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|  | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **Charter School:** **Phoenix Charter Academy**  **MCR Onsite Dates:** **03/06/2017 - 03/07/2017**  **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** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that when a student suspected of having a specific learning disability is evaluated, the IEP Team creates a written determination as to whether or not he or she has a specific learning disability, which is signed by all members of the Team, or if there is disagreement as to the determination, one or more Team members documents their disagreement. |

| **SE Criterion # 4 - Reports of assessment results** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that assessment summaries do not always include a summary in writing of the procedures employed, the assessment results, the evaluator's diagnostic impressions, a description of the student's needs in educationally relevant and common terms, and offer explicit means of meeting these needs. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring that each person conducting an assessment summarizes in writing the procedures employed, the results, and the diagnostic impressions, and defines in detail and in educationally relevant and common terms the student's needs, offering explicit means of meeting them. Provide training to all responsible personnel on these procedures.  Develop an internal oversight and tracking system to ensure that assessment summaries include all required components. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with initial evaluations or re-evaluations conducted subsequent to implementation of all corrective actions, to ensure that assessment summaries consistently include all required components. Please ensure that this sample of records includes assessments conducted by contracted evaluators, if applicable.  **\*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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  Submit a description of the charter school's internal oversight and tracking system by **October 27, 2017**.  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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 6 - Determination of transition services** | | | |
| --- | --- | --- | --- |
| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and staff interviews indicated that although students beginning at age 14 are invited and encouraged to attend part or all of their IEP Team meetings, IEP Teams do not consistently discuss transition services or develop a Transition Planning Form. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring that IEP Teams discuss transition and complete the Transition Planning Form, updating information on the form and the IEP annually, as needed. Please see <http://www.doe.mass.edu/sped/advisories/13_1ta.html> and <http://www.doe.mass.edu/sped/secondary-transition/default.html> for guidance on implementing these requirements. Provide training to all responsible personnel on these procedures.  For those students whose records were identified by the Department, reconvene the Teams to develop Transition Planning Forms and update information on the IEP, as needed.  Develop an internal oversight and tracking system to ensure that for all students beginning at age 14, Transition Planning Forms are completed, annually reviewed, and updated, as appropriate. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Develop a report of the results of an internal review of student records for students aged 14+, with IEP development subsequent to implementation of all corrective actions, to ensure that transition plans are completed and documented in the student record.  **\*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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  For those student records identified by the Department, submit copies of the signed attendance sheet (N3A) from the reconvened Team meeting, the Transition Planning Form, and relevant pages from the IEP by **October 27, 2017**.  Submit a description of the charter school's internal oversight and tracking system by **October 27, 2017**.  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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **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:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that at least one year in advance of a student's 18th birthday, the charter school consistently notifies students and their parents of the education decision-making rights that transfer from parent/guardian to student upon reaching the age of majority. |

| **SE Criterion # 8 - IEP Team composition and attendance** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and staff interviews indicated that when a required IEP Team member is unable to attend the Team meeting, specifically when the IEP meeting involves a modification or discussion of related services, the Team member is not consistently excused in writing by the parent. In addition, a review of student records indicated that the required Team member does not provide written input for 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 for 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 all responsible personnel on these procedures.  Develop an internal oversight and tracking system to ensure that members of the Team attend Team meetings and if a required member is unable to attend, appropriate procedures are followed to excuse the required member. The oversight system should include periodic reviews by an administrator 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 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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  Submit a description of the charter school's internal oversight and tracking system by **October 27, 2017**.  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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 9 - Timeline for determination of eligibility and provision of documentation to parent** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records 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. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures to ensure 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 determines whether the student is eligible for special education and provides to the parent the proposed IEP and placement or a written explanation of the finding of no eligibility (Notice of School District Refusal to Act). Provide training to all responsible personnel on these procedures.  Develop an internal oversight and tracking system to ensure that eligibility determinations are conducted and provision of the proposed IEP and placement or a written explanation of the finding of no eligibility occurs within 45 school working days of receipt of written parental consent. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with initial evaluations or re-evaluations conducted subsequent to implementation of all corrective actions, to ensure that eligibility determinations are conducted and provision of the proposed IEP and placement or a written explanation of the finding of no eligibility occurs within 45 school working days of receipt of written parental consent.  **\*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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  Submit a description of the charter school's internal oversight and tracking system by **October 27, 2017**.  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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 12 - Frequency of re-evaluation** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that while the charter school completes full re-evaluations, they are not consistently conducted within three years. A review of student records and staff interviews also demonstrated that the parent and the school had not agreed that the re-evaluations were unnecessary. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures to ensure that a full re-evaluation is conducted within three years, unless the parent and school agree that it is unnecessary. Provide training to all responsible personnel on these procedures.  Develop an internal oversight and tracking system to ensure that a re-evaluation is conducted within three years or the school documents its agreement with the parent that the re-evaluation was unnecessary. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with re-evaluations conducted subsequent to implementation of all corrective actions, to ensure that full re-evaluations are conducted within three years.  **\*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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  Submit a description of the charter school's internal oversight and tracking system by **October 27, 2017**.  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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 13 - Progress Reports and content** | | | |
| --- | --- | --- | --- |
| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and staff interviews indicated that the charter school does not provide reports on student progress towards reaching the goals set in IEPs at least as often as parents are informed of the progress of non-disabled students.  Additionally, a review of student records indicated that when a student's eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility, the charter school does not consistently provide recommendations on how to assist the student in meeting his or her postsecondary goals within the summary of academic achievement and functional performance. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures to ensure that progress reports are provided to parents at least as often as parents are informed of the progress of non-disabled students. Provide training for Team chairpersons, special education teachers and related service providers on these procedures.  Additionally, develop procedures to ensure that when a student's eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility, the school provides the student with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals. Provide training to Team chairpersons on these procedures.  Develop an internal oversight and tracking system to ensure that progress reports are issued at the same frequency as progress reporting for parents of non-disabled students. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Develop a second internal oversight and tracking system to ensure that when a student's eligibility terminates as a result of graduating or aging out, the school provides the student with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals. The tracking system should include periodic reviews by an administrator to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, subsequent to implementation of all corrective actions, to ensure that progress reports are provided to parents at least as often as parents are informed of the progress of non-disabled students.  Develop a second report of the results of an internal review of student records, with students who have graduated or aged out subsequent to implementation of all corrective actions, to ensure that summaries of academic achievement and functional performance are developed and provided to students.  **\*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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  Submit a description of each of the charter school's internal oversight and tracking systems by **October 27, 2017**.  Submit the results of the internal reviews of student records and include the following for each review:  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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 14 - Review and revision of IEPs** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that at least annually, on or before the anniversary date of the IEP, a Team meeting is held to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate. Staff interviews indicated that IEP Teams review and revise IEPs to address any lack of expected progress towards the annual goals and in the general curriculum.  A review of student records and staff interviews also indicated that when the charter school and parent agree to make changes to a student's IEP between annual IEP meetings, the changes are documented in writing and, upon request, provided to the parent. |

| **SE Criterion # 15 - Outreach by the School District (Student Find)** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that the charter school has established a method of outreach to adult students, parents or guardians to inform them of the referral process for special education eligibility; specifically, the school has published a detailed description of the process in its student handbook. |

| **SE Criterion # 18A - IEP development and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that upon determining that the student is eligible for special education, IEP Teams develop the IEP, addressing all elements of the current IEP format provided by the Department of Elementary and Secondary Education. Staff interviews indicated that the IEP is not changed outside of the Team meeting.  A review of student records also indicated that IEP Teams specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing for students whose disability affects social skills development, when the student's disability makes him or her vulnerable to bullying, harassment or teasing, and for students identified with a disability on the autism spectrum. A review of student records indicated that IEP Teams document their considerations of the skills and proficiencies needed by students in the Additional Information and, when relevant, goals sections of the IEP. |

| **SE Criterion # 18B - Determination of placement; provision of IEP to parent** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and staff interviews indicated that IEP Teams develop the IEP prior to determining the appropriate placement to deliver the student's identified services and accommodations. However, record review indicated that IEP service delivery grids do not accurately reflect the types of related services that are to be provided to students and the type of settings in which those services are to be provided.  A review of student records indicated that the school consistently sends two copies of the proposed IEP and placement to the parent immediately following the development of the IEP. | | | |
| **Department Order of Corrective Action:** | | | |
| Conduct training for responsible personnel on the development of IEP service delivery grids to ensure that grids accurately reflect services to be provided to students and the type of settings in which those services are to be provided.  Develop an internal oversight and tracking system for ensuring that IEP service delivery grids accurately reflect student service provision. The oversight system should include periodic reviews by an administrator 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 service delivery grids contain and accurately convey all required elements.  **\*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 training, including name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  Submit a description of the charter school's internal oversight and tracking system by **October 27, 2017**.  Submit the results of the 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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 25 - Parental consent** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that the charter school consistently attempts to secure the consent of parents through multiple attempts, using a variety of methods, and documents these efforts in the student record. |

| **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. |

| **SE Criterion # 29 - Communications are in English and primary language of home** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and staff interviews indicated that when a family's primary language of the home is other than English and the parent has requested translation as documented on the Home Language Survey, the charter school does not translate all special education documents, such as IEPs, notices, and assessment summaries. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring that all special education documents are translated into the primary language of the home when the parent has requested translation on the Home Language Survey. Provide training to all responsible personnel on these procedures.  For those students whose records were identified by the Department, translate all special education documents, such as IEPs, notices, and assessment summaries.  Develop an internal oversight and tracking system to ensure that when a family's primary language of the home is other than English and the parent has requested translation as documented on the Home Language Survey, the charter school translates all special education documents. The oversight system should include periodic reviews by an administrator to ensure ongoing compliance.  Develop a report of the results of an internal review of student records, with IEP meetings conducted subsequent to implementation of all corrective actions, to ensure that all special education documents are provided in both English and the primary language of the home when the parent has requested translation as documented on the Home Language Survey.  **\*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 name of presenter, agenda, and signed attendance sheet with staff name, role and signature by **October 27, 2017**.  For those student records identified by the Department, submit copies of translated special education documents, such as IEPs, notices, and assessment summaries by  **October 27, 2017**.  Submit a description of the charter school's internal oversight and tracking system by **October 27, 2017**.  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 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 32 - Parent advisory council for special education** | | | |
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| **Rating:** | | | |
| Not Implemented | | | |
| **Basis for Findings:** | | | |
| Staff interviews indicated that the charter school has not established a school-wide parent advisory council (PAC) on special education or sought a waiver from the Department to meet this requirement in an alternative manner.  Staff interviews also demonstrated that the school does not conduct at least one workshop annually on the rights of students and their parents and guardians under the state and federal special education laws. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop a detailed plan to establish a parent advisory council that offers membership to all parents of students with disabilities in the charter school, as well as other interested parties, along with by-laws regarding officers and operational procedures. Please see the Guidance for Special Education Parent Advisory Councils at <http://www.doe.mass.edu/sped/pac/default.html> and Administrative Advisory SPED 2015-2R: Special Education Parent Advisory Councils, Acceptable Alternatives, and Use of Social Media at <http://www.doe.mass.edu/sped/advisories/2015-2r.html> for direction.  To meet this requirement in an alternative manner, the charter school must complete an Alternative Compliance Waiver (<http://www.doe.mass.edu/forms/waivers/form-c1.pdf>) for approval from the Problem Resolution System Office (PRS). | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit a plan that describes how the charter school will meet the requirement for a parent advisory council by **October 27, 2017**.  Depending on the charter school's plan, submit evidence for the following:  1) that a parent advisory council with by-laws regarding officers and operational procedures has been established; or  2) the school's alternative means to meet the requirement for a PAC has been approved by PRS. This progress report is due by **January 19, 2018**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/27/2017 | 01/19/2018 |  |  |

| **SE Criterion # 41 - Age span requirements** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents and staff interviews indicated that although the ages of the youngest and oldest students exceed 48 months in three of the charter school's academic support classes, a written request for approval of a wider age range was submitted by the charter school and approved by the Department of Elementary and Secondary Education. |

| **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** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documents indicated that the charter school's procedures for suspension of students with disabilities include students on 504 Accommodation Plans. Document review and staff interviews also indicated that these procedures address the use of the authority of a hearing officer, when there is evidence that a student is substantially likely to injure him/herself or others, and include a provision for placing students in an interim alternative educational setting (IAES) for up to 45 school days. |