

**Lynn Public Schools**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **May 19-21, 2021**

**Date of Final Report:** **August 30, 2021**



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Commissioner of Elementary and Secondary Education

During the 2020-2021 school year, Lynn 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 Lynn Public Schools included:

Self-Assessment Phase:

* The district reviewed special education and civil rights documentation for required elements including document uploads.
* The 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 and 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.
* Interview of parent advisory council (PAC) representative and other telephone interviews, as requested, by other parents or members of the general public.

**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. |

**Lynn 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 1, SE 2, SE 3, SE 3A, SE 6, SE 7, SE 8, SE 9A, SE 10, SE 12, SE 13, SE 14, SE 17, SE 18A, SE 19, SE 20, SE 22, SE 25, SE 26, SE 29, SE 34, SE 35, SE 37, SE 39, SE 40, SE 41, 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 9, SE 11 |  |  |
| **NOT IMPLEMENTED** |  |  |  |
| **NOT APPLICABLE** | SE 38 |  |  |

The review instruments, that include the regulatory requirements specific to the special education and civil rights criteria referenced in the table above, can be found at [www.doe.mass.edu/psm/resources/default.html](http://www.doe.mass.edu/psm/resources/default.html).

**SUMMARY OF INDICATOR DATA REVIEW**

As part of the self-assessment process for districts or charter schools undergoing a review for Group A Universal Standards, the onsite team reviewed the results of Indicator data submissions for Indicators 11, 12 and 13. For any Indicator data noncompliance found, the district or charter school 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.

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 |  |

| **Improvement Area** **1** |
| --- |
| **Criterion:** SE 9 - Timeline for determination of eligibility |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records indicated that within forty-five school working days after receipt of the parent's written consent to an initial evaluation, the district does not consistently determine whether the student is eligible for special education and provide to the parent either a proposed IEP and proposed placement or a written explanation of the finding of no eligibility. Administrative interviews indicated that lack of evaluation staff meant that eligibility timelines could not be met consistently. |
| **LEA Outcome:** Lynn Public School District will ensure that within forty-five school working days after receipt of the parent's consent to an initial evaluation, the district will consistently determine whether the student is eligible for special education and provide to the parent either a proposed IEP and proposed placement or a written explanation of the finding of no eligibility. |
| **Action Plan:** By October 1, 2021, the district will submit an analysis of the workload for all relevant special education staff to ensure assignments are distributed in a manner that will allow the district to meet all required timelines. By October 1, 2021, the district will submit a description of the tracking system used to ensure timelines are met and identify the staff responsible for oversight. By March 1, 2022, the district will submit the results of a record review for all initial referrals received in October and November 2021 to determine if all timelines were met. For any timelines that were not met, the district will submit a root cause analysis and develop an action plan to address the noncompliance. |
| **Success Metric:** One hundred percent of the special education initial referrals received by Lynn Public School District will be processed according to the required timelines.Evidence:* Analysis of relevant special education staff workloads with a description of each staff member's assignments
* Internal monitoring system identifying staff responsible for oversight
* Results of record review, root cause analysis, and corrective action plan, as appropriate

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| **Measurement Mechanism:** Continuing after the completion deadline:The Special Education Director will designate staff members to track the required timelines of all initial and three-year re-evaluations. The Special Education Director will review tracking data twice annually to ensure all required timelines are being met. If timelines are not met, the Special Education Director will conduct a root cause analysis and implement corrective actions, including the adjustment of staff workloads, as appropriate. |
| **Completion Timeframe:** 03/01/2022 |
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| **Improvement Area 2** |
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| **Criterion:** SE 11 - School district response to parental request for independent educational evaluation |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records indicated that within 10 school days after receipt of the independent educational evaluation, the district does not consistently reconvene the Team to consider the independent educational evaluation and whether a new or amended IEP is appropriate. |
| **LEA Outcome:** Lynn Public School District will ensure that within 10 school days after receipt of the independent educational evaluation, the district will consistently reconvene the Team to consider the independent educational evaluation and whether a new or amended IEP is appropriate. |
| **Action Plan:** By October 1, 2021, the district will submit an analysis of the workload for all relevant special education staff to ensure assignments are distributed in a manner that will allow the district to reconvene the Team within 10 school days. By October 1, 2021, the district will submit a description of the tracking system used to ensure the Team reconvenes within 10 school days and identify the staff responsible for oversight. By March 1, 2022, the district will submit the results of a record review for all independent educational evaluations received between October 2021 and January 2022 to determine if all timelines were met. For any timelines that were not met, the district will submit a root cause analysis and develop an action plan to address the noncompliance. |
| **Success Metric:** Lynn Public School District will reconvene the Team for all students who have undergone an independent educational evaluation within 10 days of the receipt of the evaluation to consider the independent educational evaluation and whether a new or amended IEP is appropriate. Evidence:* Analysis of relevant special education staff workloads with a description of each staff member's assignments
* Internal monitoring system identifying staff responsible for oversight
* Results of record review, root cause analysis, and corrective action plan, as appropriate
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| **Measurement Mechanism:** Continuing after the completion deadline:The Special Education Director will designate staff members to track the dates of all independent educational evaluations received in the district and the dates of the corresponding IEP meetings. The Special Education Director will review tracking data twice annually to ensure all required meetings are held. If they are not, the Special Education Director will conduct a root cause analysis and implement corrective actions, including the adjustment of staff workloads, as appropriate. |
| **Completion Timeframe:** 03/01/2022 |
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