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| ESE Logo  **Tiered Focused Monitoring Report**  **for Group B Universal Standards**  **Special Education and Civil Rights**  **District: North Middlesex Regional School District**  **Onsite Date: May 1, 2019**  **Tier Level: 1**  State Seal of Massachusetts |
| Jeffrey C. Riley  Commissioner of Elementary and Secondary Education |

During the 2018-2019 school year, North Middlesex Regional School District participated in a Tiered Focused Monitoring Review conducted by the Department’s Office of Public School Monitoring. The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

Districts and charter schools are reviewed every three years through Tiered Focused Monitoring. This review process emphasizes elements most tied to student outcomes, and alternates the focus of each review on either Group A Universal Standards or Group B Universal Standards.

Group A Universal Standards address:

* Student identification
* IEP development
* Programming and support services
* Equal opportunity

Group B Universal Standards address:

* Licensure and professional development
* Parent/student/community engagement
* Facilities and classroom observations
* Oversight
* Time and learning
* Equal access

In addition, the Department has reserved a specific set of criteria, collectively known as Targeted Standards, employed when LEA or school-level risk assessment data indicate that there is a potential issue. Identified Targeted Standards are assessed in addition to the Universal Standards.

Universal Standards and Targeted Standards are aligned with the following regulations:

Special Education (SE)

* selected requirements from the federal Individuals with Disabilities Education Act (IDEA-2004); the federal regulations promulgated under that Act at 34 CFR Part 300; M.G.L. c. 71B, and the Massachusetts Board of Education’s Special Education regulations (603 CMR 28.00), as amended effective March 1, 2007.

Civil Rights Methods of Administration and Other General Education Requirements (CR)

* selected federal civil rights requirements, including requirements under Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, together with selected state requirements under M.G.L. c. 76, Section 5 as amended by Chapter 199 of the Acts of 2011 and M.G.L. c. 269 §§ 17 through 19.
* selected requirements from the Massachusetts Board of Education’s Physical Restraint regulations (603 CMR 46.00).
* selected requirements from the Massachusetts Board of Education’s Student Learning Time regulations (603 CMR 27.00).
* various requirements under other federal and state laws.

Tiered Focused Monitoring allows for differentiated monitoring based on a district/charter school’s level of need, the Tiers are defined as follows:

LEAs in Tiers 1 and 2 have been determined to have no or low risk:

* Tier 1/Self-Directed Improvement: Data points indicate no concern on compliance and performance outcomes – meets requirements.
* Tier 2/Directed Improvement: No demonstrated risk in areas with close link to student

outcomes – low risk.

LEAs in Tiers 3 and 4 have demonstrated greater risk:

* Tier 3/Corrective Action: Areas of concern include both compliance and student

outcomes – moderate risk.

* Tier 4/Cross-unit Support and Corrective Action: Areas of concern have profound effect on student outcomes and ongoing compliance – high risk.

The phases of Tiered Focused Monitoring for North Middlesex Regional School District included:

Self-Assessment Phase:

* The district reviewed special education and civil rights documentation for required elements including document uploads.
* Upon completion of this internal review, the district’s self-assessment was submitted to the Department for review.

On-site Verification Phase:

* Review of additional documents for special education or civil rights.
* Surveys of parents of students with disabilities: Parents of students with disabilities were sent a survey to solicit information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Interviews of staff consistent with those criteria selected for onsite verification.
* Interview of a parent advisory council (PAC) representative and other telephone interviews, as requested, by other parents or members of the general public.
* Observations of classrooms and other facilities: The onsite team visited a sample of classrooms and school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

**Report: For Tier 1 & 2 Tiered Focused Monitoring Reviews**

Following the onsite visit, the onsite team holds an informal exit meeting to summarize its comments for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the onsite chairperson forwards to the superintendent or charter school leader the findings from the Tiered Focused Monitoring Review. All districts/charter schools in Tiers 1 and 2, as part of the reporting process, then develop a Continuous Improvement and Monitoring Plan (CIMP) for any criteria receiving a rating of "Partially Implemented," "Not Implemented," and “Implementation in Progress.” The CIMP outlines an action plan, identifies the success metric, describes the measurement mechanism and provides a completion timeframe to bring those areas into compliance with the controlling statute or regulation. Districts and charter schools are expected to incorporate the CIMP actions into their district and school improvement plans, including their professional development plans.

# **DEFINITION OF COMPLIANCE RATINGS**

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| **Commendable** | Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation. |
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| **Implemented** | The requirement is substantially met in all important aspects. |
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| **Implementation in Progress** | This rating is used for criteria containing new or updated legal requirements and means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year. |
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| **Partially Implemented** | The requirement, in one or several important aspects, is not entirely met. |
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| **Not Implemented** | The requirement is totally or substantially not met. |
| **Not Applicable** | The requirement does not apply to the school district or charter school. |

**North Middlesex Regional School District**

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Universal Standards**  **Special Education** | **Universal Standards**  **Civil Rights and Other General Education Requirements** |
| **IMPLEMENTED** | SE 15, SE 36, SE 50,  SE 51, SE 52, SE 52A, SE 54, SE 56 | CR 3, CR 7, CR 7A,  CR 7B, CR 7C, CR 10B, CR 10C, CR 12A, CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24,  CR 25 |
| **PARTIALLY**  **IMPLEMENTED** | SE 32, SE 55 | CR 10A |
| **NOT IMPLEMENTED** |  |  |

The review instruments, that include the regulatory requirements specific to the special education and civil rights criteria referenced in the table above, can be found at <http://www.doe.mass.edu/psm/tfm/default.html>.

| **Improvement Area** **1** |
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| **Criterion:** SE 32 - Parent advisory council for special education |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and interviews indicated that the district joined a regional parent advisory council for special education (SEPAC) with several other area districts, but did not apply for a "Request for Waiver from Special Education Regulations: Special Education Parent Advisory Councils (Form C 1)" to participate as a member of a regional SEPAC. |
| **LEA Outcome:** The district will attempt to garner the support of parents to restart a district-based SEPAC. The district will provide a newly started SEPAC with support in the form of mission statement and by-laws, access to online forums, and email communication(s) to all parents. |
| **Action Plan:** The district may refer to 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.  By November 21, 2019, the Director of Special Education will convene a meeting of parents to poll their interest in forming a district SEPAC.  By January 10, 2020, the district will provide technical support meetings with potential officers.  By January 10, 2020, the SEPAC will publish meeting dates for the remainder of the 2019-2020 school year.  By May 19, 2020, the SEPAC will meet at least twice prior to the close of the 2019-2020 school year.  Alternatively, or if no parents are in attendance at the November 21, 2019 meeting, the district shall proceed to meet this requirement in an alternate manner with the following steps:  By December 31, 2019: Complete an Alternative Compliance Waiver application (Form C 1) found at [www.doe.mass.edu/prs/sa-nr/](http://www.doe.mass.edu/prs/sa-nr/) for approval from the Problem Resolution System Office (PRS). Contact PRS for guidance on completing this form (781-338-3700).  The Office of Public School Monitoring will confirm the district's waiver approval through communication with PRS. |
| **Success Metric:** By the end of the 2019-2020 school year, the newly formed SEPAC will have met at least two times.  Evidence:  SEPAC by-laws and list of officers  Scheduled meeting dates  Meeting agendas and sign-in sheets  Alternatively, Department approval of an Alternative Compliance Waiver |
| **Measurement Mechanism:** The school district has established a district-wide parent advisory council on special education offering membership to all parents of students with disabilities and other interested parties.  The parent advisory council duties include but are not limited to:  - advising the district on matters that pertain to the education and safety of students with disabilities;  - meeting regularly with school officials to participate in the planning, development, and evaluation of the school district's special education programs;  - establishing by-laws regarding officers and operational procedures; and  - providing at least one workshop annually on the rights of students and their parents and guardians under the state and federal special education laws.  Alternatively, the district will obtain approval of an Alternative Compliance Waiver. |
| **Completion Timeframe:** 05/19/2020 |
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| **Improvement Area 2** |
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| **Criterion:** SE 55 - Special education facilities and classrooms |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Observations indicated that the upper level of the Nissitissit Middle School contains five substantially separate classrooms and does not maximize the inclusion of students receiving special education services into the life of the school. In one wing of the upper level, the STEPS program occupies four consecutive substantially separate classrooms, one for each grade (5-8), which serves students on the autism spectrum. Also in this wing are classrooms for special education reading support, speech and language services, and the Therapeutic Learning Center, a substantially separate classroom serving students with behavioral, social and emotional disabilities. There is one general education classroom and one art room in this wing. |
| **LEA Outcome:** The district will work with Nissitissit Middle School (NMS) administrators to disperse substantially separate classrooms on the upper level of NMS in order to maximize the inclusion of students receiving special education services into the life of the school. |
| **Action Plan:** By November 1, 2019, the Director and Assistant Director of Special Education will meet with the Principal and Assistant Principal of Nissitissit Middle School to review and approve a plan for dispersing substantially separate classrooms on the upper level of NMS in order to maximize the inclusion of students receiving special education services into the life of the school. Documentation: floor plan of proposed room changes.  By December 31, 2019, the district will reconfigure the locations of the identified programs at Nissitissit Middle School to maximize the inclusion of special needs students into the life of the school. Documentation: floor plan of actual room changes.  By January 10, 2020, the Department will conduct a site visit to verify the new location of the three substantially separate classrooms at Nissitissit Middle School. |
| **Success Metric:** By January 2020, the district will ensure that substantially separate classrooms at Nissitissit Middle School are dispersed in order to maximize the inclusion of students receiving special education services into the life of the school.  Evidence:  Floor plan showing the new location of the substantially separate programs  Department onsite visit verification |
| **Measurement Mechanism:** Each year, special education administrators will review locations of substantially separate classrooms in each district building to ensure they maximize the inclusion of special needs students into the life of the school. |
| **Completion Timeframe:** 01/10/2020 |
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| **Improvement Area 3** |
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| **Criterion:** CR 10A - Student handbooks and codes of conduct |
| **Rating:** Partially Implemented |
| **Description of Current Issue:** Document review indicated that the district's student handbooks do not include all of the required procedures for due process in student discipline.  The early childhood center handbook, the three elementary school handbooks and the two middle school handbooks do not address the discipline of students with disabilities or students with  Section 504 Accommodation Plans.  The Squannacook Early Childhood Center and the Nissitissit Middle School handbooks do not include procedures for due process for student discipline that include the following:  - Procedures for emergency removal;  - Procedures for principal hearings for both short- and long-term suspension;  - Procedures for in-school suspension;  - Procedures for superintendent hearing; and  - Procedures for education services and academic progress.  The Spaulding Memorial School handbook does not include procedures for due process for student discipline that includes the following:  - Procedures for emergency removal; and  - Procedures for in-school suspension. |
| **LEA Outcome:** All student handbooks and codes of conduct will contain an appendix that includes  procedures for the discipline of students with disabilities or students with Section 504  Accommodation Plans.  All student handbooks and codes of conduct will contain procedures for due process for student discipline that include the following:  - Procedures for emergency removal;  - Procedures for principal hearings for both short- and long-term suspension;  - Procedures for in-school suspension;  - Procedures for superintendent hearing; and  - Procedures for education services and academic progress. |
| **Action Plan:** By November 21, 2019, an appendix with discipline and due process procedures will be on the website for each school. The SECC handbook has been approved by the school committee and is on the website. |
| **Success Metric:** All district websites will have student handbooks updated with an appendix to include procedures for the discipline of students with disabilities or students with Section 504 Accommodation Plans, and procedures for due process for student discipline.  Evidence:  Review of district websites will verify all handbooks with appendix included. |
| **Measurement Mechanism:** All student handbooks and codes of conduct will be reviewed annually for policy and language updates. |
| **Completion Timeframe:** 11/21/2019 |