

**Erving School Union 28**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

**For** **Group B Universal Standards**

**Tier Level** **1**

**Date of TFM Review:** **January 22, 2021**

**Date of Final Report: June 2, 2021**



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Commissioner of Elementary and Secondary Education

During the 2020-2021 school year, Erving School Union 28 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 Erving School Union 28 included:

Self-Assessment Phase:

* The district reviewed special education and civil rights documentation for required elements including document uploads.
* Upon completion of this internal review, the district’s self-assessment was submitted to the Department for review.

Verification Phase:

* 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.
* Review of classrooms and other facilities: The chairperson reviewed floor plans and interviewed staff to confirm the location of classrooms and school facilities used in the delivery of programs and services in order 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/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. |

**Erving School Union 28**

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Universal Standards**  **Special Education** | **Universal Standards**  **Civil Rights and Other General Education Requirements** |
| **IMPLEMENTED** | SE 15, SE 32, SE 35,  SE 36, SE 50, SE 51,  SE 52, SE 52A, SE 54,  SE 55, SE 56 | CR 3, CR 7, CR 7A,  CR 7B, CR 8, CR 10A, CR 10C, CR 12A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25 |
| **PARTIALLY IMPLEMENTED** |  | CR 10B, CR 17A |
| **NOT IMPLEMENTED** |  |  |
| **NOT APPLICABLE** |  | CR 7C, CR 16 |

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:** CR 10B - Bullying Intervention and Prevention |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and interviews indicated that the district's Bullying Prevention and Intervention Plan posted on the Erving Elementary School, Leverett Elementary School, and Swift River Elementary School websites does not recognize that certain students may be more vulnerable to bullying or harassment based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics.  The Bullying Prevention and Intervention Plan is not posted on the Shutesbury Elementary School website. |
| **LEA Outcome:** The Erving School Union 28 website will post a Bullying Prevention and Intervention Plan (BPIP) that includes all required updated language.  The BPIP will represent the policy for the four union districts (Erving, Leverett, Shutesbury and New Salem-Wendell). Each individual district website will have a link to the BPIP on the Union 28 website. |
| **Action Plan:** Action Partially Completed: Erving School Union 28 has developed one U28 Bullying Prevention and Intervention Plan (BPIP) that includes the language: "Certain students may be more vulnerable to bullying or harassment based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics." This U28 BPIP is posted on the website of the Erving, Shutesbury and New Salem-Wendell union districts.  By June 22, 2021, the Director of Student Support Services and the Superintendent will present the request to post a U28 BPIP to the U28 Joint Supervisory Committee (JSC).  By June 22, 2021, the U28 BPIP will be posted on the Leverett district website. |
| **Success Metric:** By June 22, 2021, all visitors to the Erving School Union 28 website will have access to the BPIP and its contents, including content recognizing individuals who are protected by the policy.  Evidence:  \*The Erving School Union 28 website will prominently display the full content of the U28 Bullying Prevention and Intervention Plan. Each district website will include a link to the U28 BPIP. |
| **Measurement Mechanism:** The Superintendent and Director of Student Support Services will annually review the Bullying Prevention and Intervention Plan (BPIP) and update it according to U28 JSC guidelines and Department of Elementary and Secondary Education guidance. |
| **Completion Timeframe:** 06/22/2021 |
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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:** Document review and interviews indicated that the district does not provide all staff with training regarding the program's restraint prevention and behavior support policy and requirements within the first month of the school year. |
| **LEA Outcome:** Within the first month of every school year, all Erving School Union #28 staff will receive an in-person or remote Restraint Overview training, provided by the Director of Student Support Services, to review the district restraint prevention and behavior support policy and requirements. |
| **Action Plan:** By June 22, 2021, all Erving School Union 28 staff will receive, via email, a "Restraint Overview" PowerPoint, provided by DESE, with instructions to direct any questions about the "Restraint Overview" to the Director of Student Support Services.  By September 20, 2021, the Director of Student Support Services will design a "Restraint Overview" training agenda and conduct an in-person or remote training regarding the district restraint prevention and behavior support policy and requirements. Participants will receive the training materials via email, as well as a paper copy. |
| **Success Metric:** Evidence:  \*Agenda  \*Restraint Overview PowerPoint  \*Participant sign-in sheets  \*Training Materials  \*List of staff-generated questions, concerns and comments |
| **Measurement Mechanism:** Continuing after each annual staff restraint training, the leadership team, consisting of principals, the Superintendent and Director of Student Support Services, will review the agenda, participant sign-in sheets, training materials, and documentation of staff generated questions, concerns, and comments to assess the impact of staff training and to ensure the effectiveness of future trainings in restraint prevention on student learning and behavioral health. |
| **Completion Timeframe:** 09/20/2021 |
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