

## **Action Steps for 2021 Tiered Focused Monitoring Information for School Councils**

Tiered focused monitoring is a review process conducted in districts by DESE every three years to determine the extent to which districts are in compliance with state and federal guidelines on a variety of topics, such as IEP development, programming and support services, and equal opportunities for students.

Wayland participated in a tiered focused monitoring review during the 2020-21 school year, with an emphasis on student civil rights. During the review, DESE focused on the extent to which Wayland is in compliance with:

- 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.

As an outcome of the tiered focused monitoring process, a number of areas were identified that Wayland needed to correct to ensure compliance with regulations that had changed since the last round of monitoring. In many cases the changes that were made need to now be formally shared with School Councils. Those areas, and the changes that were made, are identified below in a summarized format. Please feel free to reach out to Parry Graham ([Parry\\_Graham@waylandps.org](mailto:Parry_Graham@waylandps.org)) with follow-up questions about any of these areas.

### **General categories identified and specific steps for correction**

- **Student handbooks and codes of conduct**--Student handbooks were amended to specifically include the category of gender identity as a protected category under language about non-discrimination policies that affirms the school's non-tolerance for harassment and discrimination. In addition, student handbooks at the middle school and high school were amended to contain all updated requirements regarding the disciplining of students with special needs and students with Section 504 Accommodation Plans.
- **Bullying intervention and prevention**--The district's bullying prevention and intervention plan language was amended to explicitly extend protections to students who are bullied by a member of the school staff, and the corresponding online bullying incident reporting form was amended to explicitly include staff as an aggressor. In addition, the plan was amended to formally recognize that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived

differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics.

- **Student discipline**--Student and staff handbooks and relevant disciplinary notices to students and families were amended to ensure full compliance with M.G.L c. 71, § 37H <sup>3</sup>/<sub>4</sub>, M.G.L. c. 76, section 21, and 603 CMR 53.00. For example, there were changes made to the notice of suspension template.
- **Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion**--The notice sent to students 16 or over who have ten consecutive absences was amended to include all required elements (for example, including the student as an addressee). In addition, the district amended its procedures to ensure that it sends annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school to inform them of the availability of publicly funded post-high school academic support programs and encourage them to participate in those programs.
- **Use of physical restraint on any student enrolled in a publicly-funded education program**--The language in the district's policy and procedures regarding physical restraint was amended to include all updated required elements; for example, addressing the content of the in-depth training for school-wide resources.