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|  | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **District:** **Boston Public Schools**  **MCR Onsite Dates:** **02/07/2018 - 02/09/2018**  **Program Area: Special Education** |
|  |  | Jeffrey C. Riley  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 indicated that the district does not consistently provide the following assessments when conducting initial and reevaluations: an educational assessment by a representative of the district, including a history of the student's educational progress in the general curriculum; and an assessment by a teacher(s) with current knowledge of the student's specific abilities in relation to the 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:** | | | |
| Review district procedures and provide training to special education supervisors and Evaluation Team Leaders on the requirements for completing, as part of initial evaluations and reevaluations, all required educational assessments.  Develop an internal oversight and tracking system to ensure that all required educational assessments are provided for initial evaluations and reevaluations. The tracking system should include periodic reviews by an administrator to ensure continuing compliance.  For those individual students identified by the Department, complete the missing educational assessments. Reconvene the IEP Teams to review the information and to determine whether the individual student's current IEP is appropriate.  Conduct a review of a sample of student records across grade levels and schools, subsequent to all corrective actions, to ensure that the required educational assessments are completed.  **\*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; and c) name of person(s) who conducted the review, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of training (agenda, signed/dated attendance sheets indicating the title/role of staff and materials used) by **May 31, 2018**.  Provide a detailed description of the district's internal oversight and tracking system by  **May 31, 2018**.  For those individual students identified by the Department, submit copies of the completed assessments, as well as copies of the Team Meeting Invitation (N3) and the signed Team Meeting Attendance Sheet (N3A) for the Team meeting reconvened to review each student's assessment results. Submit this information by **May 31, 2018**.  Submit a report of the results of the internal review of student records. Indicate the number of student records reviewed at each level (elementary, middle and high school); the number of student records in compliance; for all records not in compliance, please identify the root cause(s) of the noncompliance; and provide the actions taken to remedy the noncompliance. Submit this information by **October 30, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| **05/31/2018** | **10/30/2018** |  |  |

| **SE Criterion # 3 - Special requirements for determination of specific learning disability** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and interviews indicated that the IEP Team consistently conducts an observation as part of the specific learning disability determination process and creates a written determination which is signed by all district Team members. However, the Team does not consistently obtain the signature of the parent (and student, when appropriate) acknowledging agreement or disagreement with the written determination. | | | |
| **Department Order of Corrective Action:** | | | |
| Review those student records for the 2017-2018 school year in which the district did not require the parent of a student suspected of having a specific learning disability (and the student, when appropriate) to sign the written determination as to whether or not the student has a specific learning disability. Based on this root cause analysis, indicate the specific corrective actions the district will take to remedy the noncompliance and a timeline for implementation of those corrective actions.  Develop a report of the results of an internal review of records of students suspected of having a specific learning disability, subsequent to implementation of all corrective actions, to ensure that the district obtains the signature of the parent and student, if appropriate, to indicate agreement or disagreement with the written determination as to whether or not the student has a specific learning disability.  **\*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; and 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 include a description of the district's proposed corrective actions, the timeline for implementation, and the person(s) responsible by **May 31, 2018**.  Submit a report of the results of the internal review of student records. Indicate the number of student records reviewed at each level (elementary, middle and high school); the number of student records in compliance; for all records not in compliance, please identify the root cause(s) of the noncompliance; and provide the actions taken to remedy the noncompliance. Submit this information by **October 30, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| **05/31/2018** | **10/30/2018** |  |  |

| **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 sets forth that a student has a disability on the autism spectrum, IEP Teams at all levels consistently consider and specifically address the following: 1) the verbal and non-verbal 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 the student's 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. |

| **SE Criterion # 4 - Reports of assessment results** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that assessment reports provided for both initial evaluations and reevaluations consistently include detailed summaries with the evaluator's diagnostic impressions, a description of the student's needs in educationally relevant and common terms, and recommendations for meeting these needs. |

| **SE Criterion # 7 - Transfer of parental rights at age of majority and student participation and consent at the age of majority** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and interviews indicated that the district consistently informs the student and parent/guardian at least one year prior to the student turning 18 about the rights that will transfer to the student upon the student's 18th birthday. In addition, when the student turns 18, the district consistently implements procedures to obtain consent from the student with sole or shared decision-making rights to continue the student's special education program. |

| **SE Criterion # 8 - IEP Team composition and attendance** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that when a regular education teacher of a student involved in a regular education program does not attend a Team meeting, or a special education teacher of a student involved in a special education program does not attend, the district and the parent do not consistently agree, in writing, to excuse the absence.  Furthermore, in these situations, the absent Team members do not always provide written input into the development of the IEP prior to the meeting. | | | |
| **Department Order of Corrective Action:** | | | |
| Review the district procedures and provide training to special education supervisors and Evaluation Team Leaders on the requirements of Team attendance and on the excusal process when a Team member is unable to attend.  Develop an internal oversight and tracking system to ensure required Team members attend Team meetings and the excusal process is followed and documented. The tracking system should include periodic reviews by an administrator to ensure continuing compliance.  Conduct a review of a sample of student records from across grade levels and schools, subsequent to all corrective actions, to ensure that required Team members are in attendance and excusal procedures are followed if a Team member is unable to attend.  **\*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; and c) name of person(s) who conducted the review, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of training (agenda, signed/dated attendance sheets indicating the title/role of staff and materials used) by **May 31, 2018**.  Provide a detailed description of the district's internal oversight and tracking system by  **May 31, 2018**.  Submit a report of the results of the internal review of student records. Indicate the number of student records reviewed at each level (elementary, middle and high school); the number of student records in compliance; for all records not in compliance, please identify the root cause(s) of the noncompliance; and provide the actions taken to remedy the noncompliance. Submit this information by **October 30, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| **05/31/2018** | **10/30/2018** |  |  |

| **SE Criterion # 9 - Timeline for determination of eligibility and provision of documentation to parent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that the district convenes an IEP Team meeting within 45 school working days after receiving parental consent for an initial evaluation or a reevaluation to determine whether the student is eligible for special education, and provides either a proposed IEP and proposed placement or a written explanation of the finding of no eligibility to the parent. |

| **SE Criterion # 13 - Progress Reports and content** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that progress reports are provided at least as often as parents are informed of the progress of non-disabled students and address student progress towards IEP goals.  However, a review of records for students who have graduated from secondary school or exceeded the age of eligibility indicated that the summary of academic achievement and functional performance provided by the district is a generic statement and does not provide recommendations on how to assist the student in meeting his or her postsecondary goals. | | | |
| **Department Order of Corrective Action:** | | | |
| Review district procedures and provide training to special education supervisors and Evaluation Team Leaders on the requirement that, for students whose eligibility terminated due to graduation or exceeding the age of eligibility, the district provides a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her post-secondary goals.  Develop an internal oversight and tracking system to ensure the district provides students whose eligibility terminates with a summary of his or her academic achievement and functional performance, including recommendations on meeting his or her post-secondary goals. The tracking system should include periodic reviews by an administrator to ensure continuing compliance.  Conduct a review of a sample of student records for students whose eligibility terminated, subsequent to all corrective actions, to ensure that the Team provided the required summary of academic achievement and functional performance that includes recommendations on how to assist the student in meeting his or her post-secondary goals.  **\*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; and c) name of person(s) who conducted the review, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of training (agenda, signed/dated attendance sheets indicating the title/role of staff and materials used) by **May 31, 2018**.  Provide a detailed description of the district's internal oversight and tracking system by  **May 31, 2018**.  Submit a report of the results of the internal review of student records. Indicate the number of student records reviewed; the number of student records in compliance; for all records not in compliance, please identify the root cause(s) of the noncompliance; and provide the actions taken to remedy the noncompliance. Submit this information by **October 30, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| **05/31/2018** | **10/30/2018** |  |  |

| **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, the Team convenes to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate. The Team reviews and revises the student's IEP to address any lack of expected progress towards the annual goals and in the general curriculum.    A review of student records and interviews also indicated that when the district and parent agree to make changes to a student's IEP between annual IEP meetings, the district documents these changes with an amendment, which is consistently provided to the parent. |

| **SE Criterion # 18A - IEP development and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and interviews indicated that upon determining the student is eligible for special education, IEP Teams consistently address all elements of the current IEP format provided by the Department of Elementary and Secondary Education. The IEP is not changed outside of the Team meeting. Furthermore, due to the implementation of a new data management system, the beginning and ending dates for all services are correctly documented in the IEP Service Delivery Grid.  Record review and interviews also indicated that 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, the Team addresses the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing in the IEP. |

| **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 indicated that, following the IEP Team meeting, the district provides the parent with a meeting summary that includes a completed service delivery grid and a statement of the major goal areas associated with these services. Immediately following the development of the IEP, the district consistently sends two copies of the proposed IEP and proposed placement along with the required notice to parents. |

| **SE Criterion # 20 - Least restrictive program selected** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that IEP Teams do not consistently state why the removal from the general education classroom is 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:** | | | |
| Review district procedures and provide training to special education supervisors and Evaluation Team Leaders on writing Nonparticipation Justification statements that consistently state why the removal from the general education classroom is considered critical to a 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 IEP Teams develop appropriate Nonparticipation Justification statements. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Conduct a review of a sample of student records across grade levels and schools, subsequent to all corrective actions, to ensure that IEP Teams appropriately justify the removal of students from general education classrooms.  **\*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; and c) name of person(s) who conducted the review, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of training (agenda, signed/dated attendance sheets indicating the title/role of staff and materials used) by **May 31, 2018**.  Provide a detailed description of the district's internal oversight and tracking system by  **May 31, 2018**.  Submit a report of the results of the internal review of student records. Indicate the number of student records reviewed at each level (elementary, middle and high school); the number of student records in compliance; for all records not in compliance, please identify the root cause(s) of the noncompliance; and provide the actions taken to remedy the noncompliance. Submit this information by **October 30, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| **05/31/2018** | **10/30/2018** |  |  |

| **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:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that the district’s Notice of Proposed School District Action (N1) consistently contains all required components, including: 1) a description of the action proposed or refused by the agency; 2) an explanation of why the agency proposed or refused to take action; 3) a description of any other options that the agency considered and the reasons why those options were rejected; 4) a description of each evaluation procedure, test, record or report the agency used as a basis for the proposed or refused action; and 5) a description of any other factors that were relevant to the agency's proposal or refusal.  Furthermore, the notice provides the student's parent(s) with an opportunity to consult with the Special Education Administrator or his/her designee. |

| **SE Criterion # 25 - Parental consent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that when the parent's refusal to consent may result in a denial of a free appropriate public education, the district consistently seeks resolution through the Bureau of Special Education Appeals (BSEA). |

| **SE Criterion # 26 - Parent participation in meetings** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that the district notifies parents/guardians in writing of the Team meeting early enough to ensure that they have an opportunity to attend. However, when the parent/guardian is unable to attend the Team meeting, the district does not consistently offer other methods to participate, including video conferencing or telephone calls. | | | |
| **Department Order of Corrective Action:** | | | |
| Review district procedures and provide training to special education supervisors and Evaluation Team Leaders on the requirement to offer alternative methods for parent/guardian participation in Team meetings. Please note that the offering of these alternative methods should be documented in the student record.  For those student records identified by the Department in which the parent/guardian was not able to attend the Team meeting and was not offered alternative means to participate, reschedule the Team meetings to ensure that the parent/guardian either attends or is offered alternative means to participate.  Develop an internal oversight and tracking system to ensure the district offers other methods to ensure participation, including, but not limited to, video conferencing or telephone conference calls. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Conduct a review of a sample of student records across grade levels and schools, subsequent to all corrective actions, to ensure that the district offers alternative methods to ensure parent/guardian participation in Team meetings.  **\*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; and c) name of person(s) who conducted the review, with their role(s) and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit evidence of training (agenda, signed/dated attendance sheets indicating the title/role of staff and materials used) by **May 31, 2018**.  Submit a copy of the Team Meeting Attendance Sheet (N3A) indicating that the parent attended the IEP meeting or evidence that alternative means for participation was offered by  **May 31, 2018.**  Provide a detailed description of the district's internal oversight and tracking system by  **May 31, 2018**.  Submit a report of the results of the internal review of student records. Indicate the number of student records reviewed at each level (elementary, middle and high school); the number of student records in compliance; for all records not in compliance, please identify the root cause(s) of the noncompliance; and provide the actions taken to remedy the noncompliance. Submit this information by **October 30, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| **05/31/2018** | **10/30/2018** |  |  |

| **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 interviews indicated that the district has a process to identify parents who require translated documents. Communications provided to parents whose primary language is not English are in clear and commonly understood words in both English and the primary language of the home.  Interviews also indicated that the district provides interpreters, as needed, for oral communication in the primary language of the home. Interpreters are fluent in the primary language of the home and are familiar with special education procedures, programs and services. |

| **SE Criterion # 51 - Appropriate special education teacher licensure** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation indicated that the district does not currently employ unlicensed special education teachers. Interviews indicated that licenses of special education teachers are monitored by the district's Human Resources Office. |

| **SE Criterion # 52 - Appropriate certifications/licenses or other credentials -- related service providers** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation indicated that the district does not currently employ unlicensed related service providers. Interviews indicated that licenses of related service providers are monitored by the district's Human Resources Office. |

| **SE Criterion # 55 - Special education facilities and classrooms** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A site visit at the Curtis Guild Elementary School demonstrated that the district has undertaken significant renovations to the building. Previous issues regarding room access, safety, size, lighting, heat and ventilation no longer exist in instructional spaces designated for speech/language therapy or other special education service delivery. |