

**Springfield Public Schools &**

**Springfield Empowerment Zone**

**TIERED FOCUSED MONITORING**

**REPORT (Amended)**

**For** **Group A Universal Standards**

**Tier Level** **3**

**Dates of Onsite Visit:** **November 26 & 27, 2018**

**Date of Draft Report:** **February 8, 2019**

**Date of Final Report: April 23, 2019**

**Action Plan Due: May 21, 2019**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Springfield Public Schools &**

**Springfield Empowerment Zone**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Springfield Public Schools &**

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**SCOPE OF TIERED FOCUSED MONITORING REVIEWS**

As one part of its accountability system, the Department of Elementary and Secondary Education oversees local compliance with education requirements through Tiered Focused Monitoring (TFM). All reviews cover selected requirements in the following areas:

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 ELEMENTS**

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

**Timing:** Each school district and charter school in the Commonwealth is scheduled to receive a Tiered Focused Monitoring Review every three years. The statewide Tiered Focused Monitoring cycle is posted at <http://www.doe.mass.edu/psm/tfm/6yrcycle.html>.

**Tier Level:** Each district and charter school is assigned to one of four tier levels: Tier 1/Self-Directed Improvement; Tier 2/Directed Improvement; Tier 3/Corrective Action; and Tier 4/Cross-unit Support and Corrective Action. The Tiered Focused Monitoring process and subsequent technical assistance varies by monitoring tier. Each district is assigned to a monitoring tier based on the district’s designated DESE Accountability Level along with risk factors, such as Problem Resolution System complaint data and Public School Monitoring report data. Districts/schools in Tiers 1 and 2 have been determined to have no or low risk. Districts/schools in Tiers 3 and 4 have demonstrated greater risk. Agency intervention, additional onsite monitoring, and provision of technical assistance varies based on district tier level, allowing the Department to direct resources to those districts requiring the most support.

1. Tier 1/Self-Directed Improvement: Data points indicate no concern on compliance and performance outcomes – meets requirements.
2. Tier 2/Directed Improvement: No demonstrated risk in areas with close link to student outcomes – low risk.
3. Tier 3/Corrective Action: Areas of concern include both compliance and student outcomes – moderate risk.
4. Tier 4/Cross-unit Support and Corrective Action: Areas of concern have a profound effect on student outcomes and ongoing compliance – high risk.

**Process:** Each school district and charter school undergoes a Tiered Focused Monitoring Review every three years. Regularly monitored standards are divided into two groups, known as Group A Universal Standards and Group B Universal Standards. Districts and charter schools are monitored on an alternate set of Universal Standards every three years. 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.

**Self-Assessment Phase**:

* District review of special education and civil rights documentation for required elements including document uploads. Upon completion of this portion of the district’s self-assessment, it is submitted to the Department for review.
* Depending on which Universal Standard group the district is participating in and if there are additional Targeted Standards, the district may review a sample of special education student records selected across grade levels, disability categories and level of need.
* If the district is participating in a Group A Universal Standards Tiered Focused Monitoring Review, it will submit a review of student records related to the Indicator Data Collection for Indicators 11, 12 and 13 as part of the self-assessment. This Indicator data collection is also part of the State Performance Plan/Annual Performance Report.
* Upon completion of the self-assessment, the district submits 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 parent advisory council (PAC) representatives and other telephone interviews, as requested, by other parents or members of the general public.
* Review of student records for special education: The Department may select a sample of student records from those the district reviewed as part of its self-assessment, as well as records chosen by the Department from the special education student roster. The onsite team will conduct this review, using standard Department procedures, to determine whether procedural and programmatic requirements have been met.
* Surveys of parents of students with disabilities: Parents of students with disabilities are sent a survey that solicits 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 may visit 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.
* Review of additional documents for special education or civil rights.

**Report:** **For Tier 3 & 4 Tiered Focused Monitoring Reviews**

At the end of the onsite visit, the onsite team holds an informal exit meeting to summarize its comments for the superintendent and anyone else he or she chooses. Within approximately 45 business days of the onsite visit, the onsite chairperson forwards to the superintendent a Draft Report containing comments from the Tiered Focused Monitoring Review. The Draft Report comments for special education and civil rights are provided to the district on-line through the Web-based Monitoring System (WBMS). Within 10 business days of receipt of the Draft Report, the district reviews and comments on the report for factual accuracy before the publication of a Final Report with ratings and findings (see below). The Tiered Focused Monitoring Final Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department’s website at <http://www.doe.mass.edu/psm/tfm/reports/>.

**Content of Final Report:**

*Ratings.* In the Final Report, the onsite team gives a rating for each compliance criterion it has reviewed; those ratings are “Commendable,” “Implemented,” “Implementation in Progress,” “Partially Implemented,” “Not Implemented,” and “Not Applicable.”

*Findings.* The onsite team includes a finding in the Final Report for each criterion that it rates “Commendable,” “Partially Implemented,” “Not Implemented,” or “Implementation in Progress,” explaining the basis for the rating.

*Indicator Data.* In the Final Report for a district undergoing a review for Group A Universal Standards, the onsite team includes the results of the review of Indicator data submissions for Indicators 11, 12 and 13. For any Indicator data noncompliance found, the district must develop and implement corrective action that includes correcting noncompliance for the individual students affected by it, addressing the root cause and underlying reasons for the identified noncompliance, and reviewing additional records as evidence that the issues have been corrected and that requirements are being met. The Office of Special Education Programs (OSEP) requires correction of noncompliance within one year of the finding.

**Response:** Where criteria are found “Partially Implemented” or “Not Implemented,” the district must propose corrective action to bring those areas into compliance with the relevant statutes and regulations. This corrective action plan (CAP) will be due to the Department within 20 business days after the issuance of the Final Report and is subject to the Department’s review and approval. Department staff will offer districts technical assistance on the content and requirements for developing an approvable CAP.

Department staff will also provide ongoing technical assistance as the school or district is implementing the approved corrective action plan. **School districts 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 Final Tiered Focused Monitoring Review Report.**

# **INTRODUCTION TO THE FINAL REPORT**

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The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review of Springfield Public Schools and Springfield Empowerment Zone during the week of November 26, 2018 to evaluate the implementation of Group A 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.

The Department is submitting the following Tiered Focused Monitoring Report containing findings made pursuant to this onsite visit. 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:

Interviews of:

* Administrative staff
* Teaching and support services staff (as applicable)
* Parents of students with disabilities
* Persons from the general public

Surveys:

* Parents of students with disabilities

Review of special education student records

Observations of classrooms and other facilities

The report includes findings in the program areas reviewed based on the assigned Universal Standard group for this review. These standards are:

**Group A Universal Standards:**

* Student identification
* IEP development
* Programming and support services
* Equal opportunity

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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 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 the 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. |
|  | |
| **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. |
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| **Not Applicable** | The requirement does not apply to the school district or charter school. |

**Springfield Public Schools &**

**Springfield Empowerment Zone**

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Universal Standards Special Education** | **Universal Standards Civil Rights and Other General Education Requirements** | **Targeted Standards** |
| **IMPLEMENTED** | SE 1, SE 2,  SE 3, SE 3A, SE 7, SE 9A, SE 10, SE 11, SE 12, SE 14, SE 17, SE 18A, SE 19, SE 22, SE 25, SE 26, SE 29, SE 34, SE 37, SE 38, SE 39, SE 42, SE 43, SE 48, SE 49 | CR 13, CR 14, CR 18 | SE 44, SE 45,  SE 46, SE 47 |
| **PARTIALLY**  **IMPLEMENTED** | SE 6, SE 8,  SE 9, SE 13, SE 20, SE 40, SE 41 |  |  |

**SUMMARY OF INDICATOR DATA REVIEW**

As part of Tiered Focused Monitoring for Group A Universal Standards, districts and charter schools submit data for Indicators 11, 12 and 13; the results of the Department’s analysis regarding these Indicators are as follows:

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|  | **Compliant** | **Non-Compliant** | **Not Applicable** |
| **Indicator 11 – Initial**  **Evaluation Timelines** |  | **X** |  |
| **Indicator 12 – Early**  **Childhood Transition** |  | **X** |  |
| **Indicator 13 –**  **Secondary Transition** | **X** |  |  |

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| |  | | --- | | **SPECIAL EDUCATION**  **LEGAL STANDARDS,**  **COMPLIANCE RATINGS AND**  **FINDINGS** | |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 6** | Determination of transition services   1. The Team discusses the student's transition needs annually, beginning no later than when the student is 14 years old, and documents its discussion on the Transition Planning Form. 2. The Team reviews the Transition Planning Form annually and updates information on the form and the IEP, as appropriate. 3. Reserved 4. For any student approaching graduation or the age of 22, the Team determines whether the student is likely to require continuing services from adult human service agencies. In such circumstances, the administrator of special education makes a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c. 71B, §§12A-12C (known as Chapter 688). 5. In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the Team reconvenes to identify alternative strategies to meet the transition objectives. 6. The district ensures that students are invited to and encouraged to attend part or all of Team meetings at which transition services are discussed or proposed. | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L.c.71B, Sections 12A-C  603 CMR 28.05(4)(c) | | 34 CFR 300.320(b); 300.321(b);  300.322(b)(2); 300.324(c) | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *At both* ***Springfield Public Schools*** *and* ***Springfield Empowerment Zone****, a review of student records indicated that Transition Planning Forms (TPFs) and IEPs do not consistently include all required elements, such as: 1) the student's preferences and interests in the vision statement; and*  *2) measurable goals designed to prepare the student, both academically and functionally, to transition to post-secondary activities. Additionally, action plans in the TPF do not consistently include the following: 1) course of study or specific courses needed that will help the student reach his or her post-secondary vision; 2) employment opportunities and/or specific skills that will help the student reach his or her post-secondary vision; and 3) community experiences and preparation for post school adult living.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 8** | IEP Team composition and attendance  The following persons are members of the IEP Team and may serve in multiple roles:   1. The student's parents. 2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district. 3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson).    1. If the student *may* be involved in a regular education program, a regular education teacher. If the student *is* involved in a regular education program, a regular education teacher of the student.    2. If the student is participating in a special education program, a special education teacher of the student or, if appropriate, a special education provider for the student. 4. The student, if one purpose of the meeting is to discuss transition services or if otherwise appropriate and if he/she chooses. 5. Other individuals at the request of the student's parents. 6. An individual who is qualified to interpret the instructional implications of evaluation results, who may be any one of the persons identified in parts 2 - 4 above. 7. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education. 8. When one purpose of the Team meeting is to discuss transition services, with the consent of the parent(s) or student who has reached the age of majority, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services. 9. When one purpose of the Team meeting is to discuss placement, a person knowledgeable about placement options is present at the meeting. 10. Members of the Team attend Team meetings unless:     1. the parent and district agree to use alternative means, such as a video conference or a conference call, for any Team meeting OR     2. the district and the parent agree, in writing, that the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed OR     3. the district and the parent agree, in writing, to excuse a required Team member's participation and the excused member provides written input into the development of the IEP to the parent and the IEP Team prior to the meeting. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.02(21). Part 1 of this criterion is related to State Performance Plan Indicator 8. Parts 5, 10, are related to Performance Plan Indicators 13 and 14. | | 34 CFR 300.116(a), 300.321, 300.328.  See also, in the IDEA 97 regulations, 34 CFR Part 300, Appendix A, to State Question #22 | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *At* ***Springfield Public Schools****, student record review and interviews indicated that when one purpose of the Team meeting is to discuss placement, a person knowledgeable about placement options is not always present at the meeting. Specifically, when a student is transitioning from Springfield Public Schools to the Empowerment Zone, a representative from the Empowerment Zone is not always invited to the meeting to discuss the inclusive push-in special education services available at the Empowerment Zone. Without such representation, the student must receive services in a more restrictive setting until the Team reconvenes to discuss the student’s placement.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| SE 9 | Timeline for determination of eligibility  Within 45 school working days after receipt of the parent's written consent to an initial evaluation or a re‑evaluation, the school district determines whether the student is eligible for special education. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.05(1); 28.06(2)(e) | |  | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *At* ***Springfield Public Schools****, student record review indicated that the district does not consistently determine whether the student is eligible for special education within 45 school working days after receipt of the parent's written consent to an initial evaluation or re-evaluation.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 13** | Progress Reports and content   1. Parents receive reports on the student's progress towards reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled students. 2. Progress report information sent to parents includes written information on the student's progress towards the annual goals in the IEP. 3. Where a student's eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility, the school district provides the student with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.07(3) | | 34 CFR 300.305(e)(3); 300.320(a)(3) | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *At both* ***Springfield Public Schools*** *and* ***Springfield Empowerment Zone****, student record review indicated that although parents receive progress reports at least as often as parents are informed of the progress of non-disabled students, progress reports do not always include written information on the student's progress towards the annual goals in the IEP.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 20** | Least restrictive program selected   1. The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs. 2. If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily. 3. The district does not remove an eligible student from the general education classroom solely because of needed modification in the curriculum. 4. If a student's IEP necessitates special education services in a day or residential facility or an out-of-district educational collaborative program, the IEP Team considers whether the student requires special education services and support to promote the student's transition to placement in a less restrictive program. | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L. c. 71B, § 3  603 CMR 28.06(2) | | 34 CFR 300.114-120  34 CFR 300.42 | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *At* ***Springfield Public Schools****, an analysis of district data demonstrated that just over one-third (34.1%) of eligible students are enrolled in full-inclusion placements, a rate significantly lower than the state rate of 65.6%. Data and interviews indicated that the Team does not always consider the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs.*  *At both* ***Springfield Public Schools*** *and* ***Springfield Empowerment Zone****, student record review indicated that if a student is removed from the general education classroom at any time, the Team does not always state in the IEP why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 40** | Instructional grouping requirements for students aged five and older   1. The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. 2. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs. 3. When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, group size does not exceed    1. 8 students with a licensed special educator,    2. 12 students if the licensed special educator is assisted by 1 aide, and    3. 16 students if the licensed special educator is assisted by 2 aides 4. For eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students' school schedule, the district provides instructional groupings that do not exceed    1. 8 students to 1 licensed special educator, or    2. 12 students to 1 licensed special educator and 1 aide. 5. After the school year has begun, if instructional groups have reached maximum size as delineated in paragraphs 3 and 4 of this criterion, the administrator of special education and the licensed special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than 2 additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school. 6. In such cases, the administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated. 7. The district takes all steps necessary to reduce the instructional groups to the sizes outlined in paragraph 3 or 4 of this criterion for subsequent years. Such steps are documented by the district. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.06(6) | |  | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
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| **CRITERION**  **NUMBER** |  | | | |
| --- | --- | --- | --- | --- |
|  | **Legal Standard** | | | |
| **SE 41** | Age span requirements  The ages of the youngest and oldest student in any instructional grouping do not differ by more than 48 months. A written request for approval of a wider age range is submitted to the commissioner of elementary and secondary education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Elementary and Secondary Education. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.06(6)(f) | |  | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *At both* ***Springfield Public Schools*** *and* ***Springfield Empowerment Zone****, document review and staff interviews indicated that the ages of the youngest and oldest student in the following groupings differ by more than 48 months:*   |  |  |  | | --- | --- | --- | | ***School*** | ***Instructional Group*** | ***Age Span*** | | *Commerce High School* | *STEM Intervention EI* | *49 months* | | *Commerce High School* | *STEM Intervention P4* | *51 months* | | *Commerce High School* | *STEM Intervention E2* | *56 months* | | *Commerce High School* | *Math Intervention P6* | *58 months* | |  |  |  | | *High School of Science and Technology* | *MUDAWAR (all periods)* | *63 months* | |  |  |  | | *Springfield Approved Public Day High School* | *Sculpture* | *52 months* | | *Springfield Approved Public Day High School* | *Intro to Physics* | *53 months* | | *Springfield Approved Public Day High School* | *English 9* | *53 months* | | *Springfield Approved Public Day High School* | *R & W Enrich 9A* | *53 months* | | *Springfield Approved Public Day High School* | *Physical Education 9 9A* | *53 months* | | *Springfield Approved Public Day High School* | *World History* | *53 months* | |

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| This Tiered Focused Monitoring Final Report is also available at:  <http://www.doe.mass.edu/psm/tfm/reports/>  Profile information supplied by each charter school and school district, including information for individual schools within districts, is available at  <http://profiles.doe.mass.edu/>. |

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| WBMS Final Report 2019 | |
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