

**Pioneer Charter School of Science I & II**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **May 25-26, 2023**

**Date of Final Report:** **October 6, 2023**

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

**Dee Wyatt, Chairperson**



Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Pioneer Charter School of Science I & II**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUSED MONITORING REPORT INTRODUCTION**

During the 2022-2023 school year, Pioneer Charter School of Science I & II 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 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**

**Pioneer Charter School of Science I & II**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review at Pioneer Charter School of Science I & II during 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:**

* Interview of administrative staff consistent with those criteria selected for onsite verification.
* Interview of 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 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 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. |

**Pioneer Charter School of Science I & II**

# **SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Universal Standards**  **Special Education** | **Universal Standards**  **Civil Rights and Other General Education Requirements** |
| **IMPLEMENTED** | SE 1, SE 3A, SE 6, SE 7,  SE 9A, SE 10, SE 11, SE 12,  SE 13, SE 14, SE 18A, SE 19, SE 20, SE 22, SE 25, SE 26, SE 29, SE 34, SE 35, SE 40, SE 41, SE 43, SE 48, SE 49 | CR 13, CR 14, CR 18 |
| **PARTIALLY**  **IMPLEMENTED** | SE 2, SE 8, SE 9 |  |
| **NOT**  **IMPLEMENTED** | SE 3 |  |
| **NOT**  **APPLICABLE** | SE 17, SE 37, 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>>.

# **SUMMARY OF INDICATOR DATA REVIEW**

As part of the self-assessment process for 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 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 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 2 - Required and optional assessments |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that the school does not always conduct all required assessments for initial and re-evaluations. Specifically, the school does not consistently conduct an educational assessment completed by a school representative that includes a history of the student's educational progress in the general curriculum (Educational Assessment A) or an assessment completed by a teacher(s) with current knowledge of the student's specific abilities, attention skills, participation behaviors, communication skills, memory, and social skills (Educational Assessment B). |
| **LEA Outcome:** Pioneer Charter School of Science will always conduct all required assessments for initial and re-evaluations. The school will ensure that educational assessments consistently include a history of the student's educational progress in the general curriculum (Educational Assessment A) and an assessment completed by a teacher(s) with current knowledge of the student's specific abilities, attention skills, participation behaviors, communication skills, memory, and social skills (Educational Assessment B). |
| **Action Plan:** By October 23, 2023, Pioneer Charter School of Science will complete Educational Assessments A and B for the two students identified by the Department. For each student, the charter school will submit a copy of the completed educational assessment, the Notice of Proposed School District Action (N1), and an amendment or revised Individualized Education Program (IEP), if applicable.  By October 23, 2023, Pioneer Charter School of Science will develop and submit procedures for completing educational assessments. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.  By November 29, 2023, Pioneer Charter School of Science will conduct training for all special education Team chairpersons and other relevant staff on the school's assessment procedures. The school will submit the training materials, agendas, and signed attendance sheets.  By February 29, 2024, Pioneer Charter School of Science will, subsequent to all corrective actions, submit the results of a review of records from each school of students who had an initial evaluation or a re-evaluation to ensure all educational assessments were completed. For any identified non-compliance, the school will conduct a root cause analysis and implement appropriate corrective actions. |
| **Success Metric:** By February 2024 and beyond, Pioneer Charter School of Science will ensure that when evaluations are conducted, all required assessments are always completed, including a history of the student's educational progress in the general curriculum (Educational Assessment A) and an assessment completed by a teacher(s) with current knowledge of the student's specific abilities, attention skills, participation behaviors, communication skills, memory, and social skills (Educational Assessment B).  Evidence:   * Completed educational assessments, N1s, and revised or amended IEPs, as necessary * Written procedures including a description of the internal monitoring system * Copies of staff training materials, agendas, and signed attendance sheets * Results of an internal record review, results of any root cause analysis conducted, and summary of corrective action, as necessary |
| **Measurement Mechanism:** The Director of Special Education will review the procedures for completing educational assessments with all relevant staff in the fall of each school year. Additionally, the Director of Special Education will conduct a quarterly review of student records to ensure ongoing compliance. If there are any instances of non-compliance 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:** 02/29/2024 |
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| **Improvement Area 2** |
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| **Criterion:** SE 3 - Special requirements for determination of specific learning disability |
| **Rating:** Not Implemented |
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| **Description of Current Issue:** A review of student records 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 and obtain the signatures of all Team members. In addition, the school does not complete the following four required components to determine whether the student has a specific learning disability:   * Component 1: Historical Review and Educational Assessment * Component 2: Area of Concern and Evaluation Method * Component 3: Exclusionary Factors * Component 4: Observation |
| **LEA Outcome:** Pioneer Charter School of Science 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 he or she has a specific learning disability, signed by all Team members. Furthermore, the school will complete all four components used to determine if the student has a specific learning disability. |
| **Action Plan:** By October 23, 2023, Pioneer Charter School of Science will develop and submit procedures for completing specific learning disability determinations. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.  By November 29, 2023, Pioneer Charter School of Science will conduct training for all special education teachers and related service providers on the school's specific learning disability determination procedures. The school will submit the training materials, agendas, and signed attendance sheets.  By February 29, 2024, Pioneer Charter School of Science will, subsequent to all corrective actions, submit the results of a review of records from each school of students suspected of having a specific learning disability to ensure procedures are followed. For any identified non-compliance, the school will conduct a root cause analysis and implement appropriate corrective actions. |
| **Success Metric:** By February 2024 and beyond, Pioneer Charter School of Science will ensure that when a student suspected of having a specific learning disability is evaluated, the Team creates a written determination as to whether or not he or she has a specific learning disability, signed by all members. Furthermore, the school will complete all four required components to determine whether the student has a specific learning disability.  Evidence:   * Written procedures including a description of the internal monitoring system * Copies of staff training materials, agendas, and signed attendance sheets * Results of an internal record review, results of any root cause analysis conducted, and summary of corrective action, as necessary |
| **Measurement Mechanism:** The Director of Special Education will review the procedures for specific learning disability determinations with all relevant staff in the fall of each school year. Additionally, the Director of Special Education will conduct a quarterly review of student records to ensure ongoing compliance. If there are any instances of non-compliance 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:** 02/29/2024 |
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| **Improvement Area 3** |
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| **Criterion:** SE 8 - IEP Team composition and attendance |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that a general education teacher is not consistently invited to participate as a member of the IEP Team when the student is involved in the general education program. In addition, when a Team member does not attend the Team meeting, the school does not always follow the required procedures, including the following:   * Documenting, in writing, that the school and the parent agree the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed; or * Documenting, in writing, that the school and the parent agree to excuse a required Team member's participation and the excused member provides written input into the development of the IEP to the parent and the IEP Team prior to the meeting. |
| **LEA Outcome:** Pioneer Charter School of Science will ensure that a general education teacher is consistently invited to participate as a member of the IEP Team when the student is involved in the general education program. In addition, when a Team member does not attend the Team meeting, the school will always follow the required procedures, including the following:   * Documenting, in writing, that the school and the parent agree the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed; or * Documenting, in writing, that the school and the parent agree to excuse a required Team member's participation and the excused member provides written input into the development of the IEP to the parent and the IEP Team prior to the meeting. |
| **Action Plan:** By October 23, 2023, Pioneer Charter School of Science will develop procedures to ensure all appropriate Team members are invited to IEP meetings and required excusal steps are followed. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.  By November 29, 2023, Pioneer Charter School of Science will provide training on appropriate Team composition, attendance, and excusal procedures to Team chairpersons, special education liaisons, and other relevant staff. The school will submit the training materials, agendas, and signed attendance sheets.  By February 29, 2024, Pioneer Charter School of Science will, subsequent to all corrective actions, submit the results of a review of records from each school to ensure implementation of the procedures. For any identified non-compliance, the school will conduct a root cause analysis and implement appropriate corrective actions. |
| **Success Metric:** By February 2024 and beyond, Pioneer Charter School of Science will ensure that Team composition, attendance, and excusal procedures are appropriately and consistently implemented.  Evidence:   * Written procedures including a description of the internal monitoring system * Copies of staff training materials, agendas, and signed attendance sheets * Results of an internal record review, results of any root cause analysis conducted, and summary of corrective action, as necessary |
| **Measurement Mechanism:** The Director of Special Education will review the Team composition, attendance, and excusal procedures with all relevant staff in the fall of each school year. Additionally, the Director of Special Education will conduct a quarterly review of student records to ensure ongoing compliance. If there are any instances of non-compliance 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:** 02/29/2024 |
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| **Improvement Area 4** |
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| **Criterion:** SE 9 - Timeline for determination of eligibility |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that within 45 school-working days after receipt of the parent's written consent to an initial evaluation or a re-evaluation, the school does not consistently provide the parent with the proposed IEP and proposed placement for eligible students. |
| **LEA Outcome:** Pioneer Charter School of Science will ensure that within 45 school-working days after receipt of the parent's written consent to an evaluation, the school will determine whether a student is eligible for special education and, if eligible, develop and provide the parents with the proposed IEP and placement for eligible students. |
| **Action Plan:** By October 23, 2023, Pioneer Charter School of Science will develop and submit timeline procedures to ensure eligibility and IEP provision timelines are met. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.  By November 29, 2023, Pioneer Charter School of Science will conduct training for all special education Team chairpersons and other relevant staff on the eligibility determination timelines and the internal monitoring system. The charter school will submit the training materials, agendas, and signed attendance sheets.  By February 29, 2024, Pioneer Charter School of Science will, subsequent to all corrective actions, submit the results of a review of records from each school of students who had an initial evaluation or a re-evaluation to ensure all timelines were met. For any identified non-compliance, the charter school will conduct a root cause analysis and implement appropriate corrective actions. |
| **Success Metric:** By February 2024 and beyond, Pioneer Charter School of Science will always meet eligibility and IEP provision timelines.  Evidence:   * Written procedures including a description of the internal monitoring system * Copies of staff training materials, agendas, and signed attendance sheets * Results of an internal record review, results of any root cause analysis conducted, and summary of corrective action, as necessary |
| **Measurement Mechanism:** The Director of Special Education will review the timeline procedures with all relevant staff in the fall of each school year. Additionally, the Director of Special Education will conduct a quarterly review of student records to ensure ongoing compliance. If there are any instances of non-compliance 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:** 02/29/2024 |
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