



Somerset-Berkley Regional and Somerset Public Schools

Tiered Focused Monitoring Report

Continuous Improvement and Monitoring Plan

**For Group A Universal Standards
Tier Level 1**

Dates of Onsite Visit: March 22-23, 2023

Date of Final Report: October 12, 2023

**Department of Elementary and Secondary Education Onsite Team Members:
Henry Ndakalu, Chairperson
Talia Buonopane**



Jeffrey C. Riley
Commissioner of Elementary and Secondary Education

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

Somerset-Berkley Regional and Somerset Public Schools

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

During the 2022-2023 school year, Somerset-Berkley Regional and Somerset Public Schools 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 September 20, 2022.

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.

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

For the 2022-2023 school year, the tier assignments are based on:

- Annual drop-out rate for students with disabilities
- Five-year cohort graduation rate for students with disabilities
- Public School Monitoring compliance data from the previous review
- Problem Resolution System data, specifically findings of noncompliance
- Special education SPP/APR compliance Indicator data for Indicators 4B, 9 & 10
 - Indicator 4B: Significant discrepancy by race or ethnicity in removal of students with IEPs greater than 10 days
 - Indicator 9: Overall disproportionate representation of racial and ethnic groups identified as eligible for special education
 - Indicator 10: Disproportionate representation of racial and ethnic groups within specific disability categories
- Special education SPP/APR performance Indicator data for Indicators 5 & 6
 - Indicator 5: Education Environments (6-21)
 - Indicator 6: Preschool Environments
- Significant Disproportionality data 2021-2022 & 2022-2023

Tiering adjustments may be made for districts engaged in work with the Department's Statewide System of Support and have schools identified as requiring assistance and intervention. Tiering assignments may also be adjusted for schools and districts unable to remedy noncompliance within one year of the previous TFM review, as well as for charter schools requiring additional oversight based on conditions of their charter.

Report: For Tier 1 & 2 Tiered Focused Monitoring Reviews

Following the onsite visit, the PSM team holds an informal exit meeting to summarize the review for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the chairperson forwards the TFM Feedback Summary that includes findings from the Tiered Focused Monitoring Review to the superintendent or charter school leader.

As part of the reporting process, all districts/charter schools in Tiers 1 and 2 then develop a Continuous Improvement and Monitoring Plan (CIMP) for any criteria receiving a rating of "Partially Implemented," "Not Implemented," and "Implementation in Progress." The CIMP is due to the Department within 20 business days after the issuance of the Feedback Summary and is subject to the Department's review and approval. The CIMP outlines an action plan, identifies the success metric, describes the measurement mechanism, and provides a completion timeframe to bring those areas into compliance with the controlling statute or regulation. Department staff provide support and assistance to districts and charter schools on the development of a CIMP.

Once the CIMP is approved, it is issued as the Final Report.

Department staff also provide ongoing technical assistance as the school or district is implementing the approved CIMP. **School districts and charter schools must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department's Feedback Summary.**

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

TIERED FOCUSED MONITORING FINAL REPORT Somerset-Berkley Regional and Somerset Public Schools

The Massachusetts Department of Elementary and Secondary Education conducted a Tiered Focused Monitoring Review in Somerset-Berkley Regional and Somerset Public Schools during the week of March 20, 2023, 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 Verification Phase:

- Interviews of administrative, instructional, and support staff consistent with those criteria selected for onsite verification.
- Interviews of a parent advisory council (PAC) representative.
- Review of additional documents for special education and civil rights.
- Surveys of parents of students in special education: Parents of students in special education were sent a survey that 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.
- Observations of time-out rooms.

The Tiered Focused Monitoring Report includes those criteria that were found by the team to be implemented in a "Commendable" manner, as well as criteria receiving a rating of "Partially Implemented," "Not Implemented," and "Implementation in Progress." (Refer to the "Definition of Compliance Ratings" section of the report.) Tiered Focused Monitoring Reports do not include criteria receiving a rating of "Implemented" or "Not Applicable." This will allow the district/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.

Somerset-Berkley Regional and Somerset 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 22, SE 25, SE 26, SE 29, 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 20, SE 34	
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 district’s submissions for 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		

The district submitted evidence of corrective action, including an additional data set, to address the non-compliance identified for Indicator 11. The submissions have been reviewed and approved by the Department; no further action is required.

CONTINUOUS IMPROVEMENT AND MONITORING PLAN

Improvement Area 1
Criterion: SE 20 - Least restrictive program selected
Rating: Partially Implemented
Description of Current Issue: An analysis of data and staff interviews indicated that IEP Teams do not always consider the least restrictive environment for students with disabilities; data for Somerset-Berkley Regional and Somerset Public Schools demonstrated the following: <ul style="list-style-type: none">• Approximately 47.9% of eligible special education students are served in full inclusion, a rate significantly lower than the state rate of approximately 67.2%.• Approximately 25.5% of eligible students are in partial inclusion placements, a rate significantly higher than the state rate of approximately 13%.
LEA Outcome: The district will always consider the least restrictive environment for all eligible students and ensure that appropriate services and interventions are in place to support increased inclusion in the general education setting. The district will also ensure that teachers are provided with appropriate training on supporting students in the general education classroom.
Action Plan: By November 3, 2023, the Department will provide district leadership with training on root cause analysis, prioritization, action plans, and progress monitoring. Following the training, the district will assemble an appropriate team that will include district administration, special education staff, and general education teachers who will analyze data, conduct a root cause analysis, and develop an action and progress monitoring plan. By January 12, 2023, the team will conduct a data analysis and identify and prioritize actionable root causes. Evidence will include meeting agendas, data analysis results, and summary of the root cause analysis and prioritization. By February 15, 2024, the team will develop and submit an action plan to address overall inclusion rates and any identified discrepancies by student subgroups. Subsequent progress reports will be based on the steps outlined in the action plan, including training on supporting students in the general education classroom.
Success Metric: By the end of 2023-2024 school year and beyond, the district will increase inclusion rates and ensure appropriate supports are provided to all students in the general education classroom. The district will conduct ongoing progress monitoring and implement further actions, as necessary. Evidence: <ul style="list-style-type: none">• List of team members and their roles• Results of data analysis• Root cause analysis and prioritization• Action plan• Documentation of ongoing progress monitoring
Measurement Mechanism: Each quarter, the Special Education Director will review the district's special education placement data to ensure continued progress in addressing the overall inclusion rates and any discrepancies by student subgroups. The results will be discussed with district leadership.

CONTINUOUS IMPROVEMENT AND MONITORING PLAN

Improvement Area 1

Additionally, the district will provide professional development to all relevant staff on least restrictive environment requirements and the provision of appropriate supports to all students in the general education classroom. Other initiatives will be implemented based on the root cause analysis, action plan, and results from ongoing progress monitoring.

Completion Timeframe: 02/15/2024

Improvement Area 2

Criterion: SE 34 - Continuum of alternative services and placements

Rating: Partially Implemented

Description of Current Issue: See SE 20

LEA Outcome: See SE 20.

Action Plan: See SE 20.

Success Metric: See SE 20.

Measurement Mechanism: See SE 20.

Completion Timeframe: 02/15/2024