

**Millbury Public Schools**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **April 12, 2022**

**Date of Final Report:** **06/22/2022**



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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Millbury Public Schools**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUS MONITORING REPORT INTRODUCTION**

During the 2021-2022 school year, Millbury Public Schools participated in a Tiered Focused Monitoring Review (TFM) conducted by the Department’s Office of Public School Monitoring (PSM). The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

Each school district, charter school, vocational school, and virtual school undergoes a Tiered Focused Monitoring Review every three years. The statewide Tiered Focused Monitoring cycle is posted at <<https://www.doe.mass.edu/psm/tfm/6yrcycle.html>>.

Regularly monitored standards are divided into two groups, known as Group A Universal Standards and Group B Universal Standards. Districts and schools are monitored on an alternate set of Universal Standards every three years.

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

The Department has also reserved a specific set of criteria, collectively known as Targeted Standards, employed if LEA or school level risk assessment data indicate there is a potential issue; the 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 the Every Student Succeeds Act (ESSA); 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.

**PSM Team:**

Depending upon the size of a school district and the number of special education programs to be reviewed, a team of one to four Department staff members conducts onsite activities over one to five days in a school district or charter school.

**Tier Level:**

The level of monitoring varies based on tier designation, aligning supports to the level of need and ensuring that districts and schools with greater needs receive appropriate supports to make sustained improvements.

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| Tier | Title | Description | Level of Risk |
| 1 | Self-Directed Improvement | Data points indicate no concern on compliance and student outcomes. | Meets requirements |
| 2 | Directed Improvement | No demonstrated risk in areas with close link to student outcomes. | Low |
| 3 | Corrective Action | Areas of concern include both compliance and student outcomes. | Moderate |
| 4 | Cross-unit Support and Corrective Action | Areas of concern have a profound effect on student outcomes and ongoing compliance. | High |

For the 2021-2022 school year, the tier assignments are based on:

* Five-year cohort graduation rate for students with disabilities
* Public School Monitoring compliance data from the previous review
* Problem Resolution System data, specifically findings of noncompliance
* Special education State Performance Plan/Annual Performance Reports (SPP/APR) compliance Indicator data for Indicators 11, 12, and 13 (Group A only)
* Indicator 11: Child Find
* Indicator 12: Early Childhood Transition
* Indicator 13: Secondary Transition
* Special education SPP/APR performance Indicator data for Indicators 5 & 6
* Indicator 5: Education Environments (6-21)
* Indicator 6: Preschool Environments
* Significant Disproportionality data 2019-2020 & 2020-2021

Tiering adjustments may be made for districts engaged in work with the Department’s Statewide System of Support and have schools identified as requiring assistance and intervention. Tiering assignments may also be adjusted for schools and districts unable to remedy noncompliance within one year of the previous TFM review, as well as for charter schools requiring additional oversight based on conditions of their charter.

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

Following the onsite visit, the PSM team holds an informal exit meeting to summarize the review for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the chairperson forwards the TFM Feedback Summary that includes findings from the Tiered Focused Monitoring Review to the superintendent or charter school leader.

As part of the reporting process, all districts/charter schools in Tiers 1 and 2, 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 is due to the Department within 20 business days after the issuance of the Feedback Summary and is subject to the Department’s review and approval.

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. Department staff provide support and assistance to districts and charter schools on the development of a CIMP.

Once the CIMP is approved, it is issued as the Final Report.

Department staff also provide ongoing technical assistance as the school or district is implementing the approved CIMP or CAP. **School districts and charter schools must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department’s Feedback Summary.**

For more information regarding the TFM Review Process, including district and parent resources, please visit < <https://www.doe.mass.edu/psm/tfm/default.html>>.

# **TIERED FOCUSED MONITORING FINAL REPORT**

**Millbury Public Schools**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in Millbury Public Schools during the week of April 11, 2022, to evaluate the implementation of Group B Universal Standards in the program areas of special education, civil rights, and other related general education requirements. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities, and to review the programs underway in the district.

In preparing this report, the team reviewed extensive written documentation regarding the operation of the district's programs, together with information gathered by means of the following Department program review methods:

**Self-Assessment Phase:**

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

**On-site Verification Phase (dependent upon Group A or Group B Universal Standards):**

* Interviews of administrative, instructional, and support staff consistent with those criteria selected for onsite verification.
* Interviews of parents of students in special education and other telephone interviews, as requested by other parents or members of the general public.
* Review of additional documents for special education and civil rights.
* Surveys of parents of students in special education: Parents of students in special education were sent a survey that solicited information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Observations of classrooms and other facilities: The onsite team visited a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

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| The Tiered Focused Monitoring Report includes those criteria that were found by the team to be implemented in a “Commendable” manner, as well as criteria receiving a rating of "Partially Implemented," "Not Implemented," and “Implementation in Progress.” (Refer to the “Definition of Compliance Ratings” section of the report.) The Tiered Focused Monitoring Reports do not include criteria receiving a rating of “Implemented” or “Not Applicable.” This will allow the district and the Department to focus their efforts on those areas requiring corrective action. Districts are expected to incorporate the corrective actions into their district and school improvement plans, including their professional development plans. |
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# **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; 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. |

**Millbury Public Schools**

# **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 35, SE 36, SE 50, SE 51, SE 52, SE 54, SE 55, SE 56 | CR 3, CR 7, CR 7A, CR 7B, CR 7C, CR 8, CR 10B, CR 12A, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25 |
| **PARTIALLY**  **IMPLEMENTED** | SE 32 | CR 10A, CR 10C, CR 16 |
| **NOT**  **IMPLEMENTED** | None |  |
| **NOT**  **APPLICABLE** | SE 52A |  |

The full list of criteria and information regarding the requirements can be found in Appendix B of the Tiered Focused Monitoring Toolkit available at < <https://www.doe.mass.edu/psm/resources/tfm-toolkit.docx>>

| **CONTINUOUS IMPROVEMENT AND MONITORING PLAN** |
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| **Improvement Area** **1** |
| **Criterion:** SE 32 - Parent advisory council for special education |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and interviews indicated that although a special education parent support group operates in the district, an established district-wide parent advisory council on special education with established by-laws, elected officers, and operational procedures has not been formed. Parent advisory council duties include, but are not limited to, advising the district on matters that pertain to the education and safety of students with disabilities, as well as meeting regularly with school officials to participate in the planning, development, and evaluation of the school district's special education programs. The district does, however, provide one workshop annually on the rights of students and their parents/guardians under state and federal special education laws. |
| **LEA Outcome:** Millbury Public Schools will ensure the establishment of a district-wide special education parent advisory council (SEPAC) with established by-laws, elected officers, and operational procedures. The SEPAC will meet regularly with school officials to participate in the planning, development, and evaluation of the school district's special education programs and to advise the district on matters that pertain to the education and safety of students with disabilities. |
| **Action Plan:** By August 15, 2022, the district will provide evidence of parent outreach (such as emails, screenshots, mailings, newsletters, and social media postings) conducted to elicit participation in the district SEPAC.  By October 4, 2022, the district will submit evidence of a workshop provided to parents that describes the role of the SEPAC.  By December 16, 2022, the district will submit a copy of the SEPAC by-laws; a list of officers; a schedule of SEPAC meeting dates for the remainder of the school year; and a description of how the SEPAC will collaborate with school officials.  By December 16, 2022, if efforts to establish a SEPAC are not successful, the district will meet the requirements for an approved waiver from the Department and continue active efforts to create a SEPAC. |
| **Success Metric:** By December 2022 and beyond, the district will have an established SEPAC that advises the district on matters that pertain to the education and safety of students with disabilities, as well as meets regularly with school officials to participate in the planning, development, and evaluation of the school district's special education programs.  Evidence:   * Documentation of outreach efforts * Agenda, training materials, and sign-in sheets * SEPAC by-laws * List of officers * Meeting schedule * Description of collaboration with school officials |
| **Measurement Mechanism:** The Director of Pupil Services will work with the SEPAC to hold regularly scheduled meetings for the purpose of advising the district on matters that pertain to the education and safety of students with disabilities. In partnership with the SEPAC, the Director of Pupil Services will hold an annual meeting on student and parent rights under state and federal special education laws. The SEPAC will also participate in the planning, development, and evaluation of the district's special education programs.  The Director of Pupil Services will partner with the SEPAC to annually review the established by-laws and ensure there are elected officers. |
| **Completion Timeframe:** 12/16/2022 |
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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:** A review of documents and staff interviews indicated that the code of conduct in the Raymond E. Shaw Elementary School Handbook does not include the following components:   * Required content under M.G.L. c. 71, section 37H ¾, assuring due process in student disciplinary proceedings; * Complete procedures for the suspension of students with disabilities, students not yet determined eligible for special education, and students on 504 Accommodation Plans; and * A definition of bullying that includes staff as potential aggressor.   A review of documents and staff interviews also indicated that the Millbury Memorial Jr/Sr High School Handbook does not include complete procedures for the suspension of students with disabilities, students not yet determined eligible for special education, and students on 504 Accommodation Plans. |
| **LEA Outcome:** The Millbury Public Schools will update the R.E. Shaw Elementary Handbook so that it includes the following components:   * Required content under M.G.L. c. 71, section 37H ¾, assuring due process in student disciplinary proceedings; * Complete procedures for the suspension of students with disabilities, students not yet determined eligible for special education, and students on 504 Accommodation Plans; and * A definition of bullying that includes staff as potential aggressor.   The Millbury Memorial Jr/Sr High School Handbook will be updated to include complete procedures for the suspension of students with disabilities, students not yet determined eligible for special education, and students on 504 Accommodation Plans. |
| **Action Plan:** By August 15, 2022, the district will submit the proposed language to the Department for review prior to incorporating it into the student handbooks.  By October 4, 2022, the district will submit the updated student handbooks or provide links to the handbooks on the district’s websites.  By October 4, 2022, the district will disseminate the newly published handbooks to the school community and inform staff and parents of the changes. The district will provide verification from all staff members that they reviewed the updated handbooks. |
| **Success Metric:** By October 2022 and beyond, the Millbury Public Schools handbooks will contain all required policy and procedural requirements.  Evidence:   * Proposed language for inclusion in the district handbooks * Updated handbooks/links to the posted handbooks * Evidence of dissemination * Notification to staff and parents * Documentation from all staff members that they reviewed the updated handbooks |
| **Measurement Mechanism:** The building principals and the Director of Pupil Services will review the district and building student handbooks annually before the start of the school year to ensure all required components are included. |
| **Completion Timeframe:** 10/04/2022 |
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| **Improvement Area 3** |
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| **Criterion:** CR 10C - Student Discipline |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and staff interviews indicated that the district's discipline policy (JIC) does not include the principal’s responsibility to complete the following for in-school suspensions:   * Inform the student of the disciplinary charge and to provide the student the opportunity to dispute the charges and explain the circumstances; * Inform the student of the length of the suspension which may not exceed ten days, cumulatively or consecutively, in a school year; * Orally inform the parent/guardian of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension; * Invite the parent/guardian to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior; * Document at least two attempts to orally inform the parent; and * Provide written notice to the student and the parent/guardian about the in-school suspension, which must be delivered on the same day of the suspension.   Additionally, the notice of suspension and hearing is addressed to the parent, but not to the student. |
| **LEA Outcome:** The Millbury Public Schools will update district's discipline policy (JIC) to include the principal's responsibility to complete the following for in-school suspensions:   * Inform the student of the disciplinary charge and to provide the student the opportunity to dispute the charges and explain the circumstances; * Inform the student of the length of the suspension which may not exceed ten days, cumulatively or consecutively, in a school year; * Orally inform the parent/guardian of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension; * Invite the parent/guardian to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior; * Document at least two attempts to orally inform the parent; and * Provide written notice to the student and the parent/guardian about the in-school suspension, which must be delivered on the same day of the suspension.   Additionally, the notice of suspension and hearing will be addressed to the parent and the student. |
| **Action Plan:** By August 15, 2022, the district will submit the updated student discipline policy for review before presentation to the school committee. The district will also submit a copy of the updated notice of suspension and hearing.  By October 4, 2022, the district will submit school committee meeting minutes indicating approval of the updated student discipline policy.  By October 4, 2022, the district will submit evidence of staff training on the student discipline policy. |
| **Success Metric:** By October 2022 and beyond, the district's student discipline policies and procedures will meet all requirements of M.G.L. c. 71, section 37H¾ and 603 CMR 53.00.  Evidence:   * Updated student discipline policy * Updated notice of suspension * Agendas, training materials, and attendance sheets * School committee meeting minutes |
| **Measurement Mechanism:** On an annual basis, the Superintendent, the Director of Pupil Services, and the building principals will review district's discipline policy (JIC) to ensure the appropriate procedures, including the principal's responsibilities for in-school suspensions, are followed. |
| **Completion Timeframe:** 10/04/2022 |
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| **Improvement Area 4** |
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| **Criterion:** CR 16 - Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and staff interviews indicated that the district does not currently send annual notice to students who have left school without earning their competency determination to inform them of the availability of publicly funded post-secondary school academic support programs and to encourage them to participate in such programs. |
| **LEA Outcome:** The district will send annual notice to all students who have left school without earning their competency determination to inform them of the availability of publicly funded post-secondary school academic support programs and encourage them to participate in such programs. |
| **Action Plan:** By August 15, 2022, the district will submit outreach procedures for students who have left school without earning their competency determination and develop an internal monitoring system to ensure implementation. The district will also provide a sample annual notice that includes all required information.  By October 4, 2022, the district will submit evidence of training of staff responsible for implementing outreach procedures.  By December 16, 2022, the district will submit evidence of an internal review of applicable student records to ensure that the notices were sent. The district will conduct a root cause analysis and implement appropriate corrective actions for any identified noncompliance. |
| **Success Metric:** By December 2022 and beyond, the district will ensure that the procedures for outreach to students who left school without earning their competency determination are implemented.    Evidence:   * Outreach procedures * Internal monitoring system * Annual notice * Attendance sheets, agendas, and training materials * Results of internal monitoring review, root cause analysis, and corrective action steps, as appropriate. |
| **Measurement Mechanism:** The district administration will implement the internal monitoring system to ensure that annual notice is sent to students who leave school without earning their competency determination. The district will also ensure that training is provided to the staff responsible for implementing outreach procedures. |
| **Completion Timeframe:** 12/16/2022 |
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