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| **MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  **Public School Monitoring** |

##### SPECIAL EDUCATION AND CIVIL RIGHTS

##### MONITORING REVIEW

## CORRECTIVE ACTION PLAN

Webster Public Schools

Monitoring Onsite Year: 2023-2024

All corrective action must be fully implemented and all noncompliance corrected as soon as possible and no later than one year from the issuance of the Special Education and Civil Rights Monitoring Report dated 10/01/2024.

**Mandatory One-Year Compliance Date:** **10/01/2025**

**Summary of Required Corrective Action Plans in this Report**

| **Criterion** | **Criterion Title** | **Rating** |
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| CR 10A | Student handbooks and codes of conduct | Partially Implemented |
| CR 10C | Student Discipline | Partially Implemented |
| CR 17A | Use of physical restraint on any student enrolled in a publicly-funded education program | Partially Implemented |

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| SPECIAL EDUCATION AND CIVIL RIGHTS  MONITORING REVIEW  **CORRECTIVE ACTION PLAN** |

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| **Criterion & Topic:**  CR 10A Student handbooks and codes of conduct | | **Rating:**  Partially Implemented |
| **Department Findings:**    A review of documents and staff interviews indicated that the district's code of conduct and student handbooks do not include all required procedures assuring due process in disciplinary proceedings. Please also see CR 10C.  In addition, the code of conduct and student handbooks do not contain a procedure for accepting, investigating, and resolving complaints alleging discrimination based on race, color, sex, gender identity, religion, national origin, or sexual orientation.  The procedures for assuring due process in disciplinary proceedings for students with disabilities in the middle and high school handbooks do not include the following information:   * Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others; and * No later than the date of the decision to take disciplinary action, the school district notifies the parents of the decision and provides them with the written notice of procedural safeguards.   Also, the middle school student handbook does not include procedures assuring due process in disciplinary proceedings for students not yet determined eligible for special education. | | |
| **Description of Corrective Action:**  Root cause analysis: The student handbooks and disciplinary due process procedures did not include the most up to date language and regulatory requirements due to an oversight to include in the most recent versions of the discipline procedures in the district’s code of conduct and student handbook. | | |
| **Title/Role(s) of Responsible Persons:**  Heidi Peterson, Principal  Gina Nieves, Interim Principal | | **Expected Date of Completion:**    10/09/2025 |
| **Evidence of Completion of the Corrective Action:**  The district has already updated language in its code of conduct and student handbooks specific to protective classes. The district will update the district’s code of conduct and/or student handbooks with a supplement for the FY 2025 school year which will include:     * All required procedures to ensure due process in disciplinary proceedings (District). * Procedures for accepting, investigating, and resolving complaints alleging discrimination based on race, color, sex, gender identity, religion, national origin, or sexual orientation (District). * Procedures for assuring due process in disciplinary proceedings for students with disabilities (Middle and High School) regardless of the manifestation determination. The district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others. * No later than the date of the decision to take disciplinary action, the district notifies the parents of the decision and provides them with the written notice of procedural safeguards (Middle and High School). * All required procedures to ensure due process in disciplinary proceedings for students not yet determined eligible for special education (Middle School). | | |
| **Description of Internal Monitoring Procedures:**   1. The District Leadership Team will monitor the policies and procedures on an annual basis and will edit and/or ensure that the language in the district’s code of conduct and/or student handbooks reflect updates pertaining to current language around protective classes and procedures assuring due process in disciplinary proceedings. The district will obtain School Committee approval for policy changes. 2. The district will provide community outreach relative to the district’s updated code of conduct and/or student handbook pertaining to language around protective classes and procedures assuring due process in disciplinary proceedings via email, school/district newsletter, and/or One Call platform for broadcasting alerts. 3. For any updates, the district will notify the school community. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 10A Student handbooks and codes of conduct | **Corrective Action Plan Status:** Approved  **Status Date:** 11/21/2024  **Correction Status:** Not Corrected | |
| **Required Elements of Progress Report:**  By February 10, 2025, the district will submit the links to the updated handbooks on each school level's website that include all required procedures in disciplinary proceedings (see CR 10C) and a procedure for accepting, investigating, and resolving complaints alleging discrimination based on race, color, sex, gender identity, religion, national origin, or sexual orientation. In addition, the district will update the procedures for assuring due process in disciplinary proceedings for students with disabilities in the middle and high school handbooks as well as include procedures assuring due process in disciplinary proceedings for students not yet determined eligible for special education in the middle school handbook. | | |
| **Progress Report Due Date:**  02/10/2025 | | |

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| SPECIAL EDUCATION AND CIVIL RIGHTS  MONITORING REVIEW  **CORRECTIVE ACTION PLAN** |

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| **Criterion & Topic:**  CR 10C Student Discipline | | **Rating:**  Partially Implemented |
| **Department Findings:**  A review of documents and staff interviews indicated the district does not ensure that policies and procedures are in place for all grade levels that meet, at a minimum, the requirements of M.G.L. c. 71, section 37H, M.G.L. c. 76, section 21, and 603 CMR 53.00.  Specifically, the procedures for in-school suspension do not include the principal's responsibility to do the following:   * Inform the student of the length of the suspension which may not exceed ten days, cumulatively or consecutively, in a school year, if the principal determines that the student committed the offense; * Schedule the meeting with the parent/guardian for the day of the suspension or as soon as possible; and * Document at least two attempts to reach the parent for the purpose of orally informing the parent.   The procedures for the principal's hearing for short-term suspensions do not include the principal's responsibility to do the following:   * Determine whether the student committed the disciplinary offense and if so, the remedy or consequence to be imposed, based on available information including mitigating circumstances; and * Provide the student and parent with written notification of the determination, the reason for it, and if the student is suspended, the duration of the suspension and the opportunity to make up assignments and other schoolwork needed to make academic progress during the period of removal.   The procedures for the principal's hearing for long-term suspensions do not include the following due process rights for students and parents:   * The right to review the student's record and principal's documents in advance; * The right to be represented by counsel or lay person at own expense; * The right to produce witnesses and cross examine witnesses presented by the school; and * The right to request an audio recording of the hearing, a copy of which shall be provided to the student and parent upon request (prior to the hearing, the district must inform all parties that an audio copy will be made of the hearing).   In addition, the procedures do not make clear that the content of the written determination for a long-term suspension must include:   * The disciplinary offense, date, and hearing participants; * Key facts and conclusions; * Length and effective date of suspension and return to school; * Opportunity for the student to receive education services during removal; and * Student right to appeal to the superintendent.   The procedures for the superintendent's hearing do not include the following:   * If the student 's or parent's notice of appeal is not timely, the superintendent may deny the appeal, or allow the appeal at his/her discretion; * The superintendent's obligation to make a good faith effort to include the parent in the hearing and to send written notice to the parent of the date, time, and location of the hearing; * The requirement to arrange for an audio recording of the hearing, a copy of which shall be provided to the student and the parent upon request; and * The superintendent's responsibility to inform all parties before the hearing that an audio copy will be made of the hearing.   The procedures for emergency removal do not make clear that the principal may remove a student from school temporarily when the student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption.  Also, a review of documents and student records indicated that although a written notice of suspension and hearing is consistently provided to parents, it is not consistently provided to the student as well. | | |
| **Description of Corrective Action:**  Internal review indicated that the district did not have internal monitoring procedures in place for annual review of the district's policies and procedures relating to M.G.L. c. 71, section 37H, M.G.L. c. 76, section 21, and 603 CMR 53.00. | | |
| **Title/Role(s) of Responsible Persons:**  M Pierangeli, Sup  S Haire, Dir  P MacKay, Assist Sup  G Nieves, H Peterson, A Puliafico, Principals | | **Expected Date of Completion:**  10/09/2025 |
| **Evidence of Completion of the Corrective Action:**  Update the district's policies and procedures related to M.G.L. c. 71, section 37H, M.G.L. c. 76, section 21, and 603 CMR 53.00 to ensure compliance relative to in-school suspension, short term suspension, long term suspension, student/parent appeals to the superintendent, and emergency removals across all grade levels, and obtain School Committee approval for all policy changes. In addition, the district will demonstrate that a written notice of suspension and hearing is consistently provided to both parents and the student. | | |
| **Description of Internal Monitoring Procedures:**   1. The District Leadership Team will monitor the policies and procedures on a yearly basis and obtain School Committee approval for all policy changes. 2. This will include a review documentation/student files that pertain to the district's policies and procedures relative to M.G.L. c. 71, section 37H, M.G.L. c. 76, section 21, and 603 CMR 53.00 to ensure compliance relative to in-school suspension, short term suspension, long term suspension, student/parent appeals to the superintendent, and emergency removals across all grade levels, and obtain School Committee approval for any and all policy changes. 3. For any updates, the district will notify the school community and train staff, when applicable. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 10C Student Discipline | **Corrective Action Plan Status:** Approved  **Status Date:** 11/21/2024  **Correction Status:** Not Corrected | |
| **Required Elements of Progress Reports:**  By February 10, 2025, the district will submit district policies and procedures that meet, at a minimum, the requirements of M.G.L. c. 71, section 37H, M.G.L. c. 76, section 21, and 603 CMR 53.00 as well as the minutes from the School Committee meeting demonstrating approval.  By February 10, 2025, the district will submit an updated written notice of suspension and hearing that is addressed to both the parent and the student.  By February 10, 2025, the district will submit training materials, agendas and attendance sheets to demonstrate that staff have been trained on the updated policies and procedures. | | |
| **Progress Report Due Date:**  02/10/2025 | | |

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| **Criterion & Topic:**  CR 17A Use of physical restraint on any student enrolled in a publicly-funded education program | | **Rating:**  Partially Implemented |
| **Department Findings:**  A review of documents and staff interviews indicated that the district's physical restraint prevention and behavior support policy and procedures are inconsistent with 603 CMR 46.00.  Specifically, the policy erroneously includes the provision of waivers for special circumstances and exceptions to the reporting requirements. Furthermore, the district has not developed procedures that include the following:   * Methods for preventing student violence, self-injurious behavior, and suicide; * Methods for engaging parents in discussions about restraint prevention and use; * Method of physical restraint in emergency situations; * A statement prohibiting medication restraint, mechanical restraint, and prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b); * A description of the program's training requirements, reporting requirements, and follow-up procedures; * A procedure for receiving and investigating complaints; * Procedures for conducting periodic review of data and documentation on the program's use of restraint; * A procedure for making both oral and written notification to the parent; and * A procedure for the use of time-out. | | |
| **Description of Corrective Action:**  The district's physical restraint prevention and behavior support policy and procedures were not consistent with 603 CMR 46.00 because the district’s policy erroneously included the provision of waivers for special circumstances and exceptions to the reporting requirements.    The district did not develop procedures that included the following:   * Methods for preventing student violence, self-injurious behavior, and suicide; * Methods for engaging parents in discussions about restraint prevention and use; * Method of physical restraint in emergency situations; * A statement prohibiting medication restraint, mechanical restraint, and prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b); * A description of the program's training requirements, reporting requirements, and follow-up procedures; * A procedure for receiving and investigating complaints; * Procedures for conducting periodic review of data and documentation on the program's use of restraint; * A procedure for making both oral and written notification to the parent; and * A procedure for the use of time-out. | | |
| **Title/Role(s) of Responsible Persons:**  M Pierangeli Sup  S Haire Dir  P MacKay, Assist Sup  G Nieves, H Peterson, A Puliafico, Prin | | **Expected Date of Completion:**  10/09/2025 |
| **Evidence of Completion of the Corrective Action:**  The district will update the district’s physical restraint prevention and behavior support policy and procedures to be consistent with 603 CMR 46.00. The district’s updated policy will include the removal of the error relative to the provision of waivers for special circumstances and exceptions to the reporting requirements.  In addition, the district will develop procedures to include the following:   * + Methods for preventing student violence, self-injurious behavior, and suicide;   + Methods for engaging parents in discussions about restraint prevention and use;   + Method of physical restraint in emergency situations;   + A statement prohibiting medication restraint, mechanical restraint, and prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b);   + A description of the program's training requirements, reporting requirements, and follow-up procedures;   + A procedure for receiving and investigating complaints;   + Procedures for conducting periodic review of data and documentation on the program's use of restraint;   + A procedure for making both oral and written notification to the parent; and   + A procedure for the use of time-out.   The district will train staff in the updates to the district’s physical restraint prevention and behavior support policy and procedures. | | |
| **Description of Internal Monitoring Procedures:**  Each principal or director will review and update, as necessary, the physical restraint policy and procedures to ensure consistency with the regulations and distribute updates to the school community, when applicable. In addition, staff will be trained within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. | | |
| CORRECTIVE ACTION PLAN APPROVAL SECTION | | |
| **Criterion:**  CR 17A Use of physical restraint on any student enrolled in a publicly-funded education program | **Corrective Action Plan Status:** Approved  **Status Date:** 11/21/2024  **Correction Status:** Not Corrected | |
| **Required Elements of Progress Reports:**  By February 10, 2024, the district will submit the updated restraint prevention and behavior support policy and procedures consistent with 603 CMR 46.00 as well as the district's internal monitoring procedures.  By February 10, 2024, the district will submit agenda(s) and attendance sheets to demonstrate that all staff are trained in the updated policy and procedures. | | |
| **Progress Report Due Date:**  02/10/2025 | | |