



Massachusetts Department of Elementary and Secondary Education

75 Pleasant St, Malden, Massachusetts 02148-4906

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November 7, 2022

Robert Tremblay, Superintendent
Framingham Public Schools
19 Flagg Drive
Suite 5
Framingham, MA 01702

RE Intake: PRS 7564
Student Name: [REDACTED]
Letter of Finding

Dear Superintendent Tremblay:

The Massachusetts Department of Elementary and Secondary Education (Department) received a written statement of concern from Kimberly Winslow on [REDACTED], involving the Framingham Public Schools. The Problem Resolution System (PRS) Specialist investigating this matter took the following steps:

- Reviewed the statement of concern and supporting documentation
- Spoke with Counsel for the District regarding the statement of concern
- Requested a Local Report from the District
- Reviewed the District's Local Report and supporting documentation submitted to the Department on September 9, 2022
- Discussed the District's Local Report and the concerns with the complainant
- Reviewed relevant state and federal laws and regulations
- Consulted with other Problem Resolution System staff
- Received and reviewed the complainant's response to the District's Local Report

The Department's inquiries determined noncompliance, and we are advising the District now of this finding, as well as of the required corrective action.

The concern included in the signed statement, our findings and required corrective actions follow.

CONCERNS AND FINDINGS

The Department requested that you report on the following particular concern:

- ◁ The complainant alleged that [redacted] reported to the District that on numerous occasions the [redacted] safety and did not conduct a bullying investigation.

The Department investigated the complainant's allegation under the state's bullying prevention and intervention law, M.G.L. c. 71, & 370.

Please note that the Department review is limited to whether the local district followed state requirements and its own procedures in addressing the bullying complaint. The Department does not have authority to review or reverse determinations made by the district as to whether bullying occurred.

Student Background

The student named in this investigation is a student receiving specialized instruction through his Individual Education Program (IEP)0 "

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For complaints involving alleged bullying, the Department uses the following points of analysis:

- 1. Whether the District has a policy that includes required procedures for addressing bullying and retaliation.**

The District has developed the required procedures regarding bullying and retaliation, which includes the procedures for receiving reports of bullying and retaliation; promptly investigating and responding to those reports; notifying parents of targets and aggressors of the results of investigation (if bullying is found to have occurred) and of the actions taken to prevent further acts and restoring a sense of safety for the target of bullying.

Vj g'F kntlev'r qre{ "ucvgu"vj cvprior to investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents0

Please provide the Department with the required Corrective Action Report pursuant to these findings **no later than December 1, 2022**. A standard response form is enclosed for your use in responding to this request. **A copy of your Report must be sent to the person who registered this complaint.**

Please also note that for matters related to special education or Section 504, the parties may seek mediation and/or a hearing through the Bureau of Special Education Appeals (BSEA) on the same issues addressed in this letter. Such a hearing, however, is a new proceeding and is not for the purpose of resolving the issues raised in this concern. Any order or decision issued by the BSEA on the issues raised in this concern would be binding.

I would be pleased to provide further clarification of all information and requirements noted above if you find it necessary. Please contact me at Rhonda.Mojkowski@mass.gov.

Sincerely,

Rhonda Mojkowski, PRS Specialist
Problem Resolution System Office

Dean Paolillo, PRS Supervisor
Problem Resolution System Office

C: [REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Enclosure: Response Form

**MASSACHUSETTS DEPARTMENT OF
ELEMENTARY AND SECONDARY EDUCATION
Problem Resolution System**

School District: Framingham Public Schools
CORRECTIVE ACTION REPORT
In Response to Intake PRS 7564

Name of Student: [REDACTED]

Response Prepared by: _____ Date: _____

The Corrective Action Report **must include a statement of assurance of the steps taken, or to be taken, to remedy the identified noncompliance issues**, any plan of compensatory services offered, together with completion date(s), persons responsible and copies of information documenting implementation of the Corrective Action.

A copy of this Corrective Action Report must be sent to the person registering this complaint.

This District's Corrective Action Report was sent to the complainant on (date) _____
Page ___ of ___