



MANCHESTER PUBLIC SCHOOLS

**COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

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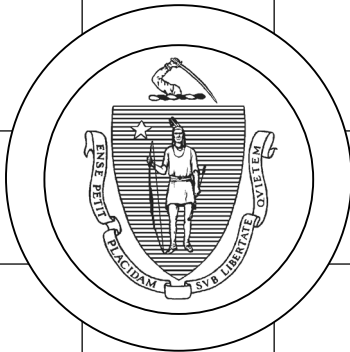
Action Plan Due: May 22, 2000

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**MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW**

Manchester Public Schools

Table of Contents

OVERVIEW OF REVIEW PROCEDURES	2
COORDINATED PROGRAM REVIEW REPORT.....	5
DEFINITION OF TERMS	8
COMPONENT I: ASSESSMENT OF STUDENT PROGRESS.....	9
SPECIAL EDUCATION.....	10
COMPONENT II: STUDENT IDENTIFICATION AND PLACEMENT.....	17
SPECIAL EDUCATION.....	18
CIVIL RIGHTS METHODS OF ADMINISTRATION	23
COMPONENT III: PARENTAL INVOLVEMENT.....	26
SPECIAL EDUCATION.....	27
CIVIL RIGHTS METHODS OF ADMINISTRATION	30
COMPONENT IV: CURRICULUM AND INSTRUCTION	31
EDUCATION REFORM.....	32
SPECIAL EDUCATION.....	33
CIVIL RIGHTS METHODS OF ADMINISTRATION	40
COMPONENT V: STUDENT SUPPORT SERVICES	41
SPECIAL EDUCATION.....	42
CIVIL RIGHTS METHODS OF ADMINISTRATION	47
COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION.....	51
EDUCATION REFORM.....	52
SPECIAL EDUCATION.....	56
CIVIL RIGHTS METHODS OF ADMINISTRATION	58
COMPONENT VII: SCHOOL FACILITIES.....	61
SPECIAL EDUCATION.....	62
CIVIL RIGHTS METHODS OF ADMINISTRATION	63
COMPONENT VIII: PROGRAM PLAN AND EVALUATION.....	64
SPECIAL EDUCATION.....	65
CIVIL RIGHTS METHODS OF ADMINISTRATION	65
COMPONENT IX: RECORD KEEPING.....	67
SPECIAL EDUCATION.....	68
COMPONENT X: SCHOOL GOVERNANCE	70
EDUCATION REFORM.....	71
APPENDIX:	74
SCHOOL DISTRICT PROFILE INFORMATION	75

MASSACHUSETTS DEPARTMENT OF EDUCATION

COORDINATED PROGRAM REVIEW REPORT

Manchester Public Schools

OVERVIEW OF REVIEW PROCEDURES

As one part of its School and School District Accountability System, the Department of Education oversees local compliance with education requirements through the Coordinated Program Review System. For the 1999-2000 school year, the Department is incorporating for the first time targeted requirements of the Education Reform Act of 1993 in all District and charter school reviews. Additionally, all reviews will include selected requirements in Special Education (the federal Individuals with Disabilities Education Act (IDEA-97), state Chapter 71B (Chapter 766), and certain federal civil rights requirements under Title VI and Title IX, Section 504 of the Rehabilitation Act of 1973, together with related state requirements under M.G.L., Chapter 76, Section 5 (Chapter 622). Other monitoring activities in the areas of the state's Transitional Bilingual Education law (Chapter 71A), Title I, Safe and Drug-Free Schools and Community Act, the Perkins Vocational and Technical Act, and Nutrition Programs and Services are conducted in some Districts during these Coordinated Program Review procedures. The selected school Districts for 1999-2000 were notified in April 1999 of scheduled visits and were encouraged to implement self assessment activities prior to the arrival of the Department's visiting team.

Coordinated Program Review Elements

Team: Depending upon the size of a school district and the number of program areas to be reviewed, a team of approximately 2-8 Department staff members conducts a Coordinated Program Review over two to five days in a school district or charter school.

Scope: Seventy (70) school districts and charter schools are scheduled to receive visits in school year 1999-2000. All school districts and charter schools in the Commonwealth are monitored through the Department's Coordinated Program Review system on a five-year cycle with an additional mid-cycle followup visit. This five-year cycle is coordinated with the Department's District Performance Evaluation Process.

Content: The Program Review criteria encompass the required elements for the specific program areas. In the case of Special Education, the elements selected for the 1999-2000 reviews contain, at a minimum, those required by the federal Office for Special Education Programs (OSEP) and revised requirements included under IDEA-97 as described in the Department's Special Education Advisories issued during the 1997-99 school years. The Program Review compliance criteria selected in all of the regulated program areas are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993 which are intended to promote high standards and achievement for all students.

Report: The Department's report is based on a review of written documentation and data regarding the operation of the District's programs, together with information gathered through the following Department program review methods:

- Interviews of administrative, instructional and support staff across all grade levels;
- School Committee representatives, Parent Advisory Council (PAC) representatives,

School Council representatives and other interviews as requested by persons from the general public;

- Student record reviews in the program areas of Special Education, Transitional Bilingual Education, and Perkins Vocational Programs. A sample of student records is selected by the Department. Student records are examined first by local staff and then verified by the Onsite Team using standard Department student record review procedures in order to make determinations regarding the implementation of procedural and programmatic requirements. Parents of students who are selected for the record review are provided an opportunity to be interviewed or, if desired, to complete a written questionnaire;
- Classroom and Facilities Observation: A sample of instructional classrooms and school facilities used in the delivery of programs and services are visited to determine general levels of compliance with program requirements; and
- Collaborative Programs and Services: Where the District is a member of a collaborative approved by the Department of Education and the District serves as a site for any programs or services operated by the collaborative, a sample of interviews, student record reviews and classroom and facility observations are conducted.

Response: An Executive Summary and detailed findings for each program area describe determinations about the implementation status of each requirement (Criterion) reviewed. The findings also note those criteria the implementation of which the Team found to be commendable. For those criteria not found to be fully implemented, the local District or charter school must propose corrective actions to bring those areas into compliance with respective statutes or regulations. Districts are encouraged to incorporate the corrective action activities into their District and School Improvement Plans, including the District Professional Development Plan.

The Department of Education believes that the Coordinated Program Review process is a positive experience and that the Final Report should be seen by the general public as a helpful planning document for continuing development of programs and services in the school district or charter school.

REPORT INTRODUCTION

A three member Massachusetts Department of Education team visited Manchester Public Schools during the week of November 29, 1999 to evaluate the implementation of selected criteria in the program areas of the Massachusetts Education Reform Act of 1993, Special Education, and Civil Rights Methods of Administration (MOA). The Team appreciated the opportunity to interview staff and parents, observe classroom facilities and to review the program efforts underway in the District. The Review Team would like to commend the following program area that was brought to the attention of the Department and that the Team believes has a significant and positive impact on the delivery of educational services for students enrolled in the Manchester Public Schools. This area is as follows:

The special education program implements extra efforts to involve parents in all decisions regarding their children's special education services.

The Department is submitting the following Coordinated Program Review Report containing findings pursuant to this onsite visit study. This report was prepared as a result of the review of extensive written documentation and data regarding the operation of the District's programs, together with information gathered from the following Department program review methods:

- Interviews of five administrative staff;
- Interviews of thirty-three teaching and support services staff across all levels;
- Interviews of four School Committee representatives, Parent Advisory Council (PAC) representatives, School Council representatives and other interviews as requested by persons from the general public;
- Student Record Reviews: A sample of sixteen student records was selected by the Department. Student records were examined first by local staff and then verified by the onsite team using standard Department of Education student record review procedures in order to make determinations regarding the implementation of procedural and Programmatic requirements; and
- Classroom and Facilities Observation: A sample of four instructional classrooms and two school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

The report addresses findings for ten components listed in the Executive Summary on the following pages in each program area reviewed that are most directly related to the teaching and learning of students. The findings for each program area describe determinations by the Team about the implementation status or "Rating" for each criterion reviewed. The findings note those criteria which were found by the Team to be substantially "Implemented" or implemented in a "Commendable" manner. (Refer to the "Definition of Terms For Ratings" section of the report.) For those criteria found to be either "Partially Implemented" or "Not Implemented," the District or charter school must propose to the Department corrective actions to bring those areas into compliance with the related statute or regulation. In some instances the Team may have found certain requirements to be fully "Implemented" and has made specific "Comment" on the District's implementation methods which also may require response from the District or charter school.

Districts are expected to incorporate the corrective action activities into their District and School Improvement Plans, including the District Professional Development Plan.

COORDINATED PROGRAM REVIEW REPORT

MANCHESTER PUBLIC SCHOOLS

EXECUTIVE SUMMARY

The following information synthesizes the findings for specific program criteria included in the Coordinated Program Review as they respond to essential questions which the Department has formulated for each of the major component areas of the report. Note that a more detailed discussion of the Onsite Team's findings which are represented in this Executive Summary, together with the specific legal standards for each program area included in this review, follows this summary.

Component I: Assessment of Student Progress

Has the District implemented an assessment system that uses appropriate instruments, conducted according to the specified timelines and covering the appropriate content areas to determine instructional needs of students?

The district has assessment procedures in place to ensure that students with disabilities are appropriately identified. Required assessments are conducted and students with disabilities participate in MCAS. Some areas of concern are: 1). The parents of special education students do not receive progress reports as least as often as parents of regular education students. The progress reports do not consistently contain detailed information as to the extent to which that progress is sufficient to allow the child to achieve goals by the end of the school year. 2). The district has not addressed an alternate assessment process for students who cannot participate in standard tests even with appropriate test accommodations.

Component II: Student Identification and Program Placement

Has the District followed procedures for student identification and placement into the program according to the criteria specified in regulations?

The district has procedures for the identification and placement of students eligible for special education services. The district was able to document that it met procedural requirements regarding the screening of three- and four-year-olds, the development of IEPs, the prompt implementation of services and the provision of assistive technology to students with disabilities. An area requiring improvement is the identification of students who are limited English proficient and who may require instructional programs that support their acquisition of English.

Component III: Parental Involvement

Has the District ensured that parents are notified, in the appropriate language, and are involved in decisions regarding their children's programs and services?

The district ensures that parents are involved in decisions regarding their child's special education program and services. The district complies with all the notification requirements of the Chapter 766 Regulations. Currently, the district's self-assessment reports that there are no parents whose primary language is not English who require notification in their native language.

Component IV: Curriculum and Instruction

Does the District hold all students to high expectations and standards and ensure that programs are designed to maximize student performance within regular education and are implemented according to the specific regulatory requirements with respect to learning time, class size, staffing ratio, and age spans? Has the District provided for coordination across program areas?

The district holds students to high expectations and standards and ensures that programs are designed to maximize student performance within regular education and are implemented according to the specific regulatory requirements with respect to learning time, class size, staffing ratio and age spans. However, the district does not have appropriate procedures and assessments in place to identify the small number of students who have limited English proficiency and who may need special language assistance within regular education. The middle/high school level lacks a consistent, formal pre-referral process, including a building-based team, to ensure all efforts are made and documented before referring a student for a TEAM evaluation. The establishment of a formal pre-referral process will help ensure that students are not inappropriately referred to special education.

Component V: Student Support Services

Has the District ensured that all students have equal opportunity and access to programs or services?

Students with disabilities enjoy equal access to all aspects of school life, and the district provides related services (e.g. speech therapy, occupational therapy or physical therapy) in all cases where it has been recommended by the student's special education TEAM. In the area of student discipline, the district does not have appropriate procedures and safeguards in place to ensure that due process is provided. The procedures described in the middle/high school's student handbook are not consistent with federal IDEA requirements. The grievance procedure is inadequate, and it is recommended that the non-discrimination statement be placed more prominently within the student handbook. The grievance procedure needs to be clearly and widely known to both students and staff to ensure that appropriate action is taken when needed. While the district has developed a very extensive policy, contained in the faculty and staff handbook, regarding sexual harassment, the sexual harassment policy contained in the student handbook is inadequate. The policy does not address harassment on any other basis (race, religion, etc.).

Component VI: Faculty, Staff and Administration

Does the District maintain certified staff in the specific program areas, provide supervision of aides and tutors, and provide ongoing professional development?

The district has not established a comprehensive and rigorous evaluation system for all teachers, principals and administrators. Currently, no formal and consistent performance standards are used for evaluations of teachers, principals and administrators. The Onsite Team found that not all the required training has been provided to staff in the areas of both civil rights and special education. The district has not adopted a professional development plan; therefore, inservice offerings for staff are not ongoing or comprehensive. The Onsite Team found that training is not consistently provided to paraprofessionals and, when provided, is not always pertinent to staff needs as they implement students' IEP goals and objectives. Also, the Department found that paraprofessionals do not consistently receive direct supervision from a certified special education teacher.

Component VII: School Facilities

Does the District maintain facilities that are conducive to learning, facilitate integration, and provide equal access and opportunity for students to achieve?

Ventilation in Classroom # 13 at the middle/high school building was found to be unequal to the standards for a comparable regular education instructional space within the district. Otherwise, the facilities for the provision of special education were found to be properly ventilated, properly situated within school buildings, and accessible to persons with disabilities.

Component VIII: Program Plan and Evaluation

Does the District have written program plans that are evaluated according to specific regulatory requirements? Do parents have opportunities for input on needs, program implementation, evaluation, and improvement?

The district regularly evaluates its special education programs to ensure effectiveness and compliance with regulatory requirements. The special education Parent Advisory Council is not established; therefore, parents do not have an opportunity for input on needs, programs implementation, evaluation and improvement. The district does not have a process to review existing curricular materials and new purchases to ensure that they present a fair and non-biased perspective of the culture, history, activities, and contributions of persons of different races, nationalities, sexes and colors. There is no evaluation procedure in place to ensure that district policies and procedures are non-discriminatory.

Component IX: Record keeping

Does the District maintain required records and documentation for each specific program area?

The district has appropriate procedures to maintain records and documentation for special education programs. The district provided evidence that it maintains an ever-current register, with all required information, which it uses for the December 1 child count, which is the basis for receipt of federal special education entitlement monies.

Component X: School Governance

Has the District implemented an effective system of leadership and oversight which fosters high standards and performance expectations for all students and staff consistent with the goals of the Education Reform Act of 1993?

The district has established a school council in both buildings that is comprised of equal numbers of faculty and parent representatives as well as participants from municipal, business and community groups. However, it is unclear whether either of the school councils has a process for developing a school improvement plan. Their school improvement plans are consistently inadequate in addressing the required areas. Furthermore, there is no formal district-wide process to assess the implementation of the plans, there is no process to integrate the plans with district-wide initiatives, and there is apparently no district-wide improvement plan.

DEFINITION OF TERMS
FOR THE RATING OF EACH COMPLIANCE CRITERION

Commendable	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements.
Implemented	The requirement or criterion is substantially met.
Partially Implemented	The requirement, in one or several important aspects, is not entirely met.
Not Implemented	The requirement is totally or substantially not met.
Not Applicable	The requirement does not apply to the school district or charter school.
Not Rated	During the 1999-2000 monitoring cycle, Education Reform requirements have not been rated by the Department of Education.

COMPONENT I: ASSESSMENT OF STUDENT PROGRESS

The criteria in this component examine whether the District has implemented an assessment system that uses appropriate instruments, conducted according to the specified timelines and covering the appropriate content areas to determine instructional needs of students for the program areas listed below:

- Special Education (Report Issues # SE 1- SE 11)

CRITERION NUMBER	SPECIAL EDUCATION I. ASSESSMENT OF STUDENT PROGRESS	
	Legal Standard	
SE 1	<p>Assessments are appropriately selected and interpreted</p> <ol style="list-style-type: none"> 1. Tests and other evaluation materials are: <ol style="list-style-type: none"> a. validated b. administered and interpreted by trained individuals c. tailored to assess specific areas of educational need d. selected and administered to reflect aptitude and achievement levels e. as free as possible from cultural and linguistic bias f. provided in the student's native language or other mode of communication where feasible g. not the sole criterion for determining an appropriate educational program h. not only those designed to provide a single general intelligence quotient i. are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or the other factors the test purports to measure j. technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. 2. In interpreting evaluation data and making decisions, the District: <ol style="list-style-type: none"> a. uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent. b. ensures that information obtained from these sources is considered. c. ensures that the placement decision conforms with placement in the least restrictive environment. d. includes information related to enabling the student to be involved in and progress in the general curriculum or, for preschool children, to participate in appropriate activities. <p>State Regulations 320.1(a-i)</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1414(b)(2)</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Assessments are appropriately selected and interpreted by personnel who are certified or licensed to administer the assessments. Although the Manchester Public Schools has a very low incidence of limited-English proficient students, interviews indicate the district does not have a process in place to provide assessments in a student's native language.

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;">SE 2</p>	<p>Required assessments</p> <p>a. The required assessments are completed for each referred student:</p> <ol style="list-style-type: none"> 1. Specialist Assessment(s) in all areas related to the suspected need for special education and related services 2. Educational Status Assessment by an administrative representative of the school department 3. Teacher Assessment by a current or recent teacher <p>b. At the re-evaluation of a student, if no additional assessments are needed to determine whether the student continues to be eligible for special education, the school district recommends to the student's parents the following:</p> <ol style="list-style-type: none"> 1. that no further assessments are needed and the reasons for this; and 2. the right of such parents to request an assessment. <p>State Regulations 320.2(a)</p> <p style="text-align: right;">Federal Requirements 20 U.S.C. Chapter 33, Section 1414(a)(1)</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;">SE 2A</p>	<p>Participation in general State and district-wide assessment programs</p> <p>a. All students with disabilities are included in the Massachusetts Comprehensive Assessment System (MCAS) and other district-wide assessment programs.</p> <p>b. The District's IEP Teams designate how each student will participate and, if necessary, devise an alternate assessment.</p> <p>State Regulations</p> <p style="text-align: right;">Federal Requirements 20 U.S.C. Chapter 33, Section 1412(a)(17)</p>
	<p>Rating: Implemented District Response Required: No</p>

Department of Education Findings:

All students participated in the MCAS testing last year. While IEP TEAMS designate how each student will participate in state and district-wide testing, documentation indicates that the district has not addressed an alternate assessment process, necessary for students who cannot participate in standard tests even with appropriate test accommodations. IEP TEAMS should, in the future, consistently detail possible accommodations on IEPs that are reflective of the information found in the Learner Profile section of the IEP.

CRITERION NUMBER	
	Legal Standard
SE 3	<p>Transition</p> <p>a. For a student who is 14 years of age, the TEAM must consider the student’s course of study in relation to the student’s future goals and document this in the IEP.</p> <p>b. For a student who is 16 years of age, or younger if appropriate, the TEAM develops a Statement of Needed Transition Services that promotes movement of the student from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.</p> <p>c. The Statement of Needed Transition Services is based upon the student's needs, taking into account the student's preferences and interests and includes specially designed instruction, community experiences, the development of employment or other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation.</p> <p>d. Beginning at least one year before the student reaches 18, the age of majority under Massachusetts state law, the student is informed of transfer of rights on reaching the age of majority.</p> <p>e. Where a student is graduating or turning age twenty-two and in need of continuing services, the appropriate transitional agency is notified and invited to participate in TEAM meetings at least two years before the anticipated date of exit.</p> <p>f. In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the TEAM reconvenes to identify alternative strategies to meet the transition objectives.</p> <p>State Regulations 314.,335.4, 132.0 Chapter 688</p> <p style="text-align: right;">Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 4	<p>TEAM composition</p> <p>The following persons are members of the evaluation TEAM:</p> <p>a. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the District.</p>

CRITERION NUMBER	
	Legal Standard
	<p>b. A representative of the school district who has the authority to commit the resources of the District (and who may act as the Chairperson)</p> <p>c. A teacher who has recently had or currently has the student in a classroom or other teaching situation. If the student is involved or may be involved in a regular education program, a regular education teacher should be included as a TEAM member.</p> <p>d. The student, age fourteen and older, if he/she chooses</p> <p>e. The parent</p> <p>f. Other individuals at the request of the student's parents</p> <p>g. At least one teacher or specialist trained in the area of the student's suspected special needs</p> <p>h. The individuals who have conducted assessments as part of the evaluation (A registered nurse may represent a physician for the comprehensive health assessment)</p> <p>i. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education</p> <p>j. When one purpose of the TEAM meeting is to discuss transition services, the student age sixteen, or younger, is a part of TEAM process. If the student does not attend the TEAM meeting, the school district ensures that the TEAM is informed of the student's interests and preferences</p> <p>k. When one purpose of the TEAM meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the TEAM meeting. If the representative(s) does not attend the meeting, the school district takes other steps to obtain the participation of these agencies.</p> <p>State Regulations 314.1-314.7</p> <p>Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 5	<p>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</p> <p>1. Within forty-five school working days after receipt of the parent's written consent to an initial evaluation or re-evaluation, the School district:</p> <p>a. provides an evaluation</p>

CRITERION NUMBER	
	Legal Standard
	<p>b. convenes a TEAM meeting</p> <p>c. determines whether the student (1) has a disability and (2) by reason of that disability, requires special education in order to make progress in education</p> <p>d. develops an IEP where the student is found to need special education</p> <p>e. provides the parent with two copies of the proposed IEP, or a written explanation of the finding of no eligibility.</p> <p>2. If a TEAM determines that a student's lack of progress is due to a lack of instruction in reading or math or limited English proficiency, the student is determined by the TEAM to be ineligible to receive special education and is referred to a more appropriate instructional program.</p> <p>3. Where a TEAM finds students only in need of "monitoring services", such students are found not eligible for special education and are supported through the District's regular education program..</p> <p>State Regulations 319.0</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1414(b)(5)</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
<p>SE 6</p>	<p>End of school year evaluations</p> <p>If consent is received within thirty to forty-five school working days before the end of the school year, a TEAM meeting is scheduled to allow for the provision of a proposed IEP or finding of no special needs within fourteen calendar days of the end of the school year.</p> <p>State Regulations 319.0</p> <p>Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 7	<p>School District response to request for independent evaluation The school district responds in writing within five school working days when a parent requests an independent evaluation at school district expense.</p> <p>State Regulations 328.2</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 8	<p>Frequency of re-evaluation Re-evaluations of each student in need of special education occur at least every three years, and more frequently if requested by the student's parent or teacher, or if recommended by a participant in a review meeting.</p> <p>State Regulations 334.0</p> <p style="text-align: right;">Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 9	<p>Progress Reports and content</p> <p>a. Parents receive reports on the student's progress toward reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled students.</p> <p>b. Progress report information sent to parents includes narrative information on the student's progress toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year.</p> <p>State Regulations 335.1, 502.13</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Student record reviews and staff interviews indicate that progress reports are not developed and sent to parents at least as often as for regular education students. Record reviews indicate that the progress reports do include narrative information on the student's progress toward achieving the IEP goals, but information is lacking as to the extent to which that progress is sufficient to allow the child to achieve those goals by the end of the school year.

CRITERION NUMBER	
SE 11	Legal Standard
	<p>Annual Review of student progress</p> <p>a. At least annually, on or before the anniversary date of the implementation of the IEP, a TEAM meeting (including the major service providers and the parent) is held to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a reevaluation, as appropriate.</p> <p>b. Within ten days of the meeting, the school district provides the required notice and seeks the consent of the parent for a reevaluation or a new or amended IEP.</p> <p>State Regulations 333.0, 333.1, 333.5, 333.6</p> <p>Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

COMPONENT II: STUDENT IDENTIFICATION AND PLACEMENT

The criteria in this component examine whether the district has followed procedures for student identification and placement into the program according to the criteria in regulations for the program areas listed below:

- Special Education (Report Issues # SE 13A-22)
- Civil Rights Methods of Administration (MOA)
(Report Issues # MOA 4, 5, 10-13)

CRITERION NUMBER	SPECIAL EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT	
	Legal Standard	
SE 13A	<p>Outreach by the School District The district has annual or more frequent outreach and continuous liaison with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education:</p> <ul style="list-style-type: none"> a. professionals in community b. private nursery schools c. day care facilities d. group homes e. parent organizations f. clinical /health care agencies g. early intervention programs h. other public/private/parochial schools i. other agencies/organizations <p>State Regulations 304.7 304.8</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1412(a)(3)(A)</p>	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 13B	<p>Screening</p> <ul style="list-style-type: none"> a. The school district makes provision for annual registration, optional on the part of the parent, of all children of ages 3 and 4, including the following: <ul style="list-style-type: none"> 1. parents are notified of the registration 2. parents are given information on purpose and availability of orientation sessions and screening for their children 3. parents are requested (not required) to submit a copy of the most recent physical and other relevant information 4. information for parents is in their primary language 5. interpreters are available at the time of registration; b. Screening instrument for three and four year olds is comparable in content to the kindergarten entry screening, is adapted as necessary to be appropriate, and is optional on the part of parents of such children; c. Screening instrument for kindergarten includes all required areas: <ul style="list-style-type: none"> 1. developmental history 2. medical history (by physician) 	

CRITERION NUMBER		
	Legal Standard	
	<p>3. vision 4. hearing 5. visual, auditory, and motor functioning 6. language functioning in English and in student's primary language when other than English;</p> <p>d. Screening instrument is as free as possible from cultural and linguistic bias, and is provided in the student's native language or other mode of communication where feasible.</p> <p>e. Kindergarten screening is held no later than October 31 of each year;</p> <p>f. Provision is made for ongoing and periodic screening of all students;</p> <p>g. Parents are informed of the results of the screening and of the opportunity upon request of the parents to discuss those results with the appropriate personnel.</p> <p>State Regulations 306.0, 306.1(a-f), 320.1(e, f), 306.2, 307.0 308.0, 304.1, 304.1(a), (b), 203.0</p>	<p>Federal Requirements IDEA-97</p>
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 14	<p>Services start by child's third birthday</p> <p>a. The school district accepts in a timely manner referrals from such persons and agencies, as stated in Criterion 11.3, in order to ensure that if a child is determined to need special education, the IEP is implemented by the date of the child's third birthday.</p> <p>b. The district implements procedures to ensure the effective transition of young children with disabilities from Early Intervention Programs through participation in transition planning conferences arranged by such programs.</p> <p>State Regulations 304.7 304.8</p>	<p>Federal Requirements 20 U.S.C. Chapter 33, Section 1412(a)(9)</p>
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 21	<p>Accepted services are immediately provided Where the IEP of the student in need of special education has been accepted in whole or in part by that student’s parent, the school district immediately provides the mutually agreed upon services.</p> <p>State Regulations 330.1, 325.2</p> <p style="text-align: right;">Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 22	<p>Specialized materials and assistive technology</p> <p>a. Specialized materials and equipment specified in IEPs are provided, are of good quality and are suitable for the role they play in the IEP.</p> <p>b. School district provides evidence that assistive technology is considered for each eligible student and, if necessary, described in the IEP and provided by the district.</p> <p>State Regulations 507.0</p> <p style="text-align: right;">Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT	
	Legal Standard	
MOA 4	Identification of limited English proficient students The district uses qualified staff and appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance. Title VI; MGL, Ch.76, Section 5	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

While staff interviews indicate that the district has a small number of limited-English proficient students, it does not have appropriate procedures and assessments in place to identify students who have limited English proficiency and are in need of special language assistance. Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with this civil rights (MOA) requirement.

CRITERION NUMBER		
	Legal Standard	
MOA 5	Placement and program modification for limited English proficient students For students requiring special language assistance, the district makes necessary program modifications to effectively serve limited English proficient students. Title VI; MGL, Ch.76, Section 5	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

Although staff interviews indicate that some program modifications are made for the small number of limited-English proficient students, they also show that the district does not have a consistent process to ensure that modifications effectively serve these students. Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with this civil rights (MOA) requirement. See comment under MOA 4 above.

CRITERION NUMBER	
	Legal Standard
MOA 10	<p>Access to a full range of education programs All students in grades 7-12, including linguistic and/or racial and ethnic minorities, males/females and students with disabilities, have access to the general education program and the full range of any occupational/vocational education programs offered by the district. Title II, Title VI, Title IX, S. 504, MGL, Ch.76, Section 5</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Staff interviews indicate the small number of limited-English proficient students do not consistently have access to the district’s full range of educational programs. Neither required nor alternate documentation was provided to the Onsite Team to evidence the district’s efforts to comply with this civil rights (MOA) requirement. See comments under MOA 4 and MOA 5 above.

CRITERION NUMBER	
	Legal Standard
MOA 11	<p>Placement of linguistic, racial minority and female/male students Placement patterns for linguistic and/or racial minority students and for females/males are consistent with placement patterns for majority students in special education and in district ability groupings and tracking; enrollment in honors courses such as math and science are inclusive of females and representatives from diverse ethnic and cultural groups. Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district’s efforts to comply with these civil rights (MOA) requirements. The district’s response on the self-assessment instrument (Document #2) states that this requirement is “not applicable” to Manchester Public Schools. Staff interviews do not indicate that the district has analyzed whether students are over- or under-represented by gender in district programs and class levels.

CRITERION NUMBER	
	Legal Standard
MOA 12	<p>Placement of disabled students in occupational/vocational education programs When occupational/ vocational placement needs of disabled students are being considered:</p> <ul style="list-style-type: none"> a. persons knowledgeable about a student’s disabilities are present at 504 or special education TEAM meetings and participate in ongoing communication regarding a student’s progress b. an array of occupational/vocational education programs and services are available to facilitate necessary program modifications and to meet the identified needs of students <p>Title II, S. 504</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district’s efforts to comply with these civil rights (MOA) requirements. The district’s response on the self-assessment instrument (Document #2) states that this requirement is “not applicable” to Manchester Public Schools.

CRITERION NUMBER	
	Legal Standard
MOA 13	<p>Availability of in-school programs for pregnant students Pregnant students are permitted to remain in regular education classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.</p> <p>Title IX</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district’s efforts to comply with these civil rights (MOA) requirements. Although staff interviews indicate that in-school programs would be available if this situation occurs, staff has little knowledge of the requirements under this criterion.

COMPONENT III : PARENTAL INVOLVEMENT

The criteria in this component examine whether the district has ensured that parents are notified, in the appropriate language, and are involved in decisions regarding their children's programs and services for the program areas listed below:

- Special Education (Report Issues # SE 23-32)
- Civil Rights Methods of Administration (MOA) (Report Issue # MOA 3)

CRITERION NUMBER			
	Legal Standard		
SE 30	<p>Elements of notice to parents The notice contains all required elements included the Massachusetts Parent’s Rights Brochure, including the Department’s October 1997 Supplement.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 317.2(a-m)</td> <td style="width: 50%; vertical-align: top;">Federal Requirements 20 U.S.C. Chapter 33, Section 1412(a)(10)(C); Section 1412(a)(17); Section 1412(m); Section 1415(d); Section 1415(b)(3); Section 1415(c)</td> </tr> </table>	State Regulations 317.2(a-m)	Federal Requirements 20 U.S.C. Chapter 33, Section 1412(a)(10)(C); Section 1412(a)(17); Section 1412(m); Section 1415(d); Section 1415(b)(3); Section 1415(c)
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	Rating: Implemented District Response Required: No		

CRITERION NUMBER			
	Legal Standard		
SE 32	<p>Written consent obtained before re-evaluation/subsequent placement Written parental consent is obtained before conducting a re-evaluation and before placing a student in a special education placement subsequent to the initial placement.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 208.1, ,334.1,</td> <td style="width: 50%; vertical-align: top;">Federal Requirements 333.5, 335.2, 320.4</td> </tr> </table>	State Regulations 208.1, ,334.1,	Federal Requirements 333.5, 335.2, 320.4
State Regulations 208.1, ,334.1,	Federal Requirements 333.5, 335.2, 320.4		
	Rating: Implemented District Response Required: No		

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT
	Legal Standard
MOA 3	<p>General information and materials in languages other than English When persons with limited English language skills reside in the community, the following are published in language(s) other than English and disseminated to all relevant recipients: general announcements, counseling materials, notices of extracurricular activities, and information regarding school recruitment and promotional activities. Title VI; MGL, Ch.76, Section 5</p>
	Rating: Implemented District Response Required: No

Department of Education Findings:

The district’s self-assessment instrument reports that the community does not include persons with limited English language skills.

COMPONENT IV: CURRICULUM AND INSTRUCTION

The criteria in this component examine whether the district holds all students to high expectations and standards and ensures that the program areas reviewed are designed to maximize student performance within regular education and are implemented according to specific regulatory requirements with respect to learning time, class size, staffing ratio, and age spans. The criteria also examine if the district has provided for coordination across the following program areas:

- Education Reform Act of 1993 (Report Issue # ER 14-15)
 - Special Education (Report Issues # SE 33A-43)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 15-16)

CRITERION NUMBER	EDUCATION REFORM IV. CURRICULUM AND INSTRUCTION
	Legal Standard
ER 14	<p>Prior to the beginning of each year, every school committee shall establish school year schedules for each of the public schools under its supervision and control, based on the particular learning needs of students within each school. In determining the school year schedule for each school, the school committee shall be guided by the student learning time plan recommended by the school council for each school, and shall attempt to maximize high quality teaching, learning and professional development opportunities. (Chapter 69, section 1G and 603 CMR 27.03)</p>
	<p>Rating: Not Rated District Response Required: No</p>

Department of Education Findings:

The school committee for the Manchester Public Schools schedules a school calendar of 187 days, which includes five possible no-school days and two days for staff professional development; the faculty is required to work 182 days and the students to attend 180 days. Additional time for staff professional development is scheduled to occur in four after-school sessions (3:30 PM to 6:45 PM) in order to maximize student learning time and to eliminate student early release days. A review of both the elementary and the middle/high school improvement plans indicates that the school councils do not make recommendations to the school committee regarding student learning time plans. School committee meeting minutes indicate that the school calendar has the endorsement of the district’s professional development committee and the teachers’ association.

CRITERION NUMBER	
	Legal Standard
ER 15	No later than the 1997-1998 school year, school districts shall ensure that every elementary school student is scheduled to receive a minimum of 900 hours per school year of structured learning time and every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time. (Chapter 69, section 1G and 603 CMR 27.04)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

Documentation submitted to the Onsite Team indicates that all elementary students receive 940 hours of structured learning time, which is 40 hours above the required minimum of 900 hours. Changes were made at the elementary level in the arrival time and the recess schedule to increase learning time. All secondary students receive 1004 hours of structured learning time, which is 14 hours above the required minimum of 990 hours. The increase in structured learning time was achieved through block scheduling. Currently, all kindergarten students receive 484 hours of structured learning time, which is 59 hours above the required minimum of 425 hours. The schedule of structured learning time consists of the allowable elements and provides students with high quality learning opportunities.

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
SE 33A	<p>Involvement in the general curriculum</p> <p>a. The district ensures that all students with disabilities have access to the general curriculum which is available to all other students and receive instruction in the content areas of this curriculum.</p> <p>b. In the IEP the district documents the student’s participation in the general curriculum, or provides justification for non-participation.</p> <p>State Regulations Federal Requirements IDEA-97</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER		
	Legal Standard	
35 B	<p>Procedures used to provide services to eligible students enrolled in private schools at private expense</p> <ul style="list-style-type: none"> a. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives. b. Annually, the district develops a Plan for Services to eligible private school students which includes <ul style="list-style-type: none"> - consultation with private school representatives - a determination of who will be served, what services will be provided, the location of the services and an evaluation plan for such services - services which provide individualized benefit to eligible private school students - services which are funded at least at a level where eligible private schools students receive a proportionate share of federal funds. c. The district provides services as planned or at least to requirements of "proportionate share." d. Services are provided by qualified (i.e., appropriately certified) personnel in appropriate settings. <p>State Regulations 205.0</p> <p>Federal Requirements 34 CFR 300.450-300.462</p>	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

Review of documentation and interviews indicate the district has not determined the number of eligible private school students and has not invited input from private school representatives regarding the needs of these students. As a result of action of the Massachusetts Legislature in an outside section of the FY 2000 state budget, requirements for the development of the "Plan for Services" described under item "b" above no longer apply. Please refer to the Commissioner's "Guidance on Providing Special Education Services for Students Attending Private Schools at Private Expense," issued on February 4, 2000.

CRITERION NUMBER		
	Legal Standard	
SE 36	<p>Responsibilities of the Principal: Pre-referral and referral</p> <ul style="list-style-type: none"> a. Prior to referral of a student for an evaluation, the principal of the student's school ensures that all efforts have been made to meet such student's needs within the regular education program. 	

CRITERION NUMBER	
	Legal Standard
	<p>b. The principal or designee determines whether pre-referral efforts or a referral for an evaluation should be made if:</p> <ol style="list-style-type: none"> 1. student is failing in 2 or more non-elective subjects 2. student fails to be promoted at the end of the year 3. student is suspended for more than 5 days in any quarter or excluded from school 4. student is absent without medical excuse for more than 15 days in any quarter 5. student, age 16-21, is planning to leave school without a high school diploma <p>State Regulations 309.0, 310.0, 310.1(a-e)</p> <p>Federal Requirements IDEA-97</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Review of documentation and staff interviews indicate that this required practice is in place at the elementary school level but is not established at the middle/high school level. Although middle/high school staff interviews indicate that a building-based child study team exists and that efforts are made to maintain a student in regular education, supportive documentation is insufficient to determine that a formalized process exists. The Onsite Team found little or no evidence that the middle/high school's pre-referral process is clearly understood and supported by staff and administration.

CRITERION NUMBER	
	Legal Standard
SE 37	<p>Components of the pre-referral Pre-referral efforts may include, but are not limited to, modification of the curriculum, teaching strategies, teaching environments, or materials; and use of support services, and building-based Teams.</p> <p>State Regulations 309.0</p> <p>Federal Requirements IDEA-97</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Student records, interviews and documentation corroborate that pre-referral efforts are not consistent from teacher to teacher and building to building. See comment under SE 36 above.

CRITERION NUMBER	
	Legal Standard
SE 38	Documentation of regular education pre-referral efforts All pre-referral efforts are documented in student records. State Regulations 309.0 Federal Requirements
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Although at the elementary level pre-referral forms record modifications and teaching strategies, interviews and documentation indicate a lack of district commitment to the pre-referral process. See comments under SE 36 and SE 37 above.

CRITERION NUMBER																	
	Legal Standard																
SE 39	Student/teacher ratios for 502.2 and 502.3 prototype programs 502.2 and 502.3 prototype programs meet the following group size requirements: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Staffing Pattern</th> <th style="text-align: center;">Number of Students</th> <th style="text-align: center;">SPED Administrator approval</th> <th style="text-align: center;">DOE Approved waiver</th> </tr> </thead> <tbody> <tr> <td>1 Teacher</td> <td style="text-align: center;">8</td> <td style="text-align: center;">10</td> <td style="text-align: center;">12</td> </tr> <tr> <td>1 Teacher 1 Aide</td> <td style="text-align: center;">12</td> <td style="text-align: center;">14</td> <td style="text-align: center;">16</td> </tr> <tr> <td>1 Teacher 2 Aides</td> <td style="text-align: center;">16</td> <td style="text-align: center;">18</td> <td style="text-align: center;">20</td> </tr> </tbody> </table> State Regulations 502.2(b), 502.3 Federal Requirements	Staffing Pattern	Number of Students	SPED Administrator approval	DOE Approved waiver	1 Teacher	8	10	12	1 Teacher 1 Aide	12	14	16	1 Teacher 2 Aides	16	18	20
Staffing Pattern	Number of Students	SPED Administrator approval	DOE Approved waiver														
1 Teacher	8	10	12														
1 Teacher 1 Aide	12	14	16														
1 Teacher 2 Aides	16	18	20														
	Rating: Implemented District Response Required: No																

CRITERION NUMBER	
	Legal Standard
SE 40	Student/teacher ratios for 502.4 prototype programs 502.4 prototype programs meet the following class size requirements, which also apply when one or more students in this prototype are receiving special education with students from other prototypes:

CRITERION NUMBER	Legal Standard			
	Staffing Pattern	Number of Students	SPED Administrator approval	DOE Approved waiver
	1 Teacher	8	Not Allowed	10
	1 Teacher 1 Aide	12	Not Allowed	14
	State Regulations 502.4(b)		Federal Requirements	
	Rating: Implemented		District Response Required: No	

CRITERION NUMBER	Legal Standard			
SE 41	Age span requirements for 502.4 prototype programs In 502.4 prototype programs the age of the youngest and oldest child in each instructional group does not differ by more than forty-eight months, unless a request for an age-span waiver has been approved by the Department.			
	State Regulations 502.4 (c)		Federal Requirements	
	Rating: Implemented		District Response Required: No	

CRITERION NUMBER	Legal Standard			
SE 42	Ages of children served in a 502.8 program 502.8 prototype programs serve solely three-and four-year old students. A child who turns five remains in the 502.8 program for the duration of the school year in which the child's fifth birthday occurs only when the TEAM determines that it is developmentally appropriate.			
	State Regulations 502.8		Federal Requirements	
	Rating: Implemented		District Response Required: No	

CRITERION NUMBER																												
Legal Standard																												
SE 43	<p>Student teacher ratio for 502.8 prototype programs 502.8 prototype programs meet the following class size and ratio requirements:</p> <p>a. <u>502.8(a) Home-based programs</u> No class size limitations apply.</p> <p>b. <u>502.8(b) Integrated center-based programs</u> Include up to 50% children with special needs</p> <table border="1" data-bbox="391 577 1412 787"> <thead> <tr> <th>Staffing Pattern</th> <th>Number of Students</th> <th>SPED Administrator approval</th> <th>DOE Approved waiver</th> </tr> </thead> <tbody> <tr> <td>1 Teacher</td> <td>10</td> <td>Not Allowed</td> <td>12</td> </tr> <tr> <td>1 Teacher 1 Aide</td> <td>15</td> <td>Not Allowed</td> <td>17</td> </tr> </tbody> </table> <p>c. <u>502.8(c) Separate center-based programs</u> Include more than 50% children with special needs</p> <table border="1" data-bbox="391 871 1412 1081"> <thead> <tr> <th>Staffing Pattern</th> <th>Number of Students</th> <th>SPED Administrator approval</th> <th>DOE Approved waiver</th> </tr> </thead> <tbody> <tr> <td>1 Teacher</td> <td>6</td> <td>Not Allowed</td> <td>8</td> </tr> <tr> <td>1 Teacher 1 Aide</td> <td>9</td> <td>Not Allowed</td> <td>11</td> </tr> </tbody> </table> <p>State Regulations 502.8(b), 502.8(c)</p> <p style="text-align: right;">Federal Requirements</p>				Staffing Pattern	Number of Students	SPED Administrator approval	DOE Approved waiver	1 Teacher	10	Not Allowed	12	1 Teacher 1 Aide	15	Not Allowed	17	Staffing Pattern	Number of Students	SPED Administrator approval	DOE Approved waiver	1 Teacher	6	Not Allowed	8	1 Teacher 1 Aide	9	Not Allowed	11
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1 Teacher	6	Not Allowed	8																									
1 Teacher 1 Aide	9	Not Allowed	11																									
Rating: Implemented		District Response Required: Yes																										

Department of Education Findings:

While this criterion is implemented, staff interviews indicate the current use of contracting for the provision of an integrated preschool program has proved inadequate for the following reasons:

- 1) *The district lacks adequate input regarding the implementation of programs or services.*
- 2) *The district lacks adequate input regarding the philosophy and methods of instruction.*
- 3) *The district is unable to guarantee that contracted programs provide quality instruction and that the programs and services are developmentally appropriate.*
- 4) *The district's preschool program is fragmented due to the number of private preschool settings involved.*
- 5) *The district is unable to control the high rate of staff turnover in private preschools, which affects the consistency and quality of programming.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
MOA 15	<p>Accessibility of extra curricular activities Extra curricular activities sponsored by the district are non-discriminatory in that:</p> <ul style="list-style-type: none"> X the school provides equal opportunity for male and female students to participate in intramural and interscholastic sports X extracurricular activities or clubs sponsored by the school do not exclude students on the basis of race, color, religion, national origin, sexual orientation and disability. <p>Title II; Title IX ; S. 504; MGL, Ch.76, Section 5</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with these civil rights (MOA) requirements.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
MOA 16	<p>Promotional, recruitment, and employment practices of prospective employers of students The district ensures that promotional efforts and recruitment and employment practices and materials aimed at students, including career days, work study, cooperative work experience and apprenticeship training programs, are free of bias and discrimination by:</p> <ul style="list-style-type: none"> X depicting students from both sexes and under represented groups in all pictorial representations X making clear in written materials that all options are open to students regardless of race, color, sex, religion, national origin, sexual orientation or disability X requiring employers recruiting at the school to sign a statement that they do not discriminate in hiring or employment practices <p>Title I, Title VI, Title IX, S. 504, MGL, Ch.76, Section 5</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with these civil rights (MOA) requirements.

COMPONENT V: STUDENT SUPPORT SERVICES

The criteria in this component examine whether the district has ensured that all students have equal opportunity and access to programs or services in the program areas listed below:

- Special Education (Report Issues # SE 45-50)
- Civil Rights Methods of Administration (MOA)
(Report Issues MOA 1, 2, 6, 8, 9, 17)

CRITERION NUMBER	SPECIAL EDUCATION V. STUDENT SUPPORT SERVICES	
	Legal Standard	
SE 45	IEP: Discipline Code The IEP indicates if the student is or is not expected to meet the regular discipline code and, if not, what modifications are required. State Regulations 322.11	Federal Requirements
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 46	Procedure for recording suspensions The district has a procedure to record the number and duration of suspensions, including any suspensions from any part of the student's IEP program (including transportation). State Regulations	Federal Requirements IDEA-97
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 47	Procedures for suspension up to 10 days and after 10 days: General requirements a. All students, including students with disabilities, receive prior written notice regarding the school's Code of Conduct. b. The school's Code of Conduct includes required procedural safeguards such as opportunity for a hearing (per Goss v. Lopez). c. Any student may be suspended up to 10 days in any school year. d. After a student has been suspended for 10 days in any school year, during any subsequent removal the public school must provide sufficient services for the student to continue to receive a free and appropriate public education. e. The school must provide additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a	

CRITERION NUMBER							
	Legal Standard						
	<p style="text-align: center;">pattern of suspension) in any school year. (see SE 48)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations</td> <td style="width: 50%; vertical-align: top;">Federal Requirements</td> </tr> <tr> <td></td> <td>20 U.S.C. Chapter 33, Section 1415(k)</td> </tr> <tr> <td></td> <td>34 CFR 300.519-300.529</td> </tr> </table>	State Regulations	Federal Requirements		20 U.S.C. Chapter 33, Section 1415(k)		34 CFR 300.519-300.529
State Regulations	Federal Requirements						
	20 U.S.C. Chapter 33, Section 1415(k)						
	34 CFR 300.519-300.529						
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Not Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes				
Rating: Not Implemented	District Response Required: Yes						

Department of Education Findings:

Review of documentation and of the middle/high school handbook reveals that the district policy regarding the discipline of students with special needs is not consistent with federal IDEA requirements. The middle/high school’s code of conduct does not include the procedural safeguards required by Goss v. Lopez. Staff interviews show a lack of knowledge regarding the IDEA requirements pertaining to the school’s code of conduct and due process rights.

CRITERION NUMBER	
	Legal Standard
SE 48	<p>Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the TEAM; responsibilities of the district</p> <p>a. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.</p> <p>b. Prior to a suspension that constitutes a change in placement of a student with disabilities, the TEAM convenes</p> <ol style="list-style-type: none"> 1. to develop or review a functional behavioral assessment of the student’s behavior and to develop or modify a behavior intervention plan; 2. to identify appropriate alternative educational setting(s); and 3. to determine the relationship between the disability and the behavior – “a manifestation decision”. (Is IEP appropriate? Is placement appropriate? If there was a behavior plan, was it implemented? Does student understand impact and consequences of his/her behavior? Can student control behavior?). <p>c. If the TEAM determines that the behavior is <u>NOT</u> a manifestation of the disability, then the district may suspend or expel the student consistent with policies applied to any student without disabilities, except that the district must still offer an appropriate education program to the student with disabilities which may be in some other setting.</p> <p>d. Regardless of the manifestation determination, the district may place</p>

CRITERION NUMBER	
	Legal Standard
	<p>the student in an interim alternative educational setting (as determined by the TEAM) for up to 45 days</p> <ol style="list-style-type: none"> 1. if the behavior involves weapons or illegal drugs or another controlled substance while at school or a school function; or 2. if the district provides evidence that the student is “substantially likely” to injure him/herself or others and a hearing officer orders the alternative placement; and 3. the interim alternative education setting enables the student to continue in the general curriculum, to continue receiving services identified on the IEP, and provides services to address the problem behavior. <p>e. If the TEAM determines that the behavior <u>IS</u> a manifestation of the disability, then the district takes steps (with the consent of the parent) to correct the IEP, the placement, or the behavior intervention plan and does not suspend the student again during the school year.</p> <p>f. The school district provides written notice to the parent of all rights to appeal and to an expedited hearing. If the parent chooses to appeal, during the appeal the student stays put in the placement on the last accepted IEP or the interim alternative placement, unless the parent and the school district agree otherwise.</p> <p>State Regulations</p> <p style="text-align: right;">Federal Requirements 20 U.S.C. Chapter 33, Section 1415(k) 34 CFR 300.519-300.529</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Although a review of student records and the suspension log indicate that the district has not had any students whose suspensions have exceeded 10 consecutive days or (where a pattern has developed) 10 cumulative days, staff interviews reveal a lack of knowledge and appropriate training regarding the requirements of this criterion. See comment under SE 47 above.

CRITERION NUMBER	
	Legal Standard
SE 48A	<p>Procedural requirements applied to students not yet determined to be eligible for special education</p> <p>a. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be</p>

CRITERION NUMBER					
	Legal Standard				
	<p>considered to have prior knowledge if:</p> <ol style="list-style-type: none"> 1. the parent had expressed concern in writing; or 2. the parent had requested an evaluation; or 3. school district staff had expressed concern that the student had a disability. <p>b. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures to conduct an expedited evaluation to determine eligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.</p> <p>c. The school district has developed procedures consistent with IDEA-97 requirements to expedite evaluations.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td></td> <td>20 U.S.C. Chapter 33, Section 1415(k)</td> </tr> </table>	State Regulations	Federal Requirements		20 U.S.C. Chapter 33, Section 1415(k)
State Regulations	Federal Requirements				
	20 U.S.C. Chapter 33, Section 1415(k)				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Not Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes		
Rating: Not Implemented	District Response Required: Yes				

Department of Education Findings:

Staff interviews indicate an awareness that students who have not yet been determined to be eligible receive some protections; however, staff have little or no knowledge of the requirements of this criterion. See comments under SE 47 and 48 above.

CRITERION NUMBER	
	Legal Standard
SE 49	<p>FAPE: Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education</p> <p>Students with special needs, including those in private schools, institutions and restrictive settings, have equal opportunity to participate in, and where appropriate, receive credit for educational, non-academic, extracurricular and ancillary programs, services and activities with students in the regular education program to the maximum extent appropriate. Programs, services and activities include, but are not limited to:</p> <ol style="list-style-type: none"> a. art and music b. vocational education, industrial arts, and consumer and homemaking education c. work study and employment opportunities d. counseling services e. health services f. transportation

CRITERION NUMBER	
	Legal Standard
	g. recess and physical education, including adaptive physical education h. athletics and recreational activities i. school-sponsored groups or clubs j. meals State Regulations 502.13, 502.4(e), 502.4(i), 502.12(d) Federal Requirements IDEA-97
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 50	Related services For each student with special needs found to require related services, the School district provides or arranges for the provision of such services which include but are not limited to: a. vocational, career and rehabilitation counseling b. school health services c. orientation and mobility services (peripatology) d. occupational therapy e. physical therapy f. speech and language therapy g. social and psychological services, limited to: . group sessions conducted within the public school, provided that such services provided to parents are directly related to the objectives in the IEP . individual consultation by school counseling staff . crisis intervention . individual counseling . consultation between school counseling staff and a regular education teacher h. audiology i. medical services for diagnostic and evaluative purposes provided by a licensed physician j. parent-child instruction k. transportation l. other services as recommended by the TEAM State Regulations 127.0, 503.2(a)-(j) Federal Requirements 20 U.S.C. Chapter 33, Section 1401(22)
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 1	<p>Notification of school district staff and the general public At the beginning of each school year, students, parents, employees, and the general public are:</p> <p>X notified that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability</p> <p>X given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s)</p> <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with these civil rights (MOA) requirements. Staff interviews indicate the notification required by this criterion does not occur.

CRITERION NUMBER	
	Legal Standard
MOA 2	<p>Publication of notices of non-discrimination Major publications for students, parents and employees contain notices of non-discrimination. Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

While there is a non-discrimination statement in the student handbook, it is recommended that it be moved to a more prominent location such as the front cover or first page. In addition, the non-discrimination statement should be published in all other major publications of the district including the faculty and staff handbook.

CRITERION NUMBER	
	Legal Standard
MOA 6	<p>Grievance procedures Written grievance procedures for students and for employees covering Title VI (race, national origin), Title IX (sex equity), and Section 504 (disability) have been adopted and published, and a grievance process is in place that provides prompt and equitable resolution. Title II, Title VI, Title IX, S. 504</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Although the student handbook does include grievance procedures pursuant to Chapter 622, Title IX and Section 504, the procedures do not include Title VI as required. Although the student handbook does include grievance procedures (except for Title VI); it directs students to bring any allegations to the attention of the Title IX Coordinator but does not provide the name of the district’s Title IX Coordinator. The faculty and staff handbook does not contain a grievance procedure for Title VI, Title IX and Section 504. In addition, staff interviews show a lack of knowledge regarding the protections under this criterion. Required documentation was not provided to show whether the students’ grievance process is prompt and the resolutions are equitable.

CRITERION NUMBER	
	Legal Standard
MOA 8	<p>Availability of information to prospective occupational/vocational students All students in grades 7-9, including those in special education and English as a second language programs, receive counseling and information on the full range of general curricular and any occupational/vocational opportunities available to them. Title VI, Title IX, S. 504</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Although the district provided the Onsite Team with the middle and high school’s Course of Studies booklet, other required documentation, including a description of counseling activities and a description of the information dissemination process, was not submitted to it. According to guidance counselors, some students attend occupational/vocational school; however, staff interviews do not indicate that the district has established methods to make information on such opportunities available to all students in grades 7-9. In addition, the Course of Studies booklet does not include a reference for students who might seek information on occupational/vocational opportunities.

CRITERION NUMBER	
	Legal Standard
MOA 9	<p>Counseling materials and activities free from bias and stereotypes To ensure that materials and activities are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation or disability, all counselors:</p> <ul style="list-style-type: none"> X encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills X examine testing materials for bias and counteract any found bias when administering and interpreting test results X communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district X support students in non-traditional educational and occupational pursuits for their gender <p>Title II, Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Interviews with staff indicate that counselors encourage students to consider courses on the basis of individual interests, support students in educational and occupational pursuits that are not traditional for their gender, and examine testing materials for bias. However, staff interviews indicate counselors do not communicate effectively with the district’s small number of limited English proficient students nor facilitate access to all programs and services offered for them.

CRITERION NUMBER	
	Legal Standard
MOA 17	<p>Non-discriminatory administration of scholarships, prizes and athletic awards Scholarships, prizes and athletic awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability with the following exceptions:</p> <p>X when making athletic awards to members of single sex teams, awards are in proportion to the number of students of each gender participating in interscholastic competition</p> <p>X when accepting outside assistance (i.e. wills, trusts) for awards that would discriminate, the district provides an alternative source of funding to erase the discriminatory effect</p> <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with these civil rights (MOA) requirements. Staff interviews show a lack of knowledge regarding requirements under this criterion.

COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION

The criteria in this component examine whether the district has certified staff, provides supervision of aides and tutors, and provides ongoing professional development in the program areas listed below:

- Education Reform Act of 1993 (Report Issues # ER 1-8)
 - Special Education (Report Issues # SE 51-54)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18-21)

CRITERION NUMBER	EDUCATION REFORM VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
ER 1	The Superintendent, by means of a comprehensive evaluation, shall ensure that the performance of all teachers, principals and administrators within the district are evaluated using principles of evaluation established by the Board of Education and by supplemental performance standards as the School Committee may require. (Chapter 71, Section 38 and 603 CMR 35.06)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

The district has not established a comprehensive and rigorous evaluation system for all teachers, principals and administrators. The collective bargaining agreement governing the current year was submitted to the school committee. The agreement noted that a committee had been formed to revise the evaluation instrument and procedures, and that a report would be due by 6/30/98. During the 1998-1999 and 1999-2000 school years, the current school committee has been in negotiations with the teachers' association in an attempt to agree on standards and procedures. To date, this process has not come to resolution. Both the teachers' association and the school committee are knowledgeable with regard to the requirements and the timeframes, and acknowledge that deadlines have long since passed for the establishment of a system for evaluating teachers. Likewise, the system for evaluating principals, administrators and the superintendent is still in the development stage.

CRITERION NUMBER	
	Legal Standard
ER 2	School committees shall establish performance standards for teachers upon the recommendation of the superintendent and in accordance with the process described in M.G.L. c.71, section 38. All performance standards established for teachers are consistent with and meet the Principles of Effective Teaching adopted by the Board of Education. (Chapter 71, section 38 and 603 CMR 35.04 & 35.07)
	Rating: Not Rated District Response Required: No

Department of Education Findings: *There are no current formal and consistent performance standards used for evaluations of teachers. Most evaluations submitted to the Onsite Team for review did not include the Principles of Effective Teaching and reflected a myriad of evaluation styles. The majority of staff have not had formal evaluations in years, and currently there is no apparent cycle for evaluations. Although evaluations provided to the Onsite Team in some cases did address areas of strength as well as making recommendations for improving areas of weakness, it was not evident that provisions have been made to enable individuals to implement recommendations for improvement. The proposed evaluation system for teachers without professional status provides for annual evaluations including three classroom observations and a pre and post conference. To date, the district has not established performance standards for all teachers, principals and administrators.*

CRITERION NUMBER	
	Legal Standard
ER 3	School committees shall establish performance standards for the evaluation of all administrators upon the recommendation of the superintendent. Performance standards for those administrators who are subject to collective bargaining shall be developed in accordance with M.G.L. c.150E. All performance standards established for administrators shall be consistent with and meet the Principles of Effective Administrative Leadership adopted by the Board of Education. (Chapter 71, section 38 and 603 CMR 35.04 & 35.07)
	Rating: Not Rated District Response Required: No

Department of Education Findings: *The district has not established performance standards for any administrators. Most administrators have not been evaluated in a number of years. District documentation provided to the Onsite Team included a former principal's evaluation which was conducted in April of 1997 by the former superintendent. Currently, the school committee is in the process of establishing performance standards for the evaluation of all administrators.*

CRITERION NUMBER	
	Legal Standard
ER 4	The superintendent shall require the evaluation of administrators and teachers without professional teacher status every year and shall require the evaluation of teachers with professional teacher status at least once every two years. (Chapter 71, section 38 and 603 CMR 35.06)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

The district has begun implementation of an evaluation cycle for new teachers, but has not established a formal evaluation cycle for any other staff. The proposed annual cycle for teachers without professional status will, include three classroom observations and a pre and post conference. See comments under ER 1, ER2 and ER 3 above.

CRITERION NUMBER	
	Legal Standard
ER 5	The school committee is responsible for insuring that adequate resources are available to evaluate all administrators and teachers without professional teacher status at least annually and to evaluate teachers with professional status at least once every two years and to assist teachers and administrators to improve their performance. (Chapter 71, section 38 and 603 CMR 35.06)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

There is no evidence that the school committee reviews a summary of staff evaluation results to develop staffing needs and no evidence that results of teacher and administrator evaluations were used in the development of the district's professional development plan. Documentation was not provided to the Onsite Team to demonstrate actions taken by the district in response to documented poor performance of professional staff and administrators. Both the teachers' association and the school committee are knowledgeable with regard to the requirements and the timeframes, and acknowledge that deadlines have long since passed for the establishment of an evaluation system.

CRITERION NUMBER	
	Legal Standard
ER 6	The superintendent is responsible for ensuring that all evaluators have training in the principles of supervision and evaluation and have, or have available to them, expertise in the subject matter and/or areas to be evaluated. (Chapter 71, section 38 and 603 CMR 35.06)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

The district has not established a comprehensive evaluation system; therefore, training in the principles of supervision and evaluation has not occurred. Agendas for training in evaluation procedures and a list of evaluators and their designated areas of responsibility have not been developed by the district. See comments under ER 1, ER 2 and ER 3 above.

CRITERION NUMBER	
	Legal Standard
ER 7	The school district shall adopt and implement a professional development plan for all principals, teachers and other professional staff employed by the district, which is updated and revised annually. (Chapter 71, section 38Q)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

The district has not adopted a professional development plan. The list of professional development offerings for the middle/high school and elementary school staff consists of a list of four inservice training dates and the titles or topics to be presented. While staff are requested to fill out an inservice training evaluation form, there is not currently a mechanism in place to make a teacher-specific needs assessment. It is also not clear that the goals for inservice trainings are informed by the results of staff evaluations: there is no evidence that the district links professional development activities to teacher performance evaluations. Interviews with teachers, administrators and school committee members indicate that the district has not defined or established a process involving key personnel to develop a professional development plan.

CRITERION NUMBER	
	Legal Standard
ER 8	The professional development plan shall include training in the teaching of the curriculum frameworks and other skills required for the effective implementation of the Education Reform Act, including participatory decision-making, and parent and community involvement. Further, the plan shall address training for school council members and may include teacher training which addresses the effects of gender bias in the classroom. In school districts with language minority student populations, the professional development plan shall address the need for training and skills in second language acquisition and in working with culturally and linguistically diverse student populations. (Chapter 71, section 38Q and section 59C)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

Required documentation was not provided to the Onsite Team to evidence the district's efforts to comply with these requirements. The district does not have a formal professional development plan. Currently the district's professional development offerings include required inservice trainings on the evaluation of MCAS scores, curriculum frameworks and educational technology. Although the district has asked staff for an evaluation of its inservice offerings at their completion, professional development offerings are not linked to any evaluation of teacher performance or to individual professional improvement.

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
SE 51	Appropriate teacher certifications -- special education services Individuals who provide direct special education services described under 503.2, or who supervise the provision of special education services by paraprofessionals, are appropriately certified or licensed. State Regulations 502.12(c)(i) Federal Requirements IDEA-97
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 52	<p>Appropriate certifications or other credentials -- related services Any person, including non-educational personnel, who provides the related services described in Regulation 503.2, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the regular or special classroom teacher is appropriately certified, licensed, board-registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession. If no such board exists, the Administrator of Special Education ensures the appropriateness of using non-educational personnel in each individual case.</p> <p>State Regulations 502.12(c)(ii), 502.12(c)(iii)(2)</p> <p>Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: 0 ^N</p>

CRITERION NUMBER	
	Legal Standard
SE 53	<p>Use of paraprofessionals</p> <p>a. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services.</p> <p>b. Persons employed as paraprofessionals and assistants are under the direct supervision of an appropriately certified or licensed professional.</p> <p>State Regulations 502.12(c)(i)</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1412(a)(15)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Review of documentation and staff interviews indicate that training is not consistently provided to paraprofessionals and, when provided, is not always pertinent to the needs of staff as they implement students' IEP goals and objectives. At the middle/high school level, staff indicate that paraprofessionals do not consistently receive direct supervision from a certified special education teacher.

CRITERION NUMBER	
	Legal Standard
SE 54	<p>Training topics Over a three year period, the required training topics are addressed for professional and paraprofessional staff:</p> <ul style="list-style-type: none"> a. special education requirements; b. local special education policies and procedures; c. confidentiality of student records; d. all other training topics indicated in Local Special Education Program Plan; e. instructional practices for students with diverse learning needs; and f. transportation <p>State Regulations Federal Requirements 20 U.S.C. Chapter 33, Section 1412(a)(15)</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Review of documentation and staff interviews indicate no evidence that required training topics are provided. Additionally, the staff not directly involved in the special education program showed little awareness of special education training opportunities. The Department recommends that regular education staff be provided training in special education topics, and, further, that they be provided training specifically related to the instructional profiles and objectives for students with disabilities in their classrooms.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
MOA 18	<p>School district employee recruitment activities The district's employee recruitment activities are aimed at reaching all groups, including bilingual/bicultural persons, females/males in nontraditional roles and persons with disabilities. When certain categories of employment show a disproportionate number of females/males, racial and ethnic group members or disabled persons, the district makes efforts to recruit for such positions members of the under represented groups. Title I, Title VI, Title IX, S. 504</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with these civil rights (MOA) requirements.

CRITERION NUMBER	
	Legal Standard
MOA 19	Employment application and interview procedures Job application forms and interview questions conform to requirements regarding pre-employment inquiries of a candidate's race, ethnicity, age, marital and parental status, national origin, physical attributes, religious background, health, health history and physical or mental condition. Title I, Title VI, Title IX, S. 504
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:
Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with this civil rights (MOA) requirement.

CRITERION NUMBER	
	Legal Standard
MOA 20	Non-discriminatory personnel policies and procedures District personnel policies and procedures are free of discrimination and bias in the following areas: X employee hiring, upgrading, award of tenure, demotion, return from layoff and retirement are the same for both sexes X employee pay schedules and rates of other compensation for all job categories provide equal pay for equal work X fringe benefits for all job categories such as medical, dental, insurance, leave (sick, personal, professional, parental, dependent care, bereavement) etc. are the same for all employees Title I, Title VI, Title IX, S. 504
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:
Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with these civil rights (MOA) requirements.

CRITERION NUMBER	
	Legal Standard
MOA 21	<p>Staff training regarding civil rights responsibilities New hires to the district are provided in-service training regarding civil rights responsibilities, and existing staff and administrators are provided periodic in-service training regarding civil rights responsibilities. Title VI, Title IX, S. 504</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The district's self-assessment instrument reports that staff training regarding civil rights responsibilities does not occur. Additionally, staff interviews reveal a lack of knowledge regarding the requirements of this criterion.

COMPONENT VII: SCHOOL FACILITIES

The criteria in this component examine whether the district maintains facilities that are conducive to learning, facilitate integration, and provide equal access and opportunity for students to achieve in the program areas listed below:

- Special Education (Report Issues # SE 55-57)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 7 and 14)

CRITERION NUMBER	SPECIAL EDUCATION VII. SCHOOL FACILITIES		
	Legal Standard		
SE 55	<p>Comparability of facilities Programs are provided in rooms that are at least equal in all physical respects to the average standards for regular education facilities.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 508.1</td> <td style="width: 50%; text-align: right;">Federal Requirements IDEA-97</td> </tr> </table>	State Regulations 508.1	Federal Requirements IDEA-97
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	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Partially Implemented</td> <td style="width: 50%; text-align: right;">District Response Required: Yes</td> </tr> </table>	Rating: Partially Implemented	District Response Required: Yes
Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Classroom observations and staff interviews indicate that Room # 13 at the middle/high school building does not fully meet the requirements of this criterion. The ventilation system in Room #13 is not equal to the average standard for ventilation in regular education classrooms.

CRITERION NUMBER	SPECIAL EDUCATION VIII. SCHOOL FACILITIES		
	Legal Standard		
SE 56	<p>Facilities maximize integration The facilities in which programs are provided maximize the integration of students into the life of the school and minimize separation and stigmatization.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 508.2 (a-c)</td> <td style="width: 50%; text-align: right;">Federal Requirements IDEA-97</td> </tr> </table>	State Regulations 508.2 (a-c)	Federal Requirements IDEA-97
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Rating: Implemented	District Response Required: No		

CRITERION NUMBER	SPECIAL EDUCATION IX. SCHOOL FACILITIES		
	Legal Standard		
SE 57	<p>Equal Access Students with limited mobility, visual, hearing, or other physical impairments have equal access to all school programs and facilities necessary to implement their IEPs.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 508.3</td> <td style="width: 50%; text-align: right;">Federal Requirements IDEA-97, Section 504 of the Rehabilitation Act of 1973</td> </tr> </table>	State Regulations 508.3	Federal Requirements IDEA-97, Section 504 of the Rehabilitation Act of 1973
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Rating: Implemented	District Response Required: No		

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	Legal Standard
MOA 7	<p>Accessibility of district programs and services for students with limited physical mobility</p> <p>In at least one facility within the district, the district makes available and entirely accessible to students with disabilities all educational programs and services offered at each level (preschool, elementary and secondary).</p> <p>Title II of the Americans with Disabilities Act; S. 504; MGL, Ch. 71B; Individuals with Disability Act-Revisions of 1997, (IDEA-97)</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 14	<p>Comparability of facilities and programs</p> <p>Where the district provides separate facilities or programs for members of a specific group, facilities and programs are comparable to those offered other students in the district, including:</p> <ul style="list-style-type: none"> X separate classes and facilities for disabled, limited English-proficient or pregnant students that are comparable to the facilities, programs, equipment and services offered other students in the district; X changing rooms, showers and other facilities for students of one gender that are comparable in size, number and location to those provided students of the other gender. <p>Title II, Title VI, Title IX, S. 504, MGL, Ch. 76, Section 5</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

See comment under SE 55 above.

COMPONENT VIII: PROGRAM PLAN AND EVALUATION

The criteria in this component examine whether the district has written programs plans that are evaluated according to specific regulatory requirements and whether parents have opportunities for input on needs, program implementation, evaluation, and improvement in the program areas listed below:

- Special Education (Report Issue # SE 58)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 22-23)

CRITERION NUMBER	SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SE 58	<p>Special education programs and services are evaluated</p> <p>a. Special education programs, services and administrative areas are regularly evaluated.</p> <p>b. The school district's program evaluation plan includes methods for determining the effectiveness of programs in assisting students to achieve the goals set forth in their IEPs in the least restrictive environment, describes how the school district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed.</p> <p>State Regulations 506.0, 506.1, 506.3(a)</p> <p style="text-align: right;">Federal Requirements IDEA-97</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
MOA 22	<p>Curriculum review process</p> <p>The district has in place a regular review process to ensure that:</p> <p>X existing curriculum materials present fair perspectives of the culture, history, activities and contributions of persons and groups of different races, nationalities, sexes and colors</p> <p>X all new purchases of curriculum materials present non-stereotyped and non-detrimental characterizations of under represented groups and both sexes</p> <p>MGL, Ch.76, Section 5</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with these civil rights (MOA) requirements.

CRITERION NUMBER	
	Legal Standard
MOA 23	<p>Institutional self-evaluation The district has in place a comprehensive evaluation process to examine and remedy policies and programs that discriminate or limit educational access due to race, color, sex, religion, national origin, sexual orientation, or disability. Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Neither required nor alternate documentation was provided to the Onsite Team to evidence the district's efforts to comply with this civil rights (MOA) requirement.

COMPONENT IX: RECORD KEEPING

The criteria in this component examine whether the district maintains required records and documentation for the program areas listed below:

- Special Education (Report Issues # SE 59-60A)

CRITERION NUMBER	SPECIAL EDUCATION IX. RECORD KEEPING				
	Legal Standard				
SE 59	<p>Register of students in need of special education An annual ever current register of students in need of special education is maintained that contains all required areas:</p> <ul style="list-style-type: none"> a. name of student b. address/telephone number c. date of birth d. full name of parent e. date referral received f. date(s) of TEAM meetings and reviews g. date of acceptance or rejection of IEP h. beginning date of special education i. current program prototype j. name of school or other place where special education is delivered <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>300.1 - 300.10</td> <td>IDEA-97</td> </tr> </table>	State Regulations	Federal Requirements	300.1 - 300.10	IDEA-97
State Regulations	Federal Requirements				
300.1 - 300.10	IDEA-97				
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Rating: Implemented	District Response Required: No				

CRITERION NUMBER					
	Legal Standard				
SE 60	<p>Child Count</p> <ul style="list-style-type: none"> a. A child count is maintained representing students with current, accepted IEPs who are provided, at a minimum, direct special education services to each student. The count is filed as part of annual school report by December 1 of each school year and provides an unduplicated listing of the number of students with IEPs in each program prototype and does not reveal the identity of individual students or their parents. b. The child count includes students with disabilities determined eligible for special education who are attending private schools at private expense and are receiving publicly funded services according to a "services plan" developed by the TEAM. <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>301.0</td> <td>20 U.S.C. Chapter 33, Section 412(a)(3)(A)</td> </tr> </table>	State Regulations	Federal Requirements	301.0	20 U.S.C. Chapter 33, Section 412(a)(3)(A)
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COMPONENT X: SCHOOL GOVERNANCE

The criteria in this component examine whether the district has implemented an effective system of leadership and oversight which fosters high standards and performance expectations for all students and staff consistent with the goals of the Education Reform Act of 1993.

- EDUCATION REFORM (Report Issues # ER 10-13)

CRITERION NUMBER	EDUCATION REFORM X. SCHOOL GOVERNANCE
	Legal Standard
ER 10	<p>School councils shall be established in every public elementary, secondary and independent vocational school. The principal shall have the responsibility for defining the composition and forming the school council in accordance with a representative process approved by the superintendent and the school committee. Parents shall have parity with professional personnel and councils should be broadly representative of the racial and ethnic diversity of the school building and community. School councils shall meet regularly with the principal of the school and consist of the following membership:</p> <ul style="list-style-type: none"> a. school principal, who shall co-chair the council, b. parents of students attending the school, c. teachers on the faculty of the school, d. other persons from such entities as municipal government, business and labor organizations, institutions of higher education, human service agencies or other interested groups, and e. a student in those schools containing grades 9-12. <p>(Chapter 71, section 59C)</p>
	<p>Rating: Not Rated District Response Required: No</p>

Department of Education Findings:

Interviews with administrators, school council members, and school committee members, and the review of district documentation indicate that the district has established a school council in both buildings. Each school council is comprised of equal numbers of faculty and parent representatives, as well as participants from municipal, business and community groups. Based on district documentation, it is unclear whether any members are special education parents. The elementary school council is comprised of six members and the middle/high school council has 14 members. During the onsite week, the Onsite Team was informed that a student member had been newly appointed to the middle/high school council based on his prior election as a Student Council officer.

CRITERION NUMBER	
	Legal Standard
ER 11	The principal of each school, in consultation with the school council, shall identify the educational needs of the students attending the school, review the annual school budget and formulate a school improvement plan. (Chapter 71, section 59C)
	Rating: Not Rated District Response Required: No

CRITERION NUMBER	
	Legal Standard
ER 12	Each school improvement plan shall be submitted to the school committee for review and approval every year. If the school improvement plan is not reviewed by the school committee within thirty days of the school committee’s receipt of the plan, then the plan is considered approved. (Chapter 71, section 59C)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

School improvement plans are sent to the school committee for approval. However, there is no formal district-wide process to assess progress in the implementation of the school improvement plans. Each school council evaluates its own progress through discussion and general consensus. Although the middle/high school council provides a monthly summary report to its members, progress reports regarding the successful implementation or failure of the plans are not provided. Onsite interviews of district personnel indicate there is no process to integrate school improvement plans with district-wide initiatives. The district did not provide evidence that a district-wide improvement plan has been approved and adopted by the school committee.

CRITERION NUMBER	
	Legal Standard
ER 13	The superintendent of each school district shall publish the district’s policies pertaining to the conduct of teachers and students. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district. Further, in schools containing grades 9-12, the principal in consultation with the school council shall prepare and annually review a student handbook setting forth the rules pertaining to the conduct of students. (Chapter 71, section 37 H)
	Rating: Not Rated District Response Required: No

Department of Education Findings:

Review of documentation indicates that the district’s policies pertaining to the conduct of students and teachers are published in the middle/high school student handbook and the faculty/staff handbook respectively. However, the middle/high school student handbook’s statement of procedures relating to the discipline of students with special needs is not consistent with federal IDEA requirements. Interviews with administrators and staff do not indicate that the middle/high school principal in consultation with the school council prepares, distributes and annually reviews the student handbook containing the code of student conduct.

APPENDIX:
SCHOOL DISTRICT PROFILE INFORMATION

The information which is provided in this Appendix was drawn from data supplied by the school district. The Department's visiting team carefully reviewed this data as part of its planning for the onsite visit and in preparing this Coordinated Program Review Report. The information is periodically updated by the school district and is available in an evercurrent form on the Department's Internet web site at <www.doe.mass.edu>.

SCHOOL AND DISTRICT PROFILES

Definitions of Terms

School and District Profiles make important information about the Commonwealth's public schools available to all interested citizens. The array of information presented in the Profiles provides one snapshot of the educational picture in communities across the state. This information can be used in conjunction with firsthand observations and discussions by parents, educators, policy-makers, and any other interested parties to inform decision-making and ultimately improve the education of all Massachusetts students. The following is an explanation of information presented in the Profiles. All data are submitted by schools and districts to the Department of Education. Data that are collected at the district level only are not included in the School Profiles, and are indicated below with an asterisk.

GENERAL INFORMATION

Grades/Schools*: indicates the number and grade range of elementary, middle/junior high and high schools in the district, as well as the total number of schools in the district and the grade range of the school system. An elementary range beginning with "N" indicates the district has pre-kindergarten. A high school range ending in "13" or "14" indicates the district has a post-graduate program.

Programs*:

- **Inter-district Choice:** indicates whether students from other districts may enroll in the district through the state school choice program, which is voluntary and on a space-available basis.
- **Intra-district Choice:** indicates whether the district has a school choice program within the school district for students who live in the district.
- **Early Childhood Education:** indicates whether the district provides no-cost early childhood (preschool) education to three and/or four year-old children.
- **Kindergarten Starting Age:** indicates the age as of a particular date at which children are eligible to begin kindergarten.
- **Vocational Education:** indicates whether the district operates a Chapter 74 approved vocational education program.
- **Transitional Bilingual Education (TBE):** indicates whether the district operates a TBE program. Under Massachusetts law, a district must provide a TBE program in a particular language if there are 20 or more limited English proficient students in that particular language group enrolled in the district. Limited English proficient students are students whose first language is not English and who cannot perform ordinary classwork in English.
- **METCO:** indicates whether the district participates in the state METCO program, which promotes voluntary desegregation by enrolling minority students from Boston and Springfield in suburban schools.

Member(s) of Regional District(s)*: for local school districts, indicates the name(s) of any academic and/or vocational regional district(s) of which the local school district is a member. For regional school districts, indicates the names of member local school districts. A regional school district provides educational services to more than one town.

Technology: indicates the number of students for every one computer and the percent of classrooms with Internet access. Data are 1998-99 data; "DNR" appears for schools and districts which did not yet report data.

STUDENT TEST RESULTS

Massachusetts Comprehensive Assessment System (MCAS): The Massachusetts Comprehensive Assessment System is the Commonwealth's new statewide assessment program for public schools. MCAS measures the performance of students, schools and districts on the academic learning standards contained in the Massachusetts *Curriculum Frameworks*. In May 1998 and 1999, students in grades four, eight and ten took the MCAS tests in English Language Arts, Mathematics, and Science and Technology.

When interpreting the MCAS results and making comparisons between schools and districts, it is important to recall that a single year's test results provide limited information about overall performance. This is particularly true of test results from the first administration of a new testing program. Test results are most meaningful when compared with other indicators and when examined over several years to establish long-term trends. Furthermore, at the time the 1998 and 1999 tests were administered, many schools were still in the process of aligning their curriculum, instruction and assessment practices with the state's new learning standards. For these reasons, results from this first MCAS administration should be interpreted as a baseline against which improvement in the future will be measured.

Results on the MCAS tests are reported as the percentage of students attaining each performance level for each subject area and grade tested. Results are shown for all students and are also disaggregated by student group. The performance levels describe student performance in relation to the state standards. There are four performance levels: *Advanced, Proficient, Needs Improvement, and Failing*. Students' performance level classification is based on their total scaled score for each test completed. The scaled score range is 200-280. Students who were absent during the testing period received a minimum score of 200 for each content area test not attempted; this score is counted in computing average scores for schools and districts. Percentages may not add to 100 due to rounding.

To ensure the confidentiality of individual student results, performance data (performance level percentages and scaled score) are not reported for a particular student population/grade/subject if the number of students tested plus the number of students absent is fewer than 10. Results for schools and districts which do not have one or more of the grades tested are shown as "NA" for those grades. For additional information, please refer to the *Report of 1998 Statewide Results: The Massachusetts Comprehensive Assessment System (MCAS)* and *The Massachusetts Comprehensive Assessment System: Guide to Interpreting the 1998 MCAS School and District Reports*. These reports are available on the Internet at the Department of Education's web site at www.doe.mass.edu/mcas.

Iowa Grade 3 Reading Test: indicates the percent of third-graders at each performance level on the reading comprehension section of the test, from Spring 1999. Results are not included for schools or districts for which fewer than six students participated.

SAT: indicates the average scores on the math and verbal sections of the SAT I, administered by the College Board, and the percentage of students taking the test, for the classes of 1995 and 1999. All data are for public school students only. Results are not included for schools or districts for which fewer than 10 students participated. For students who took the SAT I more than once, their latest score is used by the College Board in determining school and district average scores. Beginning with 1996 scores, the College Board recentered the score scale of the SAT I to reestablish the original mean score of 500. The 1995 scores shown in the Profiles have been recentered to be comparable to the 1999 scores. All data were obtained from the College Board.

Advanced Placement: indicates the number of exams taken, the number and percent of exams that scored 3 or higher (possible score range is from 1 to 5), and the number and percentage of students in the class of 1997 who participated (students may take more than one exam). Data are included for all AP exams taken by any students in the class of 1997 who took an AP exam in their senior year. District and statewide data are for public school students, and national data are for public and non-public school students. Results are not included for schools or districts for which fewer than 10 students participated.

ENROLLMENT AND STAFF

Enrollment by Grade: indicates the enrollment for grades kindergarten through 12 for the 1994-95 and 1998-99 school years.

Race/Ethnicity: indicates the percent of enrollment by race/ethnicity for the 1998-99 school year. The reporting categories are those used by the U.S. Bureau of the Census.

Selected Populations: indicates the percent of enrollment represented by students in special education programs*, students who are limited English proficient, and students eligible to receive free or reduced price lunch*. Data are for the 1998-99 school year.

Children Attending Public Schools*: indicates the percent of school-age children in a city or town attending public schools, for the 1994-95 and 1997-98 school years.

Staff (FTE)*: indicates the number of students per teacher for the 1998-99 school year. This figure is calculated by dividing the regular education instructional staff by the total student enrollment. The staff figure is in full-time equivalents (FTE), and the student figure is a headcount. The number of students per teacher reported here does not represent average class size and is usually lower than that found in most typical classes.

FINANCE

Per Pupil Expenditures*: are calculated by dividing a district's operating costs by its average pupil membership. Operating costs include expenditures for administration, instruction, pupil services, transportation, plant maintenance, and fixed charges. These costs do not include capital outlay and long-term interest on school debt. Average pupil membership includes students who receive services in the district's schools, as well as students receiving home or hospital instruction. Data for regular education, special education, bilingual education and vocational education students are provided in addition to the total for all day programs, for the 1993-94 and 1997-98 school years.

Teacher Salary*: indicates the minimum and maximum teacher salaries available, for the 1994-95 and 1998-99 school years.

Foundation Budget Spending Comparison*: The education reform act established a foundation budget for each school district. This budget represents the minimum level of spending needed to provide an adequate education for the district's students. The foundation budget is made up of 19 separate categories. The chart shows the district's actual spending in each category for the 1997-98 school year as a percentage of the district's foundation budget. If the percentage exceeds 100%, the district spent more in the category than suggested by the foundation budget. If the percentage is less than 100%, the district spent less. Significant variations between local spending and the foundation budget, or between local spending and the statewide averages, should be reviewed closely. In some cases, the differences may be due to unique circumstances and needs within the district. In other cases, the differences may suggest potential areas for review and improvement.

OTHER DATA

Annual Dropout Rate: indicates the percentage of students in grades 9-12 who dropped out of school between July 1, 1997, and June 30, 1998, and who did not return to school by October 1, 1998. The rate for 1994-95 is also provided. Dropouts are defined as students who leave school prior to graduation for reasons other than transfer to another school.

Attendance Rate: indicates the average percentage of enrolled students present in school for the 1997-98 school year.

Student Exclusions: indicates the number of student exclusions that occurred during the 1997-98 school year. An exclusion is defined as the removal of a student for disciplinary purposes permanently, indefinitely or for more than ten consecutive school days.

Plans of High School Graduates: indicates the post-graduate intentions of students in the Class of 1998.

* District level data only.

REPORT 5:

EDUCATION REFORM, SPECIAL EDUCATION , MOA

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Prepared by: JM, DL, PM, CS, JDS