

**Phoenix Charter Academy Chelsea**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **March 27-28, 2023**

**Date of Final Report: October 18, 2023**

**Department of Elementary and Secondary Education Onsite Team Member:**

**Joan Brinckerhoff, Chairperson**



Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Phoenix Charter Academy Chelsea**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUSED MONITORING REPORT INTRODUCTION**

During the 2022-2023 school year, Phoenix Charter Academy Chelsea participated in a Tiered Focused Monitoring Review (TFM) conducted by the Department’s Office of Public School Monitoring (PSM). The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

Each school district, charter school, vocational school, and virtual school undergoes a Tiered Focused Monitoring Review every three years. The statewide Tiered Focused Monitoring cycle is posted at <<https://www.doe.mass.edu/psm/tfm/6yrcycle.html>>.

Regularly monitored standards are divided into two groups, known as Group A Universal Standards and Group B Universal Standards. Districts and schools are monitored on an alternate set of Universal Standards every three years.

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

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.

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 September 20, 2022.

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

* Selected federal civil rights requirements, including requirements under the Every Student Succeeds Act (ESSA); 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.

**PSM Team:**

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

**Tier Level:**

The level of monitoring varies based on tier designation, aligning supports to the level of need and ensuring that districts and schools with greater needs receive appropriate supports to make sustained improvements.

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| Tier | Title | Description |
| 1 | Self-Directed Improvement | Data points indicate no concern on compliance and student outcomes. |
| 2 | Directed Improvement | No demonstrated risk in areas with close link to student outcomes. |
| 3 | Corrective Action | Areas of concern include both compliance and student outcomes. |
| 4 | Cross-unit Support and Corrective Action | Areas of concern have a profound effect on student outcomes and ongoing compliance. |

For the 2022-2023 school year, the tier assignments are based on:

* Annual drop-out rate for students with disabilities
* Five-year cohort graduation rate for students with disabilities
* Public School Monitoring compliance data from the previous review
* Problem Resolution System data, specifically findings of noncompliance
* Special education SPP/APR compliance Indicator data for Indicators 4B, 9 & 10
  + Indicator 4B: Significant discrepancy by race or ethnicity in removal of students with

IEPs greater than 10 days

* + Indicator 9: Overall disproportionate representation of racial and ethnic groups identified

as eligible for special education

* + Indicator 10: Disproportionate representation of racial and ethnic groups within specific

disability categories

* Special education SPP/APR performance Indicator data for Indicators 5 & 6
  + Indicator 5: Education Environments (6-21)
  + Indicator 6: Preschool Environments
* Significant Disproportionality data 2021-2022 & 2022-2023

Tiering adjustments may be made for districts engaged in work with the Department’s Statewide System of Support and have schools identified as requiring assistance and intervention. Tiering assignments may also be adjusted for schools and districts unable to remedy noncompliance within one year of the previous TFM review, as well as for charter schools requiring additional oversight based on conditions of their charter.

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

Following the onsite visit, the PSM team holds an informal exit meeting to summarize the review for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the chairperson forwards the TFM Feedback Summary that includes findings from the Tiered Focused Monitoring Review to the superintendent or charter school leader.

As part of the reporting process, all districts/charter schools in Tiers 1 and 2 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 is due to the Department within 20 business days after the issuance of the Feedback Summary and is subject to the Department’s review and approval. 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. Department staff provide support and assistance to districts and charter schools on the development of a CIMP.

Once the CIMP is approved, it is issued as the Final Report.

Department staff also provide ongoing technical assistance as the school or district is implementing the approved CIMP. **School districts and charter schools 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 Feedback Summary.**

For more information regarding the TFM Review Process, including district and parent resources, please visit < <https://www.doe.mass.edu/psm/tfm/default.html>>.

# **TIERED FOCUSED MONITORING FINAL REPORT**

**Phoenix Charter Academy Chelsea**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review at Phoenix Charter Academy Chelsea during the week of March 27, 2023, to evaluate the implementation of Group B 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 school.

In preparing this report, the team reviewed extensive written documentation regarding the operation of the school’s programs, together with information gathered by means of the following Department program review methods:

**Self-Assessment Phase:**

* School review of special education and civil rights documentation for required elements including document uploads.
* School review of a sample of special education student records to ensure the implementation of required discipline procedures.
* Upon completion of the self-assessment, the school submitted the data to the Department for review.

**On-Site Implementation Phase:**

* 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 parents or members of the general public.
* Review of additional documents for special education and civil rights.
* Review of a sample of special education student records to ensure the implementation of required discipline procedures.
* Surveys of parents of students in special education: Parents of students in special education were sent a survey that solicited information regarding their experiences with the school’s implementation of special education programs, related services, and procedural requirements.
* Observations of classrooms and other facilities: The onsite team visited 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.

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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 school 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 their 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. |
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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. |

**Phoenix Charter Academy Chelsea**

# **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 54, SE 55, SE 56 | CR 3, CR 7, CR 7A, CR 7B, CR 7C, CR 8, CR 10A, CR 10B,  CR 10C, CR 12A,  CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24 | SE 44, SE 45,  SE 46, SE 47 |
| **PARTIALLY**  **IMPLEMENTED** |  | CR 25 |  |
| **NOT**  **IMPLEMENTED** | SE 32 |  |  |
| **NOT**  **APPLICABLE** | SE 52A |  |  |

The full list of criteria and information regarding the requirements can be found in Appendix B of the Tiered Focused Monitoring Toolkit available at < <https://www.doe.mass.edu/psm/resources/tfm-toolkit.docx>>.

| **CONTINUOUS IMPROVEMENT AND MONITORING PLAN** |
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| **Improvement Area** **1** |
| **Criterion:** SE 32 - Parent advisory council for special education |
| **Rating:** Not Implemented |
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| **Description of Current Issue:** A review of documents and staff and parent interviews indicated that although the charter school attempted to start a special education parent advisory council (SEPAC), it has not established a parent advisory council on special education or sought a waiver from the Department to meet this requirement in an alternative manner. |
| **LEA Outcome:** Phoenix Charter Academy Chelsea (Phoenix) will establish a special education parent advisory council (SEPAC) and make efforts to include adult students. The school will hold meetings throughout each school year, including a workshop on the rights of students and their parents and guardians under state and federal special education laws. If Phoenix is unable to fully establish a SEPAC, the school will submit a waiver request to the Department. |
| **Action Plan:** By November 13, 2023, Phoenix will hold the annual workshop regarding student and parent/guardian rights. The Director of Curriculum & Instruction will recruit members and potential officers for the SEPAC via the school's parent newsletter; direct outreach via email and text messages; and outreach to adult students during weekly advisory meetings and individual meetings with counselors.  By January 17, 2023, the Director of Curriculum & Instruction will meet with the SEPAC officers to review and amend by-laws, as necessary; develop a plan for parent and adult student outreach; create a schedule of SEPAC activities for the school year; and develop procedures for special education program evaluations. The procedures will include the development of SEPAC surveys to obtain feedback on the school's special education programs and services.  By April 12, 2024, Phoenix will submit evidence that the SEPAC has successfully implemented all planned activities. If Phoenix has not been successful in establishing a SEPAC, the Head of School will submit a waiver request to the Department. |
| **Success Metric:** By April 2024, and beyond Phoenix will establish a SEPAC that provides parents and adult students with training on student and parent rights; the opportunity to advise the school on matters that pertain to the education and safety of students with disabilities; and the opportunity to participate in the planning, development, and evaluation of the school's special education programs.  Evidence:   * Workshop materials, agenda, and attendance * Outreach emails and newsletter * List of SEPAC officers * Calendar listing scheduled SEPAC events * Special education evaluation procedures * SEPAC survey |
| **Measurement Mechanism:** Each year, the Director of Special Education and the SEPAC officers will create a yearly schedule of SEPAC meetings and events, including the annual workshop on the rights of students and their parents and guardians under state and federal special education laws. The SEPAC will meet at least quarterly to ensure that parents and adult students are provided with the opportunity to advise the school 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's special education programs. If Phoenix’s Head of School must submit a waiver application and it is approved, the school will review its membership annually and ensure it is meeting the requirements of the waiver. |
| **Completion Timeframe:** 04/12/2024 |
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| **Improvement Area 2** |
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| **Criterion:** CR 25 - Institutional self-evaluation |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and interviews indicate that the charter school does not annually evaluate all aspects of its grade 9-12 programs to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. In order to effectively evaluate equal access, the school must conduct a thorough analysis of data, including, but not limited to, attendance, drop-out, and graduation rates. A review of data demonstrates the following:   * The school's attendance rate is approximately 48.4%, a rate significantly lower than the alternative education school rate of approximately 66.1%. * Approximately 53.5% of students dropped-out of school in 2022, a rate significantly higher than the alternative school rate of approximately 28.4%. * Approximately 7.7% of students graduated in 2022, a rate significantly lower than the alternative education school rate of approximately 47.1%. |
| **LEA Outcome:** Phoenix Charter Academy Chelsea (Phoenix) will annually evaluate all grade 9-12 programs to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. Changes made to programing based on the evaluation will result in increased graduation rates, dual enrollment rates, and attendance rates, as well as decreased rates of dropping out. |
| **Action Plan:** By November 13, 2023, the Head of School and Chief of Schools will generate the procedures and protocols for a self-evaluation, including responsible persons by role, the data to be gathered, methods for gathering stakeholder input, and timelines. The procedures will include methods by which the cross-functional team will conduct root cause analyses and develop action and progress monitoring plans containing data-based benchmarks designed to address any barriers to access and improve graduation and attendance rates and decrease drop-out rates. The charter school and the Department will establish a schedule for ongoing consultation and facilitation to discuss data, establish root causes, and to develop action plans.  By December 19, 2023, Phoenix will convene a team including Network and Phoenix Academy Chelsea administrators to gather and review appropriate data in order to evaluate all aspects of its grade 9-12 programs to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. Key data points will include attendance, dual enrollment, drop-out, and graduation rates.  By January 17, 2024, an expanded cross-functional team (including the Network Director of Data and Accountability, Head of School, Post-Secondary Coordinator, School Climate and Culture Coordinator, Manager of Student Success, college dual-enrollment coordinator, two teachers, two students, and a community member) will conduct root cause analyses of any concerning data identified including graduation, dual enrollment, attendance, and drop-out rates.  By February 26, 2024, the Phoenix cross-functional team will submit its institutional self-evaluation, including data and root cause analyses, action plans, and progress monitoring plans with data-based benchmarks. The self-evaluation will also be disseminated to stakeholders including the Network Executive Director's administrative team, Phoenix Charter Academy Chelsea staff, dual enrollment staff, and other school community participants. The team will ensure the action plans are aligned with the charter school's Accountability Plan, as approved and overseen by the Office of Charter Schools and School Redesign. Due dates for subsequent progress updates will be based on Phoenix’s action plans and the results of progress monitoring. |
| **Success Metric:** By February 2024 and beyond, Phoenix will conduct an annual institutional self-evaluation. In response to the root cause analyses and prioritization, Phoenix will implement changes that increase access and ensure rates for graduation, dual enrollment, and attendance increase and drop-out rates decrease.  Evidence:   * Procedures and protocols * Schedule for consultation and facilitation with the Department * List of team members by role * Data included in data review, including, but not limited to, graduation, attendance, and drop-out rates * Copy of institutional self-evaluation including root cause analysis and prioritization, action plan, and progress monitoring plans that align with Accountability Plan |
| **Measurement Mechanism:** Phoenix Charter Academy Chelsea's Head of School will coordinate a cross-functional team to conduct an institutional self-evaluation annually, evaluating all aspects of its grade 9-12 programs to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. In order to effectively evaluate equal access, the cross-functional team will conduct a thorough analysis of student outcome data, including, but not limited to, attendance, drop-out, and graduation rates. The charter school will implement regular progress monitoring of identified benchmarks to ensure that efforts lead to increased graduation and attendance rates and a decrease in drop-out rates. |
| **Completion Timeframe:** 02/26/2024 |
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