



# State Performance Plan Office of Special Education Directed Monitoring Manual for Intermediate School Districts

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Michigan Department of Education

Office of Special Education

September 2023



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# State Performance Plan Office of Special Education (OSE) Directed Monitoring Manual for Intermediate School Districts

Michigan’s monitoring system ensures MDE along with intermediate school districts (ISDs) and the member districts are fully implementing the requirements of the *Individuals with Disabilities Education Act* (IDEA) Part B. This system requires ISDs to take an active role in monitoring member districts for compliance with specific State Performance Plan (SPP) indicators. In Michigan, IDEA grant funds are issued to ISDs as subrecipients. The state and each subrecipient of the grant have a shared obligation to ensure every eligible student is provided a free appropriate public education (FAPE) in the least restrictive environment (LRE). Monitoring activities examine performance for compliance and results. This manual includes on-site and virtual monitoring activities. Monitoring protocols focus on specific priority areas selected based on state and district performance and improvement needs.

## I. Introduction to Monitoring

The IDEA of 2004 identified three areas to monitor for Part B (children and youth ages 3-21).

The identified IDEA Part B areas are:

- The provision of a FAPE in the LRE.
- Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification.
- State exercise of general supervisory authority including child find, Individualized Education Program (IEP) development and implementation, effective monitoring, the use of resolution sessions, mediation, voluntary binding arbitration, and a system of transition services.

Based on these areas, MDE OSE reviews and analyzes data and develops criteria for identifying districts for monitoring activities, which may include procedure and/or monitoring reviews comprised of on-site or virtual monitoring.

Monitoring is defined by the National Center for Special Education Accountability and Monitoring (NCSEAM) as “a process that purposefully selects priority areas to examine for compliance/results while not specifically examining other areas for compliance/results.”

MDE OSE provides the ISD with information on specific member district(s) meeting criteria. The ISD acts as the team lead for monitoring activities. The ISD must determine the participants on the monitoring team. The ISD will determine whether the monitoring visit will be on-site or virtual and the dates for the activities. During the monitoring activity, the monitoring team gathers information through interviews, student record reviews (SRRs), and reviews of procedures and practices. Evidence collected is used to evaluate the member district's performance in both regulatory and program areas relative to results and compliance and is issued in a Report of Findings/No Findings.

## II. Monitoring Criteria and Process

Member district data are analyzed annually to determine performance related to B-4A (Rates of Suspension and Expulsion), B-4B (Rates of Suspension and Expulsion by Race/Ethnicity), B-9 (Disproportionate Representation – Child with a Disability), and B-10 (Disproportionate Representation – Eligibility Categories). Criteria are reviewed annually based on guidance from the U.S. Office of Special Education Programs (OSEP) and other factors. See Appendix A for the most recent criteria for determining the member districts to monitor. After analyzing district data, a district which meets the criteria will either participate in a Procedure Review or a Monitoring Review.

## III. Procedures for the Procedure Review Activity

### Phase I: Preparation

#### ***Notification of ISD***

The Monitoring Technical Assistance Team (MTAT) will send an email to the ISD monitor when data is available from the data analyst. The letter will include the list of districts to be monitored, the type of monitoring activity, and the monitoring window dates. The letter will be included in the next major release of Catamaran on the reports page. See Appendix B for the schedule of releases.

#### ***Notification of Member District***

Member districts selected for monitoring are notified via Catamaran with a notification letter. Notification letters are included on the reports page in major releases (see Appendix B for the Catamaran release schedule). A copy of the notification letter for each member district being monitored is included on the ISD's Catamaran report page. The notification includes the reason for the visit and contact information of the team lead from the ISD. The notification is addressed to the member district superintendent. The notification letter includes directions for the member district to upload into Catamaran

on the District Upload page relevant member district procedures.

## **Phase II: Procedure Review**

The ISD team lead schedules a mutually convenient time with the ISD’s monitoring team members to review the uploaded documents. The team reviews the documents together and comes to consensus on the compliance of the items. The team lead completes the Procedure Review Form in Catamaran. The ISD conducts interviews with member district staff. See page 12 for more information related to interviews. The ISD team lead must complete the procedure review, interview summary, and preliminary summary in Catamaran.

## **Phase III: Analysis of Results and Reporting**

### ***Report of Findings/No Findings***

The ISD team lead prepares the Report of Findings/No Findings. This is a standard template in Catamaran to describe the purpose, process, and results of the monitoring activity. It includes:

- District code/ISD code
- Dates of monitoring activity
- Monitoring team members
- SPP indicator monitoring area(s)
- Statutory authority for MDE monitoring
- Results of monitoring
- Findings of noncompliance
- Evidence
- Applicable regulations/rules
- Required corrective actions and timelines
- Directive to submit Corrective Action Plan(s)
- Enforcement actions

### ***Submission of Report of Findings/No Findings to MDE OSE***

The ISD team lead submits the member district’s Report of Findings/No Findings in Catamaran no later than one week following the procedure review. MDE OSE staff

collaborates with the ISD team lead to resolve discrepancies. MDE OSE staff review/edit the report within one week and submit it to MDE OSE director/assistant director for approval.

### ***Report Issued to Member District in Catamaran***

The Report of Findings/No Findings is issued through Catamaran, in the next major release according to the Catamaran release calendar (see Appendix B for the Catamaran release schedule).

## **IV. Procedures for the Monitoring Review Activity**

### **Phase I: Preparation**

#### ***Selecting On-site or Virtual Monitoring***

The ISD determines whether virtual monitoring or an on-site visit is warranted. Factors to consider are the results of previous monitoring activities, the proximity of the member district's data to the threshold, any findings from state complaints related to monitoring, and other information the ISD is aware of regarding the member district. The activities of monitoring, whether on-site or virtual, are the same review of procedures, student record reviews, and interviews.

When the decision is made, the ISD team lead indicates this choice in Catamaran to create the correct workflow in the monitoring module. Once a selection is made for virtual or on-site, this CANNOT be changed in Catamaran. The decision should be made and indicated in Catamaran as soon as possible following the release of the monitoring module so the district can begin preparing materials to be uploaded and identify which students are still enrolled.

#### ***Development of Schedule and Assignment of Team Members***

The ISD team lead facilitates scheduling the monitoring activity with all team members. The ISD assigns team members for each review. Monitoring teams shall consist of two or more members from the ISD. Assignment to teams should be based on expertise in the IDEA and the *Michigan Administrative Rules for Special Education (MARSE)* as well as programmatic implementation and/or indicator knowledge. Member district staff are not considered members of the monitoring team. When an ISD program is being monitored, program staff should be members of the monitoring team.

#### ***Notification of Member District***



Member districts selected for monitoring are notified via Catamaran with a notification letter. Notification letters are included on the reports page in major releases (see Appendix B for the Catamaran release schedule). A copy of the notification letter for each member district being monitored is included on the ISD's Catamaran report page. The notification includes the reason for the visit, and contact information of the ISD team lead. The notification is addressed to the member district superintendent. This notification also includes a request for the superintendent or designee to attend an exit meeting. This meeting provides a review of the monitoring activities along with the opportunity to ask questions of the monitoring team. The notification letter includes directions for the member district to upload relevant procedures into Catamaran on the District Upload page and to review the list of student names and indicate which students are actively enrolled on the District Student Selection Page (See [Training.Catamaran.Partners](#) for how-to information.)

### ***Preparation of the Monitoring Module in Catamaran***

The monitoring module includes identified member district data reports for the ISD prepared by MDE OSE. The monitoring module also includes student record review (SRR) forms, student names for the SRRs, and interview forms. MDE OSE provides 20 student names; however, the ISD team lead selects 8 students with IEPs from the actively enrolled list verified by the member district for file review (see Appendices C-E).

### ***Training of Monitoring Teams***

MDE OSE provides monitoring team members with training prior to the start of the monitoring cycle. The focus of the training is to ensure consistency in monitoring practices and full understanding of the compliance issues related to the monitoring areas. The training also ensures the team lead is familiar with using Catamaran. Training can be accessed by ISD personnel at any time on Michigan Virtual University at <https://plp.michiganvirtual.org/#> and searching for the course "ISD Led Monitoring."

### ***Contact of Member District by the ISD Team Lead***

After the member district has been notified of the monitoring activity in Catamaran, the member district's Catamaran coordinator is responsible for sharing the information with member district personnel including the special education administrator.

1. The ISD team lead sends an introductory email (see Appendix F) to the member district special education administrator, with a copy to the member district superintendent.
2. The ISD team lead verifies with the monitoring team and member district the

type of monitoring—on-site or virtual.

3. The ISD team lead follows up with the member district special education administrator by email and/or phone. The purpose of the contact is to:
  - a. Provide information such as the monitoring review date and schedule or agenda (see Appendix G), depending on whether the activity is virtual or on-site.
  - b. Request a meeting room when an on-site visit is selected.
  - c. Schedule a virtual meeting using preferred platform when a virtual review is selected (e.g., Zoom, Teams, Google Meets, etc.).
4. The ISD team lead should review with the special education administrator the list of documents needed for completing SRRs.
5. Member districts are referred to the Catamaran Training site for resources to assist in preparing for the monitoring activity.

## **Phase II: Monitoring Review**

### ***Review of Procedures for Virtual and On-site Monitoring***

Whether the monitoring review is conducted on-site or virtual, a member district is expected to upload procedure documents into Catamaran prior to the other monitoring activities, including required documents needed to complete SRRs. This allows the ISD team lead to review the documents to determine whether they are current, compliant, and address the monitoring area. The ISD team lead completes the Procedure Review checklist in Catamaran.

### ***Monitoring Activities***

The monitoring team gathers in a pre-selected central location as arranged by the ISD team lead for the on-site visit or the preferred platform for the virtual review. All team members must have access to a computer and be able to login to Catamaran. The ISD team lead should identify a contact person from the member district who is available on the date of the monitoring activity in the event questions arise.

### ***Student Record Reviews (SRR)***

The purpose of SRRs is to gather information regarding member district practices. Reviews are conducted using monitoring criteria specifically developed for the monitoring area. Prior to the visit, the member district identifies which of the 20 students listed in Catamaran are currently enrolled and have active IEPs. The ISD team lead selects

8 student files for review. If 8 student files are not available for review the ISD team lead selects all available. For discipline visits, the ISD team lead should select students across grade levels, if available, and of the race/ethnicity of interest. For identification visits, the ISD team lead should select students with recent initial evaluations, across grade levels, if available, and of the race/ethnicity of interest. Data for these areas are in the pre-visit report section of Catamaran. If 8 records of students from the identified race/ethnicity are not available, select records of students from other races/ethnicities. It is not necessary to include more student records than those identified in Catamaran even if less than 8 are reviewed.

The member district either uploaded for virtual monitoring, or provided at the location for on-site monitoring, the required documentation for each student. On the date of the visit, student record reviews will be conducted with the documentation available to the monitoring team. When student documentation is missing, the ISD team lead notifies the member district contact. When on-site, it is expected the missing documentation can be provided within a matter of hours. For virtual monitoring, the ISD team lead can allow the member district up to three business days to upload the missing items. When no documentation is available student record reviews will reflect noncompliance. The ISD team lead assigns the student files to team members. Each team member completes the assigned SRR(s) in Catamaran.

When the monitoring team has completed the SRRs, the ISD team lead must review them for completion or Catamaran system-level errors. To do this, the ISD team lead should review both the Student Record Review Summary and the SLCAP Summary which can be found on the menu of the monitoring activity. If any issues are identified in these reports, then the ISD team lead must return to the SRR to make the corrections. Following the corrections, the ISD team lead should again review both the Student Record Review Summary and the SLCAP Summary. When correctable student level noncompliance is identified through an SRR, the member district(s) must complete an SLCAP. Student level noncompliance must be corrected within 30 school days. Correction must be submitted to Catamaran, then reviewed by the ISD and MDE OSE to verify the correction. SLCAPs are found in Catamaran.

Catamaran calculates the 30-school day due date for SLCAPs. The ISD team lead should consult with the current school calendar to ensure the district has 30 school days for correction. If the system-calculated date is not correct, the ISD team lead, or team member, must manually change the due date on each SRR resulting in an SLCAP. The due date can be changed using the drop-down calendar in Catamaran at the bottom of each SRR.

When there is correctable noncompliance identified on the SRR the system will generate an SLCAP. Any notes which the reviewer recorded in the SLCAP comment boxes of the SRR will show up in the SCLAP. Only write in the SLCAP comment boxes if these comments need to be included in the SLCAP. Any notes put in the reviewer comment boxes will not be included in the SLCAP. When compensatory services are needed, the team will need to calculate the compensatory service time and include that information in the SLCAP comment box of the SRR.

### ***Interviews***

The purpose of interviews is to gather information leading to an understanding of the issues related to the monitoring area or to provide evidence to support findings/no findings. Interview questions probe the relationship of the monitoring area and the member district's procedures and practices. Interviews are best conducted by monitoring team members who provide ongoing technical assistance or professional development to the member district.

Interviews are conducted using questions specifically developed for the monitoring area. Not all questions need to be asked if SRRs have indicated compliance in this area. Additional questions may be asked to probe responses needing further clarification. The interviewer should use professional judgement to determine which answers require follow up questions and what those follow up questions may be.

Staff members are selected to be interviewed based on the monitoring area. Staff selected may include service providers, general education and special education administrative staff, general education, and special education teachers, and/or community partners who may have knowledge of the monitoring area. For certain monitoring areas, it may be appropriate to interview students and/or parents.

Interviews are to occur as one-to-one interviews and may be conducted in person, virtually, or via phone. The monitoring team, in consultation with the special education administrator, determines specific staff members to interview. The monitoring team should determine the necessary number of interviews. The ISD team lead assigns interviews to monitoring team members.

After monitoring team members complete all interviews, the ISD team lead debriefs with the team and summarizes what was learned relevant to the reason for the monitoring and noncompliance identified. The summary information is entered into Catamaran in the Interview Summary section. Areas of strength are noted, as well as listing items of noncompliance in the Areas of Concern section (see Appendix H).

Interview forms for Identification (see Appendix C), Discipline (see Appendix D). Interview questions can be found on the Catamaran Technical Assistance site at <https://training.catamaran.partners> on the subject pages of discipline or disproportionality.

### ***Preparation of the Preliminary Summary***

When the monitoring team determines sufficient evidence has been collected and reviewed and all SRRs have been completed, the ISD team lead prepares the Preliminary Summary in Catamaran (see Appendix I).

### ***Exit Conference with Member District Superintendent or Designee***

The purposes of the exit conference are to review the activities of the on-site or virtual monitoring and provide next steps. This conference also provides an opportunity to verbally highlight positive areas identified in the member district and answer questions about the monitoring process. The ISD team lead should review items which may lead to findings of noncompliance; the process for correction of identified noncompliance, including necessary SLCAPs; timelines for receipt of Report of Findings/No Findings; and the development of corrective action plans (CAPs).

The ISD lead will ask the district if they prefer the Preliminary Summary provided in email or a printed copy.

## **Phase III: Analysis of Results and Reporting**

### ***Report of Findings/No Findings***

The ISD team lead prepares the Report of Findings/No Findings using the Final Report Worksheet in Catamaran. This is a standard template in Catamaran to describe the purpose, process, and results of the monitoring activity. It includes:

- District code/ISD code
- Dates of monitoring activity
- Monitoring team members
- SPP indicator monitoring area(s)
- Statutory authority for MDE monitoring
- Results of monitoring
- Findings of noncompliance
- Evidence
- Applicable regulations/rules

- Required corrective actions and timelines
- Directive to submit CAP(s)
- Enforcement actions

### ***Submission of Report of Findings/No Findings to MDE OSE***

The ISD team lead submits the member district's Report of Findings/No Findings using the Final Report Worksheet within Catamaran no later than one week following the monitoring review. MDE OSE staff collaborates with the ISD team lead to resolve discrepancies. MDE OSE staff review/edit the report within one week and submit it to MDE OSE director/assistant director for approval.

### ***Report Issued to Member District in Catamaran***

The Report of Findings/No Findings is issued through Catamaran in the next major release according to the Catamaran release calendar (see Appendix B for the Catamaran release schedule).

## **Phase IV: Member District Response and Follow-Up When Findings of Noncompliance are Issued**

### ***Member District Development of CAPs***

The purpose of CAPs is to:

- Identify the root cause(s) of noncompliance.
- Plan activities to achieve compliance with the IDEA and the MARSE, as soon as possible, but in no case longer than a year,
- Ensure systemic improvements lead to positive educational results and functional outcomes for students with an IEP and the students' families.

The ISD meets with the member district to develop the CAP. The CAP is due 45 calendar days after the finding has been issued in Catamaran. One or more meetings may be required to finalize the plans within the 45-day timeline.

Each finding must be addressed with a plan to correct in each CAP.

The CAPs must contain specific information regarding the tasks or activities to be conducted, when they are to be conducted, who conducts them, what the deliverables of tasks and activities are, and how the member district will ensure compliance. The CAP template is found in Catamaran.

### ***Submission of CAPs for MDE OSE Approval***

Within 45 calendar days of the issuance of the Report of Findings, a CAP must be submitted to MDE OSE through Catamaran. As soon as practicable, MDE OSE staff will review the CAP for all required components to ensure the activities and tasks will be effective in the timely correction of the areas of noncompliance. Notification of approval is through Catamaran.

### ***Returned CAPs***

CAPs requiring clarification or revision will be returned to the member district(s) with a notification sent to the ISD through Catamaran. The member district will review MDE OSE comments within the CAP cover page. Once revised, the member district is then directed to resubmit the CAP to MDE OSE as soon as possible.

### ***Implementation of CAPs***

The district immediately begins implementation of the activities as stated in the plan while awaiting approval from MDE OSE, keeping in mind the progress reporting dates as well as the timelines and methods used to monitor the effectiveness of the activities.

The ISD is available and in contact with the member district to discuss any barriers, issues, or concerns with the CAP implementation. The ISD should review revised procedures before the member district trains relevant personnel. Once the ISD reviews the corrected procedures, the ISD uploads them to the TA Notes Page.

### ***Submission of Progress Reports***

The member district submits a *Progress Report* through Catamaran. It is recommended to submit the progress report three months after the CAP is issued and required no later than six months after the CAP is issued. The report details the progress made in the implementation of the approved activities and the results of these activities. The *Progress Report* forms are found in Catamaran. The updated policies and procedures are required with the progress report submission.

### ***Verification of Corrective Action and Closeout***

The ISD meets regularly with the member district to review documentation of correction. The ISD will need to use professional judgement and consider the timeliness of submissions, the completion of the SLCAP, and other knowledge of the member district to determine the level of support needed. Once CAP activities are complete, the member district submits a CAP Closeout Request within Catamaran. The ISD reviews

student records for compliance on the *Verification Appendix* in Catamaran. The student records for review should be selected based on the activity in question having been completed after the training was provided to relevant staff as required in the CAP. The student records reviewed are not the same students as were reviewed during the monitoring activity. The ISD completes and submits a *Closeout Verification Worksheet* to MDE OSE via Catamaran. MDE OSE reviews the *Verification Appendix* and *Worksheet*, identifies which student records will be verified by MDE OSE, and returns the CAP to the ISD to upload the identified students' documentation.

Upon verification, MDE OSE closes out the CAP(s) in Catamaran and issues a *Closeout Report* in Catamaran. If the member district has not provided evidence of correction, MDE OSE directs further technical assistance and/or other enforcement actions to bring the district into compliance as soon as possible.

### ***Uncorrected Noncompliance***

When the ISD is unable to verify the correction of noncompliance within one year of identification, the CAP becomes uncorrected noncompliance (UNC). MDE OSE assigns a technical assistance (TA) provider who works with the ISD to revisit the member district. At this meeting, the original CAP is reviewed to determine unsuccessful elements. The TA provider, with the RAP team, completes the UNC CAP Form in Catamaran to include assigning activities and due dates. The TA provider submits written monthly updates in the TA Notes. The TA provider and the MDE OSE closely monitor and provide support to the district until the district can demonstrate correction of noncompliance. Correction is verified through a review of procedures and/or record reviews or staff interviews if student records are not available.



## Roles & Responsibilities

### MDE OSE Staff

#### ***Prior to monitoring activity:***

- Review member district data, apply selection criteria, and finalize the list of member districts and share the list with the ISDs.
- Gather data and develop reports in Catamaran.
- Provide training for monitoring teams through Michigan Virtual University (MVU).
- Support the ISD as they prepare for monitoring activities.

#### ***During monitoring activity:***

- Provide support to the ISD as needed.

#### ***After monitoring activity:***

- Review and issue the Report of Findings/No Findings.
- Ensure evidence of correction of SLCAPs is submitted by member districts/ISDs per the established due date.
- Convene a team to review and approve CAPs.
- Review and accept CAP progress reports.
- Review and verify ISD recommendation for closeout of CAPs; finalize closeout reports.
- If not closed out, then review report and confer with TA provider to identify the corrective action required and timeline for compliance.

### ISD (Team Lead)

#### ***Prior to monitoring activity:***

- Participate in the training through MVU.
- Review member district information as presented in Catamaran.
- Contact member district and all team members with information regarding the monitoring process including date, agenda, documents needed, room requirements, and technology requirements during visit, if applicable.
- Assist the member district, if requested, to prepare any data or documents required for the visit.

- Confirm logistics such as meeting space at the member district.
- Confer with the team prior to monitoring to coordinate activities.
- Review the procedure documents and complete the Procedure Review in Catamaran.

### ***During monitoring activity:***

- Facilitate the completion of SRRs and interviews.
- Lead the team debriefings.
- Complete the *Preliminary Summary*.
- Facilitate the exit meeting and present the *Preliminary Summary* and SLCAPs, if any.

### ***After monitoring activity:***

- Prepare draft of the *Final Report Worksheet* and submit to MDE OSE within one week in Catamaran.
- Contact MDE OSE with feedback/special concerns regarding the visit.
- Verify correction of SLCAPs within two weeks of submission.
- Work with the member district to write CAPs.
- Support the member district to achieve compliance.
- Complete verification of correction of CAPs.

### **Team Members:**

- Attend training on MVU.
- Review all correspondence from the ISD team lead.
- Conduct SRRs and interviews as assigned.
- Participate in organizing data into hypotheses, areas of strength, and supporting evidence for areas under consideration for inclusion in the *Preliminary Summary* and Report of Findings/No Findings.
- Complete all documentation as required.
- Participate in debriefing meetings.

## Appendix A

### 2023 MDE OSE Monitoring Selection Criteria

B-9 (Disproportionate Representation-Child with a Disability)

B-10 (Disproportionate Representation-Eligibility Categories)

B-4 (Suspension/Expulsion)

#### Disproportionate Representation (B-9 and B-10)

Member districts are identified as having disproportionate representation when data indicate a risk ratio greater than 2.5 for two years in the same racial/ethnic group and eligibility category or in all eligibility categories.

- A. Member districts monitored for disproportionate representation and/or significant disproportionality for the **same racial/ethnic group and eligibility category** in the 2022-2023 school year with findings of non-compliance will have the progress on correction of noncompliance reviewed as well as progress toward reducing the risk ratio. Depending on the level of progress, MDE OSE will contact the ISD to determine actions necessary to improve performance and ensure correction of noncompliance.
- B. Member districts who were not visited (for the same racial/ethnic group and category) with a risk ratio for either year at 3.5 or greater **will receive an on-site or virtual monitoring review.**
- C. Member districts with a risk ratio between 2.51 and 3.49 in each data year **will receive a procedure review.**

#### Suspension/Expulsion (B-4)

For B-4A, member districts with fewer than 30 students with an IEP enrolled in 2022 – 2023 are exempt from the calculation. For B-4B, member districts with fewer than 10 students in a racial/ethnic group are also exempted. For B-4B, member districts whose data for 2022 – 2023 show a percentage greater than 2.6<sup>1</sup> were identified with a significant discrepancy.

- A. When a member district was monitored in the previous school year for B-4 – the member district will have the progress on correction of noncompliance reviewed as well as progress toward reducing the risk ratio. Depending upon the level of progress, MDE OSE will contact the ISD to determine actions necessary to improve performance and ensure correction of noncompliance.

- B. When the member district is on the B-4B list with a percentage of greater than 2.6 with 4 or more students who have been suspended/expelled greater than 10 days and was not monitored in the previous school year for B-4 ***will receive an on- site or virtual monitoring review.***
- C. When the member district is on the B-4B list with a percentage of greater than 2.6 with only one to three students (incidents) who have been suspended/expelled for greater than 10 days ***will receive a procedure review.***

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<sup>1</sup> Previously, the monitoring threshold was <5.0%; however, beginning SY 2022-23 (e.g., February 2024 Monitoring), the updated monitoring threshold is <2.6%. Due to the data lag in reporting, the data reported in the May 2024 Strand Report and Public Reporting will reflect <5.0% since that reporting is based on SY 2021-22.

## Appendix B

### 2023-2024 Schedule for B-4 and B-9/10 Monitoring Activities

Below are the dates related to B-4 and B-9/10 monitoring activities for 2023-2024.

#### ***B-4 Monitoring Activities Dates (subject to change)***

Notification Letters Posted: January 15, 2024

District Upload Window Open: February 1, 2024

Monitoring Window Open: February 15, 2024 – March 29, 2024

Student Level Corrective Action Plans Issued: February 15, 2024 – March 29, 2024

Corrective Action Plans Issued: May 15, 2024

#### ***B-9/10 Monitoring Activities Dates (subject to change)***

Notification Letters Posted: May 1, 2024

District Upload Window Open: May 15, 2024

Monitoring Window Open: May 15, 2024 – June 28, 2024

Student Level Corrective Action Plans Issued: May 15, 2024 – June 28, 2024

Corrective Action Plans Issued: September 16, 2024

## Appendix C



### Identification Interview Form

District: \_\_\_\_\_

Interviewee: \_\_\_\_\_ Role: \_\_\_\_\_

Interviewer: \_\_\_\_\_ Date: \_\_\_\_\_

NOTE: Questions with an asterisk (\*) are intended primarily for the special education director. Use judgment in asking these questions to other district personnel.

**Introduction:** As you know, (*name of district*) has been identified with disproportionate representation of (*race/ethnicity*) students identified for special education services or (*race/ethnicity*) students identified as (*disability*). The purpose of this interview is to investigate procedures or practices which may be contributing to the disproportionate representation.

### **General**

Please tell us about your school/district (pick all that are relevant):

Number of buildings and their configuration

### **General education programs and services available for struggling students**

1. \*Special education programs and services; their configuration; the service delivery model (R 340.1733 and ISD plan)

### **Tiered System of Support**

1. What types of assistance are provided to support students with academic and behavioral problems, including district and administrative support and professional development? (34 CFR §300.320(a)(4))
2. How does the district differentiate between students with learning or behavioral challenges and students who need special education? (34 CFR §§300.304, 300.310(a), and 300.306)

3. Describe the general education interventions your district is implementing to address students' academic and behavioral needs and the impact of the interventions (as they relate to this race/ethnicity priority area).
4. Describe your building's student assistance team/child study team:
5. Are there written procedures for the student assistance team/child study team operation?
6. Who is on your student assistance team/child study team?
7. How are parents involved?
8. How are student attendance data and discipline records considered within the student assistance team/child study team process?
9. What system is in place for collecting and maintaining the data generated by the student assistance team/child study team process?
10. How are the student data used to make decisions about interventions and/or referrals for special education evaluation?
11. How is the decision made to request parental consent for an initial evaluation for special education?

### ***Special Education Process***

1. What is the procedure for obtaining parental consent for the initial evaluation? Is the procedure in writing? (34 CFR §300.300(a) and R 340.1721)
2. \*Once consent to evaluate is obtained, describe your district's procedures for determining eligibility. (34 CFR §300.306 and R 340.1721a)
3. \*Which staff members (roles) participate on the (disability priority area) Multidisciplinary Evaluation Team (MET)?
4. Do you use any staff in addition to the minimum required by the Michigan Rules?
5. Who employs the MET participants? (Member district? ISD? Contracted?) (R 340.1701b)
6. \*How does the district ensure that the assessments and other evaluation materials used to assess a student are selected and administered so as not to be racially or culturally biased? (34 CFR §300.304(c)(1)(i))
7. List/describe district strengths related to the identification process.
8. What is your role in the individualized education program (IEP) team process?
9. Are all IEP Team meetings attended by a district representative? If a district representative is unable to attend, who is assigned as a designee? (34 CFR §300.321a)
10. \*Are there procedures for excusing IEP Team members? (34 CFR §300.321(e)(2))
11. Are general education teachers always present at IEP Team meetings? \*Whose responsibility is it to ensure their participation? (34 CFR §300.321(a)(2))

12. \*Is there a written procedure for extensions of initial evaluation/IEP timelines? (34 CFR §300.323(c)(1) and R 340.1721b)
13. \*How do you ensure the IEP Team determines the disability is not due to the lack of appropriate instruction in reading and mathematics or because the student is an English Language Learner? (34 CFR §300.306(b))
14. \*When a student moves into the district with an active IEP, what procedures are followed to ensure that his or her identification as a student with (disability) was compliant? Are these procedures written? (34 CFR §300.323(e) and (f))

***Analysis***

1. \*Does anyone in the district track and analyze race/ethnicity data for identification patterns? If so, how are these data used?
2. \*Describe any identification patterns based on race or ethnicity that you have observed or noted through data?
3. What racial or cultural factors may be influencing referral and eligibility decisions?



## Appendix D



### Discipline Interview Form

District: \_\_\_\_\_

Interviewee: \_\_\_\_\_ Role: \_\_\_\_\_

Interviewer: \_\_\_\_\_ Date: \_\_\_\_\_

NOTE: Questions with an asterisk (\*) are intended primarily for the special education director. Use judgment in asking these questions to other district personnel.

**Introduction:** As you know, *(name of member district)* has been identified with significant discrepancy in the rates of suspension and expulsion of *(race/ethnicity)* students with an individualized education program (IEP). The purpose of this interview is to investigate the district's compliance with IDEA regarding the policies, procedures, and practices related to discipline and identify factors which may be contributing to the discrepancy.

#### **General**

1. Please tell us about your school/district.
2. How are you involved in the discipline process?
3. If you are not directly involved in the disciplinary process, how are you informed when students with an IEP are involved in disciplinary actions?
4. \*What professional development or guidance related to suspension/expulsion and suspension/expulsion of students from racial/ethnic groups has the district done?
5. Do the special education staff and general education staff ever meet to discuss disciplinary actions involving students with an IEP?

#### **Policy**

1. \*Rigid discipline policies and procedures (i.e., zero tolerance) may inadvertently increase the number of disciplinary actions. How might this be contributing to your district's discrepancy?

2. \*How have mandatory expulsions impacted your district's discrepancy in the rate of suspension/expulsion of students from racial/ethnic groups? (34 CFR §300.530 (g))
3. \*Do any of your district's union contracts address student discipline? How?
4. Pre-Referral and Referral Processes
5. What types of behavior support systems are available to students with an IEP who are experiencing behavioral problems?
6. \*What happens when a general education student is referred for disciplinary action?
7. \*What happens when a student with an IEP is referred for disciplinary action?
8. \*Research indicates that there are more office referrals for students from certain racial/ethnic groups than others even with similar behaviors. What patterns have you found with regards to referrals and suspensions/expulsions of students with an IEP by race/ethnicity?

### ***Suspensions/Expulsions Discipline Procedures Questions***

1. \*Does the district provide educational services to students without an IEP suspended from school for 10 school days or less? (34 CFR §300.530(b))
2. Does the district provide educational (FAPE) services to students with an IEP suspended from school for 10 school days or less? (34 CFR §300.530(d)(3))
3. What are the district discipline procedures for students with an IEP who are suspended beyond ten school days within the school year?
4. \*Who determines what FAPE services are provided for students with an IEP suspended for more than 10 days? (34 CFR §300.530 (2)(d)(i)(ii))
5. What services are typically provided?
6. How are the services documented?
7. Are any of these procedures in writing?
8. \*Does your building (or district) operate an in-school suspension program?
9. \*Are records of students in your in-school suspension maintained by race/ethnicity and IEP status?
10. \*What are the credentials of the staff for the in-school suspension program?
11. \*If the staff member is a certified teacher, how does the teacher ensure access to the general curriculum?
12. \*If the staff member is a paraprofessional, is the paraprofessional under the direct supervision of a teacher?
13. \*Research indicates that students from racial/ethnic groups are given harsher consequences for the same offenses than other students. How might this be contributing to your district's discrepancy?

14. Why do you think your district has a discrepancy in the rates of suspension of (race/ethnicity) students with an IEP?

***Pattern of Removals Questions (34 CFR §300.536 (a)(2))***

1. How does the district keep track of patterns of removals?
2. How does the district determine if a pattern of removals constitutes a change of placement?
3. Who is involved in the determination of a change of placement process?
4. What is the district's procedure or guidance on what constitutes a pattern of removals?
5. Are these procedures in writing?

***Manifestation Determination Review (MDR) Questions***

1. \*When is an MDR conducted? (34 CFR §300.530 (e)(i)(ii))
2. \*What is the process for conducting an MDR? (34 CFR §300.530 (e)(i)(ii))
3. When do you provide a copy of the procedural safeguards (parental rights) to parents? (34 CFR §300.530 (h))
4. How is that documented?
5. Are these procedures in writing?

***Data Questions***

1. \*What is the method used for collecting and tracking data related to disciplinary actions?
2. \*Does the data include number, reasons, and durations of suspensions?
3. \*Does the data include the student's racial/ethnic group?
4. \*How do you track mandatory expulsions (weapon, arson, or criminal sexual conduct) for students with an IEP?
5. \*How are the data reviewed and analyzed?
6. \*Has the district found any patterns with regards to suspensions/expulsions?
7. \*How are the data shared with staff? Do you include special education staff in that discussion?
8. \*Who inputs the data into the Michigan Student Data System (MSDS) or the district data system? What is your system for data verification?
9. \*When the Office of Special Education (OSE) issues findings of noncompliance related to procedural errors in disciplining students with an IEP, correction of the noncompliance often does not lead to changes in the discipline data that prompted the monitoring review. Regardless of the issuance of a finding, how can your district change their discipline practices so that the data will not prompt another monitoring review?
10. \*What challenges or barriers might you encounter in making these changes?

## Appendix E

### SRR Identification

#### Section 1: Initial Evaluations

Item #	Citation	Probe
1	34 CFR §300.304(b)(1)	A variety of assessment tools and strategies were used including information provided by the parent.
2	34 CFR §300.304(c)(4), R 340.1721a(1), and 340.1705 through 340.1717	A full and individual evaluation by a MET was completed that meets the requirements for each suspected area of disability with a written report.
3	34 CFR §300.304(c)(7) and R 340.1721a(1)(b)(ii) and (iii)	The MET report contained information needed to determine the student's present level of academic achievement and functional performance (PLAAFP) and educational needs.

#### Section 2: Review of Existing Evaluation Data

Item #	Citation	Probe
4	34 CFR §300.303 (b)(2)	A reevaluation and offer of FAPE occurred within 36 months of the previous offer of FAPE tied to a reevaluation <b>OR</b> the parent and district agreed that no reevaluation was necessary.
5	34 CFR §§300.305 and 300.321(a)	The required members participated in the REED, or, in the case of the parent, there were repeated attempts to invite the parent.
6	34 CFR §300.305(a)(2)(i)	The team identified what additional data were needed to determine if the student has a disability and the student's educational needs.
7	34 CFR §300.305(a)(2)(ii)	The team identified what additional data were needed to determine the PLAAFP and related developmental needs.
8	34 CFR §300.305(a)(2)(iii)	The team identified what additional data were needed to determine if the student needed, <u>or continues to need</u> , special education and/or related services.

Item #	Citation	Probe
9	34 CFR §300.305(a)(2)(iv)	The team identified what additional data were needed to determine if any additions or modifications to the special education and related services were needed.
10	34 CFR §300.305(d)(1)	If no additional data were needed to determine whether the student had a disability and to determine the student's educational needs, then the parents were given Notice about the determination, the reason(s) for the determination, and the parent's rights to request an assessment.
11	34 CFR §300.305(a)(1)(i)	Evaluations and information provided by the parents were reviewed.
12	34 CFR §300.305(a)(1)(ii)	Current classroom-based, district, or state assessments and classroom-based observations were reviewed.
13	34 CFR §300.305(a)(1)(iii)	Observations by teachers and related service providers were reviewed.

**Section 3: IEP**

Item #	Citation	Probe
14	34 CFR §§300.321(a)(1) and 300.322	The required members attended the IEP Team meeting or there was documentation of an excusal and written input if they were not in attendance or, in the case of the parent, there were documentation of repeated attempts to invite the parent.
15	34 CFR §300.306(a)(1)	An IEP Team determined eligibility and the educational needs of the student.

#### **Section 4: Determination of Eligibility for Specific Learning Disability**

<b>Item #</b>	<b>Citation</b>	<b>Probe</b>
16	R 340.1713(1)	The determination of eligibility did not include learning problems that were primarily the result of visual, hearing, or motor disabilities, cognitive impairment, emotional impairment, autism spectrum disorder, or environmental, cultural, or economic disadvantage that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations.
17	R 340.1713(3)(a)	The MET included a general education teacher.
18	R 340.1713(3)(b)	The MET included at least one person qualified to conduct individual diagnostic examinations of children.
19	34 CFR §300.311(a)(1)	The documentation of eligibility contained a statement the student had a specific learning disability.
20	34 CFR §300.311(a)(2)	The basis for making the determination was documented, including an assurance the determination was made in accordance with § 300.306(c)(1) which indicates in interpreting evaluation data the district must: <ul style="list-style-type: none"> <li>• Draw upon information from a variety of sources.</li> <li>• Ensure the information is documented and carefully considered.</li> </ul>
21	34 CFR §300.310(a)	The student was observed in the student’s learning environment to document the student’s academic performance and behavior in the areas of difficulty.
22	34 CFR §300.311(a)(4)	Educationally relevant medical findings, if any, were documented.
23	34 CFR §§300.309(a)(1)(2) and 300.311(a)(5)	The student did not achieve adequately or make sufficient progress for the student’s age or state-approved grade-level standards.

Item #	Citation	Probe
24	34 CFR §300.309(a)(2)	Either (a) the student did not make sufficient progress to meet age or state-approved grade-level standards when using a process based on the student's response to scientific, research-based intervention, or (b) the student exhibited a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development.
25	34 CFR §300.311(a)(6) R 340.1721a(1)	The MET determined the disability was not primarily the result of a visual, hearing, or motor disability; mental retardation; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency.
26	34 CFR §300.309(b)	The underachievement was not due to lack of appropriate instruction in reading or math.
27	34 CFR §300.311(b) R 340.1721a(1)	Each MET member certified in writing the report reflected the member's conclusion, or a separate statement is attached.

#### ***Section 4: Determination of Eligibility for Cognitive Impairment***

Item #	Citation	Probe
16	R 340.1705(1)	The impairment was manifested during the developmental period.
17	R 340.1705(1)(a)	The developmental rate was at or below two standard deviations below the mean as determined through intellectual assessment.
18	R 340.1705(1)(b)	Standardized test scores in reading and math were approximately within the lowest sixth percentile.
19	R 340.1705(1)(c)	Lack of development was primarily in the cognitive domain.
20	R 340.1705(1)(d)	An impairment of adaptive behavior was documented.
21	R 340.1705(1)(e)	The student's educational performance was adversely affected.

Item #	Citation	Probe
22	R 340.1705(2)	The MET included a psychologist.

#### **Section 4: Determination of Eligibility for Emotional Impairment**

Item #	Citation	Probe
16	R 340.1706(1)	Behavioral problems were primarily in the affective domain.
17	R 340.1706(1)	There was evidence that behavioral problems were manifested over an extended period of time.
18	R 340.1706(1)	Behavioral problems adversely affected the student's educational performance to the extent the student could not profit from regular learning experiences without special education support.
19	R 340.1706(1)(a)-(d)	Behaviors were manifested by one or more of the following: <ul style="list-style-type: none"> <li>• Inability to build and maintain satisfactory relationships within school environment.</li> <li>• Inappropriate behaviors/feelings, <del>or</del> <u>depression</u> under normal circumstances.</li> <li>• General pervasive mood of unhappiness <u>or depression</u>.</li> <li>• Physical symptoms or fears.</li> </ul>
20	R 340.1706(2)	The emotional impairment was not based on a social maladjustment unless it is determined the student also has an <del>Emotional</del> <u>emotional impairment</u> .
21	R 340.1706(3)	Intellectual, sensory, or health factors were not the primary cause of the student's impairment.
22	R 340.1706(4)(a)	The evaluation report documents the student's performance in the educational setting and in other settings, such as adaptive behavior within the broader community.
23	R 340.1706(4)(b)	The evaluation report documents a systematic observation of the behaviors of primary concern that interfere with educational and social needs.



24	R 340.1706(4)(c)	Intervention strategies to improve the behaviors were implemented and length of time these strategies were used was documented.
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Item #	Citation	Probe
25	R 340.1706(5)	The MET report included data provided by both a psychologist or psychiatrist and a school social worker.

**Section 4: Determination of Eligibility for Speech and Language Impairment**

Item #	Citation	Probe
16	R 340.1710(1)	A speech and language impairment adversely affected educational performance.
17	R 340.1710(2)	A communication disorder was determined by one or more of the following speech and language impairments: <ul style="list-style-type: none"> <li>• Language</li> <li>• Articulation</li> <li>• Fluency</li> <li>• Voice</li> </ul>
18	R 340.1710(3)(a)	A language impairment was indicated by a spontaneous language sample demonstrating inadequate language functioning.
19	R 340.1710(3)(b)	Test results of not less than two standardized assessment instruments or two sub-tests designed to determine language functioning indicated inappropriate language functioning for the student's age were used to determine eligibility.
20	R 340.1710(5)	The MET included a teacher of students with speech and language impairments under R 340.1796, or a speech and language pathologist qualified under R 340.1792.

**Section 4: Determination of Eligibility for Autism Spectrum Disorder (ASD)**

Item #	Citation	Probe
16	R 340.1715(1)	The disability adversely affected the student's educational performance in one or more of the following areas: <ul style="list-style-type: none"> <li>• Academic</li> <li>• Behavioral</li> <li>• Social</li> </ul>

Item #	Citation	Probe
17	R 340.1715(2)(a)	<p>Qualitative impairments in reciprocal social interactions included marked impairment in at least two of the following areas:</p> <ul style="list-style-type: none"> <li>• Use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction.</li> <li>• Peer relationships appropriate to developmental level.</li> <li>• Spontaneous seeking to share enjoyment, interests, or achievements with other people, for example, by showing, bringing, or pointing out objects of interest.</li> <li>• Social or emotional reciprocity.</li> </ul>
18	R 340.1715(2)(b)	<p>Qualitative impairments in communication included at least one of the following:</p> <ul style="list-style-type: none"> <li>• Delay in, or lack of, the development of spoken language not accompanied by an attempt to compensate through alternative modes of communication such as gesture or mime.</li> <li>• Marked impairment in pragmatics or in the ability to initiate, sustain, or engage in reciprocal conversation with others.</li> <li>• Stereotyped and repetitive use of language or idiosyncratic language.</li> <li>• Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level.</li> </ul>

Item #	Citation	Probe
19	R 340.1715(2)(c)	<p>Restricted, repetitive, and stereotyped behaviors included at least one of the following:</p> <ul style="list-style-type: none"> <li>• Encompassing preoccupation with one or more stereotyped and restricted patterns of interest.</li> <li>• Inflexible adherence to specific, nonfunctional routines or rituals.</li> <li>• Stereotyped and repetitive motor mannerisms.</li> <li>• Persistent preoccupation with parts of objects.</li> </ul>
20	R 340.1715(4)	The primary diagnosis was not schizophrenia or emotional impairment.
21	R 340.1715(5)	<p>The MET included at a minimum:</p> <ul style="list-style-type: none"> <li>• A psychologist or psychiatrist.</li> <li>• An authorized provider of speech and language.</li> <li>• A school social worker.</li> </ul>

**Section 4: Determination of Eligibility for Other Health Impairment**

Item #	Citation	Probe
16	R 340.1709a(1)	The student had limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, which resulted in limited alertness with respect to the educational environment.
17	R 340.17091(a)	The impairment is due to chronic or acute health problems.
18	R 340.1709a(1)(b)	The impairment adversely affected the student's educational performance.
19	R 340.1709a(2)	The MET included an approved physician as defined in 1978 PA 368 MCL 333.1101 et seq.

## SRR Discipline

### Section 1: IEP Consideration

Item #	Citation	Probe
1	34 CFR §300.324(a)(2)(i)	The use of positive behavioral interventions and supports, or other strategies, to address behavioral needs were considered by the IEP Team.
2	34 CFR §300.324(a)(2)	If the use of positive behavioral interventions and supports, or other strategies, was considered and needed, it is addressed in the IEP.
3	34 CFR §§300.321(a)(1) and 300.322	The required members attended the IEP Team meeting or there was documentation of an excusal and written input if they were not in attendance or, in the case of the parent, there were repeated attempts to invite the parent.

### Section 2: FAPE Services and Change of Placement

Item #	Citation	Probe
4	34 CFR §300.601	The number of out-of-school suspension days and the number submitted to the Michigan Student Data System (MSDS) matched.
5	34 CFR §300.530(b)(2)	Services were provided after the 10th school day of removal.
6	34 CFR §300.536(b)(1)	The district determined that a pattern of removals constituted a change of placement.
7	34 CFR §300.530(d)(5)	<u>When the removal was a change of placement, <del>T</del>the IEP Team determined appropriate services.</u>
8	34 CFR §300.530(d)(4)	<u>When the removal was not a change of placement, <del>S</del>school personnel consulted with at least one of the student's teachers to determine the needed services.</u>

### Section 3: Discipline (Manifestation Determination Review (MDR))

Only complete this section if the student had or was entitled to an MDR.

Item #	Citation	Probe
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9	34 CFR §300.530(e)	An MDR was completed following a change of placement (after the 10th consecutive day or a series of removals that constituted a pattern).
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Item #	Citation	Probe
10	34 CFR §300.530(e)(1)	The district, the parent, and relevant members of the IEP Team (as determined by the parent and the district) completed the MDR.

***Section 3a: Discipline (Manifestation of Disability)***

Only complete this question if the conduct was ***found*** to be a manifestation of the student’s disability.

Item #	Citation	Probe
11	34 CFR §300.530(f)(1)(i)	The district either conducted a functional behavioral assessment (FBA) and implemented a behavioral intervention plan (BIP) for the student or reviewed the existing BIP, modifying it as necessary to address the behavior.

## Appendix F

### Introductory Email Message for On-site

Hello <name>,

As you are aware, <member district> will be the site of a State Performance Plan (SPP) Monitoring visit on <date>. I will be serving as the lead monitor for the visit and will be joined by representatives from <ISD name>.

We will plan to begin the day's visit at approximately <time> and conclude late in the afternoon. The team will be reviewing the district's procedures and practices, conducting staff interviews, and reviewing student records. Information regarding these activities can be found in the attached documents. A list of students for whom records must be available can be found in Catamaran.

The key to a SPP On-site Monitoring visit seems to be flexibility. While we strive to keep as close to the schedule as possible, the time we conclude (with the Preliminary Summary meeting) may vary. While we need to conduct the meeting with you and the member district superintendent or designee, we recognize the superintendent's availability may impact the meeting time. During this meeting we will provide you with a summary of our visit and discuss any next steps for the district.

Please contact me at your earliest convenience by either phone <number> or email<email>, so I may answer any questions. Please provide the address for this visit. We can determine together the most appropriate staff members who should be included and interviewed during this visit. I look forward to working with you.

Thank you,



## Introductory Email Message for Virtual

Good morning/afternoon,

As a follow up to our phone call on < date>, I am confirming the following regarding the Spring <date> Virtual Monitoring:

1. I will serve as the lead monitor for the visit and will be joined by representatives from <ISD name>.
2. Though there is no on-site monitoring visit, the MDE OSE has asked that you have someone available on the date we conduct the file reviews in the event additional documentation is needed to complete the review. Please confirm this is the identified district contact who will be available on that date: <name> <contact number>
3. Any Findings, Corrective Action Plans (CAPs), and Student Level Corrective Action Plans (SLCAPs) needed are issued in Catamaran.

If you have any further questions or need additional information, please contact me by phone < phone> or email <email address>. I look forward to speaking with you on < date of call>.

Thank you,

## Appendix G

### Virtual Monitoring Agenda

Date: \_\_\_\_\_

Intermediate School District: \_\_\_\_\_

Member District: \_\_\_\_\_

Monitoring Team: \_\_\_\_\_

8:30 a.m. – 8:45 a.m.

- ISD team lead sets up and organizes materials.
- ISD team lead and team members ensure all paperwork is available to begin review and/or ISD team lead and team members ensure they have access to online records, if applicable.
- Team assembles.
- Determine who and how to contact districts if additional documentation is needed.

8:45 a.m. – 10:30 a.m.

Begin Record and District Documentation Review

*10:30 a.m.*

*Stretch Break*

10:45 a.m. – 11:00 a.m.

Assess Status of Record Reviews; is there additional documentation needed from district?

11:00 a.m. – 12:15 p.m.

- Team completes record reviews and district documents.
- ISD team lead completes preliminary summary.
- ISD team lead makes call to member district.

12:15 p.m. – 12:30 p.m.

- Discuss next steps.
- Discuss Final Report timeframe.
- ISD team lead collects all documents and written paperwork; saves in secure area until findings are released.

## Sample On-site Agenda

### Michigan Department of Education Office of Special Education

Member District: \_\_\_\_\_

Address: \_\_\_\_\_

Dates: \_\_\_\_\_

Monitoring Team: \_\_\_\_\_

#### ***Tentative Agenda:***

- 8:30 a.m. Team arrives at site
- Set up and organize materials
- 9:00 a.m. Interview SE administrator(s)
- 9:45 a.m. Begin Student Record Reviews (SRRs) and District Documents Review
- 10:30 a.m. Interviews at the address above
- 11:15 a.m. Interviews at the address above
- 12:00 ***Working Lunch***
- 12:00 Interviews at the address above (if needed)
- 12:45 p.m. Continue SRRs and review district documents
- 3:30 p.m. Team completes *Preliminary Summary*
- 4:00 p.m. Exit meeting with superintendent and special education administrator:
- Explain follow-up steps
  - Explain timelines for Plan Development
  - Give superintendent the list of Interviewees
- 4:30 p.m. Team leaves the site

# Appendix H

## Interview Summary

### SD-Disc Monitoring Review Interview Summary

[Monitoring Review Menu](#) > SD-Disc Monitoring Review Interview Summary

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Public Schools

Sept2018

Summarize the interview(s) with the district. \*

Character Limit: 0 of 2500

Indicate any strengths. \*

Character Limit: 0 of 2500

Indicate any areas of concern and/or opportunities for improvement. \*

Character Limit: 0 of 2500

# Appendix I

## B-4B Virtual Monitoring Preliminary Summary

### B-4B Virtual Monitoring Preliminary Summary

[Virtual Monitoring Menu](#) > B-4B Virtual Monitoring Preliminary Summary

[Download](#) [Spell Check](#) [Back](#) [Next](#)

Please save your work every 10 minutes due to the 20-minute timeout feature.

**Instructions:**  
After the SRRs and the Policy Review are complete and the SLCAP summary has been reviewed by the Virtual Monitoring Team, complete the following the Preliminary Summary Report. Once the report is complete, and the SLCAP summary is correct, select **Save & Issue** at the top of the page. SLCAPs will be issued in the next major release.

**Show Less**

**District:**

**ISD:**

**Date of Summary:**

**Review Date:**

**Virtual Monitoring Team:**

Name:	Title:
<input type="text"/>	<input type="text"/>

**Section 1: Monitoring Priority**

Suspensions and Expulsions by Race/Ethnicity

**State Performance Plan:**

The State Performance Plan (SPP), as authorized by the *Individuals with Disabilities Education Act* (IDEA) 2004, sets the context for monitoring. States are required under federal law to evaluate and report on efforts to implement the requirements and purposes of the IDEA. The plan includes evaluating and reporting on specific indicators. As required by the U.S. Department of Education, Office of Special Education Programs, all districts in the state must meet the federally established rigorous target of zero percent for SPP Indicator 4B.

**SPP Indicator 4B – Suspensions and Expulsions by Race or Ethnicity**

SPP Indicator 4B is the percent of districts that have:

- (a) A significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year of children with an individualized education program (IEP).
- (b) Policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(§ 300.600(d) and 20 U.S.C. 1412(a)(22))

**Section 2: Selection Criteria**

Michigan identifies districts with 2016-2017 data greater than or equal to the State threshold of 3.6 percent in at least one racial/ethnic group of students with an IEP suspended/expelled out of school for greater than ten days as having a significant discrepancy.

The district must ensure that its policies, procedures, and practices are compliant for students with an IEP who are Black and Hispanic.

**Section 3: Preliminary Summary**

The policies, procedures, and practices used by the district in the suspension and expulsion of Black and Hispanic students with an IEP were reviewed to determine whether they:

- Contributed to the significant discrepancy.
- Complied with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

The student record reviews yielded  instance(s) of correctable noncompliance related to specific students.

**Next Steps:**

A monitoring report will be issued to the district on September 15, 2018. This report will provide written notification of any noncompliant policies, procedures, or practices requiring revision. All areas of noncompliance must be corrected as soon as possible but no later than one year from the date of notification. If this deadline is not met, this will impact the district's Determination and the State will take action to promptly bring the district into compliance; this may include increased state supervision and/or financial sanctions.

If findings of noncompliance are issued, the district must submit a corrective action plan by November 1, 2018 to address all areas of noncompliance.

**Comments**

Character Limit: 0 of 2500

## Appendix J

### Discipline Procedure Review

#### Instructions

Use the following to review the district’s discipline procedures. Once complete, choose **Save & Issue** to finalize the Procedure Review. (N/A indicates not available)

#### 1. IEP Considerations

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
1	34 CFR §300.324(a)(2)(i)	Probe: The policy/procedure indicates the use of positive behavioral interventions and supports, or other strategies, to address behavioral needs will be considered by the IEP Team for a student whose behavior impacts the student’s learning or that of others.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
2	34 CFR §300.324(a)(2)	The policy/procedure indicates if the use of positive behavioral interventions and supports, or other strategies, are considered and needed, then it will be addressed in the IEP.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
3	34 CFR §300.324(a)(2) and 300.503	The policy/procedure indicates if the use of positive behavioral interventions and supports, or other strategies, are considered and not needed, then a statement will be included in the Notice under options considered but not needed.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
4	34 CFR §§300.321(a)(2) and 300.322	The policy/procedure indicates the required member (parent) will attend the IEP Team meeting or there will be repeated documented attempts to invite the parent.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
5	34 CFR §§300.321(a)(2) and 300.321(e)	The policy/procedure indicates the required member (regular education teacher) will attend the IEP Team meeting or there will be a written excusal and input prior to the meeting.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A
6	34 CFR §§300.321(a)(3) and 300.321(e)	The policy/procedure indicates the required member (special education teacher) will attend the IEP Team meeting or there will be a written excusal and input prior to the meeting.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A
7	34 CFR §§300.321(a)(4) and 300.321(e)	The policy/procedure indicates the required member (representative of the public agency) will attend the IEP Team meeting or there will be a written excusal and input prior to the meeting.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A



Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
8	34 CFR §§300.321(a)(5) and 300.321(e)	The policy/procedure indicates the required member (an individual who can interpret instructional implication of evaluations) will attend the IEP Team meeting or there will be a written excusal and input prior to the meeting.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

## 2. Change of Placement

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
9	34 CFR §300.536(b)(1)	The policy/procedure indicates the district will determine if a pattern of removals constitutes a change of placement	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
10	34 CFR §300.530(h)	The policy/procedure indicates the district will notify the parents of the decision to make a removal that constituted a change of placement on the date the decision is made.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
11	34 CFR §300.530(h)	The policy/procedure indicates the district will provide the procedural safeguards notice to the parents on the date the decision is made to make a removal that constitutes a change of placement.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

### 3. Manifestation Determination Review

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
12	34 CFR §300.530(e)	The policy/procedure indicates a manifestation determination review (MDR) will be completed following a change of placement (after the 10th consecutive day or a series of removals that constitutes a pattern).	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
13	34 CFR §300.530(e)(1)	The policy/procedure indicates the district, the parent, and relevant members of the IEP Team (as determined by the parent and the district) will complete the MDR.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
14	34 CFR §300.530(e)(1)	The policy/procedure indicates the MDR participants will review all relevant information in the student's file, including the IEP, any teacher observations, and relevant information provided by the parent.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
15	34 CFR §300.530(e)(3)	The policy/procedure indicates if the MDR determines the conduct was the direct result of the district's failure to implement the IEP, then immediate steps will be taken to remedy the failure.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

### 3a. Manifestation of Disability

(If the conduct was *found* to be a manifestation of the student's disability.)

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
16	34 CFR §300.530(f)(2)	The policy/procedure indicates the student will return to the placement from which the student was removed, unless the parent and the district agreed to a change of placement as a part of the modification of the behavioral intervention plan (BIP).	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
17	34 CFR §300.530(f)(1)(i)	The policy/procedure indicates the district will conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan, if appropriate, for the student.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A
18	34 CFR §300.530(f)(1) (ii)	The policy/procedure indicates the district will review the existing BIP, modifying it as necessary to address the behavior.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A

**3b. Not a Manifestation of Disability**

(If the conduct was found *not* to be a manifestation of the student’s disability.)

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
19	34 CFR §300.530(c)	The policy/procedure indicates the student will receive, as appropriate, an FBA, behavioral intervention services, and modifications designed to address the behavioral violation so that it does not recur.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A

#### 4. Removals and Services

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
20	4 CFR §300.530(b)(2)	The policy/procedure indicates services will be provided and documented after the 10th school day of removal.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A
21	34 CFR §300.530(d)(5)	The policy/procedure indicates if the removal is a change of placement, the IEP Team will determine appropriate services.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A
22	34 CFR §300.530 (d)(4)	The policy/procedure indicates if the removal is not a change of placement, school personnel will consult with at least one of the student's teachers to determine appropriate services.	Yes	Yes	Yes	Yes	Yes
			No	No	No	No	No
			N/A	N/A	N/A	N/A	N/A

## 5. Special Circumstances

(Weapons, drugs, serious bodily injury.)

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
23	34 CFR §300.530(g)	The policy/procedure indicates if the student will be placed in an interim alternative educational setting it will be for not more than 45 school days.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

## Appendix K

### Identification Procedure Review

#### Instructions

Use the following to review the district’s identification procedures. Once complete, choose **Save & Issue** to finalize the Procedure Review. (N/A means not available)

#### 1. IEP Considerations

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
1	34 CFR §300.303 (b)(2)	The policy and procedure indicate a reevaluation and offer of FAPE will occur within 36 months of the previous offer of FAPE tied to a reevaluation <b>OR</b> the parent and district agreed that no reevaluation was necessary.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
2	34 CFR §§300.305 and 300.321(a)	The policy and procedure indicate the required members participate in the REED or, in the case of the parent, there were repeated attempts to invite the parent.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A



Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
3	34 CFR §300.305(a)(2) (i)	The policy and procedure indicate the team will identify what additional data is needed to determine if the student has a disability and the student’s educational needs.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
4	34 CFR §300.305(a)(2) (ii)	The policy and procedure indicate the team will identify additional data needed to determine the PLAAFP and related developmental needs.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
5	34 CFR §300.305(a)(2) (iii)	The policy and procedure indicate the team will identify what additional data is needed to determine if the student needed special education and/or related services.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
6	34 CFR §300.305(a)(2) (iv)	The policy and procedure indicate the team will identify what additional data is needed to determine if any additions or modifications to the special education and related services will be needed.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
7	34 CFR §300.305(d)(1)	The policy and procedure indicate if no additional data is needed to determine whether the student had a disability and to determine the student’s educational needs, then the parents are given Notice about the determination, the reason(s) for the determination, and the parent’s rights to request an assessment.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
8	34 CFR §300.305(a)(1) (i)	The policy and procedure indicate evaluations and information provided by the parents are reviewed.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
9	34 CFR §300.305(a)(1) (ii)	The policy and procedure indicate current classroom-based, Member District, or state assessments and classroom-based observations will be reviewed.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A
10	34 CFR §300.305(a)(1) (iii)	The policy and procedure indicate observations by teachers and related service providers will be reviewed.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A

Item #	Citation	Probe Text	Meets Legal Requirements	Contains How to Implement	Defines When to Implement	By Whom	Documentation/ Accountability
11	34 CFR §300.305(a)(2)	The policy and procedure indicate parents will have an opportunity to provide input.	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A	Yes No N/A