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|  | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **District:** **Ayer Shirley Regional School District**  **MCR Onsite Dates:** **04/25/2016 - 04/26/2016**  **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:** |
| A review of student records indicated that the district consistently provides consented-to educational assessments, including a history of the student's educational progress in the general curriculum and a teacher assessment that addresses attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults. |

| **SE Criterion # 3A - Special requirements for students on the autism spectrum** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews set forth that whenever an evaluation indicates that a student has a disability on the autism spectrum, the IEP Team considers and specifically addresses the following:  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 the 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.  Record review demonstrated that Teams use a checklist to gather information and guide IEP development. Areas of student need are addressed as goals and accommodations in the IEP. |

| **SE Criterion # 4 - Reports of assessment results** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that related services assessment summaries consistently specify the assessment procedures used, the assessment results, the evaluator’s diagnostic impression, along with the student’s needs, defined in detail and in educationally relevant and common terms, as well as an explicit means of meeting those needs. |

| **SE Criterion # 6 - Determination of transition services** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that for middle school students who are 14 or older, IEP Teams ensure that students are invited to and encouraged to attend part or all of the Team meeting where transition services are discussed or proposed. This discussion is consistently documented on the Transition Planning Form and in the IEP. |

| **SE Criterion # 7 - Transfer of parental rights at age of majority and student participation and consent at the age of majority** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that at least one year prior to the student reaching age 18, the district consistently informs students and parents of the rights that will transfer from the parent to the student upon the student's 18th birthday. The district documents this notification in the Additional Information section of the IEP.  Record review also indicated that the district obtains consent from students with sole or shared decision-making rights to continue their special education program once the student reaches 18 years of age. |

| **SE Criterion # 8 - IEP Team composition and attendance** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that when a required IEP Team member is unable to attend the Team meeting, specifically a special education teacher and a regular education teacher, when the student is or may be involved in a regular education program, the Team member is excused in writing by the parent.  Record review and staff interviews also indicated that excused Team members consistently provide written input into the development of the IEP to the parent and the IEP Team prior to the meeting. |

| **SE Criterion # 9 - Timeline for determination of eligibility and provision of documentation to parent** | | | |
| --- | --- | --- | --- |
| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that within forty-five (45) school working days after receipt of the parent's written consent to an initial evaluation or a re-evaluation, the district does not consistently determine whether the student is eligible for special education and provide to the parent either a proposed IEP and proposed placement or a written explanation of the finding of no eligibility. | | | |
| **Department Order of Corrective Action:** | | | |
| Review those records in which an initial evaluation or re-evaluation was conducted in the 2015-2016 school year and in which the Team meeting to determine the student’s eligibility and the provision of the proposed IEP and placement did not occur within 45 school working days of receipt of the parent’s written consent to an evaluation. Analyze the information to determine the root cause(s) of the non-compliance. Based on this root cause analysis, indicate the specific corrective actions the district will take to remedy the non-compliance and a timeline for implementation of those corrective actions.  Develop a report of the results of an internal review of student records, in which initial evaluations or re-evaluations were conducted subsequent to implementation of all corrective actions, to ensure that eligibility determinations are conducted and provision of the proposed IEP and placement, or written explanation of the finding of no eligibility, occurs within 45 school working days of receipt of written parental consent.  **\*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 the 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 root cause analysis that includes a description of the district's proposed corrective actions, the timeline for implementation, and the person(s) responsible by **November 18, 2016.**  Submit the results of the internal review of student records and include the following:  1. The number of records reviewed;  2. The number of records in compliance;  3. For any records not in compliance, determine the root cause; and  4. The specific corrective actions taken to remedy the non-compliance.  Please submit the above information by **March 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 11/18/2016 | 03/10/2017 |  |  |

| **SE Criterion # 11 - School district response to parental request for independent educational evaluation** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of documents and staff interviews indicated that although the district has procedures to ensure that an IEP Team meeting is convened to consider an independent educational evaluation (IEE) within ten (10) school working days after receiving a copy of the assessment report, document review indicated the following:   1. The district’s procedures do not offer parents the option of participating in an income eligibility program for a free or reduced cost IEE that is equivalent to the types of assessments completed by the district; 2. The district’s procedures do not extend the right to a publicly-funded IEE if cost shared or funded for state wards or for students receiving free or reduced cost lunch for 16 months from the date of the evaluation with which the parent disagrees; 3. When the parent requests an IEE in an area not assessed by the school district, or the student does not meet income eligibility standards, or the family chooses not to provide financial documentation to the district to establish family income level, the district’s procedures do not establish that within five days the district will agree to pay for the IEE or proceed to the Bureau of Special Education Appeals to show that its evaluation was comprehensive and appropriate.   At the time of the Mid-cycle Review, the district did not have any students with a current independent educational evaluation. | | | |
| **Department Order of Corrective Action:** | | | |
| Revise the district’s IEE procedures to ensure that the procedures include the option of participating in an income eligibility program, an extension to a publicly-funded IEE if cost shared or funded for state wards or for students receiving free or reduced cost lunch for 16 months from the date of the evaluation with which the parent disagrees, and the circumstances requiring the district to either pay for the IEE or proceed to the Bureau of Special Education Appeals within five school days. Please see *Administrative Advisory SPED 2001-3*: *Guidance for Using a Sliding Fee Scale for Public Payment of Independent Educational Evaluations* at <http://www.doe.mass.edu/sped/advisories/01_3.html> and *Administrative Advisory SPED 2004-1: Independent Educational Evaluations* at <http://www.doe.mass.edu/sped/advisories/04_1.html> for guidance on implementing these requirements. Provide training to Team chairpersons on these procedures. | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit a copy of the revised procedures and evidence of Team chairperson training, including the agenda, signed attendance sheet and training materials. Submit this information by **November 18, 2016.** | | | |
| **Progress Report Due Date(s):** | | | |
| 11/18/2016 |  |  |  |

| **SE Criterion # 12 - Frequency of re-evaluation** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that the school district, with parental consent, conducts a full re-evaluation every three years unless the parent and district agree that it is unnecessary. |

| **SE Criterion # 13 - Progress Reports and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that at the elementary and secondary levels, progress reports are consistently provided at least as often as parents are informed of the progress of non-disabled students and consistently address student progress towards IEP goals. Record review also indicated that the district provides the student with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals, when a student’s eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility. |

| **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 for middle and high school students, IEP Teams do not consistently meet annually, on or before the anniversary date of the IEP, 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. | | | |
| **Department Order of Corrective Action:** | | | |
| Review those records in which an annual review Team meeting was held in the 2015-2016 school year and in which the Team did not meet on or before the anniversary date of the IEP. Analyze the information to determine the root cause(s) of the non-compliance. Based on this root cause analysis, indicate the specific corrective actions the district will take to remedy the non-compliance and a timeline for implementation of those corrective actions.  Develop a report of the results of an internal review of student records, in which annual review Team meetings were conducted subsequent to implementation of all corrective actions, to ensure that IEP Team meetings are held at least annually.  **\*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 the 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 root cause analysis that includes a description of the district's proposed corrective actions, the timeline for implementation, and the person(s) responsible by **November 18, 2016**.  Submit the results of the internal review of student records and include the following:  1. The number of records reviewed;  2. The number of records in compliance;  3. For any records not in compliance, determine the root cause; and  4. The specific corrective actions taken to remedy the non-compliance.  Please submit the above information by **March 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 11/18/2016 | 03/10/2017 |  |  |

| **SE Criterion # 18A - IEP development and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student’s disability makes him or her vulnerable to bullying, harassment, or teasing, IEP Teams consistently address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. For students identified with a disability on the autism spectrum, IEP Teams consistently consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing in the student’s IEP. Student records indicated that IEP Teams document their consideration in the Additional Information section of the IEP and develop goals and accommodations as needed. |

| **SE Criterion # 18B - Determination of placement; provision of IEP to parent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that parents receive summary notes at the conclusion of the IEP Team meeting, which include a completed IEP service delivery grid describing the types and amounts of special education and related services proposed by the district and a statement of the major goal areas associated with these services. Records and interviews indicated that the district consistently sends two copies of the proposed IEP and placement within two calendar weeks of the Team meeting. |

| **SE Criterion # 19 - Extended evaluation** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that extended evaluations are used when the IEP Team finds that evaluation information is insufficient to develop a full or partial IEP. The Team, with the parent's consent, then determines what evaluation time period is necessary and the types of information needed to develop an IEP. If, prior to the extended evaluation, the Team has sufficient information available to determine, in part, necessary goals and services, the Team writes a partial IEP to be implemented during the extended evaluation period. Records indicated that extended evaluations are consistently completed within eight school weeks. |

| **SE Criterion # 20 - Least restrictive program selected** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that when students are removed from the general education classroom, IEP Teams do not always state why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily. | | | |
| **Department Order of Corrective Action:** | | | |
| Provide training to Team chairpersons on developing complete Non-participation Justification statements that indicate why the removal is considered critical to the student's program and the basis for the Team's conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.  Develop an internal oversight and tracking system to ensure that when students are removed from the general education classroom, IEP Teams state why the removal is considered critical to the student's program. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with IEP development subsequent to implementation of all corrective actions, to ensure appropriate completion of the Non-participation Justification statement.  **\*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 the 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 evidence of Team chairperson training, including name(s) of presenter, agenda, and signed attendance sheet with staff name, role and signature by **November 18, 2016.**  Submit a description of the district's internal oversight and tracking system with periodic reviews, along with the name/role of the person responsible by **November 18, 2016.**  Submit the results of the internal review of student records and include the following:  1. The number of records reviewed;  2. The number of records in compliance;  3. For any records not in compliance, determine the root cause; and  4. The specific corrective actions taken to remedy the non-compliance.  Please submit the above information by **March 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 11/18/2016 | 03/10/2017 |  |  |

| **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 indicated that when a student is referred for an evaluation to determine eligibility for special education, the district sends written notice to the student’s parent(s) within five (5) school days of receipt of the referral, along with the district’s notice of procedural safeguards.  A review of student records also indicated that information included in the narrative description of the Notice of Proposed School District Action (N1) does not contain sufficient detail of the district’s proposed actions on page 2 of the form. Specifically, N1s consistently include identical boilerplate language for the following questions:   1. A description of any other options that the district considered and the reasons why those options were rejected; 2. A description of each evaluation procedure, test, record, or report used as a basis for the proposed action; and 3. A description of any other factors relevant to the district's decision. | | | |
| **Department Order of Corrective Action:** | | | |
| Conduct training for Team chairpersons on the requirements for completing the N1 notice and individualizing the district’s proposed actions on page 2 of the form, specifically addressing the other options that the district considered and the reasons why those options were rejected; a description of each evaluation procedure, test, record or report used as a basis for the proposed action; and a description of any other factors relevant to the district’s decisions.  Develop an internal oversight and tracking system for ensuring that N1 forms contain all required information and are specific to each student. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, in which Team meetings were conducted subsequent to implementation of all corrective actions, to ensure that N1s contains all federally required elements.  **\*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 the 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 evidence of Team chairperson training, including an agenda, training materials, and signed attendance sheets, indicating name and role of staff by **November 18, 2016.**  Submit a description of the district's internal oversight and tracking system with periodic reviews, along with the name/role of the person responsible by **November 18, 2016.**  Submit the results of the review of student records and include the following:  1. The number of records reviewed;  2. The number of records in compliance;  3. For any records not in compliance, determine the root cause; and  4. The specific corrective actions taken to remedy the non-compliance.  Please submit the above information by **March 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 11/18/2016 | 03/10/2017 |  |  |

| **SE Criterion # 25 - Parental consent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that the district consistently obtains parental consent prior to conducting evaluations. Record review and staff interviews also indicated that multiple attempts to secure consent for proposed evaluations and IEPs through a variety of means, such as letters, written notices sent by certified mail, electronic mail, telephone calls, and home visits, are documented in the student record. |

| **SE Criterion # 25A - Sending of copy of notice to Special Education Appeals** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that within five (5) calendar days of receiving notice that a parent is requesting a hearing or has rejected an IEP, a proposed placement, or finding of no eligibility, the district consistently sends a copy of the notice to the Bureau of Special Education Appeals. |

| **SE Criterion # 26 - Parent participation in meetings** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| The district provided its special education student roster as requested by the Department. |

| **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 and staff interviews indicated that when the family's primary language of the home is other than English, as documented on the Home Language Survey, the district consistently translates all special education documents, such as IEPs, notices, and assessment summaries. |

| **SE Criterion # 32 - Parent advisory council for special education** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of documents and interviews with administrative staff members and a parent advisory council (PAC) representative indicated that the PAC is newly established. The district offers support to the PAC, including providing a membership to MassPAC for the 2016-2017 school year, and ensures that membership on the council is offered to all parents of children with disabilities and other interested parties in the district. The annual workshop on the rights of students and their parents and guardians under state and federal special education laws was held on February 3, 2016. Although the PAC has elected officers, members have not yet adopted by-laws or participated in the planning, development and evaluation of the district's special education programs. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop a plan to ensure the participation of the PAC in the evaluation of the district’s special education programs and services. Please see *Guidance for Special Education Parent Advisory Councils* at <http://www.doe.mass.edu/sped/pac/guidelines.pdf> for guidance on implementing these requirements.  The PAC will develop and approve by-laws to help govern its duties, including rules for election of officers, operational procedures, and/or specific policies and steps to follow in organizing its activities. | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit the district’s plan to ensure the participation of the PAC in the evaluation of special education programs and services by **November 18, 2016.**  Submit a copy of the PAC’s approved by-laws by **November 18, 2016**.  Submit evidence of the PAC’s participation in the evaluation of the district’s special education programs and services, such as meeting agendas, surveys, and minutes from PAC meetings, by **March 10, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 11/18/2016 | 03/10/2017 |  |  |

| **SE Criterion # 34 - Continuum of alternative services and placements** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and administrative and staff interviews indicated that the district has a continuum of services and placements available to meet the needs of all students with disabilities. Specifically, high school special education programming now includes a therapeutic program, co-taught academic classes, and learning and life skills support classes. Document review indicated that all special education teachers are appropriately licensed. In addition to core academic courses for students on IEPs, the high school also offers a variety of courses and opportunities in community awareness, social skill building, computer technology, robotics, as well as dual enrollment at Mount Wachusett Community College and Devens Job Corp. Vocational opportunities designed to align to students’ individual interests include job placement and supported employment through a local community-based employment service provider, selling merchandise in the school store, working with the town’s Parks and Recreation Department, as well as employment at Shop ‘N Save, Apple Valley Nursing and Rehabilitation Center, Home Goods, and local landscaping companies. |

| **SE Criterion # 40 - Instructional grouping requirements for students aged five and older** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that at the middle school, all eight instructional groupings of academic support meet required student-to-teacher ratios. Seven of the instructional groups had less than five students assigned to one special education teacher, while one grouping with ten students had a special education teacher and two classroom aides. Document review also demonstrated that at the high school, all five periods of learning/life skills support are within required student-to-teacher ratios; two instructional groups with seven and eleven students, respectively, were taught by a special education teacher with one classroom aide. In addition, the high school’s therapeutic program is staffed by two special education teachers and one classroom aide for no more than nine students per instructional group. |

| **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** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents indicated that the district’s procedures for the suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days now include students with Section 504 Accommodation Plans. |

| **SE Criterion # 47 - Procedural requirements applied to students not yet determined to be eligible for special education** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that the district’s procedures for disciplining students not yet determined to be eligible for special education are documented in the 2015-2016 student handbook (pages 20-21), which is posted on the district’s website. Interviews also indicated that administrative staff members received training on the requirements. |

| **SE Criterion # 51 - Appropriate special education teacher licensure** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that all special education teachers are appropriately licensed or have an approved waiver. |

| **SE Criterion # 52 - Appropriate certifications/licenses or other credentials -- related service providers** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that all related service providers are appropriately certified, licensed, board‑registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession. |

| **SE Criterion # 54 - Professional development** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that the district provides comprehensive training for special education staff and general education staff on state and federal special education requirements and related local special education policies and procedures. Document review also indicated that transportation providers are trained on individual student needs and appropriate methods of meeting those needs prior to transporting the students. |

| **SE Criterion # 55 - Special education facilities and classrooms** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Onsite observations at Ayer Shirley Regional High School confirmed that the therapeutic program is no longer labeled with stigmatizing signage and is now identified with room numbers. An onsite observation of the Page Hilltop Elementary School demonstrated that special education students and students receiving speech and language services no longer share the same space, thereby eliminating auditory distractions and allowing for student privacy. Special education students now use the instructional space as a single classroom (Room 34), while speech and language services are delivered in another room (Room 24). |