

**Danvers Public Schools**

**Tiered Focused Monitoring Report**

**For** **Group A Universal Standards**

**Tier Level** **2**

**Dates of Onsite Visit:** **January 21 & 22, 2020**

**Date of Final Report:** **August 10, 2020**



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Commissioner of Elementary and Secondary Education

During the 2019-2020 school year, Danvers Public Schools 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 Danvers Public Schools 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.
* Observations of classrooms and other facilities: The onsite team visited a sample of classrooms and school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

**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 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.

**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** | X |  |  |
| **Indicator 12 – Early**  **Childhood Transition** | X |  |  |
| **Indicator 13 –**  **Secondary Transition** | X |  |  |

# **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. |

**Danvers Public Schools**

**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 6, SE 7, SE 9, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 14, SE 17,  SE 18A, SE 19,  SE 20, SE 25, SE 26, SE 29, SE 34, SE 35, SE 37, SE 38, SE 39, SE 40, SE 41, SE 42, SE 43, SE 48, SE 49 | CR 13, CR 14, CR 18 |
| **PARTIALLY**  **IMPLEMENTED** | SE 8, SE 22 |  |
| **NOT**  **IMPLEMENTED** |  |  |

The review instruments, that include the regulatory requirements specific to the special education and civil rights criteria referenced in the table above, can be found at [www.doe.mass.edu/psm/resources/default.html](http://www.doe.mass.edu/psm/resources/default.html).

| **Improvement Area** **1** |
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| **Criterion:** SE 8 - IEP Team composition and attendance |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that when a required IEP Team member is unable to attend the Team meeting, specifically general education teachers for students involved in the general education program and related service providers when the IEP meeting involves a modification or discussion of related services, the Team member is not consistently excused in writing by the parent. Record review also 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. |
| **LEA Outcome:** Danvers Public Schools will ensure that all required Team members listed on the attendance sheet attend the Team meeting. When a Team member cannot attend the meeting, the district will: 1) use alternative means such as video conferencing or conference call with the parent's agreement; or 2) agree with the parent, in writing, that the attendance of the Team member is not necessary because the member's area of the curriculum or related service is not being modified or discussed; or 3) agree with the parent, in writing, to excuse the required Team member's participation and the excused member will provide written input into the development of the IEP to the parent as well as the IEP Team prior to the meeting. |
| **Action Plan:** The district reviewed IEP Team composition and attendance regulatory requirements with all special education coordinators on February 7, 2020. By March 10, 2020, the coordinators trained staff in each building on these requirements.  By September 30, 2020: The district will develop internal monitoring procedures to ensure compliance with IEP Team composition and attendance regulatory requirements regarding absent Team members.  By December 18, 2020: The Director of Student Services will conduct internal monitoring to ensure absent required Team members are excused in writing by the parent, and these Team members provide written input for the development of the IEP prior to the meeting. |
| **Success Metric:** Internal monitoring will demonstrate that the district consistently obtains parents' written excusal of absent required IEP Team members and ensures that these members provide the parent and Team with written input for the development of the IEP prior to the meeting.  The following evidence will be uploaded to the DESE portal:  By September 30, 2020:  \*Evidence of training, such as agendas, training materials and staff rosters  \*Description of internal monitoring system  By December 18, 2020:  \*Results of internal record review of a sample of student records across grade levels and schools, including percentage of compliance with requirements; root analysis of any non-compliance; and action plan to avoid further non-compliance. |
| **Measurement Mechanism:** The Director of Student Services will implement internal monitoring on a regular basis to ensure absent IEP Team members are excused and provide input to the development of the IEP. |
| **Completion Timeframe:** 12/18/2020 |
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| **Improvement Area 2** |
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| **Criterion:** SE 22 - IEP implementation and availability |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and an administrator interview indicated that when the student's IEP has been accepted in whole or in part by the parent, the school district does not consistently provide the mutually agreed upon services without delay. Specifically, the high school's practice is to date proposed IEPs, including annual reviews and 3-year reevaluations, from September to June, regardless of when the IEP Team meeting was held, and to begin implementing the new IEP at the start of the school year. As a result, some IEPs developed by the Team and signed by the parent during the previous school year are not always implemented immediately once the parent signs it. For instance, an IEP developed for a February 2019 annual review was not implemented until September 2020. |
| **LEA Outcome:** Danvers Public Schools Student Services Department will ensure that once IEP services have been accepted by the student or parent/guardian, the mutually agreed upon services will be provided without delay. |
| **Action Plan:** The Danvers Public Schools Student Services Department developed procedures to ensure the IEP service dates that are recommended during the Team meeting will be consistent with the Team meeting date. These procedures were reviewed with the special education coordinators in February 2020 and with each school's liaisons in March 2020.  By September 30, 2020:  -The district will provide training for special education coordinators and liaisons on the regulatory requirement to implement IEPs immediately upon parents' acceptance and signature.  - The district will develop internal monitoring procedures to ensure that students' IEPs are implemented immediately upon parents' acceptance and signature.  By December 18, 2020: The Director of Student Services will conduct internal monitoring to ensure that students' IEPs are implemented immediately upon parents' acceptance and signature. |
| **Success Metric:** Internal monitoring will demonstrate that the district consistently implements students' IEPs immediately upon parents' acceptance and signature.  The following evidence will be uploaded to the DESE portal:  By September 30, 2020:  \*Evidence of training, such as agendas, training materials and staff rosters  \*Description of internal monitoring system  By December 18, 2020:  \*Results of internal record review of a sample of student records across grade levels and schools, including percentage of compliance with requirements; root analysis of any non-compliance; and action plan to avoid further non-compliance. |
| **Measurement Mechanism:** The Director of Student Services will implement internal monitoring on a regular basis to ensure that students' IEPs are implemented immediately upon parents' acceptance and signature. |
| **Completion Timeframe:** 12/18/2020 |
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