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|  | ESE Logo | **COORDINATED PROGRAM REVIEW**  **MID-CYCLE REPORT**  **Charter School:** **KIPP Academy Boston Charter School**  **MCR Onsite Dates:** **02/27/2018 - 02/28/2018**  **Program Area: Special Education** |
|  |  | Jeffrey C. Riley  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:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that although IEP Teams develop the required written eligibility determination for students suspected of having a specific learning disability (mandated form 28M/10), the written determination is not consistently signed by all Team members. There was no documentation indicating that Team members disagreed with the determination. | | | |
| **Department Order of Corrective Action:** | | | |
| Revise procedures for ensuring that the written determination (mandated form 28M/10) as to whether or not the student has a specific learning disability (SLD) is signed by all Team members. Please see http://www.doe.mass.edu/sped/cspd/sld\_eligibility.pdf and http://www.doe.mass.edu/sped/iep/sld/default.html for guidance on implementing these requirements. Provide training to special education staff on these procedures.  Develop an internal oversight and tracking system to ensure that the charter school completes the written eligibility determination for students suspected of having SLD. 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 SLD eligibility determinations conducted subsequent to implementation of all corrective actions, to ensure that written eligibility determinations for students suspected of having a specific learning disability have been signed by all Team members.  **\*Please note when conducting internal monitoring the charter school must maintain the following documentation and make it available to the Department upon request:**  **a) list of the student names and grade levels for the records reviewed; b) date of the review; and c) name of person(s) who conducted the review, their role(s), and signature(s).** | | | |
| **Required Elements of Progress Reports:** | | | |
| Submit the revised procedures and evidence of staff training, including name of presenter, agenda and signed attendance sheet with staff name, role and signature by **October 5, 2018**.  Submit a description of the charter school's internal oversight and tracking system by  **October 5, 2018**.  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 11, 2019**. | | | |
| **Progress Report Due Date(s):** | | | |
| 10/05/2018 | 01/11/2019 |  |  |

| **SE Criterion # 8 - IEP Team composition and attendance** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that all required IEP Team members attend meetings. Specifically, general education teachers participate in IEP Team meetings for students involved in a general education program. Record review also demonstrated that required Team members are excused in writing by the parent and the school, and they provide written input to the parent and the Team for the development of the IEP prior to the meeting. |

| **SE Criterion # 9A - Elements of the eligibility determination and provision of documentation; general education accommodations and services for ineligible students** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records indicated that the charter school determines whether a student is initially eligible for special education prior to conducting an evaluation; specifically, IEP Teams have used physical restraint and suspension data, solely, to make findings of eligibility. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring that, prior to determining a student's initial eligibility for special education and with parental consent, the charter school provides or arranges for the evaluation of the student, using a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information in all areas related to the student’s suspected disability. Provide training to all special education staff on these procedures.  Develop an internal oversight and tracking system for ensuring that prior to determining a student’s initial eligibility for special education, the charter school has obtained parental consent and provided or arranged for the evaluation of the student. 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 eligibility determinations made subsequent to implementation of all corrective actions, to ensure that the charter school has provided or arranged for the evaluation of the student prior to making a determination of eligibility for special education.  **\*Please note when conducting internal monitoring the charter school must maintain the following documentation and make it available to the Department upon request:**  **a) list of the student names and grade levels for the records reviewed; b) date of the review; and 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 staff training, including name of presenter, agenda and signed attendance sheet with staff name, role and signature by **October 5, 2018**.  Submit a description of the charter school's internal oversight and tracking system by  **October 5, 2018**.  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 11, 2019**. | | | |
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| **SE Criterion # 13 - Progress Reports and content** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records indicated that parents receive reports on students' progress towards reaching IEP goals as often as parents are informed of the progress of non-disabled students. In addition, record review demonstrated that progress reports consistently include written information on the student's progress towards the annual goals in the IEP.  KIPP Academy Boston serves students in kindergarten through grade eight only and, therefore, does not have any students whose eligibility terminated because the student graduated from secondary school or exceeded the age of eligibility. |

| **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 consistently review and revise IEPs to address any lack of expected student progress towards the annual goals and in the general curriculum.  Student record review and staff interviews also indicated that if the charter school and parent agree to make changes to a student's IEP between annual meetings, the Team is reconvened to amend the IEP. Parents are advised that they may request a complete copy of the amended IEP. |

| **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 a 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, goal sections of the IEP. |

| **SE Criterion # 24 - Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of student records and staff interviews indicated that whenever the charter school proposes an evaluation to determine eligibility for special education, an IEP or amendment, a placement, or other action, the charter school uses the Department's Notice of Proposed School District Action (N1) or the Notice of School District Refusal to Act (N2). A review of student records demonstrated that notices consistently contain narratives of the school's proposed actions and include:  1. a description of the action the charter school proposed to take;  2. a description of why the charter school took the action;  3. a description of any other options that the charter school considered and the reasons why those options were rejected;  4. a description of each evaluation procedure, test, record, or report used as a basis for the proposed action;  5. a description of any other factors relevant to the charter school's decision; and  6. a description of what steps, if any, the charter school proposed to take. |

| **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 documents multiple attempts to obtain consent for unsigned IEPs. The school reviews IEPs weekly to ensure that follow-up occurs and uses a variety of methods to obtain consent, including re-sending documents home, contacting the parent during school drop-off and pick-up, and making home visits. These efforts are logged into a tracking system that is available to staff via a shared web-based system. |

| **SE Criterion # 25A - Sending of copy of notice to Special Education Appeals** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and staff interviews indicated that within five (5) calendar days of receiving a notice that a parent has rejected an IEP, proposed placement, or finding of no eligibility for special education, the charter school does not consistently send a copy of the notice to the Bureau of Special Education Appeals (BSEA). | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures to ensure that within five (5) calendar days of receiving a notice that a parent has rejected an IEP, proposed placement, or finding of no eligibility for special education, the charter school sends a copy of the notice to the BSEA. Provide training to all special education staff on these procedures.  Develop an internal oversight and tracking system for ensuring that the charter school implements procedures to send notice of a rejected IEP, proposed placement, or finding of no eligibility for special education within five (5) calendar days of receipt to the BSEA. 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 rejected proposed IEPs, placements, or findings of no eligibility subsequent to implementation of all corrective actions, to ensure that the charter school sends a copy of the parent’s notice within five (5) calendar days to the BSEA.  **\*Please note when conducting internal monitoring the charter school must maintain the following documentation and make it available to the Department upon request:**  **a) list of the student names and grade levels for the records reviewed; b) date of the review; and 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 staff training, including name of presenter, agenda and signed attendance sheet with staff name, role and signature by **October 5, 2018**.  Submit a description of the charter school's internal oversight and tracking system by  **October 5, 2018.**  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 11, 2019.** | | | |
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| **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 # 47 - Procedural requirements applied to students not yet determined to be eligible for special education** | | | |
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| **Rating:** | | | |
| Partially Implemented | | | |
| **Basis for Findings:** | | | |
| A review of student records and staff interviews indicated that when the charter school has knowledge that a student may be a student with a disability, the school does not make all procedural protections available to the student until and unless the student is subsequently determined not to be eligible. Specifically, when conducting manifestation determination meetings for students who are not yet determined to be eligible for special education, the school consistently finds that because there is no evaluation data available, the student can be suspended as a non-disabled student. Record review further indicated that in these instances, the charter school does not expedite an evaluation when the school suspects that the student may have a disability and the parent has already requested an evaluation. | | | |
| **Department Order of Corrective Action:** | | | |
| Develop procedures for ensuring that when a student not yet eligible for special education is suspended, the school makes all procedural protections available until and unless the student is subsequently determined not to be eligible and conducts an expedited evaluation to determine eligibility. Provide training to all responsible personnel on these procedures.  For those students who were suspected of having a disability but were not yet determined to be eligible for special education, obtain the parent’s consent to evaluate, expedite the consented-to assessments, and convene a Team meeting to determine the student’s eligibility and develop an IEP, if eligible, once the assessments have been completed. An expedited evaluation must be conducted in less than the 30 school days allotted by 603 CMR 28.04(2).  Develop an internal oversight and tracking system to ensure that the charter school provides all available protections and expedites an evaluation for students not yet determined to be eligible for special education in disciplinary situations. The oversight and 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, for students suspected of having a disability subsequent to implementation of all corrective actions, to ensure that students receive all protections and an expedited evaluation prior to a disciplinary action.  **\*Please note when conducting internal monitoring the charter school must maintain the following documentation and make it available to the Department upon request:**  **a) list of the student names and grade levels for the records reviewed; b) date of the review; and 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 staff training, including name of presenter, agenda and signed attendance sheet with staff name, role and signature by **October 5, 2018**.  For those students identified by the Department, submit a copy of the signed consent form (N1A), completed assessments, Meeting Invitation (N3), signed Attendance Sheet (N3A), the Notice of Proposed School District Action (N1), and the proposed IEP, if applicable, by **October 5, 2018.**  Submit a description of the charter school's internal oversight and tracking system by  **October 5, 2018.**  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 11, 2019.** | | | |
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