

**ADMINISTRATORS' PERCEPTIONS OF COMPLIANCE MONITORING FOR
CONTINUOUS IMPROVEMENT OUTCOMES AND INFLUENCES ON SPECIAL
EDUCATION PROGRAMMING**

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The purpose of this research was to investigate school administrators' perceptions of the Compliance Monitoring for Continuous Improvement (CMCI) process. The CMCI process consists of administrative procedures for auditing special education programming and implementation, focusing on effectiveness of services and district accountability, as a result of which districts may be found to be out of compliance with federal, state, and local regulations. Special education administrators were tasked with completing the compliance requirements over the course of a year. The purpose of this study was to examine administrators' perceptions relating to the compliance monitoring process in order to present and recommend professional develop suggestions to improve outcomes of the process prior to future monitoring cycles. A lack of current research on this topic led to the development of this research study. The study utilized a qualitative case study approach focusing on one district located in western Pennsylvania and employing observations, participant interviews, and analysis of archival data. A total of four district-level and building-level administrators were interviewed. It was found that building-level administrators have less knowledge and understanding of the CMCI process than

district-level or special education administrators. In addition, organizational capacities for improvement, such as policy/programming, human capital, social capital, program coherence, and resources emerged as themes discussed by the administrators.

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PREFACE

I would like to express my sincere gratitude to each of my committee members. Thank you Dr. Anastasia Kokina, my committee chair and advisor, for not only your guidance and support, but for your understanding, compassion, and tolerance. Thank you Dr. Jerry Longo, for exemplifying a true education practitioner. Your encouragement and feedback is invaluable, both in the classroom and as a member of my committee. Last, but never least, I would like to thank Dr. Robert Isherwood. Without your encouragement and support, I would not be where I am today. Your belief in my abilities as an educational leader has guided me through the most rewarding accomplishments of both my scholastic and professional careers.

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1.0 INTRODUCTION

Education legislation is a revolving door of litigation emerging from both state and federal mandates. Mandates based upon accountability procedures ensure that taxpayer money and student success are adequately monitored and promoted within K-12 systems. Educational organizations are charged with maintaining programming that is compliant with state and federal regulations regarding special education. The regulations within the Individuals with Disabilities Education Act (IDEA) of 2004 mandate that each state's Bureau of Special Education conduct compliance monitoring cyclically. IDEA was constructed upon the principles of both Free Appropriate Public Education (FAPE) and Least Restrictive Environment (LRE), among others. FAPE secures public education for all students regardless of their ability, whereas LRE places each student in the environment appropriate for his or her learning aptitude regardless of any physical or mental disabilities (Wright & Wright, 2006).

Both FAPE and LRE are mandates in which each school system is held accountable in order to receive local, state, and federal funding. In Pennsylvania, compliance monitoring is conducted every six years and is also referred to as "cyclical monitoring" ("Cyclical Monitoring Documents," 2017). Compliance monitoring is done to ensure that school districts comply with local, state, and federal regulations to guarantee children in special education receive a FAPE in the LRE. Once the results of compliance monitoring are submitted and processed, the Bureau of Special Education issues a report and a Corrective Action Verification Plan for the district to

complete to achieve compliance. Due to the need for compliance monitoring, school districts are required to participate in six different compliance-related activities and submit the findings to the state. Those six different activities include the following:

- facilitated self-assessment,
- parent and teacher interviews,
- classroom observations,
- student, parent, and teacher questionnaires,
- administrative interviews, and
- a file review including an educational benefits review.

A representative of the Bureau of Special Education who also conducts the observations, interviews, and completes the document audit oversees compliance monitoring. Once the results are submitted and processed, the Bureau of Special Education then issues a report and a corrective action verification plan for the district to complete to achieve compliance (“Cyclical Monitoring Documents,” 2017).

The organization must also provide special education supports and services to students within the Least Restrictive Environment (LRE). As part of the state and federal regulations, school districts must provide Free Appropriate Public Education (FAPE) to all students. In addition, a student qualifying for special education services must also receive FAPE within the LRE. FAPE is specific to each individual student based upon his/her needs. For some students this may translate into participation in the general education environment for less than 20% of the school day, and for others this might translate into being placed outside of the district all together in an approved private school (APS). Nonetheless, these services and placements

require an increase in allotted funding per pupil in addition to the specified amount issued to districts to education a student in general (“Compliance,” 2017).

In addition, the organization must also provide special education supports and services in a fiscally responsible way utilizing funding and balancing the allotted budget. As part of a district-wide balanced budget, the special education department must manage funding responsibly. This is a challenging task because the intake of a single student with disabilities, who may need to be placed outside of the district, could result in a district cost of over \$30,000 per school year (“Cyclical Monitoring Documents,” 2017). Also, in consideration of such events, the approved budgetary amount may be originally approved at average annual amount of approximately \$3 million. Given that amount, only ten students with such needs would expend the budget independent of any other expenditure. Taking into consideration this issue alone, the special education programming designed and implemented within a district must be able to meet the needs of students considering FAPE and LRE using the most fiscally responsible approach possible (“Cyclical Monitoring Documents,” 2017).

Ultimately, special education programming is dictated by the human capital available to provide services and instruction. As students’ needs change with time, so do the required services necessary for each student qualifying for special education. District administrators are charged with the task of organizing and planning the faculty, staff, and daily functioning of each building within a school system. Therefore, adding responsibilities related to compliance monitoring (e.g., collecting data, analyzing current programming, and ensuring the site is well prepared for the auditing team) stretching the already limited functionality of the department during the monitoring cycle. Moreover, there is no current research addressing the perceptions of administrators relating to special education programming accountability. It is therefore important

to examine the perceptions of administrators related to compliance monitoring process and its outcomes to better gauge knowledge and implications of compliance and develop recommendations for making the mandated audit run efficiently and effectively for all stakeholders. Gaps in the literature exist potentially because Compliance Monitoring for Continuous Improvement (CMCI) processes are different across each state and commonwealth. While the requirements and regulations of the audit are mandated by federal legislation, each state's Bureau of Special Education goes about conducting the audit independently. This study will examine the administrators' understanding and perceptions of the Compliance Monitoring for Continuous Improvement (CMCI) process in order to gain a better understanding process's components and develop recommendations for potential professional development and other forms of continuing education opportunities based upon the administrators' strengths and needs relating to the CMCI process.

1.1 STATEMENT OF PROBLEM

The purpose of this qualitative case study is to investigate the perceptions of district administrators in one district in Southwestern Pennsylvania regarding the Compliance Monitoring for Continuous Improvement (CMCI) process and its role in transforming special education. The end goal is to collect and disseminate information related to administrators' knowledge and perceptions of the special education compliance monitoring process, to inform decisions at the building level, including master schedule planning, course sections, inclusion practices, and collaboration among faculty members.

A total of 33 faculty members are assigned to buildings and students each year in the school district under study. In addition, 65 administrators and other support team members are employed by the district, in which the case study was conducted, to manage the daily functioning of each building. The salary total reaches well within the millions across the length of a career. Each year the needs and demands increase, putting additional strain and pressure on the already stretched resources.

Overall, the inquiry questions within this case study are designed to explore the barriers school districts face in maintaining compliance according to the state and federal special education regulations. Districts are required to participate in compliance monitoring every six years. By better understanding the restraints school districts face, recommendations may be developed to prevent districts from failing to maintain compliance in the future. This study seeks to better understand the perceptions of administrators' relating to compliance monitoring and administrators' general background information.

2.0 REVIEW OF THE LITERATURE

The establishment of special education, as it is known today, began as early as the late 1800s. Many believe that special education is a newly created discipline brought upon by legislation in the 1960s and 70s; however, disability advocacy and the beginning of special education in the United States started decades prior (Winzer, 1993), with education reformers working toward changing the “plight of people with disabilities, namely, through altering societal attitudes, establishing legal rights, and ensuring training and education” (Spaulding & Pratt, 2015, p. 92). For thousands of years before the establishment of special education, people with disabilities were presented with tremendous hardships such as exclusion, exploitation, expulsion, and even execution (Winzer, 1993). They were thought of as being less than human because of limits of intellect or physical difficulties. It was not until the beginning of the nineteenth century, that societal attitudes began to shift in regard to people with disabilities. Institutions for training and teaching were established, and the legislation to protect those with disabilities began to grow (Spaulding & Pratt, 2015, p. 94).

At that time, sensory disabilities were more easily detectable compared to mild intellectual disabilities, and therefore efforts were made to formally educate those who were deaf or blind. Positive results of such efforts then lead to optimistic attitudes in potentially beginning to educate and improve the lives of people with intellectual disabilities (Winzer, 1993). The progress, however, was short-lived in that the latter half of the nineteenth century, with the

growing popularity of Darwin's *On the Origin of Species* (1859), became polluted with negative repercussions in both how people with disabilities were treated and how they were educated. Eugenics, "the science of improving a human population by controlled breeding to increase the occurrence of desirable heritable characteristics" (Merriam-Webster, 2016, p. 211) was used to remedy such social problems. Society even went as far as developing laws regarding sterilization as a means of "curbing the surge of feeble-mindedness" (Winzer, 1993, p. 300). Therefore, as attitudes towards people with disabilities began to change, the initiative to train or educate them in order to integrate them into society was halted.

It was not until after World War II, while society was still reeling from the devastation of Hitler's Nazi Germany, that societal perceptions of disability began to change again. Advances in medicine along with identification and treatment of disabilities helped to unite advocates for those with disabilities. The Education of the Mentally Retarded Children Act of 1958 was a landmark example of early legislation aimed at providing education for students with disabilities (Winzer, 1993). In addition, the Training of Professional Personnel Act of 1959, which trained program administrators and teachers of children with intellectual disabilities was established. The Civil Rights Movement of the 1960s also helped provide momentum for the modern era both as a society and through legislation, protecting the rights of those with disabilities. The 14th Amendment and the Equal Protection Clause, the ruling of *Brown vs. Board of Education* (1954), established a precedent in education from which added to the benefit of students with disabilities. For the first time, public schools were mandated to provide equal education to all students, including students with disabilities.

Special education developed as a result of this precedent setting litigation. *Brown v. Board of Education* is a compilation of many different cases across multiple states. A group of

African-American children attempted to attend public schools that required or permitted segregation based upon race. Many believed that this type of segregation was unconstitutional under the Equal Protection Clause of the 14th Amendment. Cases in Kansas, South Carolina, Virginia, and Delaware were held in federal district court. In all but one case, the federal court cited “Plessy v. Ferguson” is denying relief under the “separate but equal” doctrine. The cases then went on to the U.S. Supreme Court claiming that segregated school could not be made equal and that they were not providing equal protection of the law.

The legal question of the case was, “is the race-based segregation of children into ‘separate but equal’ public schools constitutional?” The Supreme Court found that race-based segregation of children into “separate but equal” public schools violates the Equal Protection Clause of the 14th Amendment and is unconstitutional. This court case broke the barrier for special education because although the case was based upon racial segregation, it set precedence for students with disabilities to be included in general education and not segregated based upon disabilities.

Education for All Handicapped Children Act (1975), also known as PL 94-142 guaranteed a free and appropriate public education (FAPE) for all students in the United States. The framework of EAHCA or EHA was built upon the desire to improve access to education for all students with a disability. The four purposes of PL 94-142 were, “to assure that all children with disabilities have available to them ... a free appropriate public education which emphasizes special education and related services designed to meet their unique needs,” “to assure that the rights of children with disabilities and their parents... are protected,” “to assist States and localities to provide for the education of all children with disabilities,” and “to assess and assure the effectiveness of efforts to educate all children with disabilities” (Office of Special Education

and Rehabilitative Services, 2017). Prior to PL 94-142, there was an estimated one million children in the United States with disabilities who were entirely excluded from public education and then also those who had limited access.

Another substantial achievement was the ruling in *PARC v. Commonwealth of Pennsylvania*. The Pennsylvania Association for Retarded Children (PARC) filed suit against the Commonwealth of Pennsylvania because a state law allowed public schools to deny education to certain children. Those certain children were labeled as those who had not “attained a mental age of 5 years”. This particular law was used to deny education to students who were considered too burdensome to integrate into school and classroom environments (Wright & Wright, 2016).

The legal question related to this case asks, “Did the state actively deny children their rights to due process and education through the education laws?” This case never rose above the district level; both sides came to a settlement in early 1972. The court found that former laws were unconstitutional and gave the State the task to provide FAPE to all children between the ages of 6-21 years. The State was also required to provide sufficient education and training for all “exceptional” children at the level given to their peers. Following the *PARC* decision, other parties were motivated to take action, including *Mills v. District of Columbia Board of Education*. Its ruling also contributed to the practice of not excluding students based upon disabilities (Winzer, 1993; Wright & Wright, 2016).

Lastly, students with disabilities benefited greatly from the decision in the case of *Mills v. District of Columbia Board of Education*. *Mills v. DC BOE* was a class action lawsuit that was brought on behalf of a group of children from the District of Columbia. The plaintiffs were students identified as having behavioral problems or being intellectually disabled, emotionally disturbed, and/or hyperactive. These students were excluded from school or denied educational

services that would have addressed the needs of their identified disability. The lawsuit claimed that the District of Columbia Board of Education did not provide them with a Free Appropriate Public Education (FAPE).

The legal question in the Mills cases was, did the exclusion from school deny the students' right to a free appropriate public education? The court found that the deprivation suffered by the children violated their right to FAPE. The court compared the treatment of the children to the segregation outlawed in *Brown v. BOE*. The court also found that if there were not enough funds to provide the necessary programming, then the school board had to do its best to apportion the monies in a way that did not deny FAPE. This case was the foundation of the Section 504 Rehabilitation Act of 1973 and the Education for All Handicapped Children Act (EAHCA), which eventually led to the Individuals with Disabilities Education Act (IDEA).

Following the *Brown vs. Board of Education* (1954) ruling, the enactment of Public Law 94-142 in 1975, otherwise known as "The Education for All Handicapped Children Act of 1975" (EHA) brought upon massive changes to the way in which public schools educate students with disabilities. PL 94-142 was known as EHA until 1990 when it was reauthorized and became the Individuals with Disabilities Education Act (IDEA). The reauthorization brought forth six pillars that lay the groundwork for IDEA. According to the U.S. Government Publishing Office homepage for IDEA, those six pillars are as follows: Individualized Education Program (IEP), Free and Appropriate Public Education (FAPE), Least Restrictive Environment (LRE), appropriate evaluation, parent and teacher involvement, and Procedural Safeguards ("Individuals with Disabilities Education Act," 2017). The concept of Least Restrictive Environment (LRE) protects the rights of students with special needs by maintaining the tenet that they are to be

included in the regular education classroom with typical peers whenever it is found to be appropriate based upon individual needs.

The 36th Annual Report to Congress on the Implementation of IDEA demonstrates that the population of students with disabilities is steadily increasing each year. Students with disabilities are “receiving the majority, if not all of their instruction in regular education classrooms” (2014). The continuing trend in education across the United States is to hold public schools accountable for the progress of students in accordance to their academic outcomes (McLaughlin & Rhim, 2007). Accountability of public schools also transformed from primarily inputs-based to a more student-focused outcomes-based approach. Inputs-based education looked at fiscal resources and compliance with rules and procedures, while outcomes-based focuses on the performance of the students and the accountability of teachers in educating students. (McLaughlin & Rhim, 2007, p. 26).

The No Child Left Behind (NCLB) of 2001 required states to develop accountability systems to service districts across the state primarily focusing on annual testing and standards (Manna, 2006). Policy makers then use the results of these statewide tests and assessments to hold schools and district accountable for the performance of the students. Accountability is measured using districts’ yearly gains, also known as Adequate Yearly Progress (AYP). The goal established by NCLB was to have all students proficient in reading and math by 2014.

In order to better understand the establishment of compliance monitoring in special education, the purpose of this literature review is to address the following research questions:

1. What legislation laid the groundwork for special education monitoring?
2. What are the consequences of the accountability movement?

3. What are the stakeholders' perceptions on the benefits and challenges of special education compliance monitoring?

2.1 METHODS

In order to collect data and accurately review existing literature, a literature search was performed using EBSCO host database via the University of Pittsburgh library system. The literature search was conducted utilizing the following key words: *compliance*, *special education*, *administrator's perceptions*, and *monitoring*. Search limiters included full-text, peer-reviewed articles, published between 1990 and present. The year 1990 was selected based upon the reauthorization of PL 94-142 and the inception of IDEA. An additional limiter of English language only was also used. This search resulted in 11 matching articles selected for inclusion. Article abstracts were skimmed prior to collection with the purpose of filtering out the articles that appeared to not be related to the established research questions. Once articles were selected from the search results, each article was reviewed in order to determine if the information was relevant to compliance monitoring and special education. Articles based upon relevant information including monitoring, special education legislation, administrators' perceptions, and accountability were included. Also articles focusing on historically relevant information regarding special education were included. Themes emerged regarding federal and state level regulations, accountability, and corrective action.

2.2 RESULTS

Legislation in special education resulting in the monitoring process includes both federal and state regulations, in addition to laws established as a result of special education litigation, and background for the current status of special education regulations and compliance and to address the research questions previously stated.

2.2.1 Federal education legislation and regulations pertaining to accountability movement

In 1964, President Lyndon Johnson created a new commission on education known as the Gardner Commission. It was chaired by the future Secretary of Health, Education, and Welfare, John W. Gardner (Thomas & Brady, 2005). The goal of the Gardner Commission was to think of new and useful ways to approach federal education aid. Together with President Johnson's War on Poverty policy programs, the Commission recommended categorizing specific students with need, targeting poor children (Thomas & Brady, 2005). Approximately \$1 billion was channeled directly to school districts and schools, and The Elementary and Secondary Education Act (ESEA) of 1965 was signed into law. ESEA was the first major effort of the federal government to subsidize direct services to specific populations in public schools. These funds were allocated to both elementary school students and secondary school students. ESEA remains the primary source for federal support of public schools to date. In 1966, Congress mandated that a federal Bureau for the Education of the Handicapped (BEH) be established under Title VI of the ESEA. This Title VI also provided grants to assist states in initiating, expanding, or improving programs for children with disabilities. From 1967 through 1975, BEH stimulated a number of federal programs designed to reach specific priority populations. This initiative helped to jumpstart the

passage of PL 94-142, or the Education for All Handicapped Children Act of 1975. It also aided in establishing programs for early childhood education, education of children who were deaf/blind or multiply handicapped. It also helped to begin the design for programs for students with learning disabilities (Martin, Martin, & Terman, 1996).

O'Dell and Schaefer (2005) look at Individuals with Disabilities Education Act (IDEA 1990) compliance and difficulties school district report in implementation and maintaining compliance with state and federal regulations. If a school district does not “provide written notice, obtain written consent, develop, or implement an individualized education program, or conduct a comprehensive evaluation,” (p. 9) the district may be found out of compliance. Special education funding from the state is directly connected to program compliance. If a school district fails to comply with the law, corrective action must be taken in a timely manner.

Individuals with Disabilities Education Act (1990) was reauthorized as the Individuals with Disabilities Education Improvement Act, commonly referred to as IDEA 2004. The new IDEA 2004 does not include a substantive amount of change compared to its predecessor, other than changes in language and the alignment with No Child Left Behind (NCLB, 2001) regarding post-secondary goals, transition services, the evaluation/reevaluation process, and overall purpose of the legislation (Smith, 2005). NCLB was the reauthorization of ESEA in 2001 under President George W. Bush.

Manna (2006) reports that NCLB requires states to develop accountability systems to service districts across the state primarily focusing on annual testing and standards. Policy makers then use the results of these statewide tests and assessments to hold schools and district accountable for the performance of the students. The accountability is measured using districts' yearly gains, also known as Adequate Yearly Progress (AYP). The goal established by NCLB

was to have all students proficient in reading and math by 2014. In addition, Shriner and Ganguly (2007) find that the enactment of IDEA in 1997 increased the participation rate of students with disabilities in state assessments. Accountability and AYP determinations are directly related to the performance of all students, unless a student is provided accommodations and such accommodations would result in an invalid test score. Also, not only were schools held accountable for student performance, there were also consequences linked to poor performance. Consequences include public reporting of performance, development of a corrective action plan, sanctions such as reassignment or dismissal of staff, loss of accreditation, and/or closure or merger of schools and/or districts. Special education accountability has also evolved away from general education accountability in that there is a greater emphasis on the system's compliance with legal procedures, and a separate and individualized accountability linked to student performance and outcomes relating to IEP goals (p. 435). Finally, just recently, President Barack Obama reauthorized NCLB as the Every Student Succeeds Act (ESSA) of 2015. ESSA includes the addition of college and career readiness components, state-driven student performance targets and school ratings, dedicated funding for low-performing schools, as well as other innovative and system supportive structures ("U.S. Department of Education", 2017).

2.2.2 Compliance as described through the Individuals with Disabilities Education Act (2004)

The next section will review the provisions as documented in legislation requiring educational organizations to ensure that appropriate supports and services are provided to students, as per each Individual Education Program (IEP) documentation. Mandated monitoring through IDEA is extensively complex in that it is comprised of four parts. Part A of IDEA outlines the general

provisions of the statute and includes the findings and purposes of the law. It also includes the goal of the law and definition of terms included in the writing. Part B of IDEA is also known as, “Assistance for Education of All Children with Disabilities” and discusses how the Federal Government allocates funding for students with disabilities and provides a free appropriate public education, how the state education agencies supervise and monitor implementation, and lastly how the state and local education agencies must make available a free appropriate public education for students with disabilities ages three through 21 (Wright & Wright, 2016).

Part C of IDEA entails description of programming for students with disabilities that are within the age range of infants and toddlers through age three. Lastly, Part D of IDEA, “National Activities to Improve Education of Children with Disabilities,” authorizes discretionary programs regarding state improvement (Wright & Wright, 2016). Mandated monitoring, however, is included within Part B of IDEA subsection F. This section was established to address systemic and individual compliance problems. Compliance is monitored and enforced within three separate domains. Those three domains are the federal government, the state government, and the due process/judicial system. IDEA is unique in that it is an education act protecting the rights as granted in the civil rights law Americans with Disabilities Act (1990); however, it also functions as a state grant program. Also, included in the complexity of IDEA Part B is due process procedural safeguards component, which at the hands of parents functions informally as a monitoring process within special education at the classroom level.

It was also an intention of the federal government to monitor and enforce IDEA, even as far back as when PL 94-142 was passed in 1975. Components of compliance monitoring, as Gonzalez (1994) explains, “Program evaluation as a condition for the receipt of Federal funds under Part B of the Individuals with Disabilities Education Act was intended to ensure

implementation of program requirements, as well as compliance with the major provisions of the Act” (p. 1). The monitoring process was designed to determine whether or not the program was implemented as designed and whether the IDEA guidelines were met. Special education compliance, as Roach, Dailey and Goertz (1997) discusses, “is a major function of state department special education staff. Compliance indicators are derived from federal and state regulations” (p. 9). She goes on to state that through the monitoring process, accountability can be viewed as two components. Those two components are student accountability and system accountability. System accountability examines and holds system accountable to adequately serve students. Student accountability looks specifically at the student and holds him/her accountable for his/her individual performance.

2.2.3 Pennsylvania special education regulations

In Pennsylvania, “a strategic planning process for districts to include all students at the same time that it maintained its traditional special education monitoring” (Roach, Dailey & Goertz, 1997, p. 11) was developed. Pennsylvania went on to integrate a review process, which involved members of the staff as an integral part of the review team. Pennsylvania’s monitoring process is known as Compliance Monitoring for Continuous Improvement (“U.S. Department of Education”, 2017). Pennsylvania’s Bureau of Special Education (BSE) states, “In accordance with the Individuals with Disabilities Education Act (IDEA) and Chapters 14 and 15 of the State Board Regulations, PDE provides general supervision over all public schools, school districts, and other public education agencies within the state to ensure that each student with a disability receives a Free Appropriate Public Education (FAPE) and that each family has the benefits of a system of procedural safeguards” (“U.S. Department of Education”, 2017).

The Bureau of Special Education (BSE) monitors all school districts and charter schools in the state to ensure that they are complying with federal and state special education regulations and are improving performance outcomes of students with disabilities. Local education agencies are required to complete the monitoring process at least once across a six-year period. Trained auditors from the state conduct the monitoring on site along with a team to assist. Once the audit is complete, the Bureau of Special Education sends a letter to the local education agency (LEA) reporting the findings of the audit. If there are any issues on noncompliance, the LEA has no more than one year to implement corrections. Improvement planning may be necessary more than one year from the notice. Representatives from the BSE work with the LEA to ensure the corrective action plan is implemented and all issues of noncompliance are remedied (Cyclical Monitoring Documents,” 2016).

2.2.4 Administrator’s perceptions of special education compliance monitoring

Research findings suggest that changes in legislation relating to school-wide improvements such as accountability, teacher qualifications, and evidence-based practices are perceived to be positive by both teachers and administrators (Vannest et al., 2009). Requiring school systems to monitor and report progress or the lack thereof is supported by all educators. However, research by Terry (2010) found that it increasingly difficult to keep up with changing legislation and mandates from the federal level can become “very disturbing” as funding can be cut if policy implementation is not compliant with special education regulations. Administrators are responsible for maintaining compliance throughout the school district. It is vital that administrators be involved in the monitoring process and understand the federal, state, and local regulations. Lastly, research findings by Furman (1995) when exploring outcomes-based

education shifts from the inputs based system (i.e., what a school provides to students and staff), to an outcomes-based (i.e., how the students perform) focus and its effects on compliance. This is completed through developing an accountability model and measuring the students' performance accordingly. Furman found that it was not the students' performance that existed the most positive outcome, however, that it was the collaboration and team-building within the faculty and staff that produced the greatest positive change. At the time of Furman's research outcomes-based education standards were beginning to drive the curricula and programming options for general and special education students. Approximately 20 years after Furman's research, Pennsylvania is struggling to develop and implement valid and reliable systems to measure school district accountability of students' learning outcomes.

2.3 DISCUSSION

Overall, the literature clearly outlines and explains the history and development of special education compliance monitoring. Thus, in 1973, President Johnson established the Elementary and Secondary Education Act (ESEA) to direct funding to students with economic difficulties. This piece of legislation laid the groundwork for the eventual passing of the Education for All Handicapped Children Act (EHA) of 1975. As legal developments continued to aid in the instruction of students with disabilities, both the ESEA and EHA statutes were reauthorized as No Child Left Behind (NCLB) in 2001 and Individuals with Disabilities Education Act (IDEA) in 1990 and again in 2004. It was within IDEA that accountability and mandated monitoring was initiated to ensure that all allocated funding was being used appropriately for students with disabilities and that the overall purpose of the law was being fulfilled in providing a free

appropriate public education (FAPE) for all qualifying special education students. A specification of the monitoring process, although outlined within the federal statute, was given to individual states to determine. In the Commonwealth of Pennsylvania's monitoring process, while each local education agency is required to demonstrate yearly compliance, school districts must also complete the Compliance Monitoring for Continuous Improvement cycle every six years. This process involves a Facilitated Self-Assessment, parent/teacher/student surveys, classroom observations, parent/teacher interviews, and a file review. Altogether this takes approximately six months with both a site visit from a state monitoring agent and an exit interview, in which results of the audit are presented to the superintendent. If the education agency is found to be out of compliance in one or more areas, a corrective action plan is developed and the education agency is required to remedy each of the findings within a year with the assistance of the Bureau of Special Education.

There is no federal requirement for compliance monitoring; in turn it is up to each individual state to audit its own school districts. Due to each state requiring different compliance monitoring processes to confirm state and federal regulations, gaps in research exist in this area. Because there is no federal mandate for compliance monitoring, each state has a certain degree of flexibility in developing its own process. Compliance monitoring, however, as the history of special education explains, is crucial in ensuring each student's supports and services are appropriate and beneficial to the student's progress and success in schools K-12. Compliance monitoring is significant in that it directly impacts the programming design and implementation, student placement, course selections, and teacher/administrator responsibilities.

If the district does not comply with the School District Corrective Action Verification/Compliance and Improvement Plan developed with the guidance of the BSE advisor, the following are potential repercussions:

- Disapproved or rescinded approval of the local special education plan
- Deferment of the disbursement of state or federal funds pending resolution of the issue
- Reduction of the amount of funds (for example, by the amount of money it takes to provide an appropriate education to a particular child or children) if a district is unwilling to provide appropriate services. (www.education.state.pa.ua, 2017)

The federal government and IDEA made two presumptions. The first is the funding prong in that the state would allocate the funding through the inducement to fund the appropriate services for students with disabilities. The second prong is that through the mandate the states would develop their own policies for the implementation of the mandate. Chapter 14, at the state level, is Pennsylvania's assurance that its LEAs meet the federal requirements of IDEA. IDEA outlines that states, "must ensure to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children that are nondisabled; Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily" (IDEA, 2004).

The monies promised through the inducement have never met the level of funding needed to fully implement the mandate. Therefore, state education agencies and local education agencies are left with the responsibility of generating the additional funding needed to fulfill the

stipulations outlined in both IDEA and Chapter 14. One additional impact that policy makers did not take into account, are the costly unforeseen expenses that can arise throughout any given school year. For example, LEAs are funded based upon the previous year's child count, and therefore do not take into account students who may move into the district halfway throughout the year, or a typically functioning student who develops the need for special education services and unpredictable supplemental aides and supports.

In an inclusive environment, dictated by LRE, the policy provides the framework for a cohesive setting for both disabled and non-disabled students following the same curriculum. Educational leaders are responsible for developing the master schedule, and therefore can control the ability for teaching teams to have shared planning time, the opportunity to attend and participate in professional development, and can foster an environment where teachers work together collegially and collaboratively.

The Corrective Action Plan helps the LEA/educational leaders determine levels of program options for students, whether it be itinerant, supplemental, or resource level supports within the general education setting. Building and district leaders have the ultimate authority over the human capital, social capital, and resources allocated to this type of initiative. The strong and continuing support of the leadership is paramount to successful development, implementation, and continued compliance.

This responsibility of the leadership team can be better understood by looking at the concepts of program coherence and accountability. Program coherence rests upon incrementally building compliance to meet the needs of the students, the staff, and the culture of the building/district. This begins with communications and a lasting investment to see through the development and implementation of the CMCI remedies.

In conclusion, research suggests that the special education monitoring process is crucial in the development and implementation of programming for students with disabilities. Administrators, both at the district level and building level, play an important role in ensuring compliance with federal and local regulations. Those individuals are authorities in charge of disseminating funding, assigning personnel, and communicating with all stakeholders, specifically parents, involved in special education. As stated previously, there is a lack of research investigating administrators' perceptions of the compliance monitoring process. Consequently, it is vitally important that education administrators have a clear understanding of both the monitoring process and mandated regulations. Due to special education's unique interaction with every function and facet of an education agency's daily operations, compliance monitoring holds extreme weight in examining the organization's capacity for improvement through policy and programs, human capital, social capital, program coherence, and lastly resources. In addition, it is important to examine administrators' perceptions so that all stakeholders can better understand the relevance of the Compliance Monitoring for Continuous Improvement (CMCI) process.

2.4 RESEARCH QUESTIONS

The following inquiry questions were designed to guide the qualitative case study research intended to look at special education compliance monitoring.

***Inquiry Question 1:** To what extent are school administrators knowledgeable in regard to mandated special education compliance monitoring?*

Inquiry Question 2: *What are school administrators' perceptions of mandated special education compliance monitoring?*

Inquiry Question 3: *What are the barriers preventing districts from maintaining compliance following the compliance monitoring process and corrective action plan?*

Inquiry Question 4: *What do districts need in order to help them reach and/or maintain special education program compliance?*

3.0 METHODS

This study utilized qualitative case study design as described by Yin (2014, p.15), including interviews, document analysis, and observations to examine administrators' perceptions of compliance monitoring for continuous improvement. A conceptual framework was designed to graphically illustrate the process that the researcher followed as the Compliance Monitoring for Continuous Improvement (CMCI) process was conducted over the course of the school year (see Figure 1). The figure displays the steps of the monitoring process as well as the research methods used. The blocks along the outside edge represent the three methods of research employed: archival data, interviews, and observations. The three bold boxes across the top represent the federal, state, and local legislation that dictate regulations. Following the arrows downward, the six components of the audit are represented, and then the two reports issued to the district from the state, and then finally the concepts that formed a basis through which the analysis was investigated. Other additional artifacts include the district/department budgets; BSE compliance monitoring results letter to superintendent; Corrective Action Verification Plan (March 31); and data from current compliance monitoring (Facilitated Self Assessment).

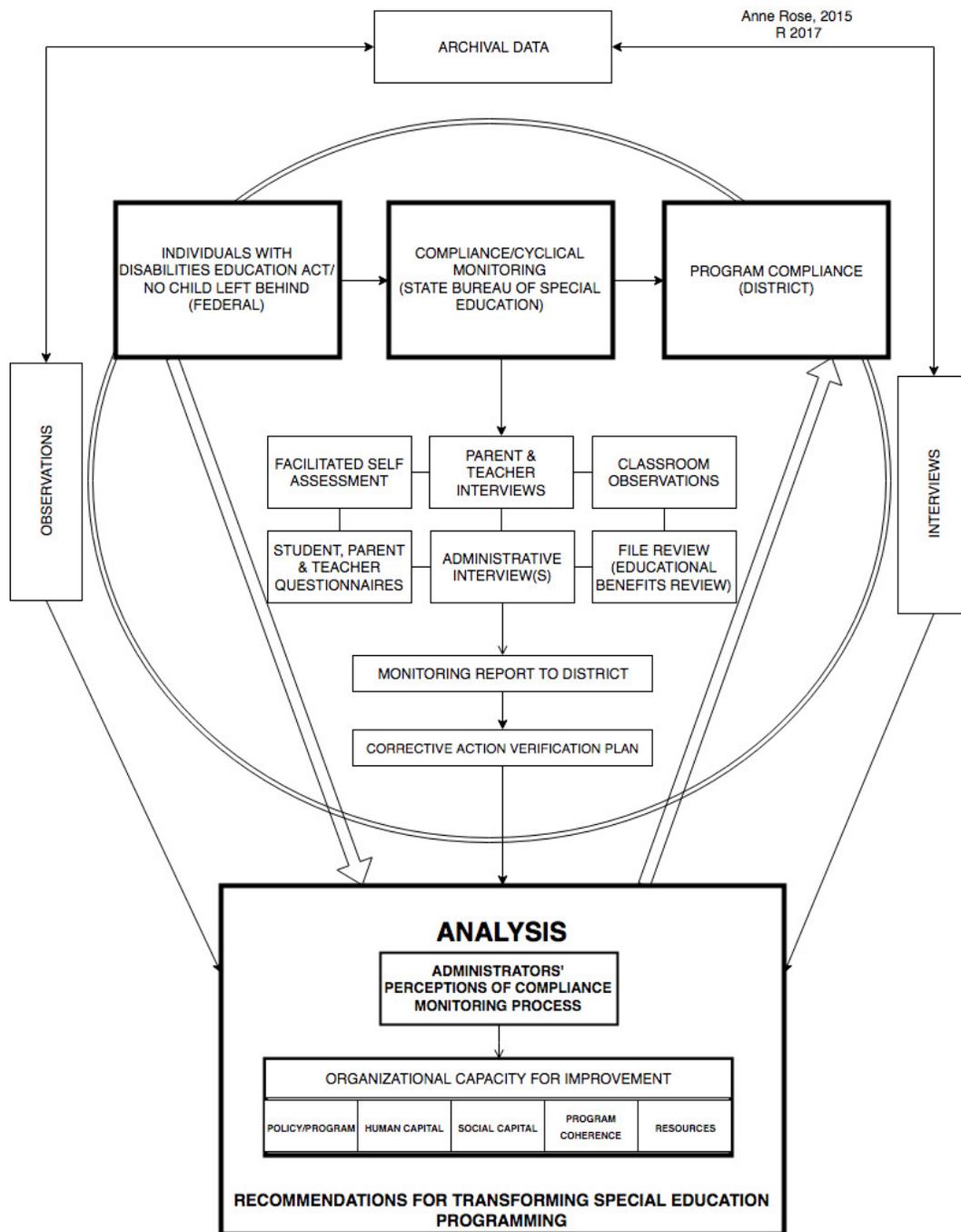
Lastly, a look at the responses through the five capacities for organizational improvement (Beaver & Weinbaum, 2012; King & Newmann, 2001; Lin, 1999; Sweetland, 1996) will guide the analysis of the study results. Those five capacities are: policy/programming, human capital, social capital, program coherence, and resources. Policy/programming capacity specifically

looks at District policies to support both the CMCI monitoring and the requirements of the District's population with special needs. As a result, programming is then developed from the policies of both district and state level legislation. Human capital is discussed by Beaver and Weinbaum (2012), as "amount that a school benefits from having each individual working there, each person with his or her own strengths, weaknesses, and preferences" (p. 3). This case study research will examine the human capital available for the district and how personnel is arranged and organized to meet the needs of the district and maintain Pennsylvania Bureau of Special Education mandated compliance. As Sweetland (1996) further explains, human capital helps to drive societal and individual value by building an economy built and sustained through investing in its people. By examining the value the administrators place on human capital within their system may result in a better understanding of how, when, and why the individuals and the system itself are benefiting from such investments as professional development and opportunities for continuing education.

Social capital as described by Lin (1999) is the mutual investment that an organization puts into the community and in return the community invests in that organization. For example, a public school system looks to the community (i.e., the stakeholders outside of the day-to-day business of the school), to invest in the wellbeing of the school and its students and in return the school system produces high achieving students moving along the higher education route or into the local workforce. Interviewing the administrators regarding the opportunities to invite and build a mutual relationship with members of the community may provide insight to the perceived value of social capital and how it affects the school system.

Program coherence examines the alignment between regulations and recommendations for students receiving special education services and the curricula offerings for both the general

and special education curricula. King and Newmann (2001) find that, “a school’s instructional capacity is enhanced when its programs for students and staff learning are coherent, focused on clear school goals, and sustained over a period of time” (p. 89). Lastly, resources are a crucial component to the capacity and success of a school system. Resources are easily defined as, “the physical or organizational tools that a school has at its disposal to make its improvement goals a reality” (Beaver & Weinbaum, 2012, p. 4). The bounded system in which the research will be conducted is described in the following section.



Administrators' Perceptions of Compliance Monitoring for Continuous Improvement Outcomes and Influences on Special Education Programming.
 Research Question: How are an organization's five capacities for Improvement affected by the federal/state mandated compliance monitoring process?

Figure 1 Conceptual Framework

3.1 SETTING AND PARTICIPANTS

This case study school district (SD) is a comprehensive public school system comprised of two elementary schools, a middle school, and a high school, located in southwestern Pennsylvania. This case was selected out of convenience to the participant-researcher, as it was the site selected as part of a yearlong internship. The district encompasses the suburban areas of two townships and three boroughs, with a combined population of 23,000 residents. The district serves 2,894 students and employs a total of 449 staff including 217 teachers. It also has developed a system-wide curriculum, including various extracurricular activities for students in grades K-12. The district has the highest PSSA scores among surrounding school districts and the third lowest property tax rate in the county. The district's mission is, "to provide an exemplary and comprehensive educational experience that enables each individual to achieve maximum potential, to respect themselves and others, and to become a responsible and productive citizen" (District Website, 2017). The students are consistently recognized for their academic, musical, and athletic achievements, and its programs ensure that students receive the academic and social experiences necessary for college and career readiness. Currently there are a total of 406 students identified and receiving special education services.

The Compliance Monitoring for Continuous Improvement (CMCI) process evaluates a school district so as to ensure that it is complying with federal and state special education regulations and is improving performance outcomes of students with disabilities. The stakeholders include students, faculty, staff, administrators, parents, and all community members. Students, parents, staff, and faculty are directly affected by the programming options protected through IDEA compliance. Community members who pay taxes and depend upon

property value are indirectly affected through the progress and compliance of the school district regarding IDEA.

This qualitative study used purposeful sampling (Merriam & Tisdell, 2016) incorporating administrators within the selected district. Determining factors for inclusion of participants included holding an administrative position, which in turn requires at least five years of service within a school district as part of Pennsylvania's licensure requirements. Participants were selected regardless of their age, sex, race, and years of experience. The participants each held an administrative role within the district, either at the district level or building level. The participation rate was 100% with all four administrators invited to participate in the study agreeing to take part in the interview process and verbally and in writing consented at the time of the interview. All four administrators were male, Caucasian, and between the ages of 35-50 years. Administrative years of experience ranged from three years to 20 years as a school administrator. Only one administrator had experience in special education prior to holding an administrative role. That administrator was also the director of special education within the district. Two administrators were in district-level positions, specifically the superintendent and director of special education. The other two administrators were building-level administrators, specifically a primary principal and a secondary principal. Each administrator was given a numerical identification I-IV to maintain confidentiality. Administrators I and II were district-level administrators, while Administrators III and IV were building-level administrators. All interviews took place on-site, in either a district office conference room or administrator office.

3.2 RESEARCH METHODS AND DESIGN

As stated previously, this study used a qualitative case study approach, using both archival data acquired through the Bureau of Special Education's Report to the Superintendent and data collected via administrator interviews and observation notes. The interviews investigating perceptions of key administrators across the district were conducted utilizing a semi-structure approach. The study was approved by the Institutional Review Board (IRB) of the University of Pittsburgh. The IRB Introductory Script and Participant Consent forms are included in Appendix A and Appendix B.

3.2.1 Interviews

Two sets of interviews were conducted as part of this study. The first set of interviews included participants holding a district-level position. District-level positions included specifically the superintendent and the director of special education. The second set of interviews included building-level administrators, specifically a primary level principal and a secondary level principal. The semi-structured interview script was designed to solicit information from the study participants as it relates to compliance monitoring and its impact on the five capacities for organizational improvement as described by Beaver and Weinbaum (2012). Overall, these five capacities for improvement were selected to guide an understanding of administrators' perceptions relating to the Compliance Monitoring for Continuous Improvement (CMCI) process and the value that is placed upon building programming with the goal of producing high achieving students of all abilities.

Interview questions also focused on administrator's understanding of the compliance monitoring process and how the process of compliance monitoring influences the five capacities for organizational improvement. Interview questions are listed in Appendix C. There were a total of ten questions in the interview protocol. The first one pertained to administrators' background knowledge and experiences of the monitoring process. The second and third questions asked about the special education programs' strengths and needs. The fourth question inquired about additional special education programming within the district. The fifth question asked administrators about parent involvement in special education processes within the district. The sixth question pertained to organizational improvement relating to special education. Questions seven through ninth focused on the district's performance in the monitoring process and the state's involvement. Lastly, the final question asked administrators about the results of the audit and any changes within the district.

The interviews took place on site of the school district. The interviews were conducted individually with each of the participants. An informed consent was provided and read aloud to each administrator once participation was secured. Each participant, prior to the start of the interview, granted verbal consent to the researcher. The approximate time to complete the interview was approximately 45-60 minutes.

An additional two questions relating to continuing compliance were only asked of district level administrators. The rationale for including only these two participants in the follow-up interview was based upon the fact that only the district level administrators direct any programming recommendations and implementation. Follow-up interviews of two district level administrators were completed regarding the findings of the Compliance Monitoring for Continuous Improvement (CMCI) process and the Corrective Action Verification Plan. The goal

of the interviews was to collect data relating to the changes that took place as a result of the Corrective Action Verification Plan. Specifically, during the interviews the two participants were asked the following two questions:

- *What are the barriers preventing districts from maintaining compliance following the compliance monitoring process and corrective action plan?*
- *What do districts need in order to help them reach and/or maintain special education program compliance?*

3.2.2 Archival data analysis

The Pennsylvania Bureau of Special Education's Compliance Monitoring for Continuous Improvement (CMCI) process includes six components that must be met according to the designated auditor's timeline of events. The six components are described by the Pennsylvania Department of Education as follows:

- Facilitated Self-Assessment (FSA) - to evaluate the school district or charter school's compliance with required policies and procedures and assess program outcomes;
- Parent & Teacher Interviews - to determine how the school district or charter school involves parents and professionals in required processes, e.g. development of IEPs, and assess whether effective programs and training are being provided
- Classroom Observations - to observe implementation of programs and services

- Student, Parent, & Teacher Questionnaires - to gather feedback from a broad number of respondents to inform the monitoring team and the school district or charter school about perceived strengths and improvement needs
- Administrative Interview(s) - to provide the monitoring team with a general understanding of local program operations
- File Review (Educational Benefits Review – EBR) - to ensure compliance with requirements for evaluation, IEPs, placement, secondary transition and procedural safeguards

These six components are combined into a report and analyzed by the Bureau of Special Education (BSE) auditor in order to determine compliance. The focus of this study was to analyze the findings listed in the most recent report issued by the BSE auditor to the school district. Once the components are analyzed, a Corrective Action Verification Plan is released to the superintendent of schools. For additional information, those findings were compared to the findings of the previous compliance monitoring cycle and similarities were noted. Both reports are available for public view on the Pennsylvania Department of Education’s website, www.education.pa.gov.

3.2.3 Observation

An observation log describing the daily functions of the special education department was kept throughout the yearlong internship, to systematically include anecdotal notes and information relating to the completion of the yearlong compliance monitoring process. The main goal of the observation was to describe the CMCI process. Evidence of progress toward completing the audit, participation of stakeholders, and notations relating to potential strengths and needs of the

department were included. Observations related to administrative meetings, interactions with faculty and staff, professional development trainings, and parent-teacher conferences have all been included as data.

3.3 DATA ANALYSIS

Interview data were analyzed using qualitative methods for coding of open-ended responses (Yin, 2014). Specifically, open-ended responses were coded to identify major themes. The data was also coded according to the five organization capacities for improvement. Interview responses were recorded by hand by the primary investigator and then transferred to a digital format using a word processor. Responses were then coded according to emergent themes. In addition, participants were interviewed regarding their knowledge and experience with compliance monitoring process. The results of the audit generated by the Bureau of Special Education (BSE) along with the Corrective Action Verification Plan were included in the analysis, utilizing pattern matching to analyze the interview responses to aid in building an explanation about the overall findings.

Archival data were analyzed to determine if similar areas of noncompliance occurred within the district in previous audits. Archival data on noncompliance were compared to current data regarding program compliance and the corrective action plan to develop themes. The six components of the existing evaluation provided by the Pennsylvania Bureau of Special Education as part of the compliance monitoring process was examined. The previous compliance monitoring cycle from the 2009-2010 school year was also reviewed to identify areas that were repeated as being out of compliance. Observation data were analyzed by using anecdotal notes

taken at the time and comparing the interactions of the administrators to the perceptions described by each in the interviews. The observation notes were then coded as either enablers to ensuring compliance or barriers preventing compliance. Both enablers and barriers to compliance were combined with the analysis of the administrators' perceptions and how they may lead to further professional development recommendations.

The result of this research was to build a body of evidence to drive an increase in understanding of compliance monitoring at the administrative level in addition to the impact of special education needs and compliance on special education programming. There may also be other themes across the five capacities for improvement that emerge from analyzing all the data. Review of the log and analysis of events and timelines was completed to further investigate the ethnographic nature of the department of special education within the district and its processes and procedures.

The proposed deliverable product of the inquiry is to create a professional development presentation. A presentation for stakeholders is believed to be the best-fit product, once the data collected from the case study are analyzed and the themes and perceptions emerge. The analysis of the compliance monitoring process combined with the responses of the administrators will hopefully lead to an informed report of the organization's capacity for improvement. This will include policy and programming, human capital, social capital, program coherence, and other resources. Overall, recommendations for transforming programming within special education in conjunction with administrators' perceptions of the process itself is the desired final product. It is believed that the product will reach the desired audience of both educators and administrators alike.

4.0 RESULTS

The purpose of this research study was to examine school administrators' perceptions of the special education compliance monitoring for continuous improvement (CMCI) process. The research questions, as stated above, were used to develop the framework for data collection. An analysis of that data is discussed in this chapter.

4.1 RESEARCH FINDINGS

The data discussed below were collected through observations at the site, analysis of archival data reported by the BSE, and administrator interviews.

4.1.1 Observation data

Observation data was a compilation of observation notes scribed at the time of administrator interviews. Observation data served as a vehicle for understanding the culture of the district throughout the compliance monitoring process.

To begin, at the start of the internship, it was expected and announced that the district would be participating in the compliance monitoring process known by the Pennsylvania's Bureau of Special Education as Compliance Monitoring for Continuous Improvement (CMCI).

As a change in leadership had recently taken place midway through the prior school year, the overall feeling of the administrative department was skepticism. This feeling was due in part because of a lack of leadership presence within the department over the course of the previous few years. A newly contracted director of special education had taken over responsibilities and began collecting the data necessary for the audit. It was unknown at the time how the district would perform and this was topic of numerous conversations between administrators, both building and central office administrators. Both the change in leadership and the lack of leadership in the past, were barriers to maintaining compliance as required by the state.

Similarly, teachers expressed skepticism in relation to the compliance monitoring process. Many teachers, having been recently hired, had not participated in the previous monitoring cycle six years prior. Because of this lack of experience, many teachers also communicated their concerns and doubts to the administrative staff. These concerns mostly focused on special education programming, paperwork compliance, and parent involvement in the special education process. The first in-service day of the school year was used as an opportunity to provide professional development relating to the upcoming compliance monitoring. An overview of the monitoring process was presented to teachers, along with a schedule of events, and an explanation of each of the six components. Teachers were given the opportunity to ask questions, seek clarification, and voice any concerns relating to the audit. Common questions focused on the timeline of events, what was required of the teachers in terms of participation, and if there were any consequences of poor performance. The director of special education addressed all questions and concerns and reassured the faculty that there may be issues in compliance that are identified as a result of the audit; however, both the administration and staff would work together to remedy any issues. The director also explained that the district

would be issued a report of findings and develop a corrective action plan with the help of the state. He stated that district would be given a year to correct any issues of non-compliance before any rigorous steps would be take to ensure issues in compliance were resolved.

To prepare for the audit, the following steps were designed and implemented by the department of special education in the district. First, the special education administrator informed central office and building-level administrators and staff that the district was entering into a compliance monitoring cycle that year. The director of special education attended a state-required training in August of the monitoring year, and began compiling the information and completing the Facilitated Self Assessment (FSA). The professional development session for teachers and staff was designed and implemented as part of the initial in-service day. Also, an explanation of the Educational Benefits Review (EBR) process was explained during the in-service.

The director then developed a schedule for each teacher to report to the special education department to review caseload files. This review was implemented to ensure that all relevant student documents were organized appropriately in the confidential files. The teachers completed this process daily, beginning in November and lasting six weeks. A substitute teacher was provided for each teacher during the time he/she spent in the special education department office reviewing files. As the special education teachers worked through reviewing their files for organization, the opportunity existed for the teachers to ask additional questions or discuss the process in greater detail with the director of special education. Overall, this opportunity to gain better clarification seemed to relieve the stress of the audit for most teachers. Communication was received from the Bureau of Special Education Adviser (BSE Adviser) listing the arrangements that would be helpful to the monitoring team during the three-day on-site audit.

In January 2016, the department of special education began the logistical preparations for the monitoring team's arrival. A work area was designated for the team, the staff was informed of the upcoming presence, parents were alerted that a member of the monitoring team may be contacting them for a phone interview, and class coverage was arranged for teachers participating in the teacher interviews. The audit was scheduled and took place February 16-18, 2016. A follow-up exit interview with the BSE Adviser, the superintendent, and the director of special education took place on March 31, 2016. The preliminary report of findings was discussed and a formal copy dated April 5, 2016 was issued to the district from the Pennsylvania Department of Education. The district then had a specific number of calendar days, as outlined in the School District Correction Action Verification/Compliance and Improvement Plan developed with the BSE Adviser, to address and correct any and all areas of non-compliance (see Table 1 for areas of noncompliance and corresponding corrective action). An initial follow-up visit by the BSE Adviser was conducted within 60 days of issuance of the monitoring report. Continuous on-site follow-up reviews verifying the school district's completion of corrective action were then conducted by the BSE.

Throughout the monitoring process, any skepticism felt by the faculty and staff seemed to lessen as the audit progressed toward completion. The director of special education maintained that any areas that were out of compliance would be addressed and it would result in an overall improvement in the quality of the program for both students and adults. The faculty and staff appreciated this reassurance and were more at ease. The administrators were anticipating multiple areas of non-compliance and therefore were not surprised by the auditor's report. The administrators anticipated this result based upon the lack of leadership within the special education department the previous years.

Together with the director of special education, an Improvement Plan was developed for the areas of non-compliance identified in the Report of Findings. Those findings are included in Table 1 and are discussed in the next section. The director of special education went back to the Report of Findings from the BSE, which identified all of the areas for improvement and corrective action. The director of special education went through one by one and addressed those findings with a plan for corrective action. Sometimes it involved collaboration with other administrators; for example, principals must know that in their building handbooks the Child Find has to be included. Disciplining of special education students also is required to be detailed in building handbooks. The corrective action procedures took place from May 2016 to April 2017 to address required areas of non-compliance. The director of special education developed a portfolio containing all of the evidence verifying that each individual corrective action was completed. This portfolio was presented to the BSE Adviser on April 6, 2017 at the verification meeting. The director of special education maintained communication with the superintendent, other administrators, the district's board of directors, and other stakeholders throughout the entire corrective action process. The director of special education also communicated the various steps toward the verification of corrective action at each monthly school board meeting.

4.1.2 Archival data

An examination of the district's Report of Findings as presented by the Bureau of Special Education provides an in-depth report of the areas of non-compliance. The Report of Findings includes results from (1) the Facilitated Self Assessment (FSA), (2) the file review (student case studies), (3) the teacher and parent interviews, (4) student interviews, (5) classroom observations, and (6) educational benefits review (EBR).

The FSA is composed of 23 topics addressing special education programming district-wide. The FSA must be completed and submitted 30 days prior to the onsite visit by the BSE Adviser. The district established a team to complete the FSA by the state's deadline. The team reviewed and discussed each required standard and regulatory basis for each of the 23 topics. The team then followed the procedure for each topic and gathered the required data. Once the team discussed each topic, a written Data Collection Summary was drafted and the format provided by the FSA. The FSA also requires specific policies, procedures, and reports to be forward to the monitoring Chairperson or made available during the onsite visit.

The FSA highlighted a total of 10 topics out of compliance. An improvement plan was required for two topics. Those two topics were (1) Least Restrictive Environment (LRE) (SPP) and (2) Public School Enrollment. Details of non-compliance and required improvement plans are detailed in Table 1 below, with areas for corrective action listed along the left side column. The director of special education was then to develop a plan of action to remedy the non-compliant findings and report the corrections to the BSE auditor as each is completed. The corrective action plan was designed to address the issues of completion within the school system. To specifically address this area of noncompliance, the district developed and implemented an emotional support classroom in each of its school buildings. The emotional support classrooms were designed and staffed with professionals specifically gears toward meeting the needs of students with emotional and behavioral disorders.

The corrective action was implemented within the one-year timeframe designated by the Bureau of Special Education (BSE). Together with the auditor from the BSE, the corrective action plan was feasible and appropriate to ensure lasting compliance. Only two areas on non-compliance required the development of a corrective action plan, while the other areas only

required changes in procedures and/or implementation of professional development and training. For example, a positive behavior support policy was created to delineate the necessary procedure to follow when supporting students, especially those with disabilities. The policy also provided guidelines for teachers and staff when necessary to develop an individual behavior support plan for individual students.

Table 1 Improvement Plan Requirements

Area of Corrective Action	Improvement Plan Needed	Requirement	Proposed Action
FSA- Positive Behavior Support Policy Standard: LEA complies with the positive behavior support policy requirements	NO	Updated Positive Behavior Support Policy to reflect all regulatory state and federal requirements	School District will adopt policy addressing Positive Behavior Support

Proposed Improvement Plan: District will adopt a new positive behavior support policy. The policy was developed by Pennsylvania School Board Association and was review by district solicitor.

FSA – Child Find Standard: LEA demonstrates compliance with annual public notice requirements	NO	Updated Annual Public Notice to include information pertaining to information regarding potential signs of developmental delays and other risk factors that could indicate disability.	The LEA will review the requirements for Child Find and develop an annual public notice that reflects compliance. The new notice will be posted on the district website and will be printed in the local municipalities monthly magazine. The notice will also be placed on bulletin boards in all offices and lobby areas.
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Proposed Improvement Plan: Develop a new Annual Notice that reflects compliance and post in numerous places visible to the public.

FSA- Confidentiality Standard: The LEA is in compliance with confidentiality requirements.	NO	Updated confidentiality policy that reflects all state and federal required regulatory components.	The LEA will adopt policy 113.4.
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Proposed Improvement Plan: The District will adopt a new confidentiality policy that reflects requirements in FERPA and IDEA. The policy was developed by PSBA and was reviewed by district solicitor.

Trainings: Special Education Faculty members were trained on FERPA and on confidentiality on February 19, 2017 through a district workshop. Paraeducators were trained on FERPA in August 2016.

FSA- Procedural Requirements for Suspension Standard: The LEA adheres to procedural requirements in suspending students with disabilities.	NO	Train principals on appropriate discipline procedures for students with disabilities according to IDEA and PA Chapter 14 regulations. Specifically principals will receive training on Manifestation Determination and development/dissemination of NOREP.	Provide administrative training on suspension and discipline of students with disabilities. Provide/offer compensatory education for students who were inappropriately suspended.
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Proposed Improvement Plan: The LEA will train principals on appropriate procedures for students with disabilities. The LEA will send principals to PULSE program offered by PATTAN in 2016-17 school years. The LEA will offer/provide compensatory education to the students who were inappropriately suspended from school with Intellectual Disability.

FSA- Least Restrictive Environment Standard: The LEA's continuum of special education services support the availability of LRE under 34 CFR Part 300.	YES	The district is required to provide training to professional special education and general education staff including building administrators regarding utilization of supplementary aids and services to support the special education process to the maximum participation in the LRE as determined appropriate.	A reorganization of the special education department has occurred. The LEA is offering an ES program to support students with emotional and behavioral disorders. This program will expand placement options and allow us to bring back students from outside placements.
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Proposed Improvement Plan: An education-consulting group conducted numerous trainings with all educational staff including special education teachers, general education teachers, and paraeducators. Administrators received pulse training and co-teaching training in administrative meetings.

FSA- Extended School Year Services	NO	The LEA will provide training to professional staff regarding extended school year services. More specifically, eligibility requirements and development of individualized programs for students with disabilities.	Training for special education teachers in appropriate procedures for determining ESY eligibility.
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Proposed Improvement Plan: Teachers received training in ESY by the Intermediate Unit on August 25, 2016.

<p>FSA- Parent Training Standard: Parent opportunities for training and information sharing address the special knowledge, skills and abilities needed to serve the unique needs of children with disabilities.</p>	<p>NO</p>	<p>The LEA will develop a parent training calendar based upon collected survey information from resident parent community. Topics will include but not be limited to inclusion and positive behavior supports.</p>	<p>Conduct a series of parent trainings and develop a calendar of parent workshops.</p>
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Plan for Improvement: Conducted parent workshops on February 22, 2017 and April 10, 2017 at 1PM and 6PM for parents. Topics recommend by PDE will be addressed as well as other special education areas. Surveys will be done to determine topics for future workshops.

<p>FSA Intensive Interagency Approach Standard: The LEA identifies, reports and provides for Provisions of FAPE for all students with disabilities including those needing intensive interagency approaches.</p>	<p>NO</p>	<p>The LEA will develop internal procedures regarding data entry for students with disabilities identified as requiring homebound instruction or instruction in the home in a timely manner.</p>	<p>LEA will develop internal procedures for data entry regarding students with disabilities in need of homebound instruction or instruction in the home.</p>
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Plan for Improvement: Workshop was provided for administrative assistant that inputs data related to students with disabilities requiring homebound instruction. An internal memo was produced outlining specific procedures for this activity.

FSA- Caseload and Age Range Requirements Standard: The LEA complies with the caseload and age range requirements	NO	The LEA will update the special education plan profile to reflect the current staff caseloads and age requirements consistent with the represented continuum of services.	Update the current special education profile in the comprehensive plan.
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Plan for Improvement: Update the special education profile to reflect the district program reorganization for 2017-18. Completed on March 31, 2017.

FSA- Public School Enrollment Standard: The LEA's percentage of children with disabilities served in special education is comparable to state data.	YES	The LEA will develop an improvement plan to address disproportionality pertaining to public school enrollment, more specifically total special education percent, OHI, and SLI.	The Penn Data report reviewed for calendar year 2014-15 reflects significant inaccuracies due to a midyear change in the SMIS. Approximately 70 students were under reported in the January child count report, which resulted in inaccurate Special Education Data. Review data from 2013-14 school year and 2015-16 school year to make comparisons.
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Plan for Improvement: Analyze current year special education data (2015-16 school year) and propose changes to the structure of the Special Education Department to address weaknesses in data. Specifically, address outside placements by developing an emotional support program and by expanding the Autistic Support Program (VB program)

FSA- Least Restrictive Environment Standard: Students with disabilities are provided for in the least restrictive environment.	NO	The LEA will develop an improvement plan to address meeting the SPP target for students with disabilities served in other locations.	Develop and action plan to address areas of concern with outside placements. Specifically the ES population.
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Plan for Improvement: The LEA has developed an improvement plan, which includes developing an ES program for students with EBDs. Each school will have an emotional support classroom with an ES teacher and paraeducator support. The district has also hired a clinical psychologist to work with our ES population. All staff will be trained in CPI on May 16, 2017.

Other findings, discovered through the Facilitated Self Assessment (FSA), to be addressed through professional development and guided practice included the following:

- Evaluations: reevaluation completed within timelines, documentation that team members agree/disagree on the Evaluation/Reevaluation Reports
- Invitations: Transition planning- Invitation to Parents, Invitation to students (No longer required and will be removed from report), Date/time/location of meeting, Parent response or documentation of attendance or efforts to encourage participation
- Individualized Education Program: student participation, general education teacher participation, Local Education Agency representative participation, parent concerns for enhancing the education of the student
- Notice of Recommended Educational Placement/Prior Written Notice: signature of school district superintendent, parent signature or documentation of reasonable efforts to obtain consent, parent has selected a consent option

The file review consisted of education records of 10 randomly selected students identified and receiving special education programs. These files were reviewed and determined to be within compliance of essential special education requirements. The files were analyzed to determine if pertinent components were completed correctly. Those components are listed along the left side of the table, while the determination of compliance is tallied along the right side. Table 2 details the results of the file review. The first item of the file review guarantee that all required documents relating to a student's IEP were included in the individual files and were written and implanted within the state required timelines. The second element reviewed by the auditing team was whether or not evaluation and reevaluations were completed according to the evaluation process prescribed by the state and occurred within the state required timelines. The

third element of the review looked at the individual education program and its implementation within the general and special education classrooms along with required progress monitoring. Lastly, the file review looked into procedural safeguards and informing parents of their rights relating to special education processes and services. All four areas of the file review were found to be overwhelmingly within compliance.

Table 2 File Review

Sections of the FILE REVIEW	In Compliance	Out of Compliance	NA
Essential Student Documents Are Present and Were Prepared Within Timelines	84	3	89
Evaluation/Reevaluation: Process and Content	186	2	670
Individualized Education Program: Process and Content	535	13	332
Procedural Safeguards: Process and Content	130	0	2
TOTALS	935	18	1093

Next, teacher and parent interviews were conducted using the list of 10 students previously selected by the BSE. These students were part of the sample group provided to the district 10 days prior to the site visit. The goal of the interviews was to determine whether or not the district involves parents and professionals in required special education processes. It also gauges whether programs and services are being provided, and whether the district provides training to both parents and professionals to enhance knowledge. In addition, parent and teacher overall satisfaction with the special education program is also assessed. Questions relating to those topics are listed along the right side of the table, with the results tallied along the right side. If a parent or teacher answered “yes” in response to the question, that was considered to be within compliance of BSE requirements. Both the parent and teacher questionnaires asked questions relating to involvement in the development and implementation of the Individualized Education Program (IEP) for the student. It also inquired if evaluation and other documentation

of student’s progress was provided, and within the timelines. The questionnaire also asked if input was solicited and considered, in addition to whether or not he/she felt that the child was benefiting from special education supports and services. The complete questionnaires can be found by visiting the Pennsylvania Department of Education’s website, www.education.pa.gov.

Table 3 Parent & Teacher Interviews

	# Yes Responses	# No Responses	# of Other Responses
Program Implementation: Gen Education Teacher Interviews	265	8	101
Program Implementation: Special Ed Teacher Interviews	319	6	125
Program Implementation: Parent Interviews	186	15	109
TOTALS	770	29	335

Classroom observations were conducted in the classrooms of the students selected by the BSE sample group. Two items included in the observation report evaluated the facilities. If the facilities were found to be noncompliant, the results were reported in the FSA. The classroom observations sought to ensure that special education services were taking place within the regular progression of daily school activity that the space was designed for instructional activity, and areas addressed in the student’s IEP coincided with classroom occurrences. Yes or no responses indicated whether or not that particular classroom was located within an area that accommodated regular daily school functioning, whether or not it was designed for instruction activity, and if the areas of the student’s IEP are being implemented and supported in that classroom. All items of the classroom observations are reported as follows:

Table 4 Classroom Observations

	# Yes Responses	# No Responses	# of Other Responses
Classroom Observations	56	0	35

Lastly, the Educational Benefit Review (EBR) reviewed student files to ensure that each student is making progress toward his/her Individualized Education Program (IEP) goals. The EBR process randomly sampled IEPs to review and analyze them to determine whether the IEPs meet procedural compliance and are reasonably adjusted to enable students to make progress. The EBR results found that the district was in compliance with EBR expectations.

In addition to the citation for the areas of non-compliance listed in Table 1, there were also a total of 12 Individual Corrective Action Plans (ICAP) needing addressed for specific students. The compliance issues documented in the FSA were required to correct issues systematically across the entire district. Individual cases of noncompliance must be addressed on an individual specific case. Any student's specific case must be addressed within the accordance of the requirements of the Individuals with Disabilities Education Act (IDEA) and corrected no later than one from the date of the monitoring report. Standardized remedies may be prescribed by the BSE.

After consideration of all details of the Report of Findings, two separate areas of noncompliance were to be addressed and corrected. The first area addresses the noncompliance of the FSA, while the second area addressed the Individual Corrective Action Plans (ICAP). The FSA noncompliance issues are addressed through the School District Corrective Action Verification/Compliance and Improvement Plan, by the Bureau of Special Education. This document is dated April 5, 2016 and details the corrective action required of the district.

4.1.3 Interview data

Each participant was provided a copy of the informed consent that was also read aloud by the researcher. Each administrator granted verbal consent and signed the consent form prior to the

start of the interview. Interviews were scheduled according to each subject's convenience. The participants self-identified as administrators within the district tasked with providing education services to all students within the district. After an analysis of the responses, common themes within the data emerged. Those themes included (a) development of new policy/programming, (b) an increase or reorganization of human capital, (c) continued program coherence, (d) lack of involvement of social capital, and (e) continuing need for additional resources. An additional theme, which emerged, was that of (f) government regulations. This sixth theme was not anticipated. It is different from policy/programming in that it is a step beyond local government, or school district, and encompasses a broader state or federal level of regulations. The interviews provided a robust account of administrators' perceptions of the compliance monitoring process at both the building and district levels.

Each interview provided a comprehensive account from the individual administrator's point of view related to the compliance monitoring process and the outcomes that affected the district. The experience and background knowledge of the administrators related to compliance monitoring varied based upon his/her position within the school system. The administrators who work directly in special education or who oversee special education, specifically the superintendent, expressed vast background knowledge and first-hand interaction with the monitoring process.

4.1.3.1 Policy/Programming

The first theme to emerge aligned with policy/programming changes and the need to develop additional supports to address changes in students' needs. All four administrators reported that their perceptions of the special education program were that the district did provide appropriate

supports and services to students based upon their individual needs. The highlights mentioned by the administrators included,

“I think we do a really good job in tailoring instructional programs based upon students needs, staffed appropriately, in most regards, to ensure we are in compliance and meet the needs of the students, I think the inclusionary model at the middle school and the high school are sound, and eclectic push-in and pullout model at the elementary level meets the students’ needs from a development perspective” (Administrator I).

The administrators all agreed that the special education department has gone through a leadership transition and a more cohesive and inclusionary approach to the department has been a direct result.

When asked about other programming components, “Thinking about Least Restrictive Environment (LRE), discipline of students with IEPs, delivery of service, co-teaching, etc., please describe your perception of how the district facilitates these components of special education,” a district level administrator explained:

We implement all with a high degree of fidelity, but, there are always issues that arise in special education, definitely a need for professional development in all of those areas, continuing, to ensure continuity and consistency in programming, pedagogy, and behavior management. We strive to tailor adaptations and accommodations to students’ workloads. We do well enough, but we can always improve, issues always arise, and some ultimately end up in the hand of solicitors and litigation. There are so many variables with kids, when thinking about diverse needs, that it is hard to plan for everyone’s uniqueness. (Administrator I)

Administrators III and IV mentioned areas of needs relating to more specific programming, the second common theme that emerged in the interview data. Administrator III discussed the addition of emotional support classrooms in each building and the unique academic and behavioral needs of this population, whereas Administrator IV specifically mentioned curriculum and the need to reevaluate current English Language Arts curriculum and its use with students with disabilities. All four administrators believed that the programming options were inclusive of all students' needs; however, it is difficult to meet each individual student's needs everyday all day. In order to provide the best supports and services within appropriate and compliant means, the district must depend on the faculty and personnel in which it employs. All members of the faculty and staff are included in the concept of human capital.

4.1.3.2 Human capital

The human capital involved and required in maintaining the special education programming provided by the district, was also an emergent theme discovered through analysis of the responses. Specific to this study, human capital is the "amount that a school benefits from having each individual working there, each person with his or her own strengths, weaknesses, and preferences". Administrators' human capital relates to the vocational value of each administrator and his knowledge and experience relating to the monitoring process and its effects upon the district's programming. Each administrator located within grade level buildings expressed a lack of knowledge in the overall process and the least amount of experience. A secondary level administrator stated in response to Interview Question 1 asking about prior knowledge and experience of compliance monitoring, "Not much, I know that it is a requirement at least of the department of education, not the federal government, I want to say it happens every 3-5 years

and my perception is based solely on the interactions that I have had with special education directors over the years.” (Administrator III).

In terms of human capital in relation to knowledge and understanding of the compliance monitoring process following the most recent audit, the director of special education communicated the district’s compliance monitoring performance to all administrators and other stakeholders, both verbally and in writing. Human capital growth was ensured by steps taken by the director of special education in that for the administrators who were not directly involved in the monitoring process, the director of special education kept them informed as the monitoring was in process. Administrator I mentioned areas of necessary improvements included, “... reducing out-placements, ... a need to tighten up IEP language, and professional development” (Administrator I). Administrators III and IV listed professional development relating to state and federal regulations and the need to develop an emotional support program within the district as changes resulting from the compliance monitoring.

Overall, the administrators believe that the monitoring process is beneficial to the district in that it builds the human capital necessary to ensure compliant and appropriate policy/programming. The process itself helps the district to maintain compliance and ensure that all students’ rights, as required by law, are protected. The results of the monitoring detailed some areas in which the district may improve. The administrators also identified some of the needs relating to special education programming. Those areas of need fell into the categories of human capital and policy/programming. Increasing human capital through professional development is addressed by a district level administrator as stated, “Professional development, it is my perception, that although we try with a high level of fidelity we really need to increase the opportunities available to the staff, we also need to ensure that IEPs are crafted in similar

manner, we noticed that IEP language has a lack of continuity and consistency at times, leading to various issues with parents and students” (Administrator I).

4.1.3.3 Social capital

Social capital as a theme emerged when administrators were asked to discuss community involvement, specifically parents involved within the schools. Social capital includes the value the school places on its surrounding community and in turn how the community supports and invests in its school district. When asked about parent involvement, all administrators believed that the district could improve. There were also differences between the level of student and parental involvement. General education students’ parents seem to have more interaction at the earlier years than secondary level; however, parents of special education students seem to have more interaction with the district in the later years. The transition requirement of the state, beginning at age 14, may be responsible for more parent involvement. Administrator I commented:

We are lacking, my perception is that we have a small population of special education parents who have very much involvement, and then about 60-70% of parents of special education students who put a high level of trust in the district, but then don’t actively participate in school experience. We maybe need to do a little better job reaching out and communicating with parents in non threatening situation experiences with kids and educate with them about the services that we provide to try to build that bond, don’t really do that great of a job at. (Administrator I)

Another district level administrator added, “We are low performing as a result of an apathetic community. When we do offer training, we have minimal participation. Parent involvement was an area that was identified in the FSA so we did address it by

scheduling multiple parent workshops during the year; they were unfortunately, however, for the most part under attended” (Administrator II). Administrators, however, did not take responsibility for the lack of parent involvement. Parent involvement was found to be a barrier, but no steps were taken to understand or resolve this barrier. Given the fact that parent involvement is a reflection of the open relationship between the school and the community, no administrator recognized that as an administrator it is a responsibility of the position to build relationships with families.

4.1.3.4 Resources

Furthermore, in regard to resources, Administrator I and II were asked two follow-up questions at the end of each individual interview specifically relating to the barriers preventing districts from maintaining compliance following the compliance monitoring process and what needs exist in order to help the district reach and/or maintain compliance. Both Administrator I and II included the need for community support through the elected school board officials and the continued efforts of the school faculty and staff. Both administrators agreed that monetary support was necessary to continue the programming at the least as it is now and that can only happen through the support of the social capital that is the school board. Administrator I stated, “In an ideal world, we would have unlimited resources in terms of funding. But in reality our funding comes directly from taxpayers’ pockets. There is a fine line to providing a well balanced an appropriate education to all students, while keeping taxes within reason and the residents happy” (Administrator I).

4.1.3.5 Program coherence

At different times throughout the interview, the administrators responded with information that could align with two more themes. All four administrators were asked what organizational improvements needed to be made within the district to improve special education and all four responded differently. Administrator I and II's responses aligned with the themes of human capital and program coherence respectively, whereas Administrators' III and IV's responses aligned with policy/programming needs. Program coherence is the coordination of instruction, resources and staff and was superficially mentioned and intertwined with the administrators' responses throughout the interviews. Administrator II was the only administrator to overtly describe program coherence in his response relating to district needs. Administrator II suggested a need for greater communication between the levels relating to student need and instructional delivery models. Also, relating to program coherence and the continuity or continuum of services across all buildings and grade levels, Administrator II included in his responses, "the buildings and content areas are loosely coupled." Loosely coupled means that they do not often share information or see collaboration with each other. This is a barrier, not only between general education and special education teachers but also a barrier between buildings.

Program coherence depends upon an alignment of curricula and services. If the buildings do not communicate with each other, and the administrators do not communicate, there is a gross absence of the required continuum of services dictated by state regulations in regard to special education services.

4.1.3.6 Government regulations

Lastly, a theme that emerged from the responses that had not been previously considered was that of government regulations. This is different from policy/programming in that it exists outside of the case study system. The case study system is contained as the district itself, whereas state regulations are mandates specifically required by the government. The state's involvement in the monitoring process was believed to be necessary by most administrators. Three administrators overwhelmingly stated that the district would not be able to maintain compliance without the assistance and oversight of the state. Administrator I said, "... it helps us keep ourselves in check to make sure it holds us accountable for our kids" (Administrator I). The monitoring process helps the district to "reflect on practice and align practice to regulations" (Administrator II). In addition, Administrator III stated in response to Question 7 that asked administrators about the state's involvement in the district's compliance monitoring:

I think that although there is a very negative perception around compliance monitoring, at the same time accountability is sometimes difficult and sometimes some of what schools are asked to do in response to special education seems impossible, but I would worry based on our track record that if those pieces were not there, people would return to some of those practices that I think the district was employing prior that got us jammed up in prior monitoring. Maybe for some there is leadership and discipline in place that they would be able to manage without monitoring, but now we will always maintain the appropriate level of accountability, particularly in special education. It definitely makes it better. When thinking about the annual budget related to special education it is significant and we need to make sure we do it correctly, and right by our students. School board members are always scrutinizing the special education costs and I just don't think people

get it. The special education director is always questioned and the check and balance is important. Good things can come out of it. Always thinking about best practices. At the same time I am not the one who has to guide the district through it either. (Administrator III)

Administrator IV, however, was not sure if it was necessary for the state to conduct the compliance monitoring process. Between administration and special teachers, Administrator IV believed that the district could possibly maintain compliance. Financially, however, Administrator IV believed that the compliance monitoring process is beneficial, in that that aspect of district functioning does require some oversight. All four administrators also believed that having the state involved in special education makes it better for both the organization and the students. Specifically, by having the state hold the district accountable for providing supports and services to students with disabilities, the best interest of the students is the focus. Administrator III stated, “When the state comes in and tells you to correct something by this date, it pushes you to get it done. The monitoring helped us move things quickly relating to emotional support that maybe we were putting off” (Administrator III). Concerns, however, included the potential for subjectivity in relation to state’s recommendations and the definition of improvement created by policy makers in government (Administrator II & Administrator IV).

Participants discussed the following changes overall affecting the social capital within the system as a result of the compliance monitoring process relating to policies, programming, personnel, and culture:

- establishment of emotional support classrooms at the elementary, middle, and high schools and the transition of approximately 8-10 students placed at Approved Private Schools (APS) back to the district effecting programming;

- shifts in cultural perspective relating to compliance monitoring and the special education department altogether resulting in a more positive and healthier special education climate among the special education teachers and other stakeholders assisted in improving human capital;
- increase in awareness, understanding, and acceptance of disability to faculty and staff, also improving human capital;
- a positive behavior support policy and professional development relating to policy, regulations, and practice improving human capital;
- implementation of mental health professional improving social capital and increasing resources.

Overall, each of the four administrators interviewed agreed that the majority of positive changes have resulted from the compliance monitoring process during the 2015-2016 school year. The results have also helped to foster an overall positive increase in the special education climate, provided necessary professional development, and implementation of programs at the best interest of the students. It can be concluded that the increase in the sense of a positive climate produces positive effects on both human capital and social capital.

5.0 DISCUSSION

This research study used observations, analysis of archival data, and interviews to determine the perceptions of school administrators relating to the Compliance Monitoring for Continuous Improvement (CMCI) process, also referred to as special education compliance monitoring, as mandated by Pennsylvania's Department of Education and the Bureau of Special Education. The major findings included a lack of previous knowledge or experience in compliance monitoring by building level administrators, a belief that the process and its outcomes, while complex, were overall beneficial to the school system and its students, and that the district would benefit from additional professional development at all levels relating to the findings of the audit and increases in parent involvement in special education offered events.

The emergent themes of this research study evolved from the combined analysis of all data. Policy/programming changes were a result of the CMCI process. For example, the archival data analysis showed that the district was required to develop a Positive Behavior Support Policy and seek approval by the district's board of directors. This policy was drafted in part with the Pennsylvania School Board Association and ratified by the district's school board. Following the adoption of the policy, new emotional support classrooms were established in each of the district's buildings. These classrooms would allow for the return of students who had previously been placed outside of the district. This specific population of students had been a concern throughout the 2015-2016 school year, was the topic of conversation with school administrators,

and was an area of noncompliance found by the BSE. As a result of the CMCI process, both policy and programming had been established to meet the needs of students with emotional and behavior difficulties. Similarly, most administrators talked about the effects the audit had upon programming options for students with emotional behavioral disorders, better understanding of procedures relating to the discipline of students with disabilities, and overall more knowledge and skill when developing Individualized Education Programs for students receiving special education services.

Human capital was a second major theme uncovered through this research study across the data sources. Thus, the archival data analysis showed that some of the major changes brought about by the corrective action plan were related to positive behavior support, professional development, and special education programming. Specifically, as a result of the establishment of new emotional support classrooms and programming at each level, a designated emotional support teacher was identified. As the results of observation suggested, professional development was also provided to all administrators regarding the appropriate guidelines to following when disciplining a student with disabilities. Administrators also discussed human capital extensively during the interviews. For example, multiple professional develop opportunities to offered to the administrative staff to provide a better understanding of special education laws and procedures. The additional training and increased knowledge of administrators and staff proved to be a means to invest in the human capital of the district. Professional development itself is an action taken by the district to increase the value of its human capital. The degree in which a district can continually educate and improve the knowledge of its faculty and staff should have a direct impact on the district's adherence to special education compliance.

Continuous program coherence was the third theme across the data analysis. It was also implemented through the creation of the emotional support program at each level. The elementary, middle, and high schools now all have designated emotional support classrooms and a faculty member identified as the emotional support teacher. These resources were not previously available to students with emotional and behavioral disorders. Because each level now participates, the continuum of supports and services spans the grade levels from Kindergarten to grade 12. Observations of and discussions between the director of special education and the superintendent also suggested the need to implement this programming option for students. A business plan looking at the cost of placing students in approved private school versus educating them within the district was also developed as a result of these conversations. Program coherence is also lacking in terms of social capital, specifically the interactions and involvement with parents across the grade levels. Parents are social capital and are more active relative to special education students at the secondary level due to transition requirements. The barrier created by a lack of parental involvement removes an important collaborative piece of the IEP team at the primary level. While the district is not out of compliance, per se, with respect to parental involvement, a lack of that social capital creates a barrier between teachers, students, and families in general.

Social capital and resources were topics administrators felt linked the district to the community, specifically parents and parental involvement. Resources were directly linked to funding provided through fiscal decisions of the school board of directors. Involvement and input provided by parents were discussed as lacking and an concerted effort were created through the corrective action plan. Lastly, a theme to emerge unexpectedly was that of the need for district accountability as enforced by government involvement in special education compliance. All four

administrators agreed that the CMCI process led to changes to address issues that were continuously out of compliance. Due to administrators' continued lack of knowledge about the CMCI process and its implications, they believed that government involvement to ensure that all needs are being met is necessary, because the district cannot do it on their own. Observations throughout the school year proved this to be true in that a business plan was drafted to outline the number of students with emotional and behavioral disorders who could return to the district from approved private schools. The establishment of programming to serve these students, should they return to the district, would not only provide the least restrictive environment for the students but also save the district money. The school board of directors rejected the business plan proposal. It was not until the district was audited and found to be out of compliance that the board of directors agreed to support an emotional support program that would be appropriate for that population of the student body.

There were four main research questions in the study. The first question pertained to the extent of school administrators' knowledge in regard to mandated special education compliance monitoring. The interview data suggested that district level administrators had more knowledge relating to compliance monitoring than the building-level administrators. Because the director of special education is considered a district-level administrator, it is not surprising that he/she would be more knowledgeable, in that the director works directly with the adviser from the state throughout the monitoring process. Building-level administrators candidly admitted very little knowledge in relation to how frequent monitoring takes place, and specific aspects of the process other than issues directly relating to his/her own building. The non-special education district-level administrator also discussed that any knowledge relating to the compliance monitoring process was due in fact to the director of special education briefing him/her frequently regarding

issues of non-compliance and corrective steps the district would need to take to remedy the findings by the state.

Observations throughout the school year also substantiated this claim. Non-special education district-level and building-level administrators had very little involvement in the monitoring process. The only time administrators, other than the director of special education, were involved in the compliance monitoring process was when a specific item of the Facilitated Self Assessment required information or interaction from his department or building. In addition, discussions were held at administrative leadership meetings relating to compliance monitoring, however, the director of special education was reporting out the progress and not specifically seeking input or involvement from other administrators.

The second question examined the extent of administrators' perceptions of mandated special education compliance monitoring overall. The results of the interviews and observations suggested that administrators' perceptions of mandated special education compliance monitoring were overall positive, yet, it was viewed as tedious at the district administrator level, while building administrators had an overall negative perception relating to the monitoring process. It can be reasoned that the overall tedious nature of the audit is based upon the discussions building level administrators have had with district level administrators. The required collection and recording of data for the various components of the audit is an additional and very detailed data collection process required by the Bureau of Special Education in addition to the already required daily tasks of the department.

It was noted, however, that the administrators viewed the audit less as a process and more of an event. In other words, administrators viewed CMCI as not a process of continuous improvement, but rather as an isolated occurrence that results in a few corrective actions and

then no follow up until the next monitoring cycle six years in the future. By not viewing the CMCI process as a continuous and cyclical movement, the district becomes increasingly at risk of making the same mistakes of non-compliance repeatedly. The Bureau of Special Education would follow-up for approximately a year after the results are issued, but that leaves a trail of five years that could result in faulty programming, loss of personnel, changes in administration, and other effects on the special education programming that was just remedied for the benefit of the students. Identifying the key stakeholders responsible for maintaining compliance and attaching accountability to his or her Act 93 contract may help to prevent falling into similar issues of non-compliance. Another attempt to maintain compliance may be to ask the Bureau of Special Education to randomly assess the district's special education data by initiating "spot-checks" similar to those already established through the state.

With regard to the research question examining the barriers preventing districts from maintaining compliance following the compliance monitoring process, professional development and personnel were the two issues all four administrators discussed during the interviews. They were also identified as common ways of remediating the noncompliance issues as the archival analysis and observations suggested. Both of these can be related to Beaver and Weinbaum's (2012) organizational capacities for improvement as human capital. Professional development is a key component in compliance in that it provides the necessary skill and knowledge required to ensure students' education, safety, and preservation of rights. By providing professional development and investing in the human capital, that can then be transferred back to the system and the students in the form of compliance and more effective and efficient classroom practices.

In response to the final question of what do districts need in order to help them reach and/or maintain special education program compliance, the participants in this study identified

the need for the monitoring as an important component to maintaining compliance. All four believed to some degree that it was necessary to have the input of the Bureau of Special Education (BSE) hold the district accountable for providing appropriate services to students with disabilities. It was also perceived by the administrators that without the BSE some of the required and necessary changes would not be completed within a timely manner. All four participants also stated a need for continuing professional development for all faculty and staff to ensure compliance and a greater understanding of the policies, programming, and procedures the district must follow. This requires the understanding and support of all stakeholders, including parents and the board of directors. Any change implemented by either the director of special education or the district as a whole, was a direct reflection of the results of the Report of Findings provided by the BSE (See Table 1).

As discussed previously, research is limited relating to administrators' perceptions of compliance monitoring, however, similar to Vannest et al., (2009), it was viewed as overall a positive experience. The administrators' interviewed as part of this study also perceived the experience to be overall a good opportunity to grow as professionals. In addition, Terry's research (2010) found that the regulations were difficult to keep up with in general. This was also a perception discovered through this research study. The administrators believed that it was helpful for the state to be involved in the compliance monitoring process, and that without a checks and balances system, the district would not be able to maintain compliance on its own. Unfortunately, by admitting that the district would not be able to maintain compliance on its own signifies the perception that the responsibility for compliance monitoring lies not within, but outside of the district (i.e., with the state). This suggests that special education is frequently not viewed as a priority to district leaders. As previously discussed in the review of literature, special

education compliance monitoring grew from the need for accountability by parents of students with special needs. Administrators, not specifically charged with overseeing special education programming, have discussed a lack of involvement and ownership of maintaining programs and services. It is unfortunate that protecting the rights of children with disabilities and providing them with equal educational opportunities is not a priority. The ultimate goal of compliance monitoring is not to spotlight non-compliant issues within districts, but to help districts continuously improve special education across time. A deeper understanding of compliance monitoring must be developed in addition to a greater value must being placed upon the compliance monitoring process, in order to maintain educational benefit for students with disabilities.

Finally, connecting to Furman's research (1995) the overall compliance monitoring process was beneficial in building collaboration between district-level and building-level administrators, specifically with the director of special education. The process also afforded the opportunity for numerous professional development opportunities and the development of programming for a special population of students creating a more cohesive student body overall.

5.1 LIMITATIONS

This study is a qualitative examination of only one district and only that district's administrator perceptions and experience throughout the monitoring process. Because a very small sample size of administrators was utilized, the results should not be generalized across all school administrators. It also provides a subjective perception of the administrators. Another possible limitation of this study was that not all administrators were interviewed at the district or building

level. Depending upon previous experiences, other building level administrators may have greater background knowledge and experience relating to special education compliance monitoring than those participating in this study. Lastly, because the monitoring process takes place every six years, any personnel turnover could affect the continuity and coherence of both administrators' knowledge and involvement along with district wide compliance.

5.2 RECOMMENDATIONS

The findings of this study suggest that administrators interviewed would benefit from additional professional development relating to the Compliance Monitoring for Continuous Improvement (CMCI) process and its components. A better understanding of the process by administrators could translate into more effective implementation of the recommended improvements as required by the BSE.

Second, a detailed outline of the process of compliance monitoring for new special education directors, district level administrators, building level administrators, in addition to faculty and staff would help provide a clear picture of the process itself and its outcomes. By creating an outline of the process, a description of the process would be available should there be any changes in personnel, with the goal to continue and ensure compliance across the six-year span. Also, developing an induction program focusing on compliance monitoring and special education processes, specific to the district, state, and federal regulations should be required of all newly hired school administrators. Pre-service training is an important aspect of producing well-informed and functioning school personnel of all levels of responsibility.

Additionally, a self-assessment created for professional development addressing the needs of the administrators, faculty, and staff relating to current regulations and compliance. A detailed break down of the each the corrective action plans may be communicated through in-service time, so that an understanding out the areas in which were found to be out of compliance are identified, and the resulting corrective action could be discussed and organized. This would also be suggested for developing the next strategic and special education plans based upon the findings by the BSE, developing a plan of action, identifying and mobilizing the active participants, and ensuring compliance.

Lastly, Pennsylvania offers professional development through its Training and Technical Assistance Network (PaTTAN). Specifically, there is a cohort style training series called the Principals Understanding and Leading Special Education (PULSE) series that provides continuing education and training for administrators across the Commonwealth relating to all topics special education. All trainings provided by PaTTAN are free of charge to the districts and should be considered as a means of maintaining not only compliance, but also maintaining appropriate continuum of services. Administrators should be encouraged to take ownership of all students within their buildings and cultivate skills through professional development to lead Individualized Education Program (IEP) meetings with confidence.

5.3 IMPLICATIONS FOR PRACTICE

Finally, the goal of this study was to better understand administrators' perceptions relating to compliance monitoring. A professional development presentation would then be developed and shared with the school district. The goal of the professional development presentation would

present the information necessary for administrators to gain a better understanding of the compliance monitoring process and its potential effects upon the school district, specifically either from a district level or building level perspective.

The information and understanding could then be disseminated to all other stakeholders within buildings, specifically to faculty and staff. Data from this study suggests that there is a need for a better understanding of the monitoring process and its results, and continued professional development surrounding all components.

The presentation will include the following:

- overview and background information relating to special education compliance and Pennsylvania Department of Education's Bureau of Special Education Compliance Monitoring for Continuous Improvement (CMCI).
- stakeholders and participants of the review
- Report of Findings and implications
- Corrective Action Plan(s)
- steps toward continuous improvement

A PowerPoint presentation detailing the findings of this study will be developed and shared with the district and building level administrators, along with explanatory notes and a suggested in-service professional development agenda to use and adapt to the district's specific needs for this monitoring cycle and subsequent cycles in the future.

5.4 IMPLICATIONS FOR RESEARCH

This study was one of the first to examine administrators' perception of the compliance monitoring process in Pennsylvania. Given that this study explored the compliance monitoring process specific to one district within Pennsylvania, a broader range study similar to this study could be conducted to investigate if administrators in general lack in experience and understanding of the CMCI process. A survey of administrators in Pennsylvania using the interview protocol developed as part of this study may uncover future findings and a need for continuing education and supports provided to all district and building level administrators. In addition, special education teachers, pre-service teachers and supervisor would benefit from training relating to CMCI process and its implications on special education programming.

APPENDIX A

INSTITUTIONAL REVIEW BOARD – INTRODUCTORY SCRIPT

“Administrators’ Perceptions of the Compliance Monitoring for Continuous Improvement (CMCI) Process”

The purpose of this research study is to study school administrators’ perceptions of the special education compliance monitoring for continuous improvement (CMCI) process. For that reason, we will be observing the day to day functioning of the central office administration, the department of special education, and other building administration. In addition, we will be interviewing administrators at the District. All participants must be 18 years of age or older. If you are willing to participate, our interview questions will focus on your professional background, as well as about your experience, involvement in, and perceptions of the CMCI process.

There are no foreseeable risks associated with this project, nor are there any direct benefits to you. You will not be compensated for participating in this study. Your responses will be discussed and generalized relating to your current position, so anonymity cannot be protected. All responses are confidential, and results will be kept under lock and key or in password-protected files. Your participation is voluntary, and you may stop participating in the interview at

any time. This study is being conducted by Anne Rose, who can be reached at [REDACTED], if you have any questions.

APPENDIX B

PARTICIPANT INFORMED CONSENT

You are invited to participate in a research study conducted by Anne Rose, MAT, a Special Education doctoral candidate at the University of Pittsburgh, Department of Instruction and Learning. This study will examine administrators' perceptions of the Compliance Monitoring for Continuous Improvement (CMCI) process, frequently referred to as "Special Education Compliance Monitoring".

My research goal is to help districts develop professional development materials for administration, faculty, and staff relating to special education regulations in order to ensure programming compliance. You were selected as a possible participant in this study because of your administrative role within the District.

If you choose to participate, day-to-day district functioning observations will be conducted in addition to an interview consisting of approximately 10 questions will be provided to you at the time of the interview. You may schedule the interview at your leisure. It is anticipated that the interview should take approximately 45-60 minutes to complete. The researcher will take written notes at the time of the interview.

Risks associated with this study are minimal. Minimal risk (Definition of Minimal Risk 45 CFR 46.102(i) and 21 CFR 56.110) is defined by the federal government as, "Minimal risk means that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or the general population or during the performance of routine physical or psychological examinations or tests." All observation and interview data will be collected solely for research purposes. If at anytime, should you experience discomfort or embarrassment relating to any interview question or observation, you may discontinue participation at any time or decline to answer the question(s).

You will be asked to share your perceptions regarding the compliance monitoring process. This information will not be published with your name. There is no cost to participate in this study. The anticipated benefits of this study are that a professional development template will be

developed and shared with you, so that you are able to provide stakeholders with a written description of the results and perceptions of the recent CMCI process. However, there are no direct benefits to you for study participation. You will not receive any payment for participation. You will be sent a summary of findings/details of the research conducted at the district relating to the compliance monitoring process and administrators' perceptions.

Any information that is obtained in connection with this study and that can be identified with you will remain confidential and will be disclosed only with your permission or as required by law. A numerical identity known only to the researcher will be assigned to each participant. Electronic data will be stored on a password-protected computer. Any paper data such as field notes and transcription of interviews will be kept in a locked file drawer. A final report and a policy template will be issued to you.

Your participation is voluntary. Your decision whether or not to participate will not affect your relationship with Anne Rose or the University of Pittsburgh. If you decide to participate, you are free to withdraw your consent and discontinue participation at any time without penalty.

If you have any questions about the study, please feel free to contact Anne Rose at [REDACTED] or by email at anr108@pitt.edu or Anastasia Kokina, research advisor, at [REDACTED] or by email at kokina@pitt.edu. You will be offered a copy of this form to keep.

APPENDIX C

INTERVIEW QUESTIONS

1. As an administrator, what do you know about compliance monitoring, in regard to special education, and what is your perception of the district's performance in terms of compliance in special education?
2. Please describe what you feel are some of the highlights of the special education program here at that district.
3. Please describe what you feel are some of the needs/areas of weakness relating to special education program here at the district?
4. Thinking about Least Restrictive Environment (LRE), discipline of students with IEPs, delivery of service, co-teaching, etc., please describe your perception of how the district facilitates these components of special education.
5. How does the district perform regarding parent involvement, as it relates to students with disabilities?
6. What organizational improvements need to be made within the district to improve special education?

7. Do you believe that the district would be able to maintain special education program within local, state and federal regulations, if there was no process in place to ensure compliance? (i.e. compliance monitoring and due process). How do these processes make special education better or worse?
8. Please describe how the district performed in its last compliance monitoring process, during the 2015-16 school year. What changes were made as a result? How do you know this?
9. Does the state's involvement in special education make the program better or worse, from an organizational perspective? What external pressures from the state make special education difficult for the district?
10. What policies, programming, personnel, and/or cultural changes resulted from the compliance monitoring process?

APPENDIX D

FOLLOW-UP INTERVIEW QUESTIONS

1. What are the barriers preventing districts from maintaining compliance following the compliance monitoring process and corrective action plan?
2. What do districts need in order to help them reach and/or maintain special education program compliance?

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