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| **MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  **Program Quality Assurance Services** |

##### COORDINATED PROGRAM REVIEW

## CORRECTIVE ACTION PLAN

Charter School or District: Brookfield

CPR Onsite Year: 2015-2016

Program Area: Special Education

All corrective action must be fully implemented and all noncompliance corrected as soon as possible and no later than one year from the issuance of the Coordinated Program Review Final Report dated 02/05/2016.

**Mandatory One-Year Compliance Date:** **02/05/2017**

**Summary of Required Corrective Action Plans in this Report**

| **Criterion** | **Criterion Title** | **CPR Rating** |
| --- | --- | --- |
| SE 32 | Parent advisory council for special education | Partially Implemented |
| CR 6 | Availability of in-school programs for pregnant students | Partially Implemented |
| CR 10A | Student handbooks and codes of conduct | Partially Implemented |
| CR 10C | Student Discipline | Partially Implemented |
| CR 17A | Use of physical restraint on any student enrolled in a publicly-funded education program | Implementation In Progress |
| CR 25 | Institutional self-evaluation | Not Implemented |

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| **Criterion & Topic:**  SE 32 Parent advisory council for special education | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Based on interviews, the district currently operates a regional parent advisory council that addresses the requirements of this criterion with representation from each school district. However, the district's DESE approved waiver has expired and needs to be renewed. | | |
| **Description of Corrective Action:**  The Special Education Director will complete the Request for Waiver as provided in Special Education Regulations: Alternative Compliance 603 CMR 28.03(5). The Waiver will be submitted every three years for renewal.  Waiver submitted December 2015 | | |
| **Title/Role(s) of Responsible Persons:**  Special Education Director | | **Expected Date of Completion:**  06/30/2016 |
| **Evidence of Completion of the Corrective Action:**  Copies of Approved Waiver | | |
| **Description of Internal Monitoring Procedures:**  Special Education Director will annually monitor dates for renewal | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  SE 32 Parent advisory council for special education | **Corrective Action Plan Status:** Approved  **Status Date:** 03/02/2016  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  Submit a copy of the approved Alternative Compliance waiver for a regional PAC, or a copy of the application if the waiver is pending by May 13, 2016.  Please see the Administrative Advisory SPED 2015-1: Special Education Parent Advisory councils, Acceptable Alternatives, and Use of Social Media: www.doe.mass.edu/sped/advisories/2015-1.html | | |
| **Progress Report Due Date(s):**  05/13/2016 | | |

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| COORDINATED PROGRAM REVIEW  **CORRECTIVE ACTION PLAN** |

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| **Criterion & Topic:**  CR 6 Availability of in-school programs for pregnant students | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  While a specific policy on the availability of in-school programs for pregnant students is not required, a review of the district's documents indicated that students who are pregnant and wish to remain in school must first obtain the certification of a physician, which is not required for other physical or emotional conditions requiring the attention of a physician. Additionally, interviews demonstrated that staff members do not have a consistent understanding of the application of Title IX to these students. | | |
| **Description of Corrective Action:**  The Assistant Superintendent for Learning and Teaching will provide training for the Leadership Team on the following: Title IX: 20 U.S.C. 1681; 34 CFR 106.40(b)  Availability of in-school programs for pregnant students  1. Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.  2. The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school unless it requires such certification for all students for other physical or emotional conditions requiring the attention of a physician.  Principals will provide training to staff regarding the availability of in-school programs for pregnant students and the understanding of the application of Title IX to these students.  Policy JIE, Pregnant Students will be rescinded by June 2016 | | |
| **Title/Role(s) of Responsible Persons:**  Assistant Superintendent for Learning and Teaching  Principals | | **Expected Date of Completion:**  06/18/2016 |
| **Evidence of Completion of the Corrective Action:**  Copies of agendas, attendance sheets & handouts regarding training on Availability of in-school programs for pregnant students and Title IX application | | |
| **Description of Internal Monitoring Procedures:**  Yearly review of training | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 6 Availability of in-school programs for pregnant students | **Corrective Action Plan Status:** Approved  **Status Date:** 03/02/2016  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  Submit evidence of training for relevant staff on the applicability of Title IX to pregnant students and the discontinuation of requiring a physician's certification for pregnant students, along with an agenda with name/role of the presenter, signed attendance sheets, and examples of training materials by May 13, 2016.  Submit the school committee's approved meeting minutes or a link to the approved minutes, demonstrating the rescinding of policy JIE on pregnant students by October 14, 2016. | | |
| **Progress Report Due Date(s):**  05/13/2016  10/14/2016 | | |

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| **Criterion & Topic:**  CR 10A Student handbooks and codes of conduct | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Review of documents indicated that the student handbook and codes of conduct do not contain:  1) procedures assuring due process in disciplinary proceedings; 2) the district's responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion; 3) appropriate procedures for the discipline of students with Section 504 Accommodation Plans; and 4) a reference to M.G.L. c. 76, s. 5, e.g. an affirmative statement made by the district that it does not tolerate discrimination or harassment on the basis of race, color, sex, gender identity, religion, natural origin or sexual orientation. | | |
| **Description of Corrective Action:**  Review and update documents , including the District handbook and Codes of Conduct to include:  1. Nondiscrimination policy that references and is consistent with M.G.L. c.76, s.5 to affirm the school's non-tolerance for harassment and discrimination based on race, color, sex, gender identity, religion, homelessness, natural origin or sexual orientation.  2. Procedures assuring due process in disciplinary proceedings;  3. The district's responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion  4. Appropriate procedures for the discipline of students with Section 504 Accommodation Plans  Review updated handbook, including nondiscrimination policies, due process in disciplinary proceedings, the District's responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion and procedural requirements applied to students with Section 504 Accommodations Plans with staff during beginning of the year monthly staff meetings (August& September 2016) | | |
| **Title/Role(s) of Responsible Persons:**  Special Education Director  Principal | | **Expected Date of Completion:**  09/23/2016 |
| **Evidence of Completion of the Corrective Action:**  Copy of updated Handbook which includes references and is consistent with M.G.L. c.76, s.5 to affirm the school's non-tolerance for harassment and discrimination based on race, color, national origin, sex, gender identity, religion or sexual orientation, due process in disciplinary proceedings, the District's responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion and procedural requirements applied to students with Section 504 Accommodations Plans | | |
| **Description of Internal Monitoring Procedures:**  Comprehensive yearly review of handbook, communications and policy. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 10A Student handbooks and codes of conduct | **Corrective Action Plan Status:** Approved  **Status Date:** 03/02/2016  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  By October 14, 2016, submit evidence that updated student handbook and codes of conduct contain:  1) procedures assuring due process in disciplinary proceedings; 2) the district's responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion; 3) appropriate procedures for the discipline of students with Section 504 Accommodation Plans; and 4) a reference to M.G.L. c. 76, s. 5, e.g. an affirmative statement made by the district that it does not tolerate discrimination or harassment on the basis of race, color, sex, gender identity, religion, natural origin or sexual orientation. | | |
| **Progress Report Due Date(s):**  10/14/2016 | | |

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| COORDINATED PROGRAM REVIEW  **CORRECTIVE ACTION PLAN** |

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| **Criterion & Topic:**  CR 10C Student Discipline | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  A review of documents and staff interviews indicated that the district implements the regional policy and procedures but has not yet had the school committee adopt discipline procedures consistent with 37H¾. The regional policy does not identify specific educational services or a contact person at Brookfield Elementary School. In addition, the regional policy lacks the requirement for the principal to send written determination of out-of-school suspensions and the reason for such suspensions in Pre-K through grade 6 to the Superintendent. Document review also demonstrated that the district's written notice of suspension does not include the following: 1) evidence the notice is provided to the student; 2) an opportunity for the student to dispute the charges and present an explanation; or 3) the date, time and location of the hearing. In addition, the written notice requires that parents attend a re-entry meeting prior to the student's return to school, which is not required by regulation and may extend the student's exclusion from school. | | |
| **Description of Corrective Action:**  Review and update district Policy JKK to be consistent with 37H ¾, including identifying specific educational services and a contact person at Brookfield Elementary School, and the requirement for the principal to send written determination of out-of-school suspensions and reason for such suspensions in Pre-K through grade 6 to the Superintendent.    Review and update document: Written Notice of Suspension, to include the following:  1. Evidence the notice is provided to the student  2. An opportunity for the student to dispute the charges and present and explanation  3. The date, time, and location of the hearing  4. Rescind the requirement that the parent attend a re-entry meeting prior to the students return to school , which is not required by regulation and may extend the student’s exclusion from school  School Committee adoption of revised policy JKK- to be consistent with 37H 3/4 | | |
| **Title/Role(s) of Responsible Persons:**  Superintendent, Special Education Director  Principal | | **Expected Date of Completion:**  06/30/2016 |
| **Evidence of Completion of the Corrective Action:**  Copy of updated Policy- JKK  Copy of updated Letter | | |
| **Description of Internal Monitoring Procedures:**  Yearly review of handbook | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 10C Student Discipline | **Corrective Action Plan Status:** Partially Approved  **Status Date:** 03/02/2016  **Correction Status:** Not Corrected | |
| **Basis for Decision:**  The district proposed to review and update the Written Notice of Suspension and policies to include required language along with rescinding the requirement that the parent attend a re-entry meeting prior to the students return to school. The district did not indicate how appropriate staff will be trained on the updated notice. | | |
| **Department Order of Corrective Action:**  In addition to submitting a copy of the updated Written Notice of Suspension and updated policy, provide evidence of training to appropriate staff. | | |
| **Required Elements of Progress Report(s):**  By May 13, 2016, submit the updated policy and Written Notice of Suspension, which will include (1) evidence notice is provided to the student; (2) an opportunity for the student to dispute the charges and present an explanation; (3) date, time and location of the hearing; and (4) removal of the requirement for a re-entry meeting prior to the student's return to school.  Submit evidence of training to the appropriate staff, including the training agenda with name/role of presenter, examples of training materials, and signed attendance sheets by May 13, 2016. | | |
| **Progress Report Due Date(s):**  05/13/2016 | | |

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| **Criterion & Topic:**  CR 17A Use of physical restraint on any student enrolled in a publicly-funded education program | | **CPR Rating:**  Implementation In Progress |
| **Department CPR Findings:**  The district meets all the current requirements with regard to physical restraint. Staff members have been identified to serve as school-wide resources and have received in-depth training on de-escalation and administration of restraints. The district has begun the revision of its written policies and procedures. An in-service training has been planned for January 2016, ensuring that all staff members will receive the revised general restraint prevention and behavior support policy and procedures. | | |
| **Description of Corrective Action:**  1. The district will revise and update the JKAA Policy. The Superintendent will submit revisions of District Policy JKAA (Restraint) to school committee for adoption  2. The Special Education Director will review with the Leadership Team:  methods for preventing student violence, self-injurious behavior and suicide; methods for engaging parents and youth in discussions about restraint prevention and use; a description and explanation of the program’s alternatives to physical restraint and method of physical restraint in emergency situations; a statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of restraint inconsistent with 603 CMR 46.03; a description of the program’s training requirements, reporting requirements, and follow-up procedures; a procedure for receiving and investigating complaints; a procedure for conducting periodic review of data and documentation on the program's use of restraint; a procedure for implementing the reporting requirements; a procedure for making both oral and written notification to the parent; and a procedure for the use of time-out  3. Principal will review with all staff the revised restraint prevention and behavior support policy and procedures. | | |
| **Title/Role(s) of Responsible Persons:**  Superintendent, Special Education Director  Principal | | **Expected Date of Completion:**  06/30/2016 |
| **Evidence of Completion of the Corrective Action:**  Copy of revised Policy JKAA  Copies of agendas, attendance sheets & handouts regarding training | | |
| **Description of Internal Monitoring Procedures:**  Yearly review of policy and training. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 17A Use of physical restraint on any student enrolled in a publicly-funded education program | **Corrective Action Plan Status:** Approved  **Status Date:** 03/02/2016  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  By May 13, 2016, submit the updated restraint prevention and behavior support policy and procedures, which include 1) methods to prevent student violence, self-injurious behavior and suicide; 2) methods to engage parents and youth in discussion about restraint prevention and use; 3) an explanation of the alternatives to physical restraint and method of physical restraint in emergency situations; 4) the prohibition of certain restraints; reporting requirements; follow-up procedures; 5) a procedure for receiving and investigating complaints; 6) a procedure for conducting periodic review of data and documentation on the use of restraint; 7) a procedure to implement the reporting requirements; 8) a procedure to make both oral and written notification to the parent; and 9) a procedure to use time-out.  Also submit evidence of training to staff, including training materials, agenda and signed attendance by May 13, 2016.  By October 14, 2016, submit evidence of annual staff training on the proper use of physical restraint on any student enrolled in a publicly funded education program. | | |
| **Progress Report Due Date(s):**  05/13/2016  10/14/2016 | | |

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| **Criterion & Topic:**  CR 25 Institutional self-evaluation | | | **CPR Rating:**  Not Implemented |
| **Department CPR Findings:**  A review of documents indicated that the district does not formally evaluate all aspects of its K-6 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. | | | |
| **Description of Corrective Action:**  The district will review and develop a formal evaluation process which will include:  1. the evaluation all aspects of its K-6 program 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.  2. Develop a survey  3. Analyze data  4. Leadership training of any recommended changes  5. Staff training of any recommended changes | | | |
| **Title/Role(s) of Responsible Persons:**  Assistant Superintendent for Learning and Teaching  Special Education Director  Principal | | | **Expected Date of Completion:**  11/30/2016 |
| **Evidence of Completion of the Corrective Action:**  Copies of survey, documentation of analysis and process, training agendas used by district to ensure equal access for all students | | | |
| **Description of Internal Monitoring Procedures:**  Yearly evaluation, results and training. | | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | | |
| **Criterion:**  CR 25 Institutional self-evaluation | | **Corrective Action Plan Status:** Approved  **Status Date:** 03/02/2016  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | | |
| **Department Order of Corrective Action:** | | | |
| **Required Elements of Progress Report(s):**  By May 13, 2016, submit the district's plan to review the district's policies and practices to ensure that students from any protected category are not excluded from participating in any program or extracurricular activity, including participants in the process, timelines for data gathering, examples of tools to gather data, and a narrative description of how the district will ensure the evaluation's annual use.  Submit evidence of the institutional self-evaluation's implementation, including the report itself, analyzed data, and dissemination of the report by October 14, 2016. | | | |
| **Progress Report Due Date(s):**  05/13/2016  10/14/2016 | | | |
| **MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  **COORDINATED PROGRAM REVIEW** | | | |

District: Brookfield Public Schools

Corrective Action Plan Forms

Program Area: English Learner Education

Prepared by: Brookfield School District/Brenda Looney

CAP Form will expand to as many lines as necessary. Before completing and emailing to pqacap@doe.mass.edu, please see separate *Instructions for Completing Corrective Action Plans.*

All corrective action must be fully implemented and all noncompliance corrected as soon as possible and no later than one year from the issuance of the Coordinated Program Review Final Report to the school or district.

**Mandatory One-Year Compliance Date: May 12, 2017**

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| COORDINATED PROGRAM REVIEWCORRECTIVE ACTION PLAN **(To be completed by school district/charter school)** | | | |
| **Criterion & Topic: ELE 5** **Program Placement and**  **Structure** | | | **Rating: Partially Implemented** |
| **Department CPR Finding:**  *When determining whether a school district’s ELE program complies with federal and state laws and regulations, the Department applies the three-pronged test established by the United States Court of Appeals for the Fifth Circuit in Castañeda vs. Pickard. “OELAAA Form 2: Integration of Castañeda’s Three-Pronged Test into ELE Program Review Process” is a tool developed by the Department for this purpose and is used to evaluate the adequacy of a district's program for ELLs. Since the documentation submitted by the district included a blank copy of the form there is no indication that ELE services provided by the district reflect a sound educational approach recognized as a legitimate educational strategy to teach ELL students English language skills in the four language domains: speaking, listening, reading and writing. Please see* [*http://www.doe.mass.edu/ell/guidance/guidance.pdf*](http://www.doe.mass.edu/ell/guidance/guidance.pdf) | | | |
| **Narrative Description of Corrective Action:**  The District will complete and submit a copy of the *OELAAA Form 2: Integration of Castañeda’s Three-Pronged Test into ELE Program Review* *Process* form.  This will support the ELE services provided by the district reflect a sound educational approach recognized as a legitimate educational strategy to teach ELL students English language skills in the four language domains: speaking, listening, reading and writing.  Provide updated review and training for Leadership and responsible staff. | | | |
| **Title/Role of Person(s) Responsible for Implementation:**  Building Principal  ELL Licensed Teacher | | **Expected Date of Completion for Each Corrective Action Activity:**  December, 2016 | |
| **Evidence of Completion of the Corrective Action:**      1. Submitted form.  2. Leadership and staff training agenda, handouts and sign-in sheets. | | | |
| **Description of Internal Monitoring Procedures:**      Annual review and use of the *OELAAA Form 2: Integration of Castañeda’s Three-Pronged Test into ELE Program Review* *Process.* | | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION  **(To be completed by the Department of Elementary and Secondary Education)** | | | |
| **Criterion: ELE 5** **Program Placement and Structure** | **Status of Corrective Action:**  Approved  Partially Approved  Disapproved | | |
| **Basis for Partial Approval or Disapproval:** N/A | | | |
| **Department Order of Corrective Action:** N/A | | | |
| **Required Elements of Progress Report(s):**   1. Please complete the *Castañeda* test by the progress report due date. Please ensure that your answers to the questions on the test reflect the changes that the district will implement in order to comply with federal and state laws and regulations. 2. Please explain how the district will monitor the progress and completion of the program goals identified in the *Castañeda* test. Please include the names of the responsible staff who will be involved in the process. 3. Please complete district information in the attached spreadsheet labeled ELL List by school for each ELL student in the district. | | | |
| **Progress Report Due Date(s): September 28, 2016** | | | |

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| COORDINATED PROGRAM REVIEWCORRECTIVE ACTION PLAN **(To be completed by school district/charter school)** | | | |
| **Criterion & Topic: ELE 14 Licensure Requirements** | | | **Rating: Partially Implemented** |
| **Department CPR Finding:**  *District documentation and staff interviews indicated that the district does not have at least one teacher assigned to provide ESL instruction who has an English as a Second Language or Transitional Bilingual Education, or ELL license as required under G.L. c.71, § 38G and 603 CMR 7.04(3).* | | | |
| **Narrative Description of Corrective Action:**  The District will have at least one teacher assigned to provide ESL instruction who has an English as a Second Language or Transitional Bilingual Education, or ELL license as required under G.L. c.71, § 38G and 603 CMR 7.04(3). | | | |
| **Title/Role of Person(s) Responsible for Implementation:**  Building Principal | | **Expected Date of Completion for Each Corrective Action Activity:**  September 1 , 2016 | |
| **Evidence of Completion of the Corrective Action:**      Copy of appropriate Licensure | | | |
| **Description of Internal Monitoring Procedures:**      Periodic monitoring of Licensure status | | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION  **(To be completed by the Department of Elementary and Secondary Education)** | | | |
| **Criterion: ELE 14**  **Licensure Requirements** | **Status of Corrective Action:**  Approved  Partially Approved  Disapproved | | |
| **Basis for Partial Approval or Disapproval:**  The district stated that the district would have at least one ESL licensed teacher assigned to provide ESL instruction; however the proposed corrective action does not include what the district’s plan is to achieve this goal. | | | |
| **Department Order of Corrective Action:** N/A | | | |
| **Required Elements of Progress Report(s):**   * Submit evidence of the licensure of the current ESL teacher(s) by the progress report due date by **September 28, 2016**. * Provided that the district could not fill the position by the due date of this progress report, submit a report explaining the program director’s efforts to fill the position and a copy of any job posting and application information that may remain on file. | | | |
| **Progress Report Due Date(s): September 28, 2016** | | | |