

**Newton Public Schools**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **1**

**Dates of Onsite Visit:** **March 21-25, 2022**

**Date of Final Report** **July 12, 2022**



Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Newton Public Schools**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUS MONITORING REPORT INTRODUCTION**

During the 2021-2022 school year, Newton 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**

**Newton Public Schools**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in Newton Public Schools during the week of March 21, 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:**

* Interviews of administrative, instructional, and support 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 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/school 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. |

**Newton 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 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 10A, CR 10B,CR 10C, CR 12A,  CR 16, CR 17A,CR 20, CR 21, CR 22, CR 23, CR 25 |
| **PARTIALLY**  **IMPLEMENTED** | SE 51 | CR 24 |
| **NOT**  **IMPLEMENTED** | None |  |
| **NOT**  **APPLICABLE** | None |  |

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 51 - Appropriate special education teacher licensure |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents indicated that a middle school teacher who designs and provides direct special education services is not appropriately licensed or on an approved waiver. |
| **LEA Outcome:** Newton Public Schools will ensure that all special education teachers who design and provide services are appropriately licensed or on a DESE approved waiver for the corresponding grade level and level of need. |
| **Action Plan:** By October 14, 2022, Newton Public Schools will develop an internal monitoring process to ensure that all special education teachers are appropriately licensed. The process will include periodic review of teacher licensure status.  By October 14, 2022, Newton Public Schools will confirm that the special education teacher identified by the Department has an approved waiver or is appropriately licensed.  By January 31, 2023, Newton Public Schools will develop a summary report of the internal monitoring process. For any non-compliance, the district will follow-up with identified teachers and develop a plan to ensure they are appropriately licensed. |
| **Success Metric:** By January 2023 and beyond, Newton Public Schools will ensure that special education teachers who design instruction and provide services are licensed or on a DESE approved waiver for the corresponding grade level and level of need. Additionally, Newton Public Schools will ensure that any newly hired staff are licensed or on a DESE approved waiver.  Evidence:   * Description of internal monitoring process * DESE license for middle school teacher * Summary report of internal license monitoring, with corresponding action plan |
| **Measurement Mechanism:** Twice annually, in August and January, the Director of Human Resources will track licenses for all special education teachers. If unlicensed teachers are identified, the district will notify each teacher and develop a plan to ensure proper licensure. |
| **Completion Timeframe:** 01/31/2023 |
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| **Improvement Area 2** |
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| **Criterion:** CR 24 - Curriculum review |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and interviews indicated that although the district has developed procedures and tools to ensure that individual teachers review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation, the procedures and tools have not yet been implemented throughout the district. Furthermore, individual teacher training regarding appropriate activities, discussions, and/or supplementary materials to provide balance and context for any such stereotypes depicted in materials has not yet been provided to all teachers. |
| **LEA Outcome:** The Newton Public Schools will ensure that individual teachers utilize the district selected protocol to review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin, and sexual orientation. The district will also ensure that individual teachers receive training on implementing appropriate activities, discussions, and/or supplementary materials in order to provide balance and context for any such stereotypes depicted in materials |
| **Action Plan:** By October 14, 2022, the district will plan the 22-23 school year calendar of professional learning. These professional learning opportunities will continue to ground educators in the district’s statement of values and commitment to racial equity that ensures that all Newton Public Schools students have the right to thrive in a culture of racial equity. The calendar will include the professional development and educator activities outlined in subsequent action steps.  By October 14, 2022, the Newton Public Schools Diversity Equity and Inclusion (DEI) department staff will lead district and building administrators in a review of DESE and district resources. This training is a component of ongoing in-depth training specific to developing culturally responsive practices aligned with best practices in diversity, equity, and inclusion.  By November 21, 2022, Newton Public Schools will develop protocols and tools for individual teachers to review and identify bias in educational materials. The protocols and tools will also assist teachers in implementing appropriate activities, discussions, and/or supplementary materials to provide balance and context for any stereotypes depicted in the materials. The district will provide training for administrators, teachers, and other relevant staff on the newly developed protocols and tools.  By January 31, 2023, Newton Public Schools will implement internal monitoring procedures to ensure the tools and protocols for curriculum review are utilized by individual teachers in all schools and departments. The district will provide further staff training and support, as needed, following the results of the internal monitoring. |
| **Success Metric:** By January 2023 and beyond, individual teachers and teacher teams in the district will review all educational materials for simplistic and demeaning generalizations, lacking educational merit, on the basis of race, color, sex, gender identity, religion, national orientation, and sexual orientation. In addition, appropriate activities, discussions, and/or supplementary materials will always be used to provide balance and context for any such stereotypes depicted in the materials.  Evidence:   * 2022-2023 professional learning calendar * Training materials, agenda, and online professional development tracking records * Protocols and tools for individual teacher and teacher team review of educational materials * Copies of tools completed by individual teachers and teacher teams * School leader tracking forms to ensure all teachers, teams, and departments have implemented the curriculum review processes |
| **Measurement Mechanism:** Continuing after the completion deadline, the district will ensure that individual teachers and teacher teams integrate the curriculum review process and tools for all instructional materials into ongoing curriculum development and adoption processes and regular instructional planning meetings. Each building principal will maintain a record of annual training for new staff, as well as the re-orientation of all staff, on the use of the identified curriculum review tools. The principals will also collect samples of completed review tools from teachers and teacher teams, and communicate any follow-up made to ensure equity to the Assistant Superintendent. |
| **Completion Timeframe:** 01/31/2023 |
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