DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

Staff Proposal	School Request
☐ Charter Application Approval (Full)	☐ Enrollment Ceiling Increase
☐ Charter Application Approval (Conditional)	☐ Change in LEA Status
☐ Charter Application Denial	☐ Lift Board Action
☐ Charter Continuance	☐ Approve Accountability Plan
☐ Proposed Revocation	☐ Operate in a New Location
☐ Revocation	☐ Charter Amendment
☐ Lift Board Action	☐ Approve E-Rate Plan
☐ Board Action, Charter Warning	
☐ Board Action, Notice of Concern	
☐ Board Action, Notice of Deficiency	
☐ Board Action, Notice of Probation	
☐ Proposed Revisions to PCSB Existing Policy	
☐ New PCSB Policy—Open for Public Comment	
☐ New PCSB Policy—Vote	
☒ Other: Discussion Item	

PREPARED BY: **Avni Patel – Equity & Fidelity Team**

SUBJECT: **BASIS DC Public Charter School Special Education Onsite Visit Report and Action Plan**

DATE: **July 19, 2013**

Proposal

The DC Public Charter School Board ("PCSB") staff recommends that the Board discuss staff recommendations to BASIS DC Public Charter School ("BASIS PCS") regarding its provision of education to students with disabilities. Specifically, PCSB staff recommends that BASIS PCS include three additional Action Steps in the draft Action Plan, which are detailed below; finalize the draft Action Plan by August 12, 2013; and communicate to its parents of students with disabilities its plan to implement the Action Plan. In addition, PCSB staff recommends that it conduct four check-ins with BASIS PCS throughout the 2013-2014 school year. The first check-in will be an on-site review and will occur on a mutually agreed upon date during the week of August 19, 2013. For the remaining three check-ins, BASIS PCS will submit to PCSB a written summary of the current status of its compliance with the final Action Plan and the Action Steps outlined below on the following three dates:

- September 23, 2013
- January 27, 2014

- June 30, 2014

At PCSB's discretion these remaining three check-ins may include on-site visits or requests for additional information. Additionally, PCSB will request that OSSE conduct a special education compliance audit during the 2013-2014 school year.

Background

BASIS PCS has completed its first year of operation this academic school year, 2012-2013. It currently holds a charter with PCSB, and has elected to serve as its own Local Education Agency ("LEA") for special education services. In SY 2012-2013, the school served approximately 443 students from 5th through 8th grade, 23 of whom are identified as students with disabilities as of the initial enrollment count.

PCSB received five parent complaints over the course of school year 2012-2013 regarding special education services at BASIS PCS; four alleged BASIS PCS students with disabilities were exited out of Individualized Education Programs ("IEP"s) and received 504 Plan support, and one alleged that a student's 504 Plan was not being followed. The Office of the State Superintendent of Education ("OSSE") forwarded some of these complaints to PCSB, and other complaints were presented by parents to DC Council members in a public hearing, and two came directly to PCSB.[1]

In response to these complaints and pursuant to its statutory authority in the School Reform Act, §38-1802.11, PCSB emailed BASIS PCS on April 9, 2013 to schedule an on-site visit, and two PCSB staff members, Avni Patel and Amanda Stefanski notified Head of School Paul Morrissey and Special Education Coordinator Keith McNamara in person of the recent complaints.

On May 15-16, 2013, PCSB conducted a two-day on-site special education review at BASIS PCS consisting of staff member interviews, file reviews of students with IEPs and 504 plans, and classroom observations.[2]

Of its own accord, BASIS PCS had retained the services of End-to-End Solutions to conduct a review and create a Special Education Action Plan ("Action Plan"), a draft of which BASIS PCS shared with PCSB. The draft Action Plan identifies areas of concern also noted by PCSB staff during their site visit and provides a reasonable timeline for addressing each concern.

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[1] PCSB's internal process during the 2012-2013 school year was to only follow-up on complaints that were submitted directly to PCSB by the parent or guardian, not another government agency. Accordingly, PCSB notified the school on 10/18/2012 of a concern a parent had regarding 504 plan and the school resolved the issue. On 3/14/13 testimony was given regarding special education services at BASIS PCS during a DC Council public hearing, at which time PCSB staff notified BASIS of the live testimony. After PCSB received another complaint about special education services directly on 3/28/13, PCSB staff scheduled the on-site visit.

[2] The date was chosen by PCSB and the school so as not to conflict with state testing and so that a member of the Charter Management Organization's ("CMO") headquarters could attend. Director Kate Gottfredson was present during the visit.

Based on the information gathered during the review, PCSB identified three main areas of concern relating to the education of students with disabilities, which are described in this report:

- Student Recordkeeping and Tracking;
- Staffing
- Professional Development and Culture

Specifically, the following systemic observations and findings from interviews were of particular concern to PCSB staff:

- Most of the documented IEPs, as well as accompanying notes and minutes that included decisions that altered the plan or established that the services were not needed, were either missing entirely from the students' file folders or were not signed by the parent and/or the school's administration.

- The student files at the school and the files found in the EasyIEP/ Special Education Database System (SEDS) maintained by OSSE do not match. SEDS is the system of record for IEPs of students with disabilities, and it is state policy that all LEAs maintain in SEDS current and accurate records.

- Lack of a tracking system (such as service delivery tracking or log system) for special education performance and related services, such as speech and language.

- Students with disabilities were placed in a remedial classroom set up for students who are at risk of academic failure but not for students with disabilities (entitled the Targeted Intervention Program –TIP). These students did not appear to receive specialized instruction hours for reading prescribed in their IEPs.

- There was no observable evidence of collaboration between the special education teacher and general education teachers.

- Staff reported that the school had not by the time of PCSB's visit provided adequate professional development on special education issues.

Recommended Action Plan and Action Steps:

To ensure that BASIS PCS is complying with applicable law, BASIS PCS must finalize the draft Action Plan with PCSB staff recommended additions by August 12, 2013 and implement it. The additions recommended by PCSB include:

- Add to the Action Plan's existing schedule of professional development opportunities available to all faculty and staff for SY2013-2014 specific topics

that address the areas of concern observed by PCSB staff. Suggested topics include:

- Embracing all learners;
- Legal requirements of special education;
- Child Find requirements;
- Inclusive classrooms;
- Implementing continuums of service;
- Section 504; and
- Co-teaching models.

- Add to the Action Plan the deliverable that the school will update and organize each student's confidential education files from SY2012-2013 by August 19, 2013, with the following:

  - A current and valid copy of the student's IEP with signatures from all IEP team members and parents;
  - Copies of all meeting notes with signatures from all participants,
  - Updated IEP progress notes; and
  - Copies of all evaluations and tests completed on the student.

- Upload all records into EasyIEP/SEDS