



**Central Berkshire Regional School District**

**Tiered Focused Monitoring Report**

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

**Date of Onsite Visit: November 14, 2019**

**Date of Final Report: January 30, 2020**



Jeffrey C. Riley  
Commissioner of Elementary and Secondary Education

During the 2019-2020 school year, Central Berkshire Regional School District participated in a Tiered Focused Monitoring Review conducted by the Department's Office of Public School Monitoring. The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on special education and civil rights.

School districts and charter schools are reviewed every three years through Tiered Focused Monitoring. This review process emphasizes elements most tied to student outcomes, and alternates the focus of each review on either Group A Universal Standards or Group B Universal Standards.

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

In addition, the Department has reserved a specific set of criteria, collectively known as Targeted Standards, employed when LEA or school-level risk assessment data indicate that there is a potential issue. 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 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 allows for differentiated monitoring based on a district/charter school's level of need, the Tiers are defined as follows:

LEAs in Tiers 1 and 2 have been determined to have no or low risk:

- Tier 1/Self-Directed Improvement: Data points indicate no concern on compliance and performance outcomes – meets requirements.
- Tier 2/Directed Improvement: No demonstrated risk in areas with close link to student outcomes – low risk.

LEAs in Tiers 3 and 4 have demonstrated greater risk:

- Tier 3/Corrective Action: Areas of concern include both compliance and student outcomes – moderate risk.
- Tier 4/Cross-unit Support and Corrective Action: Areas of concern have profound effect on student outcomes and ongoing compliance – high risk.

The phases of Tiered Focused Monitoring for Central Berkshire Regional School District included:

Self-Assessment Phase:

- District reviewed special education and civil rights documentation for required elements including document uploads.
- District reviewed a sample of special education student records selected across grade levels, disability categories and levels of need.
- Upon completion of these two internal reviews, the district's self-assessment was submitted to the Department for review.

On-site Verification Phase:

- 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 are being met.
- Review of additional documents for special education or civil rights.
- Interviews of 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.
- Observations of classrooms and other facilities: The onsite team visited a sample of classrooms and school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

## **Report: For Tier 1 & 2 Tiered Focused Monitoring Reviews**

Following the onsite visit, the onsite team holds an informal exit meeting to summarize its comments for the superintendent or charter school leader. Within approximately 20 business days of the onsite visit, the onsite chairperson forwards to the superintendent or charter school leader the findings from the Tiered Focused Monitoring Review. All districts/charter schools in Tiers 1 and 2, as part of the reporting process, 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 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. Districts and charter schools are expected to incorporate the CIMP actions into their district and school improvement plans, including their professional development plans.

## DEFINITION OF COMPLIANCE RATINGS

<b>Commendable</b>	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation.
<b>Implemented</b>	The requirement is substantially met in all important aspects.
<b>Implementation in Progress</b>	This rating is used for criteria containing new or updated legal requirements and means that 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.
<b>Partially Implemented</b>	The requirement, in one or several important aspects, is not entirely met.
<b>Not Implemented</b>	The requirement is totally or substantially not met.
<b>Not Applicable</b>	The requirement does not apply to the school district or charter school.

## Central Berkshire Regional School District

### SUMMARY OF COMPLIANCE CRITERIA RATINGS

	Universal Standards  Special Education	Universal Standards  Civil Rights and Other General Education Requirements	Targeted Standards
<b>IMPLEMENTED</b>	SE 15, SE 32, SE 35, SE 36, SE 50, SE 51, SE 52, SE 52A, SE 54, SE 55, SE 56	CR 3, CR 7, CR 7A, CR 7B, CR 7C, CR 10C, CR 16, CR 17A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25	SE 44, SE 45, SE 46, SE 47
<b>PARTIALLY IMPLEMENTED</b>		CR 10A, CR 10B, CR 12A	
<b>NOT IMPLEMENTED</b>			

The Tiered Focused Monitoring Toolkit, which includes the regulatory requirements specific to the special education and civil rights criteria referenced in the table above, can be found at <http://www.doe.mass.edu/psm/resources/default.html>.

**Improvement Area 1**

**Criterion:** CR 10A - Student handbooks and codes of conduct

**Rating:** Partially Implemented

**Description of Current Issue:** Document review indicated that the district's student codes of conduct in the student handbooks do not contain the following required elements:

- Becket Washington Elementary School Family Handbook does not contain procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans;
- Craneville Elementary School Student and Family Handbook does not contain procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans, disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred, and procedures to address the principal's use of in-school suspension as an alternative to a short-term suspension;
- Kittredge Elementary School Family Handbook does not contain procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans;
- Nessacus Regional Middle School Family Handbook does not contain procedures to address the principal's use of in-school suspension as an alternative to a short-term suspension; and
- Wahconah Regional High School Student Handbook does not contain the required protected category of gender identity in the nondiscrimination statement and in references to the protected categories throughout the handbook.

**LEA Outcome:** All Central Berkshire Regional School District (CBRSD) handbooks will be updated to include all required elements of the student codes of conduct.

**Action Plan:** By February 10, 2020, CBRSD administrative team members will meet to make the reflected changes.

By March 12, 2020, all handbooks will be approved by the CBRSD superintendent and reposted on the district website.

**Success Metric:** By the end of the 2019-2020 school year, all Central Berkshire Regional School District handbooks will be updated to include all required elements of the student codes of conduct.

Evidence:

1. The Director of Student Services will create a document to be shared with the five CBRSD principals outlining information that needs to be added and/or edited in each handbook.
2. The Director of Student Services will meet with each principal to review this information and provide the necessary training to ensure compliance.
3. The principals will review the nondiscrimination clauses and disciplinary procedures at an upcoming staff meeting.
4. The administrative team will review handbooks annually to be sure that all are current and compliant with regulations.
5. Once updated, each handbook will be republished on the CBRSD website.

**Measurement Mechanism:** Annually, the CBRSD administrative team will work together to ensure all handbooks, including the employee handbook, are up to date and compliant with current regulations. Each will be submitted to the district's attorney to review for compliance.

**Completion Timeframe:** 03/12/2020

**Improvement Area 1****Improvement Area 2****Criterion:** CR 10B - Bullying Intervention and Prevention**Rating:** Partially Implemented**Description of Current Issue:** Document review indicated that the district's employee handbook does not contain relevant sections of the Bullying Prevention and Intervention Plan relating to the duties of faculty and staff, and relevant sections addressing the bullying of students by a school staff member.**LEA Outcome:** The CBRSD employee handbook will reflect an updated Bullying Prevention and Intervention Plan to include the duties of faculty and staff, and relevant sections addressing the bullying of students by a school staff member.**Action Plan:** By February 10, 2020, CBRSD administrative team members will meet to make the reflected changes.

By March 12, 2020, the employee handbook updates will be approved by the CBRSD superintendent and reposted on the district website.

**Success Metric:** By the end of the 2019-2020 school year, the CBRSD employee handbook will reflect an updated Bullying Prevention and Intervention Plan to include the duties of faculty and staff, and relevant sections addressing the bullying of students by a school staff member.

Evidence:

1. The CBRSD Bullying Prevention and Intervention Plan will be added to the employee handbook. This information will include information relating to the duties of faculty and staff and relevant sections addressing the bullying of students by a school staff member.
2. Each CBRSD building principal will train staff members at a staff meeting on the topic of staff-to-student bullying, and where the information is located in the employee handbook.

**Measurement Mechanism:** Annually, the CBRSD administrative team will work together to ensure the employee handbook is updated and compliant with current regulations. It will be submitted to the district's attorney to review for compliance.**Completion Timeframe:** 03/12/2020

**Improvement Area 3**

**Criterion:** CR 12A - Annual and continuous notification concerning nondiscrimination and coordinators

**Rating:** Partially Implemented

**Description of Current Issue:** Document review indicated that the Employment Opportunities page, the job listings, and the job description postings on the district website do not contain a statement notifying applicants that it does not discriminate on the basis of race, color, national origin, sex, gender identity, disability, religion, or sexual orientation.

**LEA Outcome:** All CBRSD job listings, job description postings and the Employment Opportunities page will include the nondiscrimination clause notifying applicants that CBRSD does not discriminate on the basis of race, color, national origin, sex, gender identity, disability, religion or sexual orientation.

**Action Plan:** By March 12, 2020, all CBRSD job postings, the job listing website page and the Employment Opportunities website page will be updated to include the nondiscrimination clause.

**Success Metric:** By the end of the 2019-2020 school year, all CBRSD job listings, job description postings and the Employment Opportunities page will include the nondiscrimination clause notifying applicants that CBRSD does not discriminate on the basis of race, color, national origin, sex, gender identity, disability, religion or sexual orientation.

Evidence:

1. All job description postings will include the nondiscrimination clause in the body of each individual posting.
2. The nondiscrimination clause will be added to the job listings page of the CBRSD website.
3. The nondiscrimination clause will be added to the Employment Opportunities page of the CBRSD website.

**Measurement Mechanism:** Internal monitoring by the Civil Rights Officer will be ongoing to ensure compliance of all job postings with the nondiscrimination clause.

**Completion Timeframe:** 03/12/2020