



North Middlesex Regional School District

Tiered Focused Monitoring Report

Continuous Improvement and Monitoring Plan

**For Group A Universal Standards
Tier Level 2**

Dates of Onsite Visit: March 9-11, 2022

Date of Final Report: May 25, 2022



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Commissioner of Elementary and Secondary Education

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
TIERED FOCUSED MONITORING REPORT**

North Middlesex Regional School District

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MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TIERED FOCUS MONITORING REPORT INTRODUCTION

During the 2021-2022 school year, North Middlesex 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/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 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.

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

For the 2021-2022 school year, the tier assignments are based on:

- 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 State Performance Plan/Annual Performance Reports (SPP/APR) compliance Indicator data for Indicators 11, 12, and 13 (Group A only)
 - Indicator 11: Child Find
 - Indicator 12: Early Childhood Transition
 - Indicator 13: Secondary Transition
- Special education SPP/APR performance Indicator data for Indicators 5 & 6
 - Indicator 5: Education Environments (6-21)
 - Indicator 6: Preschool Environments
- Significant Disproportionality data 2019-2020 & 2020-2021

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 or CAP. **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 North Middlesex Regional School District

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in North Middlesex Regional School District during the week of March 7, 2022, to evaluate the implementation of Group A 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 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.
- District review of a sample of special education student records selected across grade levels, disability categories, and levels of need.
- District review of student records related to the Indicator Data Collection for Indicators 11, 12, and 13.
- Upon completion of the self-assessment, the district submitted the data to the Department for review.

On-site Verification Phase (dependent upon Group A or Group B Universal Standards):

- Interviews of administrative staff consistent with those criteria selected for onsite verification.
- Interview of a parent advisory council (PAC) representative and other telephone interviews, as requested by other parents or members of the general public.
- 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 solicited information regarding their experiences with the district's implementation of special education programs, related services, and procedural requirements.
- 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 have been met.

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.) The Tiered Focused Monitoring Reports do not include criteria receiving a rating of "Implemented" or "Not Applicable." This will allow the district/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.

DEFINITION OF COMPLIANCE RATINGS

Commendable	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation.
Implemented	The requirement is substantially met in all important aspects.
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.
Partially Implemented	The requirement, in one or several important aspects, is not entirely met.
Not Implemented	The requirement is totally or substantially not met.
Not Applicable	The requirement does not apply to the school district or charter school.

North Middlesex Regional Public Schools

SUMMARY OF COMPLIANCE CRITERIA RATINGS

	Universal Standards Special Education	Universal Standards Civil Rights and Other General Education Requirements
IMPLEMENTED	SE 1, SE 3A, SE 6, SE 9, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 14, SE 17, SE 18A, SE 19, 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
PARTIALLY IMPLEMENTED	SE 2, SE 3, SE 7, SE 8, SE 20	
NOT IMPLEMENTED	None	
NOT APPLICABLE	SE 38	

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>>.

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 PSM team reviewed the results of Indicator data submissions for Indicators 11, 12, and 13. The Indicator review is completed prior to the onsite visit and helps inform the scope of the onsite review. 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:

	Compliant	Non-Compliant	Not Applicable
Indicator 11 – Initial Evaluation Timelines		X	
Indicator 12 – Early Childhood Transition	X		
Indicator 13 – Secondary Transition	X		

*Corrective actions addressing noncompliance with Indicator 11 have been completed and no further action in this area is required.

CONTINUOUS IMPROVEMENT AND MONITORING PLAN

Improvement Area 1
Criterion: SE 2 - Required and optional assessments
Rating: Partially Implemented
Description of Current Issue: A review of student records and staff interviews indicated that when the district conducts evaluations, all required assessments are not always completed. Specifically, the district does not consistently conduct an educational assessment completed by a district representative that includes a history of the student's educational progress in the general curriculum (Educational Assessment A) or an assessment completed by a teacher(s) with current knowledge of the student's specific abilities, attention skills, participation behaviors, communication skills, memory, and social skills (Educational Assessment B).
LEA Outcome: North Middlesex Regional Public Schools will ensure that when the district conducts evaluations, all required assessments are always completed. Specifically, the district will consistently conduct an educational assessment completed by a district representative that includes a history of the student's educational progress in the general curriculum (Educational Assessment A) and an assessment completed by a teacher(s) with current knowledge of the student's specific abilities, attention skills, participation behaviors, communication skills, memory, and social skills (Educational Assessment B).
<p>Action Plan: By October 3, 2022, North Middlesex Regional School District will complete the educational assessments for the two students identified by the Department. For each student, the district will submit a copy of the completed educational assessments, the Notice of Proposed School District Action (N1), and an amendment or revised Individualized Education Program (IEP), if applicable.</p> <p>By October 3, 2022, North Middlesex Regional School District will submit procedures for completing educational assessments. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.</p> <p>By December 5, 2022, North Middlesex Regional School District will submit evidence of training for all special education teachers and related-service providers on the district's assessment procedures. Evidence will include training materials, meeting agendas, and signed attendance sheets.</p> <p>By February 6, 2023, North Middlesex Regional School District will submit the results of a representative sample review of records of students who had initial or re-evaluations. For any identified non-compliance, the district will conduct a root cause analysis and implement appropriate corrective actions.</p>
<p>Success Metric: By March 2023 and beyond, North Middlesex Regional School District will ensure that when the district conducts evaluations, all required assessments are always completed.</p> <p>Evidence:</p> <ul style="list-style-type: none"> • Completed Educational Assessments, Notice of Proposed School District Action (N1) and amendments or revised IEPs, if applicable. • Updated procedures • Training materials, meeting agendas, and signed attendance sheets • Results of internal record review

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CONTINUOUS IMPROVEMENT AND MONITORING PLAN

Improvement Area 1

- Results of any root cause analysis conducted and summary of corrective action, as necessary

Measurement Mechanism: The Assistant Director of Special Education will review the procedures for completing educational assessments with all special education teachers and related-service providers in the fall of each school year. Additionally, the Assistant Director of Special Education will conduct an annual review of student records in October of each school year to ensure future compliance. The review will evaluate the records of a representative sample of students from across the district who have had an eligibility determination Team meeting. The review will affirm whether educational assessments were completed as required. If there are any instances of non-compliance identified, the Assistant Director of Special Education will conduct a root cause analysis and take appropriate corrective actions to address the issue(s).

Completion Timeframe: 02/06/2023

Improvement Area 2**Criterion:** SE 3 - Special requirements for determination of specific learning disability**Rating:** Partially Implemented**Description of Current Issue:** A review of student records and staff interviews indicated that when a student suspected of having a specific learning disability is evaluated, the Team does not consistently create a written determination as to whether or not he or she has a specific learning disability, signed by all members. Furthermore, if there is disagreement as to the determination, Team members do not document their disagreement.**LEA Outcome:** North Middlesex Regional Public Schools will ensure that when a student suspected of having a specific learning disability (SLD) is evaluated, the Team will create a written determination as to whether or not he or she has a specific learning disability, signed by all members. Furthermore, if there is disagreement as to the determination, the Team will document the disagreement.**Action Plan:** By October 3, 2022, North Middlesex Regional School District will submit procedures for completing specific learning disability determinations. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.

By December 5, 2022, North Middlesex Regional School District will submit evidence of training for all special education teachers and related-service providers on the district's specific learning disability determination procedures. Evidence will include training materials, meeting agendas, and signed attendance sheets.

By February 6, 2023, North Middlesex Regional School District will submit the results of a review of records of students who have had specific learning disability determinations. For any identified non-compliance, the district will conduct a root cause analysis and implement appropriate corrective actions.

Success Metric: By March 2023 and beyond, North Middlesex Regional School District will ensure that when a student suspected of having a specific learning disability is evaluated, the Team creates a written determination as to whether or not he or she has a specific learning disability, signed by all members. Furthermore, if there is disagreement as to the determination, Team members document their disagreement.**Evidence:**

- Updated procedures
- Training materials, meeting agendas, and signed attendance sheets
- Results of internal record review
- Results of any root cause analysis conducted and summary of corrective action, as necessary

Measurement Mechanism: The Assistant Director of Special Education will review the procedures for conducting specific learning disability determinations with all special education teachers and related-service providers members in the fall of each school year. Additionally, the Assistant Director of Special Education will conduct an annual review of student records in November of each school year to ensure future compliance. The review will evaluate the records of students from across the district who have had an eligibility determination in which specific learning disabilities were suspected. If there are any instances of non-compliance identified, the Assistant Director of Special Education will

Improvement Area 2

conduct a root cause analysis and take appropriate corrective actions to address the issue(s).

Completion Timeframe: 02/06/2023

Improvement Area 3

Criterion: SE 7 - Transfer of parental rights at age of majority and student participation and consent at the age of majority

Rating: Partially Implemented

Description of Current Issue: A review of student records and staff interviews indicated that at least one year prior to the student reaching age 18, the district does not consistently inform the student and parent/guardian of the rights that will transfer from the parent/guardian to the student upon the student's 18th birthday. In addition, upon reaching the age of majority, the district does not always obtain consent from the student with decision-making authority to continue his or her special education program.

LEA Outcome: North Middlesex Regional Public Schools will ensure that at least one year prior to the student reaching age 18, the district shall inform the student and parent/guardian of the rights that will transfer from the parent/guardian to the student upon the student's 18th birthday. In addition, upon reaching the age of majority, the district shall obtain consent from the student with decision-making authority to continue his or her special education program.

Action Plan: By October 3, 2022, North Middlesex Regional School District will submit evidence of the student choices regarding delegation of decision-making authority for the two students identified by the Department. If applicable, the district will provide evidence of student consent to continue special education services.

By October 3, 2022, North Middlesex Regional School District will submit procedures for the transfer of rights. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.

By December 5, 2022, North Middlesex Regional School District will submit evidence of training for all special education teachers and related-service providers on the district's transfer of rights procedures. Evidence will include training materials, meeting agendas, and signed attendance sheets.

By February 6, 2023, North Middlesex Regional School District will submit the results of a review of records of applicable students to ensure proper implementation of the procedures. For any identified non-compliance, the district will conduct a root cause analysis and implement appropriate corrective actions.

Success Metric: By March 2023 and beyond, North Middlesex Regional School District will ensure that at least one year prior to the student reaching age 18, the district will consistently inform the student and parent/guardian of the rights that will transfer from the parent/guardian to the student upon the student's 18th birthday. In addition, upon reaching the age of majority, the district will obtain consent from the student with decision-making authority to continue his or her special education program.

Evidence:

- IEP Signature pages
- Updated procedures
- Training materials, meeting agendas, and signed attendance sheets.
- Results of internal record review

Improvement Area 3

- Results of any root cause analysis conducted and summary of corrective action, as necessary

Measurement Mechanism: The Assistant Director of Special Education will review the transfer of rights procedures with all special education teachers and related-service providers in the fall of each school year. Additionally, the Assistant Director of Special Education will conduct an annual review of student records in December of each school year to ensure future compliance. If there are any instances of non-compliance identified, the Assistant Director of Special Education will conduct a root cause analysis and take appropriate corrective actions to address the issue(s).

Completion Timeframe: 02/06/2023

Improvement Area 4**Criterion:** SE 8 - IEP Team composition and attendance**Rating:** Partially Implemented**Description of Current Issue:** A review of student records and staff interviews indicated that when a Team member does not attend the Team meeting, the district does not always follow the required procedures, including the following:

- Documenting, in writing, that the district and parent agree the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed; or
- Documenting, in writing, the district and parent agree to excuse a required Team member's participation and the excused member provides written input into the development of the IEP to the parent and the IEP Team prior to the meeting.

LEA Outcome: North Middlesex Regional Public Schools will ensure when a Team member does not attend the Team meeting, the district will always follow the required procedures, including the following:

- Documenting, in writing, that the district and parent agree the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed; or
- Documenting, in writing, the district and parent agree to excuse a required Team member's participation and the excused member provides written input into the development of the IEP to the parent and the IEP Team prior to the meeting.

Action Plan: By October 3, 2022, North Middlesex Regional School District will submit Team meeting attendance procedures. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.

By December 5, 2022, North Middlesex Regional School District will submit evidence of training to all special education teachers and related-service providers on the Team meeting attendance procedures. Evidence will include training materials, meeting agendas, and signed attendance sheets.

By February 6, 2023, North Middlesex Regional School District will submit the results of a review of records of a representative sample of students to ensure that when IEP Team members could not attend IEP meetings, the district excusal process was followed. For any identified non-compliance, the district will conduct a root cause analysis and implement appropriate corrective actions.

Success Metric: By March 2023 and beyond, North Middlesex Regional School District will ensure that when a Team member does not attend the Team meeting, the district will always follow the required procedures.**Evidence:**

- Updated procedures
- Training materials, meeting agendas, and signed attendance sheets
- Results of the internal record review
- Results of any root cause analysis conducted and summary of corrective action, as necessary

Measurement Mechanism: The Assistant Director of Special Education will conduct an annual

Improvement Area 4

review of student records in January of each school year to ensure future compliance. The review will evaluate the records of a representative sample of students whose Team meetings were held although a member was unable to attend. If there are any instances of non-compliance identified, the Assistant Director of Special Education will conduct a root cause analysis and take appropriate corrective actions to address the issue(s).

Completion Timeframe: 02/06/2023

Improvement Area 5**Criterion:** SE 20 - Least restrictive program selected**Rating:** Partially Implemented**Description of Current Issue:** A review of student records and staff interviews indicated that when a student is removed from the general education classroom at any time, the Team does not always state in the IEP Nonparticipation Justification statement why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.**LEA Outcome:** North Middlesex Regional Public Schools will ensure that when a student is removed from the general education classroom at any time, the Team states in the IEP Nonparticipation Justification statement why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.**Action Plan:** By October 3, 2022, North Middlesex Regional School District will submit procedures addressing Nonparticipation Justification statements. The procedures will include an internal tracking and monitoring system to ensure future compliance and administrative oversight.

By December 5, 2022, North Middlesex Regional School District will submit evidence of training for all special education teachers and related-service providers on the district's procedures addressing Nonparticipation Justification statements. Evidence will include training materials, meeting agendas, and signed attendance sheets.

By February 6, 2023, North Middlesex Regional School District will submit the results of a review of records of a representative sample of students to ensure that the Team states why removal is considered critical and the basis for its conclusion. For any identified non-compliance, the district will conduct a root cause analysis and implement appropriate corrective actions.

Success Metric: By March 2023 and beyond, North Middlesex Regional School District will ensure that when a student is removed from the general education classroom at any time, the Team states in the Nonparticipation Justification statement why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.**Evidence:**

- Updated procedures
- Training materials, meeting agendas, and signed attendance sheets
- Results of the internal record review
- Results of any root cause analysis conducted and summary of corrective action, as necessary

Measurement Mechanism: The Assistant Director of Special Education will conduct an annual review of student records in February of each school year to ensure future compliance. If there are any instances of non-compliance identified, the Assistant Director of Special Education will conduct a root cause analysis and take appropriate corrective actions to address the issue(s).**Completion Timeframe:** 02/06/2023