

**Excel Academy Charter Schools**

**Tiered Focused Monitoring Report**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **January 6-9, 2020**

**Date of Final Report:** **April 21, 2020**



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Commissioner of Elementary and Secondary Education

During the 2019-2020 school year, Excel Academy Charter 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.

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 Excel Academy Charter Schools included:

Self-Assessment Phase:

* The charter school reviewed special education and civil rights documentation for required elements including document uploads.
* The charter school 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 charter school’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 charter school 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 charter school’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. |

**Excel Academy Charter 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 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 10B, CR 10C, CR 12A, CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 25 | SE 44, SE 45, SE 46, SE 47 |
| **PARTIALLY****IMPLEMENTED** | SE 32 | CR 24 |  |
| **NOT IMPLEMENTED** |  |  |  |

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 32 - Parent advisory council for special education |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of documents and staff interviews indicated that although the charter school has offered parents membership to a special education parent advisory council (SEPAC), established bylaws, and conducted annual workshops on parent and student rights, there is no functioning SEPAC that advises the school on matters pertaining to the education and safety of students with disabilities, or meets regularly with school officials to participate in the planning, development, and evaluation of the charter school's special education programs. While the charter school has provided evidence of efforts to create a SEPAC, the school has not applied for an Alternative Compliance Waiver from the Department. |
| **LEA Outcome:** Excel Academy Charter Schools will submit an Alternative Compliance Waiver to the Department while continuing its efforts to establish a functional SEPAC through workshops, meetings and other outreach efforts. |
| **Action Plan:** By June 26, 2020, Excel Academy Charter Schools will submit a completed application for an Alternative Compliance Waiver to the Department. The charter school has identified Option 2, providing a series of at least three (3) district-level special education parent training and participation events and including at least one workshop, in collaboration with the parent advisory council, on the rights of students and their parents and guardians under the state and federal special education laws.By June 26, 2020, Excel Academy Charter Schools will develop a process for monitoring the effectiveness of each activity. The monitoring process should include a method for collecting feedback from participating parents. This feedback should be used to develop meaningful activities for parents to increase interest and membership in the SEPAC.By September 11, 2020, Excel Academy Charter Schools will submit a calendar of special education parent training and workshop events for the 2020-21 school year, including at least one workshop on the rights of students and their parents and guardians under the state and federal special education laws.By September 11, 2020, Excel Academy Charter Schools will have a process to involve the SEPAC in advising the school on matters pertaining to the education and safety of students with disabilities and participate in the planning, development, and evaluation of the charter school's special education programs. |
| **Success Metric:** Excel Academy Charter Schools will use the Alternative Compliance Waiver as the starting point for the eventual establishment of a SEPAC with elected officers; approved by-laws; an annual meeting calendar; a process for the SEPAC to advise the school on matters pertaining to the education and safety of students with disabilities and participate in the planning, development, and evaluation of the charter school's special education programs; and well-planned meeting agendas. Excel Academy Charter Schools will monitor the effectiveness of each activity, collecting feedback from participating parents and using this feedback to increase interest and membership in the SEPAC.Evidence:\*SEPAC waiver \*Description of monitoring process\*An annual meeting calendar\*Meeting agendas\*Workshop signups and attendance sheets\*Results from parent feedback\*Process to involve the SEPAC in advising the school on matters pertaining to the education and safety of students with disabilities and participate in the planning, development, and evaluation of the charter school's special education programs |
| **Measurement Mechanism:** Beginning with the 2020-21 school year, Excel Academy Charter Schools will provide a series of at least three (3) special education parent training and participation events, monitoring the effectiveness of each activity toward the goal of establishing a functioning SEPAC. The district will establish a process to involve the SEPAC in advising the school on matters pertaining to the education and safety of students with disabilities and participate in the planning, development, and evaluation of the charter school's special education programs. |
| **Completion Timeframe:** 09/11/2020 |
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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 staff interviews indicated that while educational materials are discussed and reviewed at the administrative level, individual teachers do not 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. |
| **LEA Outcome:** Excel Academy Charter Schools will 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. All teachers will implement appropriate activities, discussions, or supplemental materials to provide balance and context for any such stereotypes depicted in materials. |
| **Action Plan:** By August 1, 2020, Excel Academy Charter Schools will develop a curriculum review tool and revised procedures outlining the expectations for individual teachers to review all educational materials used in their classrooms. The procedures will include a process for monitoring and oversight.By September 11, 2020, Excel Academy Charter Schools will train individual teachers on the procedures and how to use appropriate activities, discussions or supplementary materials to provide balance and context for any stereotypes depicted in the materials.By December 15, 2020, Excel Academy Charter Schools will conduct a review to ensure the new procedures and materials are implemented effectively, which will include staff feedback and a review of documentation from staff use of the curriculum review tool. |
| **Success Metric:** By December 15, 2020, all teachers will be trained and able to use the new curriculum review tool and procedures to evaluate 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. All teachers will implement appropriate activities, discussions, or supplemental materials to provide balance and context for any such stereotypes depicted in materials. Evidence:\*Revised procedure for individual teachers \*Revised curriculum review tool for use by individual teachers \*Training agendas and materials\*Training attendance sheets\*Examples of completed curriculum reviews using the new tool \*Examples of activities used to balance encountered generalizations \*Results of twice yearly reviews |
| **Measurement Mechanism:** Continuing after completion date:Two times per year (December and May), the charter school will conduct a review to ensure all teachers utilize the curriculum review tool and procedures to review 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. |
| **Completion Timeframe:** 12/15/2020 |
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