1232(b)(3)(A) and(E); 20U.S.C. 1232d(b)(3)(B); 34 CFR 300.222, 300.603-300.604 and 300.608; 34 CFR 80.12; 20 U.S.C. 1232(b)(3)(C) and (D); 20U.S.C. 1232d(b)(4); 34 CFR 300.608(a); 300.608(b); 1505-1.4-1.10 Article 9

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

### 7. Technical Assistance and Professional Development

Technical assistance is directly linked to the SPP indicators and to the improvement activities. The NCDPI- EC Division provides LEAs with a variety of assistance to improve performance of students with disabilities across the state and to ensure ongoing compliance with the federal and state regulations governing students with disabilities. The data on each of the indicators of the SPP are reviewed to make decisions related to LEAs in most need of improvement. Those LEAs in the most need of improvement are offered assistance.

### 8. Fiscal Monitoring

NCDPI-EC Division has three tiers that make up the fiscal monitoring process. Each tier is described below:

#### *Tier I:*

Review of Budget vs. Expenditure Reports for PRC 49 and PRC 60. All LEAs are reviewed annually to ensure that the LEAs are spending funds in agreement with their approved budgets.

Review of Budget vs. Expenditure Reports for PRC 114 – Risk Pool. All LEAs receiving these funds are reviewed annually to ensure that the LEAs are spending funds in agreement with their approved budgets.

Direct contact is made with any LEA whose overspent lines total more than 10% of the approved budget, to require that the budget be revised to bring them in line with the standard in EDGAR 80.30.

#### *Tier II:*

An IDEA Fiscal Desk Review is completed by all LEAs, charter schools and state-operated programs every five years. Approximately fifty five\* (55) IDEA Fiscal Desk Reviews are annually submitted by October 1 and reviewed by December 31<sup>st</sup>. The IDEA Fiscal Desk Review addresses Time and Effort, Equipment (purchase and inventory), Maintenance of Fiscal Effort and Proportionate Share.

A copy of the IDEA Fiscal Desk Review is mailed to the LEA, charter school and state-operated program within ninety (90) days of receipt of audit documentation.

\* A random sample of LEAs and charter schools and state-operated programs from each of the eight State Board of Education regions participate annually.

# NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

## OFFICE OF EXCEPTIONAL CHILDREN

### *Tier III:*

At least 15 IDEA Fiscal Monitoring On-site or Virtual on-site visits are completed annually. The following Risk-based criteria are used to determine on-site or virtual on-site visit sites:

Findings from the IDEA Fiscal Desk Review

Annual LEA Single Audit Findings

LEA Special Education Administrator turn-over

SEA identified potential fiscal issues

A summary report with any required actions is mailed to the LEA, charter school, and state-operated program within sixty (60) business days after the on-site.

### *Coordinated Early Intervening Services (CEIS) - Monitoring*

1. Budget vs. Expenditure reports reviewed quarterly for all providers.
2. Program Compliance Reviews include a review of documentation of a student tracking process for LEAs providing CEIS.
3. An on-site or virtual on-site CEIS monitoring is completed for all “mandatory LEAs” with Significant Disproportionality. The monitoring includes:
  - Review of the CEIS Plan in the Grant Application;
  - Comparison of the CEIS Plan with budget transactions;
  - Review of payroll at Time & Effort documentation (if applicable);
  - Review of the process for tracking students receiving CEIS; and
  - Visits or virtual visits to site(s) of CEIS.
4. CEIS monitoring (see above) is completed for any LEA (providing CEIS) scheduled for on-site or virtual on-site fiscal monitoring visit.