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|  | ESE Logo | **COORDINATED PROGRAM REVIEW****MID-CYCLE REPORT****District:** **Lynn Public Schools****MCR Onsite Dates:** **02/22/2017 - 02/23/2017****Program Area: Special Education** |
|   |  | Mitchell D. Chester, Ed.D.Commissioner of Elementary and Secondary Education |
| COORDINATED PROGRAM REVIEW**MID-CYCLE REPORT** |

| **SE Criterion # 3A - Special requirements for students on the autism spectrum** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that whenever an evaluation indicates that a student has a disability on the autism spectrum, the IEP Team does not consider and specifically address the following: 1) the needs resulting from the student's unusual responses to sensory experiences; 2) the needs resulting from resistance to environmental change or change in daily routines; 3) the needs resulting from engagement in repetitive activities and stereotyped  movements; and 4) the need for any positive behavioral interventions, strategies, and supports to  address any behavioral difficulties resulting from the autism spectrum disorder.In addition, staff interviews indicated that although the district has a checklist to gather information and guide IEP development, this process does not include students with an autism spectrum disorder as a secondary disability. |
| **Department Order of Corrective Action:** |
| Revise the district's procedures for ensuring that whenever an evaluation indicates that a student has a primary or secondary disability on the autism spectrum, IEP Teams consider and address the seven areas related to autism spectrum disorder (ASD). Please see Technical Assistance Advisory SPED 2007-1: Autism Spectrum Disorder at <http://www.doe.mass.edu/sped/advisories/07_1ta.html> for guidance on implementing these requirements. Provide training to Team chairpersons on these procedures.For those students whose records were identified by the Department, reconvene the IEP Teams to consider and address the special requirements for students on the autism spectrum.Develop an internal oversight and tracking system to ensure that IEP Teams address and document consideration of the special requirements for students identified with a disability on the autism spectrum. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance. Develop a report of the results of an internal review of student records, subsequent to implementation of all corrective actions, to ensure that the seven areas of need are being considered and addressed by IEP Teams.**\*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 of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  For those student records identified by the Department, submit a copy of the IEP and the Team Meeting Attendance Sheet (N3A) indicating that the IEP Teams have reconvened by **October 27, 2017**. Submit a description of the district's internal oversight and tracking system by **October 27, 2017**.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 **January 19, 2018**. |
| **Progress Report Due Date(s):** |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 13 - Progress Reports and content** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that progress reports are not consistently provided to parents at least as often as parents are informed of the progress of non-disabled students and do not always include written information on the student's progress towards the annual goals in the IEP.In addition, when a student's eligibility terminates because the student has graduated, the district does not provide 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. |
| **Department Order of Corrective Action:** |
| Develop procedures to ensure that progress reports are provided to parents at least as often as parents are informed of the progress of non-disabled students, and reports include written information on the student's progress towards the annual goals in the IEP. Provide training for Team chairpersons, special education teachers and related service providers on these procedures.Additionally, develop procedures to ensure that when a student's eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility, the school 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. Provide training to Team chairpersons on these procedures.Develop an internal oversight and tracking system to ensure that progress reports are issued at the same frequency as progress reporting for parents of non-disabled students and include written information on the student's progress towards the annual goals in the IEP. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance.Develop a second internal oversight and tracking system to ensure that when a student's eligibility terminates either from graduating or aging out, 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. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance.Develop a report of the results of an internal review of student records, subsequent to implementation of all corrective actions, to ensure that progress reports are provided to parents at least as often as parents are informed of the progress of non-disabled students, and reports include written information on the student's progress towards the annual goals in the IEP.Develop a second report of the results of an internal review of student records, subsequent to implementation of all corrective actions, to ensure that summaries of academic achievement and functional performance are developed and provided to students.**\*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; and 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 and special education staff training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**. Submit the descriptions of the district's internal oversight and tracking systems by **October 27, 2017**.Submit the results of the internal reviews of student records and include the following for each review:1. the number of records reviewed;2. the number of records in compliance;3. for any records not in compliance, determine the root cause; and4. the specific corrective actions taken to remedy the non-compliance.Please submit the above information by **January 19, 2018**. |
| **Progress Report Due Date(s):** |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 14 - Review and revision of IEPs** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that the district does not consistently convene an annual meeting 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. A review of student records indicated that when the district and parent agree to make changes to a student's IEP between annual meetings, changes are documented in writing and, upon request, the parent is provided with a revised copy of the IEP with the amendments incorporated. |
| **Department Order of Corrective Action:** |
| Review those records in which an annual Team meeting was not held on or before the anniversary date of the IEP in the 2016-2017 school year. 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, subsequent to implementation of all corrective actions, to ensure that annual Team meetings are conducted 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 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 and the timeline for implementation by **October 27, 2017**.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 **January 19, 2018**. |
| **Progress Report Due Date(s):** |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 18A - IEP development and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that upon determining that the student is eligible for special education, IEP Teams develop the IEP, addressing all elements of the current IEP format provided by the Department of Elementary and Secondary Education. Staff interviews indicated that the IEP is not changed outside of the Team meeting.A review of student records also indicated that IEP Teams specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing for students whose disability affects social skills development, when the student's disability makes him or her vulnerable to bullying, harassment or teasing, and for students identified with a disability on the autism spectrum. A review of student records indicated that IEP Teams document their considerations of the skills and proficiencies needed by students in the Additional Information and, when relevant, goals sections of the IEP. Most students with identified needs are provided with social skills groups and/or counseling. |

| **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 IEP Teams develop the IEP prior to determining the appropriate placement to deliver the student's identified services and accommodations. Record review demonstrated that Teams consistently ensure that students are educated in the school she or he would attend if the student did not require special education, unless otherwise required by the IEP. Record review also demonstrated that placements are based on the IEP, including the types of related services, types of settings, types of service providers and location where services are to be provided. A review of student records and staff interviews also indicated that parents receive detailed 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 demonstrated that the district consistently sends two copies of the proposed IEP and placement within two calendar weeks of Team meetings. |

| **SE Criterion # 21 - School day and school year requirements** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records indicated that although IEP Teams consistently specify that the need for an educational program that is less than or more than the regular school day or school year has been considered in the IEP, the district does not always indicate how and why the student's schedule is being modified.  |
| **Department Order of Corrective Action:** |
| Revise the district's procedures to ensure that when IEP Teams indicate the student's need for an educational program that is less than or more than the regular school day or school year, the Team documents how and why the student's schedule is being modified. Please see the Question and Answer Guide on Special Education Extended School Year Programs at <http://www.doe.mass.edu/pqa/ta/esyp_qa.html> for guidance on implementing these requirements. Provide training to Team chairpersons on these procedures. Develop an internal oversight and tracking system to ensure that when IEP Teams indicate the student's need for an educational program that is less than or more than the regular school day or school year, the Team documents the basis of its decision. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance.Develop a report of the results of an internal review of student records, subsequent to implementation of all corrective actions, to ensure that when a student's educational program is designated as less than or more than the regular school day or school year, the district consistently documents the basis of its decision.**\*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; and 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 of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  Submit a description of the district's internal oversight and tracking system by **October 27, 2017**.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 **January 19, 2018**. |
| **Progress Report Due Date(s):** |
| 10/27/2017 | 01/19/2018 |  |  |

| **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 for all grade levels, when a student is referred for an evaluation to determine eligibility for special education, the district sends written notice to the parent within five (5) school days of receipt of the referral, along with the district's notice of procedural safeguards. A review of student records 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. Specifically, N1s do not consistently address the following:1. the evaluation procedure, test, record, or report used as the basis of the decision; and
2. other factors relevant to the district’s decisions.
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| **Department Order of Corrective Action:** |
| Conduct training for Team chairpersons on the requirements for completing the N1 notice and responding to all questions of the notice.Develop an internal oversight and tracking system for ensuring that N1 forms contain the required information. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance.Develop a report of the results of an internal review of student records, subsequent to implementation of all corrective actions, to ensure that N1s contains all 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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.Submit a description of the internal oversight and tracking system by **October 27, 2017**.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 **January 19, 2018**. |
| **Progress Report Due Date(s):** |
| 10/27/2017 | 01/19/2018 |  |  |

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

| **SE Criterion # 34 - Continuum of alternative services and placements** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records, facilities review, and staff interviews indicated that the district is operating unapproved day programs for elementary and middle school students with severe multiple disabilities. The Together Educating and Advancing Multi-Handicapped Students (TEAMS) elementary school program is located at the Early Childhood Center and the TEAMS middle school program is located in Lynn Vocational Technical Institute, a high school. The district has not applied for or received approval from the Department of Elementary and Secondary Education for these day programs. |
| **Department Order of Corrective Action:** |
| Submit Initial Applications for a Massachusetts Public Day Special Education School Program approval from the Department to operate the public day programs identified during the onsite review. The application is available at <http://www.doe.mass.edu/pqa/sa_nr/>.   |
| **Required Elements of Progress Reports:** |
| Indicate to the Office of Public School Monitoring the date in which the initial applications were submitted by **July 21, 2017**.Indicate to the Office of Public School Monitoring the date in which the public day applications were approved by **August 25, 2017**. |
| **Progress Report Due Date(s):** |
| 07/21/2017 | 08/25/2017 |  |  |

| **SE Criterion # 40 - Instructional grouping requirements for students aged five and older** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that at Lynn English High School, all eight instructional groupings of English Language Arts, Math, and Science meet the required number of students to staff ratio for students scheduled outside of the general education classroom 60% or less of their school programs. Five of the instructional groups had eight or fewer students assigned to one special education teacher, while three groupings with twelve students had a special education teacher and at least one classroom aide. A review of documents and staff interviews indicated that the Callahan Elementary School no longer has a substantially separate program for students with developmental delays. A review of documents and staff interviews, however, indicated that twelve instructional groups exceed the maximum number of students to staff ratio for students scheduled outside of the general education classroom 60% or less of their school programs. These groupings include:

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| **School** | **Instructional Group** | **Grade** | **Student/Teacher/Aide Ratio** |
| LVTI | Learning Center | 11 | 20:1:0 |
| LVTI | Learning Center | 12 | 10:1:0 |
| LVTI | Resource English | 9 | 9:1:0 |
| LVTI | Resource English | 10 | 9:1:0 |
| LVTI | Resource English | 11 | 12:1:0 |
| LVTI | Resource English | 12 | 12:1:0 |
| LVTI | Resource Biology | 9 | 9:1:0 |
| LVTI | Resource Geometry | 10 | 10:1:0 |
| LVTI | Resource Algebra 2 | 11 | 10:1:0 |
| Marshall Middle School | Resource Social Studies | 8 | 15:1:1 |
| Marshall Middle School | Resource Science | 8 | 15:1:1 |
| Marshall Middle School | Resource Math | 8 | 15:1:1 |

The following instructional group also exceeds the maximum number of students scheduled outside the general education classroom 60% or more of their school programs:

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| **School** | **Instructional Group** | **Grade** | **Student/Teacher/Aide Ratio** |
| Marshall Middle School | Life Skills | 6-8 | 15:1:3 |

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| **Department Order of Corrective Action:** |
| Ensure that instructional groupings for the identified classrooms of students scheduled outside of the general education classroom for 60% or less of the students’ school schedule do not exceed: a.       8 students with a certified special educator,b.       12 students if the certified special educator is assisted by 1 aide, andc.       16 students if the certified special educator is assisted by 2 aides.Ensure that instructional grouping for the identified classroom of students scheduled outside of the general education classroom more than 60% of the students’ school schedule does not exceed: a.       8 students to 1 certified special educator, or b.       12 students to 1 certified special educator and 1 aide.\* Please note that after the school year has begun, if instructional groups have reached maximum size, the district may decide to increase the size of an instructional grouping **by no more than two additional students** if the additional students have compatible instructional needs and can receive services in their neighborhood school. The district must provide written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Increased instructional group sizes shall be in effect only for the year in which they are initiated and the district shall take all steps necessary to reduce the instructional groups to the sizes outlined in 603 CMR 28.06(6)(c) and (d) for subsequent years.Develop an internal oversight and tracking system to ensure that the special education instructional groupings in LVTI and Marshall Middle School do not exceed the maximum number of students to special education staff, beginning in September 2017. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance. |
| **Required Elements of Progress Reports:** |
| Submit an updated *Special Education Instructional Grouping and Age Span* document, which can be found in the WBMS Document Library, for the identified classrooms by **October 27, 2017.**Submit a description of the oversight system, including the date of the system's implementation by **October 27, 2017**.  |
| **Progress Report Due Date(s):** |
| 10/27/2017 |   |  |  |

| **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:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records, student schedules, and staff interviews indicated that middle school students in the TEAMS program located at Lynn Vocational Technical Institute (LVTI) are provided with one weekly period each of art therapy and music therapy and three periods of adapted physical education, in addition to classes in arts and crafts and cooking.A review of student schedules and staff interviews determined that students in the Callahan School’s substantially separate program for students with intellectual disabilities do not have equal opportunity to participate in nonacademic programming, including art, music, and physical education.  |
| **Department Order of Corrective Action:** |
| Develop a plan for the 2017-2018 school year to ensure that all students in the Callahan School’s intellectual disabilities program have an equal opportunity to participate in programs that may be available as part of the general education program, such as art, music, and physical education.Develop an internal oversight and tracking system for ensuring that student schedules demonstrate equal access to nonacademic programming opportunities for all students in Callahan Elementary School’s intellectual disabilities program. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance. |
| **Required Elements of Progress Reports:** |
| Submit the plan to ensure that all students in the Callahan Elementary School program for students with intellectual disabilities have an equal opportunity to participate in programming that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school by **August 25, 2017**.Submit schedules for each student in the Callahan Elementary School intellectual disabilities program demonstrating his/her participation in programs that are available as part of the general education program. Individual student schedules must identify each class period by subject, thereby demonstrating when the students are in nonacademic programming such as physical education, art, and music. Please submit the information by **August 25, 2017**. |
| **Progress Report Due Date(s):** |
| 08/25/2017 |   |  |  |

| **SE Criterion # 51 - Appropriate special education teacher licensure** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of teacher licensure and staff interviews indicated that not all individuals who design and/or provide direct special education services described in IEPs are appropriately licensed or waivered. Five (5) special education teachers are working under expired waivers or have not been granted a requested waiver; four (4) teachers who are not licensed in special education have not applied for waivers; seven (7) special education teachers assigned to teach a single core academic subject for special education students are not licensed in the content area; and two (2) special education teachers are not licensed for the grade levels they are assigned to teach. |
| **Department Order of Corrective Action:** |
| Ensure that the special education teachers identified are appropriately licensed or have secured waivers by the start of the 2017-2018 school year.Develop an internal oversight and tracking system for the district's special education teachers to ensure that they are appropriately licensed or waivered. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance. |
| **Required Elements of Progress Reports:** |
| Submit a copy of each staff person's current special education license or approved waiver by **August 25, 2017**.Submit a description of the district's internal oversight and tracking system by **August 25, 2017**.  |
| **Progress Report Due Date(s):** |
| 08/25/2017 |   |  |  |

| **SE Criterion # 56 - Special education programs and services are evaluated** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that the district’s special education programs and services are regularly evaluated.  |