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0161143	BERKELEY UNIFIED				
Item #	Description Legal Citation	Non-Compliant Findings			
2-1-1	Does the LEA provide the parent with an 34 CFR Assessment Plan within 15 days of the 300.503(a) and referral for any proposed evaluation? Is (c), 34 CFR the Assessment Plan provided in the primary 300.300, 30 EC language of the parent or other mode of 56321(a), 30 EC communication used by the parent, unless it 56321(b)(1)(2). is clearly not feasible to do so? Is the Assessment Plan written in language easily understood by the general public?	There were four noncompliant findings, nine not applicable findings and thirteen compliant findings. These findings corroborate concerns identified in the parent surveys and a 2014 Office of Administrative Hearing (OAH) decision. Assessment Plans were missing so we could not determine if they were written in the parents' primary language.			
	Corrective Action :	Date Due Date Corrected Evidence Location			
adm suc	e District shall provide training on this item to all school site ministrators and special education staff with documentation of ch training to be submitted through sign-in sheets, agendas, and terials provided.	e 06/07/16			
wit sta mos LEA the be cor to	strict staff will ensure that all student records are compliant th the required standard. California Department of Education aff will sample half of the student Assessament Plans for the st recent six months, up to twenty students, to ensure that the A provides the parent with an Assessment Plan within 15 days of e referral for any proposed evaluation. The Assessment Plan must in the primary language of the parent or other mode of mmunication used by the parent, unless it is clearly not feasible do so and must be written in language easily understood by the neral public.				

Page 2

Printed: 03/01/16

0161143

0161143	BERKELEY	UNIFIED				
Item #	Description	Legal Citation	Non-Compliant	Findings		
2-1-1.1	Does the LEA provide the parent with an Assessment Plan within 15 days of the referral for any proposed evaluation that includes the reason for the assessment?	There were two noncompliant findings, zero not applicable findings and twenty-four compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys and a 2014 Office of Administrative Hearing (OAH) decision. In addition, a 2011-12 complaint investigation found the district failed to adhere to the 15 day timeline for the development of the proposed Assessment Plan.				
	Corrective Action :		Date Due	Date Corrected	Evidence	<u>Location</u>
adr suc	e District shall provide training on this ite ministrators and special education staff with ch training to be submitted through sign-in s terials provided.	documentation of				
wi st. rec Ed wi As ot.	strict staff will ensure that all student recth the required standard. California Department aff will sample half of the student Assessment cent six months, up to 20 students, to ensure ucation Agency (LEA) provides the parent with thin 15 days of the referral for any proposed sessment Plan must be in the primary language her mode of communication used by the parent, early not feasible to do so and must include sessment.	ent of Education at Plans for the mos a that the Local a an Assessment Plan a evaluation. The a of the parent or unless it is				

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staff will sample half of the student Assessment Plans for the most recent six months, up to 20 students, to ensure that the Assessment

Plan includes the individual's primary language and language proficiency status (LEP/FEP) for English language learners.

Item #	Description	Legal Citation	Non-Compliant Findings				
2-1-1.3	Does the LEA provide the parent with an Assessment Plan within 15 days of the referral for any proposed evaluation that includes the individual's primary language and language proficiency status (LEP/FEP) for English language learners?	34 CFR 300.304(c)(4) and (c)(1)(ii), 30 EC 56321(b)(1), 5 CCR 3022.	There were three noncompliant findings, nine not applicable findings and three compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys and an Office of Administrative Hearing (OAH) decision. In addition, a 2011-12 complaint investigation found the district failed to adhere to the 15 day timeline for the development of the proposed Assessment Plan.				
	<u>Corrective Action :</u>		Date Due Date Corrected Evidence Location				
adı suc	e District shall provide training on this ite ministrators and special education staff with ch training to be submitted through sign-in s terials provided.	documentation of					
	strict staff will ensure that all student rec		06/07/16				

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## BERKELEY UNIFIED

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tem #	Description	Legal Citation	Non-Compliant Findings			
-1-1.4	Does the LEA provide the parent with an Assessment Plan within 15 days of the referral for any proposed evaluation that includes a description of recent evaluations, including any available independent evaluation that will be considered?	34 CFR 300.502(a) and 303.504(c), 30 EC 56329(b), 5 CCR 3022.	There were two noncompliant findings, zero not applicable findings and twenty-four compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys, complaint investigations and an Office of Administrative Hearing (OAH) decision. In addition, a 2011-12 complaint investigation found the district failed to adhere to the 15 day timeline for the development of the proposed Assessment Plan.			
	Corrective Action :		Date Due Date Corrected Evidence Location			

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student Assessment Plans for the most recent six months, up to 20 students, to ensure that the Assessment Plan includes a description of recent evaluations, including any available independent evaluations, that will be considered.

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Item #	Description	Legal Citation	Non-Complian	t Findings	-		
2-1-1.6	Does the LEA provide the parent with an Assessment Plan within 15 days of the referral for any proposed evaluation that includes a description of alternative means that will be used to assess language impairment or specific learning disabilities when standard tests are considered invalid?	34 CFR 300.304(c), 5 CCR 3030(c)(4)(B), 5 CCR 3030 (j)(4)(B).	and twenty-two concerns/noncom investigations decision. In ad district failed	compliant findings. pliance identified and an Office of Ad	These findings in the parent so ministrative Head complaint invest: 5 day timeline	surveys, complaint Hearing (OAH) stigation found the	
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
a s	he District shall provide training on this item dministrators and special education staff with uch training to be submitted through sign-in shaterials provided.	documentation of					
w s r F	Pistrict staff will ensure that all student reconstituted that the required standard. California Department that will sample half of the student Assessment elecent six months, up to 20 students, to ensure the color of alternative means to assess language impairment or specific learning then standard tests are considered invalid.	nt of Education E Plans for the mos that the Assessmen s that will be used	nt				

Printed: 03/01/16

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## BERKELEY UNIFIED

assessment and the date the consent was obtained.

Item #	Description	Legal Citation	Non-Compliant Findings
2-1-1.7	Does the Assessment Plan contain documentation of parent consent and the date consent was obtained?	20 USC 1414(a)(1)(C)(i) , 34 CFR 300.300(a), 34 CFR 300.300(c) 30 EC 56321.	There were four noncompliant findings, zero not applicable findings and twenty-two compliant findings.

	Corrective Action :	Date Due	Date Corrected	Evidence	Location
-	The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.	06/07/16			
-	District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student Assessment Plans for the most recent six months, up to 20 students, to ensure that the Assessment Plan on file contains parent consent prior to the conducting of	06/07/16			

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Item #	Description	Legal Citation	Non-Compliant	Findings			
2-1-2.2	Does the LEA inform parents of their right to obtain, at public expense, an independent educational assessment, if the parent disagrees with the assessment conducted by the LEA, or the right to obtain an assessment at any time at their own expense?	34 CFR 300.504, 34 CFR 300.502, 30 EC 56506(c), 30 EC 56329(b)-(c).	There was one noncompliant finding, zero not applicable findings and twenty-five compliant findings. In addition, 2014-15 and 2012-13 complaint investigations found the District failed to file a due process, adhere to required procedures or fund an independent educational evaluation (IEE) when parents requested an evaluation at public expense.				
	Corrective Action :		Date Due	Date Corrected	Evidence	<u>Location</u>	
adm suc	e District shall provide training on this iten ministrators and special education staff with ch training to be submitted through sign-in s terials provided.	documentation of					
wit sta rec not exp dis to	strict staff will ensure that all student rec th the required standard. California Departme aff will sample half of the student Assessmen cent six months, up to 20 students, to ensure tifies parents that the parent has a right to pense, an independent educational assessment sagrees with the assessment conducted by the obtain an independent educational assessment eir own expense.	nt of Education t Plans for the mos that the LEA obtain, at public if the parent LEA, and the right	06/07/16 t				

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0161143	BERKELEY UNIFIED					
Item #	Description	Legal Citation	Non-Compliant Findings			
2-2-1	Do students evaluated for initial and three-year reviews have a hearing and vision screening unless parental permissi is denied?	34 CFR 300.304(c)(4), on 30 EC 56320(f), 5 CCR 3027.	There were five noncompliant findings, zero not applicable findings and twenty-one compliant findings.			
	Corrective Action :		Date Due Date Corrected Evidence Location			
a s	he District shall provide training on this indministrators and special education staff winch training to be submitted through sign-in aterials provided.	th documentation of				
w s m i	ristrict staff will ensure that all student relith the required standard. California Department of the student IEPs for sonths, up to 20 students, to ensure that studential and three-year reviews have a hearing unless parental permission is denied.	ment of Education r the most recent six dents evaluated for	x			

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0161143	BERKELEY	UNIFIED					
Item #	Description	Legal Citation	Non-Compliant Findings				
2-2-2.6	Is there evidence that the current assessment is comprehensive and that assessments were administered in all areas related to the suspected disability by trained and knowledgeable personnel using sound instruments?	20 USC 1414 (b) (3) (B), 34 CFR 300.304(c) (4) and (c) (1) (iv), 30 EC 56320(b), 30 EC 56320(f).	There were six noncompliant findings, zero not applicable findings and twenty compliant findings.				
	Corrective Action :		Date Due Date Corrected Evidence Location				
ac sı	ne District shall provide training on this iter dministrators and special education staff with ach training to be submitted through sign-in so aterials provided.	documentation of					
w: st mc C1 ac	istrict staff will ensure that all student recith the required standard. California Departme taff will sample half of the student assessmen ost recent six months, up to 20 students, to eurrent assessment is comprehensive and that as dministered in all areas related to the suspectained and knowledgeable personnel using sound	nt of Education t reports for the consure that the sessments were ted disability by	06/07/16				

Location

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## BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
2-2-2.6.1	Is there evidence that the current	34 CFR	There were three noncompliant findings, one not applicable finding
	assessments include, as appropriate, health	300.304(c)(4),	and twenty-two compliant findings.
	and developmental information?	34 CFR	
		300.304(b)(1),	
		30 EC 56320(f),	
		30 EC 56327(e).	

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student assessment reports for the most recent six months, up to 20 students, to ensure that assessments include health and development information as appropriate.

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Item #	Description	Legal Citation	Non-Compliant Findings				
2-2-2.6.1	Is there evidence that the current assessment includes information about career and vocational abilities and interests, as appropriate?	30 EC 56320(f).	There was one noncompliant finding, three not applicable findings and twenty-two compliant findings.				
	Corrective Action :		Date Due Date Corrected Evidence Location				
ad su	ne District shall provide training on this itended in the state of the	n documentation of					
wi st mo as	strict staff will ensure that all student recent the required standard. California Department of the student assessment as the recent six months, up to 20 students, to essessments include information related to care politices and interests as appropriate.	ent of Education nt reports for the ensure that,	06/07/16				

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Item #	Description	Non-Compliant Findings					
2-2-2.7	Are a variety of assessment instruments and strategies used to gather functional, developmental, and academic information to determine eligibility and the content of the IEP?	20 USC 1414(b)(2)(A), 34 CFR 300.304(b)(1), 30 EC 56320(e).	(1),				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
ac st	ne District shall provide training on this iter dministrators and special education staff with uch training to be submitted through sign-in st aterials provided.	documentation of	•				
wi St Mo Ll Ge	istrict staff will ensure that all student recith the required standard. California Departmentaff will sample half of the student assessment ost recent six months, up to twenty students, EA uses a variety of assessment instruments an ather functional, developmental, and academic etermine eligibility and the content of the IE	nt of Education t reports for the to ensure that the d strategies to information to	06/07/16				

Location

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Item #	Description	Legal Citation	Non-Compliant Findings
2-2-5	Does the assessment include information related to enabling the child to be involved in and progress in the general curriculum?	20 USC 1414(b)(2)(A)(ii ), 34 CFR 300.304(b)(1)(ii ), 30 EC 56345.	There were three noncompliant findings, one not applicable finding and twenty-two compliant findings.

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student assessment reports for the most recent six months, up to 20 students, to ensure that assessment includes information related to enabling the student to be involved in and progress in the general curriculum.

Location

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## BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
2-2-5.2	Do assessment procedures ensure that IQ	Larry P. vs.	There were three noncompliant findings, sixteen not applicable
	tests are not administered to	Riles.	findings and seven compliant findings.
	African-American students?		

-	The District shall provide training on this item to all school site
	administrators and special education staff with documentation of
	such training to be submitted through sign-in sheets, agendas, and
	materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the records for African-American students who have had initial or annual IEPs within the last three months, up to 10 records, to ensure that during assessment activities, IQ tests are not administered to African-American students.

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of each assessment.

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Item #	Description Legal Citation		Non-Compliant Findings				
2-3-1	Do assessments result in a written report or reports, that include the findings of each assessment?	34 CFR 300.306(a)(2), 30 EC 56327 & 56529(a)(3).	There were two noncompliant findings, zero not applicable findings and twenty-four compliant findings.				
	Corrective Action :		Date Due				
ac sı	ne District shall provide training on this ited dministrators and special education staff with such training to be submitted through sign-in s aterials provided.	documentation of					
w: s m	istrict staff will ensure that all student rec ith the required standard. California Departme taff will sample half of the student assessmen ost recent six months, up to 20 students, to e ssessments result in a written report that inc	ent of Education nt reports for the ensure that					

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0161143	BERKELEY					
Item #	Description	Legal Citation	Non-Compliant	Findings		
2-3-1.4	Does the written Assessment Report include information related to enabling the student to be involved in and progress in the general education curriculum or, for preschool students, to participate in appropriate activities?			noncompliant findir e compliant finding		licable finding
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ad su	e District shall provide training on this ite ministrators and special education staff with ch training to be submitted through sign-in s terials provided.	documentation of				
wi st mo as st or	strict staff will ensure that all student recth the required standard. California Department aff will sample half of the student assessment st recent six months, up to 20 students, to essessment reports include information related undent to be involved in and progress in the graph of the preschool students, to participate in a stivities.	nt of Education t reports for the nsure that written to enabling the eneral curriculum	06/07/16			

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Item #	Description	Legal Citation	Non-Compliant	Findings				
2-3-1.8	Does the written Assessment Report include determination of the effects of environmental, cultural, or economic disadvantage, where appropriate?	30 EC 56327(g).	There was one noncompliant finding, three not applicable findings and twenty-two compliant findings.					
	<u>Corrective Action :</u>		Date Due	Date Corrected	Evidence	Location		
adm suc	e District shall provide training on this iter ministrators and special education staff with th training to be submitted through sign-in sl terials provided.	documentation of	e 06/07/16	•				
wit sta mos ass env	strict staff will ensure that all student receith the required standard. California Department aff will sample half of the student assessment recent six months, up to 20 students, to essessment reports include a determination of the vironmental, cultural, or economic disadvantage propriate.	nt of Education t reports for the nsure that written ne effects of	06/07/16					

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0161143	BERKELEY (	UNIFIED					
Item #	Description	Legal Citation	Non-Compliant Findings				
2-3-1.11	For a child suspected of having a specific learning disability, does the documentation of the determination of eligibility, contain a statement of: (1) Whether the child has a specific learning disability; and 2) The basis for making the determination.	34 CFR 300.311(a)(2) for students with specific learning disabilities, 30 EC 56327(b).	There was one noncompliant finding, thirteen not applicable findings and twelve compliant findings.				
	Corrective Action :		Date Due Date Corrected Evidence Location				
ad su	e District shall provide training on this item ministrators and special education staff with ch training to be submitted through sign-in sh terials provided.	documentation of					
wi st th up ha	strict staff will ensure that all student record, the the required standard. California Department aff will sample half of the student records with the determination of eligibility, for the most of the control of the students, to ensure a statement about we as a specific learning disability and the basis etermination of eligibility are included.	nt of Education th documentation of recent six months, whether the child	of				

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Item #	Description	Legal Citation	Non-Compliant Findings			
2-3-2	Does the LEA provide parents with a copy of the Assessment Report?	20 USC 1414(b)(4)(B), 34 CFR 300.306(a)(2), 30 EC 56329.	There were nine noncompliant findings, zero not applicable findings and seventeen compliant findings.			
	Corrective Action :		Date Due Date Corrected Evidence Location			
adı su	e District shall provide training on this item ministrators and special education staff with ch training to be submitted through sign-in sh terials provided.	documentation of				
wi st mo	strict staff will ensure that all student reco th the required standard. California Departmen aff will sample half of the student IEPs for the onths, up to 20 students, to ensure that docume that the LEA provides parents with a copy of the	nt of Education the most recent six entation is present	x t			

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0161143	BERKELEY (					
Item #	Description	Legal Citation	Non-Complian	t Findings		
2-4-1	Does a reevaluation occur, unless the parent and the LEA agreed that a reevaluation is unnecessary: a) not more frequently than once a year; b) at least every three years; c) when the LEA determines that the educational or related service needs (including improved academic achievement and functional performance) warrant an evaluation; or d) at the student's parents' or teacher request?	20 USC 1414 (a) (2), 34 CFR 300.303(b), 30 EC 56043(k).	and eighteen co concerns/noncom and 2012 Data I	noncompliant findi mpliant findings. I pliance identified dentified Noncompli ompliant for trienr	These findings co in the parent su ance (DINC) wher	orroborate urveys and 2011
·	Corrective Action :		Date Due	Date Corrected	Evidence	Location
adı su	e District shall provide training on this item ministrators and special education staff with ch training to be submitted through sign-in sh terials provided.	documentation of				
wi st an a) b) c) ne	strict staff will ensure that all student record the the required standard. California Department aff will sample half of the student records for months, up to 20 students, to ensure that, and the LEA agree otherwise, reevaluations occur not more frequently than once a year, at least every three years, when the LEA determines that the educational meds (including improved academic achievement approximately warrants an evaluation, or at the student's parents or teacher requests.	nt of Education or the most recent unless the parent r: or related service and functional	06/07/16			

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tem #	Description	Legal Citation	Non-Compliant	Findings		
-4-2	Did the LEA utilize the required members of the IEP team and other qualified professionals as appropriate, to review existing evaluation data, and on the basis of that review, and input from the student's parents, identify what additional data, if any, are needed to determine whether the student continues to have a disability, and the student's educational needs?	There were three noncompliant findings, zero not applicable findings and twenty-three compliant findings. These findings corroborate concerns identified in the parent surveys and parent interviews.				
	<u>Corrective Action</u> :		Date Due	Date Corrected	Evidence	Location
adm suc	e District shall provide training on this item ministrators and special education staff with th training to be submitted through sign-in sh terials provided.	documentation of				
wit sta mos par pro and par det	strict staff will ensure that all student recomb the the required standard. California Department aff will sample half of the student assessment as trecent six months, up to twenty students, the tof any reevaluation, the IEP Team and other cofessionals, as appropriate, reviewed existing don the basis of that review, and input from the rents, identify what additional data, if any, termine whether the student continues to have the student's educational needs.	t of Education reports for the co ensure that as qualified y evaluation data, the student's are needed to	06/07/16			

Location

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## BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
3-1-1.1	Is there an IEP developed and implemented for each student, within 60 days of obtaining written parental consent to the Assessment Plan?	20 USC 1414(a)(1)(C)(i) (I), 34 CFR 300.301 ( c )(1), 30 EC 56344.	There were five noncompliant findings, zero not applicable findings and twenty-one compliant findings. The District also failed to meet their 2012-13 State Performance Plan (SPP) indicator 11, Eligibility Evaluation, and the percentage has decreased from the previous year.

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student Assessment Plans and IEPs for the most recent six months, up to twenty students, to ensure that an IEP was developed within sixty days of obtaining written parental consent to the Assessment Plan, unless parents request an extension.

Location

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## BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
3-2-1	Does the current IEP include a statement of the student's present levels of performance including how the disability affects the student's involvement and progress in the general curriculum?		There were thirteen noncompliant findings, one not applicable finding and seventy-one compliant findings.
		56345(a)(1).	

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs for the most recent six months, for up to twenty students, to ensure that the current IEP includes a statement of the student's present levels of performance including how the disability affects involvement and progress in the general curriculum.

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Item #	Description	Legal Citation	Non-Compliant	Findings		
3-2-2	Does the IEP include measurable annual goals, including academic and functional goals, related to the student's need that will enable the student to be involved in and progress in the general education curriculum and that meet each of the student's other educational needs that result from the student's disability?	20 USC 1414(d)(1)(A)(i) (II)(aa) and (bb), 34 CFR 300.320 (a)(2), 30 EC 56345(a)(2).	There were thirteen noncompliant findings, zero not applicable findings and seventy-two compliant findings.			
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
adr suc	e District shall provide training on this ite ministrators and special education staff with ch training to be submitted through sign-in s terials provided.	n documentation of				
wi st. mo me th. ge:	strict staff will ensure that all student rect the the required standard. California Department aff will sample half of the student IEPs for the student of the student is surable annual goals, including academic and at will enable the student to be involved in the neral education curriculum and that meet the student needs.	ent of Education r the most recent si hat IEPs include d functional goals and progress in the				

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Item #	Description	Legal Citation	Non-Complian	t Findings			
3-2-3	Does the IEP include a direct relat between the present levels of perfo goals and the specific educational to be provided?	rmance,	There were four noncompliant findings, zero not applicable findings and one compliant finding. These findings corroborate concerns identified in the parent surveys and the Educational Benefit review.				
	Corrective Action :		Date Due	Date Corrected Evidenc	<u>Location</u>		
adr suc	e District shall provide training on t ministrators and special education sta ch training to be submitted through si cerials provided.	ff with documentation of					
wii Sta up en: pro	strict staff will ensure that all studenth the required standard. California I aff will sample half of the IEPs for to five students and conduct an education to the the that the IEP includes a direct research levels of performance, goals and ecific educational services to be proved.	Department of Education the most recent six months, ational benefit review to elationship between the dobjectives, and the	06/07/16				

Location

Printed: 03/01/16

0161143

#### BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
3-2-4	Does the IEP include a statement of the special education and related services and supplementary aids and services to be provided to the student or on behalf of the student?	20 USC 1414(d)(1)(A)(i) (IV), 34 CFR 300.320(a)(4), 30 EC 56345(a)(4).	There were three noncompliant findings, zero not applicable findings and eighty-two compliant findings. These findings corroborate concerns identified in the parent surveys. One parent interviewed stated the District provided minimum services to her child.

- The District shall provide training on this item to all school site 06/07/16 administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the IEPs, for the most recent six months, up to twenty students, to ensure that the IEP includes a statement of the special education and related services and supplementary aids and services to be provided to the student or on behalf of the student.

Corrective Action :

06/07/16

Date Due

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-5	Does the IEP include descriptions of program modifications that will be provided to enable the student to:  1) advance toward attaining annual goals;  2) be involved and make progress in the general education curriculum and participate in extra-curricular activities;  3) be educated and participate with other students with disabilities and with nondisabled students?	(IV) (aa), (bb), and (cc), 34 CFR 300.320(a)(4), 30 EC	There were three noncompliant findings, zero not applicable findings and eighty-two compliant findings.
	Corrective Action :		Date Due
	The District shall provide training on this item administrators and special education staff with such training to be submitted through sign-in sh materials provided.	documentation of	e 06/07/16
	District staff will ensure that all student reco with the required standard. California Departmen Staff will sample half of the IEPs for the most up to twenty students, to ensure that IEPs inclu program modifications or supports for school per provided.	t of Education recent six months, de descriptions of	

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-5.4	Is each teacher and provider informed of specific responsibilities related to implementing the student's IEP, and the specific accommodations, program modifications and support for school personnel?	34 CFR 300.323(d)(1&2).	There were five noncompliant findings, zero not applicable findings and eleven compliant findings. These noncompliant findings corroborate concerns/noncompliance identified in the parent surveys and a 2012-13 complaint investigation found the district failed to implement the IEP as amended by the settlement agreement.
	Corrective Action :		Date Due Date Corrected Evidence Location
ad su	e District shall provide training on this ito ministrators and special education staff with the ch training to be submitted through sign-in starials provided.	h documentation of	
wi St up in an	strict staff will ensure that all student reth the required standard. California Departmaff will sample half of the IEPs for the most to twenty students, to ensure that teachers formed of specific responsibilities related the specific accommodations, program modifieded for school personnel.	ent of Education t recent six months, and providers are to implementing IEPs	,

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-6	Does the IEP include an explanation of the extent, if any, to which the student will not participate with general education students in the general education classroom and in extracurricular and nonacademic activities?	20 USC 1414(d)(1)(A)(i) (V), 34 CFR 300.320(5), 30 EC 56345(a)(5).	There were four noncompliant findings, one not applicable finding and eighty compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys and this issue is also addressed in 2012-13 SPP indicator 5, Least Restrictive Environment, where the District did not meet this target.

_	The District shall provide training on this item to all school site
	administrators and special education staff with documentation of
	such training to be submitted through sign-in sheets, agendas, and
	materials provided.

Corrective Action :

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Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs for the most recent six months, up to twenty students, to ensure that the IEP includes an explanation of the extent, if any, to which the student will not participate with general education students in the general education classroom and in extracurricular and nonacademic activities.

goals.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-7	Does the IEP include:  a) a description of how the student's progress toward meeting the annual goals described will be measured; b) a description of when periodic reports on the progress the student is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided; c) a statement of how the student's parents will be regularly informed by such means as periodic report cards at least as often as are parents of nondisabled students regarding progress toward annual goals?		There were five noncompliant findings, zero not applicable findings and eighty compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.
	Corrective Action :		Date Due
ad su	ne District shall provide training on this item Iministrators and special education staff with Inch training to be submitted through sign-in sh Iterials provided.	documentation of	e 06/07/16
wi st mo de go re wi pe a by	strict staff will ensure that all student reconstitute the required standard. California Department aff will sample half of the student IEPs for the student of the student's progress toward seals will be measured; b) a description of where the student's progress toward meeting the provided (such as through the use of quality of the student's concurrent with the issuance of statement of how the student's parents will be a such means as periodic report cards at least arents of nondisabled students regarding progress.	nt of Education the most recent six EPs include: a) a d meeting the annua n and how periodic g the annual goals arterly or other of report cards); c e regularly informe as often as are	1

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Item #	Description	Legal Citation	Non-Compliant Findings	
3-2-8.1	Does the IEP include a statement regarding participation in District or statewide achievement tests and the accommodations or modifications, if any, that would enable the student to participate in such tests?	20 USC 1414(d)(1)(A)(i) (VI)(aa), 34 CFR 300.320 (6)(i), 30 EC 56345(a)(6).	There were four noncompliant findings, one not applicable finding and eighty compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys and a related issue is identified in their 2012-13 SPP indicator 3, Statewide Assessments, where the District did not meet the target.	d
	Corrective Action :		Date Due Date Corrected Evidence Location	<u>on</u>
a s	he District shall provide training on this item dministrators and special education staff with uch training to be submitted through sign-in sh aterials provided.	documentation of		
w s s s	ristrict staff will ensure that all student records that the required standard. California Department at aff will sample half of the student IEPs for tonths, up to twenty students, to ensure that II statement regarding participation in District of achievement tests without accommodations or modified accommodations.	nt of Education the most recent six EPs include a r statewide		

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Item #	Description	Legal Citation	Non-Complian	t Findings		
3-2-8.2	Does the IEP include a statement regarding participation in District or statewide achievement tests including an explanation of why it is not appropriate for the student to participate in general education District or Statewide achievement tests, if the IEP team makes that decision?		and eighty comp corroborate con issue is identi	noncompliant find: liant findings. The cerns identified in fied in their 2012- ere the District d	ese noncompliant : n the parent surve -13 SPP indicator	findings eys and a related 3, Statewide
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ad su	e District shall provide training on this iterministrators and special education staff with ch training to be submitted through sign-in starials provided.	documentation of	e 06/07/16			
wi st mo st ac no	strict staff will ensure that all student recent the required standard. California Department aff will sample half of the student IEPs for enths, up to twenty students, to ensure that I statement regarding participation in District of the chievement tests including an explanation of we appropriate for the student if the IEP teams excision.	nt of Education the most recent six EPs include a r statewide hy the assessment is				

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Item #	Description	Legal Citation	Non-Complian	t Findings		
3-2-8.3	Does the IEP include a statement regarding participation in general education District or state-wide achievement tests including a statement of how that student will be tested if state-wide or District tests are not used?	(VI) (bb), 34 CFR 300.320(6)(i)(ii	and eighty-one corroborate con issue is identi	noncompliant find: compliant findings cerns identified in fied in their 2012 ere the District d	. These noncompli n the parent surv -13 SPP indicator	lant findings veys and a related r 3, Statewide
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ad su	e District shall provide training on this item ministrators and special education staff with ch training to be submitted through sign-in sh terials provided.	documentation of				
wi st mo st ac	strict staff will ensure that all student reconstitution that the required standard. California Department aff will sample half of the student IEPs for the student of the student IEPs for the student, up to twenty students, to ensure that II attement regarding participation in District of the statement tests including a statement of how settled if statewide or District tests are not use	nt of Education the most recent six EPs include a r statewide students will be	06/07/16			

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Item #	Description	Legal Citation  20 USC  1414(d)(1)(A)(i)  (VII), 34 CFR  300.320(a)(7),  34 CFR 300.323  (c)(2), 30 EC  56345(a)(7).	Non-Compliant Findings			
3-2-9	Does the IEP include the projected date (month, day, and year) for initiating services, accommodations, and/or modifications?		There were twenty-nine noncompliant findings, zero not applicable findings and fifty-six compliant findings.			
	Corrective Action :		Date Due Date Corrected Evidence Location			
adı su	e District shall provide training on this it ministrators and special education staff wit ch training to be submitted through sign-in terials provided.	h documentation of				
wi st mo pr	strict staff will ensure that all student reth the required standard. California Departmaff will sample half of the student IEPs for nths, up to twenty students, to ensure that ojected date for initiating services, accommodifications.	ment of Education t the most recent six IEP includes the				

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-10	Does the IEP include the anticipated frequency, duration, and location for the services and, if needed, the modifications and/or accommodations?	20 USC 1414(d)(1)(A)(i) (VII), 34 CFR 300.320 (7), 30 EC 56345(a)(7).	There were thirty-one noncompliant findings, zero not applicable findings and fifty-four compliant findings.
	Corrective Action :		Date Due Date Corrected Evidence Location
- Th	ne District shall provide training on this ite	m to all school sit	re 06/07/16

- The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.
- District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs for the most recent six months, up to twenty students, to ensure that IEPs include the anticipated frequency, duration, and location for services and modifications.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-11.1	Does the IEP, when appropriate, include extended school year services for the student?	34 CFR 300.106 (a) & (b), 30 EC 56345(b)(3).	There were three noncompliant findings, zero not applicable findings and eighty-two compliant findings.

	student?	56345(b)(3).				
	Corrective Action :		Date Due	Date Corrected	Evidence	<u>Location</u>
-	The District shall provide training on this item of administrators and special education staff with do such training to be submitted through sign-in sheem materials provided.	ocumentation of	06/07/16			
-	District staff will ensure that all student record with the required standard. California Department staff will sample half of the student IEP's for streceive extended year services for the most recenup to five students, to ensure that IEPs when appextended school year services.	of Education tudents who t twelve months,	06/07/16			

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Item #	Description	Legal Citation	Non-Complian	t Findings		
3-2-11.5	Does the IEP, when appropriate, include for students in grades 7 through 12, any alternative means necessary for the student to complete the District's prescribed course of study and to meet or exceed proficiency standards for graduation?	30 EC 56345(b)(1).	and thirty-four DINC also indic	noncompliant finding compliant findings ated 16 student fi rices each of those	s. The District's les were noncompl	2011 and 2012
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ad su	e District shall provide training on this item ministrators and special education staff with o ch training to be submitted through sign-in she terials provided.	documentation of	e 06/07/16			
wi st no to co ex	strict staff will ensure that all student record the the required standard. California Department aff will sample half of grade 7-12 records of standards for the students, to ensure that any alternative maplete the District's prescribed course of students are standards for graduation are standards.	t of Education students who are or graduation, up means necessary to dy and to meet or	06/07/16			

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Item #	Description	Legal Citation	Non-Compliant Findings				
3-3-1	If neither parent can attend the IEP meeting does the LEA use other means to ensure parent participation including individual or conference phone calls?	34 CFR 300.322 (c-f).	There was one noncompliant finding, one not applicable finding and eighty-three compliant findings.				
	Corrective Action :		Date Due				
ā \$	The District shall provide training on this item administrators and special education staff with such training to be submitted through sign-in shaterials provided.	documentation of					
: : :	District staff will ensure that all student reconstitution to the required standard. California Department staff will sample half of the student IEPs and most recent six months, up to ten students, to eneither parent can attend the IEP meeting, the I communication to ensure parent participation individual or conference phone calls.	nt of Education records for the ensure that if LEA uses other mean	06/07/16 ns				

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## BERKELEY UNIFIED

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Item #	Description	Legal Citation	Non-Compliant Findings				
3-3-3	Does the LEA take whatever action is necessary to ensure that the parent understands the proceedings at the IEP meeting, including but not limited to arranging for an interpreter for parents who are deaf or whose native language is other than English?	34 CFR 300.322 (e), 30 EC 56341.5(i).	There were two noncompliant findings, three not applicable findings and eighty compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.				
	Corrective Action :		Date Due Date Corrected Evidence Location				

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

06/07/16

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the IEPs of students for the most recent six months, up to ten students, whose parents are deaf or whose native language is other than English, to ensure that the LEA takes whatever action is necessary so that the parent understands the proceedings at the IEP meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-3-4.1	Does the LEA notify parents of an IEP	34 CFR 300.322	There were three noncompliant findings, zero not applicable
	meeting? Is the notice early enough to	(a)(1 & 2), 30	findings and eighty-two compliant findings. These noncompliant
	ensure they have an opportunity to attend?	EC 56341.5(b).	findings corroborate concerns identified in the parent surveys.

	ensure they have an opportunity to attend? EC 56341.5(b).	findings corroborate concerns identified in			parent surveys.
	Corrective Action :	Date Due	Date Corrected	Evidence	Location
-	The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.	06/07/16			
-	District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the records for students who have had IEPs within the last three months, up to 20 records, to ensure that the LEA notified parents of the IEP meeting early enough to ensure parents have an opportunity to attend.	06/07/16			

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Item #	Description	Legal Citation	Non-Compliant	Findings			
3-3-4.2	Does the LEA notify parents of an IEP meeting early enough to ensure that they have an opportunity to attend and are IEP meetings scheduled at a mutually agreed upon time and place?	34 CFR 300.322 (2), 30 EC 56341.5(c).	There were four noncompliant findings, zero not applicable findings and eighty-one compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
ad su	me District shall provide training on this itended in the state of the	documentation of					
wi st do st an	strict staff will ensure that all student recent the required standard. California Department of the student IEP meets occumentation for the most recent six months, and that the meetings are scheduled at a mutual and place.	ent of Education ing notices or other up to twenty nts of IEP meetings					

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#### BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
3-3-5.1	Does the LEA provide notification to parents about IEP meetings and does the notice include an indication of the purpose, time and location of the meeting and the individuals who will be in attendance?	34 CFR 300.322 (b), 30 EC 56341.5(c).	There were fourteen noncompliant findings, zero not applicable findings and seventy-one compliant findings.

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEP meeting notices or other documentation for the most recent six months, up to twenty students, to ensure that notice of IEP meetings includes the purpose, time and location of the meeting, and who will be in attendance.

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Item #	Description	Legal Citation	Non-Compliant	t Findings		
3-3-5.2	Does the LEA provide notification to parents about IEP meetings and does the notice include information relating to the participation of other individuals on the IEP team that the parent may invite who have knowledge or special expertise about the student?	34 CFR 300.322 (b)(1)(ii), 30 EC 56341.5(c).	findings and simulation findings corrobout 2014-15 complaint ensure that pare	nteen noncompliant xty-eight compliant orate concerns iden nt investigation al ents are present at portunity to partic	findings. These ntified in the pa lso found the dis ceach IEP team m	noncompliant rent surveys. A trict failed to
	<u>Corrective Action :</u>		Date Due	Date Corrected	Evidence	Location
adr suc	e District shall provide training on this iter ministrators and special education staff with ch training to be submitted through sign-in sl terials provided.	documentation of				
wit sta doo sta in pa:	strict staff will ensure that all student receive the the required standard. California Department aff will sample half of the student IEP meeticumentation for the most recent six months, undents, to ensure that the notice of the IEP formation about other individuals on the IEP rents may invite who have knowledge or special e student.	nt of Education  ng notices or other  to twenty  meeting includes  team that the	06/07/16			

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#### BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
3-3-6	Does the IEP team periodically review, not less than annually, the student's IEP?	20 USC 1414(d)(4)(A)(i) , 34 CFR 300.324(b)(1), 30 EC 56380(a)(1).	There were thirteen noncompliant findings, four not applicable findings and sixty-eight compliant findings. These noncompliant findings corroborate concerns/noncompliance identified in the parent surveys and 2011 and 2012 DINC where two student files were noncompliant for annual IEPs each year.

-	The District shall provide training on this item to all school site
	administrators and special education staff with documentation of
	such training to be submitted through sign-in sheets, agendas, and
	materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs for the most recent six months, up to twenty students, to ensure that the IEP team reviews the student's IEP at least annually.

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Item #	Description	Legal Citation	Non-Compliant Findings	-
3-3-6.1	Does the IEP team periodically review but, not less frequently than annually, the student's IEP including progress toward annual goals and progress in the general curriculum when developing new goals?	20 USC 1414(d)(4)(A)(i) , 34 CFR 300.324 (b)(1)(i)(ii), 30 EC 56380(a)(2).	There were seventeen noncompliant findings findings and sixty-four compliant findings findings corroborate concerns identified in	These noncompliant
	Corrective Action :		Date Due Date Corrected Evidence	<u>Location</u>
a s	he District shall provide training on this ite dministrators and special education staff with uch training to be submitted through sign-in s aterials provided.	documentation of	06/07/16	
w s m t	istrict staff will ensure that all student receith the required standard. California Departme taff will sample half of the student IEPs for conths, up to twenty students, to ensure that the progress toward meeting the previous annual n the general curriculum when developing new g	nt of Education the most recent six he IEP team reviewe goals and progress	06/07/16	

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Item #	Description	Legal Citation	Non-Compliant Findings
3-3-6.2	During the annual review of the IEP, does the IEP team revise the IEP as appropriate?	20 USC 2 1414(d)(4)(A)(ii 2 1414(d)(4)(A)(ii 3 1414(d)(4)(A)(2) 300.324 (b)(1)(ii)(a)(2)	There was one noncompliant finding, three not applicable findings and eighty-one compliant findings.
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The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs for the most recent six months, up to twenty students, to ensure that the IEP team revises the IEP as appropriate during the annual review.

(Corrected and Uncorrected C.A.s)

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#### BERKELEY UNIFIED

Item # Description	Legal Citation	Non-Compliant Findings
Does the IEP team consider the strengths the student?	of 20 USC 1414(d)(3)(A)(i) , 34 CFR 300.324 (a)(1)(ii), 30 EC 56341.1. (a)(1).	There were two noncompliant findings, three not applicable findings and eighty compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.

-	The District shall provide training on this item to all school site
	administrators and special education staff with documentation of
	such training to be submitted through sign-in sheets, agendas, and
	materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs for the most recent six months, up to twenty students, to ensure that the IEP team considers the strengths of the student.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-3-10.2	Does the IEP team consider parent concerns for enhancing the education of the student?		There were eight noncompliant findings, zero not applicable findings and seventy-seven compliant findings. These noncompliant findings corroborate concerns/noncompliance identified in the parent surveys and a related 2014-15 complaint investigation that found the District failed to ensure that parents are present at each IEP team meeting or are afforded the opportunity to participate.

_	The District shall provide training on this item to all school site
	administrators and special education staff with documentation of
	such training to be submitted through sign-in sheets, agendas, and
	materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEP's and assessment reports for the most recent six months, up to twenty students, to ensure that the IEP team considers parent concerns.

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Item #	Description	Legal Citation	Non-Compliant Findings		
3-3-10.3	Does the IEP team consider the results of the initial evaluation and the most recent assessments and evaluations.	20 USC 1414(d)(3)(A)(ii i), 34 CFR 300.324(a)(1)(ii i), 30 EC 56341.1(a)(3).	There was one noncompliant finding, zero not applicable findings and eighty-four compliant findings.		
	Corrective Action :		Date Due Date Corrected Evidence Location		
adı	e District shall provide training on this ite ministrators and special education staff with ch training to be submitted through sign-in s	documentation of			

administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs where recent evaluation and/or assessment has occurred within the most recent six months, up to twenty students, to ensure that the IEP team considers the results of the initial evaluation and recent evaluations.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-3-11	Does the LEA give the parent a copy of the IEP at no cost?	34 CFR 300.322(f), 30 EC 56341.5(j).	There were twenty-eight noncompliant findings, zero not applicable findings and fifty-seven compliant findings.

_	The District shall provide training on this item to all school site
	administrators and special education staff with documentation of
	such training to be submitted through sign-in sheets, agendas, and
	materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student records for the most recent six months of enrollment, up to twenty students, to ensure that the record contains evidence that the parent was given a copy of the IEP at no cost.

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Item #	Description	Legal Citation	Non-Compliant Findings				
3-3-12	Are parents provided with a revised copy of the IEP, upon request, with amendments after a change is made to the IEP?	of 20 USC 1414(d)(3)(F), 34 CFR 300.324 (a)(6), 30 EC 56380.1(b).	There were two noncompliant findings, forty-four not applicable findings and thirty-nine compliant findings.				
	Corrective Action :		Date Due Date Corrected Evidence Location				
a s	he District shall provide training on this it dministrators and special education staff wit uch training to be submitted through sign-in materials provided.	h documentation of					
w s s p	District staff will ensure that all student regith the required standard. California Departmental will sample half of the student records six months, up to twenty students, to ensure to provided with a revised copy of the IEP, upon amendments after a change is made to the IEP.	ment of Education for the most recent that parents are					

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months, up to twenty students, to ensure that the IEP team includes

the parents of the student.

Item #	Description	Legal Citation	Non-Compliant Findings				
3-4-1.1	Does the IEP team include the parents of the student?	20 USC 1414(d)(1)(B)(i) , 34 CFR 300.321(a)(1), 30 EC 56341(b)(1).	corroborate concerns identified in the parent surveys.				
	<u>Corrective Action</u> :		Date Due Date Corrected Evidence Location				
adm suc	e District shall provide training on this itensistrators and special education staff with training to be submitted through sign-in serials provided.	n documentation of					
wit	strict staff will ensure that all student reach th the required standard. California Departmants	ent of Education	06/07/16 x				

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Item #	Description	Legal Citation	Non-Compliant	Findings		
3-4-1.2	Does the IEP team include not less than one general education teacher of a student with a disability, if the child is, or may be participating in the general education environment?		-	noncompliant find enty-four complian		applicable
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
adm suc	e District shall provide training on this item ministrators and special education staff with ch training to be submitted through sign-in sh terials provided.	documentation of	e 06/07/16			
wii sta mon at du:	strict staff will ensure that all student recommendate the required standard. California Department aff will sample half of the student IEPs for such that, up to twenty students, to ensure that the least one general education teacher as a member ing the development, review, and revision of udent is or may be placed in the general education.	nt of Education the most recent six ne IEP team include per of the IEP team the IEP, if the	S			

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Item #	Description	Legal Citation	Non-Compliant	Findings			
3-4-1.2.1	Does the general education teacher help decide:  a) The appropriate positive behavioral interventions and supports, and other strategies for the student,  b) Supplementary aids and services,  c) Program modifications; and,  d) Supports for school personnel?	20 USC 1414(d)(3)(C), 34 CFR 300.324 (a)(3)(i), 30 EC 56341(b)(2).	There were fourteen noncompliant findings, three not applicable findings and sixty-eight compliant findings.				
	Corrective Action :		Date Due	Date Corrected	Evidence	<u>Location</u>	
adm suc	e District shall provide training on this it ministrators and special education staff wit th training to be submitted through sign-in terials provided.	h documentation of					
wit sta mor tea pro and Sup	strict staff will ensure that all student re th the required standard. California Departm aff will sample half of the student IEPs for nths, up to twenty students, to ensure that achers in the IEP meeting assist with the de ocess about: a) The appropriate positive beh d supports, and other strategies for the stu pplementary aids and services, and c) Progra Supports for school personnel.	ent of Education the most recent six general education cisions making avioral intervention dent; and, b)	s				

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Item #	Description	Legal Citation	Non-Compliant	t Findings	-		
3-4-2	Does the IEP team review assessment results, determine eligibility, determine the content of the IEP, consider local transportation policies and criteria, and make program placement recommendations?	There was one noncompliant finding, zero not applicable findings and eighty-four compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys.					
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
a s	he District shall provide training on this ited dministrators and special education staff with uch training to be submitted through sign-in s aterials provided.	documentation of	06/07/16				
w s m a b c	istrict staff will ensure that all student redith the required standard. California Department that will sample half of the student IEPs for conths, up to twenty students, to ensure that the reviews assessment results, and determines eligibility, and determines the content of the IEP, considers local transportation policies and an makes program placement recommendations.	ent of Education the most recent six the IEP team:	06/07/16				

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0161143	BERKELEI					
Item #	Description	Legal Citation	Non-Compliant Findings			
3-4-2.1	In making the determination of eligibility, did the IEP team draw upon a variety of sources of information, such as tests, teacher recommendations and parent input?	There were two noncompliant findings, zero not applicable findings and twenty-four compliant findings.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ac su	ne District shall provide training on this iter dministrators and special education staff with ach training to be submitted through sign-in sl aterials provided.	documentation of	e 06/07/16			
wi st ot st	istrict staff will ensure that all student receith the required standard. California Department taff will sample half of the student IEPs, assether documentation for the most recent six montudents, to ensure that the IEP team considered ources of information including tests, teacher and, parent input when making the determination	nt of Education essment reports and ths, up to twenty d a variety of recommendations	06/07/16			

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Item #	Description	Legal Citation	Non-Compliant Findings
3-4-2.2	Does the LEA ensure that the information obtained from all of the sources is	34 CFR 300.306 (c)(1)(ii).	There were seven noncompliant findings, zero not applicable findings and seventy-eight compliant findings.
	documented and considered?		-

	Corrective Action :	Date Due	Date Corrected	Evidence	Location
-	The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.	06/07/16			
-	District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEP's for the most recent six months, up to twenty students, to ensure that the LEA documents and considers information from all sources.	06/07/16			

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to the parent and the individualized education program team,

0161143	BERKELEY UNIFIED						
Item #	Description	Legal Citation	Non-Compliant	Findings			
3-4-4	Is a member of the individualized education program team excused from attending an individualized education program meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services when the following conditions are met: a) the parent and the local educational agency consent to the excusal after conferring with the member; b) the member submits in writing to the parent and the individualized education program team, information for the development of the individualized education program prior to the meeting, and; c) the parent's agreement to the excusal is in writing?	1414(d)(1)(C)(ii ), 34 CFR 300.321 (e)(2), 30 EC 56341(g)&(h).		teen noncompliant f ings and twenty-nin			
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
ad su	ne District shall provide training on this iter Aministrators and special education staff with ach training to be submitted through sign-in sh aterials provided.	documentation of	e 06/07/16				
wi st in du th ex in Th	strict staff will ensure that all student records the required standard. California Department aff will sample half of the records for studential or annual IEP meeting where an IEP team aring the most recent six months, up to ten strata member of the individualized education procused from attending an individualized education whole or in part, only when the following contemporary and the local educational agency consister conferring with the member; b) The member	nt of Education  nts having an  member was excused,  udents, to ensure  rogram team is  ion program meeting,  nditions are met: a;  sent to the excusal	,				

information for the development of the individualized education program prior to the meeting; and; c) The parent's agreement to the excusal is in writing.

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#### BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
3-5-1	Does the IEP team consider for each student, whether assistive technology and services are needed?	20 USC 1414(d)(3)(B)(v) , 34 CFR 300.324 (a)(2)(v), 30 EC 56341.1(b)(5).	There was one noncompliant finding, zero not applicable findings and eighty-four compliant findings.
	Corrective Action :		Date Due Date Corrected Evidence Location
adı suc	e District shall provide training on this ite ministrators and special education staff with ch training to be submitted through sign-in s terials provided.	documentation of	
			06/07/16

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student IEPs for the most recent six months, up to twenty students, to ensure that the IEP team considers whether assistive technology and services are needed for each student.

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Item :	Description	Legal Citation	Non-Complian	t Findings		
3-5-7	For a student whose behavior impedes his or her learning or that of others, does the IEP team consider the provision of positive behavior interventions and strategies and/or supports to address the behavior?	There were four noncompliant findings, one not applicable finding and twenty-six compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
	The District shall provide training on this iter administrators and special education staff with such training to be submitted through sign-in shaterials provided.	documentation of	e 06/07/16			
-	District staff will ensure that all student recomply with the required standard. California Department staff will sample half of the IEPs of students of for the most recent six months, up to ten student the IEP team considers the provision of positive interventions, strategies, and supports to address a student whose behavior impedes his or her lead others.	nt of Education with behavior plans nts, to ensure that e behavior ess the behavior of				

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016114	3 BERKELEI (					
Item #	Description	Legal Citation	Non-Compliant	Findings		
3-5-8	For a student with limited English proficiency (English language learners [ELL]), does the IEP team consider the language needs of the student, as such needs relate to the student's IEP, and does the IEP include linguistically appropriate goals, programs, and services?	20 USC 1414(d)(3)(B)(ii ), 34 CFR 300.324 (a)(2)(ii), 30 EC 56345(b)(2), 30 EC 56341.1(b)(2).	concerns identified in the parent surveys.  30 (2),			
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
a	The District shall provide training on this item administrators and special education staff with such training to be submitted through sign-in shaterials provided.	documentation of				
v S F 6 6	District staff will ensure that all student reconsists and the required standard. California Departments at aff will sample half of the IEPs of students we proficiency, for the most recent six months, upensure that the IEP team considers the language as such needs relate to the IEP, and that the IEP linguistically appropriate goals, programs, and students with limited English proficiency (English	nt of Education with limited Englis to ten students, t needs of students EP includes services for				

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learners [ELL]).

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#### BERKELEY UNIFIED

Item #	Description	Legal Citation	Non-Compliant Findings
3-6-1	Does the IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and each IEP thereafter, include courses of study that focus on improving the academic and functional achievement of the student to facilitate their movement from school to post school?	20 USC 1414(d)(1)(A)(i) (VIII)(bb), 34 CFR 300.320(b)(2), 30 EC 56345(a)(8)(B).	There were nineteen noncompliant findings, zero not applicable findings and twenty-one compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys and the District's 2011 and 2012 DINC where 16 student files were noncompliant for transition services each of those years.
	Corrective Action :		Date Due Date Corrected Evidence Location
a s	he District shall provide training on this ite dministrators and special education staff with uch training to be submitted through sign-in s aterials provided.	documentation of	

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the IEPs of transition age students, up to ten students, to ensure that documentation of courses of study is included in the student's IEP.

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Item #	Description Leg	gal Citation	Non-Compliant Findings
3-6-2	student turns 16, or younger if determined 14 appropriate by the IEP team, and each IEP (V thereafter, describe needed transition CF services that focus on improving academic (b and functional achievement of the student to facilitate their movement from school to an	USC 14(d)(1)(A)(i) (III)(bb), 34 (R 300.320 (a)(2), 30 EC (345(a)(8)(B) (b)(C)(B)(B) (c)(C)(B)(B)(B)	There were three noncompliant findings, zero not applicable findings and thirty-seven compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys and the District's 2011 and 2012 DINC where 16 student files were noncompliant for transition services each of those years.
	Corrective Action :		Date Due Date Corrected Evidence Location
ac si	ne District shall provide training on this item to dministrators and special education staff with doc ach training to be submitted through sign-in sheet aterials provided.	cumentation of	e 06/07/16
w s t	istrict staff will ensure that all student records ith the required standard. California Department of taff will sample half of the IEPs of transition ago ten students, to ensure documentation of transition at focus on improving academic and functional ach to the facilitate their movement from school to	of Education ge students, up tion services nievement of the	06/07/16

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Item #	Description	Legal Citation	Non-Compliant	Findings			
3-6-2.1.2	Does the first IEP that addresses transition, when the student turns 16 years old or younger, if appropriate, contain measurable postsecondary goals based on age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills?	(VIII) (aa), 34	There were seven noncompliant findings, zero not applicable findings and thirty-three compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys and the 2012-13 SPP indicator 13, Secondary Transition Goals and Services, where the District did not meet the target. In addition, the District's 2011 and 2012 DINC indicated 16 student files were noncompliant for transition services each of those years.				
	<u>Corrective Action</u> :		Date Due	Date Corrected	Evidence	Location	
adm suc	e District shall provide training on this iter ministrators and special education staff with th training to be submitted through sign-in sl cerials provided.	documentation of					
wit sta to pos rel	strict staff will ensure that all student receive the required standard. California Department of the IEPs of transition ten students, to ensure the IEP contains mests accordary goals based on age appropriate translated to training or education, employment, appropriate, independent living skills.	nt of Education n age students, up asurable ansition assessment	06/07/16 s				

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Item #	Description	Legal Citation	Non-Compliant Findings			
3-6-2.4	Does the IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and each IEP thereafter, contain transition services that are based on the individual student's needs, taking into account the student's preferences and interests?	20 USC 1401(34)(B), 34 CFR 300.43(a)(2), 34 CFR 300.321(b)(2) 30 EC 56345.1(a)(2).	There were eight noncompliant findings, zero not applicable findings and thirty-two compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys.			
	Corrective Action :		Date Due Date Corrected Evidence Location			
<ul> <li>The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.</li> </ul>						
w s t	vistrict staff will ensure that all student recrith the required standard. California Departmentaff will sample half of the IEPs of transition to ten students, to ensure that the IEP contains services that are based on the individual stude account the student's preferences and inte	nt of Education n age students, up s transition nt's needs, taking	06/07/16			

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Item #	Description	Legal Citation	Non-Compliant Findings			
3-6-2.5	Does the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and each IEP thereafter, include a statement of the needed transition services in all required areas including: (a) instruction; (b) related services; (c) community experiences; (d) the development of employment and other post school objectives and when appropriate; (e) acquisition of daily living skills and; (f) functional vocational evaluation?	1401(34)(C), 34 CFR 300.43(a)(2)(i-v ), 30 EC 56345.1(a)(3).	There were ten noncompliant findings, zero not applicable findings and thirty compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys and the District's 2011 and 2012 DINC where 16 student files were noncompliant for transition services each of those years.			
	Corrective Action :		Date Due Date Corrected Evidence Location			
adr suc	e District shall provide training on this item ministrators and special education staff with ch training to be submitted through sign-in sh terials provided.	documentation of				
wit sta to ned in: de who	strict staff will ensure that all student recommendation that the required standard. California Departmental Management aff will sample half of the IEPs of transition ten students, to ensure that the IEP contains edded transition services in all required areas struction, b) related services, c) community evelopment of employment and other post school en appropriate e) acquisition of daily living nctional vocational evaluation.	nt of Education n age students, up s a statement of th s including: a) experiences, d) the objectives and,				

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Item #	Description	Legal Citation	Non-Compliant Findings
3-6-6	Does the LEA invite the student to attend the IEP meeting when the purpose will be consideration of needed transition goals and services?	20 USC 1414 (d) (1) (A) (i) (VII I) (aa) and 1416(a) (3) (b). 34 CFR 300.321(b) (1), 30 EC 56043(e), 30 EC 56341.5(e).	There were seven noncompliant findings, zero not applicable findings and thirty-three compliant findings.
	<u>Corrective Action</u> :		Date Due Date Corrected Evidence Location
ac sı	he District shall provide training on this ited dministrators and special education staff with such training to be submitted through sign-in s aterials provided.	h documentation of	
w. s t	istrict staff will ensure that all student red ith the required standard. California Department taff will sample half of the IEPs of transition ten students, to ensure that the student was the IEP meeting when the purpose includes the ransition goals and services.	ent of Education on age students, up s invited to attend	06/07/16

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Item #	Description	Legal Citation	Non-Compliant Findings	
3-6-7	Does the LEA invite to the IEP meeting a representative of any agency that is likely to be responsible for providing or paying for transition services?	20 USC 1416(a)(3)(B), 34 CFR 300.321(b)(3),30	There were two noncompliant findings, twenty-seven not applicable findings and eleven compliant findings.	
	202 024.10202011 0021-12-12-1	EC 56341(d)(3).		

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the IEPs of transition age students, up to ten students, to ensure a representative of any agency likely to be responsible for providing or paying for transition services is invited to the IEP meeting.

Page 70

Printed: 03/01/16

ages of 3 and 22.

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Item #	Description	Legal Citation	Non-Compliant	Findings		
4-1-1	Does the LEA make a free appropriate puble education available to all eligible students, who are between the ages of 3 a 22?	1412(a)(1), 34		noncompliant find compliant finding	<u>-</u>	applicable
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
adı sud	e District shall provide training on this it ministrators and special education staff wit ch training to be submitted through sign-in terials provided.	th documentation of				·
wi St si re	strict staff will ensure that all student reth the required standard. California Department of the student referrance will sample half of the student referrance will be student, and conduct wiew to ensure that the LEA makes a free approach to all eligible students,	ment of Education ls for the most recen an educational benefi propriate public				

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Item #	Description	Legal Citation	Non-Compliant Findings		
4-1-3	Does the LEA provide special education and related services in accordance with the student's IEP?	20 USC 1414(d), 34 CFR 300.323(c)(2), 30 EC 56043(i), 5 CCR 3040(a).	There were eleven noncompliant findings, zero not applicable findings and four compliant findings. These noncompliant findings corroborate concerns/noncompliance identified in the parent surveys and a 2012-13 complaint investigation that found the district failed to implement the IEP as amended by the settlement agreement.		
	Corrective Action :		Date Due Date Corrected Evidence Location		
a s	The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.				
w S n	vistrict staff will ensure that all student receith the required standard. California Departme staff will sample half of the student IEPs for nonths, up to twenty students, to ensure that to special education and related services in accor	nt of Education the most recent six he LEA provides			

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0161143	BERKELEI						
Item #	Description	Legal Citation	Non-Compliant	t Findings			
4-1-4	Does the IEP contain documentation of related services, and other supportive services to be provided based on student needs to assist a student with a disability to benefit from special education?	20 USC 1414(d)(1)(A)(i) (IV), 34 CFR y 300.320(a)(4), 30 EC 56363(a).	There was one noncompliant finding, zero not applicable findings  and eighty-four compliant findings.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
adr suc	The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.						
witst. si: re: on	strict staff will ensure that all student rec th the required standard. California Departme aff will sample half of the student referrals x months, up to twenty students, to ensure th lated services, and other supportive services student needs to assist the student with a d om special education.	nt of Education for the most recen at a variety of are provided based					

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Item #	Description	Legal Citation	Non-Compliant Findings
4-1-5	Does the LEA assist the student to achieve the goals listed in the IEP?	30 EC 56345(c), 5 CCR 3040(c).	There were three noncompliant findings, zero not applicable findings and two compliant findings.

Date Corrected Evidence Location Corrective Action : Date Due 06/07/16 The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided. 06/07/16 District staff will ensure that all student records are compliant with the required standard. California Department of Education Staff will sample half of the student referrals for the most recent six months, up to five students, and conduct an educational benefit review to ensure that the LEA assists the student to achieve the goals and benchmarks (for students with severe handicapping conditions) listed in the IEP.

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Item #	Description	Legal Citation	Non-Compliant Findings
4-1-7	Does the LEA conduct a full and individual initial evaluation prior to the provision of special education and related services?	1414(a)(1)(A),	There were two noncompliant findings, zero not applicable findings and twenty-seven compliant findings.

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

Corrective Action :

06/07/16

Date Due

Date Corrected Evidence

District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student referrals for the most recent six months, up to twenty students, to ensure that the LEA conducts a full and individual initial evaluation prior to the provision of special education and related services.

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Item #	Description	Legal Citation	Non-Compliant Findings				
4-3-3.8	In making the manifestation determination, did the IEP team review all relevant information in the student's file, including the IEP placement and services, any teacher observations, and any relevant information provided by the parents to determine if the conduct in question was the direct result of the LEA's failure to implement the IEP?	20 USC 1415 (k) (1) (E), 34 CFR 300.530(e) (1) (ii ).	There was one no and one complian	oncompliant finding	, zero not applic	able findings	
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
adı su	e District shall provide training on this iteministrators and special education staff with training to be submitted through sign-in sterials provided.	documentation of	e 06/07/16				
wi st di mo th fi ob	strict staff will ensure that all student recth the required standard. California Department aff will sample half of the records for stude sciplinary actions, up to five students, with the nthing at the students, with the students and services all relevant information in the servations, and any relevant information proved the servations, and any relevant information proved the servation in the conduct in question resulted the servation implement the IEP.	nt of Education nts receiving in the last six ion determination, n the student's any teacher rided by the parents	06/07/16				

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Item #	Description	Legal Citation	Non-Compliant Findings				
5-1-1	Are steps taken, including placement of classes, to ensure that the student with a disability participates in academic, nonacademic and extracurricular services and activities to promote maximum interaction with the general education school population?	20 USC 1412 (a) (1), 34 CFR 300.114(2) (i & ii), 34 CFR 300.107, 30 EC 56364.2, 30 EC 56345.2	There was one noncompliant findings, four not applicable findings and eighty compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
ad su	e District shall provide training on this iter ministrators and special education staff with tch training to be submitted through sign-in si terials provided.	documentation of					
wi St mo in pa an	strict staff will ensure that all student recent the required standard. California Department aff will sample half of the student IEPs for enths, up to twenty students, to ensure that succluding placement of classes, so that student articipate in academic, nonacademic, and extra adactivities to promote maximum interaction we chool population.	nt of Education the most recent six teps are taken, s with disabilities curricular services	5				

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Item #	Description	Legal Citation	Non-Compliant Findings
5-1-2	Are students with disabilities educated with students who are not disabled? Does placement in special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occur only when the nature or severity of the student's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily?	20 USC 1412(a)(5), 34 CFR 300.114 (2)(ii), 30 EC 56345(a)(4).	There were two noncompliant findings, two not applicable findings and eighty-three compliant findings.
	Corrective Action :		Date Due Date Corrected Evidence Location
ac si	ne District shall provide training on this iter dministrators and special education staff with uch training to be submitted through sign-in so aterials provided.	documentation of	
w s m c d w e	istrict staff will ensure that all student recith the required standard. California Departme taff will sample half of the student IEPs for onths, up to twenty students, to ensure that plasses, separate schooling, or other removal or isabilities from the regular educational environment the nature of severity or the disability inducation in regular classes with the use of supervices cannot be achieved satisfactorily.	nt of Education the most recent six lacement in special f students with onment occurred onl s such that	у

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Item #	Description	Legal Citation	Non-Compliant	Findings		·
5-1-5	Are all placement decisions made by a team that includes the parents and not less than one general education teacher, not less than one special educator, and an LEA representative?	34 CFR 300.327, 30 EC 56304, 30 EC 56341, & 30 EC 56342.5.		e noncompliant fin e compliant findin		ot applicable finding
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ac sı	ne District shall provide training on this iter Uministrators and special education staff with such training to be submitted through sign-in si sterials provided.	documentation of	e 06/07/16			
wi st mo do tl	estrict staff will ensure that all student receith the required standard. California Department aff will sample half of the student IEPs for enths, up to twenty students, to ensure that a ecisions are made by a team that includes the nan one general education teacher, not less the ducator, and an LEA representative.	nt of Education the most recent six 11 placement parents and not les:	06/07/16 s			

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0101143	BERKEIEI					
Item #	Description	Legal Citation	Non-Compliant	t Findings		
5-1-5.1	Are all placements determined annually, made as close as possible to the student's home, and in the school that the student would attend if nondisabled unless the IEP team determines otherwise?	34 CFR 300.116 (b).	There were five and eighty comp	noncompliant findi	ings, zero not a	pplicable findings
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ac sı	ne District shall provide training on this ite dministrators and special education staff with ach training to be submitted through sign-in s aterials provided.	documentation of	e 06/07/16			
w: si mo m: t:	istrict staff will ensure that all student recith the required standard. California Department that will sample half of the student IEPs for conths, up to twenty students, to ensure that ande as close as possible to the student's home that the student would attend if not enrolled in the student would attend in the student would attend in the student would attend if not enrolled in the student would attend in the student would would attend in the student would woul	ent of Education the most recent six all placements are e, and in the school				

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0161143	BERKELEY	UNIFIED					
Item #	Description	Legal Citation	Non-Complian	t Findings			
5-1-5.2	In selecting the LRE, is consideration 34 CFR 300.116 given to any potential harmful effect of the placement on the child or on the quality of services that he or she needs?		There were sixty-nine noncompliant findings, zero not applicable findings and sixteen compliant findings.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
adı su	e District shall provide training on this it ministrators and special education staff wit ch training to be submitted through sign-in terials provided.	h documentation of					
wi st si de qu	strict staff will ensure that all student reth the required standard. California Department will sample half of the student referral ax months, up to twenty students, to ensure the cisions consider: a) The harmful effects on mality of services, and c) Needed modification ducation classroom.	ent of Education s for the most rece hat all placement the student, b) The	nt				

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0161143	BERKELEY	UNIFIED				
Item #	Description	Legal Citation	Non-Compliant	t Findings		
6-1-1.1	Are parents notified in writing ("written prior notice") a reasonable time before the LEA proposes to initiate or change the identification, evaluation or educational placement of the student, or the provision of FAPE?	34 CFR 300.503(a)(1),		teen noncompliant i		
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
ad su	ne District shall provide training on this ite ministrators and special education staff with ach training to be submitted through sign-in s aterials provided.	documentation of				
wi st fo th LE	strict staff will ensure that all student recath the required standard. California Department aff will sample half of the student IEPs and for the most recent six months, up to twenty stat parents are notified in writing a reasonable proposes to initiate or change, the identify educational placement of the student or the	nt of Education other documentation udents, to ensure le time before the ication, evaluation				

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Item #	Description	Legal Citation	Non-Compliant Findings	
6-1-1.2	For circumstances requiring prior written notice, are parents notified in writing a reasonable time before the LEA refuses to initiate or change the identification, evaluation or educational placement of the student, or the provision of FAPE to the student?	20 USC 1415(b)(3)(B), 34 CFR 300.503(a)(2), 30 EC 56500.4.	There were four noncompliant findings, thirty not applicable findings and fifty-one compliant findings. These noncompliant findings corroborate noncompliance identified in a 2014 Office of Administrative Hearing (OAH) decision reviewed by the CDE.	
	Corrective Action :		Date Due Date Corrected Evidence Location	
adr suc	e District shall provide training on this iterministrators and special education staff with ch training to be submitted through sign-in starrials provided.	documentation of		
wi st fo th LE	strict staff will ensure that all student rec th the required standard. California Departme aff will sample half of the student IEPs and r the most recent six months, up to twenty st at parents are notified in writing a reasonab A refuses to initiate or change, the identifi educational placement, or the provision of F	nt of Education other documentation udents, to ensure le time before the cation, evaluation	on e	

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Item #	Description	Legal Citation	Non-Compliant Findings		
6-1-2.1	For circumstances requiring prior written notice, does the prior written notification include a description of the action proposed or refused?	20 USC 1415(c)(1), 34 CFR 303.503(b), 30 EC 56500.4.	There were two noncompliant findings, thirty not applicable findings, and fifty-three compliant findings.		
	<u>Corrective Action</u> :		Date Due Date Corrected Evidence Location	<u>on</u>	
ac sı	ne District shall provide training on this item dministrators and special education staff with uch training to be submitted through sign-in sh aterials provided.	documentation of	•		
w: s f t	istrict staff will ensure that all student reconstitute the required standard. California Department taff will sample half of the prior written not or the most recent six months, up to twenty standard prior written notification includes a description proposed or refused.	nt of Education ices for students udents, to ensure	06/07/16		

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Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.1.2	Does the notice of the meeting to discuss transition services state the purpose of the meeting?	34 CFR 300.322(b)(2), 30 EC 56043(e).	There were eighteen noncompliant findings, zero not applicable findings and twenty-two compliant findings.

	Corrective Action :	Date Due	Date Corrected	Evidence	Location
-	The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.	06/07/16			
-	District staff will ensure that all student records are compliant with the required standard. Department of Education staff will sample half of the IEP notices for transition age students, up to ten students, to ensure that for students at age 16, or younger if appropriate, the notification of an IEP meeting to discuss transition services states the purpose of the meeting.	06/07/16			

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to the meeting.

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### BERKELEY UNIFIED

discuss transition services specifies that the student is invited

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Item #	Description	Legal Citation	Non-Compliant Findings	
6-1-2.1.2	Does the notice of the meeting to discuss transition services specify that the student is invited to the meeting?	34 CFR 300.322(b)(2), 30 EC 56043(e), 30 EC 56341(d)(1),	There was one noncompliant finding, and thirty-nine compliant findings.	zero not applicable findings
	Corrective Action :		Date Due Date Corrected	Evidence Location
adm suc	e District shall provide training on this itensinistrators and special education staff with training to be submitted through sign-in serials provided.	n documentation of	06/07/16	
wit sta age	strict staff will ensure that all student reach the required standard. California Departmaff will sample half of the IEP meeting notice students, up to ten students, to ensure the 16, or younger if appropriate, the notice	ent of Education ces for transition at for students at	06/07/16	

Page 86

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0161143	BERKELE	Y UNIFIED		
Item #	Description	Legal Citation	Non-Compliant Findings	
6-1-2.1.2	Does the notice of the meeting to discuss transition services identify and invite a other agency that may have responsibility for payment for or provision of transition services?	any 300.322(b)(2), y EC 56341(d)(3).	There were two noncompliant findings, five not applicable findings and thirty-three compliant findings.	
	Corrective Action :		Date Due Date Corrected Evidence Location	
adm suc	e District shall provide training on this in ministrators and special education staff with training to be submitted through sign-independent provided.	th documentation of		
wit sta stu app ser res	strict staff will ensure that all student reth the required standard. California Depart aff will sample half of the transition age udents, to ensure that for students at age propriate, the notice of an IEP meeting to rvices identifies and invites any other age sponsibility for payment for or provision of send a representative.	ment of Education students, up to ten 16, or younger if discuss transition ency that may have		

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Item #	Description Legal Citat	ion Non-Complian	t Findings		
6-1-2.6	Does the prior written notification include 20 USC a statement that the parents of a student 1415(c)(1)(c) with a disability have protections under 34 CFR the procedural safeguards of the law, and (if not an initial referral for assessment) the means by which a copy of a document describing the procedural safeguards can be obtained?	C), findings and fi	noncompliant findings, t fty-three compliant find		
	Corrective Action :	Date Due	Date Corrected Evic	dence Location	
ad su	ne District shall provide training on this item to all scho Iministrators and special education staff with documentatio sch training to be submitted through sign-in sheets, agenda sterials provided.	n of			
wi st fo tl ha wl	istrict staff will ensure that all student records are complete the required standard. California Department of Educatical will sample half of the prior written notices for student the most recent six months, up to twenty students, to enter the prior written notice includes a statement that pare ave protections through procedural safeguards and the means nich a copy of a document describing the procedural safeguards obtained.	on ents sure ents by			

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Item #	Description	Legal Citation	Non-Compliant	Findings			
6-1-2.8	Does the prior written notification include sources for parents to contact to obtain assistance in understanding the provisions of the procedural safeguards?	There were two noncompliant findings, thirty not applicable findings and fifty-three compliant findings.					
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
ad: su	e District shall provide training on this iter ministrators and special education staff with ch training to be submitted through sign-in sl terials provided.	documentation of	06/07/16				
wi st fo th co	strict staff will ensure that all student receive the the required standard. California Department aff will sample half of the prior written not by the most recent six months, up to twenty stated prior written notification includes source entact to obtain assistance in understanding the cocedural safeguards.	nt of Education ices for students udents, to ensure s for parents to	06/07/16				

0161143

Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.9	Is the prior notice written in language understandable to the general public?	20 USC 1415 (d)(2), 34 CFR 300.503(c), 30 EC 56506.	There was one noncompliant finding, thirty not applicable findings and fifty-four compliant findings.

	Corrective Action :	Date Due	Date Corrected	Evidence	Location
-	The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.	06/07/16			·
-	District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the prior written notices for students for the most recent six months, up to twenty students, to ensure that the prior notice is written in language understandable to the general public.	06/07/16			

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0161143	BERKELEY					
Item #	Description	Legal Citation	Non-Compliant	Findings		
6-1-2.9.1	For circumstances requiring prior wtitten notice, is the notice provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so?	There was one noncompliant finding, thirty not applicable findings and fifty-four compliant findings.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location
adm suc	e District shall provide training on this ite ministrators and special education staff with th training to be submitted through sign-in s terials provided.	documentation of	e 06/07/16			
wit sta who mon wri oth cle par	strict staff will ensure that all student recapt the required standard. California Departments will sample half of the prior written not ose native language is other than English for onthe, up to ten parents of students, to ensuritten notice is provided in the native languation made of communication used by the parent, early not feasible to do so. Documentation of the recapt the requate evidence of efforts.	ent of Education cices for parents the most recent size that the prior age of the parent or unless it is afforts to ensure	06/07/16 K			

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0161143	BERKELEY U	NIFIED	
Item #	Description	Legal Citation	Non-Compliant Findings
5-1-2.10	Does the LEA provide the student and their parents a written notice that all rights under Part B of IDEA will be transferred to the student when the student reaches 18 years of age (unless the student has been conserved under state law)?	20 USC 1415(m)(1), 34 CFR 300.520, 30 EC 56041.5.	There were four noncompliant findings, one not applicable finding and thirty-five compliant findings.
	Corrective Action :		Date Due Date Corrected Evidence Location
adm suc	District shall provide training on this item inistrators and special education staff with th training to be submitted through sign-in sh erials provided.	documentation of	
			06/07/16
wit sta the	etrict staff will ensure that all student records to the required standard. California Department of the records for student in 17th birthday within the most recent six madents, to ensure that the LEA provided the standard	nt of Education nts who have had nonths, up to five	06/07/16

parents written notice stating that all rights under Part B of IDEA

transfer to the student upon reaching 18 years of age.

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0161143	BERKELEY )	UNIFIED					
Item #	Description	Legal Citation	Non-Compliant Findings				
10-2-2	Does the LEA assess all students identified as English learners annually using the California English Language Development Test (CELDT) or an alternate to determine English language proficiency?	30 EC 313, 5 CCR 11511, 5 CCR 11512.	There were five noncompliant findings, zero not applicable findings and ten compliant findings.				
	Corrective Action :		Date Due Date Corrected Evidence	<u>Location</u>			
adm suc	e District shall provide training on this iter ministrators and special education staff with ch training to be submitted through sign-in sl terials provided.	documentation of	06/07/16				
wii sta six sta Ca:	strict staff will ensure that all student receive the the required standard. California Department aff will sample half of the student records for months, up to ten students, to ensure that udents identified as English learners annuall lifornia English Language Development Test (C ternate to determine English language profici	nt of Education or the most recent the LEA assesses al y using the ELDT) or an	06/07/16				

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Item #	Description	Legal Citation	Non-Compliant Findings				
10-2-3	In developing the IEP for students identified as English learners, does the IEP team consider the results of the California English Language Development Test (CELDT) or an alternate to determine English language proficiency?	34 CFR 300.324(a).	There were five noncompliant findings, zero not applicable findings and ten compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.				
	Corrective Action :		Date Due				
ad su	me District shall provide training on this ited dministrators and special education staff with anch training to be submitted through sign-in s aterials provided.	documentation of					
wi st to	istrict staff will ensure that all student recith the required standard. California Department of the student records of the student records of the months, up to ten students who are English of ensure that when developing the IEP, the test esults of the California English Language Dever an alternate to determine English language presents.	ent of Education For the most recent Language Learners, am considers the Plopment Test (CELD)					

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0161143	BERKELE	Y UNIFIED					
Item #	Description	Legal Citation	Non-Compliant Findings				
10-2-4	Does the IEP of students identified as English learners include a determination whether the CELDT will be administered w or without modifications or accommodatio or whether English proficiency will be measured using an alternate assessment?	ith	There were three noncompliant findings, zero not applicable findings and twelve compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.				
	Corrective Action :		Date Due Date Corrected Evidence Location				
ad su	e District shall provide training on this i ministrators and special education staff wi ch training to be submitted through sign-in terials provided.	th documentation of					
wi st wh a wi	strict staff will ensure that all student of the required standard. California Depart aff will sample half of the student records of are English Language Learners, to ensure determination of whether the CELDT will be thout modifications or accommodations, or all be measured using an alternate assessment	ment of Education s, up to ten students that the IEP included administered with or if English proficiency	ed -				

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### BERKELEY UNIFIED

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Item #	Description	Legal Citation	Non-Compliant Findings
10-2-5	Does the IEP of students identified as English learners include activities which lead to the development of English language proficiency?	34 CFR 300.320, 5 CCR 3001.	There were two noncompliant findings, zero not applicable findings and thirteen compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys and a related finding in the 2012-13 SPP indicator 3, Statewide Assessments, where the District has not met the target for testing proficient for ELA in the last five years.
	Corrective Action :		Date Due Date Corrected Evidence Location

The District shall provide training on this item to all school site administrators and special education staff with documentation of such training to be submitted through sign-in sheets, agendas, and materials provided.

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District staff will ensure that all student records are compliant with the required standard. California Department of Education staff will sample half of the student records, up to ten students who are English Language Learners, to ensure that the IEP includes activities which lead to the development of English language proficiency.

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0101143							
Item #	Description	Legal Citation	Non-Compliant	t Findings			
10-2-6	Does the IEP of students identified as English learners include instructional systems which meet the language development needs of the student and ensure access to the general education curriculum?	34 CFR 300.320, 5 CCR 3001.	There were two noncompliant findings, zero not applicable findings and thirteen compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.				
	Corrective Action :		Date Due	Date Corrected	Evidence	Location	
ac sı	ne District shall provide training on this ited dministrators and special education staff with ach training to be submitted through sign-in staterials provided.	documentation of					
w s w i	istrict staff will ensure that all student recith the required standard. California Departme taff will sample half of the student records, ho are English Language Learners, to ensure the instructional systems which meet the language de student and ensure access to the general ed	nt of Education up to ten students at the IEP includes evelopment needs of					

# Summary of Report

# of Corrective Actions	190	# of Uncorrected Past Due CA as of
# of Corrected CAs	0	<i>03/01/16</i> – 0
# of Uncorrected CAs	190	