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|  | | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **Charter School:** **Silver Hill Horace Mann Charter School**  **MCR Onsite Dates:** **01/28/2016 & 02/02/2016**  **Program Area: Special Education** | | | | |
|  | |  | Mitchell D. Chester, Ed.D.  Commissioner of Elementary and Secondary Education | | | | |
| COORDINATED PROGRAM REVIEW **MID-CYCLE REPORT** | | | | | | | |
| **SE Criterion # 3 - Special requirements for determination of specific learning disability** | | | | | |
| **Rating:** | | | | | |
| Partially Implemented | | | | | |
| **Basis for Findings:** | | | | | |
| Student records and interviews indicated that when a student suspected of having a specific learning disability (SLD) is re-evaluated, the charter school does not consistently complete all required components used to determine SLD. Specifically, the Historic Review and Educational Assessment (SLD 1) and Exclusionary Factors (SLD 3) components are not completed. | | | | | |
| **Department Order of Corrective Action:** | | | | | |
| Develop procedures for ensuring that IEP Teams complete all four components used to determine a specific learning disability. Please see <http://www.doe.mass.edu/sped/iep/sld/default.html> for guidance on implementing these requirements. Provide training to the IEP Team chairperson on these procedures.  Develop an internal oversight and tracking system for ensuring that all required components of the specific learning disability eligibility process are completed. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, in which a student suspected of having a specific learning disability was re-evaluated subsequent to implementation of all corrective actions, to ensure that all required components for determination of a specific learning disability are completed.  **\*Please note when conducting internal monitoring, the school 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 the procedures and evidence of Team chairperson training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | | | |
| **Progress Report Due Date(s):** | | | | | |
| 09/20/2016 | | | 01/16/2017 |  |  |

| **SE Criterion # 3A - Special requirements for students on the autism spectrum** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student records and interviews set forth that whenever an evaluation indicates that a student has a disability on the autism spectrum, the IEP Team does not always consider and specifically address the following:  1) The verbal and nonverbal communication needs of the student;  2) The need to develop social interaction skills and proficiencies;  3) The needs resulting from the student's unusual responses to sensory experiences;  4) The needs resulting from resistance to environmental change or change in daily  routines; and  5) The needs resulting from engagement in repetitive activities and stereotyped movements. | | | |
| **Department Order of Corrective Action:** | | | |
| Revise the charter school's procedures for ensuring that whenever an evaluation indicates that a student has a disability on the autism spectrum, IEP Teams consider and address the seven areas related to autism spectrum disorder (ASD). Provide training to the Team chairperson on these procedures. For information on the requirements for students on the autism spectrum, please refer to the *Technical Assistance Advisory SPED 2007-1: Autism Spectrum Disorder* at <http://www.doe.mass.edu/sped/advisories/07_1ta.html>.  For those students whose records were identified by the Department, reconvene the IEP Teams to consider and address the special requirements for students on the autism spectrum.  Develop an internal oversight and tracking system to ensure that IEP Teams address and document consideration of the special requirements for students identified with a disability on the autism spectrum. The tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.    Develop a report of the results of an internal review of student records, in which students with ASD had IEPs developed subsequent to implementation of all corrective actions, to ensure that the seven areas of need are being considered and addressed by IEP Teams.  **\*Please note when conducting internal monitoring, the school 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 the revised ASD procedures and evidence of Team chairperson training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  For those student records identified by the Department, submit a copy of the IEP and the Team Meeting Attendance Sheet (N3A) indicating that the IEP Teams have reconvened. Submit this information by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 8 - IEP Team composition and attendance** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student records and interviews indicated that when a required IEP Team member is unable to attend the Team meeting, specifically a regular education teacher when the student is involved in a regular education program, the Team member is not consistently excused in writing by the parent. In addition, record review indicated that the required Team member does not provide written input into the development of the IEP to the parent and the IEP Team prior to the meeting. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring that required Team members attend IEP Team meetings or if a Team member is unable to attend, the charter school and the parent agree, in writing, to excuse the Team member and the Team member provides written input into the development of the IEP in advance of the meeting. Please see <http://www.doe.mass.edu/sped/IDEA2004/spr_meetings/?section=keypoints_team> for guidance on implementing these requirements. Provide training to the IEP Team chairperson on these procedures.  Develop an internal oversight and tracking system to ensure that members of the Team attend Team meetings and if a required Team member is unable to attend, appropriate procedures are followed to excuse the required member. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with IEP development subsequent to implementation of all corrective actions, to ensure that required Team members are attending the meeting and that the excusal process is used if a required Team member is unable to attend.  **\*Please note when conducting internal monitoring, the school 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 the procedures and evidence of Team chairperson training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 9 - Timeline for determination of eligibility and provision of documentation to parent** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student records and 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 charter school does not consistently determine whether the student is eligible for special education and provide to the parent either a proposed IEP and proposed placement or a written explanation of the finding of no eligibility. In addition, record review indicated that the charter school does not consistently provide or arrange for the evaluation of the student within 30 school days. | | | |
| **Department Order of Corrective Action:** | | | |
| Review those records in which an initial evaluation or re-evaluation was conducted in the 2015-2016 school year and in which all assessments were not completed within 30 school days and the Team meeting to determine the student's eligibility and the provision of the proposed IEP and placement did not occur within 45 school working days. Analyze the information to determine the root cause(s) of the non-compliance. Based on this root cause analysis, indicate the specific corrective actions the charter school will take to remedy the non-compliance and a timeline for implementation of those corrective actions.  Develop a report of the results of an internal review of student records, in which initial evaluations or re-evaluations were conducted subsequent to implementation of all corrective actions, to ensure that students are assessed within 30 school days and eligibility determinations are conducted and provision of the proposed IEP and placement occurs within 45 school working days of receipt of written parent consent.  **\*Please note when conducting internal monitoring, the school 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 the results of the root cause analysis that includes a description of the charter school's proposed corrective action, the timeline for implementation, and the person(s) responsible by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 18A - IEP development and content** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student records indicated that IEP Teams do not consistently ensure that the IEP is completed addressing all elements of the most current IEP format. Specifically, IEPs do not always contain goals for all direct services listed on the Service Delivery C grid and Service Delivery grids are frequently incomplete. See also SE 18B. | | | |
| **Department Order of Corrective Action:** | | | |
| Provide training to special education staff on ensuring that IEP goals are written for all direct services and that the IEP Service Delivery grid is complete and accurately reflects the student's services.  Develop an internal oversight and tracking system for ensuring that the IEP is complete and addresses all elements. The tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, in which IEP development occurred subsequent to implementation of all corrective actions, to ensure that IEPs are completed addressing all elements of the most current IEP format.    **\*Please note when conducting internal monitoring, the school 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 training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 18B - Determination of placement; provision of IEP to parent** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student records indicated that although parents leave with summary notes at the conclusion of the IEP Team meeting, which include an IEP service delivery grid describing the types and amounts of special education and related services proposed by the charter school and a statement of the major goal areas associated with these services, two copies of the proposed IEP are not consistently provided to parents within two calendar weeks of the Team meeting.  In addition, a review of IEP Service Delivery grids and student schedules demonstrated that the Placement Consent Form (PL1) proposed to parents does not always reflect the type of setting where IEP services are provided. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring the provision of the proposed IEP and placement to parents within two calendar weeks when a summary is provided at the conclusion of the IEP Team meeting or within 3-5 days if a summary is not provided at the conclusion of the meeting. Also develop procedures for ensuring that PL1 forms accurately reflect the type of setting where IEP services are provided. Please see [*Memorandum on the Implementation of 603 CMR 28.05(7): Parent response to proposed IEP and proposed placement*](http://www.doe.mass.edu/news/news.aspx?id=3182) for guidance on implementing these requirements. Provide training to the Team chairperson on these procedures.  Develop an internal oversight and tracking system to ensure that two copies of the proposed IEP and placement are provided to parents immediately and that PL1 forms are completed appropriately. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with IEP development subsequent to implementation of all corrective actions, to ensure that PL1 forms are accurate and the proposed IEP and placement or finding of no eligibility is sent to parents immediately.  **\*Please note when conducting internal monitoring, the school 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 the procedures and evidence of Team chairperson training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 19 - Extended evaluation** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| Student records and interviews indicated that extended evaluations are used to allow additional time to complete required assessments for initial evaluations and re-evaluations, rather than when the IEP Team finds that evaluation information is insufficient to develop a full or partial IEP and, with the parent's consent, determines what evaluation time period is necessary and the types of information needed to develop an IEP. |
| **Department Order of Corrective Action:** |
| Develop procedures for ensuring that extended evaluations are used when the IEP Team finds that evaluation information is insufficient to develop a full or partial IEP. If prior to the extended evaluation the Team determines that sufficient information is available to develop, in part, necessary goals and services, the Team writes a partial IEP, which is implemented upon acceptance by the parent. Please see the extended evaluation form (EE1-EE2) at <http://www.doe.mass.edu/sped/iep/eng_toc.html> for guidance on implementing these requirements. Provide training to the Team chairperson on these procedures. Develop an internal oversight and tracking system to ensure that extended evaluations are used when the IEP Team finds that evaluation information is insufficient to develop a full or partial IEP. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, in which an extended evaluation was conducted subsequent to implementation of all corrective actions, to ensure that extended evaluations are proposed when evaluation information is insufficient to develop a full or partial IEP and the extension is not for the purpose of allowing additional time to complete required assessments.  **\*Please note when conducting internal monitoring, the school 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).** |

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| **Required Elements of Progress Reports:** | | | |
| Submit the procedures and evidence of Team chairperson training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 20 - Least restrictive program selected** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student records and interviews indicated that when students are removed from the general education classroom, the Non-participation Justification statement in the IEP does not always set forth why the removal is considered critical to the student's program and the basis for the Team's 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:** | | | |
| Provide training to the Team chairperson on the appropriate completion of the Non-participation Justification statement indicating that when a student is removed from the general education classroom, the IEP Team states why the removal is considered critical to the student's program.  Develop an internal oversight and tracking system to ensure that the Non-participation Justification statement is appropriately completed. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with IEP development subsequent to implementation of all corrective actions, to ensure appropriate completion of the Non-participation Justification statement.  **\*Please note when conducting internal monitoring, the school 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 Team chairperson training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 22 - IEP implementation and availability** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| Student records and interviews indicated that when implementation of IEPs is delayed due to lack of classroom personnel, including one-to-one aides and special education teachers, the charter school does not immediately inform parents in writing of any delayed services, reasons for the delay, actions that the school is taking to address the lack of personnel, or offer alternative methods to meet the goals on the accepted IEP until the issues are resolved. Interviews with administrative staff indicated that when the student's IEP cannot be implemented, the charter school will recommend that the student re-enroll in Haverhill Public Schools. Specifically, the charter school does not have sufficient staffing to implement its behavior program, Positive Always Wins (PAWS). Student records and staff schedules confirmed that a licensed special education teacher has not been hired for the program. A review of the PAWS program coverage schedule indicated that the program is staffed each period by a different staff member (for example, the principal, assistant principal, school adjustment counselor, Team chairperson, etc.) on an as-needed basis. This program is indicated in students’ IEPs as either a partial inclusion or substantially separate placement. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring that when implementation of IEPs is delayed due to lack of personnel or classroom space, the charter school immediately informs parents in writing and offers alternative methods to meet the goals on the accepted IEP until the issues are resolved. Provide training to administrative staff and special education staff on these procedures.  For those students whose records were identified by the Department, notify the parent in writing of any delayed services, reasons for the delay, actions that the school is taking to address the lack of personnel and offering alternative methods to meet the goals on the accepted IEP.  Develop a plan, with timelines, for ensuring that an appropriately licensed special education teacher is providing specialized instruction in the PAWS program, in accordance with students’ IEPs.  Develop an internal oversight and tracking system to ensure that when consented-to IEPs are not fully implemented due to lack of staff or classroom space, the charter school has notified the parent in writing and proposed alternative methods of implementing the IEP. The oversight and tracking system should include periodic reviews by the Director of Special Education to ensure ongoing compliance.  Subsequent to the implementation of all corrective actions, develop a report of the results of an internal review of student records in which implementation of the IEP was delayed due to lack of classroom space or personnel, to ensure that parents are immediately informed in writing and offered alternative methods to meet the goals on the accepted IEP until the issue is resolved.  **\*Please note when conducting internal monitoring, the school 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 the procedures and evidence of training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **September 20, 2016**.  For those student records identified by the Department, submit copies of the written notification to inform parents of the delayed implementation of consented-to IEP services by **September 20, 2016**.  Submit the plan for ensuring that an appropriately licensed special education teacher is providing specialized instruction in the PAWS program. Submit this plan by **September 20, 2016**.  Submit a description of the charter school's internal oversight and tracking system with periodic reviews, along with the name/role of the designated person by **September 20, 2016**.  Submit the results of the internal review of student records and include the following:  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 submit the above information by **January 16, 2017**. | | | |
| **Progress Report Due Date(s):** | | | |
| 09/20/2016 | 01/16/2017 |  |  |

| **SE Criterion # 26 - Parent participation in meetings** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| The charter school provided its special education student roster as requested by the Department. |