

**Fairhaven Public Schools**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **1**

**Date of Onsite Visit:** **May 19, 2021**

**Date of Final Report:** **October 6, 2021**



Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

During the 2020-2021 school year, Fairhaven Public Schools 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/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 Fairhaven Public Schools included:

Self-Assessment Phase:

* 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 and 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.
* Observations of classrooms and other facilities: The chairperson reviewed floor plans and interviewed staff 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. |

**Fairhaven Public Schools**

**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 32, SE 35, SE 36, SE 50, SE 51, SE 52, SE 52A, SE 54, SE 55, SE 56 | CR 3, CR 7, CR 7A, CR 7B, CR 7C, CR 8, CR 10A, CR 10B, CR 10C, CR 12A, CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24 |
| **PARTIALLY****IMPLEMENTED** |  | CR 25 |
| **NOT****IMPLEMENTED**  | None |  |
| **NOT** **APPLICABLE** | None |  |

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 [www.doe.mass.edu/psm/resources/default.html](http://www.doe.mass.edu/psm/resources/default.html).

| **Improvement Area** **1** |
| --- |
| **Criterion:** CR 25 - Institutional self-evaluation |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents indicated that although the district reviewed the extended school year program and conducted a family survey on participation in school events in the 2017-2018 school year, the district does not review all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. |
| **LEA Outcome:** Fairhaven Public Schools will ensure that all aspects of its K-12 program are reviewed annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. |
| **Action Plan:** By November 15, 2021, the district will develop a plan to conduct an institutional self-evaluation, including the tools that will be used to gather stakeholder input. The district will also develop procedures to ensure that an institutional self-evaluation occurs annually, and training is provided to staff responsible for conducting the self-evaluation. By January 14, 2022, the district will collect stakeholder input by surveying parents, students, teachers, athletic directors, and administrators, and conduct building equity walks to gauge student access. Additionally, the district will conduct data equity walks using relevant data including achievement data, graduation rates, discipline data, athletics participation, and advanced placement enrollment to determine if all students have equal access to the district's programs.  By March 25, 2022, the district will summarize the results of stakeholder surveys, data analysis, and equity walks and develop an institutional self-evaluation report that includes any identified concerns, corresponding root cause analysis, and proposed action steps to address the concerns. |
| **Success Metric:** By March 25, 2022, the district will complete an institutional self-evaluation, review the results of the evaluation, and develop recommendations based upon identified areas of concern. Evidence: * District plan for conducting institutional self-evaluation activities
* District procedures for ensuring the institutional self-evaluation occurs annually
* Training materials, agenda, and attendance sheets
* Surveys for staff, students, and families
* Summary of results from the survey, equity walks, and data equity walk
* Narrative summary of identified concerns, root cause analysis, and recommendations
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| **Measurement Mechanism:** Continuing after the completion deadline, Fairhaven Public Schools will implement the new procedures to ensure the completion of an annual evaluation of all aspects of its K-12 program to ensure all students regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. The district will develop and implement action plans to address any identified lack of access. Annual training will be provided to staff responsible for conducting the institutional self-evaluation. |
| **Completion Timeframe:** 03/25/2022 |
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