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|  | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **Charter School:** **Excel Academy Charter School**  **MCR Onsite Dates:** **11/18/2013**  **Program Area: Special Education** |
|  |  | Mitchell D. Chester, Ed.D.  Commissioner of Elementary and Secondary Education |
| COORDINATED PROGRAM REVIEW **MID-CYCLE REPORT** | | |

| **SE Criterion # 2 - Required and optional assessments** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records demonstrated that the school routinely provides educational assessments, including a history of the student's educational progress in the general education curriculum and teacher assessments that address attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults.  However, student records also demonstrated that the school does not consistently provide consented-to health assessments, home assessments, or student observations. | | | |
| **Department Order of Corrective Action:** | | | |
| Please complete the missing assessments for individual students identified by the Department in the *Student Record Issues Worksheet* and reconvene the IEP Team for each student.  Please conduct a root cause analysis to explain why consented-to optional assessments are not routinely completed. Upon identification of the cause(s), please indicate the corrective actions to address the issue(s) of consented-to optional assessments not being completed.  Conduct an internal review of at least 10 student records from a cross-section of the school’s initial evaluations or re-evaluations conducted after all corrective actions have been implemented. Please review each record to ensure that all consented-to assessments have been completed.  **\*Please note when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request a) List of student names and grade levels for the records reviewed; b) Date of the review;**  **c) Name of person(s) who conducted the review, their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Provide a narrative description of the corrective actions taken for each student identified in the *Student Record Issues Worksheet.* Please include a copy of the Team Meeting invitation to the parent. This progress report is due **March 28, 2014.**  Submit the results of the school’s root cause analysis, including the corrective actions and the associated timelines. This progress report is due **March 28, 2014.**  Submit the results of the review of student records. Indicate the number of student records reviewed, the number of student records in compliance, for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the school’s plan to remedy the non-compliance. This progress report is due **June 13, 2014**. | | | |
| **Progress Report Due Date(s):** | | | |
| 3/28/2014 | 06/13/2014 |  |  |

| **SE Criterion # 3A - Special requirements for students on the autism spectrum** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and interviews indicated that the school has a written policy and procedures that address special requirements for students identified with a disability on the autism spectrum (ASD). Document review revealed that Teams are required to use a checklist to indicate student verbal and nonverbal communication, social interaction skills and proficiencies, unusual responses to sensory experiences, resistance to environmental change or change in daily routines, engagement in repetitive activities and stereotyped movements, positive behavioral interventions, strategies, and supports, and other needs that impact progress in the general curriculum; including social and emotional development. Interviews confirmed that staff members responsible for IEP development have received training on the school’s procedures. At the time of the onsite visit, there were no ASD student records available for review. |

| **SE Criterion # 8 - IEP Team composition and attendance** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records, documents, and interviews demonstrated that required Team members consistently attend IEP meetings. When a required Team member is absent from the meeting, the school secures the parent's agreement in writing to excuse the Team member prior to the meeting. The required excused Team member provides written input in advance of the meeting to the parent and IEP Team for development of the IEP. Review of student records and interviews showed that IEP meetings are always chaired by staff members who are qualified to supervise or provide special education and are knowledgeable about the general curriculum and resources availability in the school. |

| **SE Criterion # 9 - Timeline for determination of eligibility and provision of documentation to parent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and interviews determined that IEP meetings are consistently convened within forty-five working days after receipt of the parent’s written consent to an initial or a re-evaluation. |

| **SE Criterion # 13 - Progress Reports and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records determined that progress reports are consistently translated into the parent's primary language. |

| **SE Criterion # 14 - Review and revision of IEPs** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that IEP Teams do not consistently convene annual IEP meetings on or before the anniversary date of IEPs, so that Teams can review the student's progress and revise or develop a new IEP or refer the student for a re-evaluation. | | | |
| **Department Order of Corrective Action:** | | | |
| Conduct an analysis of student records for students with annual IEP review meetings between September 2013 and December 2013 to determine why IEP Teams do not consistently convene annual IEP meetings on or before the anniversary date of IEPs. Based on the results of the analysis, provide the school’s determination of the root cause(s) of the non-compliance, the steps the school proposes to take to correct the root causes, and a timeline for the implementation of those corrections.  Conduct an internal review of student records from a cross-section of the school’s grade levels. Please select a sample of at least 10 student records drawn from students whose annual meetings were held after implementation of all corrective actions for evidence that annual reviews were convened on or before the one-year anniversary of IEPs.  **\*Please note that when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit the results of the analysis conducted of the records for students with annual IEP review meetings between September 2013 and December 2013. Include the number of records reviewed and the number of records in compliance. Include a description of the root cause(s) of any noncompliance; a description of the steps the school will take to correct the root cause(s); and the school’s proposed timeline for implementation of corrective actions by **March 28, 2014.**  Submit the results of the second review of student records. Indicate the number of student records reviewed, the number of student records in compliance, for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the school’s plan to remedy the non-compliance. This progress report is due **June 13, 2014.** | | | |
| **Progress Report Due Date(s):** | | | |
| 3/28/2014 | 06/13/2014 |  |  |

| **SE Criterion # 18A - IEP development and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and document review demonstrated that the school’s IEP Teams routinely discuss whether bullying, harassment, or teasing is an issue for students whose disability make him or her vulnerable to bullying, harassment, or teasing or for students whose evaluations indicate a disability that affects social skills development. A review of student records demonstrated that when these students need support, the school develops and documents appropriate IEP goals and services to address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.  A review of documents and interviews indicated that for students identified with a disability on the autism spectrum, the school’s procedures require that IEP Teams specifically address the students’ social skills and communication challenges with peers and staff. For these students, IEP Teams will develop and document appropriate IEP goals and services to address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. At the time of the onsite visit, evidence of implementation was not available because there are no students currently enrolled with autism.  A review of student records demonstrated that school’s IEP format addresses all elements of the most current IEP format provided by the Department of Elementary and Secondary Education, including the Present Levels of Educational Performance B (PLEP B) page of the IEP. A review of student records also demonstrated that upon determining a student’s eligibility for special education, the Team, including the parent(s), develops an IEP at the Team meeting. |

| **SE Criterion # 18B - Determination of placement; provision of IEP to parent** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Please see ESE comments for SE 24. | | | |
| **Department Order of Corrective Action:** | | | |
| (See SE 24) | | | |
| **Required Elements of Progress Reports:** | | | |
| (See SE 24) | | | |
| **Progress Report Due Date(s):** | | | |
| 3/28/2014 | 06/13/2014 |  |  |

| **SE Criterion # 19 - Extended evaluation** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and interviews indicated that the school has written policy and procedures to ensure that extended evaluations are initiated only when IEP Teams find that for students determined to be eligible, previous evaluation information is not sufficient to develop a full or partial IEP. A review of student records and interview also demonstrated that following a finding of no eligibility, IEP Team chairs no longer initiate an extended evaluation to include required or consented-to assessments not completed during the initial evaluation process. At the time of the onsite review, there were no current student records available in which an extended evaluation had been completed. |

| **SE Criterion # 20 - Least restrictive program selected** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that IEP Teams consistently develop Non-participation Justification statements that state why a student's removal from the general education classroom is critical to the student's progress. |

| **SE Criterion # 24 - Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records showed that the school does not consistently provide Notices of Proposed School District Action (N1s) to parents when proposing an IEP, placement, evaluation, or other actions. Additionally, when this notice is present in the file, the following required information is not consistently included in the form: rejected options and the reason for the rejection, evaluation procedures, and other relevant factors for the school's decisions. | | | |
| **Department Order of Corrective Action:** | | | |
| Please provide training to appropriate special education staff regarding the required provision of written notice to parent(s) to document the proposal or refusal to initiate or change the identification, evaluation, or educational placement of students.  Please develop an internal system of periodic review for evidence of appropriately completed written notices and identify the person(s) responsible by name and title for this internal monitoring.  Conduct an internal administrative review of a sample of at least 10 student records whose Team meetings were held following implementation of all corrective actions, for evidence that notice to parent(s) proposing an IEP, placement, evaluation, or other actions are sent to parents, maintained in the student record, and contain all required elements.  **\*Please note that when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of staff training, including an agenda, training materials, and signed attendance sheets, indicating name and role of staff by **March 28, 2014.**  Submit a description of the oversight system for monitoring the provision, completeness, and record maintenance of written notices, including the date of the system's implementation and the staff responsible for the oversight by **March 28, 2014.**  Please submit the results of the administrative review of student records. Indicate the number of records reviewed, the number found to be compliant, and an explanation of the root cause for any continued noncompliance and a description of additional corrective actions taken by the school to address any identified noncompliance. Please submit these results by **June 13, 2014.** | | | |
| **Progress Report Due Date(s):** | | | |
| 3/28/2014 | 06/13/2014 |  |  |

| **SE Criterion # 25 - Parental consent** | | | |
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| **Rating:** | | | |
| Implemented | | | |
| **Basis for Findings:** | | | |
| Document review and staff interviews indicated that when parents revoke consent for special education services in writing, the school will act promptly to provide notice to discontinue services within a reasonable timeframe and attach a copy of the parent’s procedural safeguards.    Interviews verified that the school will not use mediation or request a due process hearing to obtain agreement or a ruling requiring the continuation of services, consistent with federal regulation.  At the time of the onsite review, the school did not have any current records for revocation of consent. | | | |
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| **SE Criterion # 26 - Parent participation in meetings** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and interviews demonstrated that the school makes multiple attempts to include parents at the IEP Team meeting and documents its attempts to facilitate the parents’ participation. Review of records also revealed that school’s Meeting Invitations (N3s) are not sent early enough to ensure that parents have an opportunity to attend, in some instances with as little as one day’s notice. | | | |
| **Department Order of Corrective Action:** | | | |
| Please provide training to special education staff responsible for sending out Meeting Invitations on the requirement to notify parent(s) of any Team meeting early enough to ensure that they have an opportunity to attend.  Develop an internal oversight and tracking system to ensure that parent(s) are notified in writing of any Team meeting sufficiently early to ensure that they have an opportunity to attend.  Conduct an internal administrative review of a sample of at least 10 student records, for which there was a Team meeting held after the implementation of the corrective action, to ensure that parent(s) are given sufficient notice in writing of any Team meeting to ensure that they have an opportunity to attend.  **The district will maintain the following documentation and make it available to the Department upon request: list of student names and grade levels for the records reviewed, date of the review, name(s) of person(s) who conducted the review with roles and signatures.** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of staff training, including an agenda, training materials, and signed attendance sheets, indicating name and role of staff by **March 28, 2014.**  Submit a description of the oversight system for monitoring that Meeting Notices are sent to parents sufficiently early to ensure that they have an opportunity to attend, including the date of the system's implementation and the staff responsible for the oversight by **March 28, 2014.**  Submit the results of the administrative review of student records. Indicate the number of records reviewed, the number found to be compliant, and an explanation of the root cause for any continued noncompliance and a description of additional corrective actions taken by the school to address any identified noncompliance. Please submit these results by **June 13, 2014.** | | | |
| **Progress Report Due Date(s):** | | | |
| 3/28/2014 | 06/13/2014 |  |  |

| **SE Criterion # 29 - Communications are in English and primary language of home** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records determined that documents such as IEPs, progress reports, meeting invitations, school notices, and other communications with parents are consistently translated into the parent's primary language. |

| **SE Criterion # 33 - Involvement in the general curriculum** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Please see ESE comments for SE 8. |

| **SE Criterion # 35 - Assistive technology: specialized materials and equipment** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and interviews indicated that IEP teams routinely consider assistive technology needs. A review of documents demonstrated that the school provides a list of the specialized materials and equipment available for IEP teams to consider when developing IEPs. |

| **SE Criterion # 51 - Appropriate special education teacher licensure** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of document and interviews indicated that individuals who design and/or provide direct special education services described in IEPs are appropriately licensed or are directly supervised by a licensed special education teacher. |