



Lawrence Public Schools

**TIERED FOCUSED MONITORING
REPORT**

**For Group A Universal Standards
Tier Level 4**

Dates of Onsite Visit: March 25 & 26, 2019

Date of Draft Report: May 8, 2019

Date of Final Report: June 4, 2019

Action Plan Due: July 2, 2019

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

Lawrence Public Schools

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SCOPE OF TIERED FOCUSED MONITORING REVIEWS

As one part of its accountability system, the Department of Elementary and Secondary Education oversees local compliance with education requirements through Tiered Focused Monitoring (TFM). All reviews cover selected requirements in the following areas:

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 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.

TIERED FOCUSED MONITORING ELEMENTS

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

Timing: Each school district and charter school in the Commonwealth is scheduled to receive a Tiered Focused Monitoring Review every three years. The statewide Tiered Focused Monitoring cycle is posted at <<<http://www.doe.mass.edu/psm/tfm/default.html>>>.

Tier Level: Each district/charter school is assigned to one of four tier levels: Tier 1/Self-Directed Improvement; Tier 2/Directed Improvement; Tier 3/Corrective Action; and Tier 4/Cross-unit Support and Corrective Action. The Tiered Focused Monitoring process and subsequent technical assistance varies by monitoring tier. Each district/school is assigned to a monitoring tier based on the district/school's designated DESE Accountability Level along with risk factors, such as Problem Resolution System complaint data and Public School Monitoring report data. Districts/schools in Tiers 1 and 2 have been determined to have no or low risk. Districts/schools in Tiers 3 and 4 have demonstrated greater risk. Agency intervention, additional onsite monitoring, and provision of technical assistance varies based on district/school tier level, allowing the Department to direct resources to those districts requiring the most support.

1. Tier 1/Self-Directed Improvement: Data points indicate no concern on compliance and performance outcomes – meets requirements.
2. Tier 2/Directed Improvement: No demonstrated risk in areas with close link to student outcomes – low risk.
3. Tier 3/Corrective Action: Areas of concern include both compliance and student outcomes – moderate risk.
4. Tier 4/Cross-unit Support and Corrective Action: Areas of concern have a profound effect on student outcomes and ongoing compliance – high risk.

Process: Each school district and charter school undergoes a Tiered Focused Monitoring Review every three years. Regularly monitored standards are divided into two groups, known as Group A Universal Standards and Group B Universal Standards. Districts and charter schools are monitored on an alternate set of Universal Standards every three years. 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.

Self-Assessment Phase:

- District/school review of special education and civil rights documentation for required elements including document uploads. Upon completion of this portion of the district/school's self-assessment, it is submitted to the Department for review.
- Depending on which Universal Standard group the district/school is participating in and if there are additional Targeted Standards, the district may review a sample of special

education student records selected across grade levels, disability categories and level of need.

- If the district/school is participating in a Group A Universal Standards Tiered Focused Monitoring Review, it will submit a review of student records related to the Indicator Data Collection for Indicators 11, 12 and 13 as part of the self-assessment. This Indicator data collection is also part of the State Performance Plan/Annual Performance Report.
- Upon completion of the self-assessment, the district/school submits the data to the Department for review.

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

- 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 student records for special education: The Department may select 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 will conduct this review, using standard Department procedures, to determine whether procedural and programmatic requirements have been met.
- Surveys of parents of students with disabilities: Parents of students with disabilities are 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: The onsite team may visit 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.
- Review of additional documents for special education or civil rights.

Report: For Tier 3 & 4 Tiered Focused Monitoring Reviews

At the end of the onsite visit, the onsite team holds an informal exit meeting to summarize its comments for the superintendent or charter school leader and anyone else he or she chooses. Within approximately 45 business days of the onsite visit, the onsite chairperson forwards to the superintendent or charter school leader a Draft Report containing comments from the Tiered Focused Monitoring Review. The Draft Report 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 Report, the district/charter school reviews and comments on the report for factual accuracy before the publication of a Final Report with ratings and findings (see below). The Tiered Focused Monitoring Final Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department's website at <http://www.doe.mass.edu/psm/tfm/default.html>.

Content of Final Report:

Ratings. In the Final 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."

Findings. The onsite team includes a finding in the Final Report for each criterion that it rates “Commendable,” “Partially Implemented,” “Not Implemented,” or “Implementation in Progress,” explaining the basis for the rating.

Indicator Data. In the Final Report for a district or charter school undergoing a review for Group A Universal Standards, the onsite team includes the results of the review of Indicator data submissions for Indicators 11, 12 and 13. 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.

Response: Where criteria are found “Partially Implemented” or “Not Implemented,” the district or charter school must propose corrective action to bring those areas into compliance with the relevant statutes and regulations. This corrective action plan (CAP) will be due to the Department within 20 business days after the issuance of the Final Report and is subject to the Department’s review and approval. Department staff will offer districts and charter schools technical assistance on the content and requirements for developing an approvable CAP.

Department staff will also provide ongoing technical assistance as the school or district is implementing the approved corrective action plan. **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 Tiered Focused Monitoring Report.**

INTRODUCTION TO THE FINAL REPORT

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in Lawrence Public Schools during the week of March 25, 2019 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.

The Department is submitting the following Tiered Focused Monitoring Report containing findings made pursuant to this onsite visit. 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:

Interviews of:

- Administrative staff
- Teaching and support services staff
- Special education parent advisory council representative

Surveys:

- Parents of students with disabilities

Review of special education student records

The report includes findings in the program areas reviewed based on the assigned Universal Standard group for this review. These standards are:

Group A Universal Standards:

- Student identification
- IEP development
- Programming and support services
- Equal opportunity

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.

Lawrence 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 8, SE 9, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 14, SE 17, SE 18A, SE 19, SE 20, SE 22, SE 26, SE 29, SE 34, SE 37, SE 38, SE 39, SE 41, SE 42, SE 43, SE 48, SE 49	CR 13, CR 14, CR 18
PARTIALLY IMPLEMENTED	SE 25, SE 40	
NOT IMPLEMENTED		

SUMMARY OF INDICATOR DATA REVIEW

As part of Tiered Focused Monitoring for Group A Universal Standards, districts and charter schools submit data for Indicators 11, 12 and 13; 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 25	<p>Parental consent</p> <ol style="list-style-type: none"> 1. The school district obtains written parental consent before conducting an initial evaluation and before making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a reevaluation and before placing a student in a special education placement subsequent to the initial placement in special education. 2. The school district obtains consent before initiating extended evaluation services. 3. The school district obtains consent to the services proposed on a student's IEP before providing such services. 4. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the student. 5. When the participation or consent of the parent is required and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation. 6. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a re-evaluation or to placement in a special education program subsequent to the initial placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the student. If, after consideration, the school district determines that the parent's failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through the Bureau of Special Education Appeals (BSEA). 7. If the parent has given consent for special education services and then, at any time following, revokes his/her consent to the student's special education services in writing, the district is obligated to discontinue all special education services and may not use mediation or request a due process hearing to obtain agreement or a ruling requiring the continuation of services, consistent with federal regulation. If a parent revokes consent in writing, the district must act promptly to provide written notice to the parent/guardian of the district's proposal to discontinue services based on the revocation of consent, as well as information on how the parent can obtain a copy of his/her right to procedural safeguards. The district must provide the notice a reasonable time before the district intends to discontinue the services. 	
	State Requirements	Federal Requirements

CRITERION NUMBER		
	Legal Standard	
	603 CMR 28.07(1) This criterion is related to State Performance Plan Indicator 8. (See http://www.doe.mass.edu/sped/spp/ .)	34 CFR 300.300
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of student records and staff interviews indicated that when the district is unable to obtain parental consent to the proposed IEP and placement in a special education program subsequent to the initial placement, the district does not consider with the parent whether such action will result in the denial of a free appropriate public education to the student. If the district determines that the parent's failure or refusal to consent will result in a denial of a free appropriate public education to the student, the district does not seek resolution of the dispute through the Bureau of Special Education Appeals (BSEA).

CRITERION NUMBER		
	Legal Standard	
SE 40	<p>Instructional grouping requirements for students aged five and older</p> <ol style="list-style-type: none"> 1. The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. 2. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs. 3. When eligible students are assigned to instructional groupings outside of the general education classroom for <u>60% or less of the students' school schedule</u>, group size does not exceed <ol style="list-style-type: none"> a. 8 students with a licensed special educator, b. 12 students if the licensed special educator is assisted by 1 aide, and c. 16 students if the licensed special educator is assisted by 2 aides 4. For eligible students served in settings that are substantially separate, serving solely students with disabilities for <u>more than 60% of the students' school schedule</u>, the district provides instructional groupings that do not exceed <ol style="list-style-type: none"> a. 8 students to 1 licensed special educator, or b. 12 students to 1 licensed special educator and 1 aide. 5. After the school year has begun, if instructional groups have reached maximum size as delineated in paragraphs 3 and 4 of this criterion, the administrator of special education <u>and</u> the licensed special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping 	

CRITERION NUMBER	Legal Standard	
	<p>by no more than 2 additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school.</p> <p>6. In such cases, the administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated.</p> <p>7. The district takes all steps necessary to reduce the instructional groups to the sizes outlined in paragraph 3 or 4 of this criterion for subsequent years. Such steps are documented by the district.</p>	
	State Requirements	Federal Requirements
	603 CMR 28.06(6)	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of documentation and staff interviews indicated that when eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, some instructional groupings exceed the maximum student-to-staff ratios of 8 students with a licensed special educator; 12 students with a licensed special educator and 1 aide; and 16 students with a licensed special educator and 2 aides.

The following instructional groupings exceed the maximum student-to-staff ratio:

<i>School</i>	<i>Instructional Group</i>	<i>Student/Teacher/Aide Ratio</i>
<i>Lawrence High School Ninth Grade Academy</i>	<i>Resource Room Algebra</i>	<i>11:1:0</i>
<i>Lawrence High School Ninth Grade Academy</i>	<i>Academic Reinforcement period 2</i>	<i>12:1:0</i>
<i>Lawrence High School Ninth Grade Academy</i>	<i>Reading Analysis period 3</i>	<i>10:1:0</i>
<i>Lawrence High School Tenth Grade Academy</i>	<i>Academic reinforcement block 3</i>	<i>9:1:0</i>
<i>Arlington Middle School</i>	<i>Academic Reinforcement block 3</i>	<i>9:1:0</i>
<i>Guilmette Middle School</i>	<i>Grade 5 Intervention class</i>	<i>15:1:0</i>
<i>Guilmette Middle School</i>	<i>Grade 7 Intervention class</i>	<i>10:1:0</i>
<i>UP Academy Oliver Middle School</i>	<i>Grade 8 Math period 6</i>	<i>13:1:1</i>
<i>Parthum Middle School</i>	<i>Academic Support (2:15-2:55)</i>	<i>13:1:1</i>

<i>Parthum Elementary School</i>	<i>Phonics 1 class</i>	<i>9:1:0</i>
<i>Parthum Elementary School</i>	<i>Math class</i>	<i>11:1:0</i>
<i>Oliver Partnership School</i>	<i>ELA 5X weekly</i>	<i>10:1:0</i>
<i>Oliver Partnership School</i>	<i>Math 5X weekly</i>	<i>10:1:0</i>
<i>Oliver Partnership School</i>	<i>Reading 5X weekly</i>	<i>10:1:0</i>
<i>Oliver Partnership School</i>	<i>Math-daily</i>	<i>10:1:0</i>

This Tiered Focused Monitoring Final Report is also available at:
<http://www.doe.mass.edu/psm/tfm/default.html>.

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 2019

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