



# **Seattle Public Schools The Office of Internal Audit**

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**Internal Audit Report**

**Special Education - Sustainability of the Corrective Action Plan**

**September 1, 2017 through May 31, 2019**

Issue Date: December 3, 2019



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## **Executive Summary**

### **Background Information**

The Special Education Department serves approximately 7,700 special education students in the District. It works collaboratively with school and district leaders, teachers, students, and families to provide the tools, guidance, supports, and services needed to ensure access and success for students with disabilities. The Department's work is monitored by the Office of Superintendent of Public Instruction (OSPI) to ensure compliance with the implementation of special education services pursuant to the federal Individuals with Disabilities Education Act (IDEA) of 2014, which ensures all children with disabilities have access to a free appropriate public education.

OSPI monitors the District's compliance with state and federal Special Education compliance requirements. Noncompliance with these requirements could jeopardize the District's IDEA funding. When OSPI's monitoring procedures identify noncompliance, the District is required to prepare and implement a Special Education Comprehensive Corrective Action Plan (C-CAP) to determine the root cause(s) that contributed to the noncompliance and establish a plan to produce long-term solutions for the deficiencies identified.

On June 19, 2014, the Office of Internal Audit issued an audit report of the Special Education Department which identified concerns, among others, related to the compliance of Individualized Education Programs (IEPs) and a lack of a written framework of policies and procedures. Separately, in a letter dated September 18, 2014, OSPI identified concerns about the District's failure to demonstrate compliance with the requirements of IDEA, and to implement the C-CAP. Due in part to these concerns, OSPI declared the District as a high-risk grantee, and expressed its intent to withhold \$3,000,000 of IDEA funding for the 2014-15 school year. OSPI stated that it may incrementally restore a portion of the withheld funding provided evidence of acceptable performance within the 2014-15 grant period.

Over the course of several years, the District devoted significant resources to implement the C-CAP, a revised C-CAP, and a Memorandum of Understanding (MOU). The MOU serves as a compliance agreement in which the District agreed to be monitored on a weekly, monthly and quarterly basis by OSPI, the regional Educational Service District, and the United States Department of Education (DOE). Based on the District's efforts and the results of on-going monitoring by OSPI, OSPI determined that the District met the terms of the MOU and corrected the systemic issues that initiated the District's designation as a high-risk grantee. Consequently, in June 2017, OSPI sent a request to the DOE to rescind the District's designation as a high-risk grantee and restored the remaining portion of the \$3,000,000 of IDEA funding to the District.

In September 2017, following the restoration of funding and OSPI's determination of the District as a low-risk grantee, the Special Education Department created the Substantial Compliance Monitoring Process (Sustainability Plan) which identified the processes and procedures that it planned to implement and monitor in order to maintain its low-risk grantee designation. The DOE and OSPI requested that the Office of Internal Audit conduct two audits: the sustainability of the Corrective Action Plan, and the effectiveness of the District's new writeback process. The Special Education – Writeback Process Audit was separately issued by the Office of Internal Audit on December 4, 2018.



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### **Roles and Responsibilities**

This audit was completed as part of the *Annual Risk Assessment and Audit Plan* approved by the Audit and Finance Committee on September 4, 2018. District management has the primary responsibility to establish, implement, and monitor internal controls. Internal Audit's function is to assess and test those controls in order to provide reasonable assurance that the controls are adequate and operating effectively. We conducted the audit using due professional care, and we believe that the evidence obtained provides a reasonable basis for our findings and conclusions.

### **Audit Objectives**

The primary objective of this audit was to determine if the Special Education Department is continuously implementing and monitoring the processes and procedures detailed in the Sustainability Plan.

### **Scope of the Audit**

September 1, 2017 through May 31, 2019

### **Audit Approach and Methodology**

To achieve the audit objectives, we performed the following procedures:

- Planned the audit in cooperation with the Special Education Department, to ensure that we had a thorough understanding of the its processes.
- Obtained input from regulatory agencies to ensure we had a strong understanding of compliance requirements and areas of risk for noncompliance.
- Analyzed available data to corroborate the information obtained.
- Reviewed all applicable RCW's, WAC's, and OSPI reference material for State compliance requirements.
- Interviewed Special Education Department staff knowledgeable of the processes and procedures that were covered in the audit.
- Performed tests and analysis of the objective areas to support our conclusions.
- Protected student data and identities throughout the course of the audit.



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## **Conclusion**

Based on the results of the audit procedures performed, we determined that the Special Education Department is continuously implementing and monitoring the processes and procedures detailed in the Sustainability Plan. The Department has made significant improvements to maintain its low-risk rating and to ensure that the District can maintain compliant operations. The Department has developed, documented, and implemented internal controls, monitoring procedures, and accountability measures to identify and respond to risks of noncompliance in a timely manner.

We extend our appreciation to the staff within the Special Education Department for their assistance and cooperation during the audit.

*Andrew Medina*

Andrew Medina, CPA, CFE  
Director, Office of Internal Audit