

Why We Conducted This Audit

We evaluated the Louisiana Department of Education's (LDOE) risk-based monitoring of special education services provided to students with disabilities in elementary and secondary public schools during academic years 2015-16 through 2021-22. We conducted this audit in response to legislative interest. In addition, the Office of Special Education Programs (OSEP) has designated Louisiana as "needs assistance" in meeting the federal Individuals with Disabilities Act (IDEA) requirements for the last six years. This report is the second in a series of reports evaluating LDOE's oversight of students with disabilities receiving special education services in Louisiana. Our first report on LDOE's complaint process was issued September 2023.¹ As of October 2022, 89,681 (13.1%) of 685,606 kindergarten through twelfth-grade (K-12) public-school students in Louisiana had a disability and were receiving special education services.

What We Found

IDEA requires LDOE to ensure that all children with disabilities are provided a free appropriate public education, that educational services are designed to meet their unique needs, and that their rights and their parents' rights are protected. To meet this mandate, the Louisiana State Board of Elementary and Secondary Education promulgated state regulations that outline how LDOE should monitor Local Education Agencies (school systems) that provide special education services.

We found that LDOE needs to improve its risk-based monitoring process. Adequate monitoring is important because, according to IDEA, the primary focus of federal and state monitoring activities is improving educational results and functional outcomes for all children with disabilities. Our results are as follows:

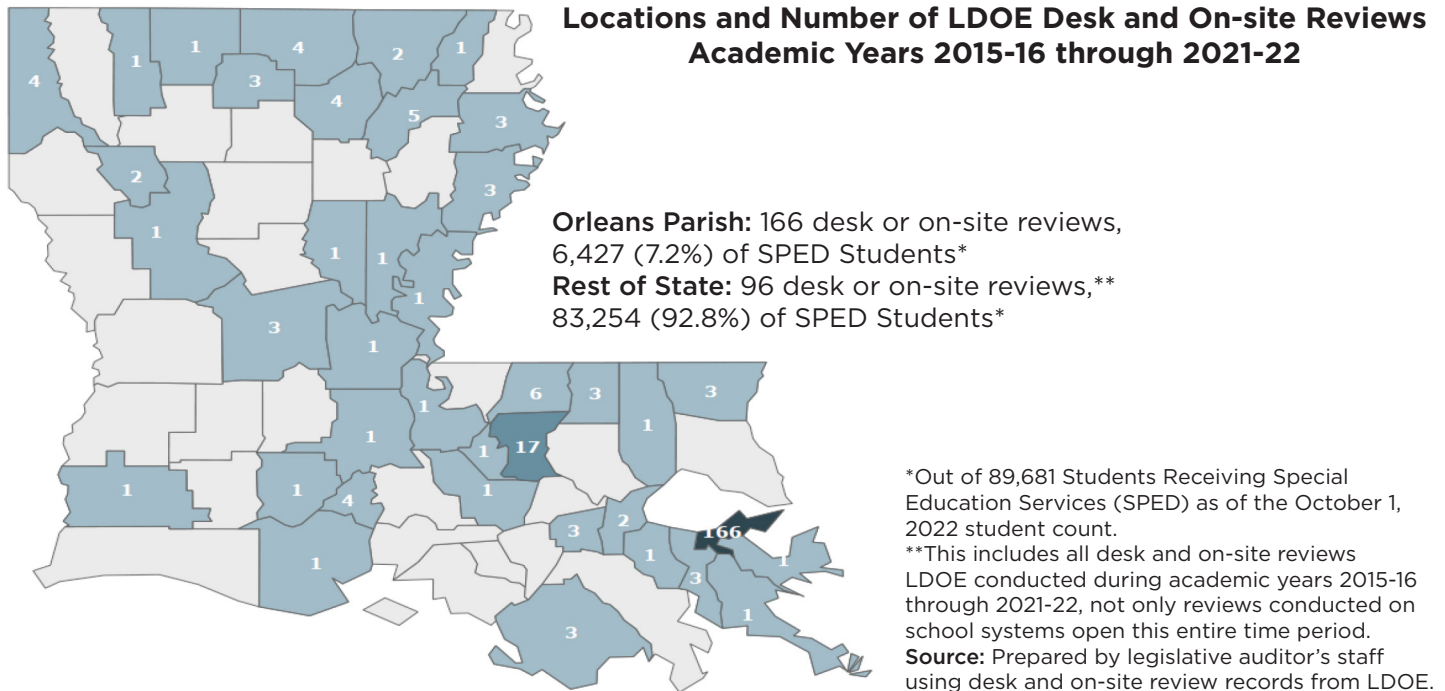
- **LDOE did not conduct a desk or on-site review for 43 (43.0%) of 100 school systems for at least seven years (academic years 2015-16 through 2021-22) to ensure certain fundamental rights of students with disabilities required by IDEA are being protected. Instead of LDOE completing a desk or on-site review, LDOE required all but two of these school systems to complete a self-assessment.** These 43 school systems included 35,833 (40.0%) of 89,681 students with disabilities and 580 (33.8%) of the 1,714 total public schools in Louisiana.
- **LDOE decreased the number of employees dedicated to special education from fiscal years 2012 through 2019, and in 2015, LDOE entered into a Consent Judgment in Orleans Parish. Both actions may have contributed to LDOE's inability to conduct on-site and desk reviews in a timely manner and provide support to school systems.** During academic years 2015-16 through 2021-22, LDOE conducted a total of 262 desk or on-site reviews, with 166 (63.4%) reviews in Orleans Parish even though Orleans Parish had 7.2% of the students (6,427 of 89,681) with disabilities in Louisiana.

¹[https://app2.la.state.la.us/publicreports.nsf/0/a666a02b25f610d586258a300077a992/\\$file/0000ls28.pdf?openelement&.7773098](https://app2.la.state.la.us/publicreports.nsf/0/a666a02b25f610d586258a300077a992/$file/0000ls28.pdf?openelement&.7773098), September 2023

Risk-Based Monitoring of Special Education Services

Louisiana Department of Education

What We Found (Cont.)



- **LDOE's process to select students during a desk or on-site review does not ensure it monitors all applicable federal and state law requirements listed in its monitoring protocol.** Specifically, LDOE does not ensure its sample contains a sufficient array of students (e.g., students recently qualified for special education services, received certain discipline actions, or of a certain age) that would allow it to evaluate all applicable federal (IDEA) and state requirements (e.g., initial evaluations, disciplinary procedures, transition services, and graduation pathways) during a school system review. LDOE could use existing special education data, when possible, during its desk and on-site reviews to increase the number of students they review.
- **LDOE has not developed policies and procedures or guidance for school systems to follow regarding informal removals, including how to document informal removals.** Informal removals, such as routinely calling a parent to pick up a student because of behavior issues, can negatively impact students with disabilities by disrupting their required IDEA supports and services. In addition, LDOE could use discipline and attendance data to identify school systems that may be informally removing students.
- **LDOE is not following federal regulations when calculating significant disproportionality relating to discipline.** As a result, LDOE may fail to identify school systems who disproportionately discipline minority students receiving special education services.

View the full report, including management's response, at www.la.gov.