

**Ashburnham Westminster Regional School District**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **April 5-7, 2022**

**Date of Final Report:** **June 30, 2022**



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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Ashburnham Westminster Regional School District**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUS MONITORING REPORT INTRODUCTION**

During the 2021-2022 school year, Ashburnham Westminster Regional School District participated in a Tiered Focused Monitoring Review (TFM) conducted by the Department’s Office of Public School Monitoring (PSM). The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

Each school district, charter school, vocational school, and virtual school undergoes a Tiered Focused Monitoring Review every three years. The statewide Tiered Focused Monitoring cycle is posted at <<https://www.doe.mass.edu/psm/tfm/6yrcycle.html>>.

Regularly monitored standards are divided into two groups, known as Group A Universal Standards and Group B Universal Standards. Districts and schools are monitored on an alternate set of Universal Standards every three years.

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

The Department has also reserved a specific set of criteria, collectively known as Targeted Standards, employed if LEA or school level risk assessment data indicate there is a potential issue; the 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 the Every Student Succeeds Act (ESSA); 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.

**PSM Team:**

Depending upon the size of a school district and the number of special education programs to be reviewed, a team of one to four Department staff members conducts onsite activities over one to five days in a school district or charter school.

**Tier Level:**

The level of monitoring varies based on tier designation, aligning supports to the level of need and ensuring that districts and schools with greater needs receive appropriate supports to make sustained improvements.

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| Tier | Title | Description | Level of Risk |
| 1 | Self-Directed Improvement | Data points indicate no concern on compliance and student outcomes. | Meets requirements |
| 2 | Directed Improvement | No demonstrated risk in areas with close link to student outcomes. | Low |
| 3 | Corrective Action | Areas of concern include both compliance and student outcomes. | Moderate |
| 4 | Cross-unit Support and Corrective Action | Areas of concern have a profound effect on student outcomes and ongoing compliance. | High |

For the 2021-2022 school year, the tier assignments are based on:

* Five-year cohort graduation rate for students with disabilities
* Public School Monitoring compliance data from the previous review
* Problem Resolution System data, specifically findings of noncompliance
* Special education State Performance Plan/Annual Performance Reports (SPP/APR) compliance Indicator data for Indicators 11, 12, and 13 (Group A only)
* Indicator 11: Child Find
* Indicator 12: Early Childhood Transition
* Indicator 13: Secondary Transition
* Special education SPP/APR performance Indicator data for Indicators 5 & 6
* Indicator 5: Education Environments (6-21)
* Indicator 6: Preschool Environments
* Significant Disproportionality data 2019-2020 & 2020-2021

Tiering adjustments may be made for districts engaged in work with the Department’s Statewide System of Support and have schools identified as requiring assistance and intervention. Tiering assignments may also be adjusted for schools and districts unable to remedy noncompliance within one year of the previous TFM review, as well as for charter schools requiring additional oversight based on conditions of their charter.

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

Following the onsite visit, the PSM team holds an informal exit meeting to summarize the review for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the chairperson forwards the TFM Feedback Summary that includes findings from the Tiered Focused Monitoring Review to the superintendent or charter school leader.

As part of the reporting process, all districts/charter schools in Tiers 1 and 2, 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 is due to the Department within 20 business days after the issuance of the Feedback Summary and is subject to the Department’s review and approval.

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. Department staff provide support and assistance to districts and charter schools on the development of a CIMP.

Once the CIMP is approved, it is issued as the Final Report.

Department staff also provide ongoing technical assistance as the school or district is implementing the approved CIMP or CAP. **School districts and charter schools must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department’s Feedback Summary.**

For more information regarding the TFM Review Process, including district and parent resources, please visit < <https://www.doe.mass.edu/psm/tfm/default.html>>.

# **TIERED FOCUSED MONITORING FINAL REPORT**

**Ashburnham Westminster Regional School District**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in the Ashburnham Westminster Regional School District during the week of April 4, 2022, to evaluate the implementation of Group B Universal Standards in the program areas of special education, civil rights, and other related general education requirements. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities, and to review the programs underway in the district.

In preparing this report, the team reviewed extensive written documentation regarding the operation of the district's programs, together with information gathered by means of the following Department program review methods:

**Self-Assessment Phase:**

* District review of special education and civil rights documentation for required elements including document uploads.
* District review of a sample of special education student discipline records.
* Upon completion of the self-assessment, the district submitted the data to the Department for review.

**On-site Verification Phase (dependent upon Group A or Group B Universal Standards):**

* Interviews of administrative, instructional, and support staff consistent with those criteria selected for onsite verification.
* Interview of a parent advisory council (PAC) representative.
* Review of additional documents for special education and civil rights.
* Surveys of parents of students in special education: Parents of students in special education were sent a survey that solicited information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Review of student records for special education: The Department selected a sample of student discipline records from those the district 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 have been met.
* Observations of classrooms and other facilities: The onsite team visited a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

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| The Tiered Focused Monitoring Report includes those criteria that were found by the team to be implemented in a “Commendable” manner, as well as criteria receiving a rating of "Partially Implemented," "Not Implemented," and “Implementation in Progress.” (Refer to the “Definition of Compliance Ratings” section of the report.) The Tiered Focused Monitoring Reports do not include criteria receiving a rating of “Implemented” or “Not Applicable.” This will allow the district/school and the Department to focus their efforts on those areas requiring corrective action. Districts are expected to incorporate the corrective actions into their district and school improvement plans, including their professional development plans. |
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# **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; 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. |

**Ashburnham-Westminster 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 32, SE 35, SE 36, SE 44, SE 47, SE 50, SE 51, SE 52, SE 54, SE 55, SE 56 | CR 3, CR 7, CR 7A, CR 7B, CR 7C, CR 10A, CR 12A, CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25 |
| **PARTIALLY**  **IMPLEMENTED** | SE 45, SE 46 | CR 8, CR 10B, CR 10C |
| **NOT**  **IMPLEMENTED** | None |  |
| **NOT**  **APPLICABLE** | SE 52A |  |

The full list of criteria and information regarding the requirements can be found in Appendix B of the Tiered Focused Monitoring Toolkit available at < <https://www.doe.mass.edu/psm/resources/tfm-toolkit.docx>>.

| **CONTINUOUS IMPROVEMENT AND MONITORING PLAN** |
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| **Improvement Area** **1** |
| **Criterion:** SE 45 - Procedures for suspension up to 10 days and after 10 days |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** See SE 46. |
| **LEA Outcome:** Please refer to SE 46. |
| **Action Plan:** Please refer to SE 46. |
| **Success Metric:** Please refer to SE 46. |
| **Measurement Mechanism:** Please refer to SE 46. |
| **Completion Timeframe:** |
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| **Improvement Area 2** |
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| **Criterion:** SE 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 |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that when a student with disabilities is suspended for more than 10 days in a school year, the district does not always provide services for the student to continue to participate in the general education curriculum and to progress toward IEP goals during the removal. Additionally, a review of student records and staff interviews indicated that when a suspension constitutes a change in placement for a student with disabilities, the district does not always provide parents with written notice of procedural safeguards by the date of the decision to take disciplinary action. |
| **LEA Outcome:** The district will ensure that anytime a student with disabilities is suspended for more than 10 days, they are provided with education services to continue to participate in the general education curriculum and to progress toward IEP goals. The district will also ensure that when suspension of a student with disabilities constitutes a change in placement, a written notice of procedural safeguards is always provided to the parents by the date of the decision to take disciplinary action. |
| **Action Plan:** September 9, 2022, the district will submit evidence that special education discipline procedures have been revised so that they are consistent with regulations and include an internal monitoring process to ensure ongoing compliance. The district will also submit a discipline policy checklist.  By October 11, 2022, the district will submit evidence of training provided to all administrators on the updated procedures, the internal monitoring process, and the discipline policy checklist.  By February 10, 2023, the district will conduct an internal review of records of any student with disabilities suspended for more than 10 days in the 2022-2023 school year. For any identified non-compliance, the district will submit a root cause analysis and a description of appropriate corrective actions taken. |
| **Success Metric:** By February 2023 and beyond, the district will ensure that when a student with disabilities is suspended for more than 10 days in a school year, the district will provide educational services during the removal so that the student has the opportunity to continue to participate in the general education curriculum and to progress toward IEP goals. Additionally, the district will always provide parents with written notice of procedural safeguards by the date of the decision to take disciplinary action.  Evidence:   * Revised discipline policies and procedures * Discipline policy checklist * Training materials (handout, agenda, and participant sign-in sheet) * Results of internal record review * Root cause analysis and corrective actions, if needed |
| **Measurement Mechanism:** Continuing after the completion due date, the Superintendent and the Director of Pupil Services will annually review discipline policies and procedures to ensure they are consistent with the regulations. The district will also initiate the use of a disciplinary process checklist that includes the issuance of the notice of procedural safeguards to parents and implementation of the School-wide Education Service Plan. Additionally, the Superintendent and the Director of Pupil Services will periodically review student discipline records to ensure ongoing compliance. |
| **Completion Timeframe:** 02/10/2023 |
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| **Improvement Area 3** |
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| **Criterion:** CR 8 - Accessibility of extracurricular activities |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and staff interviews indicated that the district-sponsored Extended Day Program offering before and after school childcare at the elementary schools restricts the participation of students whose disabilities impact behavior and who would require additional support or structure. |
| **LEA Outcome:** The district will revise the Extended Day Program enrollment policy to allow access and participation for all students, including students whose disabilities impact behavior and require who additional supports and structure. |
| **Action Plan:** By September 9, 2022, the district will submit revised procedures that ensure students with disabilities have equal access to the Extended Day Program. The district will also submit evidence of providing families with information assuring that the district-sponsored Extended Day Program is open to all children with and without disabilities.  By September 9, 2022, the district will submit evidence of training for the Extended Day Program staff on positive behavior strategies and specific supports for any child enrolled in the Extended Day Program requiring additional supports or structure.  By November 10, 2022, the district will submit the results of an internal review of the Extended Day Program to determine whether any students have been denied participation due to a disability. For any identified non-compliance, the district will submit a root cause analysis and a description of appropriate corrective actions. |
| **Success Metric:** By September 2022 and beyond, the Extended Day Program will provide access to all students. The district will ensure that program staff are trained on positive behavior support strategies and how to meet the specific needs of students who require additional supports and structure.  Evidence:   * Extended Day Program procedures indicating equal access * Outreach to families * Training materials (handout, agenda, and participant sign-in sheet) * Review of application and enrollment data * Root cause analysis and corrective actions if necessary |
| **Measurement Mechanism:** Continuing after the completion due date, the district will annually send notification to families assuring access to the Extended Day Program for all students. Additionally, the program staff will be provided annual training on positive behavior strategies and how to meet specific needs for students that need additional supports and structure. |
| **Completion Timeframe:** 11/10/2022 |
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| **Improvement Area 4** |
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| **Criterion:** CR 10B - Bullying Intervention and Prevention |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents indicated that although the employee handbook references the district's Bullying Prevention and Intervention Plan, the handbook does not explicitly address the bullying of students by a school staff member or include staff responsibilities relating to the bullying of students. |
| **LEA Outcome:** The district employee handbook will explicitly address the bullying of students by a school staff member and include staff responsibilities relating to the bullying of students. |
| **Action Plan:** By September 9, 2022, the district will submit the updated employee handbook that explicitly addresses the bullying of students by a school staff member and includes staff responsibilities relating to the bullying of students.  By September 9, 2022, the district will submit evidence of staff training on the updates to the employee handbook. |
| **Success Metric:** By September 2022 and beyond, the district employee handbook will include all required Bullying Prevention and Intervention Plan sections and address the bullying of students by a school staff member and staff responsibilities relating to the bullying of students.  Evidence:   * Employee handbook * Training materials (handout, agenda, and participant sign-in sheet) |
| **Measurement Mechanism:** Continuing after the completion due date, the district will review the employee handbook at least annually to ensure it includes all regulatory requirements. The district will provide training to all staff on the Bullying Intervention and Prevention Plan, including addressing the bullying of students by a member of staff and staff responsibilities relating to the bullying of students. |
| **Completion Timeframe:** 09/09/2022 |
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| **Improvement Area 5** |
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| **Criterion:** CR 10C - Student Discipline |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records, documents, and staff interviews indicated that although the district provides an opportunity for students and parents to participate in a hearing prior to imposing a short-term suspension, the district does not always provide written notice prior to the hearing. Additionally, when notice is provided, it does not always include the disciplinary offense, basis for the charge, opportunity to participate in a hearing on the charge, and the right to an interpreter, if needed. |
| **LEA Outcome:** The district will always provide the student and the parent with a written notice of a hearing that includes the disciplinary offense, basis for the charge, opportunity to participate in a hearing on the charge, and the right to an interpreter, if needed. |
| **Action Plan:** By September 9, 2022, the district will submit revised procedures that are consistent with regulations and include an internal monitoring process to ensure ongoing compliance. The district will also submit an updated hearing notice and discipline policy checklist.  By October 11, 2002, the district will submit evidence of administrator training on the revised procedures, hearing notice, and discipline policy checklist.  By February 10, 2023, the district will conduct an internal review of records for any student who received a short-term suspension to determine compliance with regulatory requirements. For any identified non-compliance, the district will submit a root cause analysis and a description of appropriate corrective actions. |
| **Success Metric:** By February 2023 and beyond, the district will always provide parents and students with written notice of a hearing prior conducting the hearing. Additionally, the district will ensure that the notice of the hearing includes the disciplinary offense, basis for the charge, opportunity to participate in a hearing on the charge, and the right to an interpreter, if needed.  Evidence:   * Revised procedures and notice of suspension hearing * Internal monitoring procedures * Discipline process checklist * Training materials (handout, agenda, and participant sign-in sheet) * Results of internal record review * Root cause analysis and corrective actions if needed |
| **Measurement Mechanism:** Continuing after the completion due date, the Superintendent and the Director of Pupil Services will review written discipline procedures and notices annually to ensure they are consistent with the regulations. The district will initiate the use of disciplinary process checklist that includes issuing the notice of procedural safeguards, opportunity to participate in a hearing, appeal rights, use of interpreters, and other requirements. Additionally, the Superintendent and the Director of Pupil Services will periodically review student discipline records to ensure ongoing compliance. |
| **Completion Timeframe:** 02/10/2023 |