MASSACHUSETTS
Department of Elementary
and Secondary Education

Medford Public Schools

SPECIAL EDUCATION & CIVIL RIGHTS MONITORING REPORT

For Group A Universal Standards

Dates of Onsite Visit: January 29-30, 2024
Date of Draft Report: April 5, 2024
Date of Final Report: June 3, 2024
Action Plan Due: July 1, 2024

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MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
SPECIAL EDUCATION & CIVIL RIGHTS MONITORING REPORT

Medford Public Schools

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MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF PUBLIC SCHOOL MONITORING
SPECIAL EDUCATION & CIVIL RIGHTS MONITORING REPORT

During the 2023-2024 school year, Medford Public Schools participated in a Special Education & Civil Rights Monitoring Review (Monitoring Review) conducted by the Department's Office of Public School Monitoring (PSM). The purpose of the Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

Components of the Monitoring Review

Each school district, charter school, vocational school, and virtual school undergoes a Monitoring Review every three years. The statewide 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), 20 U.S.C. § 1400 *et seq* and accompanying regulations at 34 CFR Part 300.
- Massachusetts General Law Chapter 71B, and the Massachusetts Special Education regulations (603 CMR 28.00).

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

- Specific 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 select state requirements under M.G.L. c. 76, § 5 and M.G.L. c. 269 §§ 17 through 19.
- Specific requirements from the Massachusetts Physical Restraint regulations (603 CMR 46.00).
- Specific requirements from the Massachusetts Student Learning Time regulations (603 CMR 27.00).
- Specific requirements from the Massachusetts Student Records regulations (603 CMR 23.00).
- Various requirements under other federal and state laws and regulations.

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.

Report for Monitoring Reviews
At the end of the onsite visit, the PSM team holds an informal exit meeting with the superintendent or charter school leader to summarize the review. Within 45 business days, draft comments for special education and civil rights are provided to the district/school on-line through the Web-based Monitoring System (WBMS). Within 10 business days of receipt of the draft comments, the district/charter school reviews and comments on factual accuracy before the publication of a final Monitoring Report with ratings and findings. The final Monitoring Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department's website at < https://www.doe.mass.edu/psm/tfm/reports/>.

Ratings: In the final Monitoring Report, the onsite team gives a rating for each compliance criterion it has reviewed; those ratings are "Commendable," "Implemented," "Implementation in Progress," "Partially Implemented," "Not Implemented," and "Not Applicable."

The onsite team includes a comment in the final Monitoring Report for each criterion that it rates "Commendable," "Partially Implemented," "Not Implemented," or "Implementation in Progress," explaining the basis for the rating.

Corrective Action: Where criteria are found "Partially Implemented" or "Not Implemented," the district or charter school must propose a corrective action plan (CAP) to bring those areas into compliance with the relevant statutes and regulations. The CAP is due to the Department within 20 business days after the issuance of the final Monitoring Report and is subject to the Department's review and approval. Department staff provide support and assistance to districts and charter schools on the development of an approvable CAP.

Department staff also provide ongoing technical assistance as the school or district is implementing the approved 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 Final Monitoring Report.**

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

SPECIAL EDUCATION & CIVIL RIGHTS MONITORING REPORT
Medford Public Schools

The Massachusetts Department of Elementary and Secondary Education conducted a monitoring review in Medford Public Schools during the week of January 29, 2024, 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, 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.
- 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 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 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 Final 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 Final 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.

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.

Medford Public Schools

SUMMARY OF COMPLIANCE CRITERIA RATINGS

	Universal Standards Special Education	Universal Standards Civil Rights and Other General Education Requirements
IMPLEMENTED	SE 1, SE 2, SE 3, SE 3A, SE 6, SE 7, SE 9, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 17, SE 19, SE 22, SE 25, SE 26, SE 29, SE 34, SE 35, SE 37, SE 38, SE 39, SE 40, SE 41, SE 42, SE 43, SE 48, SE 49	CR 13, CR 14, CR 18
PARTIALLY IMPLEMENTED	SE 8, SE 14, SE 18A, SE 20	
NOT IMPLEMENTED	None	
NOT APPLICABLE	None	

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 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 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		

SPECIAL EDUCATION

LEGAL STANDARDS, COMPLIANCE RATINGS AND FINDINGS

CRITERION NUMBER		
	Legal Standard	
SE 8	**IEP Team composition and attendance** The following persons are members of the IEP Team and may serve in multiple roles: 1. The student's parents. 2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district. 3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson). 4. a. If the student *may* be involved in a regular education program, a regular education teacher. If the student *is* involved in a regular education program, a regular education teacher of the student. b. If the student is participating in a special education program, a special education teacher of the student or, if appropriate, a special education provider for the student. 5. The student, if one purpose of the meeting is to discuss transition services or if otherwise appropriate and if he/she chooses. 6. Other individuals at the request of the student's parents. 7. An individual who is qualified to interpret the instructional implications of evaluation results, who may be any one of the persons identified in parts 2 - 4 above. 8. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education. 9. When one purpose of the Team meeting is to discuss transition services, with the consent of the parent(s) or student who has reached the age of majority, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services. 10. When one purpose of the Team meeting is to discuss placement, a person knowledgeable about placement options is present at the meeting. 11. Members of the Team attend Team meetings unless: a. the parent and district agree to use alternative means, such as a video conference or a conference call, for any Team meeting OR b. the district and the parent agree, in writing, that 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 c. the district and the parent agree, in writing, 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.	
	State Requirements	**Federal Requirements**

CRITERION NUMBER		
	Legal Standard	
	603 CMR 28.02(21). Part 1 of this criterion is related to State Performance Plan Indicator 8. Parts 5, 10, are related to Performance Plan Indicators 13 and 14. (See http://www.doe.mass.edu/sped/spp/.)	34 CFR 300.116(a), 300.321, 300.328. See also, in the IDEA 97 regulations, 34 CFR Part 300, Appendix A, to State Question #22
	Rating: Partially Implemented	**District Response Required: Yes**

Department of Elementary and Secondary Education Findings:
A review of student records and staff interviews indicated that a general education teacher does not consistently attend IEP Team meetings for students involved in general education. The review also indicated that the district does not consistently document the excusal of a required Team member's participation.

CRITERION NUMBER		
	Legal Standard	
SE 14	**Review and revision of IEPs** 1. At least annually, on or before the anniversary date of the IEP, a Team meeting is held to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate. 2. The IEP Team reviews and revises the IEP to address any lack of expected progress towards the annual goals and in the general curriculum. 3. Amendments to the IEP. In between annual IEP meetings the district and parent may agree to make changes to a student's IEP, documented in writing, without convening a meeting of the Team. Upon request, a parent is provided with a revised copy of the IEP with the amendments incorporated.	
	State Requirements	**Federal Requirements**
	603 CMR 28.04(3)	34 CFR 300.324(a)(4), (6) and (b)
	Rating: Partially Implemented	**District Response Required: Yes**

Department of Elementary and Secondary Education Findings:
A review of student records and staff interviews indicated that the district does not always hold a Team meeting at least annually, on or before the anniversary date of the IEP, to consider the student's progress and to review, revise, or develop a new IEP.

CRITERION NUMBER		
	Legal Standard	
SE 18A	**IEP development and content** 1. Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP at the Team meeting. 2. The IEP is completed addressing all elements of the most current IEP format provided by the Department of Elementary and Secondary Education. 3. The school district ensures that the IEP will not be changed outside of the Team meeting. 4. For students identified with a disability on the autism spectrum, or whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.	
	State Requirements	**Federal Requirements**
	603 CMR 28.05(3); M.G.L. c. 71 B, section 3, as amended by Chapter 92 of the Acts of 2010	IDEA-97: 34 CFR Part 300, Appendix A, Question #22
	Rating: Partially Implemented	**District Response Required: Yes**

Department of Elementary and Secondary Education Findings:
A review of student records and staff interviews indicated that for students identified with a disability on the autism spectrum, or whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP does not consistently address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.

CRITERION NUMBER	
	Legal Standard
SE 20	**Least restrictive program selected** 1. The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs. 2. If the student is removed from the general education classroom at any time, the Team states 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. 3. The district does not remove an eligible student from the general education classroom solely because of needed modification in the curriculum. 4. If a student's IEP necessitates special education services in a day or residential facility or an out-of-district educational collaborative program, the IEP Team

CRITERION NUMBER		
	Legal Standard	
	considers whether the student requires special education services and support to promote the student's transition to placement in a less restrictive program.	
	State Requirements	**Federal Requirements**
	M.G.L. c. 71B, § 3 603 CMR 28.06(2)	34 CFR 300.114-120 34 CFR 300.42
	Rating: Partially Implemented	**District Response Required: Yes**

Department of Elementary and Secondary Education Findings:
A review of student records and staff interviews indicated that the Team did not state why the removal from the general education classroom was 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.

This Special Education and Civil Rights Final Report is also available at:
https://www.doe.mass.edu/psm/tfm/reports/.
Profile information supplied by each charter school and school district, including information for individual schools within districts, is available at
http://profiles.doe.mass.edu/.

WBMS Final Report 2023-24

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