

**North Adams Public Schools**

**Tiered Focused Monitoring Report**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **December 10 & 11, 2019**

**Date of Final Report:** **April 22, 2020**



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Commissioner of Elementary and Secondary Education

During the 2019-2020 school year, North Adams Public Schools participated in a Tiered Focused Monitoring Review conducted by the Department’s Office of Public School Monitoring. The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

School districts and charter schools are reviewed every three years through Tiered Focused Monitoring. This review process emphasizes elements most tied to student outcomes, and alternates the focus of each review on either Group A Universal Standards or Group B Universal Standards.

Group A Universal Standards address:

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

Group B Universal Standards address:

* Licensure and professional development
* Parent/student/community engagement
* Facilities and classroom observations
* Oversight
* Time and learning
* Equal access

In addition, the Department has reserved a specific set of criteria, collectively known as Targeted Standards, employed when LEA or school-level risk assessment data indicate that there is a potential issue. Identified Targeted Standards are assessed in addition to the Universal Standards.

Universal Standards and Targeted Standards are aligned with the following regulations:

Special Education (SE)

* selected requirements from the federal Individuals with Disabilities Education Act (IDEA-2004); the federal regulations promulgated under that Act at 34 CFR Part 300; M.G.L. c. 71B, and the Massachusetts Board of Education’s Special Education regulations (603 CMR 28.00), as amended effective March 1, 2007.

Civil Rights Methods of Administration and Other General Education Requirements (CR)

* selected federal civil rights requirements, including requirements under Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, together with selected state requirements under M.G.L. c. 76, Section 5 as amended by Chapter 199 of the Acts of 2011 and M.G.L. c. 269 §§ 17 through 19.
* selected requirements from the Massachusetts Board of Education’s Physical Restraint regulations (603 CMR 46.00).
* selected requirements from the Massachusetts Board of Education’s Student Learning Time regulations (603 CMR 27.00).
* various requirements under other federal and state laws.

Tiered Focused Monitoring allows for differentiated monitoring based on a district/charter school’s level of need, the Tiers are defined as follows:

LEAs in Tiers 1 and 2 have been determined to have no or low risk:

* Tier 1/Self-Directed Improvement: Data points indicate no concern on compliance and performance outcomes – meets requirements.
* Tier 2/Directed Improvement: No demonstrated risk in areas with close link to student

outcomes – low risk.

LEAs in Tiers 3 and 4 have demonstrated greater risk:

* Tier 3/Corrective Action: Areas of concern include both compliance and student

outcomes – moderate risk.

* Tier 4/Cross-unit Support and Corrective Action: Areas of concern have profound effect on student outcomes and ongoing compliance – high risk.

The phases of Tiered Focused Monitoring for North Adams Public Schools included:

Self-Assessment Phase:

* District reviewed special education and civil rights documentation for required elements including document uploads.
* District reviewed a sample of special education student records selected across grade levels, disability categories and levels of need.
* Upon completion of these two internal reviews, the district’s self-assessment was submitted to the Department for review.

On-site Verification Phase:

* Review of student records for special education: The Department selected 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 conducted this review, using standard Department procedures, to determine whether procedural and programmatic requirements are being met.
* Review of additional documents for special education or civil rights.
* Surveys of parents of students with disabilities: Parents of students with disabilities were sent a survey to solicit information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Interviews of staff consistent with those criteria selected for onsite verification.
* Interviews of parent advisory council (PAC) representatives and other telephone interviews, as requested, by other parents or members of the general public.
* Observations of classrooms and other facilities: The onsite team visited a sample of classrooms and school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

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

Following the onsite visit, the onsite team holds an informal exit meeting to summarize its comments for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the onsite chairperson forwards to the superintendent or charter school leader the findings from the Tiered Focused Monitoring Review. All districts/charter schools in Tiers 1 and 2, as part of the reporting process, then develop a Continuous Improvement and Monitoring Plan (CIMP) for any criteria receiving a rating of "Partially Implemented," "Not Implemented," and “Implementation in Progress.” The CIMP outlines an action plan, identifies the success metric, describes the measurement mechanism and provides a completion timeframe to bring those areas into compliance with the controlling statute or regulation. Districts and charter schools are expected to incorporate the CIMP actions into their district and school improvement plans, including their professional development plans.

# **DEFINITION OF COMPLIANCE RATINGS**

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| **Commendable** | Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation. |
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| **Implemented** | The requirement is substantially met in all important aspects. |
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| **Implementation in Progress** | This rating is used for criteria containing new or updated legal requirements and means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year. |
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| **Partially Implemented** | The requirement, in one or several important aspects, is not entirely met. |
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| **Not Implemented** | The requirement is totally or substantially not met. |
| **Not Applicable** | The requirement does not apply to the school district or charter school. |

**North Adams Public Schools**

**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 22, SE 34, SE 35, SE 36, SE 50, SE 51, SE 52, SE 52A, SE 54, SE 55, SE 56 | CR 3, CR 7,  CR 7A, CR 7B, CR 7C, CR 10A, CR 12A, CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25 | SE 44, SE 45,  SE 46, SE 47 |
| **PARTIALLY**  **IMPLEMENTED** |  | CR 10B, CR 10C | SE 22, SE 34 |
| **NOT IMPLEMENTED** | SE 32 |  |  |

The Tiered Focused Monitoring Toolkit, which includes the regulatory requirements specific to the special education and civil rights criteria referenced in the table above, can be found at <http://www.doe.mass.edu/psm/resources/default.html>.

| **Improvement Area** **1** |
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| **Criterion:** SE 22 - IEP implementation and availability |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Student record review and staff interviews indicated that the district is not providing special education services to eligible students attending the E3 Academy. Six of the ten students in the program have Individualized Education Programs (IEPs) that call for academic and behavioral services to be provided by a special education teacher, up to five times per week, outside of the general education classroom. The E3 Academy does not employ a special education teacher; rather, it is staffed by two general education teachers. |
| **LEA Outcome:** Each student in the E3 Academy who has an IEP will receive specialized instruction and services from appropriately licensed staff, as indicated in the IEP. When a student with an IEP is accepted to the E3 Academy, the student's IEP Team will convene to review the IEP and develop an amendment or update, if necessary, to reflect needed supports and services for the student in the E3 Academy. |
| **Action Plan:** By July 1, 2020, the Director of Student Support Services will review and revise E3 Academy intake procedures to ensure that the IEP Team for each student in the E3 Academy considers how the student's need for specialized instruction or other special education services can be met. Revised intake procedures will also ensure that the Coordinator of Special Education for the E3 Academy will arrange for appropriate special education services and monitor their implementation.  By July 1, 2020, the Director of Student Support Services will develop an internal monitoring and tracking system to ensure that each student in the E3 Academy who has an IEP is receiving supports and services from appropriately licensed staff as detailed in their IEP.  By August 28, 2020, North Adams Public Schools will train staff who are involved with recommending or reviewing student applications to participate in the E3 Academy on the revised E3 intake process.  By October 30, 2020, the Director of Student Support Services and the Special Education Program Coordinator will review the IEP of each student enrolled in the E3 Academy, and will convene a student's IEP Team, if necessary, to address any current concerns. IEP Teams will consider adjustments or amendments to reflect the student's current needs, and the identified IEP services will be provided by appropriately licensed staff.  By December 4, 2020, the Coordinator of Special Education, under the supervision of the Director of Student Support Services, will document the results of a record review of all students on IEPS to determine whether students in the E3 Academy are receiving all IEP supports and services by appropriately licensed staff. |
| **Success Metric:** By October 30, 2020, 100% of students in the E3 Academy who have an IEP will receive the supports and services of their IEP from appropriately licensed staff.  Evidence:  - Revised intake procedures for the E3 Academy that include notifying the Director of Student Services when a student has an IEP  - Agenda and attendance sheet from staff training on E3 Academy intake procedures  - Results of a review of the IEPs of all special education E3 Academy students in the 2020-2021 fall semester, and a roster of appropriately licensed staff who provide the IEP services |
| **Measurement Mechanism:** Before the beginning of each semester, the Coordinator of Special Education will review the IEP of each student in the E3 Academy to determine what special education supports and services are required for students in the E3 Academy. The Coordinator of Special Education will communicate the required IEP supports and services of each student to the Director of Student Support Services and E3 Academy teachers and arrange for the provision of services by appropriately licensed staff. |
| **Completion Timeframe:** 12/04/2020 |
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| **Improvement Area 2** |
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| **Criterion:** SE 32 - Parent advisory council for special education |
| **Rating:** Not Implemented |
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| **Description of Current Issue:** Document review and interviews indicated that the district has not established a district-wide parent advisory council (PAC) to advise the district on matters that pertain to the education and safety of students with disabilities, and to participate in the planning, development, and evaluation of the school district's special education programs. By-laws and operational procedures have not been developed, and there are no PAC officers. Additionally, the district has not conducted at least one workshop annually on the rights of students and their parents and guardians under the state and federal special education laws. |
| **LEA Outcome:** North Adams Public Schools will conduct approved activities to meet the requirement for the establishment of a Special Education Parent Advisory Council in an alternative manner. |
| **Action Plan:** By July 1, 2020, the Director of Student Support Services will submit to the Department an application for requesting an alternative compliance waiver for the Special Education Parent Advisory Council and all supporting documentation for the application.  By October 30, 2020, North Adams Public Schools will submit the approved waiver.  By October 30, 2020, North Adams Public Schools will have scheduled three parent training events, including a workshop on the rights of student and parents under state and federal special education laws. |
| **Success Metric:** By the end of the 2020-2021 school year, North Adams Public Schools will have provided parents with the activities of an alternate Special Education Advisory Council.  Evidence:  - Waiver application submitted to the Department  - Approved waiver  - Calendar of scheduled parent trainings for the 2020-2021 school year  - Notification to parents of scheduled parent trainings |
| **Measurement Mechanism:** Annually, the Director of Student Support Services will hold an organizational meeting and annual parents' rights presentation. The venue will be a community-based space located on Main Street with relatively easy access, ample parking and located close to local restaurants. This will help to create an environment that is inviting and less focused on a single school. At the organizational meeting, parents will discuss their interest in forming an organizational group that will develop a calendar of parent trainings for the upcoming school year and a means of expanding parent participation. |
| **Completion Timeframe:** 10/30/2020 |
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| **Improvement Area 3** |
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| **Criterion:** SE 34 - Continuum of alternative services and placements |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review, staff interviews and observations indicated that North Berkshire Academy, a middle and high school program exclusively serving students with disabilities, is located in the Armory building in North Adams, which is separate from all other middle and high school students participating in general education classes. The district has not applied for approval as a public day program in order to operate North Berkshire Academy. |
| **LEA Outcome:** North Adams Public Schools will maintain appropriate approval to operate the North Berkshire Academy as a public day program. |
| **Action Plan:** By July 1, 2020, North Adams Public Schools will submit an initial intent to apply for approval of a public day program and all necessary documentation needed to complete an application for full DESE approval of a public day program. |
| **Success Metric:** Before the beginning of the 2020-2021 school year, North Adams Public Schools will have received approval from the Department of Elementary and Secondary Education to operate North Berkshire Academy as a public day program.  Evidence:  - Initial notification of intent to apply for approval  - Approval from DESE for a public day program |
| **Measurement Mechanism:** The Director of Student Support Services will ensure all required health and safety inspections are conducted in a timely manner necessary to maintain the full approval status of North Berkshire Academy as a public day program. Additionally, the Director of Student Support Services will notify the Department of Elementary and Secondary Education in the event of a significant program change or in the event of a serious incident. |
| **Completion Timeframe:** 07/01/2020 |
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| **Improvement Area 4** |
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| **Criterion:** CR 10B - Bullying Intervention and Prevention |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Review of the district's student handbooks indicated that the district has not updated the Brayton Elementary School and Greylock Elementary School student handbooks to include information on the Bullying Prevention and Intervention Plan that conforms to the amendments of the Massachusetts anti-bullying law, effective July 1, 2013, which extends protections to students who are bullied by a member of the school staff. |
| **LEA Outcome:** The student handbooks for Brayton Elementary School and Greylock Elementary School will include the District Bullying Prevention and Intervention Plan that conforms to the amendments of the Massachusetts anti-bullying law, effective July 1, 2013, which extends protections to students who are bullied by a member of the school staff. |
| **Action Plan:** By July 1, 2020, the Director of Student Support Services will develop a template for student handbooks to be used by each school principal when revising student handbooks. This will ensure that all student handbooks in the district include consistent language for the implementation of district-wide procedures.  By August 28, 2020, the district's updated Bullying Intervention and Prevention Plan, with protections for students who are bullied by a member of the school staff, will be included in student handbooks for Brayton Elementary School and Greylock Elementary School. |
| **Success Metric:** By the beginning of school year 2020-2021, the student handbook for each school will include the district's Bullying Prevention and Intervention Plan that extends protections to students who are bullied by a member of the school staff.  Evidence:  - Template for student handbooks that provides principals with language regarding district-wide procedures that must be included in every student handbook  - School year 2020-2021 student handbooks posted to the school websites at Brayton and Greylock Elementary Schools include the district's Bullying Prevention and Intervention Plan that extends protections to students who are bullied by a member of the school staff |
| **Measurement Mechanism:** Annually, the Director of Student Support Services and the Superintendent will work with the school committee to ensure that, before the beginning of each school year, all student handbooks contain required procedures that are revised, as necessary, to contain required elements. |
| **Completion Timeframe:** 08/28/2020 |
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| **Improvement Area 5** |
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| **Criterion:** CR 10C - Student Discipline |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and interviews indicated that the district's procedures for the discipline of students do not include the following required elements:  -Long-term suspension: the parent, if present, is provided the opportunity to discuss the student's conduct and offer information, including mitigating circumstances, for the principal's consideration;  -Emergency removal: the principal may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation; and  -In-school suspension: address the use of an in-school suspension as an alternative to short-term suspension. |
| **LEA Outcome:** North Adams Public Schools will ensure that district procedures for the discipline of students include all required content. |
| **Action Plan:** By July 1, 2020, North Adams Public Schools will have revised district procedures for the discipline of students.  By August 28, 2020, North Adams will ensure that revised district procedures for the discipline of students are included all student handbooks. |
| **Success Metric:** By the beginning of school year 2020-2021, revised district procedures for the discipline of students will be published in all student handbooks and posted on the district website.  Evidence:  - Copy of revised procedures for the discipline of students  - Complete revised discipline procedures are in every student handbook |
| **Measurement Mechanism:** Annually, the Director of Student Support Services and the Superintendent will work with the school committee to ensure that, before the beginning of each school year, all student handbooks contain required procedures that are revised, as necessary, to contain required elements. |
| **Completion Timeframe:** 08/28/2020 |
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