

TO: Dena Dosset, Chief of Data Management, Planning and Program Evaluation
Dr. Donna Hargens, Superintendent

CC: Tom Hudson, Chief Business Officer
Cordelia Hardin, Chief Financial Officer/Treasurer

FROM: Jim Tencza, - Internal Audit, Dean Dorton Allen Ford

SUBJECT: Preliminary Report Related to Data Reporting

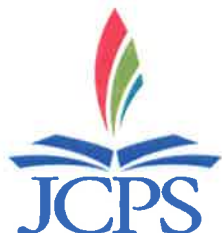
DATE: May 2, 2016

Note

This is a preliminary report related to our audit of the data reporting by JCPS to the Kentucky Department of Education (KDE) for the KDE School Report Cards. This preliminary Internal Audit report includes all audit procedures, findings and recommendations as of May 2, 2016, which is the date of this report. Our final report will be provided after we discuss our preliminary findings with the Board on May 10th and after we complete the “open items” discussed below and any other audit procedures deemed necessary after our discussion with the Board.

Summary

- JCPS had previously under reported seclusion and restraint incidents by a significant amount to KDE for the 2013-14 and 2014-15 school years. In March 2016, JCPS took action to remediate this matter. Management’s process of remediating this situation and for ensuring that now all seclusion and restraint information in its internal computer tracking system called SBRT (Student Behavior Response Team) for the 2013-14 and 2014-15 school years has been properly included in Infinite Campus was well-designed and communicated. Management properly included KDE in the process and has worked diligently on downloading and inputting the correct information. KDE’s review noted only 12 discrepancies in the 2014-15 school year and only 9 discrepancies in the 2013-14 school year (all which have been resolved). We are currently in the process of completing our verification that there are no errors or discrepancies between SBRT and Infinite Campus. Our testing did uncover some flaws in the remediation efforts. We determined that certain schools had documented some incidents in their Behavior Incident Logs (BIL) that were restraints or seclusions but that were not documented in SBRT or Infinite Campus. JCPS subsequently reviewed all BILs and determined that 621 incidents needed to be input into Infinite



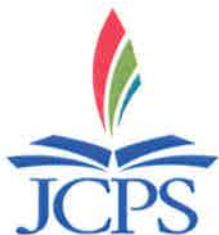
Campus which was done and included in the information submitted to KDE. We also noted that there were some early childhood seclusion and restraint incidents that were not included in Infinite Campus. We have been informed that KDE did not report restraint or seclusion incidents for early childhood students on the 2013-14 and 2014-15 school report card, thus they are not counted on the Safe Schools Report for those years. We have requested the BILs for 2014-15 and 2013-14 of 12 schools randomly selected that reported none or very low amounts of seclusion and restraint incidents. Once we receive the BILs for these schools we will review them to determine if there are any seclusion or restraint incidents that have not been included in Infinite Campus.

- All of the 2015-16 seclusion and restraint data has not been input/downloaded into Infinite Campus yet. This data is required to be in Infinite Campus at the end of the school year for inclusion in the 2015-16 School Report Cards that will be finalized on July 31, 2016. This information needs to be reviewed, scrutinized and tested prior to being finalized.
- Having to input seclusions and restraints events into 2 systems was the primary reason for the data reporting discrepancy in Infinite Campus; however, another significant contributing factor was the overall culture. Some of the administrators and employees were motivated to not report all seclusion and restrain incidents in Infinite Campus. Management has taken certain steps to begin to change and improve the culture but additional strong steps need to be taken.
- JCPS developed its own internal computer tracking system called SBRT to assist Principals and others provide the best support for its special needs students. We believe this system should continue to be used with certain revisions that will allow the information to be interfaced with Infinite Campus. This will result in only one data entry system which is extremely important but it will also allow JCPS to have the necessary information to continue to provide the proper support for its students.

Background

In early March 2016, Dr. Hargens was made aware of certain inaccuracies in JCPS's State Report Card. The seclusion and restraint data previously reported to KDE via the Infinite Campus database showed 174 seclusions/restraints events for the 2014-15 school year; however, the actual number of events was estimated to be 4,403. There was a similar discrepancy noted for the 2013-14 school year. (KDE began reporting this data in the School Report Cards for the first time on the 2013-14 school year.) On March 3, 2016, Dr. Hargens sent a letter to KDE and the Board informing them of this discrepancy and her plans to address the situation immediately.

Management's assessment of the situation is that discrepancies arose because of the use of an internal database to enter incidents of seclusions and restraints. JCPS had previously developed their own internal computer tracking system called SBRT to log and report seclusions and restraints that facilitated an in-



depth student level analysis. Management believes that all seclusions and restraints were properly documented in SBRT but were not transferred/input properly into Infinite Campus. All schools were previously told to enter such incidents in both systems; however, the vast majority were not put into the Infinite Campus database. Management believes that having 2 systems caused confusion and led to the discrepancy – some people thought information entered into SBRT would be automatically downloaded to Infinite Campus, others forgot to enter the information twice, others did not enter the information correctly into Infinite Campus, others did not have rights to enter information into Infinite Campus and others did not realize that they needed to input the information twice.

On March 4, 2016, Dr. Hargens and the Board Chair requested that Internal Audit perform an audit of JCPS's data reporting to KDE. In March, JCPS shut down SBRT and sent out explicit instructions to all school principals related to inputting information into Infinite Campus. The Information Technology department was able to download a significant portion of the incidents from SBRT into Infinite Campus, but some information needed to be input by the schools.

JCPS has worked closely with KDE over the past 2 months to properly get all 2014-15 and 2013-14 seclusion and restraint events into Infinite Campus. As of the date this report, JCPS has downloaded and/or manually input all of the seclusion and restraint incidents into Infinite Campus and KDE has reviewed this information. KDE's review revealed only 21 discrepancies (12 incidents in the 2014-15 school year and 9 in the 2013-14 school year) which were subsequently resolved. KDE will generate the revised data sets for the School Report Cards from the Kentucky Safe Schools Report and provide them to JCPS for their final review before they publish them live on the KDE School Report Card website. The current count for the 2014-15 school year is 3,554 restraints and 606 seclusions (total of 4,160) and for the 2013-14 school year is 2,329 restraints and 360 seclusions (total of 2,689).

Procedures

In the March 22, 2016 Board meeting, Jim Tencza reported that Internal Audit had performed a risk assessment of the data being captured and reported to KDE for the State Report Card and determined that student behavior and safety information (specifically, seclusions and restraints) had the highest risk. Thus, Internal Audit has focused on the reporting of this information in the audit. Jim Tencza provided a summary of Internal Audit's general audit procedures which included:

- Verify that all seclusions and restraint data for 2014-15 school year and 2013-14 school year has been properly input and/or downloaded into Infinite Campus.
- Verify the reasons why seclusions and restraints data was not properly reported in Infinite Campus initially
- Gain an understanding of the processes for capturing and reporting the data to identify weaknesses in controls, risks of misreporting information and inefficiencies



- Gain an understanding of the processes of reviewing the data prior to and after submission to KDE to identify weaknesses in controls and/or inefficiencies
- Assess how management is utilizing various data to identify trends, issues and/or problems

Specific procedures performed included the following:

- Various meetings and interviews with Dena Dosset
- Various meetings and interviews with Information Technology personnel regarding their process of downloading information into Infinite Campus
- Performed a walkthrough of Information Technology's process to download information into Infinite Campus
- Identified and tested various controls used in Information Technology's process. These procedures are in the process of being performed.
- Electronically tested the information downloaded and manually input into Infinite Campus to determine that it was in agreement with SBRT. These procedures are in the process of being performed.
- Reviewed information contained in SBRT that was not downloaded or manually input into Infinite Campus and tested a sample of them to determine if they were properly excluded from Infinite Campus. These procedures are in the process of being performed.
- Performed various data analytics and ratio analysis to identify unusual variances related to seclusion and restraint data; inquired of management as to explanations for the unusual variances noted
- Gained an understanding and reviewed various instructions/communications regarding manually inputting information into Infinite Campus
- Selected 12 schools with very low or no seclusion or restraint incidents and reviewed the Behavior Incident Logs for those schools to determine if there were any incidents that appeared to be a seclusion or restraint that were not reported in Infinite Campus
- Visited various schools to gain a better understanding of the student behavior situations, how the school deals with various behaviors, how they document or capture various data and how the report seclusions and restraints. During these visits we toured the school and performed a walkthrough of the processes.
- Met with various JCPS employees to obtain an understanding of the various processes related to seclusions and restraints including training, capturing data, reporting data, monitoring of the information, analyzing the information and other related processes. Some of the JCPS employees we interviewed included:
 - Dena Dosset, Chief of Data Management, Planning and Program Evaluation
 - Donna Hargens, Superintendent
 - Georgia Hampton, Compliance and Investigations
 - Judi Vanderhaar, Evaluation Specialist
 - Jackie June, Interim Director Exceptional Child Education
 - Raghu Seshadri and Rick Mosley, Information Technology Department
 - Donna Klingman, Safe Crisis Management Lead Trainer



- Cheryl Dolson and Pam Sheehan, Bullying Prevention
- Jennifer Parks-Brown and Angela Hawkins, Early Childhood Programs
- Various Principals, Assistant Principals, Former Principals, Teachers and others at various JCPS schools

Audit Findings

Our key audit findings are segregated into 3 categories:

- 1) Reporting of seclusion and restraint incidents to KDE for the 2014-15 and 2013-14 school years.
 - a. Incorporating KDE in the process, including approving the steps to be taken on the front end and reviewing the information on the back end, was efficient and effective.
 - b. We did determine that many schools document student behavior incidents in a Behavior Incident Log (BIL). BILs include various types of incidents, however, all seclusions and restraints were required to be documented in Infinite Campus. We noted that some schools had documented some incidents in their BIL that were restraints or seclusions but that were not documented in SBRT or Infinite Campus. JCPS subsequently reviewed all BILs and determined that 621 incidents needed to be input into Infinite Campus which was done and included in the information submitted to KDE. We also noted that there were some early childhood seclusion and restraint incidents that were in BILs that were not included in Infinite Campus. We have been informed that KDE did not report restraint or seclusion incidents for early childhood students on the 2013-14 and 2014-15 school report card, thus they are not counted on the Safe Schools Report for those years.
 - c. We noted several unusual variances in the data in Infinite Campus that management has reviewed and evaluated. Some examples of the unusual variances and explanations include the following:
 - i. There was a significant increase in seclusions and restraints reported in 2014-15 as compared to 2013-14 - The 2013-14 school year was the first year that KDE reported seclusions and restraints incidents in Infinite Campus. It is believed that as more staff were trained about the requirement, more incidents were documented. Additionally, the U.S. Department of Education released a general report in 2012 describing the lack of support and consistency in the practices and documentation of all schools surrounding seclusion and restraint.
<https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>
 - ii. There are 52 schools (30%) with zero incidents including 20 alternative schools - It is possible to have schools with no incidents depending on the student population served by the school and the number of staff trained in Safe Crisis Management (SCM) techniques. SCM is supposed to be only used as last option.



According to the KDE school report card data set for 2014-15, 79% of non-JCPS schools in the state had zero restraints and 95% had zero seclusions reported.

- iii. There are 2 special schools with zero incidents (Mary Ryan Academy and Heuser Hearing) - Mary Ryan serves a special population of students who do not typically need restraint or seclusion. Heuser Hearing does have few incidents, but they were considered in the Non-Public School Calendar so they do not show up on the Safe Schools Report.
- iv. There is a large discrepancy amongst elementary schools in the number of incidents reported (for the 2014-15 school year there are 5 schools with over a 100 incidents but there are 15 schools with 2 or less incidents) - It is possible to have schools vary in the number of incidents reported depending on the student population served by the school and the number of staff trained in SCM techniques. At these 5 schools with over 100 incidents, the percentage of students involved in these incidents was 5% of the student population and 40% of those students were special education students. Schools with higher number of incidents reported higher number of staff trained in SCM techniques. Additionally, schools reported that in some cases, extensive documentation was needed for placement and/or referrals for special services. Schools with low or no incidents reported that they ensure multiple measures are in place and SCM is used as a last resort always. They implement schoolwide behavioral plans that include practice of schoolwide norms in all areas of the school. Schools reported that their low number of incidents are in alignment with other behavioral data (such as low rates of suspensions and behavioral referrals). Additionally, these schools reported that their staff receives resources and intervention strategies based on Positive Behavior Interventions & Supports (PBIS). These supports include de-escalation strategies in efforts to avoid restraining a student. Schools also partner with families to provide students with needed behavioral resources and preventing escalation of behaviors to the point of student safety being at risk. Some schools use preventive measures with students, such as point sheets, reward systems and daily check-ins with administrators. Certain schools reported that their team of administrators are the first line of contact charged with safely escorting students from classrooms to prevent the need for restraint.
- v. For both years combined elementary schools make up approximately 64% of the incidents - This pattern appears to follow state level trends as well. For the 2014-15 school year, according to the Kentucky School Report Card data set, 58% of incidents occurred at the elementary level in non-JCPS schools.



- 2) Current process of documenting, reporting and monitoring seclusion and restraint incidents
 - a. For the prior year (2014-15 school year) we noted that the primary control for ensuring that all seclusion and restraint information was properly reported to KDE was a yearend report reviewed and approved by the principal of the applicable school.
 - b. There appears to be excellent training provided to teachers and others regarding de-escalation techniques and how to properly deal with various student behaviors
 - c. Principals have a great deal of discretion over various aspects of the process including, who at the school is part of the Safe Crisis Management Team, training, documentation protocols, etc.
 - d. Assistant Principals seem to deal more with student behavior matters but they do not meet on a regular basis and they all do not receive the necessary training.
 - e. There has been a lack of oversight in this area by administration over the past couple of years. This is partly due to no one department being directly responsible for overseeing student behavior matters, significant changes in various administrative personnel or positions, and not considering inaccurate/inappropriate reporting as a key risk.
- 3) We noted several factors that impacted the reporting of information in Infinite Campus. Many of these indicate a culture of not wanting to report all matters in Infinite Campus, such as:
 - a. Principals and Assistant Superintendents are rewarded for having good results at their schools. Some principals stated that it would look bad on them or their school if they had a lot of seclusions and restraint incidents. Some principals stated that some Assistant Superintendents in the past have encouraged them to take steps to reduce the number of seclusions and restraints reported.
 - b. Filtering of negative information and data as it goes up the chain of command.
 - c. There has been inconsistent messages provided by various people in the organization (i.e., each principal may have different message, each Assistant Superintendent may have different message, each department head or administrator may have a different message). We were told that the most recent communication provided about inputting all incidents in Infinite Campus is the strongest and most uniform message ever received relating to documentation.
 - d. Culture and code of silence around seclusions and restraints has been a nationwide problem but the nation has moved to transparency and JCPS is lagging behind.
 - e. We had one employee who would not talk with us at work because he/she didn't believe they could talk truthfully and feared that they would get in major trouble for telling us the truth.
 - f. One individual told us that they were given a verbal directive to stop reporting student behavior incidents.



- g. One individual sent us an email stating that he/she will be leaving JCPS due to the unhealthy culture.
- h. We obtained minutes from a Data Subcommittee meeting held on August 25, 2015, that stated that there was a discrepancy in seclusion and restraint incidents in the thousands; however, this matter was not officially communicated to KDE or the Board until March 2016 (copy of minutes are attached hereto).

Recommendations

We have provided several recommendations for improvement.

- 1) To ensure the completeness and integrity of the seclusion and restraint information for the current 2015-16 school year:
 - a. The Data Management Division has established a process that is similar to how the 2014-15 and 2013-14 information has been entered into Infinite Campus. While this should ensure a vast majority of the incidents are included in Infinite Campus, management needs to thoroughly analyze the data, identify unusual discrepancies and follow up with principals to ensure the accuracy and completeness of the information.
 - b. At school yearend, the school report cards should be reviewed and approved not only by the Principals, but also by the Assistant Superintendents and the Superintendent prior to being finalized.
- 2) To help in changing the culture going forward there are various steps that management should consider taking, including:
 - a. Review the JCPS Organizational Chart and determine if changes need to be made related to overseeing the documentation, reporting, monitoring and training for student behavior incidents. There should be a clear understanding of who is responsible for such matters. Principals, Assistant Principals and teachers should clearly understand who they should contact with questions and concerns – and there needs to be clear and consistent responses to any such questions.
 - b. For the upcoming school year there needs to be clear, consistent and strong messaging from top level management and Assistant Superintendents regarding the importance of properly documenting and reporting all seclusion and restraint incidents and other safe school reporting information. It should be clear that this is a top priority.
 - c. Management should also provide written guidelines and requirements regarding documenting and reporting seclusion and restraint incidents. These written materials should be sent to all Principals and Assistant Principals and should also be maintained on the website. The written materials should include examples and various situations that we commonly see at schools. This will allow schools to be able to report information in a



- consistent and appropriate manner. The written materials should be specific regarding certain groups of students including early childhood and special needs students.
- d. Our training regarding SCM should include detailed training on how exactly to document and report various incidents.
 - e. Management should monitor the seclusion and restraint information on at least a monthly basis. Any unusual variances should be followed up on immediately. The proper level of management should be reviewing the information to ensure it is being documented and reported properly, as well as making sure various student incidents are being handled appropriately and in accordance with our policies and guidelines.
- 3) We have learned that SBRT provides great information regarding individual student behaviors that will now not be captured in Infinite Campus. The SBRT information is extremely helpful in assisting with remedies for improving student behaviors. An example of a student summary report is provided as an attachment. We believe JCPS should use SBRT with certain revisions that will allow the information to be interfaced with Infinite Campus. This will result in only one data entry system which is extremely important but it will also allow JCPS to have the necessary information to continue to provide the proper support for its students. We believe the process that the Information Technology team has developed to downloading the 2014-15 and 2013-14 information into Infinite Campus has provided a good basis for determining how SBRT can be modified to allow for an interface to be created.
- 4) There are various other recommendations that management should consider ,including:
- a. JCPS should consider whether its policies regarding SCM teams need to be revised. Currently, management requires that each school have a SCM team that includes at least 5 people. We do not believe that having 5 people on the team is the right answer for each school. The team should vary depending on the number of students, the type of school and the make-up of the student population. Management should also provide some guidance on which personnel should be part of the SCM team.
 - b. The JCPS SCM training team should have access to Infinite Campus and/or SBRT information and should review all incidents reported on at least a monthly basis to ensure that various student behavior incidents are being handled in an appropriate manner. The SCM training team should determine if additional training is needed at various schools based the incidents reported.
 - c. Assistant Principals should have periodic meetings to discuss student behavior matters and receive instructions/training, as needed.
 - d. JCPS needs to consider the need to gather input from students regarding student behavior issues. This input can be student surveys and/or specific feedback from students involved in various incidents.



- e. Management should consider if there are other student behavior matters that need to be addressed in a similar manner (better guidance on documentation, consistent messaging, proper oversight, etc.) such as student bullying, suspensions, bus referrals, etc.

Open Items

This report is a preliminary report because there are some audit procedures that are not complete. Open items are primarily due to the fact that KDE did not complete their review until April 29 resulting in the data not being finalized until that date. There were various data analytics and ratio analysis performed by Internal Audit once the data was finalized. The most significant open items relate to completing our testing of the process used to verify all data in SBRT was in Infinite Campus and reviewing the Behavior Incident Logs of 12 selected schools.

Actions Required

A written response must be submitted to Internal Audit no later than June 9, 2016, which is 30 days from the date of this report. Please submit the written response to Jim Tencza at jtencza@deandorton.com. If you have any questions, please contact Jim at 502-566-1071.

Thank you for your cooperation and assistance.



Jim Tencza
Internal Audit-Dean Dorton Allen Ford

Attachments:

Minutes from August 25, 2015 Data Subcommittee Meeting
Example Student Behavior Data Summary from internal systems

