

**Methuen Public Schools**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **March 22-23, 2021**

**Date of Final Report:** **07/30/2021**



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Commissioner of Elementary and Secondary Education

During the 2020-2021 school year, Methuen 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/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 Methuen Public Schools included:

Self-Assessment Phase:

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

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

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).

**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 |  |  |

| **Improvement Area** **1** |
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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:** A review of documents and staff interviews indicated that the district does not consistently provide ongoing timely and meaningful consultation with private school representatives, parents of parentally-placed private school children with disabilities, or parents of home schooled students. |
| **LEA Outcome:** Methuen Public Schools will provide ongoing timely and meaningful consultation with 100% of private school representatives, parents of parentally-placed private school children with disabilities, and parents of home schooled students with disabilities. The consultations will be provided at least three times per year: August, November, and May.  Consultations will address the following:   * the child find process; * equitable funding calculations; * the consultation process throughout the school year; * the manner in which special education services are provided, use of federal funds, and how service decisions are made; and * the provision of written notice to private schools and parents if there is disagreement regarding the types of services to be provided.   Methuen Public Schools will maintain all signed written affirmations. If written affirmation is not obtained, Methuen Public Schools will send the Department documentation regarding the consultation process including the dates of attempts to participate, the nature of the attempts, and the results of each attempt for consultation. |
| **Action Plan:** On June 15, 2021, Methuen Public Schools provided the Department with evidence of consultation with parents of home schooled students to discuss the provision of Resolution Funds. Evidence included an agenda template and signed written affirmations.  By September 8, 2021, Methuen Public Schools will submit the agendas and written affirmations from the initial 2021-2022 school year consultations held with private school representatives and parents of parentally-placed private school children with disabilities. In addition, Methuen Public Schools will provide a description of the internal monitoring system designed to track the consultation process.  By December 7, 2021, Methuen Public Schools will submit a summary report of the consultations held with private school representatives, parents of parentally-placed private school children with disabilities, and parents of home schooled students with disabilities, indicating the date of the meeting and date when written affirmation was obtained. If no written affirmation is obtained, Methuen Public Schools will provide the Department with documentation regarding the consultation process at IDEAequitableservices@mass.gov. |
| **Success Metric:** By the end of the 2021-2022 school year and beyond, Methuen Public Schools will ensure that 100% of private school representatives, parents of privately placed students with disabilities, and parents of home schooled students with disabilities have been invited to participate in at least three consultations.    Evidence:   * Consultation agendas * Signed written affirmations * A description of the internal monitoring system * Summary report of consultation meetings |
| **Measurement Mechanism:** Each trimester, the Director of Student Services will convene ongoing timely and meaningful consultations; maintain signed written affirmations; provide written notification to private schools and parents if there is disagreement on types of services; and report to the Department when written affirmation cannot be obtained. |
| **Completion Timeframe:** 12/07/2021 |
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| **Improvement Area 2** |
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| **Criterion:** CR 17A - Use of physical restraint on any student enrolled in a publicly-funded education program |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and administrative interviews indicated that, although parents are verbally informed of restraints within 24 hours of the event, written reports are not consistently sent to parents. Document review also indicated that written reports are at times sent to the parent via the student's backpack, rather than by email or by regular mail, as required. |
| **LEA Outcome:** Methuen Public Schools will ensure that when any physical restraint occurs, the district sends a written report to the parent within three (3) school working days of the event by email or regular mail. All reports will be provided in the parent's primary language. |
| **Action Plan:** By September 8, 2021, Methuen Public Schools will submit evidence of a review conducted by special education administrators, supervising principals, and other appropriate staff of the physical restraint reporting requirements under 603 CMR 46.00.    By September 8, 2021, Methuen Public Schools will submit a description of an internal monitoring process that includes monthly reviews of physical restraint data by the Director of Student Services and building principals to ensure that parents are informed of the restraint in writing.  By December 7, 2021, Methuen Public Schools will submit a summary report of monthly data reviews including the number of physical restraints by school and whether a written report was sent to the parent. For any reports that were not sent to the parent within three school working days or were not translated as required, the district will examine and report on the root cause(s) and implement appropriate corrective actions. |
| **Success Metric:** By the end of the 2021-2022 school year and beyond, Methuen Public Schools will always provide written reports to the parent within three school working days of the restraint. All written reports will be provided by email or regular mail and translated, as required.  Evidence:   * Agenda, review materials, and signed attendance sheets * Description of the internal monitoring process * Summary report of restraint data reviews by school * Root cause analysis and corrective action taken for any noncompliance found |
| **Measurement Mechanism:** The Director of Student Services and building principals will conduct monthly reviews of physical restraint reports to determine if written reports were provided to the parents within three school working days of the restraint by email or regular mail and translated, as required. For any noncompliance found, the district will conduct a root cause analysis and implement appropriate corrective actions. |
| **Completion Timeframe:** 12/07/2021 |
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