

Correction of Noncompliance

IEP Not in Effect on Child Count Date:

Convene an IEP Team meeting immediately and conduct an annual review for the student. A current IEP must be in the folder at all times. The IEP may not be replaced. An IEP may never be backdated.

Official on-site fiscal consequences:

When auditing a record, the IEP in effect on the most current child count date (December 1 or April 1) must also be audited. If the IEP is missing or had lapsed on the child count date, the student should be removed from the child count. This is a payback issue.

If the Consent for Initial Provision of Services is Lost:

Obtain a new DEC 6 with the current date.

Official on-site fiscal consequences:

If the Consent for the Initial Provision of Services is missing on the day of child count, the student cannot be counted. Also, the student must be removed from any previous child count when out of compliance. This is a payback issue.

Record of IEP Team Participation at the Time of Initial Placement or Reevaluation:

A reevaluation should be completed to address the eligibility decision made. This new reevaluation should be completed with all required IEP team members.

Official on-site fiscal consequences:

If the required members of the IEP Team did not participate in the meeting at the time of Initial Placement or Reevaluation this is a payback issue. If the 3 year reevaluation was not conducted by the due date, (DEC 5 at initial or last reevaluation to DEC 5 of current reevaluation must not exceed 3 years) and was overdue on the April 1 or December 1 Child Counts, this is a payback issue and the student should be removed from the affected child counts.

Misclassification:

Misclassification is the reporting of a student on child count using the wrong area of eligibility. The LEA should ensure that all documents in the record note the correct category.

Official on-site fiscal consequences:

This is a payback issue.

Unable to account for student record:**How to replace a lost record:**

- If an entire record is lost, correct by completing the reevaluation process. Since documentation of all required screenings and evaluations are necessary to make an eligibility determination, new data must be collected.
- Written documentation must be placed in the record to explain the absence of initial placement documents.
- A new consent for initial provision of services, DEC 6, must be obtained with current date.
- When complete the record must contain a new DEC 7, 2, 3, 4, 5, 6 and all required screenings and evaluations based on *November 1, 2007 Policies*.

Official on-site fiscal consequences:

If a record can not be accounted for on the day of child count, the student should not be counted on any child count until the record is replaced. If a record can not be accounted for during an audit and the student has been counted on current child counts, this is a payback issue and the student should be removed from the child counts.

If the Consent to Evaluate is Lost:

Obtain written documentation from the parent that consent for evaluation was given prior to conducting evaluations. Place documentation in student's record.

Missing Required Screenings and Evaluations:

A reevaluation must be completed. Eligibility determination must be made using required screenings and evaluations. Parent contacts, interventions, and observations may be found in the student's records from either the general education or exceptional children records.

Removal of Students from Child Count:

To remove a student from child count, follow the Child Count Reduction/Correction process in CECAS.