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|  | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **District:** **Lowell Public Schools**  **MCR Onsite Dates:** **05/28/2015 - 05/29/2015**  **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:** |
| Implemented |
| **Basis for Findings:** |
| Review of student records indicated that the district now consistently completes the required Education Assessment(s) as part of the student's evaluation. The district has a method of documenting information from teachers with current knowledge of the student's skills in relation to the Massachusetts Curriculum Frameworks that meets the required standards. The information provided to parents includes assessment information on the student's progress in the general education curriculum, in addition to adequately providing an assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations. The district's method of documenting a history of the student's educational progress in the general curriculum by a representative of the school district also meets the required standards. The information provided to parents includes assessment information on the history of the student's educational progress, instructional support services, school-related events/issues, progress students are making and comments related to the student's educational and developmental potential. |

| **SE Criterion # 3A - Special requirements for students on the autism spectrum** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Review of student records and staff interviews indicated that although the district has procedures and a checklist for Teams to use whenever an evaluation indicates that a student has a disability on the autism spectrum disorder (ASD), IEP Teams do not always consider and specifically address the following areas: 1) the verbal and nonverbal communication needs of the student; 2) the need to develop social interaction skills and proficiencies; 3) the needs resulting from the student's unusual responses to sensory experiences; 4) the needs resulting from resistance to environmental change or change in daily routines; 5) the needs resulting from engagement in repetitive activities and stereotyped movements; 6) the need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder; and 7) other needs resulting from the student's disability that impact progress in the general curriculum, including social and emotional development. The checklist was not consistently maintained in the student records, nor was consideration of the seven areas clearly illustrated within the IEP or Notice of Proposed School District Action (N1) form. | | | |
| **Department Order of Corrective Action:** | | | |
| Revise procedures and provide training to Team Chairs ensuring that, whenever an evaluation indicates that a student has a disability on the autism spectrum (ASD), IEP Teams always consider and specifically address the seven areas related to ASD described in the Technical Assistance Advisory SPED 2007 at <http://www.doe.mass.edu/sped/advisories/07_1ta.html>    Reconvene the IEP Team for each student identified by the Department and complete the special requirement ASD activities.  Develop an internal oversight system to ensure that IEP Teams always consider and specifically address all seven areas for ASD students. The tracking system should include oversight and periodic reviews by the Director of Special Education or his/her designee to ensure ongoing compliance.  Conduct an internal review of a sample of student records across all grade levels and schools ensuring that whenever an evaluation indicates that a student has a disability on the autism spectrum (ASD), IEP Teams always consider and specifically address the seven areas related to ASD. This sample must be drawn from records with IEP development that occurred after all corrective actions have been implemented.  **\*Please note when conducting administrative monitoring the district must maintain the following documentation and make it available to the ESE 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, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence (training materials, sign-in sheet, and agenda) that the school-based Team Chairs have been trained on the revised ASD procedures by **September 25, 2015**.  Provide a narrative description of the corrective actions taken for each student identified by the Department. Include a copy of the Team Meeting invitation to the parent along with Team outcomes by **September 25, 2015**.  Submit a description of the district’s internal oversight system with periodic reviews along with the name of the designated person by **September 25, 2015.**  Submit a report of the results of the internal reviews of student records. Indicate the number of student records reviewed and 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 district's plan to remedy the non-compliance by **January 15, 2016.** | | | |
| **Progress Report Due Date(s):** | | | |
| 09/25/2015 | 01/15/2016 |  |  |

| **SE Criterion # 8 - IEP Team composition and attendance** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of student records and staff interviews indicated that parents are always invited to Team meetings. When they cannot attend, the district consistently documents, within the student records, use of alternative means, such as a video conference or a conference call to conduct Team meetings with parent participation or reschedules the meeting.  Interviews with staff members also indicated that special education teachers who are responsible for chairing annual IEP meetings now have the authority to commit district resources when the Team is considering increasing services including cases where services go beyond 21% of the day. Furthermore, interviews also indicated that the district no longer requires a re-evaluation when the Team decides that service levels need to increase to the point of a change in placement. |

| **SE Criterion # 11 - School district response to parental request for independent educational evaluation** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of student records indicated that the Team now always reconvenes and considers the independent educational evaluation (IEE) and determines whether a new or amended IEP is appropriate within 10 school days from the time the school district receives the IEE report. |

| **SE Criterion # 12 - Frequency of re-evaluation** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of student records indicated that a re-evaluation is conducted every 3 years when there is documented evidence that the parent and district agree it is necessary. |

| **SE Criterion # 14 - Review and revision of IEPs** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Review of student records indicated that annual IEP meetings are not always held on or before their anniversary dates. | | | |
| **Department Order of Corrective Action:** | | | |
| Conduct a root cause analysis to determine why IEP Team meetings are not being held at least annually, on or before the anniversary date of the IEP. Upon identification of the cause(s), indicate the corrective action(s) taken to address the identified issue(s).    Develop an internal oversight and tracking system to ensure that at least annually, on or before the anniversary date of the IEP, a Team meeting is held to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate. The tracking system should include oversight and periodic reviews by the Director of Special Education to ensure ongoing compliance.  Conduct an internal review of 8 records from a cross-section of the district’s schools (pre-K, elementary, middle, and high school) for evidence that annual IEP meetings are held on or before the anniversary date of the IEP. This sample must be drawn from records of students whose annual reviews were held subsequent to the completion of all corrective actions.  **\*Please note when conducting administrative monitoring the district must maintain the following documentation and make it available to the ESE 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, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit the results of the district’s root cause analysis, including the corrective actions and the associated timelines by **September 25, 2015.**  Submit a description of the district's internal oversight and tracking system with planned periodic reviews, along with the name/role of the designated person by **September 25, 2015.**  Submit a report of the results of the internal review of records. Indicate the number of student records reviewed and 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 district's plan to remedy the non-compliance by **January 15, 2016.** | | | |
| **Progress Report Due Date(s):** | | | |
| 09/25/2015 | 01/15/2016 |  |  |

| **SE Criterion # 18A - IEP development and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of student records and interviews with staff members demonstrated that IEPs are now consistently completed. Specifically, the Present Levels of Educational Performance, part B (PLEP B) information, is now filled in for those students that are English language learners, those that have age specific considerations for transition, as well as communication.  Review of student records and interviews also indicated that for students identified with a disability on the autism spectrum as well as students whose disability affects social skills development, there is now documented evidence that the IEP Team always considers and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. Furthermore, interviews indicated that Team Chairs responsible for initial and reevaluations have been trained in these regulations, along with special education teachers responsible for chairing annual reviews. |

| **SE Criterion # 18B - Determination of placement; provision of IEP to parent** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Review of student records and staff interviews indicated that the district provides parents with summary notes and a service delivery grid at the conclusion of the Team meeting, but the district’s provision of two (2) copies of the proposed IEP and the proposed placement page along with the required Notice of Proposed School District Action (N1) form are not sent within the required two calendar weeks and in some cases not sent until two months later. | | | |
| **Department Order of Corrective Action:** | | | |
| Conduct a root cause analysis to determine why the provision of the proposed IEP and placement pages are not sent to parents within the required two calendar weeks of the Team meeting. Upon identification of the cause(s), indicate the corrective action(s) to address the issue(s).  (Please refer to *Special Education Memorandum on Parent response to proposed IEP and proposed placement* @: [http://www.doe.mass.edu/news/news.aspx?id=3182](https://mail.doe.mass.edu/owa/redir.aspx?C=w78u1yYkFUCT43WM6pQZhzHfnosjS9IIix5ruurwiDi3mnDvGH2ISs6U7CDOtDjCfKaucpYp9oI.&URL=http%3a%2f%2fwww.doe.mass.edu%2fnews%2fnews.aspx%3fid%3d3182) .)  Develop an internal tracking system to ensure that parents are provided with two (2) copies of the proposed IEP and proposed placement along with the required notice within two calendar weeks following the Team meeting. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance.  Conduct an internal review of a sample of student records from all buildings to ensure that two (2) copies of the IEP and the proposed placement, along with the (N1) form are being provided within the required two weeks of the IEP meeting. This sample must be drawn from records with IEP development that occurred after all corrective actions have been implemented.  **\*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:** | | | |
| Submit the results of the district’s root cause analysis, including the corrective actions and the associated timelines by **September 25, 2015**.    Submit a description of the district's internal oversight and tracking system with planned periodic reviews, along with the name/role of the designated person by **September 25, 2015.**  Submit a report of the results of the internal review of records. Indicate the number of student records reviewed and 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 district's plan to remedy the non-compliance by **January 15, 2016.** | | | |
| **Progress Report Due Date(s):** | | | |
| 09/25/2015 | 01/15/2016 |  |  |

| **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:** |
| Implemented |
| **Basis for Findings:** |
| Student records indicated that the school district sends written notice to the student's parent(s) within 5 school days of receipt of the referral, along with the district's notice of procedural safeguards when a student is referred for an evaluation to determine eligibility for special education. |

| **SE Criterion # 25A - Sending of copy of notice to Special Education Appeals** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of student records indicated that the district now sends a copy of the notice that a parent has rejected an IEP, proposed placement, or finding of no eligibility for special education to the BSEA within five calendar days of receiving such notice. |

| **SE Criterion # 26 - Parent participation in meetings** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| See SE 8. |

| **SE Criterion # 29 - Communications are in English and primary language of home** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of records and staff interviews indicated that the district now has several people to act as translators at IEP Team meetings. Student records consistently contain documented evidence that written communications (IEPs, progress reports and notice of proposed school district action) are translated when translations are required. Review of student records also indicated that in many cases, special education records and district data have consistent information in documenting the primary language of the home; thus staff are consistently aware of which documents have the correct information to determine if translation is in fact, necessary. |

| **SE Criterion # 34 - Continuum of alternative services and placements** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of documents indicated that the district is currently operating two therapeutic day programs (the Leblanc Therapeutic Day School and the Laura Lee Alternative School) that now have current approval to operate as public day programs from the Department of Elementary and Secondary Education. |

| **SE Criterion # 40 - Instructional grouping requirements for students aged five and older** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of documents and interviews with staff members indicated that when eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, instructional grouping requirements are being met specifically at: Lowell High School, Sullivan Middle School, Wang Middle School, Stoklosa Middle School, and Butler Middle School.    Review of documents and staff interviews also indicated that when eligible students are assigned to a substantially separate setting, serving solely students with disabilities for more than 60% of the students school schedule, instructional grouping requirements are being met specifically at: Lowell High School, Daley Middle School, McAuliffe Elementary School, and Shaughnessy Elementary School. The Director of Special Education reviews class instructional groupings on a monthly basis to ensure compliance. |

| **SE Criterion # 41 - Age span requirements** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of district documents demonstrated that there are now no instances in which the age of the youngest and oldest child in an instructional grouping differs by more than 48 months. The Director of Special Education reviews class numbers/assignments on a monthly basis to ensure compliance. |

| **SE Criterion # 46 - Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of district documents, specifically the district’s high school handbooks, indicate that procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans now address that if district personnel, the parent, and other relevant members of the IEP Team determine that the behavior is not a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur. |

| **SE Criterion # 48 - Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of student records and staff interviews indicated that all students receiving special education who are also English language learners now have an equal opportunity to receive English as a Second Language services or have access to a program that is consistent with Chapter 71A. |

| **SE Criterion # 55 - Special education facilities and classrooms** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Observations and administrative interviews revealed that at the Stoklosa Middle School, Occupational Therapy (OT) is no longer conducted in the library and is provided in an appropriate room; at the Moody Elementary School, OT is no longer conducted in the cafeteria and is provided in an appropriate room; at Sullivan Middle School, the resource room was moved to an appropriate and adequately sized room down the hall.  Observations and administrative interviews at Sullivan Middle School also indicated that the school now has a permanent service delivery location for special education counseling. The social worker previously had to search for available spaces when the assigned room, 114, was being used; however, now has a private and dedicated room, 125.  On-site observations indicated that at McAuliffe and Pawtucketville Elementary Schools now have no signs such as "Psychologist" and "Resource Room" that may stigmatize the special education students receiving services there. At Lowell High School on-site observations and interviews indicated that two of the classrooms assigned for life skills students (rooms 122 and 214) are now of sufficient size to provide accessibility in order to implement fully each student's IEP given the large number of adults, wheelchairs and students assigned to both rooms. |

| **SE Criterion # 56 - Special education programs and services are evaluated** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Review of documents and interviews with administrative staff demonstrated that the district's special education programs and services are now regularly evaluated. The district submitted its recent review of Lowell High School special education programs and services. |