

**Spencer-East Brookfield Regional School District**

**Tiered Focused Monitoring Report**

**Continuous Improvement and Monitoring Plan**

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

**Tier Level** **2**

**Dates of Onsite Visit:** **January 17 & 19, 2023**

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

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

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Commissioner of Elementary and Secondary Education

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**TIERED FOCUSED MONITORING REPORT**

**Spencer-East Brookfield Regional School District**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

# **TIERED FOCUSED MONITORING REPORT INTRODUCTION**

During the 2022-2023 school year, Spencer-East Brookfield Regional School District 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/3yrcycle.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 March 1, 2007.

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**

**for Spencer-East Brookfield Regional School District**

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in Spencer-East Brookfield Regional School District during the week of January 16, 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 district.

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

**Self-Assessment Phase:**

* District review of special education and civil rights documentation for required elements including document uploads.
* Upon completion of the self-assessment, the district submitted the data to the Department for review.

**On-site Verification Phase:**

* Interviews of staff consistent with those criteria selected for onsite verification.
* Interviews of a parent advisory council (PAC) representative.
* Review of additional documents for special education and civil rights.
* Surveys of parents of students in special education: Parents of students in special education were sent a survey that solicits information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Observations of classrooms and other facilities.

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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 district 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. |

**Spencer-East Brookfield Regional School District**

# **SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **Universal Standards** **Special Education** | **Universal Standards** **Civil Rights and Other General Education Requirements** |
| **IMPLEMENTED** | SE 15, SE 32, 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 10B, CR 10C, CR 12A, CR 16, CR17A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25 |
| **PARTIALLY** **IMPLEMENTED** |  | CR 10A |
| **NOT** **IMPLEMENTED** |  |  |
| **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>>.

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| **CONTINUOUS IMPROVEMENT AND MONITORING PLAN**  |
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| **Improvement Area** **1** |
| **Criterion:** CR 10A - Student handbooks and codes of conduct |
| **Rating:** Partially Implemented |
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| **Description of Current Issue:** Document review and staff interviews indicated that although the district has developed complete procedures assuring due process in disciplinary proceedings, school handbooks do not include the complete procedures. Specifically, the East Brookfield Elementary School and the Wire Village School Student Handbooks do not include procedures for Emergency Removal. Furthermore, The Knox Trail Middle School and the David Prouty High School Student Handbooks do not include complete procedures regarding the disciplining of students with disabilities and students with Section 504 Accommodation Plans. Specifically, the procedures do not include the following requirements: * Returning the student to the original placement if the behavior is a manifestation of the disability, unless the parent and district agree otherwise, or a hearing officer orders a new placement.
* Provision of the following when a student is suspended or expelled when the behavior is not a manifestation of the disability:
	+ Services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and
	+ As appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur.

Additionally, the definitions of bullying and aggressor in the Knox Trail Middle School Student Handbook do not include a member of the school staff. |
| **LEA Outcome:** Spencer-East Brookfield Regional School District will ensure that all handbooks include the complete disciplinary procedures. Specifically, the East Brookfield Elementary School and the Wire Village School handbooks will include procedures for Emergency Removal.Furthermore, the Knox Hill Middle School and the David Prouty High School handbooks will include the following requirements regarding the disciplining of students with disabilities and students with Section 504 Accommodation Plans: * Returning the student to the original placement if the behavior is a manifestation of the disability, unless the parent and district agree otherwise, or a hearing officer orders a new placement.
* Provision of the following when a student is suspended or expelled when the behavior is not a manifestation of the disability:
	+ Services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and
	+ As appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur.

Additionally, the Knox Trail Middle School handbook will include a member of the school staff in the definitions of bullying and aggressor. |
| **Action Plan:** By May 26, 2023, the Director of Student Services will meet with the administration from the East Brookfield Elementary School and the Wire Village School to add the procedures for Emergency Removal in both school handbooks. By May 26, 2023, the Director of Student Services will meet with the administration from the Knox Hill Middle School and the David Prouty High School to review, edit, and update the procedures regarding the disciplining of students with disabilities and students with Section 504 Accommodation Plans. Additionally, the definition of bullying and aggressor in the Knox Hill Middle School handbook will be revised. By September 1, 2023, the updated district handbooks will be presented to the school committee for review and approval. Evidence will include the school committee meeting minutes indicating approval. By September 1, 2023, all staff will review the procedures within their specific school's handbook. Evidence will include documentation of the review. Notification of the revised handbooks will be disseminated to the school community. |
| **Success Metric:** By the 2023-2024 school year and beyond, Spencer-East Brookfield Regional School District's student handbooks will contain all appropriate procedures regarding the discipline of students with disabilities and students with Section 504 Accommodation Plans, procedures for Emergency Removal, and updated definitions related to bullying. Evidence: * Revised handbooks
* School committee minutes indicating approval
* Documentation from all staff members indicating review
* Links to school websites with updated handbooks
 |
| **Measurement Mechanism:** Annually, district leadership will review student handbooks to ensure consistency with the requirements of the regulations. Additionally, the district will ensure that parents and guardians are provided with the updated student handbooks each year. |
| **Completion Timeframe:** 09/01/2023 |
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