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|  | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **Charter School:** **Conservatory Lab Charter School**  **MCR Onsite Dates:** **11/08/2016 - 11/09/2016**  **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:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and interviews indicated that the charter school does not consistently provide all required assessments, specifically a history of the student's educational progress in the general curriculum and a teacher's assessment of the student's attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults. Record review and staff interviews indicated that observations of students in their natural or classroom environment are consistently conducted when consented-to by parents. | | | |
| **Department Order of Corrective Action:** | | | |
| Review those records in which an initial evaluation or re-evaluation was conducted between May and November 2016 and in which a history of the student's educational progress in the general curriculum and a teacher's assessment of the student's current performance were not completed. 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 school will take to remedy the non-compliance and a timeline for implementation of those corrective actions. Do not include records where a 504 initial or 504 re-evaluation was conducted.  For those students whose records were identified by the Department, complete the educational assessments and reconvene the Team to update information on the IEP, as needed.  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 required assessments, specifically a history of the student's educational progress in the general curriculum and a teacher's assessment of the student's attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults, are completed.  **\*Please note when conducting internal monitoring, the school 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 school's proposed corrective actions, the timeline for implementation, and the person(s) responsible by **April 7, 2017**.  For those student records identified by the Department, submit a copy of the completed assessments and the Team Meeting Attendance Sheet (N3A) indicating that the IEP Teams have reconvened by **April 7, 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 **September 29, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 | 09/29/2017 |  |  |

| **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 interviews indicated that whenever an evaluation indicates that a student has a disability on the autism spectrum (ASD), 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 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.  Staff interviews indicated that the charter school contracts with a Board Certified Behavior Analyst (BCBA) to consult with teachers and IEP Teams to develop effective supports for students with ASD and provide professional development for teachers. Teams use a checklist to gather information and guide IEP development, addressing any identified needs within the Student Strengths and Key Evaluation Results section of the IEP and with accommodations and goals. The checklist is maintained in the student record. |

| **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 interviews indicated that although the charter school 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 school's procedures do not state that the parent's right to a publicly funded independent evaluation extends to sixteen (16) months from the date of the evaluation with which the parent disagrees; and  2) the school's procedures do not establish that evaluations must be conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the Operational Services Division.  At the time of the Mid-cycle Review, the charter school did not have any students with a current independent educational evaluation. | | | |
| **Department Order of Corrective Action:** | | | |
| Revise the school's IEE procedures to ensure that they include the parent's right to a publicly funded independent evaluation for sixteen (16) months from the date of the evaluation with which the parent disagrees and the requirement that evaluations be conducted by individuals who are qualified and who agree to abide by the rates set by the Operational Services Division. 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 the revised procedures and evidence of Team chairperson training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by  **April 7, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 |  |  |  |

| **SE Criterion # 13 - Progress Reports and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and interviews indicated that progress reports are provided at least as often as parents are informed of the progress of non-disabled students and consistently address student progress towards IEP goals.  Conservatory Lab Charter School is a pre-K through grade eight school and therefore does not have any students whose eligibility terminated because the student graduated from secondary school or exceeded the age of eligibility. |

| **SE Criterion # 14 - Review and revision of IEPs** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated 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. Staff interviews indicated that IEP Teams consistently review and revise IEPs to address any lack of expected student progress towards the annual goals and in the general curriculum. Record review and staff interviews also indicated that if the school and parent agree to make changes to a student's IEP between annual IEP meetings, the IEP Team will reconvene if the changes are substantial; otherwise, amendments are developed by the Coordinator of Special Education and parent and then provided to the parent for consent. Parents are advised that they may request a complete copy of the amended IEP. |

| **SE Criterion # 18A - IEP development and content** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and interviews indicated that upon determining that the student is eligible for special education, IEP Teams do not consistently address all elements of the current IEP format provided by the Department of Elementary and Secondary Education. Specifically, the Present Levels of Educational Performance (PLEP) A: General Curriculum and PLEP B: Other Educational Needs are not always completed. 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. Record review indicated that Teams document their considerations of the skills and proficiencies needed by students in the IEP's Additional Information section. | | | |
| **Department Order of Corrective Action:** | | | |
| Provide training to Team chairpersons to ensure that the PLEP A and B are appropriately completed for each student.  For those students whose records were identified by the Department, reconvene the Team to review the IEP and complete the PLEP A and B, as needed.  Develop an internal oversight and tracking system for ensuring that the IEP is complete and addresses all elements. The oversight 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, in which IEP development occurred subsequent to implementation of all corrective actions, to ensure that IEPs are completed addressing all elements of the most current IEP format.    **\*Please note when conducting internal monitoring, the school 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 training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **April 7, 2017**.  For those student records identified by the Department, submit a copy of the revised pages from the IEP and the Team Meeting Attendance Sheet (N3A) indicating that the IEP Teams have reconvened by **April 7, 2017**.  Submit a description of the internal oversight and tracking system, along with the name and role of the person designated for oversight by **April 7, 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 **September 29, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 | 09/29/2017 |  |  |

| **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 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 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 charter school and a statement of the major goal areas associated with these services. Records demonstrated that the school consistently sends two copies of the proposed IEP and placement within two calendar weeks of the Team meeting. |

| **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 information included in the narrative description of the Notice of Proposed School District Action (N1) does not contain sufficient detail of the charter school's proposed actions. 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 responding to all questions of the notice.  Develop an internal oversight and tracking system for ensuring that N1 forms contain the required information. The oversight 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, in which IEP development occurred subsequent to implementation of all corrective actions, to ensure that N1s contains all required elements.  **\*Please note when conducting internal monitoring the school 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 training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **April 7, 2017**.  Submit a description of the internal oversight and tracking system, along with the name and role of the person designated for oversight by **April 7, 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 **September 29, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 | 09/29/2017 |  |  |

| **SE Criterion # 26 - Parent participation in meetings** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| The charter school 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 documents and interviews indicated that when a family's primary language of the home is other than English as documented on the Home Language Survey, the charter school has a policy to ensure that all special education documents, such as IEPs, notices, and assessment summaries will be translated. According to interviews, the special education office maintains a list of contracted vendors to provide translations and interpreters familiar with special education in a large number of languages. Home language surveys are completed for all students during the registration process so that parents can indicate a need for translated documents or an interpreter.  At the time of the Mid-cycle Review, the charter school did not have any current records for special education students whose families required translations or interpretation. |

| **SE Criterion # 32 - Parent advisory council for special education** | | | |
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| **Rating:** | | | |
| Not Implemented | | | |
| **Basis for Findings:** | | | |
| Interviews with administrative staff and a parent indicated that the charter school has not established a school-wide parent advisory council (PAC) on special education or sought a waiver from the Department to meet this requirement in an alternative manner.  Interviews also demonstrated that the school does not conduct at least one workshop annually on the rights of students and their parents and guardians under the state and federal special education laws. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop a detailed plan to establish a parent advisory council that offers membership to all parents of students with disabilities in the charter school, as well as other interested parties, along with by-laws regarding officers and operational procedures; the opportunity to participate in the planning, development and evaluation of the charter school’s special education programs; and events such as the annual parents' rights workshop. Please see the Guidance for Special Education Parent Advisory Councils at <http://www.doe.mass.edu/sped/pac/default.html> and Administrative Advisory SPED 2015-2R: Special Education Parent Advisory Councils, Acceptable Alternatives, and Use of Social Media at <http://www.doe.mass.edu/sped/advisories/2015-2r.html> for direction.  To meet this requirement in an alternative manner, the charter school must complete an Alternative Compliance Waiver (http://www.doe.mass.edu/forms/waivers/form-c1.pdf) for approval from the Problem Resolution System Office (PRS). | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit a plan that describes how the school will meet the requirement for a parent advisory council by **April 7, 2017**.  Depending on the charter school’s plan, submit evidence for the following:  1) that a parent advisory council with by-laws regarding officers and operational procedures has been established; or  2) the school's alternative means to meet the requirement for a PAC has been approved by PRS. This progress report is due by **September 29, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 | 09/29/2017 |  |  |

| **SE Criterion # 43 - Behavioral interventions** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and interviews indicated that for students whose behavior impedes their learning or the learning of others, the charter school has established multiple behavioral support strategies. Every classroom uses a self-regulation support system to help all students assess their feelings and regulate their own behavior, along with "think sheets" for students to reflect on their behavior. Individual and group counseling is available for all students, and behavior plans are developed for students who need a more structured system of support. In addition, teachers may request guidance on behavior management from the Student Support Team. |

| **SE Criterion # 44 - Procedure for recording suspensions** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of documents and interviews indicated that the charter school has not formalized procedures for recording the number and duration of suspensions from any part of a student's program and notifying special education staff of any suspensions of students with disabilities. After a disciplinary infraction is written up, the decision to suspend a student with disabilities is made by the Head of School and Assistant Director of Student and Family Services. Although the special education coordinator keeps track of the suspensions informally, this staff member is not consistently consulted with or notified when a student with disabilities is suspended. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for recording the number and duration of suspensions of students with disabilities from any part of a student's program, including suspensions from special transportation prescribed by the IEP and notifying special education staff when a student with disabilities is suspended. Please see the legal advisories on suspension data collection and reporting at <http://www.doe.mass.edu/lawsregs/advisory/discipline/QA.html> and <http://www.doe.mass.edu/lawsregs/advisory/discipline/StudentDiscipline.html> for guidance.  Provide training for administrative, special education and other relevant staff on these procedures.  Develop a report of the results of an internal review of student suspension data, in which students were suspended from any part of his or her program, to ensure the number and duration of suspensions are accurately recorded and special education staff were notified of the suspensions. This sample must be drawn from records in which a suspension occurred subsequent to the implementation of all corrective actions.  **\*Please note when conducting internal monitoring the school 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 procedures and evidence of staff training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **April 7, 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 **September 29, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 | 09/29/2017 |  |  |

| **SE Criterion # 45 - Procedures for suspension up to 10 days and after 10 days: General requirements** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and interviews indicated that the charter school has disciplinary procedures for students with suspensions up to and beyond 10 days. Provisions ensure that students with special needs who have been suspended for 10 days in any school year, during any subsequent removal, continue to receive a free and appropriate public education. In addition, the school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days  (if there is a pattern of suspension) in any school year. |

| **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:** |
| A review of student records, documents and interviews indicated that the charter school has disciplinary procedures for students with disabilities whose suspensions exceed 10 consecutive school days or have a pattern of suspensions exceeding 10 cumulative days. The Coordinator of Special Education will convene a team that includes the parent, teacher(s), counselor, principal, and dean to review the implementation of the IEP and classroom data before determining if the behavior is a manifestation of the student's disability. |

| **SE Criterion # 47 - Procedural requirements applied to students not yet determined to be eligible for special education** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of documents and interviews indicated that although the charter school has procedures for disciplining students not yet determined to be eligible for special education, the procedures do not include the requirement to conduct an expedited evaluation to determine eligibility if the charter school had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action.  At the time of the Mid-cycle Review, the charter school did not have any current records for students who required an expedited evaluation to determine eligibility subsequent to disciplinary actions. | | | |
| **Department Order of Corrective Action:** | | | |
| Revise the school's disciplinary procedures to include expedited evaluations for students not yet determined eligible for special education. Provide training on the revised procedures for teachers and administrative staff who may be involved in making disciplinary decisions. | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit the revised procedures and evidence of staff training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **April 7, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 |  |  |  |

| **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 indicated that all related service providers, including a speech and language pathologist, occupational therapist, and counselor are all appropriately licensed and/or board certified. |

| **SE Criterion # 54 - Professional development** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of documents and interviews indicated that the charter school provides training annually to all staff, including special and general education teachers and paraprofessionals, in analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the general education classroom of students with diverse learning styles and methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning styles of all students in the general education classroom. This training has included professional development on autism spectrum disorder, improving Tier II interventions, and implementing accommodations and modifications. However, document review and staff interviews indicated that general education teachers and paraprofessionals are not regularly trained on state and federal special education requirements and related local special education policies and procedures. | | | |
| **Department Order of Corrective Action:** | | | |
| Provide training for general education teachers and paraprofessionals on state and federal special education requirements and related local special education policies and procedures.  Develop a plan to ensure that all staff, including general education teachers and paraprofessionals are regularly trained on state and federal special education requirements and related local special education policies and procedures. | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **April 7, 2017**.  Submit the plan for ongoing training of all staff, including general and special education teachers and paraprofessionals by **April 7, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 |  |  |  |

| **SE Criterion # 56 - Special education programs and services are evaluated** | | | |
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| **Rating:** | | | |
| Not Implemented | | | |
| **Basis for Findings:** | | | |
| A review of documents and interviews indicated that the charter school does not regularly evaluate its special education programs and services. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop a plan for conducting an evaluation of the school's special education programs and services, including proposed evaluation tool(s) and a timeline for implementation. | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit the plan for conducting an evaluation of the school's special education program and services by **April 7, 2017**.  Submit the special education program evaluation, including an analysis of the data, a summary of the results, and an action plan for any recommendations based on the results by **September 29, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 04/07/2017 | 09/29/2017 |  |  |