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| **MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION****COORDINATED PROGRAM REVIEW** |

Collaborative for Educational Services

Corrective Action Plan Review

Program Area: Special Education, Civil Rights and Approved Public Day

Prepared by: Sherry L. Smith, M.Ed., Director of Special Education

CAP Form will expand to as many lines as necessary. Before completing and emailing to pqacap@doe.mass.edu, please see separate *Instructions for Completing Corrective Action Plans.*

All corrective action must be fully implemented and all noncompliance corrected as soon as possible and no later than one year from the issuance of the Coordinated Program Review Final Report to the school or district.

**Mandatory One-Year Compliance Date: March 27, 2015**

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| COORDINATED PROGRAM REVIEWCORRECTIVE ACTION PLAN **(To be completed by collaborative)** |
| **Criterion & Topic: SE 29** Communications are in English and primary language of home | **Rating:** Partially Implemented |
| **Department CPR Finding:** *Document review and interviews indicated that communications with parents are not consistently in both English and the primary language of the home, if the primary language is other than English.*  |
| **Narrative Description of Corrective Action:** The Collaborative entered into a formal agreement with a bilingual translator, Carmen Montes, ***effective November 8, 2013***. Ms. Montes is a native speaker of Spanish, and is a former Executive Assistant in the Collaborative’s Special Education Department. As such, she is well-versed in the operations of the agency, our department, and the needs of the students enrolled in CES programs. This makes Ms. Montes uniquely qualified to assist CES in providing translation services to our families.  Ms. Montes has agreed to translate written CES documents, facilitate e-mail communication and oral conversation as needed, and to be present as needed in person to provide translation services. With Ms. Montes’ permission, we will provide, and have provided, Spanish speaking parents with her e-mail address and cell phone number so that they can communicate directly with her in Spanish.  In addition to entering into an agreement with Ms. Montes, CES had the opportunity to hire a full time paraprofessional at HEC Academy who is bilingual (English/Spanish). This paraprofessional began full time with the Academy at the end of January 2014, and will be able to facilitate immediate oral interpretation, should the need arise.  |
| **Title/Role of Person(s) Responsible for Implementation:** Sherry L. Smith, M.Ed., Director of Special Education | **Expected Date of Completion for Each Corrective Action Activity:** There are several different completion dates referenced within the narrative, evidence and internal monitoring procedures; they have been bolded and italicized for easy reference. |
| **Evidence of Completion of the Corrective Action:**  Ms. Montes fully translated our existing documents (e.g. handbooks, parent letters, etc.) ***in March and April of 2013, and packets were subsequently mailed*** to our non-English speaking parents. At that time, we had two students enrolled whose parents were primary speakers of Spanish, and CES utilized the available supports to communicate with parents (e.g. for one student we communicated as needed to the parent via the bilingual school social worker and the bilingual DYS worker, and for the other student we utilized the bilingual DCF worker who was extensively involved with the family). Once we entered into a formal agreement with Ms. Montes ***in November, we provided the two parents with a letter*** that outlined the translation services she would provide, and how they could get in touch with her directly if needed. Neither of the two students referenced above are currently enrolled with CES and their files have been returned to the sending district. ***On December 18, 2013***, our Educational Coordinator conducted an intake meeting for a prospective student; the student’s paperwork indicated that the parent’s primary language was Spanish, and so we requested that Ms. Montes be present to provide translation services. During the intake meeting, the parent indicated that she did not require Ms. Montes’ translation services, and that she was comfortable conducting all communication with the Collaborative (including filling out the required paperwork) in English. The student was subsequently enrolled in January, and all communications have continued in English, per the parent’s request. ***A second student intake was conducted on January 13, 2014***; this student’s paperwork also indicated that the parent primarily speaks Spanish. However, the student is in DCF custody, and resides in a group home. At the intake, the parent was present with an interpreter provided by DCF. Currently, per the request of the group home/DCF, the school communicates directly with DCF, and DCF communicates with the parent. An IEP meeting was scheduled for April 29, 2014, for which the sending district provided an interpreter; however, the parent was unable to attend and the meeting is being rescheduled. There is a tentative reunification plan being discussed that has not been finalized. Once reunification occurs, CES will ensure that communication with the parent occurs via the methods we have put in place. CES currently has no other students whose parent/guardian has a primary language other than English. Our signed agreement, a sample parent letter (English and Spanish), and Ms. Montes’ resume are attached for review. In addition we are providing copies of invoices for translation work she has completed for us.  |
| **Description of Internal Monitoring Procedures:** ***Ongoing:**** CES will review all incoming student referrals to ascertain the primary language of the parent. For Spanish-speaking parents, we will utilize Ms. Montes’ translation services during intake meetings for prospective new students.
* In the event that CES needs to issue a parent letter or communication that is not already available, CES will request that Ms. Montes provide a translated copy.
* CES will maintain a file with invoices provided by Ms. Montes for any translation work that she has completed. Ms. Montes has indicated that she will describe in her invoices the nature of the translation work (e.g. intake meeting, document translation, phone calls, e-mail communication, etc.).
* CES will additionally maintain a log that documents any phone conversation that utilizes the interpretation support of either Ms. Montes or our bilingual paraprofessional.
* E-mail communications that are conducted in Spanish will be archived for future reference, and/or printed for the student file.

***Annually/Prior to the start of a school year:**** CES will ***annually******update*** all necessary forms and standard CES-issued documents provided to parents/guardians at the start of a school year, and request that Ms. Montes update the Spanish versions accordingly.

***By start of 2014-2015 school year:**** At the Department’s suggestion, CES will implement a parent sign-off form, to be maintained in the student’s file, which indicates whether a parent prefers to receive written communications in English, Spanish, or both. CES will review similar forms from area member districts and adapt a form to implement with the start of the new school year.
* All other documents that need translating, aside from standard CES communications (e.g. IEPs, progress notes, evaluations, etc.), will be detailed in agreements between the Collaborative and the sending district, and will be in place for the beginning of the new school year.

***Other:**** In the event that the Collaborative enrolls a student for whom the parent’s primary language is neither English nor Spanish, CES will work diligently with the sending district to determine what services are available, and how to best meet the translation needs of the parent or guardian.

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| CORRECTIVE ACTION PLAN APPROVAL SECTION**(To be completed by the Department of Elementary and Secondary Education)** |
| **Criterion:** SE 29 | **Status of Corrective Action:** [x]  Approved [ ]  Partially Approved [ ]  Disapproved  |
| **Basis for Partial Approval or Disapproval:** N/A |
| **Department Order of Corrective Action:** N/A |
| **Required Elements of Progress Report(s):**Submit a copy of the formal agreement for the 2014-15 school year with the bilingual translator, and the name of the full time bilingual paraprofessional hired for HEC Academy, by September 15, 2014.Submit a copy of the translated documents packet (handbooks, parent letters, etc.) that CES sends to non-English speaking parents, by September 15, 2014.Submit a copy of the parent sign-off form the collaborative will use when students enroll, to be maintained in the student’s file, to determine if their parents need documents to be translated, by September 15, 2014Develop procedures for providing translation and interpreting services for students whose parent’s primary language is neither English nor Spanish, and submit a copy to the Department by September 15, 2014.  |
| **Progress Report Due Date(s):** September 15, 2014  |

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| COORDINATED PROGRAM REVIEWCORRECTIVE ACTION PLAN **(To be completed by collaborative)** |
| **Criterion & Topic: SE 45** Procedures for suspension up to 10 days and after 10 days: General requirements | **Rating:** Partially Implemented |
| **Department CPR Finding:** *Student record review, documents and interviews indicated that the Collaborative does not consistently record and report as suspensions incidents where students, for disciplinary reasons, are removed from their regularly scheduled school activities but remain in school (in-school suspension) or are removed from regularly scheduled activities and from school buildings and grounds (out-of-school suspension), for at least half of the school day or more, or are sent home early. See Special Education Technical Assistance Advisory SPED 2012-2: Improving Data and Practices Regarding Disciplinary Removals of Students with Disabilities.* *http://www.doe.mass.edu/sped/advisories/12\_2ta.html* |
| **Narrative Description of Corrective Action:** The Collaborative will record and report as suspensions, any instance where, for disciplinary reasons, a student has been given in-school suspension for at least half of the school day or more, or any instance which results in an out-of-school suspension for half of the school day or more. The Collaborative will utilize a CES critical incident report that details the incident, reason for suspension, and any pertinent intervention and outcome; the report will indicate the length of the suspension. The report will subsequently be mailed to the sending district as part of CES reporting procedures; additionally the educational coordinator, clinical coordinator, or special education director typically communicates this information to the district representative directly via phone message.  In the event that a student reaches the 10 day suspension limit, either cumulatively or as a result of one incident, CES will schedule a TEAM meeting with the sending district in order to hold a manifestation determination and determine next steps, which can include conducting a Functional Behavior Assessment and implementing a Behavior Intervention Plan.  The Special Education Administrative Team, comprised of the director, clinical coordinator, and educational coordinator, have discussed at length the findings presented by the department, and familiarized themselves completely with the Technical Assistance Advisory referenced in the findings. As part of our effort to improve practice, current ongoing training will be enhanced and targeted to further support and improve the behavior intervention, de-escalation, and redirection strategies of staff members. Greater emphasis will be placed on collaborative problem solving, utilization of positive behavior interventions and supports, explicitly teaching self-regulation strategies, and institution of immediate and relevant learning and repair activities in relation to student infractions that allow for a more expedient return to class, rather than consequences that may have previously resulted in ½ day of annex/suspension or more.  |
| **Title/Role of Person(s) Responsible for Implementation:** Sherry L. Smith, M.Ed., Director of Special Education | **Expected Date of Completion for Each Corrective Action Activity:** September 2014 |
| **Evidence of Completion of the Corrective Action:** Evidence of completion will be demonstrated by the fact that incident reports will no longer indicate “1/2 day of annex” as they currently do, and any instance of internal or external removal of one half day or longer will be recorded as one day of suspension for each day that this occurs. Incident reports will be maintained in CES student files, and copies will be forwarded to the sending district, in accordance with current practice.  Manifestation meetings, or any other meeting that occurs in response to a behavioral concern or pattern, will be documented by CES meeting notes and will be maintained in the student file; CES will also request a copy of the *Notice of Proposed School District Action* (N1 form) that is issued by the district as a result of the team meeting. Copies of assessments, intervention plans, etc., that are produced as part of this process will also be maintained in the CES student file. Trainings provided to staff members will be documented via sign-in sheets along with a brief description of training content and copies of any materials provided to participants, and maintained in a binder in the Special Education Office.  |
| **Description of Internal Monitoring Procedures:** * ***By the start of the 2014-2015*** school year the special education department will have a revised critical incident form, as well as a new student information management system in operation; both of these tools will improve data collection procedures regarding student incidents.
* One aspect of the new student information system is that it will also facilitate the ability to generate reports regarding specific instances of student suspension. ***At the end of each month***, administrative support personnel will generate a report from the system that delineates instances of student suspension. Reports will be distributed to the CES Special Education Administrative Team (director, clinical coordinator, and educational coordinator), thus ensuring careful monitoring of suspension patterns.
* When a student has accumulated 5 days of suspension, this will trigger an alert from CES to both the parent and district in writing regarding the developing pattern. Minimally, an internal case consult with the student and his/her program teacher, clinical coordinator, and/or educational coordinator will occur in order to explore and attempt proactive solutions; while parents and the district will be invited to participate in such a case consult, it will not be required by CES at that time.
* Once a pattern of suspension reaches the 10 day limit, CES will indicate to the sending district and parent that a TEAM meeting must be held, as indicated in the above narrative section.
* Staff trainings will be provided by members of the CES Administrative Team ***at the beginning of the year, and on an ongoing basis throughout the year***, to address improvements in practice as outlined above in the narrative. Trainings will be documented via sign-in sheets along with a brief description of training content, and copies of any materials provided to participants.

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| CORRECTIVE ACTION PLAN APPROVAL SECTION**(To be completed by the Department of Elementary and Secondary Education)** |
| **Criterion:** SE 45 | **Status of Corrective Action:** [x]  Approved [ ]  Partially Approved [ ]  Disapproved  |
| **Basis for Partial Approval or Disapproval:** N/A |
| **Department Order of Corrective Action:** N/A |
| **Required Elements of Progress Report(s):**Submit the revised critical incident form the Collaborative will use to record and report suspensions, by September 15, 2014.Submit evidence of staff training (schedule, sign in sheets, agendas, materials) on behavior intervention, de-escalation, and redirection strategies designed to reduce suspensions, by September 15, 2014.Submit a suspension log of all Collaborative students. For those students who have reached the 10-day suspension limit, include evidence of a Team meeting (N1 and N3 forms) for each student, and a copy of the manifestation determination, by January 15, 2015. |
| **Progress Report Due Date(s):** September 15, 2014; January 15, 2015 |

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| COORDINATED PROGRAM REVIEWCORRECTIVE ACTION PLAN **(To be completed by collaborative)** |
| **Criterion & Topic:** CR 7 Information to be translated into languages other than English | **Rating:** Partially Implemented |
| **Department CPR Finding:** *Please see findings for SE 29* |
| **Narrative Description of Corrective Action:** *Please refer to Corrective Action proposed under SE 29* |
| **Title/Role of Person(s) Responsible for Implementation:** Sherry L. Smith, M.Ed., Director of Special Education | **Expected Date of Completion for Each Corrective Action Activity:** *See proposed completion dates under SE 29* |
| **Evidence of Completion of the Corrective Action:** *Please refer to Evidence of Completion proposed under SE 29*  |
| **Description of Internal Monitoring Procedures:** *Please refer to Monitoring Procedures proposed under SE 29* |
| CORRECTIVE ACTION PLAN APPROVAL SECTION**(To be completed by the Department of Elementary and Secondary Education)** |
| **Criterion:** CR 7 | **Status of Corrective Action:** [x]  Approved [ ]  Partially Approved [ ]  Disapproved  |
| **Basis for Partial Approval or Disapproval:** N/A |
| **Department Order of Corrective Action:** N/A |
| **Required Elements of Progress Report(s): See SE 29** |
| **Progress Report Due Date(s):** September 15, 2014 |

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| COORDINATED PROGRAM REVIEWCORRECTIVE ACTION PLAN **(To be completed by collaborative)** |
| **Criterion & Topic:** CR 10A Student handbooks and codes of conduct | **Rating:** Partially Implemented |
| **Department CPR Finding:** *Document review indicated that the student code of conduct does not describe procedures assuring due process in disciplinary proceedings and appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans. The nondiscrimination policy does not reference M.G.L. c. 76, s. 5, and does not affirm the school’s non-tolerance for harassment or discrimination based on gender identity.*  |
| **Narrative Description of Corrective Action:**  Per the Department’s findings, the nondiscrimination policy does not reference M.G.L. c. 76, s. 5, and does not affirm the school’s non-tolerance for harassment or discrimination based on gender identity. Section II of the Collaborative’s Student Guidelines Appendix “Non-Discriminatory Policy” will be modified to state the following:*It is the policy of the Collaborative for Educational Services (CES), pursuant to the Americans With Disabilities Act (ADA), Title IX, and related federal and state statutes, not to discriminate on the basis of race, color, religious creed, national origin, ancestry, gender,* ***gender identity****, sexual orientation, disability or handicap. (see M.G.L. c. 71, s.5)* Additionally, gender identity will be added into each of the subsequent paragraphs of the Non-Discriminatory Policy to be in alignment with the statute. The due process language provided below will also be added to the Appendix of the CES Student Guidelines, in its own section: *Section V. Rights to Due Process*. *The code of conduct outlined in the Student Guidelines shall apply at all times while you are on the CES campus and/or in proximity to campus, on CES-sponsored field trips or CES buses, while you are traveling to or from school during the school day, and while you are at school-sponsored events and activities, and at any other time or place that your conduct may affect the safety and/or wellbeing of other students and/or staff.* *In any disciplinary situation, a student should expect the following procedural protections:* * *to be informed of the allegations against him or her*
* *to be given the opportunity to present his or her version of the incident*
* *to be given the opportunity to confirm or deny the allegations*
* *to be informed of the evidence/rationale for any disciplinary consequences.*

*In any disciplinary situation, a parent should expect the following procedures:* * *to be informed of the allegations concerning their child*
* *to be allowed to request a copy of the written referral and/or their child’s referral history*
* *to be informed of the specific violation and consequence detailed in the Student Handbook Code of Conduct.*

*In situations involving infractions which may result in the imposition of suspension from school for two to ten days, a student should expect the following additional procedures:* * *attempted notification to the parent/guardian as soon as possible and preferably within the first hour of the incident investigation*
* *to be offered the opportunity to request the presence of a school-based adult advocate during the investigation*
* *notification of parent/guardian regarding any disciplinary consequences*
* *the right to appeal suspensions of five to ten days to the Director of Special Education*
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| *In situations involving infractions which may result in the imposition of long-term suspension from school for more than ten days or expulsion, a student should expect the following additional procedures:* * *written notification of allegations sent to student and parent/guardian*
* *adequate time to prepare for a hearing, including presenting evidence and witnesses on his or her behalf and securing the assistance of counsel*
* *the right to appeal disciplinary decisions to the Executive Director of the Collaborative.*

*(See M.G.L. c. 71, sect. 37H and 37H ½, b)**The Collaborative has been designated as a Public Day Placement for Special Education. Given this designation, and in coordination with the sending school district, CES students are entitled to any and all additional procedural safeguards regarding disciplinary proceedings as described in federal regulation 34 CFR §§ 300.530-300.536.* |
| **Title/Role of Person(s) Responsible for Implementation:** Sherry L. Smith, M.Ed., Director of Special Education | **Expected Date of Completion for Each Corrective Action Activity:** September 2014 |
| **Evidence of Completion of the Corrective Action:**  The updated and revised Student Guidelines will be evidence of completion of the Corrective Action.  |
| **Description of Internal Monitoring Procedures:** The CES Student Guidelines will be monitored on a yearly basis, and prior to its dispersal at the beginning of a school year, to ensure that it remains in line with all current and applicable state and federal statutes. |
| CORRECTIVE ACTION PLAN APPROVAL SECTION**(To be completed by the Department of Elementary and Secondary Education)** |
| **Criterion:** CR 10A | **Status of Corrective Action:** [x]  Approved [ ]  Partially Approved [ ]  Disapproved  |
| **Basis for Partial Approval or Disapproval:** N/A |
| **Department Order of Corrective Action:** N/A |
| **Required Elements of Progress Report(s):** Submit the revised language that will be included in the Collaborative student code of conduct that includes a description of procedures assuring due process in disciplinary proceedings and appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans, by September 15, 2014. Submit a revised nondiscrimination policy that references M.G.L. c. 76, s. 5, and affirms the school’s non-tolerance for harassment or discrimination based on gender identity, by September 15, 2014*.* |
| **Progress Report Due Date(s):** September 15, 2014 |

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| COORDINATED PROGRAM REVIEWCORRECTIVE ACTION PLAN **(To be completed by collaborative)** |
| **Criterion & Topic:** APD 9.6 10+ Day Suspensions | **Rating:** Partially Implemented |
| **Department CPR Finding:** *See SE 45.* |
| **Narrative Description of Corrective Action:** *Please refer to Corrective Action proposed in SE 45.* |
| **Title/Role of Person(s) Responsible for Implementation:** Sherry L. Smith, M.Ed., Director of Special Education | **Expected Date of Completion for Each Corrective Action Activity:** September 2014 |
| **Evidence of Completion of the Corrective Action:** *Please refer to Evidence of Completion proposed for SE 45.*  |
| **Description of Internal Monitoring Procedures:** *Please refer to Internal Monitoring Procedures for SE 45.*  |
| CORRECTIVE ACTION PLAN APPROVAL SECTION**(To be completed by the Department of Elementary and Secondary Education)** |
| **Criterion:** APD 9.6 | **Status of Corrective Action:** [x]  Approved [ ]  Partially Approved [ ]  Disapproved  |
| **Basis for Partial Approval or Disapproval:** N/A |
| **Department Order of Corrective Action:** N/A |
| **Required Elements of Progress Report(s): See SE 45** |
| **Progress Report Due Date(s):** September 15, 2014; January 15, 2015 |