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| ESE Logo  **Wachusett Regional School District**  **Tiered Focused Monitoring Report**  **Continuous Improvement and Monitoring Plan**  **For** **Group A Universal Standards**  **Tier Level** **2**  **Date of Onsite Visit:** **January 8, 2019**  **Date of Final Report: May 14, 2019**  State Seal of Massachusetts |
| Jeffrey C. Riley  Commissioner of Elementary and Secondary Education |

During the 2018-2019 school year, Wachusett Regional School District participated in a Tiered Focused Monitoring Review conducted by the Department’s Office of Public School Monitoring. The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

Districts and charter schools are reviewed every three years through Tiered Focused Monitoring. This review process emphasizes elements most tied to student outcomes, and alternates the focus of each review on either Group A Universal Standards or Group B Universal Standards.

Group A Universal Standards address:

* Student identification
* IEP development
* Programming and support services
* Equal opportunity

Group B Universal Standards address:

* Licensure and professional development
* Parent/student/community engagement
* Facilities and classroom observations
* Oversight
* Time and learning
* Equal access

In addition, the Department has reserved a specific set of criteria, collectively known as Targeted Standards, employed when LEA or school-level risk assessment data indicate that there is a potential issue. Identified Targeted Standards are assessed in addition to the Universal Standards.

Universal Standards and Targeted Standards are aligned with the following regulations:

Special Education (SE)

* selected requirements from the federal Individuals with Disabilities Education Act (IDEA-2004); the federal regulations promulgated under that Act at 34 CFR Part 300; M.G.L. c. 71B, and the Massachusetts Board of Education’s Special Education regulations (603 CMR 28.00), as amended effective March 1, 2007.

Civil Rights Methods of Administration and Other General Education Requirements (CR)

* selected federal civil rights requirements, including requirements under Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, together with selected state requirements under M.G.L. c. 76, Section 5 as amended by Chapter 199 of the Acts of 2011 and M.G.L. c. 269 §§ 17 through 19.
* selected requirements from the Massachusetts Board of Education’s Physical Restraint regulations (603 CMR 46.00).
* selected requirements from the Massachusetts Board of Education’s Student Learning Time regulations (603 CMR 27.00).
* various requirements under other federal and state laws.

Tiered Focused Monitoring allows for differentiated monitoring based on a district/charter school’s level of need, the Tiers are defined as follows:

LEAs in Tiers 1 and 2 have been determined to have no or low risk:

* Tier 1/Self-Directed Improvement: Data points indicate no concern on compliance and performance outcomes – meets requirements.
* Tier 2/Directed Improvement: No demonstrated risk in areas with close link to student

outcomes – low risk.

LEAs in Tiers 3 and 4 have demonstrated greater risk:

* Tier 3/Corrective Action: Areas of concern include both compliance and student

outcomes – moderate risk.

* Tier 4/Cross-unit Support and Corrective Action: Areas of concern have profound effect on student outcomes and ongoing compliance – high risk.

The phases of Tiered Focused Monitoring for the Wachusett Regional School District included:

Self-Assessment Phase:

* District reviewed special education and civil rights documentation for required elements including document uploads.
* District reviewed a sample of special education student records selected across grade levels, disability categories and levels of need.
* Upon completion of these two internal reviews, the district’s self-assessment was submitted to the Department for review.

On-site Verification Phase:

* Review of student records for special education: The Department selected a sample of student records from those the district reviewed as part of its self-assessment, as well as records chosen by the Department from the special education student roster. The onsite team conducted this review, using standard Department procedures, to determine whether procedural and programmatic requirements are being met.
* Review of additional documents for special education or civil rights.
* Surveys of parents of students with disabilities: Parents of students with disabilities were sent a survey to solicit information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Interviews of staff consistent with those criteria selected for onsite verification.
* Interviews of parent advisory council (PAC) representatives and other telephone interviews, as requested, by other parents or members of the general public.

**Report: For Tier 1 & 2 Tiered Focused Monitoring Reviews**

Following the onsite visit, the onsite team holds an informal exit meeting to summarize its comments for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the onsite chairperson forwards to the superintendent or charter school leader the findings from the Tiered Focused Monitoring Review. All districts/charter schools in Tiers 1 and 2, as part of the reporting process, then develop a Continuous Improvement and Monitoring Plan (CIMP) for any criteria receiving a rating of "Partially Implemented," "Not Implemented," and “Implementation in Progress.” The CIMP outlines an action plan, identifies the success metric, describes the measurement mechanism and provides a completion timeframe to bring those areas into compliance with the controlling statute or regulation. Districts and charter schools are expected to incorporate the CIMP actions into their district and school improvement plans, including their professional development plans.

# **DEFINITION OF COMPLIANCE RATINGS**

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| **Commendable** | Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation. |
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| **Implemented** | The requirement is substantially met in all important aspects. |
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| **Implementation in Progress** | This rating is used for criteria containing new or updated legal requirements and means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year. |
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| **Partially Implemented** | The requirement, in one or several important aspects, is not entirely met. |
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| **Not Implemented** | The requirement is totally or substantially not met. |
| **Not Applicable** | The requirement does not apply to the school district or charter school. |

**Wachusett Regional School District**

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Universal Standards**  **Special Education** | **Universal Standards**  **Civil Rights and Other General Education Requirements** |
| **IMPLEMENTED** | SE 1, SE 2, SE 3, SE 3A, SE 7, SE 8, SE 9, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 14, SE 17, SE 18A, SE 19, SE 20, SE 22, SE 25, SE 26, SE 29, SE 34, SE 37, SE 38, SE 40, SE 41, SE 43, SE 48, SE 49 | CR 13, CR 14, CR 18 |
| **PARTIALLY**  **IMPLEMENTED** | SE 6, SE 39, SE 42 |  |
| **NOT IMPLEMENTED** |  |  |

The Tiered Focused Monitoring Toolkit, which includes the regulatory requirements specific to the special education and civil rights criteria referenced in the table above, can be found at <http://www.doe.mass.edu/psm/resources/default.html>.

**SUMMARY OF INDICATOR DATA REVIEW**

As part of the self-assessment process for districts or charter schools undergoing a review for Group A Universal Standards, the onsite team reviewed the results of Indicator data submissions for Indicators 11, 12 and 13. For any Indicator data noncompliance found, the district or charter school must develop and implement corrective action that includes correcting noncompliance for the individual students affected by it, addressing the root cause and underlying reasons for the identified noncompliance, and reviewing additional records as evidence that the issues have been corrected and that requirements are being met. The Office of Special Education Programs (OSEP) requires correction of noncompliance within one year of the finding.

The results of the Department’s analysis regarding these Indicators are as follows:

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|  | **Compliant** | **Non-Compliant** | **Not Applicable** |
| **Indicator 11 – Initial**  **Evaluation Timelines** | ☒ |  |  |
| **Indicator 12 – Early**  **Childhood Transition** | ☒ |  |  |
| **Indicator 13 –**  **Secondary Transition** |  | ☒ |  |

| **Improvement Area** **1** |
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| **Criterion:** SE 6 - Determination of transition services |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Student record review and an interview indicated that the district does not consistently ensure that students age 14 and over are invited to attend part or all of Team meetings where transition services are discussed or proposed. |
| **LEA Outcome:** Wachusett Regional School District (WRSD) will demonstrate 100% compliance in ensuring that students age 14 and over are invited to attend part or all of Team meetings where transition services are discussed or proposed. |
| **Action Plan:** By June 10, 2019, WRSD will contact the families of the two children identified through the Tiered Focused Monitoring Review for the purpose of reconvening a Team to ensure that the student was invited and convene such Team meetings to allow for student participation. The district will show evidence that the students were invited to the Team meeting by submitting copies of the Meeting Invitation (N 3), the Notice of Proposed School District Action (N 1) explaining actions taken at the meeting, the completed N 3A indicating Team attendance, and a copy of the new or amended IEP if any changes are made.  By June 10, 2019, the standards set forth in Criterion SE 6 "Determination of Transition Services" will be reviewed at the district level at a Team chairperson meeting and copies of all sign-in sheets and agendas will be submitted to DESE.  By December 9, 2019, the district will conduct a review of at least 10 randomly selected records of students age 14 or older and submit to the Department a summary of those findings to demonstrate 100% compliance for students being invited to their Team meetings. |
| **Success Metric:** By December 9, 2019, 100% of students 14 years of age and older will be invited to attend their Team meetings.  Evidence:  - N 3, N 3A, N 1 and revised or amended IEP, if any changes are made, for identified students  - Submission of agendas and sign-in sheets for professional development/training  - Summary of record review findings |
| **Measurement Mechanism:** Semi-annually, the district will review a random sample of IEPs for students age 14 and older to determine if the students have been invited to their Team meetings. |
| **Completion Timeframe:** 12/09/2019 |
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| **Improvement Area 2** |
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| **Criterion:** SE 39 - Procedures used to provide services to eligible students enrolled in private schools at private expense |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and interviews indicated that the district's procedures for the provision of services to eligible students enrolled in private schools at private expense have not been updated to include: 1) the child find process for students suspected of having a disability and how parents, teachers, and private school officials will be informed about the process; 2) what the determination of proportionate share funds is and the calculation on which that determination is based, including the underlying data; 3) how the consultation process will occur during the school year between the district, private school representatives, and parents; 4) how, where, and by whom special education and related services will be provided to eligible private school students with disabilities using proportionate share funds, including types of services, how funds will be apportioned if federal funds are insufficient to serve all eligible students, and how and when decisions about proportionate share services will be made; and 5) how the district will notify private school officials, in writing, if the district does not agree with the view of the private school offices about the provision of services or specific types of services.  Additionally, the district did not provide written affirmation that is signed by representatives of participating private schools in the district documenting that meaningful consultation has occurred.  The district also did not provide services plans for students receiving services with proportionate share funds. |
| **LEA Outcome:** WRSD will demonstrate 100% compliance with the requirements to develop and implement procedures for proportionate share, provide written affirmation of consultation with private schools and parents of home-schooled students in the district, and develop services plans for students whom proportionate share funds will be used. |
| **Action Plan:** By June 10, 2019, WRSD will develop and implement procedures to address:  1) the child find process for students suspected of having a disability and how parents, teachers, and private school officials will be informed about the process;  2) explanation of what the determination of proportionate share funds is and the calculation on which that determination is based, including the underlying data;  3) how the consultation process will occur during the school year between the district, private school representatives, and parents;  4) how, where, and by whom special education and related services will be provided to eligible private school students with disabilities using proportionate share funds, including types of services, how funds will be apportioned if federal funds are insufficient to serve all eligible students, and how and when decisions about proportionate share services will be made; and  5) how the district will notify private school officials, in writing, if the district does not agree with the view of the private school offices about the provision of services or specific types of services.  By December 9, 2019, WRSD will provide training to schools and submit evidence of this training.  By December 9, 2019, WRSD will provide written affirmation of consultation with private schools and home-schooled parents in the district.  By December 9, 2019, WRSD will develop services plans for students whom proportionate share funds will be used. |
| **Success Metric:** By December 9, 2019, WRSD will demonstrate 100% compliance with the requirements to develop and implement procedures for proportionate share, provide written affirmation of consultation with private schools and parents of home-schooled students in the district, and develop services plans for students whom proportionate share funds will be used.  Evidence:  - copy of the procedures developed for proportionate share  - written affirmation of consultation with private schools and parents of home-schooled students in the district  - services plans for students whom proportionate share funds will be used |
| **Measurement Mechanism:** Annually, WRSD will review procedures for any possible updates or changes.  WRSD will schedule follow-up with private schools and parents of home-schooled students during the school year, write affirmation statements, and create services plans for students whom proportionate share funds will be used. |
| **Completion Timeframe:** 12/09/2019 |
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| **Improvement Area 3** |
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| **Criterion:** SE 42 - Programs for young children three and four years of age |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and interviews indicated that nine of the district's twelve inclusionary classes for young children three to four years of age at the Early Childhood Center exceed the allowable number of students with disabilities in relation to the overall class size. Inclusionary classrooms that include no more than five students with disabilities cannot exceed 20 students with one teacher and one aide. Classrooms that include no more than seven students with disabilities cannot exceed 15 students with one teacher and one aide. |
| **LEA Outcome:** WRSD will demonstrate 100% compliance with the allowable number of students with disabilities in relation to the overall class size for young children three to four years of age at the Early Childhood Center. |
| **Action Plan:** By June 10, 2019, WRSD will review regulatory requirements for inclusionary class sizes for young children three to four years old with the general education, special education and administrative staff at the Early Childhood Center.  By August 15, 2019, the district will ensure all inclusionary preschool groupings for the 2019-2020 school year are in compliance with the regulations regarding staff-to-student ratios. |
| **Success Metric:** Success Metric: Beginning in the 2019-2020 school year, all preschool groupings will be in compliance with the regulations regarding staff-to-student ratios for special education inclusionary preschool groupings.  Evidence:  - Class rosters for all inclusionary classrooms for children three to four years old at the Early Childhood Center |
| **Measurement Mechanism:** On a monthly basis, the district will review class sizes at the Early Childhood Center for compliance. |
| **Completion Timeframe:** 08/15/2019 |
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