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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: Berkshire Arts and Technology Charter Public (District)

CPR Onsite Year: 2017-2018

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 03/30/2018.

**Mandatory One-Year Compliance Date:** **03/30/2019**

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

| **Criterion** | **Criterion Title** | **CPR Rating** |
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| SE 7 | Transfer of parental rights at age of majority and student participation and consent at the age of majority | Partially Implemented |
| CR 10 | Anti-Hazing Reports | Partially Implemented |
| CR 17A | Use of physical restraint on any student enrolled in a publicly-funded education program | Partially Implemented |
| CR 23 | Comparability of facilities | Partially Implemented |
| ELE 3 | Initial Identification of ELs and FELs | Partially Implemented |
| ELE 14 | Licensure Requirements | Partially Implemented |
| ELE 15 | Professional Development Requirements | Not Implemented |

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| **Criterion & Topic:**  SE 7 Transfer of parental rights at age of majority and student participation and consent at the age of majority | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Student record review and interviews indicate that at least one year prior to the student reaching age 18, the charter school does not document in the IEP the discussion of the rights that will transfer from the parent or guardian to the student upon the student's 18th birthday. Additionally, upon reaching the age of 18, the school does not ensure that the IEP is signed consistent with the student's choice, as documented on the administrative data page of the IEP, to share, delegate, or maintain sole decision-making authority to continue the student's special education program. | | |
| **Description of Corrective Action:**  BART has determined the root causes of the two areas that need corrective action. These two areas are (1) not documenting in the IEP the discussion of transfer of parental rights; and (2) upon reaching the age of majority, not ensuring that IEPs are signed consistent with the student's choice. The root causes stem from a lack of formal procedures and training.  BART will update its Special Education Procedures Manual to document and emphasize protocols that must be followed with regard to age of majority issues. Staff training will be carried out in order to ensure that all Special Education personnel are fully aware of the protocols to be followed. The Director of Special Education will conduct a review before, during, and after IEP meetings to make sure that information and documentation are completed appropriately. The Special Education Administrative Assistant will maintain a spreadsheet/checklist to keep track of the steps in the age of majority protocol. | | |
| **Title/Role(s) of Responsible Persons:**  Director of Special Education | | **Expected Date of Completion:**  10/01/2018 |
| **Evidence of Completion of the Corrective Action:**  Procedures Manual  Records review of 17- and 18-year-olds  Training evidence includes:  1. Sign in sheet  2. Training material  3. Protocol / checklist  4. Training Agenda  With the first progress report, we will provide either the full IEPs or the administrative data sheets, signature pages, and IEP8 pages (where discussion will be documented), for designated student records. | | |
| **Description of Internal Monitoring Procedures:**  The Director of Special Education will review all IEPs and records to verify that protocols have been followed. A spreadsheet will be maintained to allow for smoothly documenting and checking that appropriate protocols are being followed. At least once a year, this will be addressed in a training. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  SE 7 Transfer of parental rights at age of majority and student participation and consent at the age of majority | **Corrective Action Plan Status:** Approved  **Status Date:** 05/07/2018  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  By June 12, 2018, for those students whose records were identified by the Department, the charter school must have the student sign the IEP and submit a copy of the Administrative Data Sheet and signed signature page.  By September 28, 2018, submit a copy of the procedures the charter school developed to document in the IEP the transfer of parental rights at least one year before the student reaches age 18.  By September 28, 2018, submit a copy of the procedures the charter school developed to ensure it consistently obtains consent from students who have reached the age of 18 to continue their special education program.  By September 28, 2018, submit evidence (agenda, signed attendance sheet) of staff training on the procedures the charter school developed to ensure it consistently documents the discussion of the transfer of rights one year before reaching age 18 and obtains consent from students who have reached the age of 18 to continue their special education program.  By January 25, 2019, submit the results of an internal review of records of 17 and 18 year old students after staff have received training to ensure the charter school is documenting in the IEP the discussion of the age of majority one year prior to students reaching age 18, and the charter school is consistently obtaining consent from students who have reached age 18 to continue their special education program. Please include:  1. The number of records reviewed;  2. The number of records in compliance;  3. For any records not in compliance, determine the root cause; and  4. The specific corrective actions taken to remedy the non-compliance.  \* Please note when conducting internal monitoring the charter school must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade levels for the records reviewed; b) Date of the review; c) Name of person(s) who conducted the review with their role(s) and signature(s). | | |
| **Progress Report Due Date(s):**  06/12/2018  09/28/2018  01/25/2019 | | |

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| **Criterion & Topic:**  CR 10 Anti-Hazing Reports | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Document review and interviews indicate the school issues a copy of M.G.L. c. 269 §§ 17 through 19, regarding anti-hazing, and a copy of the school's anti-hazing disciplinary policy to students participating in sports teams, but does not to students participating in other student groups or organizations. | | |
| **Description of Corrective Action:**  BART determined that, while issuing a copy of the School's anti-hazing policy to those students participating in athletics is necessary, the practice should be extended to all students participating in any sports, clubs, or other student organizations. BART will change this practice and will, in an ongoing manner, issue to all students a copy of the School's anti-hazing policy at the beginning of their participation in any sport team, club, or other student organization. | | |
| **Title/Role(s) of Responsible Persons:**  Principal  Executive Director | | **Expected Date of Completion:**  09/30/2018 |
| **Evidence of Completion of the Corrective Action:**  1) All coaches and advisors for student clubs and organizations will discuss the anti-hazing policy at the first meeting of each team/club/organization and will document this presentation by use of the form BART currently uses for sports teams.  2) Each student will sign the team/club/organization roster as acknowledgment that the coach/advisor discussed the anti-hazing policy with them. | | |
| **Description of Internal Monitoring Procedures:**  1) The Principal and Assistant Principal will ensure coach/advisor forms are completed for each sport/club/organization and kept on file in the Office of the Principal.  2) The Principal and Assistant Principal will ensure signed student rosters of acknowledgement are completed for each sport/club/organization and kept on file in the Office of the Principal. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 10 Anti-Hazing Reports | **Corrective Action Plan Status:** Partially Approved  **Status Date:** 05/07/2018  **Correction Status:** Not Corrected | |
| **Basis for Decision:**  The charter school will develop written procedures that will be reviewed with all staff to ensure that a copy of the school's anti-hazing disciplinary policy is provided to students participating in sports teams, and other student groups or organizations, and that the coach/advisor forms are completed for each sport/club/organization and kept on file. | | |
| **Department Order of Corrective Action:**  The charter school must develop written procedures, including persons responsible for ensuring the school consistently has all coaches and advisors issue a copy of M.G.L. c. 269 § 17 through 19 to every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and that the coach/advisor forms are completed for each sport/club/organization and kept on file. | | |
| **Required Elements of Progress Report(s):**  By September 28, 2018, submit a copy of written procedures the charter school developed to ensure it consistently has all coaches and advisors issue a copy of M.G.L. c. 269 § 17 through 19, to members of every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, an that the coach/advisor forms are completed for each sport/club/organization and kept on file.  By September 28, 2018, submit evidence (agenda, signed attendance sheet) of staff training on the procedures the charter school developed.  By January 25, 2019, submit a list of all the student groups and clubs for the 2018-2019 school year.  By January 25, 2019, submit a copy of the Student Group Anti-Hazing Form that is signed by the officer of each student group and club for the 2018-2019 school year. (Please see http://www.doe.mass.edu/news/news.aspx?id=24412) | | |
| **Progress Report Due Date(s):**  09/28/2018  01/25/2019 | | |

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| **Criterion & Topic:**  CR 17A Use of physical restraint on any student enrolled in a publicly-funded education program | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Document review indicates that the charter school's restraint prevention and behavior support policy and procedures do not include: methods for preventing student violence, self-injurious behavior and suicide; methods for engaging parents in discussions about restraint prevention and use; a statement prohibiting prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b); a procedure for the use of time-out; a procedure for receiving and investigating complaints; and a procedure for conducting periodic review of data on the school's use of restraint. | | |
| **Description of Corrective Action:**  BART will revise its policy on Physical Restraints to reflect 603 CMR 46.00. All staff will be trained on the updated physical restraint policy during orientation for the 2018-2019 school year and annually thereafter during the weeks of orientation that open each school year. All staff hired after orientation will be trained as part of the hiring, orientation, and school-policy-review process. | | |
| **Title/Role(s) of Responsible Persons:**  Executive Director | | **Expected Date of Completion:**  08/27/2018 |
| **Evidence of Completion of the Corrective Action:**  1) The policy will be updated and included in the 2018-2019 Student Handbook (and continue in subsequent years).  2) The updated policy will also be available on the BART website as a part of the Student Handbook.  3) The agenda for the year-opening orientation and training session in August 2018 will indicate review of the Physical Restraint policy.  4) Sign-in sheets for faculty and staff participants will be used in the daily sessions of August orientation and training. | | |
| **Description of Internal Monitoring Procedures:**  In the summer months before the August orientation and training sessions, the Executive Director will review the policy and place any updates on the agenda for the all-staff meetings in August. Annual staff sign-in sheets will be maintained in the School as evidence of completed trainings in regards to the policy. | | |
| 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:** Partially Approved  **Status Date:** 05/07/2018  **Correction Status:** Not Corrected | |
| **Basis for Decision:**  The charter school plans to revise its physical restraint policy and train staff, but the school must also develop procedures to implement the written restraint prevention and behavior support policy. | | |
| **Department Order of Corrective Action:**  The charter school must develop procedures to implement the written restraint prevention and behavior support policy, including a procedure for 1) methods for preventing student violence, self-injurious behavior and suicide; 2) methods for engaging parents in discussions about restraint prevention and use; 3) the use of time-out; 4) a procedure for receiving and investigating complaints; and 5) a procedure for conducting periodic review of data on the school's use of restraint. | | |
| **Required Elements of Progress Report(s):**  By September 28, 2018, the charter school will submit a copy and/or link to the school's website where the updated written restraint prevention and behavior support policy and procedures are posted to include: 1) methods for preventing student violence, self-injurious behavior and suicide; 2) methods for engaging parents in discussions about restraint prevention and use; 3) a statement prohibiting prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b); 4) a procedure for the use of time-out; 5) a procedure for receiving and investigating complaints; and 6) a procedure for conducting periodic review of data on the school's use of restraint.  By September 28, 2018, the charter school will submit evidence of staff training (agenda, sign-in sheet, written procedures) on the updated written restraint prevention and behavior support policy and procedures. | | |
| **Progress Report Due Date(s):**  09/28/2018 | | |

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| **Criterion & Topic:**  CR 23 Comparability of facilities | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Observation and interviews indicate the classroom used for the provision of services to English learner (EL) students is not comparable to those offered other students in the charter school. The size of the room is not adequate when all three EL students in the school are scheduled to be in the classroom at the same time with one teacher. | | |
| **Description of Corrective Action:**  No more than two English learner (EL) students will be placed in BART classrooms 127 (named "Testing A") and 128 (named "Testing B"). | | |
| **Title/Role(s) of Responsible Persons:**  Principal  ELE Coordinator | | **Expected Date of Completion:**  04/13/2018 |
| **Evidence of Completion of the Corrective Action:**  Class schedules of EL students will reflect classes and locations of those classes. | | |
| **Description of Internal Monitoring Procedures:**  The Principal and ELE Coordinator will review periodically the schedules of relevant students to ensure that not more than two students are assigned to BART classrooms 127 and 128. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 23 Comparability of facilities | **Corrective Action Plan Status:** Approved  **Status Date:** 05/07/2018  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  By September 28, 2018, provide the class schedules for all EL students, which indicate the times and locations of ESL classes and submit a floor plan for the charter school with locations where ELE services will be provided clearly identified.  Prior to the January 25, 2019, progress report due date, schedule an onsite visit for the Department to verify the locations of the ELE classroom space. | | |
| **Progress Report Due Date(s):**  09/28/2018  01/25/2019 | | |

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| **Criterion & Topic:**  ELE 3 Initial Identification of ELs and FELs | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Document review indicates that the charter school has a two-tiered initial identification process in which a student might not be administered a language proficiency screening test should the ELE staff decide the student's dominant language is English. This determination is based on the information provided by the parents about health issues, interrupted schooling, grades, retention, IEP or other responses to interview questions targeted to identify the dominant language. The charter school's current initial identification practices are not consistent with Department guidelines consistent with 603 CMR 14.02(1). | | |
| **Description of Corrective Action:**  The School will revise the Policy to reflect the 603 CMR 14.02(1). In the past, further conversation with a family who has indicated a language other than English on their Home Language Survey (HLS) might have triggered a mechanism in which a student was not tested. Moving forward, a student will be tested if there is a language other than English listed on the HLS.  The ELE Coordinator will train BART's Director of Enrollment and Development and the Communication and Enrollment Assistant in correct use of HLS. | | |
| **Title/Role(s) of Responsible Persons:**  ELE Coordinator  Director of Enrollment and Development | | **Expected Date of Completion:**  08/20/2018 |
| **Evidence of Completion of the Corrective Action:**  1) BART will revise the policy as written in the Student Handbook to reflect the 603 CMR 14.02(1).  2) We will keep records of paired HLS and student assessment records.  3) We will perform a Record Review of HLS and Assessment Records at designated dates. | | |
| **Description of Internal Monitoring Procedures:**  The Director of Enrollment and Development, the Communication and Enrollment Assistant, and the ELE Coordinator will work together to check each HLS. Administrative staff will audit HLSs to ensure we do not miss a field requiring testing. The BART Executive Director will audit the process on an ongoing basis. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  ELE 3 Initial Identification of ELs and FELs | **Corrective Action Plan Status:** Approved  **Status Date:** 05/07/2018  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  By June 12, 2018 revise the charter school's initial identifications policies and procedures. Provide training to all staff members involved in the initial identification process to ensure that they are all knowledgeable about the changes and submit the training materials, sign-in sheets and agendas.    By September 28, 2018 complete and submit the "Initial Identification Testing Data" form that is available in the Document Library for SY 2018-19. | | |
| **Progress Report Due Date(s):**  06/12/2018  09/28/2018 | | |

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| **Criterion & Topic:**  ELE 14 Licensure Requirements | | **CPR Rating:**  Partially Implemented |
| **Department CPR Findings:**  Staff interviews and the relevant SEI endorsement data indicates that most core academic teachers assigned to provide sheltered English instruction to English learners hold the SEI Teacher Endorsement, but some do not. | | |
| **Description of Corrective Action:**  Teachers will be required to obtain the SEI Teacher Endorsement during the Department-designated timeframe in order to maintain employment at the School as set forth in 603 CMR 7.00.  English learner (EL) students will be assigned teachers who have the SEI Teacher Endorsement as designated by the Department, and will not be assigned to a non-endorsed teacher for more than the allowable amount of time as set forth in 603 CMR 14.07. | | |
| **Title/Role(s) of Responsible Persons:**  Principal  Business Manager | | **Expected Date of Completion:**  08/20/2018 |
| **Evidence of Completion of the Corrective Action:**  Personnel files will be regularly reviewed to check for SEI endorsement and to review schedules of students who have been assigned to a non-endorsed teacher. | | |
| **Description of Internal Monitoring Procedures:**  The BART Business Office will provide oversight of teacher credentials on an ongoing basis. BART's ELE Coordinator will check teacher schedules and maintain a list of each student's cumulative amount of time with a non-endorsed teacher. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  ELE 14 Licensure Requirements | **Corrective Action Plan Status:** Approved  **Status Date:** 05/07/2018  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  By June 12, 2018, provide information on the support the charter school will provide to help the unendorsed educator(s) earn their endorsement and a timeline that shows the educators' efforts towards earning their SEI endorsement.  By June 12, 2018, submit the charter school's plan to ensure that ELs are assigned only to core academic teachers who hold the SEI endorsement.  By June 12, 2018, provide training to charter school administrators to ensure compliance with procedure and placement of students. Submit the training materials, sign-in sheets and agendas by the progress report due date.  By September 28, 2018, submit the completed SEI endorsement form available in the Document Library to provide information regarding the SEI endorsement status of the core academic teachers of ELs in the charter school. | | |
| **Progress Report Due Date(s):**  06/12/2018  09/28/2018 | | |

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| **Criterion & Topic:**  ELE 15 Professional Development Requirements | | **CPR Rating:**  Not Implemented |
| **Department CPR Findings:**  Document review and staff interviews indicate that the charter school has not developed a professional development plan to provide educators with training in second language acquisition techniques in accordance with 603 CMR 44.06(1)(a) that requires educators to earn 15 Professional Development Points (PDPs) related to SEI or ESL for re-certification. | | |
| **Description of Corrective Action:**  BART will make licensed staff aware of their need to earn 15 Professional Development Points in SEI or ESL each year and will connect them with the Department's resources for choosing an approved course of study toward earning their PDPs.  BART will offer in-house Professional Development for SEI practices. This PD will be taught by the ELE Coordinator. | | |
| **Title/Role(s) of Responsible Persons:**  Principal  ELE Coordinator | | **Expected Date of Completion:**  09/01/2018 |
| **Evidence of Completion of the Corrective Action:**  1) The Principal and ELE Coordinator will annually send a letter to the licensed staff.  2) BART's annual PD Calendar will include PD for SEI practices. | | |
| **Description of Internal Monitoring Procedures:**  BART's Principal and ELE Coordinator will provide ongoing and regular monitoring of the SEI PD for licensed staff. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  ELE 15 Professional Development Requirements | **Corrective Action Plan Status:** Approved  **Status Date:** 05/07/2018  **Correction Status:** Not Corrected | |
| **Basis for Decision:** | | |
| **Department Order of Corrective Action:** | | |
| **Required Elements of Progress Report(s):**  By September 28, 2018. Please submit the charter school's Professional Development (PD) Calendar to include PD for SEI practices. | | |
| **Progress Report Due Date(s):**  09/28/2018 | | |