

**Baystate Academy Charter Public School**

**Tiered Focused Monitoring Report**

**For** **Group B Universal Standards**

**Tier Level** **2**

**Date of Onsite Visit:** **January 7, 2020**

**Date of Final Report:** **May 22, 2020**



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Commissioner of Elementary and Secondary Education

During the 2019-2020 school year, Baystate Academy Charter Public School 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.

School 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 Baystate Academy Charter Public School included:

Self-Assessment Phase:

* Charter school reviewed special education and civil rights documentation for required elements including document uploads.
* Charter school reviewed a sample of special education student records selected across grade levels, disability categories and levels of need.
* Upon completion of these two internal reviews, the school’s self-assessment was submitted to the Department for review.

On-site Verification Phase:

* Review of student records for special education: The Department selected a sample of student records from those the charter school reviewed as part of its self-assessment, as well as records chosen by the Department from the special education student roster. The onsite team conducted this review, using standard Department procedures, to determine whether procedural and programmatic requirements are being met.
* 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 charter school’s implementation of special education programs, related services, and procedural requirements.
* Interviews of staff consistent with those criteria selected for onsite verification.
* Interviews of parent advisory council (PAC) representatives 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. |

**Baystate Academy Charter Public School**

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Universal Standards**  **Special Education** | **Universal Standards**  **Civil Rights and Other General Education Requirements** | **Targeted Standards** |
| **IMPLEMENTED** | SE 15, SE 32, SE 35, SE 36, SE 50, SE 51, SE 52, SE 52A, SE 55, SE 56 | CR 3, CR 7,  CR 7A, CR 7B, CR 7C, CR 10A, CR 10B, CR 12A, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25 | SE 44, SE 45,  SE 46, SE 47 |
| **PARTIALLY**  **IMPLEMENTED** | SE 54 | CR 10C, CR 16 |  |
| **NOT IMPLEMENTED** |  |  |  |

The Tiered Focused Monitoring Toolkit, which includes 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/resources/default.html>.

| **Improvement Area** **1** |
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| **Criterion:** SE 54 - Professional development |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and staff interviews indicated that the charter school does not ensure that all locally hired and contracted transportation providers of special education students, receiving specialized transportation, receive written information on the nature of any needs or problems that may cause difficulties for that student, along with information on appropriate emergency measures. |
| **LEA Outcome:** Upon a student's initial eligibility for specialized transportation, and then annually for all eligible students, BACPS will provide written information to the transportation company on the nature of any needs or problems that may cause difficulties for the student, along with appropriate emergency measures. Examples of information provided may include sections of an IEP or 504 plan that describe the student's needs and any applicable emergency measures as well as any health, seizure, behavior, and/or safety plan(s). |
| **Action Plan:** By August 14, 2020, the charter school will revise its procedures to provide the transportation company with information on the nature of any needs or problems that may cause difficulties for student(s), along with appropriate emergency measures in writing for each student receiving specialized transportation services. Procedures will include: within 5 days of the district's receipt of parental acceptance of an IEP or 504 plan where the student is initially found eligible to receive specialized transportation and/or within 5 days of receipt of an active IEP or 504 plan with a provision of specialized transportation services of a transfer or newly enrolled student, BACPS will provide the transportation company written information on the nature of any needs or problems that may cause difficulties for the student, along with appropriate emergency measures.  By November 6, 2020, the charter school will implement an internal monitoring and tracking system to ensure that all locally hired and contracted transportation providers of special education students, receiving specialized transportation, have received written information on the nature of any needs or problems that may cause difficulties for that student, along with information on appropriate emergency measures.  By January 8, 2021, the charter school will conduct a review of records to ensure that all locally hired and contracted transportation providers of special education students, receiving specialized transportation, received written information on the nature of any needs or problems that may cause difficulties for that student, along with information on appropriate emergency measures. |
| **Success Metric:** Annually, prior to the first day of school, BACPS will provide the transportation company with the written information on the nature of any needs or problems that may cause difficulties for the student, along with appropriate emergency measures for all students on an IEP or 504 plan.  Evidence:  Copy of updated procedures  Description of internal monitoring and tracking system  Documentation of record review |
| **Measurement Mechanism:** Annually, the Director of Special Education will review the transportation files of students receiving specialized transportation to ensure the appropriate written information was provided stating the nature of any needs or problems that may cause difficulties for the student, along with appropriate emergency measures. When a student transfers into the school during the school year, the Director of Special Education will review the student file and share written information as required. |
| **Completion Timeframe:** 01/08/2021 |
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| **Improvement Area 2** |
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| **Criterion:** CR 10C - Student Discipline |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and staff interviews indicated that the charter school does not utilize a notice of suspension and hearing, presented in English and the primary language of the home, prior to imposing a suspension as a consequence for a disciplinary offense.  The notice must contain:  a) the disciplinary offense;  b) the basis for the charge;  c) the potential consequences;  d) the opportunity for a hearing to dispute the charges and present an explanation, and the opportunity for the parent to attend;  e) the date, time and location of the hearing;  f) the right of the student and the parent to interpreter services; and  g) if the student may be placed on long-term suspension, the right to appeal to the charter school designee.  Furthermore, the charter school's student discipline policy does not contain procedures for in-school suspension, and procedures to periodically review discipline data by selected populations have not been developed. |
| **LEA Outcome:** BACPS will update the notice of suspension and hearing to include all required content. The school will update its Family and Student handbook to reflect the required procedures for in-school suspension and document its process for reviewing suspension data. |
| **Action Plan:** By August 14, 2020, the charter school will update its notice of suspension and hearing to contain all required elements, including: a) the disciplinary offense; b) the basis for the charge; c) the potential consequences; d) the opportunity for a hearing to dispute the charges and present an explanation, and the opportunity for the parent to attend; e) the date, time and location of the hearing;  f) the right of the student and the parent to interpreter services; and g) if the student may be placed on long-term suspension, the right to appeal to the charter school designee.  By August 14, 2020, the school will develop a procedure for in-school suspensions to be included in the Family and Student Handbook.  By August 14, 2020, the school will develop procedures to periodically review discipline data by selected populations.  By November 6, 2020, the school will train staff on the use of the in-house suspension procedures and procedures to periodically review discipline data by selected populations. |
| **Success Metric:** By the fall of 2020, the charter school will be utilizing a notice of suspension and hearing that contains all required elements, presented in English and the primary language of the home. Also, updated procedures for in-school suspension, and the periodic review of discipline data by selected populations will have been developed and incorporated into the 2020-2021 Family and Student Handbook.  Evidence:  Revised Notice of Suspension and Hearing  Revised procedures for in-school suspension published in the Student and Family Handbook  Agendas, training materials, and attendance sheets for staff training |
| **Measurement Mechanism:** Annually, the principal will review the student discipline policy and Family and Student Handbook to ensure policies are up to date. |
| **Completion Timeframe:** 11/06/2020 |
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| **Improvement Area 3** |
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| **Criterion:** CR 16 - Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review indicated that the notice sent to students and their parent/guardian within five days from the student's tenth consecutive absence, in English and the primary language of the home, does not include: a date and time for the exit interview; the requirement that the interview shall occur within 10 days of the notice; and that the time and date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days.  Also, the charter school does not send annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school to inform them of the availability of publicly funded post-high school academic support programs and to encourage them to participate in those programs. |
| **LEA Outcome:** The school will ensure that a notice is sent to students and their parents within five days from the student's tenth consecutive absence.  The school will ensure that an annual notice of post high school academic support programs is mailed to former students that meets the criteria for two years after leaving school. |
| **Action Plan:** By August 14, 2020, a revised notice for students and their parents within five days from the student's tenth consecutive absence with the required elements will be developed on school letterhead. The notice will include: a date and time for the exit interview; the requirement that the interview shall occur within 10 days of the notice; and that the time and date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days.  By August 14, 2020, the school will train the office staff, guidance counselor and social worker on the utilization of the revised notice.  By August 14, 2020, the revised notice and instructions will be placed into the Staff Handbook.  By August 14, 2020, the charter school will develop an annual written notice sent to former students who have not yet earned their competency determination and who have not transferred to another school to inform them of the availability of publicly funded post-high school academic support programs and to encourage them to participate in those programs. At a minimum, these notices will be sent by first class mail to the last known address of each such student who left the school within the past two years. |
| **Success Metric:** The charter school will develop appropriate procedures for students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion.  Evidence:  Copy of the notice sent to students and their parent/guardian within five days from the student's tenth consecutive absence  Copy of the notice sent to former students who have not yet earned their competency determination and who have not transferred to another school  Staff Handbook with procedures  Agendas, training materials, and attendance sheets for staff training |
| **Measurement Mechanism:** The principal, social worker and office manager will develop a tracking system to monitor for student absence and for students leaving school, which will be reviewed on a monthly basis to ensure notices are sent. |
| **Completion Timeframe:** 08/14/2020 |
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