

**Foxborough Regional Charter School**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **1**

**Dates of Onsite Visit:** **May 10-12, 2023**

**Date of Final Report: November 30, 2023**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Foxborough Regional Charter School**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUSED MONITORING REPORT INTRODUCTION**

During the 2022-2023 school year, Foxborough Regional Charter School 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 September 20, 2022.

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

For the 2022-2023 school year, the tier assignments are based on:

* Annual drop-out rate for students with disabilities
* 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 SPP/APR compliance Indicator data for Indicators 4B, 9 & 10
  + Indicator 4B: Significant discrepancy by race or ethnicity in removal of students with

IEPs greater than 10 days

* + Indicator 9: Overall disproportionate representation of racial and ethnic groups identified

as eligible for special education

* + Indicator 10: Disproportionate representation of racial and ethnic groups within specific

disability categories

* Special education SPP/APR performance Indicator data for Indicators 5 & 6
  + Indicator 5: Education Environments (6-21)
  + Indicator 6: Preschool Environments
* Significant Disproportionality data 2021-2022 & 2022-2023

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. **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**

**for Foxborough Regional Charter School**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in Foxborough Regional Charter School during the week of May 8, 2023, 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 school.

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

**Self-Assessment Phase:**

* School review of special education and civil rights documentation for required elements including document uploads.
* School review of a sample of special education records for students receiving suspensions.
* Upon completion of the self-assessment, the school submitted the data to the Department for review.

**On-site Verification Phase:**

* Interviews of administrative staff consistent with those criteria selected for onsite verification.
* Interview of a parent advisory council (PAC) representative.
* 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 school’s implementation of special education programs, related services, and procedural requirements.
* Review of student records to determine whether procedural discipline requirements were met for students with disabilities.
* 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.) Tiered Focused Monitoring Reports do not include criteria receiving a rating of “Implemented” or “Not Applicable.” This will allow the school and the Department to focus their efforts on those areas requiring corrective action. Schools are expected to incorporate the corrective actions into their 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 school 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. |

**Foxborough Regional Charter School**

# **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 15, SE 32,  SE 35, SE 36,  SE 50, SE 51,  SE 52, SE 52A,  SE 54, SE 55 | CR 3, CR 7, CR 7A,  CR 7B, CR 7C, CR 8, CR 10A, CR 12A,  CR 16, CR 20, CR 21, CR 22, CR 23, CR 24 | SE 44, SE 45,  SE 46, SE 47 |
| **PARTIALLY**  **IMPLEMENTED** | SE 56 | CR 10B, CR 10C,  CR 17A, CR 25 |  |
| **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>>.

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| **CONTINUOUS IMPROVEMENT AND MONITORING PLAN** |
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| **Improvement Area** **1** |
| **Criterion:** SE 56 - Special education programs and services are evaluated |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and staff interviews indicated that special education programs and services are not regularly evaluated. |
| **LEA Outcome:** Foxborough Regional Charter School will regularly evaluate its special education programs and services to identify areas of strength and growth. |
| **Action Plan:** By January 5, 2024, the charter school will develop procedures to regularly evaluate special education programs and services. In cooperation with the SEPAC, the charter school will also identify an evaluation focus area and create a plan for conducting the 2023-2024 special education program evaluation.  By May 4, 2024, the leadership team, in cooperation with the SEPAC, will complete the evaluation and share the findings with school staff and other stakeholders, along with an action plan to address any identified areas of growth. |
| **Success Metric:** By May 2024 and beyond, Foxborough Regional Charter School will regularly evaluate special education programs and services.  Evidence:   * Newly developed procedures * Plan that includes focus area for 2023-2024 program evaluation * Completed evaluation, including action plan for identified areas of growth * Evidence of dissemination to stakeholders |
| **Measurement Mechanism:** The Director of Special Education will ensure that special education services and programs are evaluated regularly. Evaluation reports, summary of findings, and proposed changes to programming and services will be disseminated to stakeholders. |
| **Completion Timeframe:** 05/04/2024 |
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| **Improvement Area 2** |
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| **Criterion:** CR 10B - Bullying Intervention and Prevention |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and staff interviews indicated that the charter school's Bullying Prevention and Intervention Plan (Plan) does not include a statement indicating that certain students may be more vulnerable to become targets of bullying, harassment, or teasing 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. Furthermore, the Plan does not outline the specific steps the school will take to create a safe and supportive environment for more vulnerable student populations. |
| **LEA Outcome:** The Foxborough Regional Charter School's Bullying Prevention and Intervention Plan (Plan) will include a statement indicating that certain students may be more vulnerable to become targets of bullying, harassment, or teasing 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 Plan will also include specific steps the school will take to create a safe and supportive environment for more vulnerable student populations. |
| **Action Plan:** By January 5, 2024, the charter school will update the Plan to include a statement regarding more vulnerable student populations and the steps the school will take to create a safe and supportive environment for those students.  By March 18, 2024, the Board of Trustees will approve the updated Plan and the school community will be notified of the updates. In addition, training on the revisions will be provided to all charter school staff. |
| **Success Metric:** By March 2024 and beyond, the charter school will ensure that the Bullying Prevention and Intervention Plan includes required content.  Evidence:   * Link to the revised Plan * Board of Trustees agenda and minutes indicating approval of the revised Plan * Notification to the school community * Training materials, agendas, and signed attendance sheets |
| **Measurement Mechanism:** At least biennially, Foxborough Regional Charter School's Senior Leadership Team, School Culture and Climate Team, Board of Trustees and the Board of Trustees Diversity and Equity and Inclusion Subcommittee will review and update the Bullying Prevention and Intervention Plan to ensure compliance with M.G.L., c. 71, s. 37O. The charter school will train staff and notify the school community of relevant updates. |
| **Completion Timeframe:** 03/18/2024 |
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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 charter school has a data collection system that allows for disaggregation of student discipline data by race and ethnicity, gender, socio-economic status, English language learner status, and disability status. However, the charter school does not periodically assess the extent and impact of disciplinary actions, such as in-school suspensions, short and long-term suspensions, expulsions, and emergency removals, on selected student populations so that disciplinary practices can be modified to address any discrepancies. |
| **LEA Outcome:** The Foxborough Regional Charter School will periodically assess the extent and impact of disciplinary actions, such as in-school suspensions, short and long-term suspensions, expulsions, and emergency removals, on selected student populations including race, ethnicity, gender, socio-economic status, English language learner status, and disability status, so that disciplinary practices can be modified to address any discrepancies. |
| **Action Plan:** By January 5, 2024, the executive and building leadership teams will develop procedures that include the frequency of discipline data review and steps the charter school will take to address any discrepancies in disciplinary practices.  By March 18, 2024, the school will train relevant staff on the updated procedures.  By May 5, 2024, the building leadership teams will review SY 2023-2024 discipline data to assess the impact of suspensions, emergency removals, and expulsions on selected student populations. For any discrepancies identified in disciplinary practices, the school will develop an action and progress monitoring plan. |
| **Success Metric:** By May 2024 and beyond, executive and building leadership teams will ensure that discipline data is periodically assessed and that any subgroup discrepancies are addressed through modification of disciplinary practices.  Evidence:   * Newly developed discipline data review procedures * Training materials, agendas, and signed attendance sheets * Results of discipline data review, including action and progress monitoring plans |
| **Measurement Mechanism:** Each fall, winter, and spring the Director of School Culture and Climate and the Director of Teaching and Learning will oversee discipline data reviews with building principals and assistant principals under the direction of the Executive Director and/or Deputy Executive Director. The reviews will include a root cause analysis for any identified discrepancies and the development of action plans. |
| **Completion Timeframe:** 05/04/2024 |
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| **Improvement Area 4** |
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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 staff interviews indicated that the charter school's physical restraint prevention and behavior support policy and procedures do not include the following requirements:   * Methods for preventing student violence, self-injurious behavior, and suicide; * Methods for engaging parents in discussions about restraint prevention and use; * A statement indicating that physical restraint cannot be used as a standard response in a written behavioral intervention plan or individualized education program (IEP); * A statement prohibiting physical restraint when the student cannot be safely restrained because it is medically contraindicated; * A description of the program's training requirements, reporting requirements, and follow-up procedures; * A procedure for conducting periodic review of data and documentation on the program's use of restraint; and * A procedure for making both oral and written notification to the parent. |
| **LEA Outcome:** The Foxborough Regional Charter School Public School's written restraint prevention and behavior support procedures will include the following requirements:   * Methods for preventing student violence, self-injurious behavior, and suicide; * Methods for engaging parents in discussions about restraint prevention and the use of restraint; A statement indicating that physical restraint cannot be used as a standard response in a written behavioral intervention plan or individualized education program (IEP); * A statement prohibiting physical restraint when the student cannot be safely restrained because it is medically contraindicated; * A description of the program's training requirements, reporting requirements, and follow-up procedures; * A procedure for conducting periodic review of data and documentation on the program's use of restraint; and * A procedure for making both oral and written notification to the parent. |
| **Action Plan:** By January 5, 2024, the charter school will update the restraint prevention and behavior support procedures consistent with 603 CMR 46.00.  By March 18, 2024, the charter school will train all staff on the procedures and notify the school community of the updates. |
| **Success Metric:** By March 2024 and beyond, Foxborough Regional Charter School's restraint prevention and behavior support procedures will be consistent with regulations. All staff will be provided with the mandatory training within the first month of school or, for employees hired after the school year begins, within a month of their employment.  Evidence:   * Updated physical restraint procedures * Training materials, agendas, and signed attendance sheets * Notification to the school community |
| **Measurement Mechanism:** Prior to the start of each school year, the Director of School Culture and Climate, the Director of Special Education, the Director of Teaching and Learning, the Executive Director, and the Deputy Executive Director will review the charter school's written physical restraint prevention and behavior support policy and procedures to ensure ongoing compliance.  The charter school will provide mandatory training on restraint prevention and behavior support to staff within the first month of school, or for employees hired after the school year begins, within a month of their employment. The school will document staff attendance at this training. |
| **Completion Timeframe:** 03/18/2024 |
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| **Improvement Area 5** |
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| **Criterion:** CR 25 - Institutional self-evaluation |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and staff interviews indicated the charter school does not consistently evaluate all aspects of its K-12 programs annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. |
| **LEA Outcome:** The Foxborough Regional Charter School will annually evaluate all aspects of its K-12 program, including athletics and extracurricular activities, to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs. The school will make changes as indicated by the evaluation. |
| **Action Plan:** By January 5, 2024, the charter school will develop evaluation protocols, procedures and tools that include data review and the team responsible for implementation.  By March 18, 2024, the school will train staff responsible for conducting the self-evaluation.  By May 4, 2024, the school will review the completed self-evaluation including results of the data analysis with any discrepancies identified; results of the root cause analysis and prioritization; action plan to address discrepancies; and progress monitoring timelines. The charter school will inform the school community as well as the Board of Trustees of the results of the evaluation. |
| **Success Metric:** By May 2024 and beyond, Foxborough Regional Charter School will evaluate all aspects of its K-12 programs annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities.  Evidence:   * Self-evaluation plan, procedures, and tools * Training materials, agendas, and signed attendance sheets * Self-evaluation summary to include: * Data analysis * Root cause analysis and prioritization * Action plan * Progress monitoring plan |
| **Measurement Mechanism:** Annually, the leadership team will evaluate the data collection instruments to ensure the inclusion of student, parent, staff, and administrator input. Based on this review, the school will update self-evaluation procedures, protocols, and tools, as necessary. The Executive Director, with the support of the Senior Leadership Team, will ensure that the self-evaluation occurs annually and notifies the school community of the results. |
| **Completion Timeframe:** 05/04/2024 |
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