



BOSTON PUBLIC SCHOOLS

**COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

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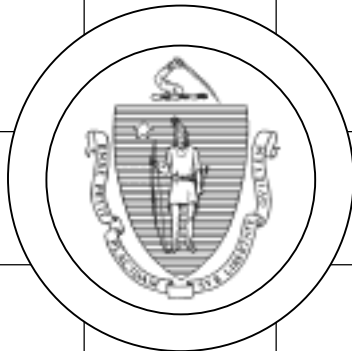
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**MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW**

Boston Public Schools

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MASSACHUSETTS DEPARTMENT OF EDUCATION

COORDINATED PROGRAM REVIEW REPORT

Boston 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. All reviews will include selected requirements under Titles I and II of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, together with related state requirements under M.G.L. Chapter 76, Section 5 (Chapter 622 of the Acts of 1971). Other monitoring activities in the areas of the state's Transitional Bilingual Education law (M.G.L. Chapter 71A), Title I, Safe and Drug-Free Schools and Communities Act, the Perkins Vocational and Technical Education Act, and Nutrition Programs and Services are conducted in some districts during these Coordinated Program Review procedures. The selected school districts for 2000-2001 were notified by the Commissioner of Education in April 2000 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 two to eight Department staff members conducts a Coordinated Program Review over two to seven days in a school district or charter school.

Scope: Approximately seventy school districts and charter schools are scheduled to receive visits in school year 2000-2001. All school districts and charter schools in the Commonwealth are monitored through the Department's Coordinated Program Review system on a six-year cycle with an additional mid-cycle special education follow-up visit.

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 FY 2001 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. Additionally, the 2000-2001 reviews incorporate updated state special education requirements as adopted by the Board of Education and effective on September 1, 2000 and further amended by the state legislature in the FY '01 budget and subsequent Emergency Regulations of the Board. 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, and 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.

- Interviews of parent advisory council (PAC) 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 first examined by local staff, whose findings are then verified by the onsite team using standard Department student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements. Parents of students with disabilities whose files were selected for the record review were sent a survey that solicited information regarding their experiences with the district's implementation of special education programs, related services and procedural requirements.
- Classroom and facilities observation. A sample of instructional classrooms and other school facilities used in the delivery of programs and services are visited to determine general levels of compliance with program requirements.
- Interviews, student record reviews, and observations in the case of 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, 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 note those criteria the implementation of which the team found to be commendable. Where criteria are found not to be fully implemented, the local district or charter school must propose corrective actions to bring those areas into compliance with the respective statutes or regulations. Districts are encouraged to incorporate the corrective action 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 as a helpful planning document for the continuing development of programs and services in the school district or charter school.

REPORT INTRODUCTION

A nine member Massachusetts Department of Education team visited the Boston Public Schools during the weeks of March 19 and 26, 2001 to evaluate the implementation of selected criteria in the program areas of civil rights requirements, Safe and Drug Free Schools and Communities Act and Transitional Bilingual Education. This onsite visit is the first part of a two-year monitoring effort in the district. During the 2001-2002 school year, the Department will be monitoring the program areas of special education, and Title I, and a separate report will be issued at the conclusion of these activities. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the program efforts underway in the district. The onsite team would like to commend the following areas that were brought to the attention of the Department and that the team believes have a significant and positive impact on the delivery of educational services for students enrolled in the Boston Public Schools. These areas are as follows:

- *The involvement of Bilingual staff members in working with students and their families. Bilingual teachers are dedicated and persistent in working with students and make additional phone calls, meet regularly with parents and translate curriculum and notices to ensure family involvement with their school.*
- *Boston's creation of a pilot student assessment process whereby Boston has analyzed different assessments and examined their appropriateness to languages spoken by limited English proficient students--thus ensuring that appropriate assessments are administered.*
- *The use of Boston's standards based instruction aligned with Massachusetts' Curriculum Frameworks. Throughout the review the on-site team found that English language learners and their teachers are held to the same expectations established in Boston standards based instruction as their monolingual peers.*
- *The integration of bilingual staff into administrative positions.*
- *The focus on literacy programs across content areas throughout the district. Boston Public Schools makes support available for all students regardless of language proficiency.*
- *The advanced work program for Spanish speaking students. Boston's commitment to provide accelerated instruction to Spanish speaking students so that they have the opportunity to participate in Boston's exam schools.*
- *Boston's partnerships with businesses, universities, non-profit organizations, medical centers, state agencies, Boston Police, and other municipal organizations. A majority of these programs are school-based programs and allow each school to identify appropriate groups that will best serve the needs of its students.*
- *Boston's literacy program for students who have had interrupted schooling in their native language*

Some of the areas of commendation noted above are additionally stated within the body of the Department's report under the respective compliance criteria.

The Department is submitting the following Coordinated Program Review Report containing findings pursuant to this onsite visit. 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 50 administrative staff.
- Interviews of 149 teaching and support services staff across all levels.
- Interviews of 42 parent advisory council (PAC) representatives, and other interviews as requested by persons from the general public.

- Student record reviews: A sample of 65 student records was selected by the Department. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Classroom and facilities observation: A sample of 75 instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

The report includes findings in the program areas reviewed organized under nine components directly related to teaching and learning. These components are listed in the Executive Summary on the following pages. The findings in each program area describe determinations by the team about the implementation status or “Rating” of 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” section of the report.) Where criteria were 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 rated a requirement as “Implementation in Progress” or “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 into their district and school improvement plans, including the district professional development plan.

COORDINATED PROGRAM REVIEW REPORT

EXECUTIVE SUMMARY

Boston Public Schools

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 Boston Public Schools uses a wide array of assessments to measure the acquisition of English language skills for students who are limited English proficient. Boston is continuing to improve its capacity to assess English language learners' ability in an appropriate manner. This is occurring through a reexamination of the assessments used by the Boston Public Schools to determine their appropriateness to specific language groups. The on-site team did find that translated report cards were inconsistently placed in the student record and found some irregularities regarding the provision of appropriate accommodations for English Language Learners in standardized testing.

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 on-site team found that Boston does have detailed procedures for identifying English language learners who are eligible for Bilingual Education and program modifications for low incidence language speakers. The district's implementation of these procedures was not always reflected in the student records and records often contained incomplete information. Notices to parents reflected most, but not all the elements required under law. Boston needs to clarify its student enrollment data by language group. The on-site team also had concerns regarding the access for English Language Learners to some specialized programs within the Boston Public Schools

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?

Bilingual parents play a very active role in the development of Boston Public Schools Transitional Bilingual Education (TBE) program. This is evidenced through Boston's Voluntary Lau Compliance Plan, a document that addresses how bilingual services are offered within the Boston Public Schools. With regards to Boston's Safe and Drug Free program, the

on-site team found that parents and outside agencies need to play a more active role in the creation and development of these services.

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 on-site team found that Boston Public Schools hold all of their students, including bilingual students to high standards through standards based instruction. The criteria in this component were all found to be in compliance with the exception of participation with native speakers in non-academic classes for bilingual students at the Dearborn Middle School and age span ratios for the Somali Bilingual Program.

Component V: Student Support Services

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

The on-site team found that English language learners have access to most of the programs available to their English-speaking peers. English language learners have the same access to Boston's standards based curriculum, Special Education services, guidance counseling and non-academic/extracurricular activities. As stated in Component II, the on-site team has concerns regarding access to some of Boston's vocational programs and the exam schools for English language learners.

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? Does the district implement an effective system of program leadership and oversight that fosters high standards and performance expectations for all students and staff consistent with the goals of applicable federal and state requirements and Education Reform Act of 1993?

Generally, the on-site team found that the district has undertaken active efforts under this criterion. The Boston Public Schools has an extensive professional development program, including civil rights issues for its teachers and aides. In accordance with the Education Reform, principals spend an extensive amount of time examining the performance of teachers and students. A review of Bilingual and English as a Second Language Teachers (ESL) indicates that a small number of teachers are not appropriately certified.

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?

Boston's bilingual programs are all integrated within the Boston Public Schools. The interview process indicates that the district is meeting the standard of programmatic accessibility, however the onsite team cannot verify that information because the accessibility reports provided by the district were only partially completed. The concern is that while there are many unique programs within the Boston Public Schools, there is no central location that keeps track of the programs and whether they are accessible or not.

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 on-site team found that the Boston Public Schools effectively monitors its Bilingual Education programs. With regard to the Safe and Drug Free program, the on-site team found that the Boston Public Schools do not evaluate the program in an effective manner. This results in an inadequate program that does impact all of the students within the City of Boston. With regards to the civil rights components in this component, Boston did not provide the required documentation.

Component IX: Record keeping

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

In criterion under this component, the on-site team found areas of concern. First, bilingual student records lack key information including a log of access, student evaluation results and report cards in the parent's native language. The Safe and Drug Free program requires additional oversight from the Boston Public Schools. Due to imprecise reporting and the commingling of grants, there is no means available to determine the amount of Safe and Drug Free programming provided to students within the City of Boston.

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 of law or regulation.
Implemented	The requirement 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.

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:

- Transitional Bilingual Education (Report Issues # 1-2A)

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION I. ASSESSMENT OF STUDENT PROGRESS
	Legal Standard
TBE 1	Pupil's progress reports and report cards are: a) sent to parents or guardians of students enrolled in Transitional Bilingual Education program in the same manner and frequency as progress reports and reports cards are sent to parents or guardians of other students enrolled in the school district; and b) Written in English and the native language of the parents or guardians of the student. 603 CMR 14.03(2)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Interviews indicate that the provision of translated report cards and progress reports is inconsistent by language group and level across the district for some of the TBE programs represented in the district. There were issues identified at the Madison Park (Vietnamese, Spanish, Portuguese, Haitian Creole, Cape Verdean and Somali); Dearborn Middle (Cape Verdean); Umana Barnes (Spanish and Portuguese). Based on the student record review there was sparse evidence of translated report cards and progress reports.

The onsite team found that for most of the languages represented in the district's Transitional Bilingual Education (TBE) programs there are qualified translators available. It was further noted that the district experiences difficulty in providing translation resources for Somali. The MCPC (Multilingual Communication and Placement Center) provides a valuable resource to the district and has provided translators for over ninety-six languages. While it is Boston's policy that bilingual students earn credit towards graduation in the same manner as their English-speaking peers, the onsite team found that students at Dorchester High School participate in a double block English/Math program. However, Limited English Proficient students enrolled in the same program, only receive half credit for their participation.

There was extensive evidence of school-based outreach to parents through phone calls by staff to parents during the evening, home visits, open houses, weekend meetings and parent-teacher conferences with translators to address curriculum issues. In addition to the annual Language Assessment Team meetings, where parents are invited to participate and discuss their child's academic progress, at numerous elementary and middle schools, teachers and administrators make extra efforts to promote home-school communication.

Finally, it is the district's policy that TBE students are included in the class rank classification.

CRITERION NUMBER	
	Legal Standard
TBE 2	Once a student has been enrolled in the TBE program, he/she is tested annually in the following English skills: a) oral comprehension b) speaking

CRITERION NUMBER	
	Legal Standard
	c) reading d) writing These assessments will be placed in the student’s school record. M.G.L. c.71A, § 2
	Rating: Implemented District Response Required: No

Department of Education Findings:

The onsite team found through interviews that students are assessed annually in English skills, administered by qualified individuals. Tests administered include the MELA-O, the ROA, the SRI (Scholastic Reading Inventory), the LAS-O/RW, the LPTS (introduced this year for reading and writing in place of the LAS RW), Stanford Nine writing component, and IPT. Through the review of student records, the Department found that assessment results were not consistently placed in the student record.

Boston is making great efforts through a pilot process to try to consolidate and update assessments in an effort to avoid over assessing students and creating assessments that more accurately reflect students’ English learning ability. As a result, some previously used assessments will be eliminated and replaced with newer more comprehensive assessments. This is demonstrated through Boston’s new use of the LAU Cumulative Folder that tracks assessments, and a more universal application of proscribed tests and identified benchmarks.

Boston has trained bilingual and ESL teachers in the administration of both standardized and classroom based assessments. The results are shared at Language Assessment Team (LAT) meetings where the student’s progress is reviewed and the STEP determination is made for each student for the subsequent school year. This becomes the basis for determining how much instruction the student receives in English and in native language. The Boston Public Schools is proposing to implement the process district-wide in the next school year.

CRITERION NUMBER	
	Legal Standard
TBE 2A	As required by the Department of Education, the district has determined the participation of TBE and ESL students in the state mandated (MCAS) testing program and provide testing accommodations as appropriate to ensure equal participation of these students.
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The onsite team found through interviews that many Bilingual teachers were unaware of allowable accommodations for bilingual students or were using inappropriate accommodations. An example of this, was the simultaneous translation of the MCAS questions into Cape Verdean and Portuguese during the administration of MCAS.

In other instances, staff described the provision of acceptable accommodations such as bilingual

dictionaries, extended time for completing the tests, taking the test in a comfortable setting, further explanation of the directions, and providing translation of the directions. Last year, 275 students took the MCAS in Spanish. For students not taking the MCAS, Boston utilized the Stanford-9 and the SRI to assess their performance in the general curriculum. At this point, it is not clear on a district level, if Boston disaggregates MCAS data by language group to determine if there are any differences in progress toward meeting standards by program. Interviews indicate that numerous schools do examine MCAS data in an attempt to improve instruction for English Language Learners.

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:

- Civil Rights Methods of Administration (MOA)
(Report Issues # MOA 4, 5, 10-13)
- Transitional Bilingual Education (Report Issues # TBE 3-7)

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: Implemented	District Response Required: No

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: Partially Implemented	District Response Required: Yes

Department of Education Findings:

The onsite team found when visiting schools that have multilingual programs that there is an insufficient number of staff to meet the needs of low incident language students. In addition, the Department found that ESL staff at Boston High (one of Boston's multilingual programs) were not certified in providing instruction.

CRITERION NUMBER		
	Legal Standard	
MOA 10	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	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Based on interviews, not all limited English proficient students have access to vocational programs,

as there are a lack of native language speaking aides at Madison Park to support these students. The onsite team found that because the examination schools administer the Independent School Examination in English, linguistic minorities are limited from participating in the exam school curriculum.

CRITERION NUMBER	
	Legal Standard
MOA 11	<p>Placement of linguistic, racial minority and female/male students Placement patterns for disabled students, linguistic and/or racial minority students and for females/males are consistent with placement patterns for majority students 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: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Boston Public Schools openly acknowledges that there is a disproportionate placement of African American males in special education. Boston is currently working with the United States Department of Education’s Office for Civil Rights on this issue.

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: 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 Title II, S. 504</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
MOA 13	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. Title IX
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
TBE 3	The October 1 school census report identifies all students whose: a. First language is not English, and b. Who are not able to perform ordinary class work in English. G.L. c.71, § 1, G.L. c.51, § 4 and 603 CMR 19(03)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The Department found that Boston Public Schools data is incomplete. Specifically, the data that Boston provides on Table IV of the October 1 report for School Year 2000, indicates that there are approximately 899 students whose first language is identified as “Other”. The students identified as “other” is reduced to around 489 students on Table V, as Table V indicates that students have been assessed and identified as limited English proficient. The onsite team’s concern is that there are new language groups that may qualify for programs under 71A. For example, Boston’s data indicates on Table V that programs need to be established for the following language groups; French and Khmer.

Currently, the district provides Transitional Bilingual Education programs for the following language groups; Spanish (7,757), Portuguese (367), Chinese (1,032), Somali (177), Vietnamese (773), Haitian (347) and Cape Verdean (1,063).

CRITERION NUMBER	
	Legal Standard
TBE 4	a. The school district shall establish procedures that use qualified staff and appropriate assessments to annually classify and evaluate each student considered for placement in Transitional Bilingual Education and to determine if the student is of limited English-speaking ability and is not able

CRITERION NUMBER	
	Legal Standard
	<p>to perform ordinary class work in English.</p> <p>b. Such determination shall be placed in the student’s school record.</p> <p>c. The parent or guardian of any student resident in the school district may request and receive such an evaluation of her or his child.</p> <p>603 CMR 14.02 and G.L. c.71A, § 2</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

When a student enrolls in the district they are referred to the MCPC where qualified staff evaluate the student’s oral language in native language and English to determine the LAU category. The student is then assigned a STEP, which is a program classification used by the Boston Public Schools that indicates the instructional time in native language and in English. The student is assigned to an appropriate program at a particular school. There is a procedure whereby, if school personnel believe that a student may need bilingual education, the MCPC is contacted and they send testing personnel to the schools. Based on interviews, the LAU determination is maintained in a central database. Building based personnel were often unclear about the initial determination data, but indicated that if a student’s recommended STEP placement is not appropriate, the Language Assessment Team (LAT) at each building level will review the student’s placement, including additional assessment and adjust the student’s program. According to interviews this building based assessment information is maintained in the cumulative folder. The records that were provided to the onsite review team often did not contain evidence which supports this level of assessment activity which was reported through the interview process.

CRITERION NUMBER	
	Legal Standard
TBE 5	<p>Placement procedures of limited English-speaking students are implemented district-wide as follows:</p> <p>a. when the district has fewer than twenty students of limited English-speaking ability from a particular language classification, the students receive native language and English language instruction, English as a Second Language, or other curriculum offerings of a supportive nature as appropriate. G.L. c.76, § 5 and 603 CMR 26.03(4)</p> <p>b. when there are twenty or more students of limited English-speaking ability from the same language classification within the district, then the students are placed in an appropriate (by age and language) full-time TBE program. Upon placement in the TBE program, a notice is mailed to the parents in the following manner:</p> <ol style="list-style-type: none"> 1. not later than ten days after each student’s enrollment; 2. containing a simple, non-technical explanation of TBE;

CRITERION NUMBER	
	Legal Standard
	<ul style="list-style-type: none"> 3. written in the primary/home language as well as in English; 4. stating the parent’s right to visit the TBE program; 5. stating the parent’s right to withdraw the child; and 6. stating the parent’s right to a conference to discuss the TBE program. <p>G.L. c.71A, § 2 and § 5</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

When the district has fewer than twenty students in a given language group who are identified as limited English proficient, the district provides English as a Second Language, literacy programs in reading and math, Title I, Sheltered English, and full-day Kindergarten programs at some schools. Interviews indicate that there is not a sufficient level of qualified ESL teachers given the growth in low-incidence student populations.

With regard to language groups that qualify for Transitional Bilingual Education, the district provides traditional TBE as well as Two-Way programs (Spanish). The documentation provided by the district contained a parent letter, which describes the recommendation of the Language Assessment Team (LAT), for the student’s placement after entry into the bilingual program. It is not clear whether the district uses this same letter to notify parents of bilingual students upon initial entry into the district. The content of this letter does not address the parent’s right to visit the program and while it describes a process for the parent to appeal the student’s placement, it does not indicate the parent’s right to withdraw the student from the program. Further, there was little evidence of the use of the letter based upon the Department’s review of student records.

The onsite team is concerned that the October 1 data, which the district provided to the Department, indicates the need for the development of additional TBE programs for new language groups. Refer to findings for TBE 3.

CRITERION NUMBER	
	Legal Standard
TBE 6	<p>If it is determined that a student who has spent three years in the TBE program has not attained the appropriate level of English language proficiency to perform at grade level, the student may continue in the TBE program at the discretion of the school committee and subject to the written approval of the parent/guardian.</p> <p>G.L. c.71A, § 2</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Staff interviews indicate that students are allowed to remain in the TBE program beyond three years if they have not attained an appropriate level of English language proficiency. However, Boston’s Public School’s LAU letter sent to the parents at the end of every year does not meet the requirements of the statute. Boston follows its LAU steps and convenes a Language Assessment Team meeting to

determine whether or not a student should remain in the TBE program. The LAU letter, which is available in both English and the language of each group served by TBE, is then sent to the parents informing them of the recommendation for the student. The Department found that there is no separate letter or notice addressing the issues that arise upon a student's completion of the third year in the TBE program. Because there is no distinction in this letter, parents do not respond differently to this letter than they would to the LAU letters provided after the completion of any other year in the TBE program. If the parent agrees with the LAU recommendation then they are asked to sign the form and return it. The district's "Handbook for School Administrators and Language Assessment Teams" indicates that efforts to contact the parent and obtain their signature should be documented. However, the district will automatically change the student's LAU Step if they do not hear from the parent. The onsite team is concerned that Boston Public Schools can not accurately account for the number of students in Boston's Bilingual Program and whether parents have granted permission for students to remain in TBE after 3 years.

CRITERION NUMBER	
	Legal Standard
TBE 7	<p>Transfer procedures of students from the bilingual to the monolingual program have been implemented on a district-wide basis as follows:</p> <ol style="list-style-type: none"> 1) no school committee shall transfer a student of limited English-speaking ability out of a program of TBE prior to the student's third year, unless: 2) the parents approve of the transfer in writing; and the student receives a score on the examination of oral comprehension, speaking, reading and writing of English which reflects a level of English language skills appropriate to his/her grade level, OR <ol style="list-style-type: none"> (ii) the parents request the transfer in writing. G.L. c.71A § 2 3) once a student is transferred into regular classes, the student continues to be provided with other curriculum offerings of a supportive nature as appropriate. G.L. c.76, § 5 and 603 CMR 26.03(4)
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Transfer procedures for students from the bilingual to the monolingual program have been instituted district-wide and are described further in TBE 6. According to interviews, parents can request the removal of a student from TBE by sharing their concerns with teachers and administrative staff. When the student exits the bilingual program they are placed on LAU Step 4, which consists of 100% English language instruction with native language support. The student's progress is monitored, but the nature of the monitoring, the personnel involved and whether it is formally or informally gathered varies from building to building. Supports available to exited students are consultation, ESL, after-school tutoring, literacy and reading programs. The nature of the constellation of support services varies from building to building.

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:

- Civil Rights Methods of Administration (MOA) (Report Issue # MOA 3)
 - Safe and Drug Free Schools (Report Issues # SDF 1-3)
 - Transitional Bilingual Education (Report Issue # TBE 8)

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT
	Legal Standard
MOA 3	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
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Based on documentation and interviews, the onsite team found that the availability of translated general announcements, counseling materials, notices of extra-curricular activities and information regarding special programs varies from school site to school site. At those schools where a TBE program exists, virtually all of the information is translated.

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS III. PARENTAL INVOLVEMENT
	Legal Standard
SDF 1	The local education agency coordinates such agency's programs and projects with community-wide efforts to achieve such agency's goals for drug and violence prevention. [Title IV Sec. 4115 (b) (2) (D)]
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Community agencies participate in meetings not surveys and focus groups. Additionally, community agencies can speak on broad terms, but they can not identify specific goals of Boston's Safe and Drug Free grant. There is evidence of community agency collaborations, but that collaboration is school specific.

CRITERION NUMBER	
	Legal Standard
SDF 2	The local education agency coordinates such agency's programs and projects with other federal, state, and local programs for drug-abuse and violence prevention,

CRITERION NUMBER	
	Legal Standard
	including health programs. [Title IV Sec. 4115 (b) (2) (E)]
	Rating: Implemented District Response Required: No

Department of Education Findings:

The Boston Public Schools do coordinate with projects and programs, such as the Health Protection Fund Program, public safety grants, Community Substance Abuse Grants, Violence Prevention Grants, after school programs, Teen Dating Violence Prevention and other student safety programs and activities.

CRITERION NUMBER	
	Legal Standard
SDF 2A	The Safe and Drug Free Schools Advisory Council is representative of community agencies. The Council includes parents, students and representatives from the schools and prevention community. Advisory Council activities are directed toward developing appropriate drug abuse and violence awareness and prevention programs. [Title IV Sec. 4115 (b) (2) (E)]
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

A review of the minutes, sign in sheets and interviews indicate that students do not participate in the advisory council meetings.

CRITERION NUMBER	
	Legal Standard
SDF 2B	There is evidence of an ongoing role for the Advisory Council in program planning and implementation through a comprehensive set of activities.
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Interviews indicate that Advisory Council members are aware of the SFDFS program but could not speak specifically on the specific roles of the Advisory Council. In addition, school personnel create the local programs and do not seek input in the development of the goals and objectives of the grant. Council members are not fully involved in the program strategies as the community council members

provide programmatic support rather than designing programs. The Advisory Council does review data about youth. Finally, through interviews, the Department found that evaluations of the program are ineffective and not timely

CRITERION NUMBER	
	Legal Standard
SDF 3	There are program activities implemented to promote the involvement of parents. [Title IV Sec. 4116 (a)(1)]
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Based on interviews, parents are not adequately informed and are not programmatically involved. While Boston does have parent meetings, they are not involved in surveys and focus groups. Further, the Department found no documentation of information provided to parents addressing the goals and objectives of the program. The district did not provide evidence of progress or status reports to parents.

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION III. PARENTAL INVOLVEMENT
	Legal Standard
TBE 8	Each school district required to provide Transitional Bilingual Education programs shall develop means for including parents or guardians of students participating in such programs in matters pertaining to their children’s education. This involvement may be through the development of a parent advisory council on Transitional Bilingual Education, through membership on a school-based council, or through other means determined by the district. 603 CMR 14.03(1)
	Rating: Commendable District Response Required: No

Department of Education Findings:

The Department found that the Boston Public Schools has a master TBE Parent Advisory Council and that numerous language programs have sub-PACs. In overseeing the daily implementation of the TBE program, Boston Public Schools with the master PAC has created the voluntary LAU Compliance Program which provides written guidance for oversight of Boston’s TBE program. The Master PAC meets monthly with the Superintendent of Schools. Bilingual parents participate in school councils at the building level. Bilingual Program Specialists, who have district-wide responsibilities, meet with bilingual parents on a monthly basis. The district uses its Title VII money to fund parent centers at various schools throughout the district. These grant monies also fund Parent Education Specialists. Special cultural events, newsletters in native language, parent workshops are just some of the activities available to bilingual parents. In addition, numerous outreach programs include English Language Instruction for parents, MCAS/ SAT informational sessions, financial aid and curriculum

frameworks workshops.

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:

- Civil Rights Methods of Administration (MOA) (Report Issues MOA 15-16)
 - Safe and Drug Free Schools (Report Issue # SDF 4)
 - Transitional Bilingual Education (Report Issues # TBE 9-11)

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, sex, color, religion, national origin, sexual orientation and disability. <p>Title II; Title IX ; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	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>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS IV. CURRICULUM AND INSTRUCTION
	Legal Standard
SDF 4	<p>Local SDFSCA activities (where applicable) are integrated with the following federal programs under IASA and Goals 2000: the Educate America Act: [Title IV Sec. 4115 (c) (2) (B) (iii)]</p>

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
	Rating: Implemented	District Response Required:	No

Department of Education Findings:

The Department found that Boston utilizes staff in school who perform Safe and Drug Free monitoring activities in the areas of Title 1, II, VI, VII, IX and IDEA-97.

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
TBE 9	<p>The Transitional Bilingual Education program is a full-time program of instruction that includes:</p> <ul style="list-style-type: none"> a) all courses required by law and by the school district taught in English and in the native language; b) reading and writing taught in the native language; c) oral comprehension, speaking, reading, and writing in English; d) courses in the history and culture of the native land of the students' parents; and e) courses in the history and culture of the United States. <p>G.L. c.71A, <input type="checkbox"/> 1 and <input type="checkbox"/> 2</p>		
	Rating: Implemented	District Response Required:	Yes

Department of Education Findings:

Based on interviews the Boston Public Schools offers an array of instructional models in most of their bilingual programs. All bilingual programs provide a full-time time program of instruction whose content based on the learning standards for the Boston Public Schools, which are aligned with the Curriculum Frameworks. The bilingual program mirrors the grade-level frameworks for the monolingual English program. Bilingual and ESL teachers have attended the same workshops and are provided guides. The proportion of time that is allocated for instruction in English and instruction in native language is dependent upon the LAU Step to which the student is assigned. The district provides guidance through its policies and procedures which call for the determination of individual LAU Step assignments made by a group of professionals on the basis of classroom-based performance measures and standard assessment procedures.

CRITERION NUMBER			
	Legal Standard		

TBE 10	TBE students participate fully with their English-speaking contemporaries and are provided support in the regular public school classes for courses such as, but not limited to art, music, and physical education. G.L. c.71A, § 5
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Through interviews the on-site team found that bilingual students at the Dearborn Middle School, do not have opportunities to participate with their monolingual English peers in classes such as music, art and gym. Observations and interviews indicate that supports are provided to bilingual students through the use of native language speaking aides, team teaching, translated signage, college interns and student mentors.

CRITERION NUMBER	
	Legal Standard
TBE 11	The age span in any Transitional Bilingual Education class shall be no more than four years from the eldest to the youngest student, except that (1) the age span in any Transitional Bilingual Education kindergarten class shall be no more than three years and (2) the age span in any class in grades 9-12 shall be no more than five years. G.L. c.71A, § 5 and 603 CMR 14.05
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings: *The Department found through interviews and observations of the Somali programs at the Shaw Middle School the age range was between 11 and 16. At English High School, the age range in bilingual classes was between 14 and 22.*

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:

- Civil Rights Methods of Administration (MOA)
(Report Issues MOA 1, 2, 6, 8, 9, 17, 24, 25)
- Transitional Bilingual Education (Report Issues # TBE 12-13)

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES
	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: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 2	<p>Publication of notices of non-discrimination All publications for students, parents and employees, including written materials and other media used to publicize a school, specifically affirm that the school does not discriminate on the basis of race, sex, religion, national origin, sexual orientation or disability. Title VI; Title IX; Section 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The Department found that notices of non-discrimination are not present in all publications for students, parents and employees.

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>

CRITERION NUMBER	
	Legal Standard
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 8	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
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 9	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: <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 Title II, Title VI; Title IX; S. 504; MGL, Ch.76, Section 5
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

See findings under criterion MOA 10.

CRITERION NUMBER	
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	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>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 24	<p>Notice to students who have left or are about to leave school without a high school diploma The district provides timely notice in writing (in English and the student’s native language with a copy to parents) to students age 16-21 who have left or are about to leave school without obtaining a high school diploma or its equivalent and which includes the following information:</p> <p style="margin-left: 40px;">a. their attendance is voluntary;</p> <p style="margin-left: 40px;">b. their right to meet with a school representative to discuss the reasons for withdrawal;</p> <p style="margin-left: 40px;">c. their rights to return to school; and</p> <p style="margin-left: 40px;">d. all program options available to them.</p> <p>MGL, Ch. 76, S.18</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Through the review of records, the onsite team found that the notice required under this criterion lacks the information about a student’s right to return to school, and the notice was not translated into other languages.

CRITERION NUMBER	
	Legal Standard
	Codes of conduct and student handbooks

CRITERION NUMBER	
	Legal Standard
MOA 25	<ol style="list-style-type: none"> 1. All school and district codes of conduct and student handbooks contain a nondiscrimination policy based on race, sex, religion, national origin, sexual orientation and disability. 2. The district has complaint resolution procedures that include the disciplinary measures that may be imposed upon students who harass or discriminate. 3. The principal of each school ensures that the district and school codes of conduct are distributed annually to students, parents and school personnel. <p>Title VI, Title IX, Section 504, MGL, Ch.76, Section 5</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION V. STUDENT SUPPORT SERVICES
	Legal Standard
TBE 12	<p>The school district shall ensure that limited-English speaking students have equal access to the educational services and extracurricular activities available to other students in the school district.</p> <p>603 CMR 14.06; 603 CMR 26.08(1) G.L. c.71A, § 5; G.L. c.76, § 5; 603 CMR 26.06(1) and 26.08(1)</p>
	Rating: Implemented District Response Required: No

Department of Education Findings:

The Department found that limited-English proficient students have access to programs and services including bilingual special education teachers, Title I services, summer school, guidance counselors. Educational services include the use of advanced work class where Spanish speaking students have the ability to prepare for entrance to the exam schools. Each school must annually provide to the central administrative office a plan for ensuring equal access to programs and services. In addition, this is one of the focus points of the city's annual Principals Institute. The district's Bilingual Program Specialists are required to monitor the implementation of the provision of equal access. Translated notices, newsletters and announcements, as well as the availability of translators at Open Houses are examples of vehicles the district uses to make bilingual parents and students aware of these opportunities.

CRITERION NUMBER	
	Legal Standard
TBE 13	All students, including bilingual students, are notified in their primary language of the provisions of G.L.c.76, §5 (Place of Attendance; Anti-Discrimination) and 603

CRITERION NUMBER	
	Legal Standard
	CMR 26.00 (C.622). In addition, all students enrolled in TBE programs are notified in their primary language of the provisions of the Student Record Regulations. 603 CMR 23.00. 603 CMR 26.08(5)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The Boston public schools provide student handbooks translated in all of the languages represented by the TBE program. While Boston's Policy Handbook discusses how students and parents can access the student record, the Policy Handbook is not translated into Somali.

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. Additionally, the component examines whether the district implements an effective system of program leadership and oversight which fosters high standards and performance expectations for all students and staff consistent with the goals of applicable federal and state requirements and Education Reform Act of 1993.
:

- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18-21)
 - Transitional Bilingual Education (Report Issues # TBE 15-17)

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: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 19	<p>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</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 20	<p>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</p>

CRITERION NUMBER	
	Legal Standard
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 21	Staff training regarding civil rights responsibilities The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of disability, race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting. Title VI, Title IX, S. 504, MGL, Ch. 76, Section 5
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
TBE 15	The school district provides the following personnel for its TBE Programs: a) certified TBE teachers, G.L. c.71A, § 6 b) certified ESL teachers, G.L. c.71, § 38G c) native language teacher aides if class ratio exceeds maximum, 603 CMR 14.04 a) an individual to be responsible for administration of the programs. 603 CMR 14.01(2)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The on-site team found that Somali students in the 2nd and 3rd grades at Mattahunt Elementary schools are not provided with native language aides even though there are more than 20 students in the class. Boston utilizes common planning time to promote collaboration between TBE, ESL and regular education teachers. Typically native language aides are used for small group instruction, translation assistance and tutoring. According to interviews, Boston employs TBE teachers who are proficient in the student's native language. For those personnel who are on waivers, the district uses team-teaching or provides a certified ESL teacher. Boston does national and international recruiting; including the Philippines, Puerto Rico, Spain and Brazil, in order to hire qualified personnel. The district recently hired a designated recruiter for the bilingual program. Title VII monies are used to send principals to recruit at the NABE conference. The district is in the process of creating a recruitment center. Parents and teachers did raise concerns over the recruitment of qualified

instructional personnel for the Somali program.

CRITERION NUMBER	
	Legal Standard
TBE 16	The maximum student-teacher ratio for Transitional Bilingual Education classes grades K-12 shall be an average of 20:1, except that the student-teacher ratio may be an average of 25:1, where a teacher’s aide is assigned to the class. No individual class enrollment may be larger than the largest regular education class at the same grade level(s). G.L. c.71A, § 5 and 603 CMR 14.05
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:
See findings under Criterion TBE 15.

CRITERION NUMBER	
	Legal Standard
TBE 17	The school district is implementing a professional development plan that addresses the need for training and skills for all staff in second language acquisition and in working with culturally and linguistically diverse student populations. G.L. c.71, § 59C
	Rating: Implemented District Response Required: No

Department of Education Findings:
Boston offers a wide range of training topics for new and veteran TBE teachers including issues of language acquisition, socio-cultural perspectives in bilingual education, literacy in the classroom, assessment training. These programs are also offered to regular education teachers.

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:

- Civil Rights Methods of Administration (MOA) (Report Issues MOA 7 and 14)
 - Transitional Bilingual Education (Report Issues # TBE 18-19)

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 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). Title II of the Americans with Disabilities Act; S. 504; MGL, Ch. 71B; Individuals with Disability Act-Revisions of 1997, (IDEA-97)</p>
	<p>Rating: Implemented District Response Required: Yes</p>

Department of Education Findings:

Based on additional information submitted by the Boston Public Schools, Boston was able to demonstrate that its facilities are programmatically accessible. Despite the rating of implemented the on-site team is still expecting the Boston Public Schools to complete its accessibility checklists for all of its school buildings. Additionally the on-site still has questions regarding the process Boston Public Schools has to identify architectural barriers and the process Boston Public Schools uses to modify programs as accessibility issues arise.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	Legal Standard
MOA 14	<p>Comparability of facilities and programs 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: 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. 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:

Part of New Boston High's multilingual program is located in inadequate instructional space, compared to that available to their monolingual peers. Instructors are utilizing the auditorium and an annex space located between two classrooms. South Boston High School's TBE instructors must share classrooms while other teachers have their own classroom. At the Taylor Elementary School

CRITERION NUMBER	
	Legal Standard

the literacy class is shared instructional space with reading recovery in a small classroom.

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION VII. SCHOOL FACILITIES	
	Legal Standard	
TBE 18	Whenever feasible, the TBE program is located in regular public schools rather than separate facilities. G.L. c.71A, § 5	
	Rating: Implemented	District Response Required: No

Department of Education Findings:

The Boston Public Schools locates all of its bilingual programs in comprehensive public school buildings

CRITERION NUMBER	
	Legal Standard
TBE 19	TBE classrooms are comparable to those provided for regular education students (including physical characteristics, materials, and equipment). G.L. c.71A, § 1; G.L. c.76, § 5; 603 CMR 26.03(4)
	Rating: Implemented District Response Required: No

Department of Education Findings:

Resource allocation occurs primarily at the local building level. Teachers and local administrators determine their needs with the assistance of the language sub-PACs (parent action committees). Boston makes a concerted effort to obtain appropriate materials and equipment for the TBE programs. The onsite team recognizes that it is difficult to obtain commercially available curriculum materials for some language groups. As a result, bilingual teachers for the Haitian-Creole, Cape Verdean and Somali programs make extra effort to develop translated materials.

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:

- Civil Rights Methods of Administration (MOA) (Report Issues MOA 22-23)
 - Safe and Drug Free Schools (Report Issue # SDF 5-8)
 - Transitional Bilingual Education (Report Issue # TBE 20)

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
MOA 22	<p>Curriculum review process The district has a process to ensure that teachers in the district regularly review all instructional and educational materials for simplistic and demeaning generalizations, lacking intellectual merit on the basis of disability, race, color, sex, religion, national origin and sexual orientation. MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

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: Implemented District Response Required: No</p>

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SDF 5	<p>Each recipient bases its programs on a thorough assessment of objective data about the drug and violence problems in the schools and communities served. Each SDFSCA grant recipient conducts a thorough assessment of the nature and extent of youth drug use and violence problems. [Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116]</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The district has in place a system to measure current levels of substance abuse and violence for some public school students. Boston does utilize data on private and parochial students. The Department found through interviews that only students were surveyed through the Youth Risk Behavior Survey.

School disciplinary records are reviewed and some community data is included in the process. Local law enforcement, health and hospital, and community agencies' representatives are surveyed in the process. There is appropriate documentation to support the statistics provided in the report. Finally, the objective analysis is not based on an objective analysis through ongoing local assessment.

CRITERION NUMBER	
	Legal Standard
SDF 6	Each recipient, with the assistance of a local or regional advisory council, establishes a set of measurable goals and objectives and designs its programs to meet those goals and objectives. [Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116]
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Some of Boston's strategies are based on an assessment of objective data while other programs are not. Boston has established measurable goals and objectives for the program, but there is no comprehensive k-12 substance abuse and violence program for the district. Goals and measurable objectives address identified needs, but not comprehensively for all of students needs.

CRITERION NUMBER	
	Legal Standard
SDF 7	Each recipient designs and implements its programs for youth based on research or evaluation that provides evidence that programs used actually prevent or reduce drug use, violence or disruptive behavior among youth. [Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116]
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The Department found that not all identified needs are met all levels. There is no consistency between programs throughout the district. For example, it is identified that from the sixth grade forward, all schools experience substance abuse. The Department found that there is a lack of primary interventions for these students. Selected programs and activities are not uniform across the grade levels and while some research based programs are being implemented (e.g. Teen Health Teaching Modules), but it is used marginally. A large proportion of Boston's locally developed programs are being utilized. There is no evidence demonstrating the effectiveness of these programs

CRITERION NUMBER	
	Legal Standard

SDF 8	Each recipient evaluates its programs periodically to assess its progress toward achieving its goals and objectives, and uses its evaluation results to refine, improve and strengthen its programs, and to refine its goals and objectives as appropriate.
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The Department found that evaluations only examine process data. Outcomes and impact assessments are limited and long term outcomes and impacts are non-existent. There is no evidence that the evaluation process is used in determining the district's goals and objectives. There is no evidence indicating that evaluation results are used to refine, improve and strengthen the local programs. One evaluation report has been provided to the Department in the past ten years.

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
TBE 20	The school district provides information as requested to the Department of Education that describes an Annual Performance Evaluation of its program of Transitional Bilingual Education in accordance with G.L. c.69, § 11, § 10.
	Rating: Implemented District Response Required: No

Department of Education Findings:

Documentation, data and interviews indicate that Boston examines the effectiveness of its TBE programs and reviews student performance outcomes on state and local examinations. Boston has found that its late exit, literacy and two-way programs are effective in promoting successful outcomes for bilingual students. The district has identified leadership at the building level, as well as, the length of the school day as contributing factors to successful TBE programs. In addition, all school principals are evaluated on the effectiveness of the range of programs, including TBE programs, in their particular schools.

COMPONENT IX: RECORD KEEPING

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

- Safe and Drug Free Schools (Report Issue # SDF 9)
- Transitional Bilingual Education (Report Issue # TBE 21)

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS IX. RECORD KEEPING
	Legal Standard
SDF 9	Appropriate accounting and budget procedures are being implemented to insure that program expenditures are related to the purpose and intent of the Safe and Drug Free Schools and Communities Act. [(EDGAR 76.730 TO 734)]
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Funds given to parochial schools are being used for services that are inappropriate under the Safe and Drug Free Schools and Communities Act guidelines. The alternative education staff and the CHESS specialists' time distribution logs demonstrate time spent on content not allowable under Safe and Drug Free Schools and Communities Act. Time distribution logs for drug and safety coordinator at the elementary and high school level are not specific and do not identify programs and instruction related to substance abuse and violence prevention. Accounting and budgeting procedures are not specific and it is impossible to account for the dollars spent under this grant. There are approved and current budget pages on file at the Department. Boston has not submitted an approved amendment this year.

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION IX. RECORD KEEPING
	Legal Standard
TBE 21	Cumulative records on bilingual students are maintained in a confidential fashion as required by the Student Record Regulations and provided to parents upon request. Such records shall include: a) results of tests and evaluations, and b) information about student's previous school experiences. G.L. c.71, § 34 D and E, 603 CMR 23.00
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Through a review of cumulative and TBE records the onsite team found that Boston does not utilize logs of access in the student records. Additionally, numerous records are missing results of tests and evaluations, parent notices, translations of report cards and progress reports. Few records had information about the student's previous school experiences. Interviews of staff contradict this finding, as some staff maintains that some test data and LAU step determinations are maintained centrally, while other information is maintain at the building level.

APPENDIX I:
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. While only the school district profile information is included with this Coordinated Program Review Report, information regarding individual school profile information is available on the Department's Web site at <http://profiles.doe.mass.edu/>. The following is an explanation of information presented in both the district and individual school 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 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, fulfilling requirements of the Massachusetts Education Reform Law of 1993. In May 1999, students in grades four, eight and ten took the MCAS tests in English Language Arts, Mathematics, and Science & Technology.

Additionally, an MCAS test in History and Social Science was administered for the first time in 1999 to students in grade 8.

Results from the first two administrations of the MCAS tests provide a clear picture of statewide performance. Based on these results, we can identify areas of strength and weakness statewide. The focus at the state and local levels should be on identifying programs that will maintain the progress in areas where performance is strong and eliminate weak performance in the other areas. With results from two MCAS administrations, the temptation is to focus on changes from 1998 to 1999. However, it takes more than two years of results to identify trends in performance. Over time, results from the MCAS tests will allow students, schools, and districts to measure their progress in achieving the challenging state standards. Single-year improvements or declines in performance should not be over-interpreted.

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. Students included in scores for 1999 include tested students and students absent without a medical excuse. Students not included in scores for 1999 were reported as either medically documented absent or other not tested. Further information can be found in The Massachusetts Comprehensive Assessment System: Guide to Interpreting the 1999 MCAS Reports for Schools and Districts, which is available on the Internet at the Department of Education's web site at www.doe.mass.edu/mcas. 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 that do not have one or more of the grades tested are shown as "NA" for those grades.

For additional information, please refer to reports of statewide results and guides to interpreting the reports, which 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.

MOA, SDFS, TBE

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