February 28, 2014

Dr. Cecilia Heiberger
Superintendent
Lansing School District 158
18300 Greenbay Avenue
Lansing, Illinois  60438

Dear Dr. Heiberger:

Thank you for the courtesy extended to the representatives of the Illinois State Board of Education (ISBE) during the special education focused monitoring review conducted at Lansing School District 158 on January 14-17 and 23-24, 2014.

The enclosed report describes the focused monitoring process and identifies specific areas needing improvement. In addition, instructions are provided relative to required follow-up activities, including the implementation of corrective actions, the development of an improvement plan, and documentation to be submitted as evidence of correction and change. Technical assistance regarding these activities will be provided by your assigned team leader, Sarah Fies.

If you have any questions regarding this report or the focused monitoring process, please contact Sarah Fies at 312/814-5560 or sfies@isbe.net.

Sincerely,

David Andel
Division Administrator
Special Education Services

Sarah Fies
Principal Education Consultant
Special Education Services
Focused Monitoring Report

of

Lansing School District 158

Date of Final Report:  February 28, 2014

Date of On-site Review:  January 14-17 and 23-24, 2014

ISBE Team Leader:  Sarah Fies

ISBE Member: Mark Schudel
ISBE Member: Kelly Wojcik
Peer Member: Elizabeth Thomas
I. Description of Monitoring Authority and Focused Monitoring

II. Focused Monitoring Methodology

III. Positive Aspects of the District Related to the Indicator

IV. Compliance Related to the Indicator

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I. Description of Monitoring Authority and Focused Monitoring

The Individuals with Disabilities Education Act (IDEA), (20 U.S.C. 1400 (c)(1)), provides federal funds to assist states in the education of children with disabilities and requires each participating state to ensure that school districts and other publicly-funded educational agencies in the state comply with the legal and regulatory requirements of this federal act. Further, Section 616 of IDEA states that “the primary focus of Federal and State monitoring activities shall be on improving education results and functional outcomes for all children with disabilities and ensuring that States meet the program requirements with a particular emphasis on those requirements that are most closely related to improving educational results for students with disabilities.” Illinois state law requires local school districts to provide appropriate special education and related services and requires the Illinois State Board of Education (ISBE) to establish, monitor, and enforce regulations governing special education programs in the Illinois public schools and all institutions supported in part or completely by the state. The state has adopted regulations implementing those requirements which are administered by ISBE. ISBE supervises and conducts the general supervision process in furtherance of the state’s obligations under IDEA and Illinois law.

Focused monitoring is an approach to determining compliance with federal and state special education law and regulations while also addressing critical performance areas. It is a shift from a culture of compliance to a culture of accountability. It places the emphasis of a monitoring review on results versus process. The principles of focused monitoring are identified as follows:

- Focused monitoring includes a limited number of priorities chosen by a diverse group of stakeholders.
- Available data are used to select priorities that will improve student educational performance, increase independence for children with disabilities, and lead these students to full participation in society.
- A limited number of indicators are identified within each priority area and are used as the basis for district ranking and selection for on-site reviews.
- A focused monitoring system is data-based. Data-based information is used to allocate limited resources to the areas of greatest need in order to effect the greatest improvement in student performance.
- There is a relationship between the monitoring process and the corrective actions as the specified solutions are linked to identified areas of concern. Corrective actions are designed to create systemic changes that result in improved student performance. Districts are required to address all identified areas of noncompliance.
- Families have the opportunity to provide information on a continuous basis.

With assistance from stakeholder groups, ISBE identified priority areas and critical performance indicators (CPIs) utilized in determining districts most at risk for failure to meet performance. Specific indicators for focused monitoring are chosen annually by the Illinois State Advisory Council on the Education of Children with Disabilities (ISAC). Data submitted by the district in the Funding and Child Tracking System (FACTS) are
then analyzed by ISBE to identify the district’s educational placement for students with disabilities. Critical Performance Indicator 5A concerns the percentage of students with Individualized Education Programs (IEPs) who are “served inside the regular class for 80% or more of the school day.” This indicator was selected as the basis for determining the appropriateness of the educational environment of students with disabilities and to determine the school districts most at risk for failing to meet performance (high risk/low performance) standards.

The ISBE focused monitoring district selection process includes dividing districts into similar clusters based upon district type and enrollment size. ISBE utilizes district data from the State’s Special Education Monitoring/Reporting System (SEMRS) to rank and compare school districts on the selected critical performance indicator. In most instances, those districts in each cluster performing lowest on the indicator analysis will receive an on-site review.

The following formula was used to rank districts within the indicator:

*Each district with an N size of 30 students with disabilities is ranked on the percent of students with disabilities served under EE code 01 (inside the general education classroom more than 80% of the school day). If there are no districts (or very few districts) within a cluster that meets the N size, districts will be selected randomly from that cluster.*

### Educational Environment

<table>
<thead>
<tr>
<th>Lansing School District 158</th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of Time Inside General Education Classroom</td>
<td>Separate Facility</td>
<td>% of Time Inside General Education Classroom</td>
<td>Separate Facility</td>
</tr>
<tr>
<td>≥80%</td>
<td>40-79%</td>
<td>&lt;40%</td>
<td>≥80%</td>
</tr>
<tr>
<td>District</td>
<td>46.1</td>
<td>20.3</td>
<td>26.3</td>
</tr>
<tr>
<td>Coop.</td>
<td>36.6</td>
<td>24.5</td>
<td>22.4</td>
</tr>
<tr>
<td>Elementary Districts</td>
<td>58.9</td>
<td>20.9</td>
<td>14.9</td>
</tr>
<tr>
<td>State Targets**</td>
<td>49.9</td>
<td>18.9</td>
<td>3.9</td>
</tr>
</tbody>
</table>


In accordance with 34 CFR 300.600(e), “… the State must ensure that when it identifies noncompliance with the requirements of this part by LEAs, the noncompliance is corrected as soon as possible, and in no case later than one year after the State’s identification on noncompliance” (December 2008). Furthermore, per the Office of Special Education Programs (OSEP) in memorandum 09-02, with further clarification provided at the 2010 OSEP Leadership Mega Conference, the required evidence of correction of noncompliance for LEAs must be a two-fold process. First, all instances of identified noncompliance require immediate correction. Second, the LEA is required to
provide additional, subsequent data to conclude that the LEA has achieved meaningful and sustained compliance. The ISBE monitoring system must review further updated data, as appropriate, to ensure the LEA achieves 100% compliance.

## II. Focused Monitoring Methodology

The on-site focused monitoring review was conducted with Lansing School District 158 on January 14-17 and 23-24, 2014. The team visited three elementary schools and one junior high school in the district. The monitoring team leader reviewed and analyzed the following data in relation to the on-site review.

### Data Reviewed

- Special education policies and procedures
- District and School Improvement Plans
- School Report Card
- Special Education Profile
- FACTS data

### Forum

A public forum was held on January 14, 2014 for parents of students with disabilities and community stakeholders. The district provided documentation of adequate and appropriate public notice advertising the forum. The forum was attended by twenty (20) parents of students with disabilities and two (2) community stakeholders. Nineteen (19) parents of students with a disability completed the survey at the forum or online.

### On-site Interviews

Interviews were conducted with nine (9) administrators, thirty-two (32) general education teachers, seven (7) special education teachers, and three (3) related services personnel. General education teachers included reading specialists, interventionists, and special teachers.

### Record Reviews

Record reviews were conducted for forty-two (42) students with IEPs. Records selected were representative of the students’ primary disabilities, age/grade levels, and special education programs within the district.

### Staff Surveys

Surveys were collected from district personnel. A total of ninety (90) surveys were completed by district staff. Individuals who completed the survey included fifty-four (54) general education teachers, fifteen (15) special education teachers, eleven (11) related service providers, and ten (10) administrators.
III. Positive Aspects of the District Related to the Indicator

In relation to the identified critical performance indicator of the educational environment of students with disabilities, the following efforts and/or initiatives have been implemented by the district. These activities have been recognized as positive efforts on the part of the district to initiate improved student outcomes.

- The district has two full time substitutes on staff to help ensure that teachers who are invited to attend an IEP meeting have coverage to do so.
- Memorial Junior High School has incorporated student accommodations into their electronic PowerSchool; therefore, teachers can reference these items as needed.

IV. Compliance Related to the Indicator

Area of Noncompliance - Finding I

Evidence demonstrates that educational placement decisions for students with disabilities are not made in compliance with federal regulations IDEA, Part B, 34 CFR §300.115, §300.320, and §300.324. Based on the evidence collected and analyzed, placement decisions for students with disabilities are not based on the students' unique needs. The evidence suggests there is not a full continuum of services available within the district which limits the consideration of appropriate potential placements based on students' individual needs and strengths. An additional problem is that IEPs are not thoroughly developed and lack the required participation of an appropriate IEP team. IEPs also do not sufficiently contain the required information within the Present Level of Academic Achievement and Functional Performance (PLAAFP) sections and do not reflect consideration of the potential harmful effects of a placement. Deficiencies in these two areas greatly compromise the placement decision as it is made without sufficient student information which therefore results in placement decisions that are not based on a fully informative IEP document. Finally, evidence supports that other factors such as limited staff knowledge of special education regulations and IEP development negatively impacts placement decisions at Lansing School District 158.

34 CFR §300.115 Continuum of alternative placements, which states,

a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

b) The continuum required in paragraph (a) of this section must-

1) Include the alternative placements listed in the definition of special education under § 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and

2) Make provision for supplementary services (such as resource room or itinerant
34 CFR §300.320 Definition of individualized education program, which states,
a) General. As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§ 300.320 through 300.324, and that must include-
1) A statement of the child’s present levels of academic achievement and functional performance, including-
i) How the child’s disability affects the child’s involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child-
ii) To be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and
iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;
5) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(4) of this section;
7) The projected date for the beginning of the services and modifications described in paragraph (a)(4) of this section, and the anticipated frequency, location, and duration of those services and modifications.

34 CFR §300.321 IEP Team.
a) General. The public agency must ensure that the IEP Team for each child with a disability includes—
1) The parents of the child;
2) Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
3) Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;
4) A representative of the public agency

§ 300.324 Development, review, and revision of IEP.
a) Development of IEP—
1) General. In developing each child’s IEP, the IEP Team must consider—
i) The strengths of the child;
ii) The concerns of the parents for enhancing the education of their child;
iii) The results of the initial or most recent evaluation of the child; and
iv) The academic, developmental, and functional needs of the child.

2) **Consideration of special factors.** The IEP Team must—
   i) In the case of a child whose behavior impedes the child’s learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
   ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child’s IEP;
   v) Consider whether the child needs assistive technology devices and services.

3) **Requirement with respect to regular education teacher.** A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of—
   i) Appropriate positive behavioral interventions and supports and other strategies for the child; and
   ii) Supplementary aids and services, program modifications, and support for school personnel consistent with § 300.320(a)(4).

4) **Agreement.**
   i) In making changes to a child’s IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child’s current IEP.
   ii) If changes are made to the child’s IEP in accordance with paragraph (a)(4)(i) of this section, the public agency must ensure that the child’s IEP Team is informed of those changes.

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**Supporting Evidence**

*Data Review*

**Percent of Students with IEPs by Various Educational Environments**

<table>
<thead>
<tr>
<th></th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>% of Time Inside the General Classroom</td>
<td>Separate Facility</td>
<td>% of Time Inside the General Classroom</td>
</tr>
<tr>
<td></td>
<td>≥ 80%</td>
<td>40-79%</td>
<td>&lt;40%</td>
</tr>
<tr>
<td>District</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>46.1</td>
<td>20.3</td>
<td>26.3</td>
</tr>
<tr>
<td>Cooperative</td>
<td>36.6</td>
<td>24.5</td>
<td>22.4</td>
</tr>
<tr>
<td>All Elem. Districts</td>
<td>58.9</td>
<td>20.9</td>
<td>14.9</td>
</tr>
<tr>
<td>SPP State Target</td>
<td>&gt;49.9</td>
<td>&lt;18.5</td>
<td>&lt;3.9</td>
</tr>
</tbody>
</table>

*Placement data for the Exceptional Children Have Opportunities (ECHO) special education cooperative were not available.*
Lansing School District 158 serves students from pre-kindergarten through eighth grade. According to the 2012-2013 data obtained through the Funding and Child Tracking System (FACTS) system, 41.8% of students with disabilities received their services within the general education environment for 80% or more of their school day (EE01 educational environment). As demonstrated in the chart below, there is a difference of 15.8 percentage points between this district and all elementary districts in the state. Furthermore, the chart shows that Lansing School District 158 has consistently served a lower percentage of students within the EE01 education environment between 2010-2011 and 2012-2013 than all elementary districts in the state (-12.8, -10.7, -15.8 percentage points).

### Educational Environments for Selected Disabilities

<table>
<thead>
<tr>
<th>Disability</th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>% of Time Inside General Classroom</td>
<td>% of Time Inside General Classroom</td>
<td>% of Time Inside General Classroom</td>
</tr>
<tr>
<td></td>
<td>&gt; 80%</td>
<td>40-79%</td>
<td>&lt;40%</td>
</tr>
<tr>
<td>District</td>
<td>0.0</td>
<td>28.6</td>
<td>38.1</td>
</tr>
<tr>
<td>All Elem. Districts</td>
<td>6.5</td>
<td>19.9</td>
<td>57.8</td>
</tr>
<tr>
<td>Specific Learning Disability</td>
<td>37.8</td>
<td>41.8</td>
<td>20.4</td>
</tr>
<tr>
<td>All Elem. Districts</td>
<td>52.5</td>
<td>34.7</td>
<td>12.1</td>
</tr>
<tr>
<td>Other Health Impairments</td>
<td>28.0</td>
<td>44.0</td>
<td>28.0</td>
</tr>
<tr>
<td>All Elem. Districts</td>
<td>56.1</td>
<td>25.9</td>
<td>13.9</td>
</tr>
<tr>
<td>Speech/Language Disabi lity</td>
<td>83.0</td>
<td>0.9</td>
<td>16.0</td>
</tr>
<tr>
<td>All Elem. Districts</td>
<td>93.2</td>
<td>3.7</td>
<td>2.9</td>
</tr>
<tr>
<td>Emotional Disability</td>
<td>33.3</td>
<td>33.3</td>
<td>11.1</td>
</tr>
<tr>
<td>All Elem. Districts</td>
<td>33.5</td>
<td>16.8</td>
<td>20.1</td>
</tr>
<tr>
<td>Autism</td>
<td>15.0</td>
<td>10.0</td>
<td>35.0</td>
</tr>
<tr>
<td>All Elem. Districts</td>
<td>34.6</td>
<td>17.4</td>
<td>30.7</td>
</tr>
<tr>
<td>SPP State Target</td>
<td>&gt;49.9</td>
<td>&lt;18.9</td>
<td>&lt;4.25</td>
</tr>
</tbody>
</table>

As shown in the table above, students with an Intellectual Disability are placed in the EE03 educational environment most often (38.1%, 52.6%, 57.1%). In addition, students with an Other Health Impairment (OHI) are placed in the most restrictive settings of EE03 or in a separate facility at a rate much higher than other elementary school districts (+22.3 percentage points). OHI students are also placed in the EE02 educational environment most often (44.0%, 50.0%, 45.0%) and at a rate that exceeds other districts by, respectively, 18.1, 24.7, and 21.1 percentage points. Additionally, students with an Emotional Disability (ED) are also placed in the EE02 educational environment at a high rate (33.3%, 33.3%, 40%). Students with Specific Learning Disabilities are less likely to be placed in the general education setting for 80% or more of their school day than their peers in other elementary districts, a difference of 19 percentage points but are more likely to be placed in EE03 (+18.5 percentage points).
Among students with Autism, 75% are placed in the EE03 educational environment or separate facilities as compared to 48.5% of the students with Autism in other elementary districts (+26.5 percentage points).

### Placement by School Building

<table>
<thead>
<tr>
<th>School Name</th>
<th>2010-2011</th>
<th>2011-2012</th>
<th>2012-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>EE01</td>
<td>EE02</td>
<td>EE03</td>
</tr>
<tr>
<td>Coolidge Elem School</td>
<td>56.2</td>
<td>2.2</td>
<td>32.6</td>
</tr>
<tr>
<td>Oak Glen Elem School</td>
<td>49.3</td>
<td>3.0</td>
<td>41.8</td>
</tr>
<tr>
<td>Reavis Elem School</td>
<td>46.8</td>
<td>0.0</td>
<td>40.4</td>
</tr>
<tr>
<td>Memorial Junior High School</td>
<td>38.2</td>
<td>55.5</td>
<td>5.5</td>
</tr>
<tr>
<td>SPP State Target</td>
<td>&gt;49.9</td>
<td>&lt;18.9</td>
<td>&lt;4.25</td>
</tr>
</tbody>
</table>

As shown in the chart above, students with disabilities at all three elementary schools receive EE03 placements at a rate that exceeds the state target by a very wide margin (32.6%, 33.6%, 36% as opposed to 18.5%). Memorial Junior High School services more students (55.6%) in the EE02 category than any other educational environment; however, the elementary buildings serviced very few, if any, students in this educational environment over the three year span of time. Reavis Elementary School services more students (48.8%) in the EE03 category than any other environment.

**Forum**

There were a total of twenty-two (22) attendees at the public forum, two of whom were community members and twenty (20) who were parents of students with disabilities in the district. The presence of staff personnel and school board members who had students with disabilities in the district may have resulted in some data being skewed as several parents reported to ISBE that they were afraid of expressing their concerns because they believed this could negatively impact their child and that in the past confidentially was disregarded in the district. Nineteen (19) parents completed the survey.

- Seven respondents stated that they had difficulties getting the district to complete the initial evaluation of their children. Some additionally reported that the district took longer than the 60 day time frame to complete the evaluation once they had given their consent.
- One parent reported that she was told to bring her child to the district on a Saturday in order to get him/her evaluated appropriately. When she said she was unable to come at that time, they stated that she had to come on that particular Saturday or her child would not be tested.
- Many parents reported having to “fight hard” or bring in an advocate in order to get the services and/or supports that their children needed to be successful.
- Four attendees stated that they did not feel like they were a part of the IEP team when making decisions.
• One parent stated that accommodations were discussed and decided upon at her child’s IEP meeting; however, some of the accommodations listed in the IEP are not being implemented by the district.
• One parent reported that the IEP team and administration were not listening to her concerns. She stated that she had to go to the school board in order to get help for her child.
• One parent stated that she was not given a continuum of service options. She was only given a single option and was told the team could move forward without her approval. She reported that she did not feel like she was a part of the IEP team.
• One parent was told that her student would be placed in a separate facility against her (the parent’s) will. She was told that the district did not need her permission to change placement and would make the change if they wanted to.
• Six survey respondents stated that at the IEP meeting, the team did not discuss participation in core and noncore general education classes.
• Nine survey respondents stated that at the IEP meeting, the team did not discuss their child's participation in extracurricular activities.

On-site Interviews
A total of fifty-one (51) staff members were interviewed, including general education teachers, special education teachers, administrators, and related services personnel. Nine of the individuals, however, had not attended an IEP meeting within this district in the past three years; therefore, questions resulted in varying numbers of responses. The on-site interviews revealed a lack of understanding of both the IEP development process and the continuum of services that should be available to students with special needs.
• There was such a variety of answers to the question about the district’s continuum of placement options it could not be determined if the district had an appropriate continuum of placement options. The following is a summary of the responses to the question pertaining to placement options available at the school for team members to review and discuss at an IEP meeting:
  o General education – 24/51 respondents (47%)
  o General education with accommodations and modifications – 12/51 respondents (24%)
  o Resource services/Pull-out – 31/51 respondents (61%)
  o Self-contained/instructional classroom – 41/51 respondents (80%)
  o Separate placement (most examples given included ECHO and/or PACE) – 29/51 respondents (57%)
  o Home/Hospital – 3/51 respondents (6%)
• One respondent (1/51 - 2%) identified the same placement options for students with disabilities as identified by the IDEA regulations.
• Fourteen respondents (14/51 - 27%) had a misunderstanding of terminology related to what a continuum of services was and included the general education initiative of Response to Intervention (RtI) in their responses.
• Thirteen respondents (13/51 - 25%) indicated a need for co-teaching/push in services to be utilized by the district. Twelve respondents (12/51 - 27%)
indicated a need for an in-district program specific to serving students with behavioral and/or emotional disabilities.

- Interviews suggested a lack of understanding of potential harmful effects for a student with an IEP being provided a placement other than in the general education classroom for 80% or more of the day. Less than 15 percent of the individuals interviewed gave an appropriate response when asked how the IEP team determines the potential harmful effects of a placement.

- Interviews suggested a shortage of supports for school personnel as they relate to appropriate implementation of supplementary aids and services. Less than 30% of respondents gave a minimally appropriate response of a support for school personnel when asked what supports are provided to school personnel so that the student can be served in the general education setting. Twenty-five respondents (25/51 - 49%) gave an inaccurate response of providing the student with special equipment or personnel.

**Record Reviews**

During the visit, forty-two (42) files were reviewed for compliance with federal and state special education law and regulations. Student record reviews documented several areas of noncompliance that occurred during IEP meetings when developing the student’s Individual Educational Program (IEP).

- Six of the files reviewed (6/42 - 14%) did not document an appropriate Parent/Guardian Notification of Conference was completed and sent ten days prior to the date of the meeting.

- Twenty of the files reviewed (20/42 - 48%) did not have documentation that the appropriate team members were present at the IEP meeting as verified on the Conference Summary Report.

- Sixteen of the files reviewed (16/42 - 38%) demonstrated the IEP team did not ensure that the placement was determined at least annually when determining placement.

- Four of the files reviewed (4/42 - 10%) did not have documentation that the IEP team considered the concerns of the parents for enhancing the education of their child.

- Nineteen of the files reviewed (19/42 - 45%) did not include a statement of the child’s present levels of academic achievement and functional performance (PLAAFP).

- Twenty-five of the files reviewed (25/42 - 60%) did not include a statement of how the disability affects the child’s involvement and progress in the general education curriculum.

- Three of the files reviewed (3/42 - 7%) did not address the need for supplementary aids or did not provide a statement if needed.

- Two of the files reviewed (2/42 - 5%) did not address the need for program modifications or did not provide a statement if needed.

- One of the files reviewed (1/42 - 2%) did not address the considerations of special factors.

- Eight of the files reviewed (8/42 - 19%) did not include the projected date for the beginning of the special education and related services and the anticipated frequency, location, and duration of those services.
• Fifteen of the files reviewed (15/42 - 36%) did not contain an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education curriculum.
• Six of the files reviewed (6/42 - 14%) did not contain an explanation of the extent, if any, to which the student will not participate with nondisabled students in extracurricular and other nonacademic activities.
• Two of the files reviewed (2/42 - 5%) did not document that consideration is given to any potential harmful effects a placement may have on the child.
• Thirty of the files reviewed (30/42 - 71%) did not ensure the placement is based on the child’s IEP.

Staff Surveys
The staff survey was completed by a total of ninety (90) staff members; however, varying numbers of individuals chose not to answer some of the questions which correlated to the placement information stated below. The following responses demonstrate a lack of knowledge regarding IEP development and placement decisions for students with disabilities.
• Twenty-eight of eighty-six respondents (28/86 - 32.6%) indicated that they are sometimes or rarely present at the IEP meeting for the discussion of a student’s placement options.
• Twenty-four of eighty-two respondents (24/82 - 29.3%) indicated that they sometimes, rarely, or never have an active role in determining the potential harmful effects of placements that are considered. Five respondents (5/82 - 6.1%) indicated that they do not know what the potential harmful effects of placements are for students.
• Sixteen of eighty-two respondents (16/82 - 19.5%) indicated that they sometimes, rarely, or never have an active role in explaining how the student’s disability affects his or her involvement and progress in the general education curriculum.
• Forty-two of eighty-two respondents (42/82 - 51.2%) indicated that they sometimes, rarely, or never have an active role in determining the amount of special education and related services provided to a student with a disability.
• Thirty-four of eighty-two respondents (34/82 - 41.5%) indicated that they sometimes, rarely, or never have an active role in determining what supports the general education teacher and other school personnel need to assist a student with a disability in order to be successful in school.
• Thirty of eighty-two respondents (30/82 - 36.6%) indicated that they sometimes, rarely, or never have an active role in determining what accommodations and/or modifications a student with a disability needs to be successful in school.
• Thirty-seven of eighty-two respondents (37/82 - 45.1%) indicated that they sometimes, rarely, or never have an active role in determining the extent to which a student with a disability will participate in the general education classroom.
• Fifty-two of eighty-two respondents (52/82 - 63.4%) indicated that they sometimes, rarely, or never have an active role in determining the extent to which a student with a disability will participate in extracurricular activities and nonacademic activities.
• Twelve out of thirty-one respondents (12/31 - 38.7%) indicated a need for co-teaching and/or push-in special education services in order to enable students
with disabilities to improve their mastery of the general education curriculum and access to general education settings.

Summary of Evidence
Information that was gathered relative to the monitoring visit at Lansing School District 158 included an analysis of placement data, public forum responses, public forum survey, staff survey, on-site interviews, and student file reviews. Based on this information, the evidence indicates that placement decisions are not consistently based on the individual needs of each student. Evidence suggests that factors influencing placement decisions may include insufficient adherence to the procedural requirements of IEP development, especially with regard to inadequate information in the present level of academic achievement and functional performance determination, the explanation of how the disability affects the child’s involvement and progress in the general education curriculum, and the requirement that placement is based on the child’s IEP. These deficiencies in IEP development indicate a lack of staff knowledge related to special education regulations and a failure to ensure that placement decisions are based on the students’ individual needs and strengths which contribute to inappropriate placement decisions. There is additional evidence that placement does not reflect a consideration of a full continuum of placement options to provide students with disabilities the maximum educational benefit.

Per the 2012-2013 submitted FACTS data, Lansing School District 158 educated 41.8% of students with disabilities within the general education environment for 80% or more of the school day. In addition, 55.6% of students with disabilities at Memorial Junior High School are serviced in the general education environment for 40 to 79 percent of the day. However, the elementary buildings serviced very few, if any, students in this educational environment over the three year span of time.

In addition, forty-one (41/42 - 97%) of the IEP files were found to be noncompliant in at least one area. The areas of noncompliance were as follows:

- notification of conference;
- appropriate team members present;
- placement determined annually;
- consideration of parental concerns;
- statement of present levels of academic achievement and functional performance;
- explanation how disability affects student’s progress in the general education curriculum;
- supplementary aids addressed;
- program modifications addressed;
- consideration of special factors;
- projected dates and duration, frequency, and location of special education and related service minutes;
- explanation of the extent to which the student will not participate in the general education classroom;
• explanation of the extent to which the student will not participate with nondisabled students in extracurricular and other nonacademic activities;
• consideration of potential harmful effects of placement; and
• educational placement based on student’s IEP.

Corrective Action

The district must address all areas of supporting evidence to ensure that placement decisions for students with disabilities are made in compliance with state and federal regulations. The district improvement plan should address the following areas:

• Provide professional development for all current and incoming staff members, including general education staff, administrators, special education staff, and related services personnel, on strategies to support students with disabilities in the general education environment. Follow-up procedures to assure effective implementation should be addressed. Topics could include, but are not limited to, co-teaching, supports for school personnel, accommodations and modifications, and differentiated instruction.
• Revisit and revise policy and procedures regarding a full continuum of placement options. Create a clearly defined continuum of services for students with disabilities. This information should be shared with all staff, parents, and other interested stakeholders.
• Provide professional development to administrators, special education staff, and related service staff on the fundamental development of IEPs in accordance with federal and state laws.
• Establish ongoing activities such as peer review to address issues of IEP noncompliance.
• Create a team of professionals to examine the option of developing a co-teaching program in Lansing School District 158.
• Host workshops to inform parents/guardians of placement options, how placement and support service decisions are made, and their rights and responsibilities in relation to rules and regulations related to the LRE.

Required Evidence of Correction - Immediate

By April 29, 2014 the district must demonstrate correction of each individual case of noncompliance. The documentation in 100% of the following records must be corrected to demonstrate the required evidence of immediate correction.

<table>
<thead>
<tr>
<th>Issues with Citation</th>
<th>% of IEPs with Identified Noncompliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>An appropriate Parent/Guardian Notification of Conference was completed and sent 10 days prior to the date of the meeting. 34 CFR 300.503; 34 CFR 300.321(b)(1); 34 CFR 300.322(a-b); 23 IAC 226.520; 23 IAC 226.230(c); 23 IAC 226.210; 105 ILCS 5/14-8.03</td>
<td>14%</td>
</tr>
<tr>
<td>Specific IEPs with Identified Noncompliance:</td>
<td>L01</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----</td>
</tr>
<tr>
<td>L40</td>
<td></td>
</tr>
</tbody>
</table>

The appropriate team members were present at the IEP meeting, verified on the Conference Summary Report (minimum participants: parent, LEA representative, special educator, general educator, and any other person responsible for implementing a portion of the IEP). 34 CFR 300.116(a)(1); 34 CFR 300.321(a)(1-5) and (e); 34 CFR 300.322(c-d); 23 IAC 226.210(d-f) 48%

<table>
<thead>
<tr>
<th>Specific IEPs with Identified Noncompliance:</th>
<th>L01</th>
<th>L02</th>
<th>L03</th>
<th>L05</th>
<th>L08</th>
</tr>
</thead>
<tbody>
<tr>
<td>L10</td>
<td>L13</td>
<td>L15</td>
<td>L16</td>
<td>L18</td>
<td>L23</td>
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<tr>
<td>L32</td>
<td>L33</td>
<td>L35</td>
<td>L36</td>
<td>L41</td>
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</tr>
</tbody>
</table>

When determining placement, the IEP team ensured that the placement is determined at least annually. 34 CFR 300.116(b)(1) 38%

<table>
<thead>
<tr>
<th>Specific IEPs with Identified Noncompliance:</th>
<th>L02</th>
<th>L03</th>
<th>L06</th>
<th>L07</th>
<th>L08</th>
</tr>
</thead>
<tbody>
<tr>
<td>L10</td>
<td>L11</td>
<td>L12</td>
<td>L13</td>
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<td>L41</td>
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</table>

In developing each child’s IEP, the IEP Team must consider the concerns of the parents for enhancing the education of their child. 34 CFR 300.324(a)(1)(ii) 10%

<table>
<thead>
<tr>
<th>Specific IEPs with Identified Noncompliance:</th>
<th>L05</th>
<th>L10</th>
<th>L16</th>
<th>L18</th>
</tr>
</thead>
</table>

The IEP includes a statement of the child’s present levels of academic achievement and functional performance (PLA AFP) 34 CFR 300.320(a)(1); 34 CFR 300.324(a)(1)(i-iv); 34 CFR 300.306(c)(1)(i) 45%

<table>
<thead>
<tr>
<th>Specific IEPs with Identified Noncompliance:</th>
<th>L03</th>
<th>L04</th>
<th>L06</th>
<th>L11</th>
<th>L12</th>
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<tbody>
<tr>
<td>L18</td>
<td>L22</td>
<td>L23</td>
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<td>L26</td>
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<td>L38</td>
<td>L39</td>
<td>L40</td>
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</table>

The IEP includes a statement of how the disability affects the child’s involvement and progress in the general education curriculum. 34 CFR 300.320(a)(1)(i) 60%

<table>
<thead>
<tr>
<th>Specific IEPs with Identified Noncompliance:</th>
<th>L01</th>
<th>L03</th>
<th>L05</th>
<th>L06</th>
<th>L07</th>
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<td>L12</td>
<td>L13</td>
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<td>L32</td>
<td>L33</td>
<td>L34</td>
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<tr>
<td>L42</td>
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</table>

The IEP addresses the need for supplementary aids. If needed, there is a statement of the supplementary aids. 34 CFR 300.320(a)(4); 23 IAC 226.220(c) 7%

<table>
<thead>
<tr>
<th>Specific IEPs with Identified Noncompliance:</th>
<th>L02</th>
<th>L05</th>
<th>L15</th>
</tr>
</thead>
</table>

The IEP addresses the need for program modifications. If needed, there is a statement of the program modifications. 34 CFR 300.320(a)(4) 5%

<table>
<thead>
<tr>
<th>Specific IEPs with Identified Noncompliance:</th>
<th>L28</th>
<th>L29</th>
</tr>
</thead>
</table>

The IEP addresses the need for special factors. 2%

17
The IEP includes the projected date for the beginning of the special education and related services; the supplementary aids and modifications provided to the child; and the anticipated frequency, location, and duration of those services and modifications. 34 CFR 300.320(a)(7); 23 IAC 226.220(a)  
34 CFR 300.320(a)(7); 23 IAC 226.220(a)  
34 CFR 300.320(a)(7); 23 IAC 226.220(a)

### Specific IEPs with Identified Noncompliance: L23

The IEP contains an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education curriculum. 34 CFR 300.320(a)(5)

### Specific IEPs with Identified Noncompliance: L02 L03 L08 L17 L32 L35 L38 L42

The IEP contains an explanation of the extent, if any, to which the student will not participate with nondisabled students in extracurricular and other nonacademic activities. 34 CFR 300.320(a)(5)

### Specific IEPs with Identified Noncompliance: L15 L16 L24 L25 L31 L34 L35 L38 L39

In selecting the LRE, consideration is given to any potential harmful effects on the child or on the quality of services that he or she needs. 34 CFR 300.116(d)

### Specific IEPs with Identified Noncompliance: L06 L26 L31 L35 L37 L39

When determining educational placement of a child with a disability, the IEP team ensured that the placement is based on the child’s IEP. 34 CFR 300.114(a)(2)(i-ii); 34 CFR 300.116(b)(2) and (e)


See Appendix A for student identifier information for each IEP

### Required Evidence of Correction - Subsequent

To ensure that the district is correctly implementing the specific regulatory requirements, the team leader must review updated data. Before November 28, 2015 the ISBE team leader will randomly select twenty-one (21) records for review. The documentation in 100% of the records will include evidence of:
• Notification of conference;
• Appropriate team members present;
• Placement determined annually;
• Consideration of parental concerns;
• Statement of present levels of academic achievement and functional performance;
• Explanation how disability affects students progress in the general education curriculum;
• Supplementary aids addressed;
• Program modifications addressed;
• Special factors addressed;
• Projected dates and duration, frequency, and location of special education and related service minutes;
• Explanation of the extent to which the student will not participate within the general education classroom;
• Explanation of the extent to which the student will not participate with nondisabled students in extracurricular and other nonacademic activities;
• Consideration of potential harmful effects of placement; and
• Placement based on the child’s IEP.

**Required Evidence of Change**

The district must provide the following evidence of change specific to the identified findings of noncompliance. The evidence of change is designed to ensure that modifications have been made within the district that have ultimately led to improved performance on the indicator as reflected in the district’s data. The verified Educational Environment (EE) data for the 2012-13 school year identifies that 41.8% of students with disabilities are served 80% or more of the time in the general education setting (EE01); the district data must improve in this area by six (6) percentage points. This benchmark for improvement will be the change in the district’s educational environment data, EE01, by February 28, 2016 to 49.8%. The district will not reach the State Target established in the State Performance Plan for EE01; however, an increase of eight (8) percentage points is a more attainable goal for Lansing School District 158 for the two-year Evidence of Change period.

**V. Areas Needing Further Action**

Lansing School District 158 must investigate the number of students with disabilities within one classroom setting. Interviews with several staff people, statements made by parents/community members at the forum, and class rosters demonstrated that class sizes do not follow the Illinois Administrative Code listed below. Lansing School District 158 must either adjust classroom numbers and/or create new classrooms in accordance with the guidelines set in the Administrative Code or submit the appropriate waiver
23 Illinois Administrative Code 226.730 Class Size for 2009-10 and Beyond, which states,

b) Class size means the total number of students an educator serves during any special education class. As used in this subsection (b), "class" means any circumstance where only students with IEPs are served and at least one special education teacher is assigned and provides instruction and/or therapy exclusively to students with IEPs. In the formation of special education classes, consideration shall be given to the age of the students, the nature and severity of their disabilities, the educational needs of the students, and the degree of intervention necessary, subject to the limitations of this subsection (b).

1) Except as provided in subsection (b)(5) of this Section, classes in which all the students receive special education services for 20 percent of the school day or less shall have at least one qualified teacher for each 15 students in attendance during any given class. However, the district may increase the class size by a maximum of two students when a paraprofessional is provided for the entire class.

2) Except as provided in subsection (b)(5) of this Section, each class in which any student receives special education services for more than 20 percent of the school day but no more than 60 percent of the school day shall have at least one qualified teacher for each ten students in attendance during that class. However, the district may increase the class size by a maximum of five students when a paraprofessional is provided for the entire class.

3) Except as provided in subsection (b)(5) of this Section, each class in which any student receives special education services for more than 60 percent of the school day shall have at least one qualified teacher for each eight students in attendance during that class. However, the district may increase the class size by a maximum of five students when a paraprofessional is provided for the entire class.

A) The maximum class size stated in subsection (b)(1) of this Section shall be 13 rather than 15;
B) The maximum class size stated in subsection (b)(2) of this Section shall be eight rather than 10; and
C) The maximum class size stated in subsection (b)(3) of this Section shall be six rather than eight.

6) The provisions of subsections (b)(1) through (5) of this Section notwithstanding, class size shall be limited according to the needs of the students for individualized instruction and services.

c) The maximum class sizes set forth in subsection (b) of this Section shall, if necessary, be further restricted at the local level to account for the activities and services in which the affected educators participate in order to provide students with IEPs the free, appropriate public education in the least restrictive environment to which they are entitled.
Lansing School District 158 must also evaluate the effectiveness of their Response to Intervention (RtI) program. Staff and parent/community members reported that the program is not as effective as it needs to be. Individuals also reported that this process may be causing an unnecessary delay in the initial evaluation of students requiring special education services.

VI. Improvement Plan Process

Upon receiving this final report, Lansing School District 158 is required to use the District Improvement Plan (DIP) template in Rising Star through the Illinois Interactive Report Card (IIRC) website to develop and submit a proposed improvement plan to ISBE within a period of 45 calendar days from the date of the final report. The improvement plan will be submitted electronically through the DIP process. This template is found at [http://iirc.niu.edu/](http://iirc.niu.edu/). The district superintendent may access the template by entering the district password, which is managed by the district superintendent. The DIP for special education focused monitoring must address all four sections of the template: data and analysis; action plan; plan development, review and implementation; and board action. If the school district has an existing DIP, strategies and activities related to special education must be incorporated into the existing plan to ensure alignment with current district initiatives.

After the district receives the final report, the ISBE team leader will contact the district to begin the improvement plan process. In order to ensure that the improvement plan is comprehensive, interdisciplinary, and district-wide, the plan must be developed by a team. Depending upon the issues of noncompliance, the team should include the district superintendent (or another general education administrator who has the authority to commit district time and resources), the special education director or another special education administrator, a Regional Office of Education (ROE) representative, a general education teacher, a special education teacher, a related services staff member, the professional development coordinator, the curriculum coordinator, parents, and others as necessary. This plan must not be a uniquely special education response developed in isolation from other district initiatives. The ISBE team leader is available to participate in the initial meeting of the improvement plan team to provide technical assistance. The team leader is not typically the provider of trainings or professional development activities; however, the team leader may have suggestions regarding training or professional development providers.

The team leader will work with the district to make any necessary revisions. When all revisions are completed, the district will submit the final version to ISBE for approval by the team leader. Final approval of the improvement plan must be made within 60 calendar days from the date of the final report and the district will be issued an approval letter. The approval letter will also outline the schedule for reporting the district's progress to ISBE.
Progress Reports

Upon receipt of each progress report and any required documentation, the ISBE team leader will review the report to ensure that the district is monitoring its own progress. Once any needed clarification is received, an approval letter will be issued. If it becomes evident that the district is not making progress that is likely to lead to the expected evidence of change within the required timeline, the team leader will schedule a meeting with the district to discuss the improvement plan.

Evidence of Correction Review

The evidence of correction review is a two-fold approach to ensure that the district has corrected all instances of noncompliance and is able to demonstrate evidence that will result in sustained compliance. In order for the LEA to demonstrate evidence of correction, immediate correction and subsequent correction must be verified by ISBE to show 100% compliance. Immediate correction will be verified within 60 days of the identification of noncompliance and the subsequent evidence of correction review will take place at the end of the first year of the focused monitoring process. This final report is the district’s written notification of noncompliance and the date of this report begins the timelines for evidence of correction. Based on the results of the review, ISBE will make one of two determinations:

- the district has met the standards required for evidence of correction and officially close the section of the focused monitoring process, or
- the district has not met the standards required and additional time will be permitted for the district to continue to work on their required evidence of correction. In the latter instance, the team leader will continue to provide technical assistance to the district.

VII. Closing the Focused Monitoring Process

Focused monitoring is a two year process. In order for districts to conclude this process, they must complete the requirements as specified in this final report for evidence of correction and evidence of change. The requirements for evidence of correction are addressed and monitored through the improvement plan process as discussed previously. The evidence of correction review takes place at the end of the first year of the focused monitoring process.

Evidence of Change Review

The evidence of change review takes place at the end of the second year of the focused monitoring process. Evidence of change is designed to ensure that modifications have been made within the district that have ultimately led to improved performance on the indicator as reflected in the district’s data. Two years after the date of this final report, the focused monitoring team leader will review the district’s data to determine the degree of change in the data. The expected change in data is stated in this document. After review of the data, the team leader will submit a letter informing the district of the
results of this data review. If the expected change is achieved, an approval letter will be submitted to the district which will close the focused monitoring process. If, however, the district does not achieve the expected change in data, the district will be informed in writing that further action is necessary. The team leader will continue to work with the district to determine the further action that will need to be carried out before the focused monitoring process can be officially closed.

VIII. Summary

In summary, the team leader will be available to participate in the initial meeting of the improvement plan process, as well as to provide or facilitate on-going technical assistance regarding the activities identified in this report. The team leader will verify immediate and subsequent corrective action as identified in this report. Throughout the first year after the final report, the district's progress reports will be reviewed by the team leader to ensure improvements are being made in the district to promote improved performance on the placement decisions for students with disabilities. At the end of the first year, the subsequent evidence of correction review will occur with the district to determine whether or not the district is able to demonstrate 100% compliance to the specific regulatory requirements through updated data. At the end of the second year, an evidence of change review will occur to ensure that the activities and modifications made by the district have resulted in improved performance as reflected in the district’s data.

If you have any questions, you may contact Sarah Fies at 312/814-5560 or sfies@isbe.net.