

Printed: 03/01/16

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**BERKELEY UNIFIED**

Item #	Description	Legal Citation	Non-Compliant Findings
2-1-1	Does the LEA provide the parent with an Assessment Plan within 15 days of the referral for any proposed evaluation? Is the Assessment Plan provided in the primary language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so? Is the Assessment Plan written in language easily understood by the general public?	34 CFR 300.503(a) and (c), 34 CFR 300.300, 30 EC 56321(a), 30 EC 56321(b) (1) (2).	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 DueDate CorrectedEvidenceLocation

- 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 twenty students, to ensure that the LEA provides the parent with an Assessment Plan within 15 days of the referral for any proposed evaluation. The Assessment Plan must be in the primary language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so and must be written in language easily understood by the general public.

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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?	30 EC 56321(a).	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 DueDate CorrectedEvidenceLocation

- 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 Local Education Agency (LEA) provides the parent with an Assessment Plan within 15 days of the referral for any proposed evaluation. The Assessment Plan must be in the primary language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so and must include the reason for the assessment.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

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

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Item #	Description	Legal Citation	Non-Compliant Findings
2-1-1.4	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 DueDate CorrectedEvidenceLocation

- 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 includes a description of recent evaluations, including any available independent evaluations, that will be considered.

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Item #	Description	Legal Citation	Non-Compliant 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).	There was one noncompliant findings, three not applicable findings and twenty-two 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 DueDate CorrectedEvidenceLocation

- 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 includes a description of alternative means that will be used to assess language impairment or specific learning disabilities when standard tests are considered invalid.

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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 DueDate CorrectedEvidenceLocation

- 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 assessment and the date the consent was obtained.

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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 DueDate CorrectedEvidenceLocation

- 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 LEA notifies parents that the parent has a right to obtain, at public expense, an independent educational assessment if the parent disagrees with the assessment conducted by the LEA, and the right to obtain an independent educational assessment at any time at their own expense.

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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 permission is denied?	34 CFR 300.304(c)(4), 30 EC 56320(f), 5 CCR 3027.	There were five noncompliant findings, zero not applicable findings and twenty-one compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to 20 students, to ensure that students evaluated for initial and three-year reviews have a hearing and vision screening unless parental permission is denied.

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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 DueDate CorrectedEvidenceLocation

- 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 reports for the most recent six months, up to 20 students, to ensure 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.

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

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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 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 DueDate CorrectedEvidenceLocation

- 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 reports for the most recent six months, up to 20 students, to ensure that, assessments include information related to career and vocational abilities and interests as appropriate.

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Item #	Description	Legal Citation	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).	There was one noncompliant finding, one not applicable finding and twenty-four compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 reports for the most recent six months, up to twenty students, to ensure that the LEA uses a variety of assessment instruments and strategies to gather functional, developmental, and academic information to determine eligibility and the content of the IEP.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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.

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

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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. 06/07/16

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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 DueDate CorrectedEvidenceLocation

- 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 reports for the most recent six months, up to 20 students, to ensure that assessments result in a written report that includes the findings of each assessment.

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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?	20 USC 1414(b)(2)(A)(ii) ) .	There were two noncompliant findings, one not applicable finding and twenty-three compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 reports for the most recent six months, up to 20 students, to ensure that written assessment reports include information related to enabling the student to be involved in and progress in the general curriculum or, for preschool students, to participate in appropriate activities.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 reports for the most recent six months, up to 20 students, to ensure that written assessment reports include a determination of the effects of environmental, cultural, or economic disadvantage, where appropriate.

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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 DueDate CorrectedEvidenceLocation

- 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 records with documentation of the determination of eligibility, for the most recent six months, up to 20 students, to ensure a statement about whether the child has a specific learning disability and the basis for making the determination of eligibility are included.

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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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to 20 students, to ensure that documentation is present that the LEA provides parents with a copy of the Assessment Report.

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Item #	Description	Legal Citation	Non-Compliant 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).	There were four noncompliant findings, four not applicable findings and eighteen compliant findings. These findings corroborate concerns/noncompliance identified in the parent surveys and 2011 and 2012 Data Identified Noncompliance (DINC) where five student files were noncompliant for triennials each year.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 records for the most recent six months, up to 20 students, to ensure that, unless the parent and the LEA agree otherwise, reevaluations occur:  
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) warrants an evaluation,  
d) or at the student's parents or teacher request. 06/07/16

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Item #	Description	Legal Citation	Non-Compliant Findings
2-4-2	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?	20 USC 1414(c), 34 CFR 300.305, 30 EC 56381(b).	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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 reports for the most recent six months, up to twenty students, to ensure that as part of any reevaluation, the IEP Team and other qualified professionals, as appropriate, reviewed 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. 06/07/16

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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. 06/07/16

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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?	20 USC 1414(d)(1)(A)(i) (I)(aa), 34 CFR 300.320 (a)(1), 30 EC 56345(a)(1).	There were thirteen noncompliant findings, one not applicable finding and seventy-one compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, for up to twenty students, to ensure that IEPs include measurable annual goals, including academic and functional goals that will enable the student to be involved in and progress in the general education curriculum and that meet the student's other educational needs.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-3	Does the IEP include a direct relationship between the present levels of performance, goals and the specific educational services to be provided?	5 CCR 3040(c).	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 DueDate CorrectedEvidenceLocation

- 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 for the most recent six months, up to five students and conduct an educational benefit review to ensure that the IEP includes a direct relationship between the present levels of performance, goals and objectives, and the specific educational services to be provided.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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, 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. 06/07/16

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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?	20 USC 1414(d)(1)(A)(i) (IV)(aa), (bb), and (cc), 34 CFR 300.320(a)(4), 30 EC 56345(a)(4)(A)(B) ) (C).	There were three noncompliant findings, zero not applicable findings and eighty-two compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 for the most recent six months, up to twenty students, to ensure that IEPs include descriptions of program modifications or supports for school personnel that will be provided.

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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 DueDate CorrectedEvidenceLocation

- 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 for the most recent six months, up to twenty students, to ensure that teachers and providers are informed of specific responsibilities related to implementing IEPs, and the specific accommodations, program modifications and supports needed for school personnel.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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. 06/07/16

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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?	20 USC 1414(d)(1)(A)(i) (III), 34 CFR 300.320 (3) (ii), 30 EC 56345(a)(3).	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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that IEPs include: a) a description of how the student's progress toward meeting the annual goals will be measured; b) a description of when and how periodic reports on the student's progress toward meeting the annual goals will be provided (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards); 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.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that IEPs include a statement regarding participation in District or statewide achievement tests without accommodations or modifications, or with such accommodations.

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Item #	Description	Legal Citation	Non-Compliant 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?	20 USC 1414(d)(1)(A)(i) (VI)(bb), 30 EC 56345(a)(6).	There were five noncompliant findings, zero not applicable findings 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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that IEPs include a statement regarding participation in District or statewide achievement tests including an explanation of why the assessment is not appropriate for the student if the IEP team makes that decision.

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Item #	Description	Legal Citation	Non-Compliant 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?	20 USC 1414(d)(1)(A)(i)(VI)(bb), 34 CFR 300.320(6)(i)(ii), 30 EC 56345(a)(6).	There were four noncompliant findings, zero not applicable findings and eighty-one 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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that IEPs include a statement regarding participation in District or statewide achievement tests including a statement of how students will be tested if statewide or District tests are not used.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-2-9	Does the IEP include the projected date (month, day, and year) for initiating services, accommodations, and/or modifications?	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).	There were twenty-nine noncompliant findings, zero not applicable findings and fifty-six compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that IEP includes the projected date for initiating services, accommodations, and modifications.

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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 DueDate CorrectedEvidenceLocation

- 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 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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 students who receive extended year services for the most recent twelve months, up to five students, to ensure that IEPs when appropriate, include extended school year services.

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Item #	Description	Legal Citation	Non-Compliant 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).	There were six noncompliant findings, zero not applicable findings and thirty-four compliant findings. The District's 2011 and 2012 DINC also indicated 16 student files were noncompliant for transition services each of those years.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 grade 7-12 records of students who are not meeting or exceeding proficiency standards for graduation, up to ten students, to ensure that any alternative means necessary to complete the District's prescribed course of study and to meet or exceed proficiency standards for graduation are included on the IEP.

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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 DueDate CorrectedEvidenceLocation

- 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 IEPs and records for the most recent six months, up to ten students, to ensure that if neither parent can attend the IEP meeting, the LEA uses other means of communication to ensure parent participation including individual or conference phone calls. 06/07/16

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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 DueDate CorrectedEvidenceLocation

- 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 meeting? Is the notice early enough to ensure they have an opportunity to attend?	34 CFR 300.322 (a)(1 & 2), 30 EC 56341.5(b).	There were three noncompliant findings, zero not applicable findings and eighty-two compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 DueDate CorrectedEvidenceLocation

- 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 meeting notices or other documentation for the most recent six months, up to twenty students, to ensure that the LEA notifies parents of IEP meetings and that the meetings are scheduled at a mutually agreed upon time and place.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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 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).	There were seventeen noncompliant findings, zero not applicable findings and sixty-eight compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys. A 2014-15 complaint investigation also found the district failed to ensure that parents are present at each IEP team meeting or are afforded the opportunity to participate.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 meeting notices or other documentation for the most recent six months, up to twenty students, to ensure that the notice of the IEP meeting includes information about other individuals on the IEP team that the parents may invite who have knowledge or special expertise about the student.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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, four not applicable findings and sixty-four compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that the IEP team reviewed the progress toward meeting the previous annual goals and progress in the general curriculum when developing new goals.

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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 1414(d)(4)(A)(ii) , 34 CFR 300.324 (b)(1)(ii)(a)(2)	There was one noncompliant finding, three not applicable findings and eighty-one compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-3-10.1	Does the IEP team consider the strengths of the student?	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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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?	20 USC 1414(d)(3)(A)(ii) , 34 CFR 300.324 (a)(1)(ii), 30 EC 56341.1(a)(2).	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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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 DueDate CorrectedEvidenceLocation

- 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 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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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?	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 DueDate CorrectedEvidenceLocation

- 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 records for the most recent six months, up to twenty students, to ensure that parents are provided with a revised copy of the IEP, upon request, with amendments after a change is made to the IEP.

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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).	There were two noncompliant findings, zero not applicable findings and eighty-three compliant findings. These noncompliant findings corroborate concerns identified in the parent surveys.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEP team includes the parents of the student.

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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?	20 USC 1414(d)(1)(B)(ii), 34 CFR 300.321(a)(2), 30 EC 56341(b)(2).	There were eight noncompliant findings, three not applicable findings and seventy-four compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that the IEP team includes at least one general education teacher as a member of the IEP team during the development, review, and revision of the IEP, if the student is or may be placed in the general education environment.

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Item #	Description	Legal Citation	Non-Compliant Findings
3-4-1.2.1 .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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that general education teachers in the IEP meeting assist with the decisions making process about: a) The appropriate positive behavioral interventions and supports, and other strategies for the student; and, b) Supplementary aids and services, and c) Program modifications; and, d) Supports for school personnel. 06/07/16

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Item #	Description	Legal Citation	Non-Compliant 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?	30 EC 56342.	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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that the IEP team: 06/07/16
  - a) reviews assessment results,
  - b) determines eligibility,
  - c) determines the content of the IEP,
  - d) considers local transportation policies and criteria, and
  - e) makes program placement recommendations.

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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?	34 CFR 300.306 (a)(1) & 34 CFR 300.306 (c)(i), 30 EC 56342(b).	There were two noncompliant findings, zero not applicable findings and twenty-four compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs, assessment reports and other documentation for the most recent six months, up to twenty students, to ensure that the IEP team considered a variety of sources of information including tests, teacher recommendations and, parent input when making the determination of eligibility. 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 documented and considered?	34 CFR 300.306 (c) (1) (ii).	There were seven noncompliant findings, zero not applicable findings and seventy-eight compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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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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?	20 USC 1414(d)(1)(C)(ii), 34 CFR 300.321 (e)(2), 30 EC 56341(g)&(h).	There were nineteen noncompliant findings, thirty-seven not applicable findings and twenty-nine 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 records for students having an initial or annual IEP meeting where an IEP team member was excused, during the most recent six months, up to ten students, to ensure that a member of the individualized education program team is excused from attending an individualized education program meeting, in whole or in part, only 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, 06/07/16

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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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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 DueDate CorrectedEvidenceLocation

- 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 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-Compliant 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?	20 USC 1414(d)(3)(B)(i) , 34 CFR 300.324(a)(2), 30 EC 56341.1(b)(1)	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 DueDate CorrectedEvidenceLocation

- 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 IEPs of students with behavior plans, for the most recent six months, up to ten students, to ensure that the IEP team considers the provision of positive behavior interventions, strategies, and supports to address the behavior of a student whose behavior impedes his or her learning or that of others.

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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).	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 DueDate CorrectedEvidenceLocation

- 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 IEPs of students with limited English proficiency, for the most recent six months, up to ten students, to ensure that the IEP team considers the language needs of students as such needs relate to the IEP, and that the IEP includes linguistically appropriate goals, programs, and services for students with limited English proficiency (English language learners [ELL]).

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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 DueDate CorrectedEvidenceLocation

- 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 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	Legal Citation	Non-Compliant Findings
3-6-2	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, describe needed transition services that focus on improving 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) and EC 56345(a)(8)(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 DueDate CorrectedEvidenceLocation

- 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 transition age students, up to ten students, to ensure documentation of transition services that focus on improving academic and functional achievement of the student to facilitate their movement from school to post school.

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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?	20 USC 1414(d)(1)(A)(i) (VIII)(aa), 34 CFR 300.320(b)(1), 30 EC 56345(a)(8)(A)	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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs of transition age students, up to ten students, to ensure the IEP contains measurable postsecondary goals based on age appropriate transition assessments related to training or education, employment, and where appropriate, independent living skills.

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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 DueDate CorrectedEvidenceLocation

- 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 IEPs of transition age students, up to ten students, to ensure that the IEP contains transition services that are based on the individual student's needs, taking into account the student's preferences and interests.

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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?	20 USC 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 DueDate CorrectedEvidenceLocation

- 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 transition age students, up to ten students, to ensure that the IEP contains 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.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 transition age students, up to ten students, to ensure that the student was invited to attend the IEP meeting when the purpose includes the consideration of transition goals and services.

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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 EC 56341(d)(3).	There were two noncompliant findings, twenty-seven not applicable findings and eleven compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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.

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Item #	Description	Legal Citation	Non-Compliant Findings
4-1-1	Does the LEA make a free appropriate public education available to all eligible students, who are between the ages of 3 and 22?	20 USC 1412(a)(1), 34 CFR 300.101, 30 EC 56000.	There were three noncompliant findings, zero not applicable findings and two compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 makes a free appropriate public education available to all eligible students, who are between the ages of 3 and 22.

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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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that the LEA provides special education and related services in accordance with the IEP.

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Item #	Description	Legal Citation	Non-Compliant 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 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 DueDate CorrectedEvidenceLocation

- 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 twenty students, to ensure that a variety of related services, and other supportive services are provided based on student needs to assist the student with a disability to benefit from special education.

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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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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?	20 USC 1414(a)(1)(A), 34 CFR 300.301, 30 EC 56320.	There were two noncompliant findings, zero not applicable findings and twenty-seven compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 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 noncompliant finding, zero not applicable findings and one compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 receiving disciplinary actions, up to five students, within the last six months, to ensure that when making a manifestation determination, the IEP team reviews 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 resulted from the LEA's failure to implement the IEP. 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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that steps are taken, including placement of classes, so that students with disabilities participate in academic, nonacademic, and extracurricular services and activities to promote maximum interaction with the general school population.

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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 DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that placement in special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurred only when the nature of severity or the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. 06/07/16

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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.	There were twelve noncompliant findings, one not applicable finding and seventy-three compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that all placement decisions are 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.

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Item #	Description	Legal Citation	Non-Compliant 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 noncompliant findings, zero not applicable findings and eighty compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs for the most recent six months, up to twenty students, to ensure that all placements are made as close as possible to the student's home, and in the school that the student would attend if not enrolled in special education, unless the IEP team determines otherwise.

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Item #	Description	Legal Citation	Non-Compliant Findings
5-1-5.2	In selecting the LRE, is consideration given to any potential harmful effect of the placement on the child or on the quality of services that he or she needs?	34 CFR 300.116 (d).	There were sixty-nine noncompliant findings, zero not applicable findings and sixteen compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 twenty students, to ensure that all placement decisions consider: a) The harmful effects on the student, b) The quality of services, and c) Needed modifications in the general education classroom.

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Item #	Description	Legal Citation	Non-Compliant 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?	20 USC 1415(b)(3)(A), 34 CFR 300.503(a)(1), 30 EC 56500.4.	There were nineteen noncompliant findings, forty-seven not applicable findings and nineteen compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEPs and other documentation for the most recent six months, up to twenty students, to ensure that parents are notified in writing 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.

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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 DueDate CorrectedEvidenceLocation

- 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 IEPs and other documentation for the most recent six months, up to twenty students, to ensure that parents are notified in writing a reasonable time before the LEA refuses to initiate or change, the identification, evaluation or educational placement, or the provision of FAPE to a student.

06/07/16

Printed: 03/01/16

0161143

**BERKELEY UNIFIED**

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.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 prior written notification includes a description of the action proposed or refused. 06/07/16

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0161143

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Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.1.2 .1	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 DueDate CorrectedEvidenceLocation

- 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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0161143

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Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.1.2 .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, zero not applicable findings and thirty-nine compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 IEP meeting notices for transition age students, up to ten students, to ensure that for students at age 16, or younger if appropriate, the notice of an IEP meeting to discuss transition services specifies that the student is invited to the meeting.

06/07/16

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**BERKELEY UNIFIED**

Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.1.2 .3	Does the notice of the meeting to discuss transition services identify and invite any other agency that may have responsibility for payment for or provision of transition services?	34 CFR 300.322(b)(2), EC 56341(d)(3).	There were two noncompliant findings, five not applicable findings and thirty-three compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 transition age students, up to ten students, to ensure that for students at age 16, or younger if appropriate, the notice of an IEP meeting to discuss transition services identifies and invites any other agency that may have responsibility for payment for or provision of transition services to send a representative.

06/07/16

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Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.6	Does the prior written notification include a statement that the parents of a student with a disability have protections under 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?	20 USC 1415(c)(1)(C), 34 CFR 300.503(b)(4).	There were two noncompliant findings, thirty not applicable findings and fifty-three compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 written notice includes a statement that parents have protections through procedural safeguards and the means by which a copy of a document describing the procedural safeguards can be obtained.

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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?	20 USC 1415(c)(1)(D), 34 CFR 300.503(b)(5).	There were two noncompliant findings, thirty not applicable findings and fifty-three compliant findings.

Corrective Action :Date DueDate CorrectedEvidenceLocation

- 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 prior written notification includes sources for parents to contact to obtain assistance in understanding the contents of the procedural safeguards.

06/07/16



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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 DueDate CorrectedEvidenceLocation

- 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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Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.9.1	For circumstances requiring prior written 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?	20 USC 1415(d)(2), 34 CFR 300.503(c), 30 EC 56500.4.	There was one noncompliant finding, thirty not applicable findings and fifty-four compliant findings.

<u>Corrective Action :</u>		<u>Date Due</u>	<u>Date Corrected</u>	<u>Evidence</u>	<u>Location</u>
-	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 parents whose native language is other than English for the most recent six months, up to ten parents of students, to ensure that the prior written notice is 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. Documentation of efforts to ensure parent understanding or service logs for interpreter services are adequate evidence of efforts.	06/07/16			

Printed: 03/01/16

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**BERKELEY UNIFIED**

Item #	Description	Legal Citation	Non-Compliant Findings
6-1-2.10	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 DueDate CorrectedEvidenceLocation

- 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 their 17th birthday within the most recent six months, up to five students, to ensure that the LEA provided the student and the parents written notice stating that all rights under Part B of IDEA transfer to the student upon reaching 18 years of age.

06/07/16

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**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 DueDate CorrectedEvidenceLocation

- 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 records for the most recent six months, up to ten students, to ensure that the LEA assesses all students identified as English learners annually using the California English Language Development Test (CELDT) or an alternate to determine English language proficiency.

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**BERKELEY UNIFIED**

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 DueDate CorrectedEvidenceLocation

- 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 records for the most recent six months, up to ten students who are English Language Learners, to ensure that when developing the IEP, the team considers the results of the California English Language Development Test (CELDT) or an alternate to determine English language proficiency.

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**BERKELEY UNIFIED**

Item #	Description	Legal Citation	Non-Compliant Findings
10-2-4	Does the IEP of students identified as English learners include a determination of whether the CELDT will be administered with or without modifications or accommodations, or whether English proficiency will be measured using an alternate assessment?	34 CFR 300.320, 5 CCR 11516.	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 DueDate CorrectedEvidenceLocation

- 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 records, up to ten students who are English Language Learners, to ensure that the IEP included a determination of whether the CELDT will be administered with or without modifications or accommodations, or if English proficiency will be measured using an alternate assessment.

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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 DueDate CorrectedEvidenceLocation

- 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 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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Item #	Description	Legal Citation	Non-Compliant 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**

- 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 records, up to ten students who are English Language Learners, to ensure that the IEP includes instructional systems which meet the language development needs of the student and ensure access to the general education curriculum.

06/07/16



# Summary of Report

# of Corrective Actions	190	# of Uncorrected Past Due CA as of	
# of Corrected CAs	0	03/01/16	- 0
# of Uncorrected CAs	190		