

**Sizer School:** **A North Central Charter Essential School**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

**For** **Group A Universal Standards**

**Tier Level** **1**

**Dates of Onsite Visit:** **May 22-23, 2023**

**Date of Final Report: November 1, 2023**

**Department of Elementary and Secondary Education Onsite Team Members:**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Sizer School: A North Central Charter Essential School**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUSED MONITORING REPORT INTRODUCTION**

During the 2022-2023 school year, Sizer School 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 September 20, 2022.

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

For the 2022-2023 school year, the tier assignments are based on:

* Annual drop-out rate for students with disabilities
* 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 SPP/APR compliance Indicator data for Indicators 4B, 9 & 10
  + Indicator 4B: Significant discrepancy by race or ethnicity in removal of students with

IEPs greater than 10 days

* + Indicator 9: Overall disproportionate representation of racial and ethnic groups identified

as eligible for special education

* + Indicator 10: Disproportionate representation of racial and ethnic groups within specific

disability categories

* Special education SPP/APR performance Indicator data for Indicators 5 & 6
  + Indicator 5: Education Environments (6-21)
  + Indicator 6: Preschool Environments
* Significant Disproportionality data 2021-2022 & 2022-2023

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. **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**

**Sizer School: A North Central Charter Essential School**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in Sizer School during the week of the week of May 22, 2023, to evaluate the implementation of Group A 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 and to review the programs underway in the school.

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

**Self-Assessment Phase:**

* School review of special education and civil rights documentation for required elements including document uploads.
* School review of a sample of special education student records selected across grade levels, disability categories, and levels of need.
* School review of student records related to the Indicator Data Collection for Indicators 11, 12, and 13.
* Upon completion of the self-assessment, the school submitted the data to the Department for review.

**On-site Verification Phase:**

* Interviews of administrative staff consistent with those criteria selected for onsite verification.
* Interview of a parent advisory council (PAC) representative and other telephone interviews, as requested by parents or members of the general public.
* 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 school’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 records from those the 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 have been met.

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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.) 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. |
|  | |
| **Not Implemented** | The requirement is totally or substantially not met. |
| **Not Applicable** | The requirement does not apply to the school district or charter school. |

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# **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 1, SE 2, SE 3A, SE 6, SE 7, SE 8, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 18A, SE 19, SE 20, SE 22, SE 25, SE 26, SE 29, SE 34, SE 35, SE 37, SE 40, SE 41, SE 43, SE 48, SE 49 | CR 13, CR 14, CR 18 | SE 44, SE 45,  SE 46, SE 47,  CR 10C |
| **PARTIALLY**  **IMPLEMENTED** | SE 9, SE 14 |  |  |
| **NOT**  **IMPLEMENTED** | SE 3 |  |  |
| **NOT**  **APPLICABLE** | SE 17, SE 38, SE 39, SE 42 |  |  |

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>>.

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# **SUMMARY OF INDICATOR DATA REVIEW**

As part of the self-assessment process for districts or charter schools undergoing a review for Group A Universal Standards, the PSM team reviewed the results of Indicator data submissions for Indicators 11, 12 and 13. The Indicator review is completed prior to the onsite visit and helps inform the scope of the onsite review. For any Indicator data noncompliance found, the district or charter school must develop and implement corrective action that includes correcting noncompliance for the individual students affected by it, addressing the root cause and underlying reasons for the identified noncompliance, and reviewing additional records as evidence that the issues have been corrected and that requirements are being met. The Office of Special Education Programs (OSEP) requires correction of noncompliance within one year of the finding.

The results of the charter school’s submissions for these Indicators are as follows:

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|  | **Compliant** | **Non-Compliant** | **Not Applicable** |
| **Indicator 11 – Initial**  **Evaluation Timelines** |  |  | X |
| **Indicator 12 – Early**  **Childhood Transition** |  |  | X |
| **Indicator 13 –**  **Secondary Transition** | X |  |  |

| **CONTINUOUS IMPROVEMENT AND MONITORING PLAN** |
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| **Improvement Area** **1** |
| **Criterion:** SE 3 - Special requirements for determination of specific learning disability |
| **Rating:** Not Implemented |
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| **Description of Current Issue:** Student record review and staff interviews indicated that when a student suspected of having a specific learning disability is evaluated, the Team does not create a written determination as to whether or not the student has a specific learning disability. Student record review also indicated that the charter school does not complete the following four required components to determine whether a student has a specific learning disability:   * Historical Review and Educational Assessment * Area of Concern and Evaluation Method * Exclusionary Factors * Observation in the student's natural learning environment |
| **LEA Outcome:** Sizer School will ensure that when a student suspected of having a specific learning disability (SLD) is evaluated, the Team creates a written determination as to whether or not the student has a specific learning disability. In addition, the charter school will complete the four required components to determine whether a student has a specific learning disability:   * Historical Review and Educational Assessment * Area of Concern and Evaluation Method * Exclusionary Factors * Observation in the students natural learning environment |
| **Action Plan:** By November 17, 2023, the charter school will revise meeting forms and update procedures and the internal monitoring system for completing specific learning disability determinations. Learning specialists will be trained on the revised forms, updated procedures, and internal monitoring system.  By January 26, 2024, the charter school will review of a representative sample of records for students suspected of having a specific learning disability to determine whether the Team completed the four required components and created a written determination. The district will conduct a root cause analysis for any identified non-compliance and implement appropriate corrective actions. |
| **Success Metric:** By January 2024 and beyond, when a student suspected of having a learning disability is evaluated, Sizer School will create a written determination as to whether or not the student has a specific learning disability. In addition, Sizer School will complete the four required components to determine whether a student has a specific learning disability.  Evidence:   * Revised meeting forms * Updated procedures and internal monitoring system * Training agenda, materials, and attendance * Results of record review * Root cause analysis and corrective actions (if necessary) |
| **Measurement Mechanism:** The Director of Special Education will review the procedures for specific learning disability determinations with learning specialists during the fall of each school year. Additionally, the Director of Special Education will conduct quarterly reviews of student records to ensure ongoing compliance. If non-compliance is identified, the Director of Special Education will conduct a root cause analysis and take appropriate corrective actions to address the issue(s) based upon that analysis. |
| **Completion Timeframe:** 01/26/2024 |
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| **Improvement Area 2** |
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| **Criterion:** SE 9 - Timeline for determination of eligibility |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Student record review and staff interviews indicated that within 45 school days after receipt of the parent's written consent to an initial evaluation or a reevaluation, the school does not consistently determine whether the student is eligible for special education. |
| **LEA Outcome:** Sizer School will ensure that within 45 school days after receipt of the parents written consent to an initial evaluation or a reevaluation, the school will consistently determine whether the student is eligible for special education. |
| **Action Plan:** By November 17, 2023, the Director of Special Education will develop an internal tracking and monitoring system to ensure compliance with timelines. The administrative assistant and learning specialists will be trained on current procedures and the new internal tracking and monitoring system.  By January 26, 2024, the charter school will review a representative sample of students who have had an initial or re-evaluation to determine if timelines are being met. The district will conduct a root cause analysis for any identified non-compliance and implement appropriate corrective actions. |
| **Success Metric:** By January 2024 and beyond, Sizer School will consistently determine whether the student is eligible for special education within 45 school days after receipt of the parent's written consent to an initial evaluation or a reevaluation.  Evidence:   * Internal tracking and monitoring system * Training materials, agenda, attendance * Results of record review * Root cause analysis and corrective actions (if necessary) |
| **Measurement Mechanism:** During the fall of each school year, the Director of Special Education will review the procedures with learning specialists and the administrative assistant to ensure compliance with all required timelines for special education determinations. Additionally, the Director of Special Education, administrative assistant, and learning specialists will conduct monthly reviews of student records to ensure ongoing compliance. If non-compliance is identified, the Director of Special Education will conduct a root cause analysis and take appropriate corrective actions to address the issue(s) based upon that analysis. |
| **Completion Timeframe:** 01/26/2024 |
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| **Improvement Area 3** |
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| **Criterion:** SE 14 - Review and revision of IEPs |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Student record review and staff interviews indicated that, immediately following the development of the IEP, the district does not always provide the parents with the proposed IEP and proposed placement. |
| **LEA Outcome:** Sizer School will ensure that parents are provided with the proposed IEP and proposed placement immediately following the development of the IEP. |
| **Action Plan:** By November 17, 2023, the Director of Special Education will update the IEP provision procedures and internal monitoring system to ensure that parents are provided with the proposed IEP and proposed placement immediately following the development of the IEP. Learning specialists will be trained on the updated procedures and internal monitoring system.  By January 26, 2024, the charter school will review a representative sample of records to determine if the proposed IEP and proposed placement were provided immediately following the development of the IEP. The charter school will conduct a root cause analysis for any identified non-compliance and implement appropriate corrective actions. |
| **Success Metric:** By January 2024 and beyond, Sizer School will always provide the parents with the proposed IEP and proposed placement immediately following the development of the IEP.  Evidence:   * Updated procedures and internal monitoring system * Training agenda, materials, and attendance * Results of record review * Root cause analysis and corrective actions (if necessary) |
| **Measurement Mechanism:** The Director of Special Education will review timeline procedures with learning specialists during the fall of each school year. Additionally, the Director of Special Education, administrative assistant, and learning specialists will conduct monthly reviews of student records to ensure ongoing compliance. If non-compliance is identified, the Director of Special Education will conduct a root cause analysis and take appropriate corrective actions to address the issue(s) based upon that analysis. |
| **Completion Timeframe:** 01/26/2024 |
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