

**Boston Green Academy Horace Mann Charter School**

**Tiered Focused Monitoring Report**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **November 12 & 13, 2019**

**Date of Final Report:** **May 6, 2020**



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Commissioner of Elementary and Secondary Education

During the 2019-2020 school year, Boston Green Academy Horace Mann Charter School 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 Boston Green Academy Horace Mann Charter School included:

Self-Assessment Phase:

* The school reviewed special education and civil rights documentation for required elements including document uploads.
* The school 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 school’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 school 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 school’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.

**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. |

**Boston Green Academy Horace Mann Charter School**

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

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>.

| **Improvement Area** **1** |
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| **Criterion:** SE 20 - Least restrictive program selected |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that the charter school does not consistently state why removal from the general education classroom is considered critical to the student's program and the basis for its conclusion that education in the least restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily. |
| **LEA Outcome:** Boston Green Academy (BGA) will ensure that 100% of student IEPs consistently state why the student's removal from the general education classroom is considered critical to the student's program, and why the education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be satisfactorily achieved. Non-participation Justification statements will include not only the instruction and/or services delivered outside of the general education environment, but also how the student benefits from this specific level of support. |
| **Action Plan:** By May 15, 2020, the Coordinator of Special Education will conduct training with relevant special education staff, including middle and high school lead special education teachers, grade-level special education liaisons and related service providers, on how to write complete and accurate Non-participation Justification statements that consistently state why removal from the general education classroom is considered critical to the student's program.  By September 4, 2020, the Coordinator of Special Education will conduct a review of IEPs developed subsequent to staff training to ensure Non-participation Justification statements consistently state why removal from the general education classroom is considered critical to the student's program. The internal review of findings will be communicated to staff and additional training will be provided as appropriate. |
| **Success Metric:** By the end of academic year 2019-2020 and beyond, 100% of IEPs for students who receive special education services outside the general education classroom will include a complete and comprehensive Non-participation Justification statement that states why the student's removal is critical and why the education of the student in a less restrictive environment, even with the use of supplementary aids and services, could not be achieved satisfactorily.  Evidence:  \*Staff attendance sheet, agenda and training materials  \*Revised Team meeting summary template to include specific Non-participation Justification section  \*Team meeting summary forms that include appropriate Non-participation Justification statements  \*Results of record review, including sampled Non-participation Justification statements developed post-training |
| **Measurement Mechanism:** Continuing after the completion date:  On a quarterly basis, the Coordinator of Special Education will review Non-participation Justification statements by randomly selecting at least five (5) IEPs to ensure the statements are complete and comprehensive, appropriately justifying a student's removal from the general education environment. |
| **Completion Timeframe:** 09/04/2020 |
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| **Improvement Area 2** |
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| **Criterion:** SE 25 - Parental consent |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that when parental consent to the services proposed on a student's IEP is required, and the parent fails or refuses to participate, the charter school does not routinely secure consent from the parent through multiple attempts using a variety of methods, such as certified letters, telephone calls and email. Specifically, there is no follow-up to ensure that IEPs developed at the end of one school year are signed by the beginning of the next. |
| **LEA Outcome:** Boston Green Academy (BGA) will ensure that all IEPs developed at the end of the school year are signed by parents by the beginning of the next. When the parent has had time to review the proposed IEP and placement, but has not provided consent, the school will make and document multiple efforts to contact the parent. These efforts will include letters, written notices sent by certified mail, emails, telephone calls, and home visits, if necessary. |
| **Action Plan:** By May 15, 2020, BGA will develop procedures for securing parental consent to IEPs, including when to contact the parent, what methods to use, and how to document the efforts. These procedures will include specific actions for ensuring that IEPs developed at the end of one school year are signed by the beginning of the next.  By May 15, 2020, the Coordinator of Special Education will conduct training for middle and high school lead special education teachers, grade-level special education liaisons and related service providers on the newly developed procedures.  By September 4, 2020, BGA will conduct an internal review of all IEPs developed at the end of the 2019-2020 school year to determine that appropriate procedures have been followed to obtain parental consent. If any IEPs are unsigned, the school will follow the procedures to obtain consent before the 2020-2021 school year begins. |
| **Success Metric:** By the end of academic year 2019-2020 and by the end of each school year after, 100% of BGA's IEPs will be signed by parents. The school's efforts to obtain consent will be consistently documented and demonstrate that a variety of methods were used.  Evidence:  \* Staff attendance sheet, agenda and training materials  \* Follow-up procedures for obtaining consent for IEPs that are developed at the end of the school year  \* Results of record review  \* Documentation of efforts to obtain consent in the "Contact Log" of EdPlan  \* Documentation of different methods for obtaining consent |
| **Measurement Mechanism:** Continuing after the completion date:  On a monthly basis, the Coordinator of Special Education and support staff will review at least five (5) IEPs to determine the status of parental consent, whether efforts to obtain consent are documented, and that these efforts demonstrate a variety of methods. For IEPs developed at the end of the school year, this internal review will ensure that regular contact is made throughout the summer so that IEPs are signed by the beginning of the next school year. |
| **Completion Timeframe:** 09/04/2020 |
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| **Improvement Area 3** |
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| **Criterion:** CR 18 - Responsibilities of the school principal |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents indicated that although the charter school developed a curriculum accommodation plan that describes its school-wide practices, the plan does not have provisions to assist the classroom teacher in providing appropriate instructional and behavioral services and support within the general education program. Staff interviews also indicated that teachers are not familiar with the curriculum accommodation plan. |
| **LEA Outcome:** Boston Green Academy (BGA) will ensure that its curriculum accommodation plan assists classroom teachers in providing appropriate instructional support and behavioral services within the general education program. BGA will also ensure that teachers are familiar with the curriculum accommodation plan. |
| **Action Plan:** By September 4, 2020, BGA will revise its curriculum accommodation plan, creating provisions for classroom teachers in providing appropriate instructional and behavioral services and support within the general education program.  By September 4, 2020, BGA will train all staff on the revised curriculum accommodation plan. The plan will be electronically available to all teachers, students, families, and community members on the school’s website.  By September 4, 2020, BGA will incorporate the revised curriculum accommodation plan into professional development training for all staff, including special education staff.  By November 16, 2020, BGA administrators will assess the initial implementation of the curriculum accommodation plan using feedback from staff, classroom observations, and student outcome data such as suspensions and special education referrals as benchmarks. |
| **Success Metric:** By the end of academic year 2019-2020 and beyond, Boston Green Academy will ensure that the needs of all diverse learners in the general education program are supported by the school's curriculum accommodation plan.  Evidence:  \* Revised curriculum accommodation plan  \* Agendas, training materials and attendance sheets from trainings  \* Analysis of feedback from the annual staff survey on the effectiveness of school programming  \* Analysis of data from implementation of curriculum accommodation plan |
| **Measurement Mechanism:** Continuing after the completion date:  All BGA staff will receive the revised curriculum accommodation plan as part of the annual summer sign-in and training process. Staff members will affirm that they have read and understand the document.  Twice a year, district and building administrators will assess the implementation and effectiveness of the revised curriculum accommodation plan using staff feedback, student outcome data such as suspensions and special education referrals, and classroom observations throughout the school year. The curriculum accommodation plan will be revised and updated as applicable. |
| **Completion Timeframe:** 11/16/2020 |
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