



David P. Driscoll  
Commissioner of Education

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## Commissioner's Update

November 7, 2005

Dear Superintendents, and Leaders of Charter Schools and Collaboratives:

In this update I have 2 announcements and 6 items recently posted at [www.doe.mass.edu](http://www.doe.mass.edu).

### Dropout Survey

In my last Update I noted a disturbing up-tick in the number of students who are dropping out of high school, and asked each of you to look within your own communities to identify what is leading to this trend. Please submit your findings using the survey attached to this week's Update and submit them Heidi Perlman at [hperlman@doe.mass.edu](mailto:hperlman@doe.mass.edu), by December 1. We will use your responses to compile a statewide report on dropout findings that will be released early next year.










### Empower Peace

For several years high schoolers have been connecting with their peers in the Arab and Muslim world through the Empower Peace program. Their most recent connection was on Sept. 29, when hundreds of students from Boston and New York interacted via video conference with hundreds of teens from Cairo, Egypt, and Pakistan. Just days later they were horrified to learn of the earthquake in Pakistan that left many of their newfound friends homeless, injured or even dead.

Determined to do something to help, the students in Boston and New York will host a live TV/Internet Telethon on Thursday, Nov. 10 from 1-2 p.m. that will be aired on WB56 and streamed over the Internet at [www.empowerpeace.com](http://www.empowerpeace.com). The broadcast will also be transmitted by satellite back to Pakistan so viewers there can be part of the event.

Please do what you can to support this worthwhile effort, encourage your teachers to spread the word with their students.

Here are 6 items recently posted at [www.doe.mass.edu](http://www.doe.mass.edu):

1. Dropout Survey  
 
2. A Guide to Educational Services in Institutional Settings  
 
3. Charter Amendments  

4. 2005 Commonwealth Compass Schools Calendar of On-Site Information-Sharing Events  
 
5. 2006 Presidential Awards for Mathematics and Science Teaching memo and nomination form  

6. Advanced Placement Examination Fee Subsidy  


Thank you for the great work you do every day for the children of the Commonwealth.

Sincerely,

David P. Driscoll  
Commissioner of Education

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*Massachusetts Department of Education*

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## Dropout Survey

The 2003-2004 High School Dropout Report showed a disturbing up-tick in the number of students who are choosing to leave high school prior to graduation. To help us gain a better sense of why our students are dropping out, and what can be done to retain them in school, please fill out the attached survey by December 1, 2005.

\*\*\*

1. Based on what you've seen in your district, why are students in your community dropping out of high school? Please be as specific as you can, and if possible, include the number of students who dropped out for each reason in the 2003-2004 school year.
  
  
  
  
  
  
  
  
  
  
2. What steps has your school or district taken to improve high school retention and graduation rates?
  
  
  
  
  
  
  
  
  
  
3. What do you see as the biggest challenge in decreasing the state's dropout rate?
  
  
  
  
  
  
  
  
  
  
4. What steps do you think the Department of Education can take to help curb this problem statewide?

\*\*\*

Thank you for filling out this survey. Please send your comments to: Heidi Perlman, Director of Communications, at [hperlman@doe.mass.edu](mailto:hperlman@doe.mass.edu) by **December 1, 2005**.



# **Educational Services in Institutional Settings**

## ***ESIS***

*A Department of Education Program Providing Special Education Services  
to Students with Disabilities Residing in State-Operated Facilities*



**Massachusetts Department of Education  
350 Main Street, Malden, MA 02148  
781-338-3000 [www.doe.mass.edu](http://www.doe.mass.edu)**

October 2005

**David P. Driscoll, Commissioner of Education**



Massachusetts Department of Education

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This document was prepared by the Massachusetts Department of Education

David P. Driscoll, Commissioner of Education

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# ***The Commonwealth of Massachusetts Department of Education***

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350 Main Street, Malden, Massachusetts 02148-5023

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David P. Driscoll  
Commissioner of Education

October 2005

Dear Colleagues:

Since 1974, the Massachusetts Department of Education has provided special education services to thousands of children and youths with disabilities residing in state facilities operated by the Massachusetts Departments of Mental Health, Public Health, and Youth Services, and the county correctional facilities operated by their respective sheriffs.

Through Educational Services in Institutional Settings (ESIS), we strive to ensure that all students with disabilities who reside in these placements receive the specialized, individualized, and quality educational programming needed for them to experience educational success.

ESIS students participate in academic and related educational programs that are tailored to meet their needs. ESIS staff work closely with the students' home school districts to ensure consistency in academic programming. Classroom instruction reflects the educational standards common among all public schools across the Commonwealth; the Massachusetts Curriculum Frameworks, so that opportunities are optimized for student learning, participation in MCAS testing is more likely to be successful, and that a smooth transition back to students' home schools or programs is more certain.

The children and youths residing in these state facilities face tremendous life challenges. Our institutional school programs provide them with safe, secure, and enriching opportunities to learn and succeed. Much credit is due to our dedicated special education faculty members and adjunct personnel, and to our colleagues at the Departments of Mental Health, Public Health, and Youth Services and at the Correctional Facilities who make a real difference in these students' lives.

This guide provides you with a general overview of the scope of our institutional schools programs across the Commonwealth. I hope that you find it useful.

Sincerely,

David P. Driscoll  
Commissioner of Education

## ***INTRODUCTION***

Prior to the enactment of 603 CMR 28.00 Special Education Regulations (previously known as the Chapter 766 Regulations), students in state institutions received services from the parent agency of the institution in which they resided, and they were considered the sole responsibility of the institution or the agency that operated it. When the Regulations were enacted in 1974\*, the Massachusetts Department of Education (Department) was mandated to provide special education services to eligible students residing in state institutions.

The Department fulfills this responsibility through its Educational Services in Institutional Settings (ESIS) program for students with disabilities ages 3 through 21 residing in Department of Mental Health (DMH), Department of Public Health (DPH), and Department of Youth Services (DYS) facilities, as well as those students with disabilities under age 22 incarcerated at the Commonwealth's twelve county correctional facilities (CCF).

ESIS serves approximately 1,000 special education students in 78 programs. Instruction is based on the Massachusetts Curriculum Frameworks and students are prepared to participate in MCAS (Massachusetts Comprehensive Assessment System) testing. The success of ESIS programs is based upon a cooperative relationship among the state agencies that serve the students and their families, the students' school districts, and ESIS.

ESIS programs are staffed by a combination of state and contracted employees including principals, program supervisors, administrative assistants, evaluation team liaisons, teachers, instructional assistants, computer specialists, curriculum specialists, therapists, and other support staff. A Department statewide director who reports to an Associate Commissioner oversees the ESIS network of services.

School districts whose students attend ESIS programs are assessed for a portion of program costs. A detailed monthly student census serves as the basis for assessing public school districts for the cost of the services that ESIS provides. Each year, an amount equal to the total student full time equivalents (FTEs) multiplied by the average per-pupil general education cost for the student's school district is deducted from the district's "cherry sheet" (Notice of Estimated Charges and Receipts). This assessment data is issued to cities and towns by the Massachusetts Department of Revenue.

The majority of the work done by ESIS is through direct special education services but ESIS coordinates two important statewide support programs, as well: the federally mandated Educational Surrogate Parent Program (ESSP); and a state mandated Vision Resources Library (VRL) that provides large-print and Braille books for visually impaired students across the Commonwealth.

**\*Note:** ESIS programming is guided by the following state laws and regulations: Chapter 71 B, section 12 (Special Education Services for Children in Certain State Institutions); Chapter 71 B section 11A (Education for Certain Incarcerated Children); and 603 CMR 28.06(9) (Educational Services in Institutional Settings). Full text is on pages 14 and 15.

## ***ESIS AREA OFFICE LOCATIONS***

### **Central Office**

Massachusetts Department of Education  
 350 Main Street Malden, MA 02148  
 Contact: Jan O’Keefe, Acting Director  
 Phone: (781) 338-3117  
 Fax: (781) 338-3392  
 Email: jokeefe@doe.mass.edu

### **Massachusetts Hospital School**

3 Randolph Street  
 Canton, MA 02021  
 Contact: Janice Feinberg  
 Principal  
 Phone: (781) 830-8800  
 Fax: (781) 830-8799  
 Email: jfeinberg@doe.mass.edu

### **East Area**

P.O. Box 79180  
 Belmont, MA 02479  
 Contact: Jane Marston  
 Acting Principal  
 Phone: (781) 788-8899  
 Fax: (781) 788- 8886  
 Email: jmarston@doe.mass.edu

### **Central Area**

P.O. Box 1320  
 Westborough, MA 01581  
 Contact: Margaret Foran-Collins, Ph.D.  
 Principal  
 Phone: (508) 366-1353 or 366-0596  
 Fax: (508) 366-6301  
 Email: mforancollins@doe.mass.edu

### **West Area**

P.O. Box 969  
 Palmer, MA 01069  
 Contact: Margaret Foran-Collins, Ph.D.  
 Principal  
 Phone: (413) 283-4469  
 Fax: (413) 283-4558  
 Email: mforancollins@doe.mass.edu

### **Southeast Area**

Taunton State Hospital  
 The Gifford Building  
 60 Hodges Avenue  
 Taunton, MA 02780  
 Contact: Cheryl Nicholson  
 Acting Principal  
 Phone: (508) 823-5100  
 Fax: (508) 880-6995  
 Email: cnicholson@doe.mass.edu

### **Department of Education**

Program Quality Assurance (PQA)  
 350 Main Street, Malden MA 02148  
 Compliance/Problem Resolution  
 Contact: Nina Callahan  
 PQA/ESIS Liaison  
 Phone: (781) 338-3707  
 Fax: (781) 338-3710  
 Email: ncallahan@doe.mass.edu

## ***COUNTY CORRECTIONAL FACILITIES (CCF)***

The Department of Education, through ESIS, provides special education services to youths and young adults ages 17 through 21 with disabilities who are incarcerated in the Commonwealth's twelve county correctional facilities operated under the jurisdiction of a sheriff. These facilities house individuals who are awaiting trial and those who are sentenced by the court system to serve time up to two and one-half years. An inmate with a disability may be eligible for a special education program but participation is subject to restrictions set by the operating facility's Classification Board.

An inmate may be eligible for special education services if s/he is under age twenty-two, is without a high school diploma or General Education Development (GED), and has been identified as a student with a disability by his or her school district. Eligibility for ESIS services is based upon an inmate's educational history of special education, a current/valid Individualized Educational Program (IEP), or an education evaluation.

The ESIS Evaluation Team Liaison (ETL) refers eligible inmates to their local school districts for a Team meeting. The districts, in conjunction with ESIS and corrections personnel, amend existing IEPs or develop new ones. The ESIS teacher administers educational assessments, develops educational goals, and provides appropriate curriculum and instruction.

Instruction is based on the learning standards of the Massachusetts Curriculum Frameworks. Classroom activities and lessons are tailored to meet the student's needs that are identified on the IEP. The ESIS teacher generates progress reports for the student's school district. General education needs in these programs are met by county correctional facility educators who provide Title I, adult basic education, counseling, and vocational services.

## *County Correctional Facilities and Centers*

### **Central/West Area: Westborough**

Worcester Correctional Facility: West Boylston

### **Central/West Area: Palmer**

Berkshire Correctional Facility: Pittsfield

Franklin Correctional Facility: Greenfield

Hampden Correctional Center: Ludlow

Hampshire Correctional Facility: Northampton

### **East Area**

Essex Correctional Facility: Middleton

Middlesex Correctional Facility: Billerica

Norfolk Correctional Facility: Dedham

Suffolk Correctional Facility: Boston

### **Southeast Area**

Barnstable Correctional Facility: Barnstable

Bristol Correctional Facility: North Dartmouth

Plymouth Correctional Facility: Plymouth

## ***DEPARTMENT OF MENTAL HEALTH (DMH)***

Through ESIS, the Department of Education provides special education services to eligible students in designated Department of Mental Health (DMH) facilities. Through a variety of program models and in working with the students' local school districts to identify appropriate special education services, ESIS provides direct instruction to students with disabilities. As with all ESIS programs, IEPs are effective until the date of discharge from the program or for a maximum of one year. For the period of time that the student attends the special education program in the facility, ESIS works with the local school district to enable the student to receive academic credit from the school district for course work completed while in the program.

ESIS programs in DMH facilities provide a wide range of curricula, which include English language arts, mathematics, social studies, science, life skills, health, and technology. Classroom activities and lessons are tailored to meet the needs of the student based upon educational assessments and the student's IEP.

The following types of DMH programs may include special education services provided by the Department of Education:

### Intensive Residential Treatment Programs (IRTP)/Acute Programs

The Department of Mental Health provides residential therapeutic services for children and youths, ages five to eighteen years, who are admitted to and reside in Intensive Residential Treatment and Acute Programs. Within the context of the therapeutic milieu established by the Department of Mental Health and the program site, ESIS educators provide special education services.

### Adult Units

ESIS also provides special education services to eligible youths with disabilities between the ages of nineteen and twenty-two who are admitted to DMH adult psychiatric units.

## ***Department of Mental Health Facilities***

### **Central/West Area: Westborough**

Chauncy Hall Academy: Westborough  
PTC/Worcester State Hospital: Worcester  
UMass Adolescent Unit I: Westborough  
UMass Adolescent Unit II: Westborough  
UMass Connections: Westborough  
UMass Transitions: Worcester  
Westborough State Hospital Adult Unit: Westborough  
Westborough State Hospital Deaf Unit: Westborough  
Worcester State Hospital Adult Unit: Worcester

### **Central/West Area: Palmer**

Three Rivers Program: Springfield

### **East Area**

Boston Medical Center IRTP: Boston  
Centerpoint IRTP: Tewksbury  
Erich Lindemann Adult Unit: Boston  
Everett House: Dorchester  
Lemuel Shattuck Adult Unit: Jamaica Plain  
Merrimack Center: Tewksbury  
Quincy Mental Health Adult Unit: Quincy  
Solomon Carter Fuller Adult Unit: Boston  
Tewksbury State Hospital Adult Unit: Tewksbury

### **Southeast Area**

Cohannet Academy: Taunton  
Taunton Adolescent and Family Treatment Program (TAFTP): Taunton  
Taunton State Hospital Adult Unit: Taunton

***DEPARTMENT OF PUBLIC HEALTH***  
***(DPH)***  
**Massachusetts Hospital School**

The Department of Education provides special education services to eligible students ages 5 through 21 at the Massachusetts Hospital School (MHS) operated by the Department of Public Health (DPH). Admission to the hospital is based on a decision by the Department of Public Health's Admissions Committee that the child or young adult meets the hospital criteria for medical/rehabilitative management. Students with multiple disabilities (primarily physical) who require a medically based program are eligible for admission to Massachusetts Hospital School. Primary disabilities include cerebral palsy, spina bifida, hearing impairment, traumatic brain/head injury, muscular dystrophy, chronic brain injury, visual difficulties, epilepsy/seizure disorder, and chronic health impairment. Medical and related services are provided by DPH and special education services are provided by ESIS and in some cases, the student's school district.

After a child is admitted as a hospital patient, he or she attends the ESIS program at the Brayton School located on the grounds of the Massachusetts Hospital School. The school operates 5 days a week, 180 days per year and delivers a varied curriculum of academics and functional life skills, technology, creative arts, and transitional programs and may offer access to adaptive equipment, alternative communication systems, assistive technology, computer-based learning, and independent skills training.

At the Massachusetts Hospital School, a highly specialized service is available for students who attend school there. Adaptive Design Services (ADS) designs, fabricates, builds, modifies and repairs custom aids and devices to assist and enhance students' mobility and communication, and educational, recreational, physical, and lifestyle needs. This service is critical for many of the Brayton School students to function optimally.

## ***DEPARTMENT OF YOUTH SERVICES (DYS) PROGRAMS***

The Department of Education provides special education services to eligible youths in certain Department of Youth Services (DYS) facilities. The students' local school districts retain responsibility for evaluating, developing, and issuing an Individualized Educational Program (IEP) and providing the notices associated with the mandated procedural safeguards. The DYS program and ESIS staff may assist the student's school district in the evaluation process by providing educational assessments and other information in order to develop the student's IEP. ESIS special education teachers work in conjunction with the DYS general education program staff to provide special education services. Most students in DYS facilities are either discharged or transferred to another correctional facility at age 18. In some instances, a youth may remain in the DYS facility up to age 22. The following types of DYS programs may have ESIS staff assigned:

### Secure Treatment

Secure treatment units are long-term facilities that house youths committed to the Department of Youth Services. Through the DYS evaluation process, youth in secure treatment units have been determined to be inappropriate candidates for community programs. These young people exhibit or have a history of behaviors classified by DYS as violent or abusive and are considered a risk for less restrictive placement at the time of adjudication. The average length of stay at a secure treatment unit ranges from six (6) months to one (1) year. In some cases, a youth's length of stay beyond the original discharge date may be extended through a court order.

The DYS prepares the youths in its care and custody for transition from a Secure Treatment Program to less restrictive settings.

### Secure Detention

Secure detention units are short-term facilities housing youths who are awaiting adjudication by the courts and remain under the jurisdiction of the courts pending disposition of their cases. In some cases, youths committed to DYS and are awaiting placement in a secure treatment unit may be held in a secure detention unit until treatment space becomes available. Because of the short-term nature of these units, the secure detention facilities are characterized by a frequent turnover in population. Students often exhibit one or more of the following characteristics: moderate to severe behavioral problems; history of school failure; learning problems; and/or disabilities. The average length of stay in secure detention units ranges from one (1) to forty-five (45) days, but the length of stay may be extended through a court order.

### Limited Secure Facilities

Limited secure facilities are short-term units where youths, ages twelve to seventeen years, are detained for up to forty-five days for less violent offenses. For these youths, community resources are frequently used.

### Assessment Units

The primary role of the assessment units is to determine future placements. Assessment units consist of classification, evaluation and transitional units and dispositional review programs.

## *Department of Youth Services Facilities*

### *Central/West Area: Westborough*

Butler Center: Westborough  
Chrysalis House: Framingham  
Eliot Stabilization: Worcester  
Grafton Girls Program: North Grafton  
Grafton Secure Treatment: North Grafton  
Harvard House: Worcester  
New River Academy: Lancaster  
Pelletier Center: Westborough  
Positive Opportunities Program: Fitchburg  
R.F.K. Secure Treatment: Westborough  
Sharp Transitions: Westborough  
Spectrum Youth Academy: North Grafton  
Westborough Reception: Westborough  
Westborough Secure Treatment: Westborough  
Worcester Secure Treatment: Westborough

### *Central/West Area: Palmer*

Coolidge School - Secure Treatment: Springfield  
Delaney School - Secure Treatment: Springfield  
Gandara House: Springfield  
Our House: Greenfield  
R.F.K. South Hadley Girls Program: South Hadley  
Springfield Transitional Unit: Springfield  
Westfield Evaluation: Westfield  
Westfield Detention: Westfield

### *East Area*

Alliance House: Stoneham  
Brighton Treatment Center: Brighton  
F. A. Rotenberg School: Chelmsford  
Juvenile Recovery Academy: Methuen  
Metropolitan Treatment Center: Roslindale  
• Boston Secure Treatment: East • Boston Secure Treatment: West • Canterbury Secure Treatment: East  
• Canterbury Secure Treatment: West • Connelly Treatment Unit  
Metropolitan Youth Service Center: Dorchester  
• Charlestown Secure Detention • Metropolitan Assessment Unit • Metropolitan Detention Unit  
• NFI Girls • Spectrum Boys • Spectrum Girls

### *Southeast Area*

Bishop Rucco Girls: Lakeville  
Eliot Teamworks: Plymouth  
Goss I Detention: Taunton  
Goss II Detention: Taunton  
Howland Secure Treatment: Taunton  
Phaneuf Secure Treatment: Brockton  
Plymouth Juvenile Unit: Plymouth  
Project Leap: Brewster

## STATEWIDE PROGRAMS

### ***EDUCATIONAL SURROGATE PARENT PROGRAM (ESPP)***

**P.O. Box 1184  
Westborough, Massachusetts 01581  
Telephone: (508) 792-7679  
Contact Person: Michelle Poulin**

The Educational Surrogate Parent Program fulfills the mandates of state and federal special education laws that require procedures to protect the educational rights of all children who may require special education services. Students placed in the care or custody of the Commonwealth of Massachusetts or students whose parents are unknown, unavailable, or have lost their right to make educational decisions based on a court decision are eligible to have an Educational Surrogate Parent appointed. To ensure that these children's rights to benefit from a free and appropriate public education are protected, the Massachusetts Department of Education developed the Education Surrogate Parent Program to recruit, train, appoint, and support volunteers willing to act in the role of "educational surrogate parents" for the purpose of special education decision-making. Educational Surrogate Parents appointed by this program have the same rights and responsibilities guaranteed to all parents or guardians with respect to the special education decision-making process outlined in the federal Individuals with Disabilities Education Act (IDEA) and Massachusetts 603 CMR Section 28 Regulations. Approximately 1,800 assignments are made each year.

### ***VISION RESOURCES LIBRARY (VRL)***

**Massachusetts Hospital School  
Lower Baylies Cottage  
3 Randolph Street  
Canton, Massachusetts 02021  
Telephone: (781) 575-1843 or (781) 575-9313  
Fax: (781) 575 9601  
Contact Person: Carrie Braiser, Director  
Website: [www.mavisionlib.org](http://www.mavisionlib.org)**

The Vision Resources Library (VRL) acquires, maintains, and distributes books (large print and Braille) and other tangible aids to assist local school districts in educating visually handicapped students. To the extent possible, the VRL fulfills requests for books printed in accessible format and it provides related educational materials, as well. As time and funding permit, the library provides outreach services and serves as a resource for students and their parents, teachers and related professionals. With an estimated inventory of 15,000 books, the VRL serves approximately 1,500 Massachusetts students every year.

## **CHAPTER 71B. Children with Special Needs**

### **Chapter 71B: Section 12 School departments; establishment; administration; staff; operation; expenditures; costs of education**

Section 12. The department shall establish and maintain a school department for school-age children in each institution under the control of the departments of mental health, mental retardation, public health and youth services which provides support and care for resident children with a disability, acting jointly with the department which has control over the particular institution; provided, however, that appropriations for the administration of said school departments shall be administered by the department of education.

Each such school department shall be administered by a director, appointed jointly by the commissioner of education and the superintendent of said institution.

Each such school department shall have such staff as the department and the department which administers the institution involved deem appropriate.

Such school departments shall operate pursuant to regulations established jointly by the department and the department which administers said institution. Nothing contained herein shall affect the continued authority of departments operating such institutions over all non-educational programs and all treatment for residents or patients in institutions under their control.

The director and staff of such school departments shall be employees of the department of education, which shall assume the costs of all aspects of the educational programs in such departments. Said school departments may operate twelve months of the year. Nothing contained herein shall operate to remove from employment any educational personnel already employed by any institution now under the administration of the department of mental health, mental retardation, public health or youth services, or to reduce their salaries or other employee benefits.

The per capita expenditure on education programs in such school departments shall be equivalent to or higher than the average expenditure for special education programs in the public schools of the commonwealth less the average transportation costs. Said average expenditure shall be computed annually by the department of education.

The city, town or regional school district in which each school-age child in any institution described herein above would normally be eligible to attend school shall pay to the commonwealth the costs of the education of said child in the school department of said institution in an amount determined according to the regulations issued under section ten; provided, however, that said payment for each such child shall not be less than its average per pupil cost for pupils of comparable age within the said city, town or school district. The amount due the commonwealth each year shall be deducted from the annual distribution to said city, town or school district pursuant to section eighteen A of chapter fifty-eight.

### **Chapter 71B: Section 11A Incarcerated children with a disability; special education**

Section 11A. The department of education shall provide special education to school aged children with a disability who are incarcerated in county houses of correction.

#### **603 CMR 28.06 (9) Educational Services in Institutional Settings**

The Department shall provide certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health. The Department shall retain the discretion to determine based upon resources, the type and amount of special education and related services that it provides in such facilities.

(a) Public school districts are not relieved of their obligations to students in such settings. Although admission and discharge decisions in such facilities are not within the jurisdiction of the public school district, students in

institutional settings remain the responsibility of the school district where the father, mother or legal guardian resides and have the same rights for referral, evaluation, and the provision of special education in accordance with state and federal law as students in public schools.

(b) Non-educational services such as residential, medical and clinical services shall be provided by the state agency that controls the facility. The provision of such services shall be governed by the state agency in accordance with applicable laws, interagency agreements, or agency policies.

(c) Where a student's IEP requires a type or amount of service that the facility does not provide, it shall remain the responsibility of the school district where the father, mother or legal guardian resides to implement the student's IEP by arranging and paying for the provision of such services.

(d) The school district where the father, mother or legal guardian resides shall be responsible to coordinate with the Department and to ensure that the student receives an evaluation, an annual review, and special education services as identified by the Team at a Team meeting convened by the parent's school district. The Department shall participate in Team meetings for any student receiving special education services in an institutional setting. To the extent that special education services are provided by the Department in such facilities, the Department will make every effort to provide services consistent with the student's IEP and available resources.



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## Massachusetts Charter Schools

### Charter School Technical Advisory 05-2 *Charter Amendments*

To: Charter School Leaders  
Chairpersons, Boards of Trustees of Charter Schools

From: David P. Driscoll, Commissioner of Education

Date: November 1, 2005

When a school receives its original charter and any subsequent renewals of that charter from the Board of Education, the state approves the charter school's broad academic and organizational plans for the next five years. Any substantive changes to those plans require the approval of the Commissioner and/or Board of Education for an amendment to the school's charter **before** the changes are effective. Unless stated otherwise, the use of "charter school" in this document refers to both Horace Mann charter schools and Commonwealth charter schools.

This Technical Advisory replaces Technical Advisory 03-3 and a Memorandum dated May 26, 2005 entitled New Deadline and Process for Charter Amendments. This revised Technical Advisory has three purposes:

- It provides guidance to charter schools on the changes to their operations, as defined in 603 CMR 1.11, that require approval from the Commissioner or the Board of Education for an amendment to the school's charter **before** the school can implement the changes.
- It outlines the process that a charter school must follow in making an amendment request.
- It informs charter schools of changes at the school level and the Board of Trustees level about which they must notify the Charter School Office in a timely fashion.

An amendment request from a Horace Mann charter school for a major or minor change in its operations requires the approval of the local teachers' union and school committee. In the event that a Memorandum of Understanding between a Horace Mann charter school and the local school district is modified due to these changes in a school's operations, the school must submit the modified Memorandum of Understanding to the Commissioner of Education at the time of the amendment request.

#### I. Major Changes in a Charter school's Operations that Require the Board of Education's Approval for an Amendment to the school's Charter

Under section 1.11 of the Charter School Regulations, "if a charter school wishes to make a major change in its operations, the school's Board of Trustees shall submit in writing to the Board of Education a request to amend its charter." 603 CMR 1.11(1). Major changes in a charter school's operations are defined as those that "fundamentally affect a school's mission, organizational structure, or educational program." Such changes include, but are not limited to, major changes in a school's

- educational philosophy or mission;
- governance or leadership structure;
- contractual relationships with an education management organization that is providing or planning to provide substantially all the school's educational services;
- curriculum models or whole-school change designs that are inconsistent with those specified in the school's charter;
- location of facilities, if such change involves relocating or expanding to another municipality (whether or not a school is regional);

- district(s) specified in a regional school's charter;
- maximum enrollment; or
- grades served.

## II. Minor Changes in a Charter school's Operations that Require the Commissioner of Education's Approval for an Amendment to the school's Charter

Under section 1.11 of the Charter School Regulations (603 CMR 1.00), "if a charter school wishes to make a minor change in its operations, the school's Board of Trustees shall submit in writing to the Commissioner of Education a request to amend its charter." Minor changes in a charter school's operations are defined as those that change the school's design and operations but that "do not fundamentally alter its mission, organizational structure or educational program." Such changes include, but are not limited to, changes to a school's

- bylaws;
- schedule (e.g. length of school year, school week, or school day);
- enrollment process;
- code of conduct;
- corrections and clarifications involving the mission statement or other sections of the charter that do not fundamentally affect the school's mission, organizational structure, or educational program;
- school name; or
- membership of the Board of Trustees, to be approved before they become voting members (as specified under 603 CMR 1.05(2)(a)).

Charter schools receiving approval for minor amendments that will require transportation scheduling changes for districts are strongly encouraged to communicate these changes to districts as early as possible to allow districts to plan both budgets and transportation schedules.

## III. Process for Review of Amendment Requests

### A. A. Amendment Request Deadlines

Charter amendment requests may be submitted at any time, with the following exception:

- August 1 of each year is the deadline for major amendment requests regarding *maximum enrollment* increases or changes to *grades served* or *districts specified* in a school's charter as the charter school's "region." Requests regarding changes in the location of facilities, if such changes involve relocating or expanding to *another municipality*, also should be submitted at this time.

The Commissioner and the Board of Education will endeavor to approve or deny amendment requests within 60 days after they are complete. If the Commissioner denies a charter school's amendment request, the school's Board of Trustees may seek review of that decision with the Board of Education.

Please note that suggested timelines are subject to the complexity of the issues involved and the schedules of the Commissioner and the Board of Education. Charter schools are strongly encouraged to plan ahead regarding amendment requests, particularly those that are major in nature, and to consult with the Charter School Office when an amendment request is anticipated.

### B. B. Contents of an Amendment Request

The chairperson of a charter school's board of trustees, or an individual authorized by the board of trustees, must submit amendment requests to the Commissioner of Education with a copy to the Director of Charter Schools. The request can take the form of a letter and may include supporting documents. The letter requesting an amendment is submitted under the penalties of perjury and should provide complete information regarding the request.

Maximum enrollment increase requests must provide answers to the questions in the criteria posted at <http://www.doe.mass.edu/charter/governance/>. These criteria will be used to evaluate the merits of the request.

For all other requests:

- describe what is being requested, including the type of request as defined in 603 CMR 1.11 and stating what currently exists in the charter and what change(s) are proposed;
- explain the reasons for the requested changes;
- include a statement that the charter school's Board of Trustees voted to request this amendment to its charter on [DATE] at a meeting held in compliance with the Massachusetts Open Meeting Law";
- include a statement that the Board of Trustees authorized the individual sending the letter to make the request on their behalf if the Board Chairperson is not the author; and
- in the case of Horace Mann charter schools, include certification that the local school committee and local teachers' union have approved the request.

- C. Review of Amendment Requests

The Charter School Office oversees the process of review for the Commissioner of Education and the Board of Education. In submitting an amendment request, accurately presenting the requested changes in a letter with the above elements enhances a school's credibility and the efficiency with which the request can be processed. The Charter School Office will work with the school regarding any necessary revisions or additional information. All amendment requests from Commonwealth charter schools for changes in maximum enrollment, grades served, the municipality of the school's location, or the districts specified in the school's region are sent to the superintendents of the affected districts to provide them with an opportunity to submit written comment to the Commissioner within 15 days.

#### **IV. Criteria for Approval or Denial of an Amendment Request**

Section 1.11 of 603 CMR 1.00 contains several criteria that the Commissioner and the Board of Education may consider in reaching a determination regarding a school's request to amend its charter. First, "the Commissioner and the Board of Education may consider a charter school's compliance with applicable state, federal, and local law." Second, the Commissioner and the Board of Education may consider the evidence regarding the success of the school's academic program, the viability of the school as an organization, and the faithfulness of the school to the terms of its charter. The criteria used to evaluate requests for enrollment increases ask specific questions about these areas. Complete answers will serve to expedite the amendment process.

#### **V. Changes at a School About Which the School Must Notify the Charter School Office**

A number of changes at a charter school may not require an amendment request but do require that the school inform the Charter School Office in a timely fashion. These include changes in

- individuals holding school leadership positions, such as an Executive Director or Principal;
- location of the school's facilities within the same municipality;
- documentation of the school's compliance with state and federal laws, including but not limited to all fire, health, and safety laws and accessibility requirements, for a move to new facility or for renovations to the same facility;
- officers of the school's Board of Trustees;
- general contact information (phone number, mailing address, and email) for the school and the school's Board of Trustees; or
- main contact persons for the school and the school's Board of Trustees.

Like all school districts and public schools in the state, charter schools are required to provide information to the DOE through the School and District Profiles. Charter schools view, add, update and delete their own information over the web to make sure that the information is as up-to-date and accurate as possible. Information from all units of the Department is sent to schools using this information as the basis for mailing lists. Schools should contact 781-338-DATA or [data@doe.mass.edu](mailto:data@doe.mass.edu) with any questions about this process.

As noted earlier, charter schools making changes that will require transportation scheduling changes for districts are strongly encouraged to communicate with the districts about these changes as early as possible to allow for budgeting and scheduling of transportation.

#### **VI. Increases in Maximum Enrollment, Allocation of Seats, and Net School Spending**

After the completion of the April 1 Pre-Enrollment Report each year, the Department of Education will estimate the number of additional seats available for each district in the Commonwealth without exceeding the net school spending (NSS) cap of 9%. To determine the number of additional seats available under the NSS cap, the Department will analyze reported pre-enrollment and the total number of seats already held by existing charter schools in relation to current new school spending and charter tuition projections. The estimated number of additional seats available in each district is printed each year in the [Application for a Massachusetts Public School Charter](#). The Department cautions that these are only estimates based upon current projections and may change, sometimes significantly.

The Department will reserve a sufficient number of the estimated additional seats available in each district to allow for deviations from the Department's NSS projections. Additionally, the Department may choose to establish a maximum number of seats to be made available for potential new charter school applicants if a district is approaching the 9% NSS cap. New charter school applicants may apply for up to the maximum number of seats determined to be avail

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**2005 Commonwealth Compass Schools  
Calendar of On-Site Information-Sharing Events  
October 2005 – April 2006**

**Space may be limited. Call or email the school directly for information and registration.**

[Andover High School](#)

Grades 9-12

Andover, MA

**November 8, 2005, 8 am -1:30 pm**

**February 16, 2006, 8 am -1:30 pm**

**March 8, 2006, 8 am -1:30 pm**

Snow Date: March 22, 2006

Visitors to Andover High School will have the opportunity to explore the culture and climate that have emerged from four initiatives that have helped our school develop into a professional learning community. There will be an overview presentation for the whole group. Following the overview, visitors will have two options:

Option 1: class visits that demonstrate strong relationships between teachers and students, varied approaches to instruction in the long block and implementation of methods developed through professional development.

Option 2: focused discussions with AHS faculty and administration on the four initiatives.

The day will end with a question and answer session over lunch. AHS will provide materials that participants will be able to replicate for their schools.

**Information and Registration:** Ron Howland, Director Of English, 978-263-8613, [rhowland@aps.net](mailto:rhowland@aps.net)

[Community Day Charter Public School](#)

Grades K-8

Lawrence, MA

**January 10, 2006, 8:30 am-12: 30 pm, Early Learning Center, grades preK-2**

Snow Date:

Visitors to our school will learn effective means of using data to make standards real in the classroom. Academic achievement at our school revolves around a dynamic use of student assessment data to inform all areas of instruction: curriculum mapping, lesson planning, differentiated instruction techniques, and subject content and skills development. Visiting educators will have the opportunity to observe classrooms and discuss how the data from the MCAS and other assessments can inform instruction and improve practice at all grade levels. The three visits scheduled will address the above strategies at different grade levels and developmental stages.

**Information and Registration:** Geoff Bruno, Head of Upper School, 978-682-6796, [gbruno@cdcs-ma.org](mailto:gbruno@cdcs-ma.org)

### Framingham High School

Grades 9-12

Framingham, MA

*December 7, 2005, 11:00 am-3:00 pm*

*February 8, 2006, 7:30 am-11:00 am*

*March 15, 2006, 11:00 am-3:00 pm*

Snow Date: Wednesday, April 12, 2006, 7:30-11:00 am

Framingham High School's designation as a Compass School is based upon our success using three distinct strategies: subject area co-teaching, student supports through an academic development center, and dedicated time toward teacher collaboration. Visitors to FHS will tour our Academic Development Center and speak with students who act as trained tutors during the school day. We will also provide an opportunity to view teachers co-teaching and working together during targeted collaboration time.

A brief overview of these programs as well as a school tour and ample opportunity for questions will be provided. Event agendas will be forwarded to all registrants in advance.

**Information and Registration:** Michael J. Welch, Principal,  
508-620-4963 x1001, [Mwelch1@framingham.k12.ma.us](mailto:Mwelch1@framingham.k12.ma.us)  
Paul Maiorano, Mathematics Department Head,  
508-620-4963 x1300, [Pmaiorano@framingham.k12.ma.us](mailto:Pmaiorano@framingham.k12.ma.us)

### Franklin Avenue School

Grade K-5

Westfield, MA

*Intervention Meetings: October 20, November 17, and December 21, 2005;  
January 18, February 17, March 22, April 26, and May 24, 2006*

#### **Intervention Observations: by appointment**

The Franklin Avenue School uses a program of interventions based on testing data, in conjunction with classroom instruction, to improve reading for all students. Visitors who attend an intervention meeting will see grade level teachers and interventionists reviewing the progress of each child and analyzing test data for program placement decisions. Visitors by appointment will have a program tailored to their needs in any of the following areas: monitoring progress, testing, analyzing data, matching interventions, scheduling and observing interventions.

Lunch will be provided, along with time to meet with practitioners.

**Information and Registration:** Leslie Clark-Yvon, Principal,  
413-572-6424, [l.clark@mail.ci.westfield.ma.us](mailto:l.clark@mail.ci.westfield.ma.us)

### H. H. Galligan Elementary School

Grades K-4

Taunton, MA

*November 10, 2005, 8:30 am-1:00 pm*

*February 8, 2006, 8:30 am-1:00 pm*

*May 9, 2006, 8:30 am-1:00 pm*

Snow Date: February 15, 2006

Administrators and teachers visiting H.H. Galligan will begin their day with staff members from guidance, administration and special needs to discuss the Child Study Program that is utilized for early identification and follow-through of at-risk students. The remainder of the day will be divided into two segments. Visitors will first meet with a panel of Title I and grades K, 1 and 2 teachers to learn more about the ongoing data collection that drives the instruction and the co-teaching and communication that occurs within the classrooms. Observations of grades 1 and 2 classrooms will then occur. The same procedure will occur for grades 3 and 4 (panel and then observations). Observations of programs we utilize to meet students' needs will include Bradley, Wilson, our new writing program and *Everyday Math*.

A working lunch will be served by the Galligan parents—who will also interact with the visiting team—will allow for a question and answer period with the Galligan staff.

**Information and Registration:** Jen Henderson, Principal,  
508-821-1295, [jhenderson@tauntonschoos.org](mailto:jhenderson@tauntonschoos.org)

### Lawrence W. Pingree School

Grades K-4

Weymouth, MA

*December 9, 2005, 8:30 am-1: 30 pm*

*February 3, 2006, 8:30 am-1: 30 pm*

*April 12, 2006, 8:30 am-1: 30 pm*

Snow Dates: December 13, 2005; February 10 and April 13, 2006

The L.W. Pingree School would like to share a variety of programs and strategies that have been employed to increase student learning and teachers' knowledge base in the areas of English Language Arts and Mathematics.

The day will begin with coffee, pastries and a brief overview of the school's activities. Next, visitors will attend two mini-workshops. The literacy and mathematics workshops will include materials and ideas that could be used by visitors in their own schools. Attendees will be given specific details about the school's work, including how the staff organizes teacher study groups, developed an action plan and created more opportunities for writing in mathematics. Administrators who attend will engage in a conversation about the facets of school culture. There will be time for classroom visits to see effective programs in action.

The day will conclude with a luncheon during which visitors will have the opportunity to ask questions.

**Information and Registration:** Nancy Legan, Principal,  
781-337-2974, [nancy.legan@weymouthschools.org](mailto:nancy.legan@weymouthschools.org)

### Lynnfield High School

Grades 9-12

Lynnfield, MA

*December 12, 2005, 9:00 am-1:00 pm*

*April 26, 2006, 9:00 am-1:00 pm*

*February 15, 2006, 9:00 am-1:00 pm*

Snow Dates: December 15, 2005; April 27, 2006

Visitors will participate in a series of presentations and panel discussions on the initiatives that have been helping LHS students succeed on all high-stakes exams. These initiatives include co-teaching of special educators with content area teachers, data analysis of student results on previous exams, technology transformations, content area initiatives in math and English and parent communication. Visitors will also tour the school and have an opportunity to speak with teachers and department heads.

The day will conclude with a question-and-answer session. Lunch will be included.

**Information and Registration:** Jim Kearns, Mathematics Department Head, 781-334-5820 x1118, [kearnsj@lynnfield.k12.ma.us](mailto:kearnsj@lynnfield.k12.ma.us)

### Mill Swan Communication Skills Center

Grades K-6

Worcester, MA

*November 3, 2005, 9:00 am-12 noon*

*January 10, 2006, 9:00 am-12 noon*

*March 2, 2006, 9:00 am-12 noon*

Visitors will meet in the Family Center to hear a presentation of initiatives that have established Mill Swan as a community of learners. Visitors will have the opportunity to speak with staff about the Positive Behavior Intervention Support Program (PBIS) and how the school uses data to improve student behavior. Visitors will see firsthand how the Family Center helps get parents on board with curriculum. Mill Swan's No Child Left Behind Implementation Teacher (NCLBIT) will share the curriculum initiatives, staff support programs and data collection initiatives that drive instruction.

A tour of classrooms and a wrap-up session will follow.

**Information and Registration:** Kathleen Dion, Principal, 508-799-3510, [dionka@worc.k12.ma.us](mailto:dionka@worc.k12.ma.us)

[Sarah Greenwood School](#)

Grades PreK-8

Dorchester, MA

*January 24, 2006, 9:00 am-2:30 pm*

*April 11, 2006, 9:00 am-2:30 pm*

Snow Date: January 26, 2006

Visitors will have the opportunity to participate in the implementation of one of the two feature elements that have contributed to Greenwood's students' progress. The October event will highlight successful practices in ELA at both the elementary and secondary levels. Visitors will observe a lesson in which Collaborative Coaching and Learning (CCL) is taking place and will participate in a debriefing session. Visitors can also choose to be part of the weekly mixed-grade level study groups and Looking at Student Work sessions in different grade levels. Throughout the day, the Principal and members of the Instructional Leadership Team (ILT) will be available to answer questions.

The January event will focus on best practices in mathematics. In April, the program will concentrate on using the CCL model in the content areas and in writing. Coffee, refreshments and snacks will be provided during the day.

**Information and Registration:** Waleska Landing-Rivera, 617-635-8710, [wlandingrivera@boston.k12.ma.us](mailto:wlandingrivera@boston.k12.ma.us)

[South Street Elementary](#)

Grades PreK-4

Fitchburg, MA

*November 16, 2005, 9:00 am-2:00 pm*

*January 25, 2006, 9:00 am-2:00 pm*

*March 8, 2006, 9:00 am-2:00 pm*

Snow Dates: November 17, 2005, January 26 and March 9, 2006

Visitors to South Street Elementary School will hear a detailed description of the school's three-tiered Curriculum Plan. Classroom visits will be arranged so that visitors may observe Singapore Math and the Four-Square Writing Method. Visitors will also have the opportunity to tour the school and talk to staff and administrators.

The visit will conclude with a discussion session to answer questions and review materials.

**Information and Registration:** William J. Terrill, Principal, 978-348-2300, [terrillw@fitchburg.k12.ma.us](mailto:terrillw@fitchburg.k12.ma.us)  
Ruthann P. Goguen, Assistant Principal, 978-348-2300, [goguenr@fitchburg.k12.ma.us](mailto:goguenr@fitchburg.k12.ma.us)

### Thompson Elementary School

Grades K-5

Arlington, MA

*Fall Snapshot: November 15, 2005, 8:30 am-1:45 pm*

*Midyear Snapshot: February 1, 2006, 8:30 am-1:45 pm*

*Spring Snapshot: April 27, 2006, 8:30 am-1:45 pm*

Snow Date: February 2, 2006

The day will begin with a staff-led presentation describing how data analysis guides curriculum and informs scheduling so that classes are balanced with diverse learners. The staff will explain how identifying curriculum needs for individual students based on data analysis helps inform decisions about putting specific programs and services in place to move all students to proficiency. For the remainder of the morning visit, teams will observe in classrooms. After lunch, teachers will be available to answer questions and talk more about how they use data to guide their instruction.

**Information and Registration:** Michael McCabe, Principal,  
781-316-3769, [mmccabe@town.arlington.ma.us](mailto:mmccabe@town.arlington.ma.us)

Grades 6-8

Lunenburg, MA

*March 14, 2006, 8:00 am-1:00 pm*

*May 4, 2006, 8:00 am-1:00 pm*

Snow Date: March 16, 2006

The improvement in MCAS scores at Turkey Hill Middle School can be attributed to several key educational strategies adapted to meet the specific needs of the school: The Results Philosophy by Mike Schmoker, The Understanding by Design approach of Grant Wiggins and Jay McTighe and the Professional Learning Community approach of Rick DuFour. Visiting teams will be given an overview of the essential components of each of these key programs. The overview will emphasize the evolution of each. Next, visitors will focus on one program, do a classroom observation, and have a discussion with the observed teacher.

The day will culminate in a luncheon meeting with a roundtable discussion and question-and-answer session.

**Information and Registration:** Keith Hochstein, Principal,  
978-582-4110 x 500, [khochstein@lunenburgonline.com](mailto:khochstein@lunenburgonline.com)

### Turkey Hill Middle School



- > Educator Recognition Home
- > American History Teacher of the Year
- > Christa McAuliffe Fellowship
- > Fulbright Memorial Fund
- > George Washington Scholars
- > Master Teacher Program
- > Milken Family Foundation
- > National Teachers Hall of Fame
- > Preserve America History Teacher of the Year
- > Presidential Awards Teacher of the Year

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## Educator Recognition Programs

### 2006 Presidential Awards for Mathematics and Science Teaching

To: Superintendents, Principals, Teachers, and Other Interested Parties

From: David P. Driscoll, Commissioner of Education



Date: November 2005

I am pleased to announce that nominations are open for the Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST). The PAEMST Program was established in 1983 by the White House and is sponsored by the National Science Foundation (NSF). The program identifies outstanding mathematics and science teachers, kindergarten through 12th grade, in each state and the four U.S. jurisdictions. These teachers will serve as models for their colleagues and will be leaders in the improvement of science and mathematics education.

The competition alternates year by year between teachers of grades K-6 and teachers of grades 7-12. **Teachers of grades K-6 mathematics and science are eligible for nomination for the 2006 Presidential Awards.** Teachers of grades 7-12 will be eligible for the 2007 Presidential Awards.

In order to apply for the 2006 PAEMST, a teacher must be nominated. Anyone (e.g. principals, teachers, students, and other members of the general public) may nominate a teacher. Self-nominations will not be accepted.

Each Presidential Awardee will receive a \$10,000 award from the National Science Foundation and gifts from donors. Each Awardee will also be invited to attend, along with a guest, recognition events in Washington, D.C., in March 2007.

I have attached a **nomination form**   for you to copy and distribute. **The deadline for nominations is Monday, April 3, 2006.** For further information, contact Deborah Walker at [djwalker@doe.mass.edu](mailto:djwalker@doe.mass.edu) or call (781) 338-3347. Nominations should be submitted to Deborah Walker at the Massachusetts Department of Education.

  **Nomination Form**

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[Family & Community](#) > [Alternative Education](#) >

## Advanced Placement

### Advanced Placement Examination Fee Subsidy

To: High School Principals, Advanced Placement Coordinators and Guidance Counselors

From: David P. Driscoll, Commissioner of Education

Date: November 5, 2005

The U.S. Department of Education has awarded Massachusetts grant monies to assist eligible students through the Advanced Placement Examination Fee Subsidy program. The purpose of this program is to reduce the cost of an Advanced Placement Examination from \$82 to \$10 for students who meet the eligibility criteria.

For a public, private or parochial school student to qualify for an Advanced Placement Exam Fee Subsidy, that student must be:

- a. a United States citizen;
- b. eligible for free or reduced priced school lunches under the National School Lunch Act; or
- c. receiving assistance under Part A of Title IV of the Social Security Act; or
- d. eligible to receive medical assistance under the Medicaid program in Title XIX of the Social Security Act.

High school students are characteristically reluctant to apply for this assistance because it requires providing documentation of their family's financial status<sup>1</sup>. Therefore, it is important that school officials assure their students that all family income information will remain confidential. Consequently, guidance counselors will need to maintain a secure file to ensure that such sensitive information does not leave their office.

Later this fall, the College Board will send your school an Advanced Placement exam order form. The form will include instructions on how to order the Advanced Placement exams at a reduced fee for your eligible students.

In the meantime, if you have any questions regarding the Advanced Placement Exam Fee Subsidy Program, please contact Richard Salus at (781) 338-6252 or by e-mail at: [rsalus@doe.mass.edu](mailto:rsalus@doe.mass.edu).

<sup>1</sup> Please refer to [2005-6 family income eligibility chart](#).



Advanced Placement Exam Fee Subsidy Form