

**Martha's Vineyard Regional Schools**

**Tiered Focused Monitoring Report**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **November 18 & 19, 2019**

**Date of Final Report:** **February 14, 2020**



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Commissioner of Elementary and Secondary Education

During the 2019-2020 school year, Martha's Vineyard Regional 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 Martha’s Vineyard Regional 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.
* Interview of a parent advisory council (PAC) representative.

**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** |
| **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. |

**Martha's Vineyard Regional Schools**

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Universal Standards**  **Special Education** | **Universal Standards**  **Civil Rights and Other General Education Requirements** | **Targeted Standards** |
| **IMPLEMENTED** | SE 1, SE 3,  SE 3A, SE 6, SE 8, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 14, SE 17, SE 19, SE 20, SE 22, 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 | SE 44, SE 45, SE 46 |
| **PARTIALLY**  **IMPLEMENTED** | SE 2, SE 7,  SE 9, SE 18A |  | SE 47 |
| **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>.

| **Improvement Area** **1** |
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| **Criterion:** SE 2 - Required and optional assessments |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that the district does not consistently complete all required assessments, specifically a history of the student's educational progress in the general curriculum and a teacher's assessment of the student's attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults. |
| **LEA Outcome:** 100% compliance regarding SE 2- Required and optional assessments.  Martha's Vineyard Regional Schools will ensure the consistent completion of all required assessments for every evaluation, specifically a history of the student's educational progress in the general curriculum and a teacher's assessment of the student's attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults (Educational Assessments A and B). |
| **Action Plan:** By April 24, 2020, Martha's Vineyard Regional Schools will review and revise the Process Procedural Manual section regarding required assessments for eligibility (Educational Assessments A and B) and insert any revisions into the Process Procedural Manual/Shared Drive.  By April 24, 2020, Martha's Vineyard Regional Schools will obtain consent, conduct the missing assessments, and reconvene the Team for the three students identified during the DESE onsite review.  By April 24, 2020, Martha's Vineyard will create an internal monitoring system to track the completion of required assessments for initial and re-evaluations. The monitoring system will include periodic administrator review and a mechanism for correction for any record found to be in non-compliance.  By May 29, 2020, Martha's Vineyard will train all staff on the updated procedures and internal monitoring system. Martha's Vineyard plans to review the procedures with special education staff in March and May 2020. Principals and other administrative staff will be trained during the February Administrative Cabinet. The principals, Directors of Student Support Services, or designee will train all other staff at building meetings prior to May 29, 2020.  By October 9, 2020, Martha's Vineyard Director(s) of Student Support Services will conduct a review of 3-5 student records from across grade levels to ensure that all required assessments have been completed for initial and re-evaluations. The review will include a correction process for any record found to be in non-compliance.  \*Martha's Vineyard Regional Schools will upload evidence of its corrective action to the security portal as items are completed. |
| **Success Metric:** By October 9, 2020, 100% of the records reviewed in the internal monitoring process will have included Educational Assessments A and B as part of the required assessments for eligibility.  The following evidence will be uploaded to the DESE portal:  By April 24, 2020:  \*Copies of completed assessments and signed attendance sheets for the students identified by DESE  \*Updated Process Procedural Manual section  \*Description of internal monitoring system  By May 29, 2020:  \*Agendas, training materials, and attendance sheets for staff trainings  By October 9, 2020:  \*Results of internal record review |
| **Measurement Mechanism:** Continuing after the completion deadline, the Director(s) of Student Support Services will implement internal monitoring systems each semester to ensure that all required assessments have been completed. Training will be provided to any new staff members and will continue to be provided annually at the beginning of each school year. |
| **Completion Timeframe:** 10/09/2020 |
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| **Improvement Area 2** |
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| **Criterion:** SE 7 - Transfer of parental rights at age of majority and student participation and consent at the age of majority |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that the district does not consistently obtain consent from students with sole or shared decision-making rights to continue their special education program once the student reaches 18 years of age. |
| **LEA Outcome:** 100% compliance regarding SE 7 - Transfer of parental rights at age of majority and student participation and consent at the age of majority.  Martha's Vineyard Regional Schools will ensure that the district always obtains consent from students who turn 18 with sole or shared decision-making authority to continue their education programming. |
| **Action Plan:** By April 24, 2020, Martha's Vineyard Regional Schools will review the Process Procedural Manual section regarding transfer of parental rights, student participation, and student consent at the age of majority and revise if necessary. Any revisions will be inserted into the Process Procedural Manual/Shared Drive.  By April 24, 2020, Martha's Vineyard will obtain signed consent from each of the three identified adult students and submit the signed IEP and placement consent forms to the Department.  By April 24, 2020, Martha's Vineyard will create an internal monitoring procedure to ensure that the district obtains consent from students with sole or shared decision-making rights to continue their special education program once the student reaches 18 years of age. The monitoring system will include periodic administrator review and a mechanism for correction for any record found to be in non-compliance.    Training regarding Age of Majority was provided on January 8, 2020 to special education liaisons at MVRHS. By May 29, 2020, Martha's Vineyard will train all special education staff on the updated consent procedures and internal monitoring system.  By October 9, 2020, Martha's Vineyard will conduct an internal record review of all students who have turned 18 after January 1, 2020 to ensure the district has obtained proper consent from students with sole or shared decision-making rights.  \* Martha's Vineyard Regional Schools will upload evidence of its corrective action to the security portal as items are completed. |
| **Success Metric:** By October 9, 2020, Martha's Vineyard Regional Schools will obtain consent from 100% of students who are 18 or older with sole or shared decision-making authority to continue their special education program and placement.  The following evidence will be uploaded to the DESE portal:  By April 24, 2020:  \*Signed IEP and Placement consent forms for the students identified by DESE  \*District procedures regarding student consent at the age of majority  \*Description of internal monitoring system  By May 29, 2020:  \*Agendas, training materials, and attendance sheets for staff trainings  By October 9, 2020:  \*Results of internal record review |
| **Measurement Mechanism:** Continuing after the completion deadline, the Director(s) of Student Support Services will implement internal monitoring systems to ensure that the district obtains consent from adult students with sole or shared decision-making authority to continue their special education programming. Training will be provided to any new staff members and will continue to be provided annually at the beginning of each school year. |
| **Completion Timeframe:** 10/09/2020 |
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| **Improvement Area 3** |
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| **Criterion:** SE 9 - Timeline for determination of eligibility |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that the district does not consistently determine whether a student is eligible for special education within 45 school working days after receipt of the parent's written consent to an initial evaluation or re-evaluation. |
| **LEA Outcome:** 100% Compliance with SE 9 - Timeline for determination of eligibility.  Within 45 school working days of receiving parental consent for initial or re-evaluations, Martha's Vineyard Regional Schools will provide an evaluation, convene a Team meeting to review the evaluation data and recommendations, determine whether the student requires special education supports and services, and, if required, develop an IEP. The district will provide the parents with two copies of the proposed IEP and placement. If the Team determines that the student is not eligible for special education, the school district shall send a written explanation of the finding that the student is not eligible. |
| **Action Plan:** By April 24, 2020, Martha's Vineyard Regional Schools will review the Team Meeting and IEP/Placement Process section of the Special Education Process Procedural Manual and revise as necessary.  By April 24, 2020, Martha's Vineyard will create an internal monitoring system to ensure that the Team convenes to determine eligibility and that parents are provided with either a proposed IEP and placement or written explanation of the finding of no eligibility within 45 school working days after receipt of a parent's written consent to an initial evaluation or re-evaluation. As part of the internal monitoring system, the district plans to have the Director(s) of Student Support Services provide each principal with a list of the referrals and evaluations in progress in their buildings at the regularly scheduled administration meetings. The Directors of Student Support Services also plan to review dates and timelines for initial and re-evaluations with the school building special education teachers and related service providers at regularly scheduled Special Education Department staff meetings.  By May 29, 2020, Martha's Vineyard will train all principals and special education staff on the updated procedures and the internal monitoring system.  By October 9, 2020, Martha's Vineyard will conduct an internal record review of 3-5 initial and re-evaluations completed after January 1, 2020. The district will provide an explanation of the root  cause(s) for any continued non-compliance and a description of additional corrective actions taken to address any identified non-compliance.  \*Martha's Vineyard Regional Schools will upload evidence of its corrective action to the security portal as items are completed. |
| **Success Metric:** By October 9, 2020, 100% of the records reviewed in the internal monitoring process will demonstrate compliance with the requirement to determine special education eligibility within 45 days from the date of parental consent for evaluation.  The following evidence will be uploaded to the DESE portal:  By April 24, 2020:  \*Updated district procedures  \*Description of internal monitoring system  By May 29, 2020:  \*Agendas, training materials, and attendance sheets for staff trainings  By October 9, 2020:  \*Results of internal record review |
| **Measurement Mechanism:** Continuing after the completion deadline, the Director(s) of Student Support Services will implement internal monitoring reviews each semester to ensure compliance with the timeline to determine eligibility. Training will be provided to any new staff members and will continue to be provided annually at the beginning of each school year. |
| **Completion Timeframe:** 10/09/2020 |
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| **Improvement Area 4** |
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| **Criterion:** SE 18A - IEP development and content |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that district IEPs do not consistently address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing for students who are identified with a disability on the autism spectrum, for students whose disability affects social skills development, or for students whose disability makes him or her vulnerable to bullying, harassment, or teasing. |
| **LEA Outcome:** 100% compliance with SE 18A - IEP development and content  Martha's Vineyard Regional Schools will ensure that IEP Teams address vulnerability to bullying, harassment, and teasing for students who are identified with a disability on the autism spectrum, for students whose disability affects social skills development, or for students whose disability makes him or her vulnerable to bullying, harassment, or teasing. If students are found to be vulnerable, the IEP will address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. |
| **Action Plan:** By April 24, 2020, Martha's Vineyard Regional Schools will review district guidelines and process requirements for addressing bullying, harassment or teasing on IEPs and revise as necessary.  By April 24, 2020, Martha's Vineyard Regional Schools will reconvene the IEP Teams for the two students whose records were identified by the Department to address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing in the IEP.  By April 24, 2020, Martha's Vineyard will create an internal monitoring system to ensure that for students who are identified with a disability on the autism spectrum, for students whose disability affects social skills development, or for students whose disability makes him or her vulnerable to bullying, harassment, or teasing, IEP Teams address vulnerability to bullying, harassment, and teasing. The internal monitoring will also ensure that if students are found to be vulnerable, their IEPs address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. The monitoring system will include periodic administrator review and a mechanism for correction for any record found to be in non-compliance.  Martha's Vineyard conducted training for All Island Special Education Staff on December 12, 2019. By May 29, 2020, Martha's Vineyard will train all staff on the updated procedures and the internal monitoring system.    By October 9, 2020, Martha's Vineyard Regional Schools Director(s) of Student Support Services will implement an internal review of 3-5 student records to ensure that the IEP Teams are addressing vulnerability to bullying, harassment or teasing and that IEPs address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing for students found vulnerable.  \*Martha's Vineyard Regional Schools will upload evidence of its corrective action to the security portal as items are completed. |
| **Success Metric:** By October 9, 2020, 100% of the records reviewed in the internal monitoring process will meet compliance with SE 18A by ensuring that the IEPs address skills and proficiencies to avoid and respond to bullying, harassment, or teasing when the student is identified as being vulnerable in this area.  The following evidence will be uploaded to the DESE portal:  By April 24, 2020:  \*Meeting invitation, signed attendance sheet, updated IEP or IEP amendment, and N1 for the students identified by DESE  \*Updated procedures/guidelines  \*Description of internal monitoring system  By May 29, 2020:  \*Agendas, training materials, and attendance sheets for staff trainings  By October 9, 2020:  \*Results of internal record review |
| **Measurement Mechanism:** Continuing after the completion deadline, the Director(s) of Student Support Services will implement internal monitoring systems to ensure that IEP Teams address vulnerability to bullying, harassment, and teasing and if students are found to be vulnerable, the IEP addresses the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. Training will be provided to any new staff members and will continue to be provided annually. |
| **Completion Timeframe:** 10/09/2020 |
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| **Improvement Area 5** |
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| **Criterion:** SE 47 - Procedural requirements applied to students not yet determined to be eligible for special education |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents indicated that the district's policies do not address procedures for conducting an expedited evaluation to determine eligibility when the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action. |
| **LEA Outcome:** 100% compliance with SE 47 - Procedural requirements applied to students not yet determined to be eligible for special education.  Martha's Vineyard Regional Schools will revise the procedural manual to include procedures for conducting an expedited evaluation to determine eligibility when the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, as well as to ensure staff are trained and able to implement the process when it occurs. |
| **Action Plan:** By May 29, 2020, Martha's Vineyard Regional Schools will update the procedural manual to include procedures for conducting an expedited evaluation to determine eligibility when the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action.  By October 9, 2020, Martha's Vineyard will train principals, administrative/disciplinary staff, and special educators on the updated procedures.  By October 9, 2020, Martha's Vineyard will revise student handbooks to include the updated procedures, provide the updated handbooks to students and families, and post the updated handbooks on the district website.  \*Martha's Vineyard Regional Schools will upload evidence of its corrective action to the security portal as items are completed. |
| **Success Metric:** By October 9, 2020, Martha's Vineyard Regional Schools will have consistently met 100% compliance with SE 47 by revising the process/procedural manual, student handbooks, and provision of training to necessary staff.  The following evidence will be uploaded to the DESE portal:  By May 29, 2020:  \*Updated Procedural Manual  By October 9, 2020:  \*Agendas, training materials, and attendance sheets for staff trainings  \*Updated student handbook |
| **Measurement Mechanism:** The district will review the procedural manual and student handbook annually to ensure that all required elements are incorporated, including any new laws or regulations. |
| **Completion Timeframe:** 10/09/2020 |
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