

**KIPP Academy Massachusetts**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **May 12-14, 2021**

**Date of Final Report: September 21, 2021**



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Commissioner of Elementary and Secondary Education

During the 2020-2021 school year, KIPP Academy Massachusetts 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/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 KIPP Academy Massachusetts included:

Self-Assessment Phase:

* School reviewed special education and civil rights documentation for required elements including document uploads.
* 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 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 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 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 a parent of a child with an IEP.

**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. |

**KIPP Academy Massachusetts**

**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 3A,  SE 8, SE 9,  SE 9A, SE 10, SE 11, SE 12,  SE 14, S18A,  SE 19, SE 20,  SE 22, SE 25,  SE 26, SE 29, SE 34, SE 35,  SE 40, SE 41,  SE 43, SE 48, SE 49 | CR 13, CR 14, CR 18 | SE 44, SE 45, SE 46, SE 47 |
| **PARTIALLY**  **IMPLEMENTED** | SE 2, SE 3, SE 6, SE 7, SE 13 |  |  |
| **NOT**  **IMPLEMENTED** |  |  |  |
| **NOT APPLICABLE** | SE 17, SE 37, SE 38, SE 39, SE 42 |  |  |

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** |
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| **Criterion:** SE 2 - Required and optional assessments |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that the charter school does not complete educational assessments, specifically a history of the student's educational progress in the general education curriculum, and teacher assessments that address attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults. |
| **LEA Outcome:** KIPP Academy Massachusetts will ensure the completion of educational assessments, specifically, a history of the student's educational progress in the general curriculum and a teacher's assessment of the student's attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults (Educational Assessment A and B). |
| **Action Plan:** By November 15, 2021, KIPP Academy Massachusetts will submit revised procedures for completing educational assessments, along with evidence of training all relevant staff on the procedures. The charter school will also create and submit an internal tracking and monitoring system to ensure the completion of educational assessments.  By November 15, 2021, KIPP Academy Massachusetts will complete the Educational Assessment Part A and B and reconvene the Teams for the two students identified by the Department. For each student, the district will submit a copy of the completed Educational Assessment Part A and B and the Notice of Proposed School District Action (N1).  By February 25, 2022, KIPP Academy Massachusetts will submit the results of a review of records for students who had an initial or re-evaluation after the November 2021 training to determine if all the required educational assessments were completed. Additionally, the charter school will conduct a root cause analysis and determine appropriate corrective action for any identified non-compliance. |
| **Success Metric:** By March 2022 and beyond, 100% of KIPP Academy Massachusetts initial evaluations and re-evaluations will include the required educational assessments, specifically a history of the student's educational progress in the general education curriculum, and a teacher’s assessment that addresses attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults.  Evidence:  • Written procedures  • Agendas, training materials, and attendance sheets  • Internal tracking and monitoring system  • Copies of Educational Assessment A and B and N1 for the two students identified  • Results of record review, root cause analysis, and corrective action steps, as appropriate |
| **Measurement Mechanism:** Continuing after completion of deadline:  Every quarter, KIPP Academy Massachusetts Special Education Administrators will review at least five student records with either initial evaluations or re-evaluations to determine if all the required educational assessments were completed. If non-compliance is identified, the charter school will conduct a root cause analysis and implement appropriate corrective actions. |
| **Completion Timeframe:** 02/25/2022 |
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| **Improvement Area 2** |
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| **Criterion:** SE 3 - Special requirements for determination of specific learning disability |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records indicated that when a student suspected of having a specific learning disability is evaluated and a written determination as to whether or not the student has a specific learning disability has been created (mandated form 28M/10), not all Team members consistently sign the form. Record review also indicated that if there is a disagreement as to the determination, Team members do not document their disagreement. |
| **LEA Outcome:** KIPP Academy Massachusetts will ensure that when a student suspected of having a specific learning disability is evaluated and a written determination as to whether or not the student has a specific learning disability is created, all Team members sign the form. If there is any disagreement as to the determination, Team members will document their disagreement. |
| **Action Plan:** By November 15, 2021, KIPP Academy Massachusetts will submit written procedures for the determination of a specific learning disability, along with evidence of training all relevant staff on the procedures. The charter school will also create and submit an internal tracking and monitoring system to ensure compliance.  By February 25, 2022, KIPP Academy Massachusetts will submit the results of a review of applicable student records for students who had an initial or re-evaluation after the November 2021 training to determine if all Team members documented their agreement or disagreement. Additionally, the charter school will conduct a root cause analysis and determine appropriate corrective action for any identified non-compliance. |
| **Success Metric:** By March 2022 and beyond, 100% of KIPP Academy Massachusetts records will demonstrate that when a student suspected of having a learning disability is evaluated, all Team members document their agreement or disagreement with the determination.  Evidence:  - Written procedures  - Agendas, training materials, and attendance sheets  - Internal tracking and monitoring system  - Results of record review, root cause analysis, and corrective action steps, as appropriate |
| **Measurement Mechanism:** Continuing after the completion deadline:  Every semester, KIPP Academy Massachusetts Special Education Administrators will review at least five student records of students suspected of having a learning disability to determine if all Team members documented their agreement or disagreement with the determination. If non-compliance is identified, the charter school will conduct a root cause analysis and determine appropriate corrective action. |
| **Completion Timeframe:** 02/25/2022 |
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| **Improvement Area 3** |
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| **Criterion:** SE 6 - Determination of transition services |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records and staff interviews indicated that beginning no later than when the student is 14 years old, the Team discusses the student's transition needs annually. However, the IEP and the Transition Planning Form do not always include appropriate measurable post-secondary goals or measurable annual skill-based goals related to the student's transition service needs. |
| **LEA Outcome:** KIPP Academy Massachusetts will ensure that beginning no later than when the student is 14 years old, the Team includes appropriate measurable post-secondary goals and measurable annual skill-based goals related to the student's transition service needs in the IEP and Transition Planning Form. |
| **Action Plan:** By November 15, 2021, KIPP Academy Massachusetts will submit written procedures for transition planning that reflect the most current guidance provided by the Department, along with evidence of training middle school and high school special education staff on the procedures. The charter school will also create an internal tracking and monitoring system to ensure the transition procedures are consistently implemented.  By November 15, 2021, KIPP Academy Massachusetts will reconvene the Teams to review and update the IEP and Transition Planning Form (TPF) for the two students identified by the Department. For each student, the charter school will submit the relevant sections of the IEP, the updated TPF, and the Notice of Proposed School District Action (N1).  By February 25, 2022, KIPP Academy Massachusetts will submit the results of a review of student records for students 14 and older who had a Team meeting after the November 2021 training to determine if the Team included appropriate goals in the IEP and Transition Planning Form. Furthermore, the charter school will conduct a root cause analysis and determine appropriate corrective action for any identified non-compliance. |
| **Success Metric:** By March 2022 and beyond, 100% of KIPP Academy Massachusetts records will demonstrate that the Team discussed the student's transition needs annually for students 14 years and older and included appropriate measurable post-secondary goals and measurable annual skill-based goals related to the student's transition service needs in the IEP and Transition Planning Form.  Evidence:  - Written procedures  - Agendas, training materials, and attendance sheets  - Internal tracking and monitoring system  - Copies of the TPF, relevant sections of the IEP, and N1 for the two students identified  - Results of record review, root cause analysis, and corrective action steps, as appropriate |
| **Measurement Mechanism:** Continuing after the completion deadline:  KIPP Academy Massachusetts Special Education Administrators will conduct annual training for relevant staff on transition planning. Furthermore, every quarter, KIPP Academy Massachusetts Special Education Administrators will review at least five student records of students 14 years and older to determine if the Team included appropriate measurable post-secondary goals and measurable annual skill-based goals in the IEP and Transition Planning Form. If non-compliance is identified, the charter school will conduct a root cause analysis and determine appropriate corrective action. |
| **Completion Timeframe:** 02/25/2022 |
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| **Improvement Area 4** |
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| **Criterion:** SE 7 - Transfer of parental rights at age of majority and student participation and consent at the age of majority |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records indicated that the charter school does not consistently inform students and parents, at least one year prior to the student reaching age 18, of the rights that will transfer from the parent to the student upon the student's 18th birthday. Record review also indicated that the charter school does not consistently obtain consent from the adult student with shared or sole decision-making authority to continue her or his special education program. |
| **LEA Outcome:** KIPP Academy Massachusetts will ensure that students and parents, at least one year prior to the student reaching age 18, are informed of the rights that will transfer from the parent to the student upon the student's 18th birthday. KIPP will also ensure that consent is always obtained from the adult student with shared or sole decision-making authority to continue her or his special education program. |
| **Action Plan:** By November 15, 2021, KIPP Academy Massachusetts will submit written age of majority procedures, along with evidence of training for both general and special education high school staff on the procedures. The charter school will also create and submit an internal tracking and monitoring system to ensure the procedures are consistently implemented.  By February 25, 2022, KIPP Academy Massachusetts will submit the results of a review of relevant student records to determine if the age of majority procedures are consistently implemented. Furthermore, the charter school will conduct a root cause analysis and determine appropriate corrective action for any identified non-compliance. |
| **Success Metric:** By March 2022 and beyond, 100% of KIPP Academy Massachusetts records will demonstrate that students and parents, at least one year prior to the student reaching age 18, were informed of the rights that transfer from the parent to the student upon the student's 18th birthday. Furthermore, records will demonstrate that the charter school always obtained consent from adult students with shared or sole decision-making authority to continue their special education program.  Evidence:  - Written procedures  - Agendas, training materials, and attendance sheets for trainings  - Internal tracking and monitoring system  - Results of record review, root cause analysis, and corrective action steps, as appropriate |
| **Measurement Mechanism:** Continuing after the completion deadline:  KIPP Academy Massachusetts Special Education Administrators will conduct annual training for relevant staff on the age of majority procedures. Every quarter, KIPP Academy Massachusetts Special Education Administrators will review at least five student records to determine if students and parents, at least one year prior to the student reaching age 18, were informed of the rights that transfer from the parent to the student upon the student's 18th birthday. Special Education Administrators will also determine whether the charter school obtained consent from adult students with shared or sole decision-making authority to continue their special education program. If non-compliance is identified, the charter school will conduct a root cause analysis and determine appropriate corrective action. |
| **Completion Timeframe:** 02/25/2022 |
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| **Improvement Area 5** |
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| **Criterion:** SE 13 - Progress Reports and content |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** A review of student records, documents, and an administrative interview demonstrated that when a student's eligibility terminates because the student has graduated or exceeds the age of eligibility, the charter school does not provide 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. |
| **LEA Outcome:** KIPP Academy Massachusetts will ensure that when a student's eligibility terminates because the student has graduated or exceeds the age of eligibility, the charter school always 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. |
| **Action Plan:** By November 15, 2021, KIPP Academy Massachusetts will submit written summary of performance procedures, along with evidence of training Team chairpersons and grade twelve special education staff on the procedures. The charter school will also create an internal tracking and monitoring system to ensure the appropriate provision of the summary of performance.  By May 23, 2022, KIPP Academy Massachusetts will submit the results of an internal review of student files from the 2021-2022 school year to determine if graduating students and students exceeding the age of eligibility were provided with a summary of academic achievement and functional performance, including recommendations on how to assist the student in meeting postsecondary goals. Additionally, KIPP will conduct a root cause analysis and determine appropriate corrective action for any identified non-compliance, including provision of summary of performance, as necessary. |
| **Success Metric:** By May 2022 and beyond, 100% of KIPP Academy Massachusetts records will demonstrate that graduating students and students exceeding the age of eligibility are provided with a summary of their academic achievement and functional performance, including recommendations on how to assist the student in meeting postsecondary goals.  Evidence:  - Written procedures for provision of summary of performance  - Agendas, training materials, and attendance sheets  - Internal tracking and monitoring system  - Results of record review, root cause analysis, and corrective action steps, as appropriate |
| **Measurement Mechanism:** Continuing after the completion deadline:  Prior to graduation each school year, KIPP Academy Massachusetts Special Education Administrators will review the special education records of graduating students and students exceeding the age of eligibility to ensure these students were provided with individual summary of academic achievement and functional performance, including recommendations on how to assist the student in meeting postsecondary goals. If non-compliance is identified, the charter school will conduct a root cause analysis and determine appropriate corrective action, including provision of summary of performance and additional staff training, as necessary. |
| **Completion Timeframe:** 05/23/2022 |
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