

**Frontier Regional and Union 38 School Districts**

**Tiered Focused Monitoring Report**

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

**Tier Level** **1**

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

**Date of Final Report:** **May 20, 2021**



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Commissioner of Elementary and Secondary Education

During the 2020-2021 school year, Frontier Regional and Union 38 School Districts 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 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); and
* Various requirements under other federal and state laws.

Tiered Focused Monitoring allows for differentiated monitoring based on a district’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 Frontier Regional and Union 38 School Districts included:

Self-Assessment Phase:

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

Verification Phase:

* 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.
* 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 to determine general levels of compliance with program requirements.

**Report: For Tier 1 & 2 Tiered Focused Monitoring Reviews**

Following the TFM review, the chairperson holds an informal exit meeting to summarize its comments for the superintendent or charter school leader. Within approximately 20 business days of the review, the 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. |

**Frontier Regional and Union 38 School Districts**

**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 52, SE 52A, SE 54, SE 55, SE 56 | CR 3, CR 7, CR 7A,  CR 7B, CR 7C, CR 8,  CR 10C, CR 12A, CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24,  CR 25 |
| **PARTIALLY IMPLEMENTED** | SE 51 | CR 10A, CR 10B |
| **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 51 - Appropriate special education teacher licensure |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review indicated that two special education teachers who provide direct special education services do not hold a current license or an approved waiver. |
| **LEA Outcome:** The district will provide evidence that the two special educators who did not hold a current license or approved waiver have obtained a license in the appropriate field or an approved waiver. Additionally, the district will ensure that 100% of special education teachers working in the district are appropriately licensed or have an approved waiver on an annual basis. |
| **Action Plan:** By August 30, 2021, the district will provide evidence to the Department that the identified teachers are appropriately licensed or have an approved waiver for the 2021-2022 school year. |
| **Success Metric:** The identified teachers will be licensed or will have obtained a waiver from the Department for the 2021-2022 school year.  Evidence:  1. Appropriate teacher licensures; or  2. Approved license waivers |
| **Measurement Mechanism:** The Director of Pupil Services, annually, will ensure all special education teachers are appropriately licensed as part of on-going supervision and the district performance evaluation system. The district will further ensure all new faculty candidates shall have appropriate certification or waiver upon hire. |
| **Completion Timeframe:** 08/30/2021 |
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| **Improvement Area 2** |
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| **Criterion:** CR 10A - Student handbooks and codes of conduct |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and interviews indicated that student handbooks do not include all required elements.  The Frontier Regional High School Handbook and the Frontier Middle School Handbook procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans are not complete. Specifically, the procedures do not address the responsibilities of the IEP Team and district when a suspension of a student with a disability exceeds 10 consecutive school days or has a pattern of suspensions exceeding 10 cumulative days. Furthermore, the procedural requirements applied to students not yet determined to be eligible for special education are not contained in either of the handbooks.  The Sunderland Elementary School Student Handbook does not contain procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans, and does not contain procedures for accepting, investigating and resolving complaints alleging discrimination or harassment and disciplinary measures the school may impose if it determines that harassment or discrimination has occurred.  The Conway Grammar School Handbook does not contain procedures assuring due process in disciplinary proceedings, procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans, and procedures for accepting, investigating and resolving complaints alleging discrimination or harassment and disciplinary measures the school may impose if it determines that harassment or discrimination has occurred.  The Deerfield Elementary School Student and Parent Handbook does not contain procedures assuring due process in disciplinary proceedings for all students. The procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans are not complete. Specifically, the procedures do not address the responsibilities of the IEP Team and district when a suspension of a student with a disability exceeds 10 consecutive school days or has a pattern of suspensions exceeding 10 cumulative days. Also, the procedural requirements applied to students not yet determined to be eligible for special education are not contained within the Deerfield Elementary School Student and Parent Handbook. |
| **LEA Outcome:** For the start of the 2021-2022 school year, the district will update all five school handbooks to include all required elements for the discipline of students with disabilities and Section 504 Accommodation Plans, due process for all students in disciplinary proceedings, procedures for accepting, investigating and resolving complaints alleging discrimination or harassment and disciplinary measures the school may impose if it determines that harassment or discrimination has occurred. |
| **Action Plan:** By June 16, 2021, all district school handbooks, where applicable, will be updated with procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans. Updates will include procedures and responsibilities of the IEP Team and district for when a suspension of a student with a disability exceeds 10 consecutive school days or has a pattern of suspensions exceeding 10 cumulative days and procedural requirements applied to students not yet determined to be eligible for special education.  By June 16, 2021, all district school handbooks, where applicable, will be updated to include procedures for accepting, investigating and resolving complaints alleging discrimination or harassment and disciplinary measures the school may impose if it determines that harassment or discrimination has occurred.  By June 16, 2021, all district school handbooks, where applicable, will be updated to include procedures assuring due process in disciplinary proceedings for all students. |
| **Success Metric:** For the start of the 2021-2022 school year, the District will update all five school handbooks to include required content.  Evidence:  1. Copies of revised procedures  2. Evidence that the district has disseminated the new procedures to staff  3. All updated school handbooks will be posted on each school's webpage |
| **Measurement Mechanism:** The Director of Special Education will review school handbooks annually to ensure that all required content is contained within each handbook. |
| **Completion Timeframe:** 06/16/2021 |
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| **Improvement Area 3** |
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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 has not updated its bullying prevention and intervention plan since the 2015-2016 school year. The plan should be updated at least biennially.  The plan 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.  Additionally, the Frontier Regional High School Handbook and the Frontier Middle School Handbook do not include a school staff member in the definition of aggressor, and the Deerfield Elementary School Student and Parent Handbook does not contain relevant student-related sections of the bullying prevention and intervention plan. |
| **LEA Outcome:** The district will update its Bullying Prevention and Intervention Plan (Plan) to include 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. Additionally, the Frontier Regional High School Handbook and the Frontier Middle School Handbook will be updated to include a school staff member in the definition of aggressor, and the Deerfield Elementary School Student and Parent Handbook will be updated to contain relevant student-related sections of the Plan. |
| **Action Plan:** By June 16, 2021, the district's Bullying Prevention and Intervention Plan, Frontier Regional High School Handbook, Frontier Middle School Handbook, and Deerfield Elementary School Student and Parent Handbook will be updated to include all required content pertaining to bullying prevention and intervention. |
| **Success Metric:** The district's Bullying Prevention and Intervention Plan, Frontier Regional High School Handbook, Frontier Middle School Handbook, and Deerfield Elementary School Student and Parent Handbook will be updated to include all required content pertaining to bullying prevention and intervention.  Evidence:  1. Link to the district's updated Bullying Prevention and Intervention Plan on the district's homepage  2. Link to the updated Frontier Regional High School Handbook and the Frontier Middle School Handbook  3. Link to the updated Deerfield Elementary School Student and Parent Handbook  4. Agenda and sign-in sheet for review of updated plans with faculty/staff/administration team. |
| **Measurement Mechanism:** The Director of Special Education will review the Bullying Prevention and Intervention Plan and school handbooks, annually, to ensure that all required content is contained within each. |
| **Completion Timeframe:** 06/16/2021 |
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