

ARLINGTON



SCHOOLS

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To: Kathleen Bodie, Ed.D., Superintendent
From: Alison Elmer, Director of Special Education
Date: December 4, 2017
Re: Coordinated Program Review findings of non-compliance

On September 14, 2017, Mr. Kardon moved to request the Superintendent to investigate the root causes for the high number of issues identified in the Coordinated Program Review and report back to the school committee in 90 days regarding the results of the investigation and any corrective measures to be undertaken and report back in December, this motion was seconded by Mr. Hayner. The motion passed with a 4-3 vote with each member voting as follows: *Mr. Kardon: Yes; Ms. Susse: Yes; Ms. Stark: No; Mr. Schlichtman: No; Mr. Hayner: Yes; Dr. Allison-Ampe: Yes; and Mr. Thielman: No.*

In creating the Corrective Action Plan (CAP,) the District engaged in a process in which we explored where the non-compliance was happening, when it was happening, and ultimately why it was occurring for each finding. The District then had to (1) describe the corrective action to be taken, (2) indicate the responsible persons, (3) provide evidence of completion, and (4) describe the internal monitoring procedures. The CAP is a public document and can be found on the Department of Elementary and Secondary Education (DESE) website at the following address: <http://www.doe.mass.edu/pqa/review/cpr/caps/>. I have appended it to this memorandum. The Director of Special Education presented this document, along with the Coordinated Program Review (CPR) findings, to the School Committee via a PowerPoint presentation on September 14, 2017.

The District has begun to implement the CAP and submitted evidence on November 1, 2017 for the first of two required progress reports. All thirteen individual submissions were accepted and one of these findings has now been found "Corrected." To date we have trained all required staff in the following areas:

- All secondary (middle, high school, and out-of-district) special education staff including special education teachers, Team Chairpersons, and Special Education Coordinators on the need to invite students who are 14 years and older to attend part or all of their Team meetings. (SE 6)
- All high school and out-of-district special education staff, including special education teachers, and Team Chairpersons on the need to inform students and families during the IEP period in which the student will turn 17 years old of the transfer of rights at age 18. They have been trained to reflect this in the N1 under "Next Steps" and in the Team Meeting Summaries. (SE 7)

- All special education staff, including special education teachers, and Team Chairpersons on the need to obtain written agreement from families to waive required Team members attendance in advance of the meeting. (SE 8)
- All special education staff, including special education teachers, related service providers, and Team Chairpersons on the need to answer BOTH questions on the student progress report, "(1) What is the student's progress toward the annual goal?
(2) Is the progress sufficient to enable the student to achieve the annual goal by the end of the IEP period?" (SE 13)
- All special education staff, including special education teachers, related service providers, and Team Chairpersons on the requirement to hold a team meeting before the expiration of the IEP. Should parents/guardians wish to extend the provisions of the IEP past the anniversary date, this request must be documented in the student record and should be noted in the Meeting Invitation. (SE 14)
- All special education staff on the timeline for completing IEPs for provision to the parent within two (2) calendar weeks of the Team meeting. (SE 18B)
- All special education staff, including special education teachers, related service providers, and Team Chairpersons on the requirement that Teams must clearly identify times when a student is removed from the general education classroom and give good reason for such removal and cannot simply explain that the service cannot be provided in the general education classroom. (SE 20)
- All special education staff, including special education teachers, and Team Chairpersons on the need for Teams to consider extended year programming when the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided. (SE 21)
- Team Chairpersons on including sufficient detail in the description of each evaluation procedure, test, record, or report the agency used as a basis for the proposed or refused action on page 2 of the Notice of Proposed School District Action (N1) or Refusal to Act (N2). (SE 24)
- All general education and special education staff on state and federal special education requirements and methods of collaboration. (SE 54)

In addition to these trainings, the District has taken the following corrective action steps:

- Notified and extended offers of compensatory services to all students impacted by staff vacancies at Dallin (Speech & Language Pathologist) and district-wide (Physical Therapist) at the start of the SY16-17 school year (SE 22)
- Relocated the location of the office of the Speech Language Pathologist at Arlington High School. (SE 55)
- Began the formal evaluation of special education programs and services by an independent evaluator. Draft report is expected in January, with a final report expected to follow in February. (SE 56)

A second and final progress report is due on March 12, 2018. This progress report will include the findings of our record review subsequent to the staff training and implementation of internal monitoring processes the District has developed.

The School Committee has asked for further investigation into why Arlington Public Schools has not only one of the greatest numbers of findings across the state, but why these findings seem to persist through each review cycle, referencing both the 2006 review (35 findings) and 2011 review (22 findings.) Several themes emerged in our review of the previous reports and our most recent report in 2017 (13 findings.)

- Staffing –
 - *Recruitment of highly qualified special education teachers and related service providers*
Specifically the compensatory service claims cited in SE 22 arose from our difficulty in identifying and hiring appropriately licensed and certified specialists based on the salary and benefits package we offer as compared to surrounding communities.
 - *Retention of special education staff*
While this does not seem to be specific to Arlington Public Schools, as national trends also demonstrate, teacher turn-over is higher in special education and often cites the demands of “paperwork,” “hostile parent interactions,” “fears of litigation,” and the “social emotional demands of working with complex and high needs student populations.” Competitive salary seems to be another driver of turnover; with some newer teachers leaving for higher paying districts once they have work experience on their resumes.
 - *Higher caseloads/workloads than comparable districts (Town Manager 12)*
This leads to greater demands on time and less oversight of compliance paperwork and requirements. (Source: DESE, Resource Allocation and District Action Report, Dec 2017.)
- Training
 - *Professional development*
Within the Department, over the last four years, there has been a focus on instructional practices, program development, and content, in addition to the District-wide priorities of social emotional learning, cultural proficiency, and curriculum development. There has not been a specific focus on regulatory compliance with the limited time and monetary resources for staff training and professional development.
 - *On-boarding/New Teacher training*
With each new hire or change over in staff, new training is required to bring team members up-to-speed on previous department/district professional development.
- Leadership
 - *Consistent oversight of the department and time to create and implement policy/procedure changes*
Since 2006 there have been five Administrators of Special Education, with an average tenure of less than three years each.
 - *Administrative structure growth and change*
During this same period, the administrative team has grown and been reorganized

- multiple times from “Program Developers” to “Assistant Directors” to “Coordinators.” This staffing went from two individuals under various titles and responsibilities to the current six administrators who also have staff evaluation responsibilities. Eighteen individuals have held these positions over this time.
- *Role of the Team Chairperson and retention*
With the changing roles and responsibilities of the special education administrators, the role and expectations of the special education team chairperson have also changed. Within the last four years, twenty individuals have filled these roles in either a part-time or full-time basis. Turnover may be attributed to many of the factors affecting teacher retention, as well as the career pathway for these individuals. In many districts these are administrative roles or a pathway to administrative positions.

In reviewing these themes, it seems a focus on compliance training and retention of highly qualified and trained staff should be a priority of the Department and District as we move forward. This should not be at the expense of program and professional development in other related areas (content, pedagogy, and district initiatives.) I look forward to the recommendations of the independent program evaluation to help us complete our understanding of needs across the Department and develop a plan of action to address these concerns.

Respectfully submitted,

Alison Elmer
Director of Special Education

Encl: Coordinated Program Review Corrective Action Plan