



**Tyngsborough Public Schools**

**SPECIAL EDUCATION & CIVIL RIGHTS  
MONITORING REPORT  
For Group A Universal Standards**

**Dates of Onsite Visit: June 4-5, 2024  
Date of Draft Report: August 23, 2024  
Date of Final Report: September 9, 2024  
Action Plan Due: October 8, 2024**

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

**Tyngsborough 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, Tyngsborough 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>](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**

### **Tyngsborough Public Schools**

The Massachusetts Department of Elementary and Secondary Education conducted a monitoring review in Tyngsborough Public Schools during the week of June 3, 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 and instructional staff consistent with those criteria selected for onsite verification.
- Interview 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 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

<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; 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.

## Tyngsborough Public Schools

### SUMMARY OF COMPLIANCE CRITERIA RATINGS

	Universal Standards Special Education	Universal Standards Civil Rights and Other General Education Requirements
<b>IMPLEMENTED</b>	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 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
<b>PARTIALLY IMPLEMENTED</b>		CR 18
<b>NOT IMPLEMENTED</b>	None	
<b>NOT APPLICABLE</b>	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:

	<b>Compliant</b>	<b>Non-Compliant</b>	<b>Not Applicable</b>
<b>Indicator 11 – Initial Evaluation Timelines</b>	<b>X</b>		
<b>Indicator 12 – Early Childhood Transition</b>		<b>X</b>	
<b>Indicator 13 – Secondary Transition</b>	<b>X</b>		

The district submitted evidence of corrective action, including an additional data set, to address the noncompliance identified for Indicator 12. The submissions have been reviewed and approved by the Department; no further action is required.



**CIVIL RIGHTS  
METHODS OF ADMINISTRATION (CR)  
AND  
OTHER RELATED GENERAL EDUCATION  
REQUIREMENTS**

**LEGAL STANDARDS,  
COMPLIANCE RATINGS AND  
FINDINGS**

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
CR 18	<p><b>Responsibilities of the school principal</b></p> <ol style="list-style-type: none"> <li>1. <u>Instructional support</u>. The principal in each of the district's schools promotes instructional practices responsive to student needs and ensures that adequate instructional support is available for students and teachers. Instructional support includes remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of M.G.L. c. 71B, §2. The principal consults with the administrator of special education regarding accommodations and interventions for students. Such efforts and their results are documented and placed in the student record. Additionally, when an individual student is referred for an evaluation to determine eligibility for special education, the principal ensures that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility.</li> <li>2. <u>Curriculum Accommodation Plan</u>. The principal implements a curriculum accommodation plan <u>developed by the district's general education program</u> to ensure that all efforts have been made to meet the needs of diverse learners in the general education program. The plan assists the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the general education program including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning. The plan includes provisions encouraging teacher mentoring and collaboration and parental involvement. <i>(The plan may be part of a multi-year strategic plan.)</i></li> <li>3. <u>Early Literacy Screening</u>. Effective July 31, 2023, each school district shall at least twice per year assess each student's reading ability and progress in literacy skills, from kindergarten through at least third grade, using a valid, developmentally appropriate screening instrument approved by the Department. Consistent with section 2 of chapter 71B of the general laws and the Department's dyslexia and literacy guidelines, if such screenings determine that a student is significantly below relevant benchmarks for age-typical development in specific literacy skills, the school shall determine which actions within the general education program will meet the student's needs, including differentiated or supplementary evidence-based reading instruction and ongoing monitoring of progress. Within 30 school days of a screening result that is significantly below</li> </ol>

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION	
	Legal Standard	
	<p>the relevant benchmarks, the school shall inform the student's parent or guardian of the screening results and the school's response and shall offer them the opportunity for a follow-up discussion.</p> <p>4. <u>Coordination with special education</u>. The principal with the assistance of the administrator of special education coordinates the delivery and supervision of special education services within each school building.</p> <p>5. <u>Educational services in home or hospital</u>. Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal coordinates such services with the Administrator for Special Education for eligible students. Such educational services are not considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.</p>	
	M.G.L. c. 71, § 38Q ½; 603 CMR 28.03(3)	
	Rating: Partially Implemented	District Response Required: Yes

#### Department of Elementary and Secondary Education Findings:

*During the 2023-2024 monitoring review conducted by the Office of Language Acquisition (OLA), it was determined that the district does not consistently offer adequate and appropriate services for linguistic minority students. OLA issued an ELE 5 Program Placement and Structure finding in May 2024 which included the following:*

- *The district does not have an English as a Second Language (ESL) curriculum that is integral to an effective English Language Education (ELE) program in which English learners (ELs) of all grades and proficiency levels become English proficient at a rapid pace.*
- *The district does not ensure that all staff are trained in and implement the following established procedures:*
  - *Identifying ELs who do not meet English proficiency benchmarks;*
  - *Establishing personalized goals for ELs;*
  - *Reviewing resources and services available to ELs; and*
  - *Incorporating input from parents or guardians.*
- *The district has not established a process to assess and track the progress of ELs in the identified areas of improvement.*
- *The district lacks the ESL staffing capacity to effectively provide essential components of an effective ELE program.*



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 2024

File Name: Tyngsborough Final Report  
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Prepared by: AP/AM/DW