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|  | ESE Logo | **COORDINATED PROGRAM REVIEW****MID-CYCLE REPORT****District:** **Watertown Public Schools****MCR Onsite Dates:** **05/04/2015 – 05/05/2015****Program Area: Special Education** |
|   |  | Mitchell D. Chester, Ed.D.Commissioner of Elementary and Secondary Education |
| COORDINATED PROGRAM REVIEW**MID-CYCLE REPORT** |

| **SE Criterion # 2 - Required and optional assessments** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records demonstrated that the district does not consistently provide all assessments consented to by parents, specifically occupational therapy and assistive technology assessments. In addition, record review demonstrated that not all required assessments are completed, including classroom observations for students suspected of a specific learning disability (SLD) and a history of the student's educational progress in the general curriculum. |
| **Department Order of Corrective Action:** |
| Conduct an analysis of records for students with initial evaluations or re-evaluations between January 2015 and May 2015 to determine why consented-to assessments are not routinely completed. Based on the results of the analysis, provide the district's determination of the root cause(s) of the non-compliance, the steps the district proposes to take to correct the root causes, and a timeline for the implementation of those corrections. Conduct assessments for individual students identified on the Student Record Worksheet by the Department and reconvene the IEP Teams. Provide the completed assessments and evidence of outcomes from the reconvening of the IEP Team. Develop an internal review and tracking system to ensure that all consented-to assessments are completed. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance. Conduct an internal review of 10 student records from a cross-section of the district's grade levels with initial evaluations and re-evaluations (pre-K, elementary, middle, high school) for evidence that all consented-to assessments have been completed. This sample must consist of records with evaluations conducted after all corrective actions have been completed.**\*Please note when conducting internal monitoring the district 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, their role(s) and signature(s).** |

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| **Required Elements of Progress Reports:** |
| Submit the results of the district's root cause analysis, including the corrective actions, the associated timelines and the person(s) responsible. This progress report is due **November 20, 2015**.Submit evidence of the corrective actions for individual students identified on the Student Record Worksheet, including completed assessments, Team meeting notices, N1 forms, and the revised IEP. This progress report is due **November 20, 2015**.Submit a description of the internal tracking system, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of the second review of records. Indicate the number of student records reviewed and the number of student records in compliance; for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the district's plan to remedy the non-compliance. This progress report is due **March 10, 2016**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 | 03/10/2016 |  |  |

| **SE Criterion # 3 - Special requirements for determination of specific learning disability** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records indicated that when a student is suspected of having a specific learning disability (SLD), the district does not consistently complete all four components used to determine a specific learning disability: Historic Review and Educational Assessment (SLD 1), Area of Concern and Evaluation Method (SLD 2), Exclusionary Factors (SLD 3), and Observation (SLD 4). See also SE 2.Record review also demonstrated that IEP Teams consistently create a written determination as to whether or not the student has a specific learning disability, which is signed by all members of the Team.  |
| **Department Order of Corrective Action:** |
| Prior to developing the district's corrective actions, review the Department's guidance on the development of the four required components for documenting a determination of Specific Learning Disability for initial evaluations and re-evaluations at <http://www.doe.mass.edu/sped/iep/sld/default.html>.Conduct training for IEP Team chairpersons and other relevant special education staff members on development of the four required components for documenting an SLD determination.Develop an internal system of periodic review to ensure that all four required components of the SLD eligibility process are completed. The system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance.  Conduct an internal review of 10 student records from a cross-section of the district's grade levels with initial evaluations and re-evaluations (elementary, middle, high school) for evidence that students identified as SLD are appropriately evaluated using the required documentation process for determining eligibility. This sample must be drawn from records of students who were initially evaluated or re-evaluated for a determination of SLD after the implementation of all corrective actions. **\*Please note when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of the student names and grade levels for the records reviewed; b) Date of the review; c) Name of person(s) who conducted the review, their role(s), and signature(s).** |
| **Required Elements of Progress Reports:** |
| Submit evidence of staff training, including an agenda, training materials, and signed attendance sheets, indicating name and role of staff by **November 20, 2015**.Submit a description of the internal oversight system, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of the internal review of records. Indicate the number of student records reviewed and the number of student records in compliance; for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the district's plan to remedy the non-compliance. This progress report is due **March 10, 2016**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 | 03/10/2016 |  |  |

| **SE Criterion # 3A - Special requirements for students on the autism spectrum** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and interviews demonstrated that whenever an evaluation indicates that a student has a disability on the autism spectrum, IEP Teams consider and specifically address student verbal and nonverbal communication; social interaction skills and proficiencies; unusual responses to sensory experiences; resistance to environmental change or change in daily routines; engagement in repetitive activities and stereotyped movements; positive behavioral interventions, strategies, and supports; and other needs that impact progress in the general curriculum, including social and emotional development. Any area of need that is identified during IEP development is addressed with goals and/or accommodations in the IEP. |

| **SE Criterion # 7 - Transfer of parental rights at age of majority and student participation and consent at the age of majority** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records indicated that, one year prior to the student reaching age 18, the district does not consistently inform students and their parent/guardians of the rights that will transfer from the parent/guardian to the student upon the student's 18th birthday. The student record review also demonstrated that the district does not consistently obtain consent from students with sole or shared decision-making rights to continue their special education program once the student reaches 18 years of age. |
| **Department Order of Corrective Action:** |
| Prior to developing the district's corrective actions, review the Department's guidance on the transfer of rights under special education law when a student reaches age 18 at <http://www.doe.mass.edu/sped/advisories/11_1.html>. Conduct training for the high school IEP Team chairpersons and other relevant special education staff members on informing students and parents one year prior to age 18 of the transfer of educational decision-making rights and on obtaining consent for special education programming from 18 year old students with sole or shared decision-making rights.Obtain consent from individual students identified on the Student Record Worksheet by the Department to continue their special education program.Develop an internal review and tracking system to ensure students and parents are informed one year prior to age 18 of the transfer of educational decision-making rights and 18 year old students with sole or shared decision-making rights have signed their current IEPs. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance. Conduct an internal review of a minimum of five high school student records for evidence that one year prior to the student reaching age 18, the district consistently informs students and their parent/guardians of the rights that will transfer from the parent/guardian to the student upon the student's 18th birthday. This sample must consist of records with students who turned 17 after the implementation of all corrective actions.Conduct a second internal review of records for a minimum of five high school students who have turned 18 for evidence that the district has obtained the student's consent when s/he has sole or shared educational decision-making rights. This sample must consist of records with students who turned 18 after the implementation of all corrective actions.**\*Please note when conducting internal monitoring the district 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, their role(s) and signature(s).** |
| **Required Elements of Progress Reports:** |
| Submit evidence of staff training, including an agenda, training materials, and signed attendance sheets, indicating name and role of staff by **November 20, 2015**.Submit a description of the internal tracking system, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the IEP signature and placement pages for students with sole or shared decision-making identified on the Student Record Worksheet. This progress report is due **November 20, 2015**.Submit the results of the two internal reviews of high school student records. Indicate the number of student records reviewed for each and the number of student records in compliance; for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the district's plan to remedy the non-compliance. This progress report is due on **March 10, 2016**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 | 03/10/2016 |  |  |

| **SE Criterion # 8 - IEP Team composition and attendance** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records indicated that at the high school level, IEP Teams do not consistently secure the parent's agreement in writing to excuse a required Team member prior to the IEP meeting. Additionally, record review demonstrated that the absent required Team member does not consistently provides written input in advance of the meeting to the parent and IEP Team for development of the IEP. Record review also indicated that students are consistently invited to IEP Team meetings when one purpose of the meeting is to discuss transition services. |
| **Department Order of Corrective Action:** |
| Prior to developing the district's corrective actions, review the Department's guidance on IEP Team composition and the Team member excusal process at <http://www.doe.mass.edu/sped/IDEA2004/spr_meetings/?section=keypoints_team>. Conduct training for the high school IEP Team chairpersons and other relevant special education staff members on required Team member attendance at IEP meetings and the excusal process, including the requirement to obtain written input in advance from excused Team members. Develop an internal review and tracking system to ensure that when required Team members cannot attend meetings, the district obtains the parent's written agreement and written input is provided in advance by the absent Team member. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance. Conduct an internal review of records for a minimum of 10 high school students representing all four grade levels for evidence that the excusal process is used when required Team members cannot attend Team meetings. This sample must consist of records with IEP meetings convened after all corrective actions have been completed.**\*Please note when conducting internal monitoring the district 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, their role(s) and signature(s).** |
| **Required Elements of Progress Reports:** |
| Submit evidence of staff training, including an agenda, training materials, and signed attendance sheets indicating name and role of staff. This progress report is due **November 20, 2015**.Submit a description of the internal tracking system, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of the internal review of records. Indicate the number of student records reviewed and the number of student records in compliance; for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the district's plan to remedy the non-compliance. This progress report is due **March 10, 2016**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 | 03/10/2016 |  |  |

| **SE Criterion # 9 - Timeline for determination of eligibility and provision of documentation to parent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that within forty five (45) school working days after receipt of the parent's written consent to an initial evaluation or a re-evaluation, the district determines whether the student is eligible for special education and provides to the parent either a proposed IEP and proposed placement or a written explanation of the finding of no eligibility. |

| **SE Criterion # 14 - Review and revision of IEPs** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that at least annually on or before the anniversary date of the IEP, Team meetings are consistently held to consider student progress and to review, revise, or develop a new IEP, or refer the student for a re-evaluation, as appropriate. Additionally, student record review and interviews confirmed that the district has discontinued the practice of using amendments to extend the anniversary dates of IEPs and change a student's educational placement. |

| **SE Criterion # 18A - IEP development and content** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that when the IEP Team evaluation shows a student's disability affects social skills development or when the disability makes the student vulnerable to bullying, harassment, or teasing, and for students identified with a disability on the autism spectrum, IEP Teams do not consistently consider and address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing. |
| **Department Order of Corrective Action:** |
| Prior to developing the district's corrective actions, review the Department's guidance on bullying prevention at <http://www.doe.mass.edu/sped/advisories/11_2ta.html> and the additional resource document on IEP development to prevent bullying of students with disabilities at <http://www.doe.mass.edu/bullying/considerations-bully.html>.Conduct training for IEP Team chairpersons and other relevant special education staff members on the requirements for addressing bullying prevention and intervention in the IEP. Reconvene the IEP Teams to consider and address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing for individual students identified on the Student Record Worksheet by the Department. Develop an internal system of periodic review to ensure that IEP Teams consider and address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing. The system should include oversight and periodic reviews by the Director of Special Education or his/her designee to ensure ongoing compliance. Conduct a record review for a minimum of 15 students, sampling for each of the following categories: approximately 5 students whose disability affects social skills development, approximately 5 students whose disability makes them vulnerable to bullying, teasing and harassment, and approximately 5 student identified with ASD for evidence that IEP Teams are documenting the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing in the IEP. This sample must consist of records with IEP development after all corrective actions have been completed and represent a cross-section of the district's schools (pre-K, elementary, middle, high school).**\*Please note when conducting internal monitoring the district 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, their role(s) and signature(s).** |
| **Required Elements of Progress Reports:** |
| Submit evidence of staff training, including an agenda, training materials, and signed attendance sheets indicating name and role of staff. This progress report is due **November 20, 2015**.Submit evidence of the corrective actions for individual students identified on the Student Record Worksheet, including Team meeting notices, N1 forms, and the revised IEP. This progress report is due **November 20, 2015**.Submit a description of the oversight system for periodic review, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of the internal review of records. Indicate the number of student records reviewed and the number of student records in compliance; for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the district's plan to remedy the non-compliance. This progress report is due **March 10, 2016**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 | 03/10/2016 |  |  |

| **SE Criterion # 18B - Determination of placement; provision of IEP to parent** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| Although the district provides a Team meeting summary at the end of the Team meeting and sends two copies of the proposed IEP and placement to parents, a review of student records indicated that the IEP is not sent within 10 days of the Team meeting. |
| **Department Order of Corrective Action:** |
| Conduct an analysis of records for students with IEP development between January 2015 and May 2015 to determine why IEPs and placements are not proposed immediately following the IEP Team meeting. Based on the results of the analysis, provide the district's determination of the root cause(s) of the non-compliance, the steps the district proposes to take to correct the root causes, and a timeline for the implementation of those corrections. Develop an internal review and tracking system to ensure that IEPs are proposed to parents within 10 days of the IEP Team meeting. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance. Conduct an internal administrative review of approximately 10 student records from a cross-section of the district's schools (pre-K, elementary, middle, high school) to ensure that IEPs and placements are proposed immediately following the IEP Team meeting. This sample must be drawn from records with Team meetings held subsequent to the implementation of all corrective actions.**\*Please note when conducting internal monitoring the district 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, their role(s) and signature(s).** |
| **Required Elements of Progress Reports:** |
| Submit the results of the district's root cause analysis, including the corrective actions and the associated timelines by **November 20, 2015**.Submit a description of the internal tracking system, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of the review of student records. Indicate the number of student records reviewed and the number of student records in compliance; for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the district's plan to remedy the non-compliance. This progress report is due **March 10, 2016**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 | 03/10/2016 |  |  |

| **SE Criterion # 20 - Least restrictive program selected** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of student records indicated that IEP Teams do not always state why the removal from the general education classroom is considered critical to the student's program and provide the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily. |
| **Department Order of Corrective Action:** |
| Conduct training for IEP Team chairpersons and other relevant special education staff members on developing appropriate Non-Participation Justification statements in IEPs when a student is removed from the general education classroom. Develop an internal system of periodic review to ensure that student's removal from the general education classroom is appropriately justified in IEPs. The system should include periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance.  Conduct an internal administrative review of approximately 10 student records from a cross-section of the district's schools (pre-K, elementary, middle, high school) to ensure that Non-Participation Justification statements are appropriately developed. This sample must be drawn from records with IEP development subsequent to the implementation of all corrective actions.**\*Please note that when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).** |
| **Required Elements of Progress Reports:** |
| Submit a description of the oversight system for periodic review, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of the internal review of records. Indicate the number of student records reviewed and the number of student records in compliance; for all records not in compliance with this criterion, determine the root cause(s) of the noncompliance and provide the district's plan to remedy the non-compliance. This progress report is due **March 10, 2016**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 | 03/10/2016 |  |  |

| **SE Criterion # 26 - Parent participation in meetings** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| The district submitted the roster of special needs students as required by the Department. |

| **SE Criterion # 29 - Communications are in English and primary language of home** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that for families whose primary language is not English, the district consistently provides translated documents such as IEPs and progress reports. |

| **SE Criterion # 37 - Procedures for approved and unapproved out-of-district placements** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews demonstrated that monitoring activities are consistently documented in records of students in out-of-district placements |

| **SE Criterion # 40 - Instructional grouping requirements for students aged five and older** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of documents indicated that the following special education instructional groupings exceed the maximum number of students to licensed special education teacher: 1) Watertown Middle School's Language Based Program Period 4, grade 6 Content Support; 2) Watertown Middle School's Language Based Program Period 1, grade 7 English Language Arts/Reading; and 3) Watertown High School's Resource Period F. Document review and interviews demonstrated that the district has not provided written notification to the Department or the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. |
| **Department Order of Corrective Action:** |
| Develop an internal oversight and tracking system to ensure that the special education instructional groupings in the middle and high school do not exceed the maximum number of students to special education staff and to submit written notification of an increased instructional group size as needed to the Department and the parents of all group members throughout the school year, beginning with September 2015. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance. |
| **Required Elements of Progress Reports:** |
| Submit a description of the oversight system for periodic review, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of a review of the middle and high school's instructional groupings from the district's internal oversight and tracking system, along with evidence that the district has addressed the instructional grouping size or submitted a written notification for an increased instructional group size to the Department as needed by **November 20, 2015**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 |  |  |  |

| **SE Criterion # 41 - Age span requirements** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| Interviews and a review of documents indicated that at the high school, the ages of the youngest and oldest students differ by more than 48 months in period six of an academic support class. Document review and interviews verified that the district did not submit a written request for approval of a wider age range to the Department in cases where the district believes a request is justified. |
| **Department Order of Corrective Action:** |
| Develop an internal oversight and tracking system to ensure that the ages of the youngest and oldest student in any high school special education instructional grouping do not differ by more than 48 months and to submit written requests for approval of a wider age span as needed to the Department throughout the school year, beginning with September 2015. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance. |
| **Required Elements of Progress Reports:** |
| Submit a description of the oversight system for periodic review, including the date of the system's implementation and the staff responsible for the oversight. This progress report is due **November 20, 2015**.Submit the results of a review of the high school's instructional groupings from the district's internal oversight and tracking system, along with evidence that the district has addressed the age span issue or submitted a written request for an age span waiver approval from the Department as needed by **November 20, 2015**. |
| **Progress Report Due Date(s):** |
| 11/20/2015 |  |  |  |

| **SE Criterion # 43 - Behavioral interventions** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| The student record review and staff interviews indicated that IEP Teams consistently consider the student's behavior and document his/her need for support in the IEP as accommodations and goals. According to record review, behavioral intervention plans are consistently developed for students who need more frequent or intensive support than IEP accommodations and goals. |

| **SE Criterion # 46 - Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that the district's process for conducting manifestation determinations consistently includes the provision of a Functional Behavior Analysis (FBA) when the student's behavior has a direct and substantial relationship to the disability. According to record review and staff interviews, the district has discontinued the practice of placing students into Interim Alternative Education Settings (IAES) for behavior that does not involve weapons, illegal drugs, or serious bodily injury without conducting a manifestation determination and examining whether the student could remain in a less restrictive environment with added supports, services or behavior plan. |

| **SE Criterion # 51 - Appropriate special education teacher licensure** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| A review of teacher licensure and interviews demonstrated that three (3) special education teachers who design and/or provide direct special education services described in IEPs are not appropriately licensed or waivered. |
| **Department Order of Corrective Action:** |
| Ensure that special education teachers are appropriately licensed or have secured waivers by the start of the 2015-2016 school year.Develop an internal oversight and tracking system for the district's special education teachers to ensure that they are appropriately licensed or waivered. The tracking system should include oversight and periodic reviews by the Director of Special Education or their designee to ensure ongoing compliance. |
| **Required Elements of Progress Reports:** |
| For the special education teachers identified by the Department, submit a copy of each staff person's current special education license or approved waiver. This progress report is due **August 28, 2015**.Submit a description of the district's internal oversight and tracking system with periodic reviews, along with the date of the system's implementation and the name/role of the designated person by **August 28, 2015**. |
| **Progress Report Due Date(s):** |
| 08/28/2015 |  |  |  |

| **SE Criterion # 52 - Appropriate certifications/licenses or other credentials -- related service providers** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that all related services staff are appropriately licensed. |

| **SE Criterion # 55 - Special education facilities and classrooms** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| An observation of the Hosmer Elementary School demonstrated that the Connections preschool program has been moved to a new classroom, which is sufficient in size for the number of adults assigned to the program and the number of students served. |