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|  | | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **District:** **Berkshire Hills Regional School District**  **MCR Onsite Dates:** **03/10/2016 - 03/11/2016**  **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** | | | | | |
| **Rating:** | | | | | |
| Partially Implemented | | | | | |
| **Basis for Findings:** | | | | | |
| Student record review and an interview indicate that assessments consented-to by the parent are not consistently found in the student record, including an observation of the student’s interactions in the classroom environment; Educational Assessment A, an educational assessment by a representative of the school district that includes a history of the student's educational progress in the general curriculum; and Educational Assessment B, an assessment by a teacher with current knowledge regarding the student's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district's general education curriculum, as well as an assessment of the student's attention skills, participation behaviors, communication skills, memory and social relations with groups, peers, and adults. | | | | | |
| **Department Order of Corrective Action:** | | | | | |
| Develop procedures to ensure that all assessments consented-to by the parent are completed and included in the student record. Train staff on these procedures.  Develop an internal oversight and tracking system to monitor the completion and inclusion in the student record of all assessments consented-to by the parent. The tracking system should include periodic reviews by the Director of Special Education or designee to ensure continued compliance.  For those student records identified by the Department, complete the missing consented-to assessments, including an observation, Educational Assessment A and Educational Assessment B. Reconvene the Teams and update the IEP, as appropriate.  Conduct a review of student records across all grade levels, for students whose initial evaluation or re-evaluation occurred subsequent to implementation of all corrective actions, for evidence of the completion and inclusion in the record of all assessments consented-to by the parent.  **\*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, with their role(s) and signature(s).** | | | | | |
| **Required Elements of Progress Reports:** | | | | | |
| Provide a copy of the district's procedures and evidence (agenda, dated attendance sheet with staff signature and role, materials presented) of training by **October 7, 2016.**  Provide a description of the district's internal oversight and tracking system including periodic reviews and the name/role of the person(s) responsible by **October 7, 2016.**  For those student records identified by the Department, submit the Team Meeting Invitation (N3), Team Meeting Attendance Sheet (N3A), a copy of the completed assessments, and the updated IEP by **October 7, 2016.**  Submit the results of the review of student records. Report the number of records reviewed; the number of records in compliance; for any records not in compliance, determine the root cause of that non-compliance; and provide a detailed description of the district's plan to remedy any remaining non-compliance by **February 10, 2017.** | | | | | |
| **Progress Report Due Date(s):** | | | | | |
| 10/7/2016 | | | 02/10/2017 |  |  |

| **SE Criterion # 3A - Special requirements for students on the autism spectrum** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Student record review and an interview indicate that whenever an evaluation shows that a student has a disability on the autism spectrum, the IEP Teams consider and specifically address: 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 response 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.  IEP Teams use a checklist to guide the IEP development of these required areas for students on the autism spectrum. Student record review demonstrates that Teams document their consideration of each area in the IEP, along with goals and accommodations for identified areas of student need. |

| **SE Criterion # 8 - IEP Team composition and attendance** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student record review and an interview indicate that when one purpose of the Team meeting is to discuss transition services, a representative of a public agency who may be responsible for providing or paying for transition services is not consistently invited to the Team meeting. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for inviting a representative of a public agency who may be responsible for paying for or providing transition services to IEP Team meetings in which transition services will be discussed. Review these procedures with Team chairpersons at the high school level.  Develop an internal oversight and tracking system to ensure that when the participation of a public agency is required, a representative of the agency is invited to the Team meeting. The tracking system should include periodic reviews by the Director of Special Education or designee to ensure continued compliance.  Subsequent to implementation of all corrective actions, conduct a review of records of students at Monument Mountain Regional High School who had an IEP Team meeting in which transition services were discussed to determine whether a representative of a public agency was invited to the meeting.  \***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, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Provide a copy of the district's procedures and evidence of review with the Team chairpersons by **October 7, 2016.**  Provide a description of the district's internal oversight and tracking system including periodic reviews and the name/role of the person(s) responsible by **October 7, 2016.**  Submit the results of the review of student records. Report the number of records reviewed; the number of records in compliance; for any records not in compliance, determine the root cause of that non-compliance; and provide a detailed description of the district's plan to remedy any remaining non-compliance by **February 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 10/7/2016 | 2/10/2017 |  |  |

| **SE Criterion # 9 - Timeline for determination of eligibility and provision of documentation to parent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Student record review and an interview confirm that after the receipt of written parental consent to an initial evaluation or re-evaluation, the district consistently convenes a Team meeting to determine the student's eligibility and provides the parent with either a proposed IEP and placement or written explanation of the finding of no eligibility within forty-five school working days. |

| **SE Criterion # 12 - Frequency of re-evaluation** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Student record review and an interview confirm that the district consistently conducts re-evaluations every three years. |

| **SE Criterion # 14 - Review and revision of IEPs** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student record review and an interview indicate that the district does not consistently convene a Team meeting at least 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 to refer the student for a re-evaluation, as appropriate. | | | |
| **Department Order of Corrective Action:** | | | |
| Review those records in which an annual review IEP Team meeting was due in the 2015-2016 school year and in the first month of the 2016-2017 school year, but was not conducted 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 IEP Team meetings were due subsequent to implementation of all corrective actions, to determine whether the Team meeting is held on or before the anniversary date of the IEP.  \***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, with 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 action, the timeline for implementation and the person(s) responsible by **October 7, 2016.**  Submit the results of the review of student records. Report the number of records reviewed; the number of records in compliance; for any records not in compliance, determine the root cause of that non-compliance; and provide a detailed description of the district's plan to remedy any remaining non-compliance by **February 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 10/7/2016 | 2/10/2017 |  |  |

| **SE Criterion # 18B - Determination of placement; provision of IEP to parent** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student record review and an interview indicate that following the development of the IEP, the district does not consistently provide the parent with two (2) copies of the proposed IEP and proposed placement, along with the required notice, within 3-5 days. Alternatively, at the conclusion of the Team meeting, the district does not provide parents with a summary of the key agreements reached at the meeting, including a completed IEP service delivery grid describing the types and amounts of special education and/or related services proposed by the district and a statement of the major goal areas associated with these services, with the district's proposed IEP then being provided to the parent within two calendar weeks. | | | |
| **Department Order of Corrective Action:** | | | |
| Train Team chairpersons on issuing two copies of the proposed IEP and placement, along with the required notice, immediately following development at the Team meeting.  Develop an internal oversight and tracking system to ensure the parent is provided with two copies of the proposed IEP and placement, along with the required notice, immediately. The tracking system should include periodic reviews by the Director of Special Education or designee to ensure continued compliance.  Conduct a review of five student records at each school building for students whose IEP Team meetings were held after implementation of all corrective actions for evidence that two copies of the proposed IEP and placement are provided to the parent immediately.    \***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, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Provide evidence (agenda, dated attendance sheet with staff signature and role, materials presented) of training by **October 7, 2016.**  Provide a description of the district's internal oversight and tracking system including periodic reviews and the name/role of the person(s) responsible by **October 7, 2016.**  Submit the results of the review of student records. Report the number of records reviewed; the number of records in compliance; for any records not in compliance, determine the root cause of that non-compliance; and provide a detailed description of the district's plan to remedy any remaining non-compliance by **February 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 10/7/2016 | 2/10/2017 |  |  |

| **SE Criterion # 20 - Least restrictive program selected** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student record review and an interview indicate that the Non-participation Justification statement on a student's IEP does not consistently state 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. | | | |
| **Department Order of Corrective Action:** | | | |
| Train Team chairpersons on the development of a complete Non-participation Justification statement.  Develop an internal oversight and tracking system to monitor the appropriate completion of the Non-participation Justification statement. The tracking system should include periodic reviews by the Director of Special Education or designee to ensure continued compliance.  Conduct a review of five student records at each school building for students whose IEP Team meetings were conducted subsequent to implementation of all corrective actions for evidence of appropriately written Non-participation Justification statements in the IEP.  **\*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, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Provide evidence (agenda, dated attendance sheet with staff signature and role, materials presented) of training by **October 7, 2016.**  Provide a description of the district's internal oversight and tracking system including periodic reviews and the name/role of the person(s) responsible by **October 7, 2016.**  Submit the results of the review of student records. Report the number of records reviewed; the number of records in compliance; for any records not in compliance, determine the root cause of that non-compliance; and provide a detailed description of the district's plan to remedy any remaining non-compliance by **February 10, 2017.** | | | |
| **Progress Report Due Date(s):** | | | |
| 10/7/2016 | 2/10/2017 |  |  |

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

| **SE Criterion # 32 - Parent advisory council for special education** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Document review and interviews confirm that the district has established a district-wide parent advisory council (PAC) on special education with by-laws regarding officers and operational procedures. The PAC meets regularly with district officials to advise the district on matters that pertain to the education and safety of students with disabilities. Also, the district conducts a workshop annually on the rights of students and their parents/guardians under the state and federal special education laws. |

| **SE Criterion # 41 - Age span requirements** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Document review and an interview indicate that the district no longer has substantially separate programs at the elementary school or high school levels. Additionally, document review and an interview indicate that the ages of the youngest and oldest students in any instructional grouping do not differ by more than 48 months. |

| **SE Criterion # 54 - Professional development** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| Document review and an interview with the Director of Student Services confirm that the district provides annual training for all staff on state and federal special education requirements and related local special education policies and procedures. |