

# Report To The Mississippi Legislature



## **An Expenditure Review of the State Department of Education's Acquisition of Assistive Technology Equipment and Software**

**November 10, 1998**

Between June and September 1996, the State Department of Education (SDE) expended \$195,764 (67% of which was from general funds) for assistive technology equipment and computer software for examination by parents and teachers who provide services to disabled students. During a July 1998 unannounced inspection of SDE's equipment storage site, PEER found most of the assistive technology equipment and computer software items in their original packaging, unopened and uninventoried. SDE was not in compliance with state laws, the State Auditor's guidelines, or its own property policies governing inventory control over these items. Warranties on some assistive equipment items have expired, leaving no recourse if SDE discovers defective items.

Because most of the equipment and software has either not been opened or has been used little during the months since purchase, it is questionable whether SDE sufficiently defined the need to acquire or place the equipment. SDE procured the equipment and software without adequately performing an analysis and assessment of teachers', parents', and disabled students' needs and without first establishing a facility where it could be housed and made readily available to parents and teachers.

**The PEER Committee**

**An Expenditure Review of the State Department of Education's  
Acquisition of Assistive Technology Equipment and Software**

**November 10, 1998**

**The PEER Committee  
Mississippi Legislature**

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The Mississippi Legislature

**Joint Committee on Performance Evaluation and Expenditure Review**

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November 10, 1998

Honorable Kirk Fordice, Governor  
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Honorable Tim Ford, Speaker of the House  
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On November 10, 1998, the PEER Committee authorized release of the report entitled **An Expenditure Review of the State Department of Education's Acquisition of Assistive Technology Equipment and Software.**

A handwritten signature in cursive script, reading "Ezell Lee", written over a horizontal line.

Senator Ezell Lee, Chairman

**This report does not recommend increased  
funding or additional staff.**

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# **An Expenditure Review of the State Department of Education's Acquisition of Assistive Technology Equipment and Software**

**November 10, 1998**

## ***Executive Summary***

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### **Introduction**

PEER received allegations that the State Department of Education's Special Education Division had purchased large amounts of assistive technology equipment to enhance learning of disabled students, but that the equipment had remained in boxes and that the department did not make the equipment available to teachers or parents. Pursuant to the authority granted by MISS. CODE ANN. Section 5-3-57 et seq., the PEER Committee reviewed the procurement of the assistive technology equipment and related items.

### **Overview**

Both state and federal laws assign the State Department of Education's Special Education Division the responsibility of assessing, determining, and providing services to enhance the educational needs of disabled students. Part of this responsibility embraces acquiring and demonstrating assistive technology devices designed to enhance the functional capabilities of children with disabilities.

Beginning in 1996, the State Department of Education (SDE) purchased assistive technology equipment and computer software as authorized by federal and state law to make such equipment available to parents and teachers who provide services to disabled students. Using sixty-seven percent state general funds, the Special Education Division acquired \$195,764 worth of assistive technology equipment and computer software between June and September 1996. This effort was premature because SDE procured the equipment and software without performing a documented analysis and assessment of disabled students' needs and without first establishing an assistive technology facility where it could be housed and made readily available to parents and teachers.

Since SDE received the equipment and software, it has been either in storage or housed in a facility that is not convenient to teachers, parents,

or the state's main campus for disabled students. During the thirteen months between June 1997 (when SDE opened its assistive technology facility), and July 1998, the number of visitors has been minimal. The facility had only fifty-seven visitors during the nine days it was opened, and students are not benefiting from the availability of the equipment. Although SDE officials have voiced their intentions to establish a convenient facility on the grounds of the Mississippi Schools for the Blind and Deaf, they have implemented no plans to accomplish this task. Because most of the equipment and software has either not been opened or used little during the twenty-two months since purchase, it is questionable whether SDE sufficiently defined the need to acquire it.

During a July 1998 unannounced inspection, PEER found many of the items in their original packaging, unopened and uninventoried. For this reason, SDE was not in compliance with state laws, the State Auditor's guidelines, or its own property policies governing inventory control. Warranties on some assistive equipment items have expired, leaving no recourse if SDE discovers defective items. This lapse in opening and inspecting the equipment has subjected SDE to unnecessary loss if the equipment does not function properly and has accomplished little in terms of providing assistance and service to disabled students.

### **Recommendations**

1. In view of the Department of Education's failure to account properly for the assistive technology equipment, the State Department of Audit should conduct a comprehensive property compliance audit of the State Department of Education. This audit should determine whether SDE is properly accounting for both state and federal resources.
2. The Legislature should consider amending MISS. CODE ANN. §29-9-1 to provide penalties for agencies' noncompliance with inventory procedures.

3. The State Superintendent of Education should insure that all divisions of the Department of Education adhere to state law, State Auditor's guidelines, and departmental policies and procedures concerning inventory records.
4. Before making any more purchases for the establishment of an assistive technology center,

SDE's Special Education Division should develop a written strategic plan justifying the need of the center and design an implementation plan that addresses the organizing, developing, staffing, and budgeting of the center. Furthermore, the plan should address the purpose, mission, goals, and targeted individuals.

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# **An Expenditure Review of the State Department of Education's Acquisition of Assistive Technology Equipment and Software**

## ***Introduction***

### **Authority**

Pursuant to the authority granted by MISS. CODE ANN. Section 5-3-57 et seq., the PEER Committee reviewed the procurement of assistive technology equipment and related items by the State Department of Education's Special Education Division.

### **Scope and Purpose**

This review sought to determine the status of assistive technology equipment purchased by the State Department of Education (SDE) and whether the equipment was deployed in a timely way to provide educational assistance to disabled students. Particular concerns centered upon allegations that SDE purchased the equipment but that it remained in boxes and that SDE did not make the equipment available for examination by teachers or parents. PEER also sought to determine when SDE purchased the equipment, the source of funds utilized, the length of time between receipt of the equipment and its availability for use, and the status of SDE's plans for using the equipment to benefit the state's disabled student population.

### **Method**

To determine the status of assistive technology equipment, PEER conducted an unannounced inspection of SDE's assistive technology facility (a location in Rankin County near the Bureau of Surplus Property warehouse) on July 21, 1998. PEER conducted an inventory of all equipment at this location said to be assigned to SDE's Special Education Division and noted the condition of the items. PEER examined SDE's internal controls for managing funds expended on assistive technology and related items and reviewed SDE's internal inventory and purchasing policies and the Department of Finance and Administration's (DFA's) procurement manual. PEER interviewed representatives of SDE, the State Department of Audit, the Department of Finance and Administration, the Department of Information Technology Services, and manufacturers of some devices. PEER also reviewed both state and federal statutes and appropriations bill provisions relevant to the procurement of assistive technology equipment and analyzed expenditures of equipment and software items located at SDE's assistive technology site.

## **Overview**

Both state and federal laws assign the State Department of Education's Special Education Division the responsibility of assessing, determining, and providing services to enhance the educational needs of disabled students. Part of this responsibility embraces acquiring and demonstrating assistive technology devices designed to enhance the functional capabilities of children with disabilities. Beginning in 1996, SDE purchased assistive technology equipment and computer software as authorized by federal and state law to make such equipment available to parents and teachers who provide services to disabled students. Using sixty-seven percent state general funds, the Special Education Division acquired \$195,764 worth of assistive technology equipment and computer software between June and September 1996. This effort was premature because SDE procured the equipment and software without performing a documented analysis and assessment of disabled students' needs and without first establishing an assistive technology facility where it could be housed and made readily available to parents and teachers.

Since SDE received the equipment and software, it has been either in storage or housed in a facility that is not convenient to teachers, parents, or the state's main campus for disabled students. During the thirteen months between June 1997 (when SDE opened its assistive technology facility), and July 1998, the number of visitors has been minimal. The facility had only fifty-seven visitors during the nine days it was opened, and students are not benefiting from the availability of the equipment. Although SDE officials have voiced their intentions to establish a convenient facility on the grounds of the Mississippi Schools for the Blind and Deaf, they have implemented no plans to accomplish this task. Because most of the equipment and software has either not been opened or used little during the twenty-two months since purchase, it is questionable whether SDE sufficiently defined the need to acquire it.

During a July 1998 unannounced inspection, PEER found many of the items in their original packaging, unopened and uninventoried. For this reason, SDE was not in compliance with state laws, the State Auditor's guidelines, or its own property policies governing inventory control. Warranties on some assistive equipment items have expired, leaving no recourse if SDE discovers defective items. This lapse in opening and inspecting the equipment has subjected SDE to unnecessary loss if the equipment does not function properly and has accomplished little in terms of providing assistance and service to disabled students.

## ***Background***

The State Department of Education's Special Education Division is responsible for insuring that special education students receive services necessary to provide them with an education equivalent to that of non-special education students. The provision of services to disabled students is authorized and mandated under both federal enactments and state statute.

### **Federal and State Acts**

The federal Individuals with Disabilities Education Act of 1990 and the Blind Person's Literacy Rights and Education Act provide the State Department of Education's Special Education Division with the authority to provide services to enhance the educational needs of disabled students. "Services" includes the utilization of assistive technology devices to enhance the functional capabilities of students with disabilities.

In 1995, the Mississippi Legislature enacted the Blind Person's Literacy Rights and Education Act, which provides for educational development of eligible blind students. According to this act, education services include the utilization of assistive technology devices, which means "any service that directly assists the functional capabilities of a blind student."

In accordance with these federal and state laws, the State Department of Education chose to enhance its special education program by acquiring equipment intended to assist students with disabilities. In Fiscal Year 1996, the Special Education Division began its effort to develop such a program by purchasing a variety of equipment and computer software with the intention of making it available to parents and teachers of students with disabilities.

### **Equipment and Computer Software Purchases**

Beginning in June 1996, the Special Education Division acquired 243 assistive technology equipment and computer software items costing a total of \$195,764 (see Exhibit 1, page 4). This includes 106 inventoriable equipment items (e.g., speech synthesizers, Braille devices, computers, printers, feeders, chairs, etc.) costing \$132,482, and 137 computer software items costing \$63,282. SDE purchased other equipment items but these items were not required to be placed on its inventory.

Exhibit 2, page 5, shows that SDE expended \$130,693 in state general funds (67%) and \$65,071 in federal funds (33%) during fiscal years 1996 and 1997 to acquire assistive technology items that are housed at its facility.

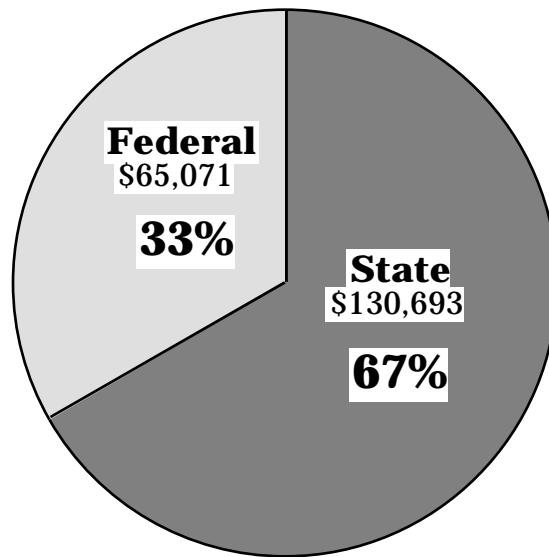
**Exhibit 1**  
**Number and Cost of Items Purchased**  
**(As of July, 1998)**

	<u>Number of Items</u>	<u>Cost</u>
Equipment (Inventoriable) *	106	\$132,482
Computer Software	137	\$63,282
<b>TOTAL</b>	<b><u>243</u></b>	<b><u>\$195,764</u></b>

\* Does not include equipment items not required to be on inventory.

SOURCE: Compiled by PEER.

**Exhibit 2**  
**Source of Funding for Assistive Technology Equipment Expenditures**  
**(For Fiscal Years 1996 and 1997)**



**TOTAL = \$195,764**

SOURCE: Compiled by PEER.

## ***Conclusions***

### **Lack of Formal Needs Assessment and Program Design Prior to Investing Resources**

**SDE did not perform a formal statewide assessment designed to document disabled students' needs for assistive technology, nor did the department develop a strategic plan for implementation of such a program.**

Although SDE stated its general intent to establish an "assistive technology center," the agency could not provide documentation that it had conducted a formal quantifiable assessment of disabled students' needs. SDE staff did state that they had informally gathered information through ongoing interaction with teachers, parents, and students and held regional meetings prior to 1995.

### ***SDE Utilized Several Mechanisms for Gathering Informal Information***

SDE personnel stated that they informally identified the needs of disabled students through documentation obtained by SDE's "Child Find" process and school districts' Individualized Education Program plans. Documentation addressing the "Child Find" process defines the Department of Education's responsibility for "statewide coordination of the planning and implementation of the child identification, location, and evaluation effort." SDE requires school districts to keep records on the number of students referred and found to have a disability. The SDE staff is responsible for monitoring the information collected to identify disabled students who are not receiving special education and related services as needed. SDE also reviews information obtained by local school districts' Individualized Education Program in identifying needs. Through this program, school districts maintain a written individual education plan (IEP) designed to outline educational services to meet the unique needs of disabled students.

SDE also provided documentation of meetings reflecting discussions and recommendations from parents, school districts, students, and the Mississippi Advisory Committee for Special Education. These informal recommendations reportedly addressed the need for assistive technology training and evaluations to ensure appropriate services for students with disabilities.

### ***SDE Did Not Document a Formal Assessment of Need or Prepare a Strategic Plan Before Buying the Equipment***

Although the Special Education Division is responsible for gathering and monitoring information concerning disabled students, SDE provided no documentation that this information was incorporated into a formal assessment of students' assistive technology needs. SDE provided PEER with no quantifiable

data to support the assessment of disabled students' need to procure the assistive technology items. SDE personnel stated that they intended to establish a center at Mississippi Schools for the Blind and Deaf, where many disabled students are housed and trained, but they have yet to open a facility at that location. To date, SDE has not identified funds to develop a center but officials say they anticipate its completion and operation by the end of School Year 1999.

In order to establish need accurately and design an appropriate program for providing these services, the Special Education Division should have performed a documented, quantifiable analysis. The division should have gathered information on the number of disabled children in the state, where they reside and go to school, and their unique needs for assistive technology. Based on this data, the division could then have designed a program and a strategic plan to get the technology to the student most effectively.

SDE has not developed a strategic plan regarding the operational functions (organizing, staffing, coordinating, and budgeting) of the center. Gathering the data and assessing the group's needs could have given the division a documented base of data upon which to build a program and determine the method of providing assistive technology services. The information might have dictated that the division make the equipment available regionally through mobile labs, provide transportation to a central location, or transfer the equipment to area schools. The division could have targeted distribution of information about the availability of assistive technology services. There is no documented evidence that the division made this effort. If the division had made a formal, documented effort to identify need and knew the locations of the disabled students, division staff could have quickly deployed the equipment to the students who needed it, instead of leaving the equipment boxed and warehoused.

This lack of effort to perform strategic planning and identify funding sources has resulted in an inefficient use of both state and federal funds to procure assistive technology. In the absence of such a plan, SDE chose to purchase the equipment and software and to place it in a location that is not convenient to teachers and parents. This has contributed to low usage by those most instrumental in getting it to the students who need it.

### **Ineffective Methods of Providing Assistive Technology to Disabled Students**

SDE purchased assistive technology equipment and software without performing a documented analysis and assessment of disabled students' needs and without first establishing a convenient facility where the equipment could be made readily available. As a result, SDE has made effective use of only a few of the assistive technology items. The remaining items have experienced only minimal use or never have been opened. During the thirteen months that it has been opened, visitors to the current facility have been few, with only fifty-seven visiting on a total of nine days.

**PEER found that thirty-nine of 106 assistive technology equipment items and eighty-six of 137 software items had not been opened and placed in use. The remaining items had been used only a minimal amount.**

During the twenty-two months since SDE purchased the equipment, only seventeen of 106 equipment items (costing \$18,173) have been deployed for use by disabled students (see Exhibit 3, page 9). SDE transferred sixteen devices to other governmental entities and one to the Central High School, the location of the Department of Education's main offices. PEER found eighty-nine equipment items valued at \$114,309 that SDE was not using effectively to provide services to disabled students. Of these items, thirty-nine computer speech synthesizers remained in their original packaging and unopened. Likewise, of 137 software packages purchased, eighty-six had not been opened.

Documentation from SDE and vendors shows that SDE purchased fifty-three computer speech synthesizers during FY 1996 through FY 1997 costing a total of \$41,200. Speech synthesizers are computer devices used with text-to-speech software that translates text into the basic building blocks of speech. PEER found thirty-nine computer speech synthesizers in their original shipping packages, uninventoried, and untagged.

From June through September 1996, SDE purchased 137 packages of computer software (costing \$63,282 in state general funds). During the July 1998 inspection, PEER found 105 packages of software housed at the facility. Of this amount, PEER found eighty-six packages of computer software unopened (in the original plastic covers) and unused. Because this software has gone unopened for twenty-two months, it could be defective or outdated. Furthermore, SDE has no recourse if it discovers defective software, because most warranties expire after twelve months.

**During thirteen months, only fifty-seven persons have visited the SDE's assistive technology facility, which was open only nine days.**

SDE's Special Education Division opened the assistive technology facility on June 3, 1997, almost nine months after equipment was purchased. By reviewing SDE's visitor records for the facility, PEER determined the number of parents and teachers who examined the assistive technology items and received hands-on training. During the thirteen months since the facility's opening, fifty-seven people visited the center on nine occasions. Exhibit 4, page 10, shows that during the end of FY 1997 and the beginning of FY 1998 (June and July 1997), fifty-four people visited the center. Exhibit 4 also shows that subsequent to this, there were no visitors over a five-month span until January 1998, in which two people visited the center. Based on documents received from SDE, no other parent or teacher has visited the center since February 1998.

SDE opened the center for only nine days during the thirteen months it has been established in Rankin County. According to SDE representatives, the facility



remains locked a majority of the time without personnel stationed on site. SDE personnel also stated that parents and educators can make an appointment to visit the center and examine assistive technology items by contacting their office. However, SDE provided no documentation to PEER regarding advertisement or promotion of the center or other efforts to provide assistive technology services to disabled students.

**Exhibit 3**  
**Disposition of Assistive Technology Equipment and Software Items**  
**Purchased By SDE's Special Education Division**  
**(As of July, 1998)**

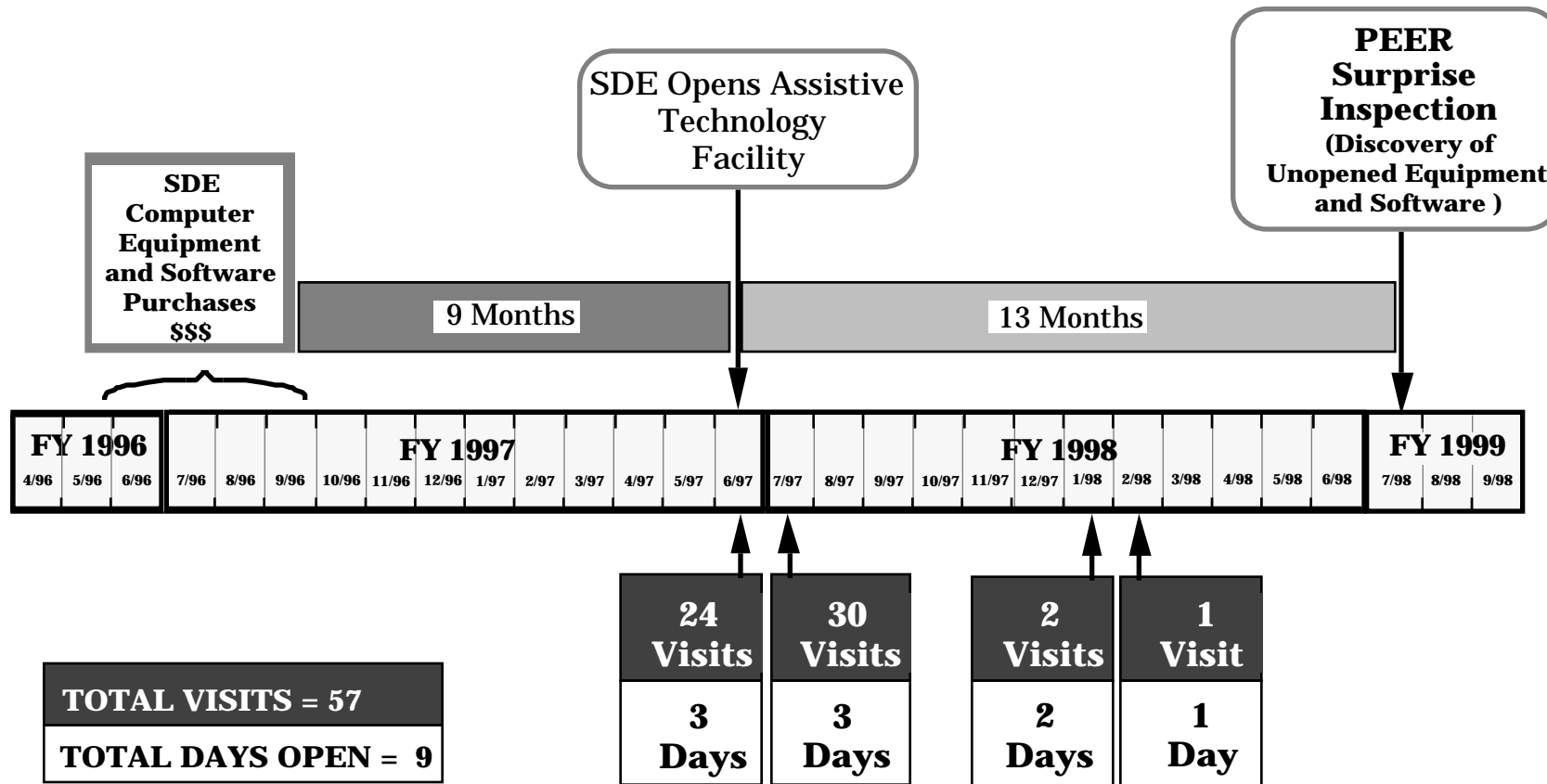
<u>Category</u>	<u>Number of Items</u>	<u>Value</u>
<b>Total Equipment Items</b>	<b>106</b>	<b>\$132,482</b>
Less: Items Transferred To Other Entities	(17)	(\$18,173)
Items In Custody of SDE's Special Education Division	<hr/> 89	<hr/> \$114,309
Less: Items on Inventory (As of July, 1998)	(50)	(\$84,279)
<b><u>Unopened Equipment Items *</u></b>	<hr/> <b>39</b> <hr/>	<hr/> <b>\$30,030</b> <hr/>
 <b>Total Software Items</b>	 <b>137</b>	 <b>\$63,282</b> <hr/>
Software Items Opened or Transferred	(51)	
<b><u>Unopened Software Items *</u></b>	<hr/> <b>86</b> <hr/>	
 <b>Total Value of Equipment and Software</b>		 <b>\$195,764</b> <hr/> <hr/>

\*Computer Equipment (Speech Synthesizers)

SOURCE: Compiled by PEER.

**Exhibit 4**  
**Number Of Visits To SDE's Assistive Technology Facility and Days Open**  
**(April 1996 - July 1998)**

10



SOURCE: Compiled by PEER from SDE Attendance Records.

## **Noncompliance with State Property Laws and State Auditor's Guidelines**

**SDE has failed to follow state inventory laws, the State Auditor's guidelines, and its own policy and procedures for inventory of assistive technology devices.**

### *SDE Did Not Ensure that All Equipment was Inventoried, Accounted for, and Controlled*

State law and the State Auditor's guidelines address how state agencies are to account for and control equipment such as the assistive technology devices purchased by SDE. Following are the responsibilities of each agency concerning such equipment:

- Maintain inventory list--state agency heads must make an inventory of all equipment "owned by or under the control of the respective agencies" (CODE § 29-9-1). Agencies must maintain a complete and current inventory list of each property item costing \$500 or more. Agencies must report items such as major computer components and printers, regardless of their purchase value, as equipment (State Auditor's guidelines).
- Tagging and recording items--Agencies' inventories must include "the name, description, serial number, purchase . . . date, . . . and any further information which the state auditor may require," as well as attachment of numbers to each piece of equipment (CODE § 29-9-3). The agency's Property Officer is "to attach labels to all primary inventory items" (State Auditor's guidelines).
- Additions to inventory--The State Auditor supplies agencies with inventory forms to include name, description, serial number, purchase price, and other information on equipment (MISS. CODE ANN. § 29-9-3, § 29-9-11, State Auditor's guidelines). Agencies must complete the forms in "detail and filed with the State Auditor of Public Accounts not later than the 15th day of the following month, providing there have been any additions to inventory" (State Auditor's guidelines). This requirement would cover transfer of items.

SDE also has its own agency policies governing how equipment should be received and inventoried. Appendix A, page 15, shows SDE's equipment and inventory policy as implemented on July 1, 1989. On November 1, 1996, SDE also implemented a policy requiring the Central Receiving Office to "verify the quality and item number (over shipment or under shipment). . . ." The policy also requires SDE personnel to "inspect the quality of goods for damages." It further requires the requesting officer (in this case someone in the Special Education Division) "to inspect the quality of" items to ensure the quantity and condition of goods. After tagging is complete, the responsible person (in this case personnel in

the Special Education Division) is to sign documentation acknowledging that an inventory number is affixed to equipment (see Appendix A, page 15).

Of the fifty-three computer speech synthesizers SDE purchased, only fourteen speech synthesizers were on SDE's June 1998 inventory list. No detailed information (serial number, purchase date, etc.) as required by MISS. CODE ANN. § 29-9-3, § 29-9-11, and the State Auditor's guidelines accompanied the inventory documentation. Because of this, SDE was not in compliance with the state law and the State Auditor's guidelines, which require all agencies to inventory equipment costing \$500 or more and also to inventory computer equipment, regardless of the value.

At the conclusion of PEER's field work (October 2, 1998), a representative of the Special Education Division stated that SDE had coded speech synthesizers as software because the Department of Information Technology Services (ITS) approved purchase of the requested items as software rather than equipment. PEER recognizes this as a coding error and is not suggesting that any attempt was made to circumvent purchasing or inventory regulations. Although ITS erroneously coded the items as software, this does not relieve SDE of the responsibility to exercise proper receiving procedures. The receiving agency is responsible for insuring that items (especially physical assets such as computer equipment) are opened and inspected upon delivery. If representatives of SDE had opened and examined the items, they could have verified that the boxes contained computer equipment, which falls under Department of Audit and agency definitions of items that should have been recorded and tagged. Nonetheless, documentation shows that warranties on speech synthesizers expired one year from the invoiced date. Because of the delay in examining the equipment, SDE has no recourse if its personnel discover defective devices.

In conducting its unannounced inspection of the assistive technology facility, PEER found four ink jet printers (costing \$1,072) that had remained in their original shipping packages unopened. Documentation obtained from SDE shows that these items were assigned to another location. Whether the equipment was erroneously transferred to the facility or was not opened and tagged for inventory purposes, SDE did not comply with state inventory regulations or its internal inventory controls.

SDE's noncompliance with state laws, the State Auditor's guidelines, and its own agency policies regarding state property could have led to unnecessary surplus of equipment items. Also, SDE's inability to detect equipment could have resulted in items getting lost or stolen.

*SDE Did Not Record on Its Inventory the Transfer  
of Equipment to Other Entities*

Although SDE permanently transferred sixteen items to school districts to be used for disabled student education, SDE personnel did not obtain documentation to reflect accurately the transfer of these devices, which is

required by State Auditor's guidelines. These guidelines also require agencies to complete the proper documentation showing the transfer of items and to submit a receipt of the property with monthly property reports. PEER also found that the State Department of Audit cited this discrepancy in May 1997 and recommended that SDE "emphasize the expedient process of paperwork" regarding the transferral of equipment.

## ***Recommendations***

1. In view of the Department of Education's failure to account properly for the assistive technology equipment, the State Department of Audit should conduct a comprehensive property compliance audit of the State Department of Education. This audit should determine whether SDE is properly accounting for both state and federal resources.
2. The Legislature should consider amending MISS. CODE ANN. §29-9-1 to provide penalties for agencies' noncompliance with inventory procedures.
3. The State Superintendent of Education should insure that all divisions of the Department of Education adhere to state law, State Auditor's guidelines, and departmental policies and procedures concerning inventory records.
4. Before making any more purchases for establishment of an assistive technology center, SDE's Special Education Division should develop a written strategic plan justifying the need of the center and design an implementation plan that addresses the organizing, developing, staffing, and budgeting of the center. Furthermore, the plan should address the purpose, mission, goals, and targeted individuals.

## **Appendix A**

### **SDE's Internal Inventory Controls on Equipment**

SDE's current inventory policy provides for the following:

- “All property will be assigned to an employee who will assume full responsibility. . .”
- “No equipment shall be transferred, traded, or sold prior to Fixed Assets being notified in writing by the contact person and receipt of approval from the Bureau of Purchasing and the State Auditor's Office. . .”
- “Property items should not be moved from their original locations without a written request being submitted to Fixed Assets. This request should include the inventory number, description, current location, new location, signature of person releasing item, and signature of person receiving the item.”
- “Equipment or office furniture with a cost greater than \$500 will be added to the agency inventory after these items are paid in full. . .”
- “After we have paid for property and furniture items and assigned inventory numbers for them, these items will be tagged with the Department of Education property item identification stickers simultaneously while verifying serial number, item description and manufacturer. Once tagging is complete, these items will be entered in the agency inventory reporting system.”
- “When equipment is added to the inventory system, the responsible person or the employee for whom the piece of equipment is purchased will sign off acknowledging that a specific inventory number is affixed and accepting responsibility for that item.”
- “A physical inventory will be performed at least twice a year.”

SOURCE: State of Mississippi Department of Education Employee Procedures Manual.

## Agency Response



### STATE OF MISSISSIPPI DEPARTMENT OF EDUCATION

Richard L. Thompson  
State Superintendent of Education



November 9, 1998

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Executive Director  
Joint Committee on PEER  
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**RE: PEER's November 10, 1998, Report, "An Expenditure Review of the State Department of Education's Acquisition of Assistive Technology Equipment and Software"**

Dear Dr. Arinder:

On November 2, 1998, we were provided the opportunity to review the draft of the referenced report. After reviewing the report, including the executive summary, conclusions, and recommendations, I would like to provide the following response.

#### **Response to Recommendations 1 and 2**

The Department of Education does not agree with the assertion that employees did not follow state law by failing to inventory items of equipment. The items in question are referred to as DECTalk Express with a unit cost of \$770. This item is a text to a speech synthesizer, that when coupled with other special software, offers highly intelligible and natural speech. When the initial purchase of this item was made, the decision was that they should be inventoried. However, for the subsequent purchases of this item, in consultation with the Department of Information Technology Services, the decision was made that this item did not meet the definition of hardware and, as such, should be considered software that is not to be inventoried. The DECTalk Express unit is shipped with a text to speech synthesizer unit that is accompanied by a 3-½ inch diskette containing the software to be installed in a desk top computer. The majority of the cost associated with the DECTalk Express unit is for the software.



Based on these decisions, the inventory listing reviewed by the PEER investigator did not include all DECTalk Express units. Although the Department continues to contend that the DECTalk Express units do not meet the definition of equipment and should not be included on inventory, all the units have been inventoried until the Department can review this decision.

### **Response to Recommendation 3**

The Department of Education does concur with the assertion that personnel should be more diligent in processing the paperwork for handling transfers. Instructions will be provided to employees concerning the proper handling of transfers and steps will be taken to verify that the procedures are followed.

### **Response to Recommendation 4**

Upon review of the PEER report, the MDE identified several statements and/or assumptions that it believes need to be clarified.

- A. The PEER report indicates under the Overview section that *state and federal law assign SDE's Special Education Division the responsibility for assessing, determining and providing services to enhance the educational needs of disabled students*. Under the Background section it is stated that *SDE's Special Education Division is responsible for insuring that special education students receive services necessary to provide them with an education equivalent to that of non-special education students*. It should be noted that neither law assigns the responsibility to provide direct services to students with disabilities to the State Department of Education nor is it required that students with a disability receive services necessary to provide them with an education that is equivalent to those students with no disability.

Section 1412(a)(1) of the Individuals with Disabilities Education Act (IDEA) Amendments of 1997 mandates the States to ensure availability of a free appropriate public education to children with disabilities. Section 1414(d)(1) requires a committee of specific individuals from the local educational agency develop a program of services at least annually to address the special needs of the child with a disability. The services provided by the local education agencies must be based on the unique needs of the individual child and must provide educational benefit to the child. This program must meet the standards of an Individualized Education Program (IEP) and the committee must consider whether the child requires assistive technology devices and services as specified in Section 1414(d)(3)(B)(v).

The Mississippi Department of Education's State Plan under Part B of IDEA, as approved by the U.S. Office of Education, states on pages 7 and 54 that the responsibility to provide a free appropriate public education (FAPE) belongs to the State of Mississippi and the local school districts. The responsibility for ensuring the right to FAPE is that of the local school districts except for those students that state agencies are responsible by law for educating. The MDE, with the collaboration from other state agencies, provides local school districts with various services to assist them with the provision of appropriate educational services and monitors to ensure such services are provided in accordance with federal and state rules and

regulations. The State Department of Education provides no direct services to a student with a disability.

B. In the Conclusion section of the PEER report, based on notes taken during the review of the report, it is stated under the heading *Lack of Formal Needs Assessment and Program Design Prior to Investing Resources* that

- *SDE did not perform a formal statewide assessment designed to document disabled students' needs for assistive technology, nor did the department develop a strategic plan for implementation of such a program.*
- *SDE stated its general intent to establish an Assistive Technology Center; however, the agency could not provide documentation that it had conducted a formal quantifiable assessment of disabled students needs. SDE stated informally gathered information was obtained through ongoing interaction with teachers, parents and students and held regional meetings prior to 1995.*

Under the heading *SDE Utilized Several Mechanisms for Gathering Informal Information* it is stated that

- *SDE stated they informally identified the needs of disabled children through documentation obtained by SDE's Child Find process and school district's IEP plans.*
- *SDE also provided documentation of meetings reflecting discussions and recommendations from parents, districts, students and the Mississippi Advisory Committee for Special Education. These informal recommendations reportedly addressed the need for assistive technology training and evaluation to ensure FAPE for students.*

The Department does not concur with these findings in the report. The following response to these findings is provided to clarify that decisions of the MDE were and continue to be based on assessments of the needs concerning students with disabilities from a variety of sources. Sources of information include the federal and state reporting data collected by MDE and the extensive data collected by Project Start under the Mississippi Department of Rehabilitative Services. The needs expressed by local school personnel who have the responsibility for ensuring the provision of a free appropriate public education, as well as parents and the State Advisory Committee for Special Education are also utilized to verify the evaluation needs of students with disabilities and the training needs of educators and parents. Complaints, findings from due process hearings and monitoring reports also are reviewed to determine needs of students with disabilities. The following information should be included in the report to ensure readers understand the extent to which data is collected and utilized by the Office of Special Education.

1. The MDE's Office of Special Services determined that a needs assessment was necessary to assist in setting the direction that the State needed to pursue in order to ensure students with disabilities were provided a free appropriate public education. The Office believed information from a variety of individuals, including parents, was essential and that information from a large number of individuals was also needed. Surveys, while considered, were not utilized to collect quantifiable data in this situation due to research

indicating disadvantages such as participants possibly viewing a survey as impersonal, questions may miss the true issue(s) and the response rate could be low. Consideration was also given to the belief that some parents would be hindered in expressing the needs of their children by a written survey and that a forum with the opportunity to express their concerns openly was needed. Therefore, it was determined that regional meetings would be held with breakout groups facilitated by trained facilitators to collect valuable information on the needs of students with disabilities in our State.

On March 24, 1993 a memorandum was forwarded from the Office of Special Services to all local school district superintendents. This memorandum requested local service providers (two principals, two regular education teachers, two special education teachers and the supervisor of special education) attend a regional meeting to provide constructive information regarding problems, solutions and strategies in providing educational services. It also clarified that while data within SDE indicated a need for change, the department did not believe developing objectives and strategies for the state would be effective without statewide input from service providers.

Facilitators were trained and fifteen (15) meetings were held throughout the State on April 6-7 and 19, 1993. Attending these meetings were 762 school personnel. Meetings were also held with parents during July – August 1993 in eleven (11) locations with 292 parents attending. Also, on July 23, 1993, there were thirteen (13) representatives from ten (10) universities and colleges who attended an input session.

Information collected was not to determine precise components of an assistive technology center or the level of need for each of the approximate 66,000 students with disabilities in the State; rather, it was to capture needs of service providers, parents and individuals responsible for personnel preparation. The need for evaluation services and training related to assistive technology was expressed and documented as such in documents forwarded to the PEER investigator.

2. The SDE's Office of Special Education gains extensive needs assessment information from being a member of Project START's (Success Through Assistive/Rehabilitative Technology) Advisory Committee. This project under the Mississippi Department of Rehabilitation Services is funded through the Technology-Related Assistance for Individuals with Disabilities Act Amendments of 1994. Grants have been provided to each State to assist in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance for individuals of all ages. Ongoing needs assessment data has been collected through this project and provides data regarding the number of students with disabilities who have been provided evaluations, the technical assistance provided to service providers and parents, as well as training provided throughout the State. It also indicates the unmet needs of individuals with disabilities concerning assistive technology.
3. Annual data collected in accordance with federal and state requirements also provides information regarding the number of students with disabilities served

by each local school district and their types of disabilities. The Office of Special Education also implements a complaint system and impartial due process hearing system. Information from these systems also provides data regarding issues relevant to the provision of assistive technology services to students with disabilities. Results of monitoring visits are also reviewed to determine the number of districts not in compliance with rules and regulations.

In conclusion, beginning in 1994, the Office of Special Education has utilized the extensive needs assessment information from various sources. Project START collects and compiles valuable information for use by all state agencies. This information, along with data collected annually from local school districts and agencies reflecting the number of students with disabilities served in our State and the continuous information relevant to needs of students that has been gathered from local school personnel, parents and State Advisory Committee for Special Education members should be recognized as a formal needs assessment regarding the status of assistive technology needs by students with disabilities.

C. Also, in the Conclusion section of the PEER report, based on notes taken during the review of the report, it is stated under the heading *SDE Did Not Document a Formal Assessment of Needs or Prepare a Strategic Plan Before Buying the Equipment* that

- *SDE provided no documentation that this information was incorporated into a formal assessment of students' assistive technology needs. SDE provided PEER with no quantifiable data to support the assessment of students' needs to procure the assistive technology items.*
- *SDE plans to establish a center at the MS School for Blind and Deaf but they have yet to open a facility at that location to date. SDE has not identified funds to develop a center but officials say they anticipate completion and operation by end of school year 1999.*
- *SDE should have performed a documented, quantified analysis. SDE should have gathered information on the number of disabled students in the state, where they reside and go to school and their unique needs of assistive technology, and then design a program and a strategic plan to most effectively get technology to students.*
- *SDE has not developed a strategic plan regarding the operational functions (organizing, staffing, coordinating and budgeting) of the center.*
- *Information might have dictated that the division make the equipment available regionally through mobile labs, provide transportation to a central location or transport the equipment to area schools. It could have targeted distribution of information about the availability of assistive technology services. If SDE had a formal documented effort to identify needs and knew the locations of disabled students, staff could have quickly deployed the equipment to students who needed it, instead of leaving boxed and warehoused.*
- *Lack of effort to perform strategic planning and identifying funding sources has resulted in inefficient use of both state and federal funds to procure assistive technology.*

The Department does not concur with these findings in the report. The following response is provided to substantiate that the decisions of the MDE were made after careful planning and based on the needs of students with disabilities that are documented through need assessments as addressed above.

1. Based on the needs assessments outlined above, the MDE contends it did and does have sufficient information to determine the need for an assistive technology center. Beginning in 1994, documentation indicates that Project Start awarded subgrants for assistive technology evaluations and training to facilities located at the South Mississippi Regional Center, Children's Rehabilitation Center/UMC, Hudspeth Center Assistive Technology Unit, Mississippi Easter Seals Speech/Language Clinic, North Mississippi Regional Center and UAP/USM Assistive Technology Center. In collaboration with Project Start, the Department has supported the efforts of this funding grant to provide subgrants to various entities to offer assistive technology evaluations and training. The minutes of the State Board of Education for its November 19, 1993 meeting indicate the Office of Special Education provided a report on assistive technology and the networking across the state by various agencies.

Currently, the T.K. Martin Center, the North Mississippi Regional Center and the Hudspeth Center Assistive Technology Unit are the only facilities providing evaluations. Project START personnel, along with staff from these facilities and the MDE are providing awareness, training and technical assistance.

2. The Department does collect data from local school districts and agencies on December 1 of each year regarding the number of students with disabilities and the type of disability of each student. This data does provide information regarding where each student resides and attends school. The Department does not collect information on the unique needs of each of the 66,000 students with disabilities regarding their assistive technology needs. To determine the estimated need for evaluations, the Department has utilized information from the University of New Mexico which indicates approximately 4% of the students with disabilities will need some type of evaluation. During the 1997-98 school year, 415 evaluations were conducted by the existing centers funded by Project START.
3. The MDE's Office of Special Education began planning for an assistive technology center in 1995. While there are no formal minutes of staff meetings as requested by the PEER investigator, there is evidence of planning. The goal for the Office of Special Education was to provide an assistive technology center in the central part of the State on the campus of the Mississippi Schools for the Deaf and Blind (MSD and MSB). Meetings were held with personnel from those schools in March of 1995 to plan for services that would meet the needs of students at the MSD and MSB as well as the needs of local school personnel, parents and students throughout the State.

The center was to be designed to provide educational assistive technology evaluations and a hands-on training lab for parents and local school

personnel. This is evidenced by the floor plan of the center that was a part of Phase II of the building program. This plan of action was a part of the master plan for the capitol improvements project at the MSD and MSB as approved by the State Board of Education on May 19, 1995. The completion date was initially projected for October 1997. Due to delays in construction, the completion of this phase will not be realized until December 1998.

Upon the belief that a center would be available in 1998, an interim facility was opened in June 1997. While this interim facility was not as convenient to the public as was desired, it was intended only to be utilized as a short-term facility. Following the opening of the interim facility, the Office of Special Education became aware that funding for the MSB and MSD capital improvements would not allow for the projected administrative building to be built as originally planned; therefore, the original space designated for the assistive technology center would need to be utilized by the MSD and MSB for their administrative staff. Since that determination, the Office of Special Education has been reviewing options to funding a center on the MSD's and MSB's campus.

Federal funds cannot be used for construction; therefore, staff has reviewed several buildings currently on the campus to determine the feasibility of renovation. After such a review, it was determined that renovation of existing buildings would be costly and the available space in the buildings would not meet the needs for the center. Department staff met with the Bureau of Buildings staff and an architect to determine the cost and feasibility of building a separate facility on the campus. It was projected that this possibly could occur if state funds could be identified for this project. After careful review, it was determined that state funds for such a structure would need to be acquired from the Legislature and that materials and equipment would be purchased from federal IDEA discretionary funds. This proposal, along with the objectives of the facility was provided to the State Board of Education on October 23, 1998. The Board approved the recommendation to request funding of no more than \$1 million dollars from the Legislature for this initiative. If state funding is acquired, a center will be built. These steps began shortly before the PEER investigation and were not concluded until recently; therefore, the PEER investigator did not have the documentation to include this information in the report.

4. The Office of Special Education has developed a purpose or mission for the center and has planned for the staffing needs of the facility. As presented to the architect and the Bureau of Buildings in order to design and determine the cost of the facility, the purpose of the center is to provide 1) evaluation services for those students with disabilities who may be in need of assistive equipment and services and 2) training to teachers, service providers and parents regarding assistive equipment and services.

The plans for the center that were utilized by the architect to develop a drawing of the facility include a covered entrance to the facility; a reception area with a small waiting room; two (2) diagnostic rooms with observation area and ports for three computers in each room; a large storage area accessible to the diagnostic rooms and to staff; a restroom large enough for a

changing table; a conference room to accommodate a maximum of eight (8) individuals; a large multi-purpose room to be used as a classroom for at least 30 individuals; room for twenty (20) computers with internet access and four (4) printers in the multi-purpose room as well as space for video conferencing; an office area for six (6) contractual staff members; and an office for a director of the center.

The Office of Special Education has also developed the objectives of the center as evidenced in the attached informational sheet. These objectives were provided to the State Board of Education during its October 1998 meeting. Staffing of the center will be funded utilizing federal discretionary funds and will include six (6) contractual staff members, a full time secretary and a full time director.

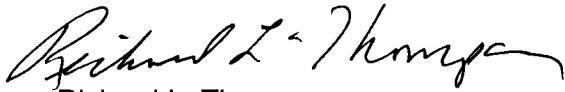
Until such time that a center can be funded and operational, the Office of Special Education has recently hired a new staff member who has the knowledge and expertise to expand training to local school personnel and parents. A web-site is also being planned to provide information on assistive technology devices and services. This employee will be available to travel to school districts to provide training and will utilize the interactive network for distance learning. Although the interim facility is not the state of the art facility desired, contractual staff will be sought to provide evaluations to students with disabilities at the facility. The Office of Special Education will continue to coordinate services with other state agencies providing assistive technology services to ensure duplication of efforts for populations in the state does not occur.

5. Based on the conclusions of the PEER report, it is believed that the PEER investigator did not understand the purpose of the Assistive Technology Center. The original design of the center, as discussed and submitted to the investigator, was to provide evaluations for students with disabilities and "hands-on" training for educators and parents. The equipment purchased as of this date for the center is for diagnostic assistive technology evaluations and training, not to forward to school districts for use with students. The Office of Special Education collected information beginning in 1995 from various universities and states that had existing centers to determine the type of equipment needed for evaluations and training. Information was also collected from a number of vendors to determine single source items and the lowest prices of equipment and software.

It should be noted that the majority of items found to be unopened at the interim center were not purchased for use at the assistive technology center. The 53 DECTalk Express units and associated MegaDot and JAWS software items were stored at the interim center during our move to Central High School due to the lack of space for storage at our new location. These items were purchased as a part of the Braille literacy initiative and have been transferred to the Mississippi School for the Blind for use by their students.

Thank you for the opportunity to review and comment on the subject report. Should you need additional information, please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard L. Thompson". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Richard L. Thompson  
State Superintendent of Education

RLT:cb

Enclosure



## **ASSISTIVE TECHNOLOGY CENTER MISSISSIPPI SCHOOLS FOR THE BLIND AND DEAF**

**Training** – A variety of assistive technology workshops featuring hands-on exploration of assistive technology will be provided at the center and throughout the state with the use of distance learning. Continuing education credits will be offered free of charge for local school and agency personnel. Teachers, administrators, paraprofessionals, occupational therapists, physical therapists and parents will be provided the opportunity to participate in the workshops.

**Technical Assistance** – Information and resources related to assistive technology will be provided via telephone, fax, e-mail and the MDE's web site. Up-to-date information about assistive technology, a training calendar, searchable assistive technology databases, and newsletters that may be downloaded will be provided through the MDE's web site.

**Local Assistive Technology Teams** – Educational professionals appointed by their school districts will receive on-going training to serve as a front line of support to students with assistive technology needs and their families. These teams will assist in conducting assessments, consult with other professionals and coordinate the district's implementation efforts.

**Evaluations** – Districts may refer a student for an evaluation to assist in determining the need for assistive technology in order to implement a student's Individualized Educational Program (IEP).

**Resource Lab** – A comprehensive array of assistive technology for demonstration purposes will be available for review at the center. Various devices, adapted toys and computers and software will be available for hands-on experiences.

**Resource Library** – The library will contain books, magazines, catalogs, videos and other resources pertaining to assistive technology. These materials will be available for review and/or checkout for a two-week period.

**Recycle Equipment Exchange Listing** – A district-to-district equipment exchange program will be coordinated to assist with matching local school districts that have adaptive/assistive equipment for loan to others who need it.

**Loan Library** – A short-term loan library of assistive devices and computer adaptations will be available to local school districts for student assessments.

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