



OSSE Nonpublic Monitoring Tool SY 2018-19

Cluster Area for Compliance Summary Report	Item Number	Legal Reference	Item/Response Criteria	Corrective Action
District of Columbia Standards of Learning	1 Nonpublic Teaches To Common Core State Standards	34 CFR §300.146, 5 DCMR §A-2805.2	<p>Does the nonpublic school teach in accordance with Common Core State Standards and any other D.C. learning standards?</p> <p>Yes = The nonpublic school provided data which demonstrates that the school teaches in accordance with Common Core State Standards.</p> <p>No = The nonpublic school did NOT provide data which demonstrates that the school teaches in accordance with Common Core State Standards.</p> <p>N/A = The nonpublic school is located in a state not requiring Common Core State Standards, does not currently serve District of Columbia students, BUT has a plan to provide instruction to District of Columbia that aligns to the Common Core State Standards.</p>	Nonpublic school must align its curriculum with the Common Core State Standards in consultation with the District of Columbia students' LEAs.
District of Columbia Standards of Learning	2 Nonpublic Administers Statewide Assessment	34 CFR §300.160, 5 DCMR §A-2812.1	<p>Does the nonpublic school administer the DC Statewide assessment or an alternate assessment?</p> <p>Yes = The nonpublic school provides data which demonstrate that the school cooperates with LEAs and OSSE to ensure that the District of Columbia students participate in the DC Statewide assessment or an alternate assessment.</p> <p>No = The nonpublic school does NOT provide data which demonstrate that the school cooperates with LEAs and OSSE to ensure that District of Columbia students</p>	Nonpublic school must submit documentation that demonstrates that the LEAs and nonpublic school have communicated regarding the students scheduled to participate in the exam and the plan for administering the exam.

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			<p>participate in the DC Statewide assessment or an alternate assessment.</p> <p>N/A = The nonpublic school does not currently have any students who are grade eligible for taking the assessment.</p>	
District of Columbia Standards of Learning	3 Nonpublic School Year Calendar	5 DCMR §§ A-2806, 2848.3	<p>Does the nonpublic school have a school year with a minimum of 180 regular instructional school days and the number of instructional hours meets the six-hour minimum per day?</p> <p>Yes = A review of the school calendar and other relevant information shows that the school year includes a minimum of 180 regular instructional school days, exclusive of any extended school year period; and the number of instructional hours over the course of the school calendar meets six hour minimum per day.</p> <p>No = A review of the school calendar and other relevant information shows that the school year does not include a minimum of 180 regular instructional school days, exclusive of any extended school year period; or the number of instructional hours over the course of the school calendar is less than six hours per day.</p> <p>N/A = The school only operates a prekindergarten program or other alternative program approved by OSSE.</p>	The nonpublic school must amend its school calendar to provide a minimum of 180 regular instructional school days and an average of six hours per day of instruction over the course of the school calendar.

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Discipline	4 Use of Reasonable Force	5 DCMR §A-2816.3	<p>Did the nonpublic school staff use reasonable force and the shortest time period necessary to protect the student or other person(s) from imminent, serious physical harm when implementing a physical restraint intervention? Did the restraint end as soon as the student or other person was no longer in imminent danger? Did nonpublic school personnel provide the student with an explanation of the behavior that resulted in the restraint and instructions on the behavior required to be released from the restraint? Did a member of the staff personally observe the student during the entire duration of the use of the restraint in order to assess the need for continued restraint?</p> <p>Yes = Evidence was found for the following:</p> <ul style="list-style-type: none"> • use of physical restraints was not limited to the use of reasonable force and to the shortest time period necessary to protect the student or other person from imminent, serious physical harm; • restraint did not end as soon as the student or other person was no longer in imminent danger; • nonpublic school personnel did not provide the student with an explanation of the behavior that resulted in the restraint and instructions on the behavior required to be released from the restraint; or • a member of the staff did not personally observe the student during the entire duration of the use of the restraint in order to assess the need for continued restraint. <p>No = Evidence was not found for the following:</p>	<p>The nonpublic school must immediately cease implementing physical restraint interventions that do not demonstrate the following:</p> <ul style="list-style-type: none"> • use of physical restraints limited to the use of reasonable force and to the shortest time period necessary to protect the student or other person from imminent, serious physical harm; • restraint ends as soon as the student or other person is no longer in imminent danger; • nonpublic school personnel provides the student with an explanation of the behavior that resulted in the restraint and instructions on the behavior required to be released from the restraint; and • a member of the staff personally observes the student during the entire duration of the use of the restraint in order to assess the need for continued restraint. <p>The nonpublic school must determine the cause of the noncompliance, devise an appropriate corrective action plan to address the issue and have the plan approved by OSSE. The nonpublic school must demonstrate implementation of the approved corrective action plan.</p>

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			<ul style="list-style-type: none"> • use of physical restraints was not limited to the use of reasonable force and to the shortest time period necessary to protect the student or other person from imminent, serious physical harm; • restraint did not end as soon as the student or other person was no longer in imminent danger; • nonpublic school personnel did not provide the student with an explanation of the behavior that resulted in the restraint and instructions on the behavior required to be released from the restraint; and • a member of the staff did not personally observe the student during the entire duration of the use of the restraint in order to assess the need for continued restraint. <p>N/A = There is no evidence that the nonpublic school implemented physical restraint interventions.</p>	Additionally, the nonpublic school must consult with OSSE to determine if additional corrective actions are needed.
Emergency Behavioral Interventions			<p>Does the facility employ physical restraint interventions?</p> <p>Yes = Information obtained indicates that the facility utilizes physical restraint interventions on any portion of its student body.</p> <p>No = All information obtained indicates that the facility does not utilize physical restraint interventions on any portion of its student body.</p>	

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Discipline	5 Use of authorized physical restraint techniques	5 DCMR §A-2816.2	<p>Did the nonpublic school implement specific, authorized techniques physical restraint intervention techniques?</p> <p>Yes = There is evidence that the nonpublic school implemented specific, authorized techniques physical restraint intervention techniques.</p> <p>No = There is no evidence that the nonpublic school implemented specific, authorized techniques physical restraint intervention techniques.</p>	<p>The nonpublic school must immediately cease implementing physical restraint interventions that are not specific, authorized techniques. The nonpublic school must determine the cause of the noncompliance, devise an appropriate corrective action plan to address the issue and have the plan approved by OSSE. The nonpublic school must demonstrate implementation of the approved corrective action plan.</p> <p>Additionally, the nonpublic school must consult with OSSE to determine if additional corrective actions are needed</p>
Emergency Behavioral Interventions	6 Physical restraint intervention compliance	5 DCMR §§ A-2816, 2820	<p>Has the nonpublic school demonstrated compliance with the physical restraint intervention implementation and documentation regulatory requirements during the current COA validity period?</p> <p>Yes = There is documentation to demonstrate that the nonpublic school has demonstrated compliance with the physical restraint intervention implementation and documentation regulatory requirements.</p> <p>No = There is documentation to demonstrate that the nonpublic school has not demonstrated compliance with the physical restraint intervention implementation and documentation regulatory requirements.</p>	<p>Continue all current corrective actions issued by OSSE in addressing identified noncompliance with the physical restraint intervention implementation and documentation regulatory requirements under the associated timelines.</p>

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Emergency Behavioral Interventions	7 Physical restraint intervention compliance pattern	5 DCMR §§ A-2800.4, 2816, 2820	<p>Has the nonpublic school demonstrated a pattern of noncompliance physical restraint intervention implementation and documentation regulatory requirements during the current COA validity period?</p> <p>Yes = There is documentation to demonstrate that the nonpublic school has maintained a pattern compliance with the physical restraint intervention implementation and documentation regulatory requirements during the current COA validity period.</p> <p>No = There is documentation to demonstrate that the nonpublic school has not maintained a pattern of compliance with the physical restraint intervention implementation and documentation regulatory requirements during the current COA validity period.</p>	Complete the attached corrective action plan to address the pattern of noncompliance with the physical restraint intervention implementation and documentation regulatory requirements demonstrated during the current COA validity period.
Emergency Behavioral Interventions	School Utilized Seclusion Interventions with Students		<p>Does the facility employ seclusion?</p> <p>Yes = Information obtained indicates that the facility utilizes seclusion on any portion of its student body.</p> <p>No = All information obtained indicates that the facility does not utilize seclusion on any portion of its student body.</p>	
Emergency Behavioral Interventions	8 Seclusion intervention compliance	5 DCMR §§ A-2819, 2816.1, 2820	Has the nonpublic school demonstrated compliance with the seclusion implementation and documentation regulatory requirements during the current COA validity period?	Continue all current corrective actions issued by OSSE in addressing identified noncompliance with the seclusion implementation and documentation regulatory requirements under the associated timelines.

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			<p>Yes = There is documentation to demonstrate that the nonpublic school has demonstrated compliance with the seclusion implementation and documentation regulatory requirements during the current COA validity period.</p> <p>No = There is documentation to demonstrate that the nonpublic school has not demonstrated compliance with the seclusion implementation and documentation regulatory requirements during the current COA validity period.</p>	
Emergency Behavioral Interventions	9 Seclusion intervention compliance pattern	5 DCMR §§ A-2800.4, 2819, 2816.1, 2820	<p>Has the nonpublic school demonstrated a pattern of noncompliance in the seclusion implementation and documentation regulatory requirements during the current COA validity period?</p> <p>Yes = There is documentation to demonstrate that the nonpublic school has maintained a pattern of compliance with the seclusion implementation and documentation regulatory requirements during the current COA validity period.</p> <p>No = There is documentation to demonstrate that the nonpublic school has not maintained a pattern of compliance with the seclusion implementation and documentation regulatory requirements during the current COA validity period.</p>	Complete the attached corrective action plan to address the pattern of noncompliance with the seclusion implementation and documentation regulatory requirements demonstrated during the current COA validity period.

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Emergency Behavioral Interventions	10 Seclusion Space Meets Regulatory Requirements	5 DCMR §A-2819.2	<p>Are all of the spaces used for seclusion free of objects and fixtures with which student(s) could self-inflict bodily harm?</p> <p>Do all of the spaces used for seclusion provide school personnel an adequate view of student(s) from an adjacent area?</p> <p>Do all of the spaces used for seclusion provide adequate lighting, ventilation and appropriate temperature controls?</p> <p>Yes = Inspection of a space used for seclusion demonstrates that the space meets these regulatory requirements.</p> <p>No = Inspection of a space used for seclusion demonstrates that the space does NOT meet these regulatory requirements.</p>	<p>The nonpublic school must make adjustments to the space used for seclusion To meet regulatory requirements.</p> <p>Use of seclusion outside of emergency situations, and/or having policies that permit use of seclusion outside of emergency situations is grounds for denying or revoking a Certificate of Approval.</p>

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Emergency Behavioral Interventions	11 Seclusion Space Meets Requirements for Locking Mechanisms	5 DCMR §A-2819.6	<p>If the space used for seclusion has a locking mechanism, does it only engage when it is held in position by a person, or if electronically engaged, does it automatically release if the building's fire alarm system is activated?</p> <p>Yes = Inspection of a space used for seclusion demonstrates that the space meets the regulatory requirements.</p> <p>No = Inspection of a space used for seclusion demonstrates that the space does NOT meet the regulatory requirements.</p> <p>N/A = The space does not have a locking mechanism.</p>	<p>The nonpublic school must make adjustments to the space used for seclusion to meet regulatory requirements.</p> <p>Use of seclusion outside of emergency situations, and/or having policies that permit use of seclusion outside of emergency situations is grounds for denying or revoking a Certificate of Approval.</p>
Emergency Behavioral Interventions	12 Restraint Certifications	5 DCMR §A-2816.2	<p>Does the nonpublic maintain certifications on file for all staff members performing restraint?</p> <p>Yes = Individuals performing restraints maintain appropriate certification.</p> <p>No = Individuals performing restraint are not appropriately certified.</p>	<p>The nonpublic must ensure that all staff members who apply physical restraints hold the required certification.</p>
Emergency Behavioral Interventions	13 Chemical Restraints Conform to Medical Plan	5 DCMR §A-2816.8	<p>If the nonpublic uses chemical restraints,, are they employed only to student(s) if ordered by a physician, determined to be medically necessary, and administered in conformance with student(s)' medical treatment plans.</p> <p>Yes = There is evidence through staff interviews, policies, or in students(s) file(s) that when needed,</p>	<p>The nonpublic must revise its policies and practices to ensure that chemical restraint policies and practices are consistent with District regulation. Prohibit chemical restraint for student(s) unless and until it is administered consistent with District regulation.</p>

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			<p>chemical restraints have been employed AND these restraints were ordered by a physician, determined to be medically necessary, and were administered in conformance with the student(s) medical treatment plan.</p> <p>No = There is evidence through staff interviews, policies, or in student(s)' file(s) that chemical restraints have been employed AND these restraints were NOT ordered by a physician, NOT determined to be medically necessary, or NOT administered in conformance with students(s)' medical treatment plans.</p> <p>N/A = The facility does not utilize chemical restraints and/or chemical restraints have not been utilized with District of Columbia student(s).</p>	
Safety and Well-Being	14 Child Abuse and Neglect Policy	5 DCMR §A-2824.1(p)	<p>Does the nonpublic school report adhere to their suspected child abuse or neglect reporting policy in a manner that is compliant with relevant federal, state and local law?</p> <p>Yes = There is evidence that the nonpublic school reported suspected child abuse or neglect in a manner that was compliant with relevant federal, state and local law.</p> <p>No = There is no evidence that the nonpublic school reported suspected child abuse or neglect in a manner that was compliant with relevant federal, state and local law.</p>	<p>The nonpublic school must revise its policies and practices to ensure the child abuse and neglect reporting policy is compliant with relevant federal, state and local law. Additionally, the nonpublic school must ensure that all staff are trained on the revised policies and practices for child abuse and neglect reporting.</p>

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			N/A = There was no documentation of reports of child abuse or neglect during the period of review.	
Staff Qualifications	15 Criminal Background and Child Protective Service Checks	5 DCMR §§A-2823.4, 2823.5	<p>Did the nonpublic school conduct child protective service and criminal background checks on school personnel and maintain personnel files that included documentation of child protective service and criminal background checks?</p> <p>Yes = There is evidence that the nonpublic school conducted child protective service and criminal background checks on school personnel and maintained personnel files that included evidence of child protective service and criminal background checks</p> <p>No = There is no or incomplete evidence that the nonpublic school conducted child protective service and criminal background checks on school personnel and/or did not maintain personnel files that included evidence of child protective service and criminal background checks</p> <p>N/A = There was no documentation of reports of child abuse or neglect during the period of review.</p>	The nonpublic school must provide proof of child protective service and criminal background checks for all school personnel.
Staff Qualifications	16 Teacher Certification	5 DCMR §A-2823.2	Are the nonpublic school's teachers appropriately certified (i.e., each member of the teaching staff holds a teaching certification from the state or district in which the school is located, to the same level as required for teaching staff in public schools of that state or district)?	The nonpublic school must provide proof of teaching certification for all teaching staff members consistent with the requirement of the DCMR.

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			<p>Yes = The nonpublic school provided proof of teaching certification for each teaching staff member consistent with the requirements of the DCMR.</p> <p>No = The nonpublic school did not provide proof of teaching certification for each teaching staff member consistent with the requirements of the DCMR.</p>	
Staff Qualifications	17 Related Service Provider Certification/ License	5 DCMR §A-2823.3	<p>Are related service providers, whether employed or contracted by the nonpublic special education school or program, appropriately certified, licensed or registered in their professional areas in alignment with requirements from the state or district in which the school is located, to the same level as required for teaching staff in public schools of that state or district?</p> <p>Yes = The nonpublic school provided proof of certification or licensure for each related service provider consistent with the regulatory requirements.</p> <p>No = The nonpublic school did not provide proof of certification or licensure for each related service provider consistent with the regulatory requirements.</p>	The nonpublic school must provide proof of certification or licensure for each related service provider consistent with the regulatory requirement.
Provision of Related Services	18 Implementation of Related Services	§300.323(c)(2)	<p>Does the nonpublic school provide related services in accordance with students' IEPs?</p> <p>Yes = Upon review of a sample of student files, it was determined that related services are provided in accordance with student IEPs and appropriately recorded in SEDS.</p>	If the nonpublic school provided the services but did not appropriately record them in SEDS, the nonpublic must provide evidence that the missing services have since been properly recorded in SEDS. The nonpublic school must also review and revise its policies and procedures for logging related services in SEDS.

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			<p>No = Upon review of a sample of student files, it was determined that related services are NOT provided in accordance with student IEPs or are not appropriately recorded in SEDS.</p> <p>N/A = The nonpublic facility does not have any DC students with related services listed on their IEP.</p>	<p>If the nonpublic did not provide the services, then the nonpublic must provide evidence that the services have since been made up or provide a plan to make up these services.</p> <p>Once the policies and practices have been developed or revised, the nonpublic school must submit evidence that the revised policies are being consistently implemented in practice</p>
IEP (Individualized Education Program)	19 Student Progress Reports	5 DCMR § A-2808.9	<p>Does the nonpublic school produce written reports on student(s) progress toward annual IEP goals and provide these reports to the LEA and parent on at least a quarterly basis?</p> <p>Yes = There are at least quarterly progress reports in student(s) file(s).</p> <p>No = There is no evidence of progress reports completed on at least a quarterly basis in student(s) file(s).</p>	The nonpublic school must revise its policies and practices to ensure that student progress reports are produced and sent to the LEA and parent on at least a quarterly basis.
Truancy	LEA Notification of Truancy		<p>Student(s) files have evidence of unexcused absences requiring LEA notification.</p> <p><input type="radio"/> Yes, student(s) have accrued 5 or more unexcused absences within a marking period or similar timeframe.</p> <p><input type="radio"/> Yes, student(s) have accrued 10 or more unexcused absences within the school year.</p> <p>New Button: Students fit into both categories.</p> <p><input type="radio"/> No student(s) fit into either category above.</p>	

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Truancy	20 Nonpublic School Notifies LEA Within 2 School Days of 5 Unexcused Absences	5 DCMR §A-2821.8	<p>The nonpublic school notifies the sending LEA in writing within 2 instructional school days after the accrual of 5 unexcused absences in a marking period by any student.</p> <p>Yes = There is evidence that the nonpublic school notified the sending LEA in writing within 2 instructional schools days for all student(s) that have accrued at least 5 unexcused absences within a marking period.</p> <p>No = There is NO evidence that the nonpublic school notified the sending LEA in writing within 2 instructional schools days for student(s) that have accrued at least 5 unexcused absences within a marking period.</p>	The nonpublic must revise its policies and practices to ensure sending LEAs are notified within 2 instructional school days when student(s) accrue at least 5 unexcused absences within a marking period.
Truancy	21 Nonpublic School Notifies LEA Within 2 School Days of 10 Unexcused Absences	5 DCMR §A-2821.9	<p>The nonpublic school notifies the sending LEA in writing within 2 instructional school days after the accrual of 10 unexcused absences during the period under review.</p> <p>Yes = There is evidence that the nonpublic school notified the sending LEA in writing within 2 instructional school days for all student(s) that have accrued at least 10 unexcused absences within the school year.</p> <p>No = There is no evidence that the nonpublic school notified the sending LEA in writing within 2 instructional school days for student(s) that have accrued at least 10 unexcused absences within the school year.</p>	<p>The nonpublic must revise its policies and practices to ensure sending LEAs are notified within 2 instructional school days when student(s) accrue at least 10 unexcused absences within the school year.</p> <p>NOTE: “period under review: is defined as, for NPs visited between August and December, monitors will review the attendance records for the previous school year. For NPs visited between January and June, monitors will review attendance records for the current school year.</p>