



**Ministry of Education and Child Care
Resource Management Division**

2021/22 Special Education Enrolment Audit

AUDIT REPORT

**Fawkes Academy Online Learning (OL)
(03896843)**

2021/22 SPECIAL EDUCATION ENROLMENT AUDIT REPORT
Fawkes Academy OL (03896843)

Background

The Ministry of Education and Child Care funds Independent School Authorities based on the Authorities' reported enrolment as of September 30th each year and supplemental special needs classifications in September and February. Independent School Authorities report students with special needs to the Ministry on *Form 1701: Student Data Collection* (Form 1701).

In the 2021/22 school year, the Ministry of Education and Child Care conducted Special Education enrolment audits, in selected schools recommended by the Office of the Inspector of Independent Schools (OIIS), to verify reported enrolment on Form 1701.

Purpose

The purpose of the Special Education enrolment audit is to provide assurance to the Ministry of Education and Child Care and Independent School Authorities that schools are complying with the instructions contained in [*Form 1701: Student Data Collection, Completion Instructions for Independent Schools*](#), and Ministry policies are being followed. The audit also provides assurance that the students reported have been placed in the appropriate special education category, as per the [*Special Education Services: A Manual of Policies, Procedures, and Guidelines \(April 2016\)*](#).

Description of the Compliance Audit Process

A compliance audit was conducted at Fawkes Academy OL February 22 to 24, 2022.

Prior to the file reviews, an entry meeting was held with school assigned staff and the audit team interviewed school administrators to enquire about the Independent School Authority's policies, procedures, and programs.

Fawkes Academy OL reported 66 students in special education categories of the 68 students reported at the Fall 2021 Form 1701 data submission. For the purposes of this audit, 44 student records were reviewed in the following low incidence special needs categories:

Headcount	Category
4	Physically Dependent (Code A)
6	Physical Disability or Chronic Health Impairment (Code D)
33	Autism Spectrum Disorder (Code G)
1	Intensive Behaviour Intervention or Serious Mental Illness (Code H)

At the entry meeting the Principal and Executive Director described how Fawkes Academy OL develops individual education plans and determines students supports using a school-based team approach, and includes the teacher (case manager), the school principal, behaviour consultant and other professionals as needed such as speech language pathologists, occupational therapists, and physical therapists and kinesiologists in collaboration with parents/guardians. Support

services professionals and paraprofessionals work under the oversight of the Fawkes Academy OL teachers (case managers).

Fawkes Academy OL provides two types of programs: in-home Individual Education Programs (IEPs) and blended home and community-based Individual Education Programs. The community-based part of the blended programs take place in Fawkes Academy OL activity rooms located in Richmond, Burnaby, and Port Alberni. The students usually attend the activity centres half-days, and work with the various service providers on social skills, speech and language therapy goals, occupational therapy goals, daily living skills, and academic or functional academic programs as outlined in their IEPs. The families participating in the in-home programs have IEPs developed by their online teachers in collaboration with the parents/guardians and service providers, and the students receive support in their homes from the service providers identified on their IEPs.

The Fawkes Academy OL main office is in the same building as the school's community-based activity rooms in Richmond. This is in a different location than the bricks and mortar Fawkes Academy school. At the end of the first day of the review, the auditors were given the opportunity to tour one of the activity rooms after the students had left. The auditors observed a behaviour analyst conducting training with several behaviour interventionists who supported the students in the program.

The file review process confirmed the entry meeting description of service delivery to students. There was evidence that many of the students enrolled in Fawkes Academy OL participate in a blended program that takes place part time at the student's home and part time at a community activity room. There was evidence that confirmed the contracted service providers worked under the direction of the Fawkes Academy OL teachers. Additional digital documents not included in the student files provided evidence of service provider reports, behaviour support planning, behaviour tracking, and communication with parents.

The file review process encountered issues requiring meetings with the Fawkes Academy OL staff.

- The first meeting was to obtain evidence of active participation by September 29, 2021 for all the sampled student claims.
- The second meeting was to obtain evidence to clarify a Code A claim. Evidence provided did not support that the student met the criteria for a physically dependent designation nor was the individual completely dependent on others for meeting all five daily living needs.
- The third meeting was related to lack of evidence in four of the student files to meet the diagnostic criteria for Code D as outlined in the Special Education Services Manual of Policies, Procedures, and Guidelines criteria. For two of the claims, the school was able to provide the diagnostic evidence that met criteria. The third claim had evidence that met the criteria for Code G, for students with an Autism Spectrum Disorder. The fourth claim met the criteria for Students Requiring Behaviour Support or Students with Mental Illness (Code R).
- The fourth meeting involved a reoccurring issue previously identified during the school's 2017/18 audit. During both the 2017/18 and 2021/22 school year reviews of the special needs claims, the diagnostic criteria for Code D were not in accordance with the Special Education Services Manual of Policies, Procedures, and Guidelines.

The Principal and Executive Director were the key contacts throughout the audit and were able to provide the audit team with the required evidence. At the end of each day meetings were held by the audit team with the Principal and Executive Director to keep the school staff apprised of the audit outcomes and progress.

An exit meeting was held with the Principal and Executive Director on February 24, 2022. The auditors reviewed the purpose of the audit and the audit criteria, explained the audit reporting process, reported their findings, clarified any outstanding issues, discussed reclassifications for the 2021/22 school year, and expressed appreciation for the assistance provided.

Observations

Of the four student files reviewed by the auditors in Code A, one student claim was recommended for reclassification to Code G.

Of the six student files reviewed by the auditors in Code D:

- One student claim was recommended for reclassification to Code G.
- One student claim was recommended for reclassification to Code R.

There were no recommended reclassifications for the student files reviewed by the auditors in Code G and Code H.

The auditors found that:

- There was evidence of a consistent process of collaboration with families and service providers in the development of the IEPs. Detailed programming and services information was outlined in the IEP and IEPs for all high school students incorporated transition to adulthood goals.
- The IEPs indicated a range of targeted services that supported the needs of students as identified in the assessment documentation. There was evidence of thorough communication between the school and the service providers.
- One student claim in Code A was without evidence to meet the criteria for a Physically Dependent designation. Prior to the September claim date there was evidence of mobility. The Executive Director stated the school made an error in reporting. The Executive Directive assured the team that the school would update the admissions process to ensure all criteria in the Special Education Manual of Policies, Procedures, and Guidelines would be verified prior to reporting future student claims in the special education supplemental categories. As there was evidence of a diagnosis with IEP goals and services that corresponded to Autism Spectrum Disorder (ASD), the claim was recommended for reclassification to Code G.
- There was no evidence to support the diagnostic criteria for the Physical Disability/Chronic Health Condition category for two Code D student claims. There was no evidence of a medical diagnosis by a medical specialist of a nervous system impairment, musculoskeletal condition, and/or chronic health impairment aligned with the Special Education Services Manual of Policies, Procedures, and Guidelines. For one of the student claims there was a diagnosis of ASD, and this claim was recommended for

reclassification to Code G. For the other student claim, a report of a medical diagnosis by a medical specialist was requested. No diagnosis of a medical condition by a medical specialist was provided. The evidence received confirmed there was a diagnosis of a Social Pragmatic Communication Disorder made by a registered psychologist. A social pragmatic communication disorder is a communication disorder, and this student was supported by a speech and language pathologist who targeted communication and social skill goals in the IEP. One of the assessment tools used by the registered psychologist was the Conners 3-Parent and 3-Teacher Scales. This is a standardized questionnaire on which a parent rates their child's behaviour at home and other environments, and the teacher rates the child on school behaviours. On the defiance and aggression index, the teacher provided a rating with a T-Score of 66 with scores above 65 considered clinically significant. As the assessment provided a behaviour measurement that met the diagnostic criteria for Students Requiring Behaviour Support or Students with Mental Illness (Code R), this student claim was recommended for reclassification to Code R.

- As identified in two previous audits, the practice for classification of student claims in the Code D category by staff members remained unchanged contrary to the recommendations presented in the 2017/18 audit reports for both of the Fawkes facilities. There was no evidence of reports from a qualified medical specialist or consultation with a multi-disciplinary team of specialists for Code D claims in the 2017/18 school year audit as well as during the 2021/22 school year audit. The Executive Director said that an individual who conducted assessments for the school and who gave the school advice about category placement, insisted that the students should be reported in Code D during both audits despite the directives of the Special Education Services Manual of Policies, Procedures and Guidelines. The Executive Director stated that the current staff now have a clear understanding of the diagnostic criteria for reporting a student with a Code D designation and agreed with the auditors' findings. Further it was stated by the Executive Director that plans are in place for the school to adhere to the current directives and acquire the appropriate clinical diagnostic assessment evidence going forward.
- All student claims were reported by the school as elementary ungraded (EU) and secondary ungraded (SU) instead of an actual grade level. Indicating that all students reported were not in a specific elementary or secondary grade.
- Evidence of student claims meeting the online attendance requirement of active participation at the claim date of September 29th were not initially available. The evidence when provided included communication logs and data from service providers, descriptions of student activities, services, and student work samples.

Recommendations

The auditors recommend that:

- In order to report a student in a special needs category at the time of the Form 1701 Data Collection submission, the student must meet the online active participation attendance requirements and a plan for the delivery of services must also be evident at the time of the claim period as per the Form 1701: Student Data Collection Completion Instructions for Independent Schools.
- The School staff ensure that at the time of the Form 1701 submissions, there is the required evidence in place to support that students have been appropriately assessed and identified as

meeting the criteria listed in the Special Education Services Manual of Policies, Procedures and Guidelines for the reported category.

- The School staff revisit the procedure of reporting students in the EU and SU categories to ensure this practice meets the data collection directives. As identified in the Form 1701 Instructions: *“If the student is in a specific elementary or secondary grade, indicate the specific grade...The ungraded categories include students who are taking courses at a number of levels and the school personnel do not consider the student to be in a specific grade level.”*
- The School staff ensure student claims in Code A contain assessment evidence to meet the Physically Dependent category including verifying the student is completely dependent on others for meeting all major daily living needs, and requires assistance at all times for feeding, dressing, toileting, mobility, and personal hygiene in accordance with the Special Education Manual of Policies, Procedures, and Guidelines.
- The School staff immediately implement procedures to ensure any individuals conducting assessments or providing advice about category placement adhere to the directives of the Special Education Services Manual of Policies, Procedures and Guidelines.
- The School staff ensure any student claims in Code D meet the criteria listed in the Special Education Manual of Policies Procedure and Guidelines including the following:
 - For consideration of a physical disability or chronic health impairment based on the need for special education services, there must be documentation of a medical diagnosis in one or more of the following areas: nervous system impairment that impacts movement or mobility, musculoskeletal condition, or chronic health impairment that seriously impacts the student’s education and achievement.
 - A medical diagnosis by itself does not determine the need for special educational services by students with physical disabilities or chronic health impairments.
 - Student claims are only eligible for funding in this category if the student’s functioning and education is significantly affected by their physical disabilities or chronic health impairments. It is the extent and impact of the physical/medical condition on the student’s functioning and the consequent need for services which enable the student to access an educational program and participate in a meaningful way, that are the determinates.
 - A diagnosis of Complex Developmental Behavioural Condition requires that a clinical diagnostic assessment be made by a Complex Developmental Behavioural Conditions (CDBC) Network or by qualified specialists (psychiatrist, registered psychologist with specialized training, or the medical professional specializing in developmental disorder) in consultation with a multi-disciplinary team of specialists.
 - The assessment must include and integrate information from multiple sources and various professions from different disciplines that indicates the complex developmental behavioural conditions are exhibiting an array of complex needs, with two or more domains being impacted.
- The School staff ensure all student records have appropriate detailed assessments that support the recommendation for the reported category in accordance with the criteria outlined in the Special Education Manual of Policy, Procedures, and Guidelines.

- The School staff ensure there is a consistent process for the recording of student attendance along with evidence to meet the online activation attendance requirements by the Form 1701 reporting claim date.
- The School staff maintain its commendable collaboration with families and service providers in the development of the IEPs.

Auditors' Comments

The auditors express their appreciation to the school staff for their cooperation and hospitality during the audit.