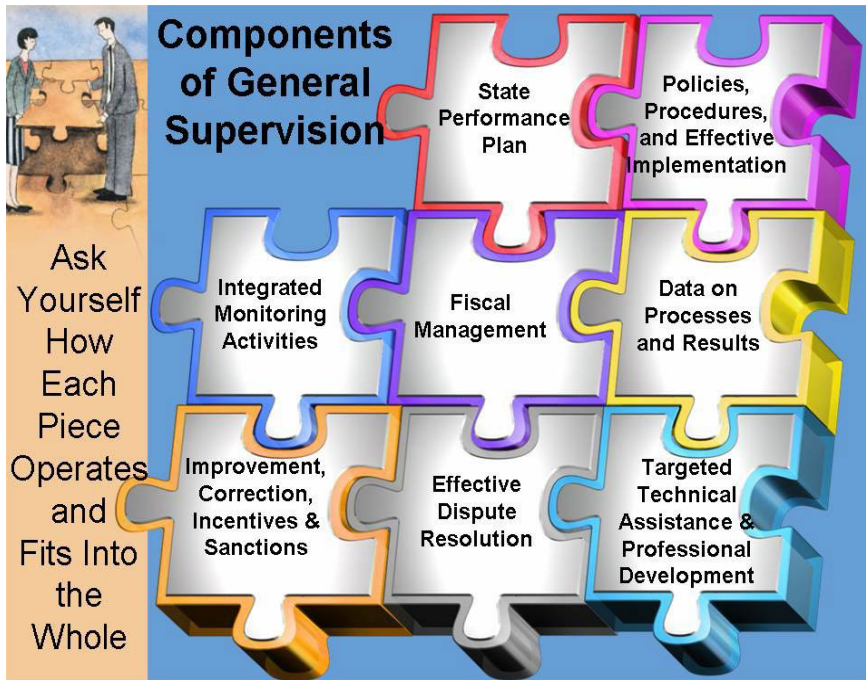


Developing and Implementing an Effective System of General Supervision: Part B



National Center for Special Education Accountability Monitoring

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Developing and Implementing an Effective System of General Supervision: Part B

Introduction

States have a responsibility, under federal law, to have a system of general supervision that monitors the implementation of the Individuals with Disabilities Education Act (IDEA) by local education agencies (LEAs). The system should be accountable for enforcing the requirements and for ensuring continuous improvement. As stated in section 616 of the 2004 amendments to the IDEA, “The primary focus of 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 program requirements under this part, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.”

The noun, accountability, is defined as “the state of being accountable; liability to be called on to render an account; the obligation to bear the consequences for failure to perform as expected; accountableness.”¹ Monitoring can be defined as: “A continuing function that uses systematic collection of data on specified indicators to provide management and ... intervention with indications of the extent of progress and achievement of objectives and progress in the use of allocated funds.”² Accountability under the IDEA is achieved by states when their system of general supervision operates to comprehensively monitor implementation of federal law with a focus on improving results for children, youth, and young adults with disabilities and their families.

This concept paper presents eight components that must make up a state’s General Supervision system. It is important to note that although the components are presented as separate pieces of a puzzle, the components connect, interact and articulate to form a comprehensive system. Each component must inform and gain information from the other components. A state may have the independent components in place but not have an effective system because the components do not connect together as a system.

The concepts for a system of general supervision discussed in this document provide a means for states to consider their particular state needs, their organizational structure, and other factors relevant to how they are accountable to the children, youth, and young adults with disabilities and families they serve. Through the activities of general supervision, the state supervises the programs that directly provide the necessary services and supports to fulfill the requirements of law and achieve the expected results. In developing or refining a particular general supervision system, a state must consider several critical concepts that are integral to the design and operation of an effective system. Each system of general supervision should be based on explicit expectations

¹ Source: www.answers.com

² *What is Monitoring and Evaluation*, (n.d.), The Independent Evaluation Group. Retrieved January 30, 2006 from http://www.worldbank.org/ieg/ecd/what_is_me.html.

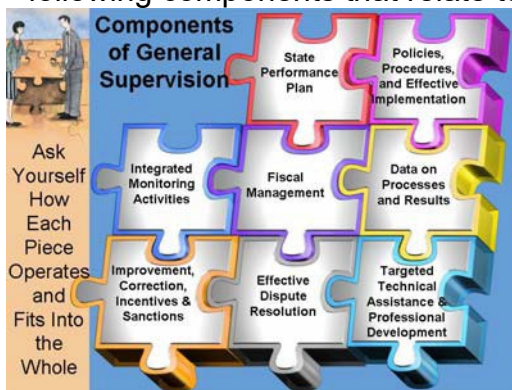
and contain a minimum number of components. In describing general supervision system components, attention must be paid to how the components interact within a fiscal and/or school year to achieve accountability.

There are at least three explicit expectations for developing an effective system of general supervision. 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 the noncompliance is identified; and
3. utilizes mechanisms to encourage and support improvement and to enforce compliance.

Components of a System of General Supervision

An effective system of general supervision must include, at a minimum, each of the following components that relate to and inform the others.



State Performance Plan

Policies, Procedures, and Effective Implementation

Data on Processes and Results

Targeted Technical Assistance and Professional Development

Effective Dispute Resolution

Integrated Monitoring Activities

Improvement, Correction, Incentives and Sanctions

Fiscal Management

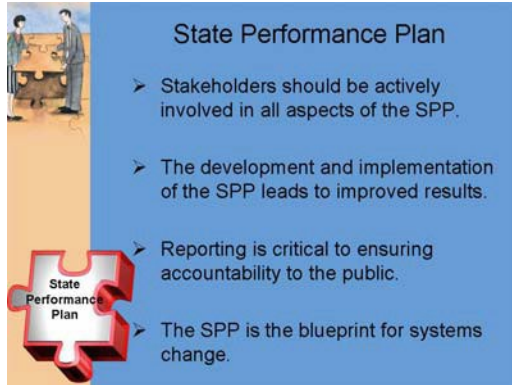
This paper is organized by each of these components of general supervision. For each component there are four sections: 1) a brief narrative description, 2) a section titled evidences³ of how the state or local education agency (LEA) could demonstrate the component is a part of the system of general supervision, 3) statutory or regulatory references to IDEA, the General Education Provisions Act (GEPA), or the Education Department General Administration Regulations (EDGAR), and 4) resources states could draw upon in assessing and strengthening that component of general supervision.

This document was designed to be used by a state in self-evaluating its general supervision system. State staff could examine the state's implementation of each component by determining which of the "evidences" are in place in the state and how well is the "evidence" implemented. It is important to note that many of the "evidences" are

actually required by IDEA, GEPA or EDGAR. Those that are required are followed by the relevant statutory or regulatory cite. This is not intended to present an exhaustive list of Federal requirements related to general supervision but rather to highlight key requirements. This document is intended to evolve over time as States use self-evaluation and examination activities to develop descriptions of effective systems of general supervision.

³ Evidences are observable indications that a state has an effective general supervision system.

State Performance Plan



State Performance Plan

- Stakeholders should be actively involved in all aspects of the SPP.
- The development and implementation of the SPP leads to improved results.
- Reporting is critical to ensuring accountability to the public.
- The SPP is the blueprint for systems change.

The State Performance Plan (SPP) serves as an accountability mechanism for states and LEAs. 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.

Stakeholders should be actively and routinely involved in all aspects of the SPP. It is required that stakeholders are involved in establishing and revising targets. However, stakeholders can play a valuable role in other aspects of the SPP including developing and implementing improvement activities and monitoring progress and slippage.

Measurable and rigorous targets are established for the state to set expectations for achieving high standards in state and local performance. Targets must be rigorous and reflect high expectations. *“Within the context of the State Performance Plan, measurable and rigorous targets are established with broad stakeholder input and specify the challenging levels of improved performance to be reached within a particular timeframe.”⁴*

Annual state reporting of performance on the SPP indicators through the Annual Performance Report (APR) is an essential and required component of the accountability system. Annual reporting on the state's performance plan must be publicly accessible by posting, at a minimum, on the state's website. The state must also report annually to the public on the performance of LEAs compared to the state targets.

Evidences:

- 🕒 Stakeholders should be actively involved in all aspects of the State Performance Plan.
 - There is broad stakeholder involvement in establishing and revising targets. [House Conf Report, p. 232; OSEP Memo 05-12]
 - There is broad stakeholder input, including the State Advisory Panel on improvement activities and monitoring progress and slippage. [34 CFR §300.169(c) and (d)]

⁴This statement is based on discussions and reviews of the Conference Report and literature by a workgroup composed of persons working on technical assistance projects funded by OSEP (the Accountability and System Improvement Workgroup) and OSEP representatives.

- 🕒 The development and implementation of the SPP leads to improved results.
 - The SPP has measurable and rigorous targets. [34 CFR §300.601(a)(3)]
 - Data used to establish baselines, set targets, measure progress and slippage are current, valid, and reliable. [34 CFR §300.601(b)]
 - The SPP is consistent and cohesive across all indicators.
 - A complete SPP is submitted in a timely manner. [34 CFR §300.601(a)]
 - The SPP is a living document that is revised as needed and used as a roadmap to guide improvement efforts at the state and local level.
 - Analysis of progress and slippage, including compliance and performance, is used to prioritize the state's activities for the upcoming year.
 - Improvement activities relate to the targets and flow from the data.
 - The state evaluates LEA's performance against state targets. [34 CFR §300.602(b)(1)(i)(A)]
 - The state allocates resources and technical assistance to facilitate improved performance.
 - The state addressed issues identified in OSEP's response to the SPP.
 - The state has a strategic work plan or calendar for the development and implementation of the SPP/APR.
 - The state has a system to evaluate the implementation and effectiveness of the SPP improvement activities.

- 🕒 Reporting is critical to ensuring accountability to the public.
 - The most current dated SPP is posted on the state's website. [34 CFR §300.602(b)(1)(i)(B)]
 - The most current dated APR is posted on the state's website.
 - The State publicly reports all LEAs' performance against SPP targets. [34 CFR §300.602 (b)(1)(i)(A)]
 - The state reports to the Secretary, in an annual performance report, the performance of the state under the SPP. [34 CFR §300.602(b)(2)]
 - The state publicly reports all LEA Determinations.
 - Information about the SPP is communicated to the general public in language understandable to the general public.

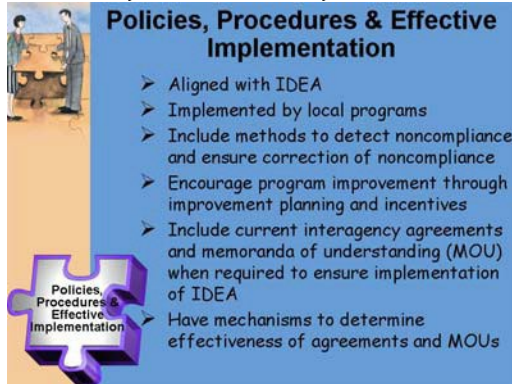
- 🕒 The SPP is the blueprint for systems change.
 - All state special education, as well as other units or offices within the SEA, have knowledge of and understand their role and accountability for the implementation of the SPP.
 - All stakeholders have knowledge of and understand their role and accountability (if any) for the implementation of the SPP.
 - All LEA leaders have knowledge of and understand their role and accountability for the implementation of the SPP.
 - The SPP is integrated within the state's accountability systems (e.g. the

NCLB accountability system).

Resources for States:

National Early Childhood Technical Assistance Center (NECTAC)
Regional Resource Centers (RRCs)
National Center for Special Education Accountability Monitoring (NCSEAM)
Technical Assistance in Data Collection, Analysis, and Report Preparation (WESTAT)

Policies, Procedures, and Effective Implementation



States must have policies, procedures, and effective implementation of practices that are aligned with and support the implementation of IDEA. In order for the policies and procedures to be effective, they must be enforceable under state law and/or policies through the imposition of sanctions when necessary. The policies and procedures must include descriptions of methods the state will use to detect noncompliance of LEAs and to ensure correction of noncompliance when found. Effective implementation of policies, procedures, and practices also addresses program improvement through planning, coordination, incentives, and follow-up.

IDEA supports the implementation of research and evidence based practices as integral to ensuring results for children and youth with disabilities. In addition, local programs are required to recruit and retain highly qualified personnel. LEAs must provide professional development to LEA personnel that includes information on evidence-based practices and enhances their skills.

To ensure the implementation of IDEA, it is necessary to coordinate efforts across state and local agencies. There are instances when interagency agreements or memoranda of understandings (MOUs) are necessary to implement IDEA provisions. Policies and procedures related to MOUs must address mechanisms to determine, among other things, financial and service provision responsibility, as well as evaluation strategies to determine the effectiveness of the agreement.

States must establish an effective method for ensuring that LEAs follow state policies, procedures and implement effective practices. One of the most common methods is to have LEAs submit assurance statements with their local application for funds and the State, through its integrated monitoring procedures, examines LEAs' use of effective practices.

Evidences:

- 🕒 State policies and procedures are aligned with IDEA [34 CFR §300.100; 34 CFR §76.700; 20 U.S.C. 1232d(b)(1)]
- 🕒 State policies and procedures include descriptions of
 - activities to identify noncompliance
 - methods for requiring correction of noncompliance
 - the range of sanctions the state can use to enforce correction [34 CFR §300.600(a); 34 CFR §§80.40(a) and 80.43; 20 U.S.C. 1232d]
- 🕒 LEAs have policies and procedures that are aligned with state policies and procedures [34 CFR §§300.200-300.201; 20 U.S.C. 1232d(b)(1) and 1232e(b)(1)]
- 🕒 LEAs have policies and procedures in place to ensure that all personnel necessary to carry out the requirements of IDEA are appropriately and adequately prepared [34 CFR §§300.156(a) and 300.201]]
- 🕒 States establish and maintain specifications for highly qualified personnel. [34 CFR §300.156]
- 🕒 State and local entities have written policies and procedures in place including assurances that these are implemented to ensure FAPE in the LRE. [34 CFR §§300.100 and 300.200]
- 🕒 Required MOUs or interagency agreements ensure implementation of IDEA and mechanisms to determine their effectiveness are in place and current. [34 CFR §300.154]
- 🕒 Policies and procedures of LEAs are designed and implemented to improve results for children with disabilities.

Resources for States:

Regional Resource Centers (RRCs)

Effective Dispute Resolution



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 for states to evaluate the resolutions' effectiveness and determine whether resolution was maintained in future situations.

When there are instances of small numbers of complaints, mediations or dispute resolutions, it is important for the state to determine the extent to which parents, families and students understand their rights related to dispute resolution.

Evidences:

- ⌚ Resolution of all disputes must be in accordance with required timelines. [34 CFR §§300.152(a); 300.506(b)(5); 300.508; 300.510; 300.511(e) and 300.515]
- ⌚ Tracking of issues identified is used to determine patterns or trends.
- ⌚ Results of dispute resolution processes are analyzed to determine the effectiveness of the dispute resolution system.
- ⌚ Dispute resolution data are used to inform the SEA’s integrated monitoring system.
- ⌚ Dispute resolution processes include mechanisms for ensuring that all related corrective actions have been implemented and noncompliance has been corrected. [34 CFR §§300.152; 300.506(b)(6) and (7); 300.510(d)(2); 300.513-300.514; and 300.537]
- ⌚ The state has methods of regularly reviewing issues raised in the dispute resolution system and programs with disputes to compare to other monitoring information.
- ⌚ States encourage the use of a continuum of resolution options to resolve disputes at an informal level and as early as possible.
- ⌚ All personnel, including hearing officers and mediators, are trained appropriately on dispute resolution processes and IDEA requirements. [34 CFR §§300.506(b)(1)(iii) and 300.511(c)]
- ⌚ Data demonstrate that parents understand their rights related to resolving disputes under Part B of IDEA.

Resources for States:

Consortium of Appropriate Dispute Resolution in Special Education (CADRE)

Data on Processes and Results



Data on Processes & Results

- Collection and verification
 - 618
 - Dispute resolution
 - Previous monitoring reports
 - other
- Examination and analyses
 - Areas of state concern
 - Clusters of related indicators
- Reporting
 - Annual Performance Report (State)
 - LEA Performance compare to State Targets
- Status determination
- Improvement
 - Data are used to plan and revise activities

As a part of the state’s general supervision responsibilities, a chain of events should occur when data are used for decision-making about program management and improvement.

These events include the:
collection and verification;
examination and analysis;
reporting of data;
status determination; and
improvement.

1) Collection and Verification

Data are to be collected from LEAs through such means as the 618 State-reported data collection (this refers to Section 618 of IDEA). To effectively use these data, LEAs must regularly update the data and the state must routinely examine the collected data.

States use 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 can be compared across indicators.

Another important consideration is the extent to which states 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. This requires states to develop multiple methods of verifying data accuracy. Data should be compared over time and disaggregated to levels that identify possible problems in validity and reliability.

2) Examination and Analyses

Data must be examined in a variety of ways to identify and determine patterns and trends. States should cluster related indicators, for example, they may want to examine whether there seems to be a relationship across educational environments (Indicator 5), assessment (Indicator 3), and graduation (Indicator 1). These cross-indicator examinations are critical in determining “connections” among indicators and should always be considered while planning improvement activities (i.e., Part B graduation with test performance, dropout rates, etc.).

3) Reporting of Data

The state’s 618 data are to be reported to the public annually. Through the APR the state’s performance on the SPP indicator targets must be reported. The state must also annually report on the performance of each LEA on the SPP indicators compared to the state targets. The LEA performance must be publicly accessible through such means as posting on the state’s website.

4) Status Determinations

Data on the performance of each LEA on the SPP indicators, as well as from other sources (e.g. fiscal audits, previous monitoring data,), are used by states to make determinations of the status of each LEA. Based on the state’s specific criteria, LEAs are categorized as meets requirements, needs assistance, needs intervention, or needs substantial intervention.

5) Improvement

Through the state’s improvement activities in the SPP and from the examination of LEA performance, data are used for program improvement as well as progress measurement. States should coordinate NCLB school improvement activities with SPP

improvement activities. Technical assistance activities, designed to address the needs of each individual LEA need to be based on data that are collected.

Evidences:

1) *Collection and Verification*

- 🕒 Data are collected as required under Section 618 and by the Secretary. [34CFR §300.640-300.646]
- 🕒 Data are routinely collected throughout the year.
- 🕒 A data collection calendar or timeline is strategically implemented to inform decisions.
- 🕒 Data necessary for the SPP are timely and accurate. [34 CFR §300.601(b)]
- 🕒 LEAs submit data in a timely and accurate manner.
- 🕒 Collected data are verified for accuracy.
- 🕒 Verification is achieved through multiple methods and activities, including electronic, comparative and on-site monitoring to determine data accuracy.
- 🕒 Data are available from multiple sources.

2) *Examinations and Analysis*

- 🕒 Data from multiple sources and years are used in examining LEAs.
- 🕒 Routine examination of state and local data is current and is compared to previous years.
- 🕒 Additional data required for examinations are collected and analyzed as needed.
- 🕒 Local performance reports, dispute resolution data, and other sources of data are used by teams conducting on-site monitoring visits.
- 🕒 Cross-indicator examinations are used to make connections and plan for improvement (i.e., Part B graduation with test performance, suspension/expulsion data, etc).
- 🕒 Data collected through monitoring activities are summarized to examine cross years' patterns and trends in issues and for LEAs.

3) *Reporting*

- 🕒 Reports of IDEA 618 and SPP data are integrated with other state data reports.
- 🕒 State reports are accurate and timely.
- 🕒 States' current dated SPP is found on the state's website. [34 CFR §300.602(b)(1)(B)]
- 🕒 States' current 618 data and public reports on LEAs performance on SPP targets are found on the state's website.
- 🕒 States distribute to LEAs and publicly report on LEAs' performance in comparison to state targets. [34 CFR §300.602(b)]

4) *Status Determination*

- 🕒 States make determinations on the status of LEAs addressing the minimum requirements specified by OSEP. [34 CFR §300.600(a)]
- 🕒 States include performance on indicators such as graduation, dropout and performance on assessments in their status determinations.

- ⌚ States include multiple measures of status in their determination decisions. [34 CFR §300.600(a)]

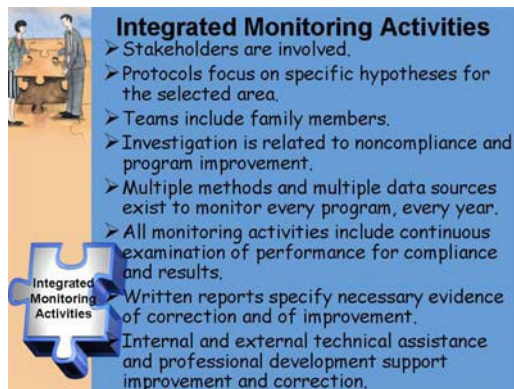
5) Improvement

- ⌚ Data are used to determine appropriate activities to assist LEAs and the state in meeting targets.
- ⌚ Data are used to target and maximize technical assistance, professional development, as well as state resources.

Resources:

Technical Assistance in Data Collection, Analysis, and Report Preparation (Westat)
National Center for Special Education Accountability Monitoring (NCSEAM)

Integrated Monitoring Activities



Integrated Monitoring Activities

- Stakeholders are involved.
- Protocols focus on specific hypotheses for the selected area.
- Teams include family members.
- Investigation is related to noncompliance and program improvement.
- Multiple methods and multiple data sources exist to monitor every program, every year.
- All monitoring activities include continuous examination of performance for compliance and results.
- Written reports specify necessary evidence of correction and of improvement.
- Internal and external technical assistance and professional development support improvement and correction.

As stated in the introduction, IDEA 2004 states “the primary focus of 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 program requirements under this part, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities”.

Effective monitoring strategies are integrated across all components of the general supervision system. Multiple data sources and methods must be used to monitor every LEA. Selected monitoring activities must ensure continuous examination of performance for compliance and results. This includes on-site and off-site monitoring activities. Monitoring protocols should focus on specific priority areas selected based on state performance.

When reviewing and/or revising their general supervision system, states must analyze what monitoring activities can be used to collect performance data from all LEAs for every indicator included in their SPP. This analysis process allows states to ensure that their monitoring system is designed to maximize the use of monitoring resources to include effective professional development and targeted technical assistance. Overall, the general supervision system must include planned analysis and review of all available monitoring data from on-site and off-site monitoring activities.

Evidences:

- 🕒 here is stakeholder involvement in the development of measurable and rigorous targets [House Conf Report, p. 232; OSEP Memo 05-12].
- 🕒 There is stakeholder involvement in the design, implementation, and evaluation of integrated monitoring activities (e.g., State Advisory Panel, family members, LEA staff).
- 🕒 State monitoring procedures and protocols are implemented consistently to ensure process integrity.
- 🕒 Training is provided at all levels (state and local) for those involved in monitoring to provide consistency in the implementation of monitoring procedures and to ensure transparency of the process.
- 🕒 State and local data are systematically reviewed to determine focused monitoring activities. [34 CFR §300.600(b), (c) and (d)]
- 🕒 Monitoring results trigger effective corrective actions, technical assistance, improvement strategies, fiscal decisions and other investments, sanctions, and incentives that ensure timely correction. [34 CFR §300.600]
- 🕒 Results of integrated monitoring activities are used in 616 determinations and used to report performance on SPP targets.
- 🕒 State IDEA monitoring efforts are coordinated with other state monitoring activities (e.g., Title 1).
- 🕒 State focused on-site visits are used to monitor individual LEAs with regard to specific performance issues and include the use of protocols designed to address hypotheses regarding performance status.
- 🕒 Focused monitoring activities should be geared toward identifying solutions and activities to enhance and improve performance as well as correcting noncompliance.
- 🕒 Multiple data sources and methodologies (e.g., desk audits, surveys, on-site reviews, local agency self-assessments) are used.
- 🕒 States have procedures to track effectiveness of corrective actions and improvement strategies.
- 🕒 Monitoring activities identify the status of compliance and performance. [34 CFR §300.600]
- 🕒 Monitoring activities lead to the identification of underlying causes of noncompliance to assist in the development of improvement strategies.
- 🕒 Monitoring results are reported to the public.
- 🕒 Routine evaluation is conducted of the integrated monitoring activities as a part of the State's overall general supervision system.

Resources for States:

National Center for Special Education Accountability Monitoring (NCSEAM)

Targeted Technical Assistance & Professional Development



Targeted Technical Assistance & Professional Development

- Are directly connected to the SPP and improvement activities
- Are provided to correct noncompliance and improve results
- Use principles of adult learning and standards for professional development
- Measure the effectiveness of implementation
- Incorporate various agencies in development and dissemination
- Distribute promising practices and evidence based practices to local programs

Technical assistance, as part of an effective system of general supervision, must be directly linked to the SPP indicators and to the improvement activities. Technical assistance serves multiple functions to assist LEAs in improving results. States provide LEAs with a range of assistance to improve performance from minimal assistance to substantial interventions. Technical assistance serves multiple functions to assist LEAs in improving results and compliance. Technical assistance and capacity building activities can be implemented at varying levels and through multiple means such as websites, documents, coaching, mentoring, trainer of trainers, local, regional, and/or statewide meetings/conferences, direct training from state personnel and/or from other resources (e.g., RRCs, NECTAC, other technical assistance providers).

Evidences:

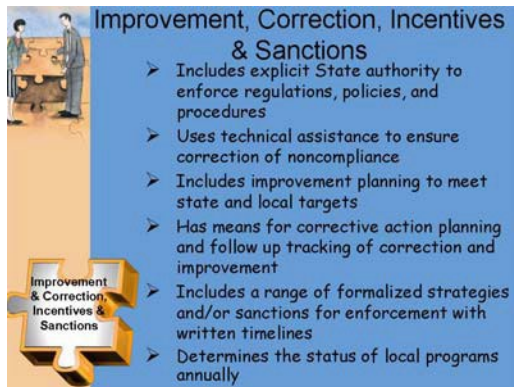
- 🕒 Technical assistance or professional development activities are directly linked to specific indicators in the SPP, including the identification and correction of noncompliance and improvement of performance.
- 🕒 States systematically disseminate information to LEAs about promising and evidence based practices. [20 U.S.C. 1232d(b)(3)(B-D)]
- 🕒 Standards for professional development are designed to evaluate technical assistance and professional development activities.
- 🕒 Evaluations of technical assistance and professional development involve evidence of a change of practice resulting in improved outcomes and compliance as well as building sustainability and capacity.
- 🕒 Follow-up activities are built into the technical assistance design to determine whether improvement activities are carried out consistent with the technical assistance provided.
- 🕒 Collaboration with teacher education personnel and other higher education officials addresses need for highly qualified teachers who exhibit skills and knowledge in areas of state need.
- 🕒 Networks exist at the state and local level to increase technical assistance capacity (e.g., personnel, knowledge base, local access to information for hard to reach audiences).

Resources to States:

Regional Resource Centers

Federal Resource Center
National Early Childhood Technical Assistance Center (NECTAC)

Improvement, Correction, Incentives & Sanctions



Improvement, Correction, Incentives & Sanctions

- Includes explicit State authority to enforce regulations, policies, and procedures
- Uses technical assistance to ensure correction of noncompliance
- Includes improvement planning to meet state and local targets
- Has means for corrective action planning and follow up tracking of correction and improvement
- Includes a range of formalized strategies and/or sanctions for enforcement with written timelines
- Determines the status of local programs annually

Supporting improvement and ensuring correction through incentives and sanctions are critical components to a general supervision system. The enforcement of regulations, policies, and procedures is required by IDEA and state rules. State guidelines and directives also steer the technical assistance provided to ensure the correction of noncompliance and ultimately to meet state and local targets.

Successful completion of corrective actions and improvement activities means that the state or LEA has corrected the noncompliance and made significant progress towards reaching established targets on performance indicators. This is identified through data analysis, documentation of evidence of change, and other methods. Regardless of what terminology states use to describe plans, either Corrective Action Plans (CAPs) and/or Improvement Plans are most effective when they emphasize measurable results and include changes needed in

(1) practices (and related policies and procedures), (2) professional development, (3) targeted technical assistance, (4) infrastructure, and (5) sufficient supervision.

Evidence of change that documents noncompliance has been eliminated must be required and verified by the state. The state and LEA should track the implementation of the improvement activities and intervene quickly and effectively if tracking indicates a lack of progress.

A range of incentives and rewards should be designed to recognize local agencies when they meet or exceed the targets. In providing incentives and rewards, the state agency should be specific about which target(s) the LEA has met and validated.

Examples of incentives and rewards include:

- public recognition for outstanding performance on the state web page and/or through media releases
- supplemental dollars to encourage continued high performance and the development of model programs for other local agencies.

States must ensure timely correction of noncompliance. State's monitoring policies, procedures, and practices should include descriptions of how and when sanctions are to be imposed. An effective means of ensuring compliance is the development of a range of sanctions. It is important that the state analyze the corrective actions taken, previous monitoring reports, unique characteristics of the local program, and local agency's efforts and capacity to correct the identified problem(s) in making decisions about the

imposition of sanctions.

States must evaluate the compliance and improvement efforts of LEAs annually and make determinations of the status of each LEA. The state must examine the LEAs performance on compliance indicators, the validity, reliability, and timeliness of data

submitted, uncorrected noncompliance from sources other than SPP indicators, and any audit findings. Additionally, states in developing the criteria for making determinations will want to consider the performance of LEAs on results indicators and any other information available. Based on the state's examination and review, LEAs will be determined to meet requirements, need assistance, need intervention, or need substantial intervention.

Evidences:

- 🕒 State rules clearly define the state's authority for enforcement. [20 U.S.C. 1232d(b)(3)(A) and (E)]
- 🕒 Targeted training, technical assistance, and support are provided to LEAs when developing and implementing corrective action. [20 U.S.C. 1232d(b)(3)(B)]
- 🕒 State rules authorize a range of sanctions. [34 CFR §§300.222, 300.603-300.604 and 300.608; 34 CFR §80.12]
- 🕒 Model practices reflecting improvement activities of high performing LEAs are identified in order to be replicated at other local agencies. [20 U.S.C. 1232d(b)(3)(C) and (D)]
- 🕒 Rewards are provided to reinforce high performing LEAs.
- 🕒 Incentives are provided for improvement at the LEA level.
- 🕒 Targeted technical assistance is provided by other agencies through interagency agreements and MOUs (e.g., Department of Health, Division of Vocational Rehabilitation Services)
- 🕒 States have procedures to track effectiveness of corrective actions and improvement strategies. [20 U.S.C. 1232d(b)(4)]
- 🕒 States have procedures for prohibiting an LEA from reducing maintenance of effort if an LEA is not meeting Part B requirements. [34 CFR §300.608(a)]
- 🕒 States use any monitoring and enforcement authority available to them. [34 CFR §300.608(b)]

Resources:

National Center for Special Education Accountability Monitoring (NCSEAM)

Fiscal Accountability (611 school-age and 619 preschool)

A blue rectangular graphic with a white border. At the top left, there is a small illustration of two men in suits standing next to a large stack of gold bars. Below this, the text 'Fiscal Management' is written in white. To the right of this text, there are three bullet points, each preceded by a white arrowhead. At the bottom left of the graphic, there is a purple puzzle piece icon with the words 'Fiscal Management' written inside it in white.

Fiscal Management

- States distribute funds in accordance with Federal requirements.
- Funds are used in accordance with federal and state requirements.
- States provide oversight on the use of funds.

The state system of general supervision includes mechanisms to provide oversight in the distribution and use of IDEA funds at the state and local level. States should have procedures for ensuring that fiscal resources are directed to areas needing improvement as noted in the APR. Supervision of fiscal activities should include a review of required corrective actions as a result of monitoring activities (e.g. 15% of funds to address disproportionality) .

Evidences:

- 🕒 States distribute IDEA funds in accordance with Federal requirements.
 - States implement the correct funding formula in the distribution of IDEA funds. [34 CFR §300.705]
 - The funding formula for distribution of state funds does not violate LRE requirements. [34 CFR §300.114]
 - States distribute funds to LEAs in a timely manner.
 - States ensure that Charter LEAs receive their equitable share of funds in a timely manner, including significantly expanding Charter LEAs. [34 CFR §300.209; 34 CFR §§76.791-76.797]
 - LEAs provide a proportionate share of IDEA funds to private schools. [34 CFR §300.133]
 - States submit a correctly completed Use of Funds form designating how the state's set-aside will be expended. [34 CFR §300.171]
 - States' interagency agreements establish fiscal responsibility for the provision of special education and related services and procedures for dispute resolution. [34 CFR §300.154]
- 🕒 Funds are used in accordance with federal and state requirements.
 - States and LEAs use applicable procedures related to high risk pools if the state reserves funds for this purpose. [34 CFR §300.704]
 - States maintain effort at the state level. [34 CFR §300.163]
 - States and LEAs use applicable procedures related to exceptions to maintenance of effort. [34 CFR §§300.164 and 300.204]
 - State directs the use of 15% of an LEA's IDEA allocation for early intervening services when significant disproportionality is identified. [34 CFR

§300.646(b)(2)]

- States provide guidance on the use of funds for early intervening services.
- States ensure that LEAs use IDEA funds to pay the excess costs of providing special education and related services. [34 CFR §300.202]

- States direct the use of state funds (where permitted by state law) or withhold LEA funds based on longstanding noncompliance. [34 CFR §300.600-300.604]
- State set-aside funds are used consistent with the projections designated in the Use of Funds form submitted with their application.
- States allocate adequate funds to support the system of general supervision.
- States allocate state level activity funds to support LEA improvement efforts.

🕒 States provide oversight on the use of funds.

- States ensure LEAs maintain effort. [34 CFR §300.203]
- States ensure that audits are conducted annually in accordance with the Single Audit Act. [OMB Circular A-133]
- States ensure that LEAs adjust local fiscal efforts in accordance with 34 CFR 300.205. [34 CFR §300.205]
- States ensure that LEAs do not commingle IDEA funds with state funds. [34 CFR §300.162(b)]
- States ensure that IDEA funds supplement and not supplant the level of other federal, state and local funds. [34 CFR §§300.162(c) and 300.202(a)(3)]
- States ensure timely liquidation of funds at the state and local level.
- States oversee LEA expenditures to ensure timely liquidations.
- States assist LEAs in developing and implementing tracking systems for children receiving early intervening services.
- States ensure that LEAs report on early intervening services. [34 CFR §300.226]
- States have procedures for prohibiting an LEA from reducing maintenance of effort if an LEA is not meeting Part B requirements. [34 CFR §300.608(a)]
- States have procedures for ensuring that funds are expended appropriately and are not commingled with state funds and do not supplant Federal, state or local funds. [34 CFR §300.162]
- States have procedures for ensuring that funds are used only for the excess cost of providing special education and related services. [34 CFR §300.202(a)(1) and (2)]

Resources for States:

Regional Resource Centers (RRCs)

Summary

When designing or evaluating a general supervision system, it is essential that all eight components described in this paper are addressed. In addition, when fully implemented, the information and data collected from one component must inform the decision-making processes of the other components. The integration and relationship of one component to another should be clearly reflected in the state's description of their general supervision system. As stated in the introductory section of this paper each component must inform and gain information from the others in order connect, interact, and articulate a comprehensive system of general supervision.

The SPP is a measurable indication of the state's performance in priority areas serving as the foundation of an effective general supervision system. To have a viable and effective general supervision system, states and LEAs must be able to collect, examine, evaluate, and report data demonstrating both compliance and improvement for each SPP indicator. On an ongoing basis, states should involve and actively seek participation from persons who have a stake in results for children, youth, and young adults with disabilities and their families as well as compliance with legal and regulatory requirements.

Policies, procedures, and effective implementation or practices, aligned with IDEA are designed to support program improvement and focus attention on specific areas of compliance and program performance as identified through an analysis of data. Targeted technical assistance and professional development is an essential component of the general supervision system that enables state's to direct and impact the quality of the effective implementation of policies and procedures. Dispute resolution data identifying patterns or trends of ineffective implementation of local policies and procedures must inform corrective actions and improvement activities through targeted technical assistance and professional development.

State focused on-site visits are used to monitor individual LEAs with regard to specific performance issues. This includes the use of protocols designed to address hypotheses for inadequate performance. Focused monitoring activities should be geared toward identifying solutions and activities to enhance and improve performance as well as correcting noncompliance.

Integrated on-site and off-site monitoring activities ensure the state's capacity to identify and correct noncompliance and facilitate improved performance. Monitoring activities, involving the analysis of local data, identify not only the concerns at the local level but also potential solutions in the form of targeted technical assistance and professional development.

A state's capacity to determine compliance and meet SPP targets is directly related to the effective use of CAPs, improvement plans, incentives and sanctions. Potential solutions identified through on-site and off-site monitoring activities need to be incorporated into corrective action plans and improvement plans to ensure local

success in correcting noncompliance and in improving outcomes. The distribution and use of IDEA funds supports the implementation of IDEA and the state system of general supervision in areas such as targeted technical assistance and professional development, LEA incentive grants and the correction of noncompliance.

A state's general supervision system is a multi-faceted, logical assembly of, at a minimum, the eight components included in this paper. The concepts and principles contained in this document can serve as a guide to a state's general supervision system to ensure accountability with IDEA through effective monitoring activities. Although states vary in their measurable and rigorous targets, status performance on these targets and individual state organizational structure, the concepts presented in this paper are designed to ensure the development and implementation of an effective general supervision system.

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