



Haverhill Public Schools

COORDINATED PROGRAM REVIEW REPORT OF FINDINGS

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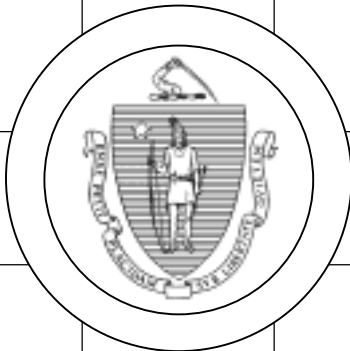
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MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW

Haverhill Public Schools

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MASSACHUSETTS DEPARTMENT OF EDUCATION

COORDINATED PROGRAM REVIEW REPORT

HAVERHILL 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 in special education under the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.* (IDEA-97) and M.G.L. Chapter 71B (Chapter 766 of the Acts of 1972) and certain federal civil rights 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

An eight member Massachusetts Department of Education team visited Haverhill Public Schools during the week of February 5th to 13th, 2001 to evaluate the implementation of selected criteria in the program areas of special education, civil rights requirements, Title I, Transitional Bilingual Education and Nutrition Programs and Services. 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 Haverhill Public Schools. These areas are as follows:

The efforts of teaching and paraprofessional staff to promote a supportive environment and quality learning experiences in the classroom.

At the Knipe Elementary School, the district has made extensive efforts to integrate special education services for sensory impaired students into regular education services.

The district has made a significant effort to involve Title I parents by establishing a family literacy program to build the language skills of parents and to develop the capacity of parents to improve the achievement of their children.

The district conducts extensive outreach to foster community involvement in its schools.

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 25 administrative staff.
- Interviews of 79 teaching and support services staff across all levels.
- Interviews of three parent advisory council (PAC) representatives, and other interviews as requested by persons from the general public.
- Student record reviews: A sample of 40 student records were 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.
- Parent surveys: 25 parents of students with disabilities were sent surveys that solicited information regarding their experiences with the district's implementation of special education programs, related services and procedural requirements. Seven of these parent surveys were returned to the Department of Education for review by the onsite team.
- Classroom and facilities observation: A sample of 19 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

HAVERHILL 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 Haverhill Public Schools has only partially implemented many of the criteria under the special education portion of this component. The district has not adopted local testing and evaluation policies and procedures to ensure that students with disabilities are appropriately identified. Some areas of concern are: 1. The district does not have a process to ensure that assessments are tailored to assess the specific area of educational need, are free from bias and discrimination and/or are provided in the student's native language. The district's over reliance on two tests does not ensure that a variety of sources are used to interpret evaluation data. 2. The progress reports do not consistently contain detailed information as to the extent to which that progress is sufficient to allow the child to achieve goals by the end of the school year. 3. The district has not addressed an alternate assessment process for students who cannot participate in standard tests even with appropriate test accommodations.

The district's Transitional Bilingual Education program has assessment procedures that ensure TBE students are tested annually in oral comprehension, speaking, reading and writing. TBE students are issued report cards in the same manner and frequency as report cards for other students in the district. At the high school level, one area of concern is the credits received for bilingual courses. Because the bilingual courses are comprehensive courses, they do not receive quality points. This adversely effects a student's class rank because bilingual courses do not carry the same quality points as all other courses.

The district's Title I program has implemented an assessment system that uses appropriate instruments and covers the appropriate content areas to determine the instructional needs of all students in the district.

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 Haverhill Public Schools has only partially implemented many of the criteria under the special education portion of this component. Areas of concern under the special education part of this component are that not all elements of the Individual Educational Plan were completed. A review of records indicate that students' Individual Educational Plans do not

document that the program selected is the least restrictive environment for each student, with consideration given for any potential harmful effect on the student or the quality of services the student needs. Specifically, Team discussions regarding least restrictive environment for high school age students placed in programs located at the Consentino Middle School was not documented on IEPs. Additionally, this issue was found to be in noncompliance in the Department's 1996 Coordinated Program Review final report. The district does not have the required local policies and procedures for transitioning young children from Early Intervention programs.

The district has only partially implemented the criteria under the MOA or civil rights portion of this component. The district has not established local policies and procedures to ensure that necessary program modifications are provided for students requiring special language assistance and that all students in grades 7-12, including linguistic and/or racial minorities, males/females and students with disabilities, have access to the general curriculum.

The district has followed the requirements for student identification and placement under the Title I portion of this component. In Targeted Assistance Schools, multiple educationally related objective criteria are used to identify eligible students. In both Targeted Assistance and Schoolwide Programs, services are provided to all students on an equal opportunity basis.

Component III: Parental Involvement

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

The Haverhill Public Schools has only partially implemented many of the criteria under the special education portion of this component. Areas of concern are that the district does not consistently send written notice according to the specific timelines to parents when a student is referred for an evaluation. The district does not have a systemic method for documenting attempts to secure consent of parents.

The district ensures that when persons with limited English language skills reside in the community, they are informed through general announcements, cable television and/or the community information booklet.

The district has partially implemented the criteria for the Title I portion of this component. Parents are provided with opportunities to be involved in the educational process and provided with materials and training to assist their children to improve their achievement; however, one area of concern is the lack of parental involvement in an annual assessment of the effectiveness of the parent program.

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 Haverhill Public Schools has only partially implemented many of the criteria under the special education portion of this component. Areas of concern are: 1. IEPs do not consistently include evidence that the Team discusses appropriate access to the general curriculum. 2. Vocational opportunities are limited, students' IEP services are limited and alternative placements are based upon available programs. and 3. The district has not adopted local policies and procedures for IEP implementation and accountability. The district does not consistently implement the regulatory requirements with respect to learning time, class size and staffing age spans.

The district provides all students an equal opportunity to participate in extra curricular

activities or clubs. However, the district did not provide sufficient documentation to verify its efforts to comply with the requirements which ensures that promotional, recruitment and employment practices and material aimed at students are free of bias and discrimination.

The district has implemented the criteria under the Title I portion of this component. Services are provided to assist students, including those of special populations, to meet the expectations and standards of the regular education curriculum.

The Transitional Bilingual Education program provides a full-time program of instruction in a majority of the elementary schools. An area of concern at the middle and high schools are the limited course offerings for TBE students. For example, bilingual mathematics is not offered at both levels.

Component V: Student Support Services

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

The Haverhill Public Schools has only partially implemented many of the criteria under the special education portion of this component. Areas of concern are: 1. The district does not have written procedures for recording suspensions. 2. All students, including eligible students with disabilities, do not receive prior written notice regarding the school's Code of Conduct including the required procedural safeguards such as an opportunity for a hearing. 3. The onsite team could not determine that all students in substantially separate programs have equal opportunity to participate in educational, non-academic, extracurricular and ancillary programs as their non-disabled peers.

Under the MOA, or civil rights, component there is a concern regarding the district's lack of a systemic process for implementing the requirements of this component. The district's non-discrimination policies as printed in student handbooks and the parent and community information booklet do not provide consistent or accurate information.

The district has not met the requirements of supplementary vs. supplanting under the Title I portion of this component. In the Title I schools, reading services are not supplementary to those provided by the district in non-Title I schools.

The district has only partially implemented the criteria under the Transitional Bilingual Education program portion of this component. The district needs to examine its high school offerings to ensure that TBE students have opportunity to access more advanced courses and have a wider variety of courses offered in their native language.

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 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?

The Haverhill Public Schools has only partially implemented many of the criteria under the special education portion of this component. The district employs approximately 25% non-certified special education staff. Out of 133 special education staff providing services; 28 do not have approved certification waivers, two have expired certification certificates and two others staff's certification status could not be determined. The district did not provide evidence that paraprofessionals are appropriately trained to assist in providing Individual Educational Plan services and are supervised by appropriately certified staff.

Although the district's employment application conforms to most of the requirements regarding pre-employment inquiries, the application for a teaching position asks for personal

data which includes a description of the applicant's general health and an estimate of occupational time lost on account of illness during the last five years.

The district has implemented the requirements of the Title I portion of this component. Professional staff are appropriately certified, paraprofessionals work under the direct supervision of certified staff and professional development is designed to meet the needs of Title I students.

The Transitional Bilingual Education program's director does not hold Supervisor/Director certification as required and two 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?

The Haverhill Public Schools has only partially implemented the criterion under the special education, Transitional Bilingual Education and MOA, or civil rights, portions of this component. Some of the district's special education and Transitional Bilingual Education facilities and classrooms are not at least equal in all physical respects to the average standards of general education facilities and classrooms. Also, the location of some special education programs does not minimize the separation or stigmatization of eligible students.

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 special education program has not been evaluated in contravention of the regulatory requirements that it be regularly evaluated. According to district documentation, the only evaluation conducted of its special education programs is done through study groups by its own teaching staff.

The district has not completely fulfilled the requirements of Title I. It does not utilize the required annual assessment to determine the focus of the content areas addressed by Title I. The school committee undertook the process to review and update policies in 1998 and new policies that are adopted are disseminated to the schools and the public through the superintendent. However, the dissemination process in place is the issuing of memorandums to principals. The U.S.D.O.E. Office for Civil Rights' guidance suggests that distributing the procedures to administrators may not in itself be an effective way of providing notice, as these memorandums are usually not widely circulated and understood by all members of the school community. The district provided no evidence that parents have opportunities for input on needs, program implementation, evaluation and improvement.

Component IX: Record keeping

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

The district's special education child count and entitlement grant are maintained as required. The district maintains the required records for Title I. The Transitional Bilingual Education program keeps cumulative records on bilingual students in a confidential manner.

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.
Implementation in Progress	The criterion includes one or more new state special education requirements which became effective on September 1, 2000. The district has substantially implemented any pre-September 1, 2000 requirements also included under the criterion and is currently engaged in staff training and/or is beginning implementation practices for new requirements which the Department's onsite team anticipates will result in substantial compliance by the end of the current school year.
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:

- Special Education (Report Issues # SE 1- SE 14)
 - Title I (Report Issues # TI 1-4)
- Transitional Bilingual Education (Report Issues # 1-2A)

CRITERION NUMBER	SPECIAL EDUCATION I. ASSESSMENT OF STUDENT PROGRESS	
	Legal Standard	
SE 1	<p>Assessments are appropriately selected and interpreted for students referred for evaluation</p> <ol style="list-style-type: none"> 1. Tests and other evaluation materials are: <ol style="list-style-type: none"> a. validated b. administered and interpreted by trained individuals c. tailored to assess specific areas of educational need d. selected and administered to reflect aptitude and achievement levels e. as free as possible from cultural and linguistic bias f. provided in the student's native language or other mode of communication where feasible g. not the sole criterion for determining an appropriate educational program h. not only those designed to provide a single general intelligence quotient i. are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or the other factors the test purports to measure j. technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors 2. In interpreting evaluation data and making decisions, the district: <ol style="list-style-type: none"> a. uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent b. ensures that information obtained from these sources is considered c. ensures that the placement decision conforms with placement in the least restrictive environment d. includes information related to enabling the student to be involved in and progress in the general curriculum <p>State Regulations 28.04</p> <p>Federal Requirements 300.532, 300.535</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

The district has not adopted local testing and evaluation policies and procedures that document its practices under this criterion as required. Documentation and record review indicate the district does not have a process to ensure the elements under #1 c, e and f as required are met. Also, staff interviews indicate the district does not have a process to ensure that assessments are tailored to

assess the specific area of educational need, are free from bias and discrimination and/or are provided in the student's native language.

Documentation and record review indicate that in interpreting evaluation data and making decisions, the district does not consistently ensure the elements as required under #2 a, c and d are met. The district does not fully meet the requirements of element #2 a due to its over reliance on two tests, the Woodcock-Johnson and the WISC III. Also, a number of IEPs for high school students being served in alternative vocational programs (City Hall Café and Coffee Café) does not support the district's use of a variety of sources of information. Specifically, functional vocational assessments were generally not conducted. The onsite team found that a number of assessments were not dated, signed or had the role/title of the evaluator.

CRITERION NUMBER	
	Legal Standard
SE 2	<p>Required and optional assessments</p> <ol style="list-style-type: none"> 1. <u>Required assessments</u>: The following assessments are completed by appropriately credentialed and trained specialists for each referred student: <ol style="list-style-type: none"> a. Assessment(s) in all areas related to the suspected disability (ies) including consideration of any needed assistive technology devices and services and/or instruction in braille. b. Educational assessment by a representative of the school district, including a history of the student's educational progress in the general curriculum. c. Assessment by a teacher(s) with current knowledge regarding the student's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district curriculum, as well as an assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults. d. For a child being assessed to determine eligibility for services at age three (3), an observation of the child's interactions in the child's natural environment or early intervention program is strongly encouraged together with the use of current assessments from early intervention Teams to avoid duplicate testing. 2. <u>Optional assessments</u>: The Administrator of Special Education may recommend or the parent may request one or more of the following: <ol style="list-style-type: none"> a. A comprehensive health assessment by a physician that identifies medical problems or constraints that may affect the student's education. The school nurse may add additional relevant health information from the student's school health records. b. A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.

CRITERION NUMBER			
	Legal Standard		
	<p>c. A home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of the parent</p> <p>3. At the re-evaluation of a student, if <u>the Team decides</u> that no additional assessments are needed to determine whether the student continues to be eligible for special education, the school district recommends to the student's parents the following:</p> <p style="padding-left: 40px;">a. that no further assessments are needed and the reasons for this; and</p> <p style="padding-left: 40px;">b. the right of such parents to request an assessment.</p> <p>4. The district consults with the child's parents regarding the evaluators to be used for all required and optional assessments.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.04(2)</td> <td style="width: 50%;">Federal Requirements 300.532; 300.346.(a)(2)(v)</td> </tr> </table>	State Regulations 28.04(2)	Federal Requirements 300.532; 300.346.(a)(2)(v)
State Regulations 28.04(2)	Federal Requirements 300.532; 300.346.(a)(2)(v)		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Partially Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Partially Implemented	District Response Required: Yes
Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

The district has not adopted local testing and evaluation policies and procedures that document its practices under this criterion as required. Record review and staff interviews indicate the district does not consistently conduct assessments in all areas of suspected disability(ies). Psychological evaluation report summaries reviewed by the onsite team substantiate the district's over reliance on the WISC III only. These psychological assessments are not a complete assessment and do not provide an assessment on personality and emotional development or describe the student's learning capacity and learning style in relationship to social/emotional development and skills as required. Record review indicates that not all student files contained an Educational Assessment. For those records where an Educational Assessment was included, the assessment did not provide a history of the student's educational progress in the general curriculum. Educational assessments reviewed did not contain the elements required under #1 c. There was no evidence provided that the district has begun to implement the requirements under # 3 and # 4 of this criterion. This finding of partial noncompliance was cited in the Department's November 1996 Coordinated Program Review final report. The onsite team concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	
	Legal Standard
SE 3	<p>Special requirements for determination of specific learning disabilities When the district proposes to evaluate a child suspected of having a specific learning disability, the following requirements are implemented:</p>

CRITERION NUMBER	
	<p style="text-align: center;">Legal Standard</p> <p><u>Team membership:</u> The district ensures the Team includes at a minimum the parent, the child’s regular classroom teacher appropriate to the age of the child and at least one person qualified to conduct individual diagnostic examinations of children.</p> <p><u>Criteria for determining the existence of a specific learning disability:</u></p> <ol style="list-style-type: none"> 1. the achievement is determined not to be commensurate with the age and ability of the child; 2. a severe discrepancy exists in one or more areas between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill and reading comprehension, mathematics calculation and reasoning; 3. the severe discrepancy between ability and achievement is not resulting from visual, hearing or motor impairment, mental retardation, emotional disturbance or environmental, cultural or economic disadvantage. <p><u>Required observation of the child:</u></p> <ol style="list-style-type: none"> 1. at least one Team member <u>other than</u> the child’s regular teacher observes the child’s academic performance in the regular classroom setting; 2. if the child is less than school age, the observation is conducted in an environment appropriate for a child of that age. <p><u>Written documentation of the Team’s determination of eligibility due to the presence of a specific learning disability includes the following:</u></p> <ol style="list-style-type: none"> 1. statement whether the child has a specific learning disability; 2. the basis for making the determination; 3. the relevant behavior noted during the observation of the child; 4. the relationship of that behavior to the child’s academic functioning; 5. the educationally relevant medical findings, if any; 6. statement whether there is a severe discrepancy between achievement and ability that is not correctable without special education and/or related services; and 7. the determination of the Team concerning the effects of environmental, cultural, or economic disadvantage. <p><u>Required written certification of Team members:</u> Each Team member certifies in writing whether the report reflects his or her conclusion. If not, the Team member submits a separate statement presenting his or her conclusions.</p> <p>State Regulations Federal Requirements 300.540-543</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The district has not adopted local policies and procedures regarding the identification of students with specific learning disabilities that document its practices under this criterion as required. Staff interviews indicate a general lack of knowledge regarding these requirements. The district did not provide evidence that training has been conducted for all staff.

CRITERION NUMBER	
	Legal Standard
SE 4	<p>Reports of assessment results</p> <ol style="list-style-type: none"> 1. Assessors summarize, in writing, procedures, assessments, results, and diagnostic impression as well as educationally relevant recommendations for meeting identified needs of the student. 2. Assessors may recommend appropriate types of placements, but shall not recommend specific classrooms or schools. 3. Summaries of assessments are completed prior to discussion by the Team and, upon request, are made available to the parent at least two days in advance of the Team discussion. <p>State Regulations 28.04(2)(c)</p> <p>Federal Requirements 300.532</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Record review indicates that not all assessments contain the elements required under # 1 and # 2 of this criterion. See comments SE 1, SE 2 and SE 3.

This finding of partial noncompliance of element # 1 was cited in the Department's November 1996 Coordinated Program Review final report. The onsite team concludes the district failed to implement its own March 1997 Corrective Action Plan for element # 1 of this criterion.

CRITERION NUMBER	
	Legal Standard
SE 5	<p>Participation in general State and district-wide assessment programs</p> <ol style="list-style-type: none"> 1. All students with disabilities are included in the Massachusetts Comprehensive Assessment System (MCAS) and other district-wide assessment programs. 2. The district's IEP Teams designate how each student will participate and, if necessary, devise an alternate assessment. <p>State Regulations</p> <p>Federal Requirements 300.138; 300.139</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The district has not developed local guidelines for the participation of disabled students in the MCAS and other district-wide assessment programs under this criterion as required. In addition, MCAS participation data and documentation for Chairpersons regarding methods of determining any needed

CRITERION NUMBER	
	Legal Standard

testing accommodations and/or alternative assessments for students has not been developed by the district. Record review indicates that the IEP Team does not consistently determine how a student will participate in the MCAS and other district-wide assessment programs as required.

CRITERION NUMBER	
	Legal Standard
SE 6	<p>Determination of transition services</p> <ol style="list-style-type: none"> 1. For a student who is 14 years of age, the Team considers the student’s course of study in relation to the student’s future goals and document this in the IEP. 2. For a student who is 16 years of age, or younger if appropriate, the Team includes in the IEP services that promote movement of the student from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. 3. The transition services are based upon the student's needs, taking into account the student's preferences and interests and includes specially designed instruction, community experiences, the development of employment or other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation. 4. For any student approaching graduation or the age of twenty-two, the Team determines whether the student is likely to require continuing services from adult human service agencies. In such circumstances, the Administrator of Special Education makes a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c.71, §12A-§12C (known as Chapter 688). 5. In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the Team reconvenes to identify alternative strategies to meet the transition objectives. 6. The district ensures that students age 14, or younger if appropriate, are invited to and attend Team meetings at which transition services are discussed or proposed <p>State Regulations Ch.71B, Sections 12A-C</p> <p style="text-align: right;">Federal Requirements 300.344(b), 300.347</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Documentation and record review indicate the district does not consistently implement elements # 2 and # 3 under this criterion. The onsite team reviewed a number of IEPs that were incomplete or did not contain sufficient detail to be effective in helping students reach their visions and reach their full potentials as participants and contributors to society. Interviews also indicate that staff do not have a clear understanding of the requirements of transition planning as an integral part of a student's IEP, a student's program and a student's future. Record review did not provide clear evidence of the student, starting at age 14 or younger if appropriate, being invited to and attending Team meetings at which transition services are discussed or proposed. Also, there is no documentation to support what other steps the district takes to ensure that transition-aged students, who are not in attendance, have their preferences and interests considered.

CRITERION NUMBER	
	Legal Standard
SE 7	<p>Transfer of parental rights at age of majority and student participation and consent at the age of majority</p> <ol style="list-style-type: none"> 1. One year prior to the student reaching age eighteen, the district informs the student of his or her right at age 18 to make all decisions in relation to special education programs and services. 2. Upon reaching the age of eighteen, the school district implements procedures to obtain consent from the student to continue the student's special education program. 3. The district continues to send the parent written notices and information but will no longer have decision-making authority, except as provided below. <ol style="list-style-type: none"> (a) If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority. The parent does not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction (b) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student's choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making (c) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record. <p style="text-align: center;">State Regulations Federal Requirements</p>

CRITERION NUMBER			
	Legal Standard		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.02(21)</td> <td style="width: 50%;">Federal Requirements 300.344; 300.552</td> </tr> </table>	State Regulations 28.02(21)	Federal Requirements 300.344; 300.552
State Regulations 28.02(21)	Federal Requirements 300.344; 300.552		
	Rating: Partially Implemented District Response Required: Yes		

Department of Education Findings:

Documentation and record reviews indicate that the composition of the evaluation team did not consistently include participation under element # 3 and # 4 of this criterion. Although notice for Team meetings was documented for students age fourteen and older, a review of Team meeting Attendance Sheets did not verify a significant number of students who did participate at their Team meetings. The onsite team has concluded that the district's process for inviting students to Team meeting should be reviewed by the district in order to establish procedures for staff to discuss, encourage and follow-up with students to ensure their participation at Team meetings. The district has not consistently implemented the requirement of the new IEP Attendance Sheet (form N3A) that requires attendees to sign if they were present at the Team meeting. Documentation review of four Attendance Sheets provided to the onsite team verified at one Team meeting, nine members were invited and five members initialed their attendance. The remaining three Attendance Sheets provided to the onsite team reflect Team meetings that are scheduled to occur following the Department's onsite review. Staff interviews indicate the evaluation Team did not consistently include a representative of the district who has the authority to commit resources of the district and/or a regular education teacher, if the student is involved or may be involved in a regular education program. This finding of partial noncompliance of element # 3 was cited in the Department's November 1996 Coordinated Program Review final report. The onsite team concludes the district has failed to implement its own March 1997 Corrective Action Plan for element # 3 of this criterion.

CRITERION NUMBER	
	Legal Standard
SE 9	<p>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</p> <ol style="list-style-type: none"> 1. Within forty-five school working days after receipt of the parent's written consent to an initial evaluation, unscheduled evaluation, or re-evaluation, the school district: <ol style="list-style-type: none"> a. provides an evaluation b. convenes a Team meeting c. determines whether the student has one or more disabilities d. determines if the student is making effective progress in school e. determines if any lack of progress is a result of the student's disability f. determines if the student requires special education and/or related services and/or accommodations in order to make effective progress or that the student requires related services in order to access the

CRITERION NUMBER		
	Legal Standard	
	<p>g. general curriculum develops an IEP where the student is found to need special education</p> <p>h. provides the parent with the proposed IEP, or a written explanation of the finding of no eligibility</p> <p>i. determines that a student is ineligible to receive special education and/or the student's lack of progress is due to a lack of instruction in reading or math or limited English proficiency or social maladjustment, the student is referred to a more appropriate instructional program or support service</p> <p>j. determines at the time of re-evaluation if the student would continue to make progress in school without the provision of special education services.</p> <p>2. If a Team determines that a student is not eligible for special education but may be eligible for accommodation(s) for disability(ies) under Section 504, the student is referred for consideration by the district for eligibility under that regular education program.</p> <p>3. Where a Team finds students eligible for special education only in need of "monitoring services", such students are found no longer eligible for special education and are provided with appropriate supports through the district's regular education program.</p>	
	<p>State Regulations OSS 420, FY '01 Budget</p>	<p>Federal Requirements 300.534</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>	

Department of Education Findings:

The district has not adopted local policies or procedures that delineate the roles of district staff in the design and implementation of special education instruction and services as required. The onsite team was provided copies of job postings (announcement of position), which included: two job posting for the 1997-1998 school year; four job posting for the 1998-1999 school year; one job posting for the 1999 school year and two job postings for the 2000-2001 school year. Record review indicates that the district does not consistently meet the required timelines under this criterion. Staff interviews indicate the district, in some cases, is providing the parent with an IEP marked "draft" at the conclusion of the Team meeting.

Record review indicates when the district did issue a finding of no eligibility for two students, the two Notices of School District To Act (Form N 2) provided to the onsite team for review, did not provide a description of the district's refusal by answering the six questions as required.

In some cases, the district is writing "monitor" on IEPs under Part A of the Service Delivery grid (IEP 5). Staff interviews indicate that if parents request monitoring services, the district issues a "monitoring IEP" and does not consistently find such students no longer eligible for special education and provide these students with appropriate supports through the regular education program.

CRITERION NUMBER		
	Legal Standard	
	<p>If a parent disagrees with an initial evaluation or re-evaluation completed by the school district, and the parent requests an independent educational evaluation, the district implements the following requirements:</p> <ol style="list-style-type: none"> 1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the child are justified when an individual assessment rate is higher than that normally allowed. 2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. 3. The district extends the right to a publicly funded independent educational evaluation for sixteen (16) months from the date of the evaluation with which the parent disagrees. 4. If the parent is requesting an evaluation in an area not assessed by the school district, or if the student does not meet the income eligibility standards for free or reduced cost independent educational evaluation, then the school district responds in accordance with the requirements of federal law. The district either agrees to pay for the independent educational evaluation or, without undue delay, proceeds to Special Education Appeals to show that its evaluation was comprehensive and appropriate. Where the Department's Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, the school district does not pay for the independent educational evaluation requested by the parent. 5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator's report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools. 6. Within ten (10) school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate. 	
	<p>State Regulations 28.04(5)</p>	<p>Federal Requirements 300.503(a)(3)(i)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>	

Department of Education Findings:

The district has not adopted local policies and procedures for determining child's eligibility for

Independent Educational Evaluations conducted at public expense that document its practices under this criterion as required. Documentation and staff interviews indicate the district is currently not engaged in staff training and/or is beginning implementation practices for the new requirements, under elements # 2 and # 4 of this criterion, that will result in substantial compliance by the end of the current school year.

CRITERION NUMBER			
	Legal Standard		
SE 12	<p>Frequency of re-evaluation Every three years, or sooner if necessary, the school district, with parental consent, conducts a full three-year re-evaluation consistent with the requirements of federal law.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.04(3)</td> <td style="width: 50%;">Federal Requirements 300.536</td> </tr> </table>	State Regulations 28.04(3)	Federal Requirements 300.536
State Regulations 28.04(3)	Federal Requirements 300.536		
	Rating: Not Implemented District Response Required: Yes		

Department of Education Findings:

The district did not provide documentation or evidence that there is a system in place to ensure the requirements of this criterion are met. The onsite team could not determine through the record review process that re-evaluations occur as required.

This finding of partial noncompliance was cited in the Department’s November 1996 Coordinated Program Review final report. The onsite team concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER			
	Legal Standard		
SE 13	<p>Progress Reports and content</p> <ol style="list-style-type: none"> 1. Parents receive reports on the student's progress toward reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled students. 2. Progress report information sent to parents includes written information on the student’s progress toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.07(3)</td> <td style="width: 50%;">Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347</td> </tr> </table>	State Regulations 28.07(3)	Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347
State Regulations 28.07(3)	Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347		

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

Department of Education Findings:

Surveys indicate that parents do not consistently receive reports on their child’s progress at least as often as parents are informed of the progress of non-disabled students. Record review indicates that the progress reports do not contain the elements as required under element # 2 of this criterion. Staff interviews indicate a general lack of knowledge with regard to the requirements under element # 2 of this criterion and state there is no system in place to review the quality of progress reports or to determine whether the requirements under this criterion are met.

This finding of partial noncompliance was cited in the Department’s November 1996 Coordinated Program Review final report. The onsite team concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	
	Legal Standard
SE 14	<p>Annual review Team meeting At least annually, on or before the anniversary date of the implementation of the IEP, a Team meeting (including the major service providers and the parent) is held to consider the student’s progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate.</p> <p>State Regulations Federal Requirements 28.04(3) 300.343(c)</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Documentation and record review indicates the district’s current tracking system of annual review meetings is not accurate. The onsite team’s review of the dates for annual review meetings included on parent notices did not consistently coincide with the district’s records. See comment SE 12.

This finding of partial noncompliance was cited in the Department’s November 1996 Coordinated Program Review final report. The onsite team concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	TITLE 1 I. ASSESSMENT OF STUDENT PROGRESS
	Legal Standard
TI 1	MCAS testing has been used to measure the proficiency of students in the academic subjects which Massachusetts has adopted which includes challenging content and

CRITERION NUMBER	TITLE 1 I. ASSESSMENT OF STUDENT PROGRESS	
	Legal Standard	
	student performance standards. 1111(b)(3)(D)	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
TI 2	In a Schoolwide Program all students are assessed in the selected grades during grade spans 3-5, 6-9, 10-12. 1114 (c)(1)(B)(I) ESEA,IASA	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
TI 3	In Targeted Assistance Schools (schools with less than 50% poverty) either: 1. all Title I identified students who are being served, or 2. all students are assessed in at least one grade of each of the spans (3-5, 6-9, and 10-12.) 1115 (c)(1)(A) ESEA,IASA	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
TI 4	MCAS and other local assessment results are analyzed in FY'99 in at least mathematics and reading/language arts and are used to determine program needs of students most at risk. 1111 (b)(3) ESEA,IASA	
	Rating: Implemented	District Response Required: No

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: Implemented District Response Required: No

Department of Education Findings:

Record review and staff interviews indicate that report cards issued to TBE students are sent in the same manner and frequency as report cards for other students in the district. The report cards are written in English and Spanish, which is the native language of students in the TBE program. The district does provide adequate translation services for all transitional bilingual students (TBE).

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 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:

Upon enrollment, TBE students are tested annually in oral comprehension, speaking, reading and writing. These assessments are placed in the student's record. The parent or guardian may request and receive a copy of the evaluation. The district uses a variety of appropriate standardized assessment instruments administered by qualified staff. Student test results are used to categorize the level of English language proficiency and make proper placement decisions.

CRITERION	
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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 provides testing accommodations as appropriate to ensure equal participation of these students.
	Rating: Implemented District Response Required: No

Department of Education Findings:

Students who speak Spanish are allowed to take the Spanish version of MCAS in accordance with state guidelines. There is no evidence the district provides testing accommodations; either students take MCAS in Spanish or do not take the test at all. Staff interviews indicate the number of students who do not participate in MCAS is minimal; however, the onsite team could not determine how these students are assessed in regard to their performance in the general curriculum. The onsite team was provided no evidence of how the district uses MCAS results to guide the improvement of 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:

- Special Education (Report Issues # SE 15-23)
- Civil Rights Methods of Administration (MOA)
(Report Issues # MOA 4, 5, 10-13)
 - Title I (Report Issues # TI 5-9)
- Transitional Bilingual Education (Report Issues # TBE 3-7)

CRITERION NUMBER	SPECIAL EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT	
	Legal Standard	
SE 15	<p>Outreach by the School District (Child Find) The district has annual or more frequent outreach and continuous liaison with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education:</p> <ol style="list-style-type: none"> 1. professionals in community 2. private nursery schools 3. day care facilities 4. group homes 5. parent organizations 6. clinical /health care agencies 7. early intervention programs 8. other public/private/parochial schools 9. other agencies/organizations 10. the school itself (particularly within charter schools) 11. agencies serving migrant and/or homeless persons 	
	State Regulations 	Federal Requirements 300.125; 300.312
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 16	<p>Screening</p> <ol style="list-style-type: none"> 1. The school district conducts screening for three and four year olds and for all children who are of age to enter kindergarten. Such screening is designed to review a child’s development and to assist in identification of those children who should be referred for an evaluation to determine eligibility for special education services. 2. Participation in the screening program for three and four year olds is optional on the part of the parents. 3. Provision is made for ongoing and periodic screening of all students as required by the Department of Public Health (vision, hearing, posture). 	
	State Regulations 28.03(1)(d) Chapter 71, section 57	Federal Requirements
	Rating: Partially Implemented	District Response Required: Yes

CRITERION NUMBER	
	Legal Standard

Department of Education Findings:

Documentation review indicates the district does not provide a Spanish translation of the parent letter regarding screening results.

CRITERION NUMBER	
	Legal Standard
SE 17	<p>Initiation of services at age three and Early Intervention transition procedures</p> <ol style="list-style-type: none"> The school district encourages referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements. The district implements procedures to ensure the effective transition of young children with disabilities from Early Intervention Programs through participation in transition planning conferences arranged by such programs. <p>State Regulations 28.06(7)(b)</p> <p>Federal Requirements 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</p> <p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

While staff interviews indicated these requirements are implemented, the district did not provide its local policies and procedures for transitioning young children with disabilities from Early Intervention programs as required.

CRITERION NUMBER	
	Legal Standard
SE 18	<p>IEP development and content; determination of placement; provision of IEP to parent</p> <ol style="list-style-type: none"> Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP using the evaluation data to guide development of measurable, annual goals and objectives/benchmarks for the

CRITERION NUMBER			
	<p style="text-align: center;">Legal Standard</p> <p>student. If the district chooses to draft any element(s) of the IEP for discussion, the Team Chairperson ensures that those elements are genuinely considered prior to adoption at the Team meeting. All ideas and needs of the child as expressed by all Team members, especially the parents, are genuinely considered by the district prior to proposing the IEP.</p> <ol style="list-style-type: none"> 2. The IEP includes specially designed instruction to meet the needs of the individual student and related services as necessary to allow the student to benefit from the specially designed instruction or to access the general curriculum, consistent with federal and state requirements. 3. In developing the IEP, the Team proposes specially designed instruction and related services according to the needs of the child and not according to the availability of such instruction or related services. 4. The IEP is completed addressing all elements of the standard IEP format provided by the Department of Education. 5. If the Team members are unable to agree on the IEP, the Team chairperson states the elements of the IEP proposed by the school district. 6. The school district ensures that each IEP Team has at least one person with authority to commit the resources of the district and that whatever services are set out in the IEP will actually be provided and that the IEP will not be changed at a higher administrative level within the district. 7. After the IEP has been fully developed, <u>the Team, including the parent, determines the appropriate type of placement</u> to deliver the services on the student's IEP. 8. The <u>school district determines the specific classroom or school, giving careful consideration to the Team's recommendation(s), if any,</u> at which services will be provided to implement the placement decision of the Team. 9. The IEP is written in generally understandable language. 10. Immediately following the development of the IEP, the district provides the parent with a copy of the proposed IEP along with the required notice without undue delay. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>State Regulations 28.05(3), (4), (6) and (7)</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Federal Requirements 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p> </td> </tr> </table>	<p>State Regulations 28.05(3), (4), (6) and (7)</p>	<p>Federal Requirements 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>
<p>State Regulations 28.05(3), (4), (6) and (7)</p>	<p>Federal Requirements 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>		
	<p>Rating: Partially Implemented District Response Required: Yes</p>		

Department of Education Findings:

Although the district provided a copy of an August 1998 job posting (announcement of position) for Evaluator Team Facilitator(ETF), the onsite team was not provided a current job description of the district's ETFs/Team Chairpersons as required. Documentation and record review, staff and parent interviews indicate that IEPs do not consistently contain all the required elements. Specifically, not all IEPs included: (1) evidence of how the disability impacts progress, (2) information regarding current performance levels, strengths and weaknesses, (3) measurable annual goals including benchmarks or short-term objectives, (4) how the disability affects the student's involvement in the

general curriculum, (5) for the student whose behavior impedes their learning or learning of other, consider positive behavioral interventions, ability to follow school discipline code and any needed code modifications and the possible need for a functional behavior assessment, (6) justification of why the student is unable to be educated and participate with other children with and without disabilities in activities, and (7) documentation of Team decision to reconsider Extended School Year services by an agreed upon date. Also, staff interviews indicate that the team composition does not consistently include a person who has the authority to commit the resources of the district; parents are not consistently issued a copy of the proposed IEP along with the required notice without undue delay and, in some cases, parents receive an IEP marked “draft” at the conclusion of the Team meeting. Staff interviews indicate that in some instances the availability of programs within the district determines the student’s services and placement. See comments SE 5, SE 6, SE 7, SE 8 and SE 21.

CRITERION NUMBER		
	Legal Standard	
SE 19	<p>Extended evaluation If the Team finds a student eligible for special education and finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents’ consent, agrees to an extended evaluation period.</p> <ol style="list-style-type: none"> 1. The extended evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to determine eligibility and to determine, in part, necessary annual goals and services, the Team writes a partial IEP that, if accepted by the parent, is immediately implemented by the district while the extended evaluation is occurring. 2. The extended evaluation period is not be used to allow additional time to complete the required assessments and does not deny programs and services to the student. 3. If the parent consents to an extended evaluation, the Team documents their findings and determines what evaluation time period is necessary and the types of information needed to determine eligibility and/or develop an IEP, if appropriate. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to make their eligibility determination and/or develop an IEP when the evaluation is complete. 4. The extended evaluation may extend longer than one week, but does not exceed eight school weeks. 5. The extended evaluation is not considered a placement. <p>State Regulations 28.05(2)(b)</p> <p style="text-align: right;">Federal Requirements</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Staff interviews indicate that in some cases the extended evaluation process is used to determine whether the selected services and placement are appropriate.

CRITERION NUMBER		
	Legal Standard	
SE 20	Least restrictive program selected 1. The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs. 2. If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student’s program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily. 3. The district does not remove an eligible child from the general education classroom solely because of needed modification in the curriculum.	State Regulations 28.06(2)(a)
		Federal Requirements 300.130; 300.550-300.556
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Record review indicates the Team does not consistently state why the removal of the student is critical to the student’s program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved. Some IEPs reviewed by the onsite team stated “as stated on the IEP” as the justification for participation in regular education. As required, the determination of the appropriate placement is based on services of the student’s IEP, the types of related services, the type of settings and the location at which the services are to be provided. Based on classroom observations at the Fox, Moody and Bradford Elementary Schools, the onsite team concludes the basement location of the Behavior Programs in these schools is due to lack of space. Record review indicate the students’ IEP do not document that the program selected is the least restrictive environment for each student, with consideration given to any potential harmful effect on the student or on the quality of services the student needs. Also, the onsite team concludes the placement locations selected for approximately twelve high school age students whose placements are located at either the Pentucket Lake Elementary School (for one high school age student) or the A.B.Consentino Middle School (approximately eleven high school age students) do not meet the requirements 603 CMR 28.03(1)(b) and 28.03(1)(b)(i); 603 CMR 28.05 (6); 603 CMR 28.06(2)(d)(2) and the requirements of this criterion. See comments SE 55. This finding of partial noncompliance was cited in the Department’s November 1996 Coordinated Program Review final report. The Department concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	
	Legal Standard
<p>SE 21</p>	<p>School day and school year requirements</p> <ol style="list-style-type: none"> 1. The school district ensures that every eligible elementary level student is scheduled to receive a minimum of 900 hours per school year of structured learning time and every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time unless otherwise provided for below. 2. The Team routinely considers the need for an educational program that is less than or more than the regular school day or school year, including extended day, or year, and/or residential services and indicates on the IEP why the shorter or longer program is necessary. 3. The daily duration of the child’s program is equal to that of the regular school day unless the Team states that a different duration is necessary to provide a free appropriate public education to the child. 4. Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction. 5. An extended day or year program is identified if the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided. 6. If residential services are required, the IEP clearly specifies the reasons for such determination and how such services will be coordinated with the day education services provided to the student. Additionally, the annual goals and services on the student’s IEP reflects the comprehensive nature of the educational program required. 7. Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs. <p>State Regulations 28.05(4) Chapter 69, section 1G</p> <p style="text-align: right;">Federal Requirements 300.309(b)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Documentation and staff interviews indicate the district has not provided guidance to staff on implementing the requirements of this criterion. Although the district did provide the number of hours per day and per cycle (elementary and middle schools have six days in a cycle while the high school

has seven days in a cycle), this information is not sufficient to determine if every eligible elementary and every secondary student meets the minimum required hours of structured learning time per school year. The onsite team concludes that at the A.B.Consentino Middle School, special education students in the DD 1 and SSC program have an earlier dismissal time due to special education transportation and the PAL 4 and PAL 5 program students have an earlier school day arrival and dismissal time to accommodate the breakfast and after school programs. In some cases, record review and staff and parent interviews indicate the district does not consistently document the Teams' decision to reconsider extended day or year services by an agreed upon date on students' IEPs. Record review indicates that the district does not consistently implement the elements under # 2, # 3, # 4 and # 5 of this criterion as required.

CRITERION NUMBER			
	Legal Standard		
SE 22	<p>IEP implementation and availability</p> <ol style="list-style-type: none"> 1. Where the IEP of the student in need of special education has been accepted in whole or in part by that student's parent, the school district provides the mutually agreed upon services without delay. 2. At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction. 3. Each teacher and provider described in the IEP is informed of his or her specific responsibilities related to the implementation of the student's IEP. 4. The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.05(7)(b); 28.06(2)(b)(2)</td> <td style="width: 50%;">Federal Requirements 300.342</td> </tr> </table>	State Regulations 28.05(7)(b); 28.06(2)(b)(2)	Federal Requirements 300.342
State Regulations 28.05(7)(b); 28.06(2)(b)(2)	Federal Requirements 300.342		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Partially Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Partially Implemented	District Response Required: Yes
Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Documentation and staff interviews indicate the district does not consistently implement elements # 2, # 3 and # 4 of this criterion as required. The district lacks an accurate system for tracking dates on IEPs to ensure each student has an IEP in effect at the beginning of each school year. In some cases, staff interviews indicate that IEP services were provided prior to parent approval or that services were delayed due to lack of staff and that parents were not consistently informed in writing of any delayed services.

CRITERION NUMBER	
	Legal Standard

SE 23	<p>Confidentiality of personally identifiable information The district protects the confidentiality of any personally identifiable information that is collected, used or maintained in accordance with federal and state law.</p> <p>State Regulations 603 CMR 23.00 (Student Records Regulations)</p> <p>Federal Requirements 300.560-576; Family Educational Rights and Privacy Act (FERPA)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Although the district’s community and parent information booklet provided excerpts from the Department’s Student Records: Questions, Answers and Guidelines, the district has not adopted local policies and procedures regarding confidentiality of personally identifiable student information. Documentation provided to the onsite team included information that breached student confidentiality. This information consists of teacher notes on current classroom lists for special education programs. See comment SE 40.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
MOA 4	<p>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</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 5	<p>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</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Although program modifications are made for limited English proficient students, there are some students who do not receive full support and access to the general curriculum. See comment TBE 5.

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

Department of Education Findings:

The district did not provide the required documentation to determine full compliance of this criterion. The high school’s Program of Studies booklet was provided as partial documentation; however, the district’s nondiscrimination statement published in this booklet does not include ‘national origin’ as a basis for nondiscrimination as required. The district did not provide a description of program accessibility at each level or complete the physical accessibility cover sheet and checklists for all middle school buildings as required. Documentation and staff interviews indicate the percentage of linguistic and racial minorities enrolled in high school honors and advanced placement courses based on a review of enrollment data does not reflect the actual percentage of minorities enrolled at the school. For example, all high school advanced placement courses except for Spanish as a Native language course contain no Hispanic students and only one African American student. Record review indicates that IEPs do not consistently document the Team’s discussion on how students with disabilities access the general education program and the full array of any occupational/vocational programs offered by the district. See comment SE 18.

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:

The district did not provide the required documentation or a description of its implementation strategies to determine full compliance of this criterion. See comment MOA 10, TBE 9 and TBE 12.

CRITERION NUMBER	
	Legal Standard
MOA 12	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
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district did not provide the required documentation or a description of its implementation strategies to determine full compliance with this criterion. Documentation and record review do not verify that disabled students placed in occupational, pre-vocational and vocational programs (school café, school store and work study program) include necessary program modification and ongoing input from occupational/vocational teachers.

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: Partially Implemented District Response Required: Yes

Department of Education Findings:

Although the high school student handbook and Program of Studies booklet contain a description of the pregnant and parenting teen program, the district did not provide the required documentation or a description of its implementation strategies to determine full compliance of this criterion.

CRITERION NUMBER	TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
TI 5	Targeted Assistance Schools: a description is available of the multiple criteria used to identify eligible students in grade 3 and above who are failing or most at-risk of failing to meet the high quality student performance and assessment standards required of all students. 200.63 (c)(3)(I) (Federal Register) CFR. 200.28 (Federal Register) CFR; 1115 (b)(1)(B) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 6	Targeted Assistance Schools: identification of students is conducted in consultation with parents, administrators, and pupil services personnel. 1115 ESEA,IASA; 1112 (b)(6) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 7	There is evidence that equal opportunity is being provided for participation of limited-English proficient and/or special populations. 200.63 (c)(3)(ii) (Federal Register) CFR
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 8	Targeted Assistance Schools: preschool through grade 2 students are selected based on teacher judgment, parental interviews and developmentally appropriate measures. 1115 (b)(B) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 9	There is evidence that equal opportunity is being provided for participation of students with special education needs. 200.63 (c)(3)(ii) (Federal Register) CFR
	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: Implemented District Response Required: No

Department of Education Findings:

The district annually submits the October 1 school census report that identifies all students whose first language is not English and who are not able to perform ordinary class work in English. The only TBE program within the district is in Spanish. There are a few students throughout the district who speak a variety of other languages. The numbers of Spanish students are decreasing at the elementary level, dropping district-wide from 280 students to approximately 200 students.

CRITERION NUMBER	
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	Legal Standard	
TBE 4	<p>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 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>	
	Rating: Implemented	District Response Required: No

Department of Education Findings:

See comment TBE 2.

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

Department of Education Findings:

Documentation indicates the district’s TBE program is a full time program of instruction designed so that students can achieve a level of English language skills necessary to perform ordinary class work in English within three years. For students receiving English as a Second Language (ESL) services, the district uses a mixture of grammar and language arts primarily with some advanced classes using

a sheltered English approach. However, staff interviews and classroom observations indicate that ESL services for some Portuguese students are split between the Bradford Elementary and the Pentucket Lake Elementary schools which may require certain students to travel between schools during the day. The Department requests a district response which addresses the appropriateness of this method for providing ESL instruction and/or supports and how this schedule impacts the requirements of the Time and Learning Regulations. The district does not currently retain copies of enrollment notice letters in student files.

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. G.L. c.71A, § 2</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Documentation and staff interviews indicate the district relies solely on teacher recommendations to determine if students should remain in the program longer than three years. Documentation is insufficient to verify that students may continue in the TBE program at the discretion of the school committee and subject to written approval of the parent/guardian. The onsite team concludes that parents do not appear to be informed of their child remaining in the program for longer than three 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 (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. <p>G.L. c.76, § 5 and 603 CMR 26.03(4)</p>
	<p>Rating: Implemented District Response Required: No</p>

Department of Education Findings:

The district does have proper procedures for the early exit of TBE students. If students leave the TBE program, students are provided limited follow-up ESL services where required. Parents can request the removal of a student from the TBE program at the beginning of the year or at the end of a semester. However, the Department recommends the district use a better tracking system for end-of-year testing and securing written parental approval for early exit from the TBE program.

COMPONENT III: PARENTAL INVOLVEMENT

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

- Special Education (Report Issues # SE 24-32)
- Civil Rights Methods of Administration (MOA) (Report Issue # MOA 3)
 - Title I (Report Issues # TI 10-11B)
- Transitional Bilingual Education (Report Issue # TBE 8)

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT	
	Legal Standard	
SE 24	<p>Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE</p> <ol style="list-style-type: none"> 1. A student may be referred for an evaluation by a parent or any person in a caregiving or professional position concerned with the student's development. 2. When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the child's parent(s) within 5 school days of receipt of the referral. 3. Notice is given by the district within a reasonable time for all other actions. 4. School districts shall provide the student's parent(s) with an opportunity to consult with the Special Education Administrator or his/her designee to discuss the reasons for the referral and the nature of the proposed evaluation. <p>State Regulations 28.04(1)</p> <p>Federal Requirements 300.503(a)</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Documentation and record review did not provide evidence that the district consistently implements the requirements of this criterion. Parent and staff interviews indicate that written notice is not consistently sent within five school days of receipt of the referral for an evaluation. This finding of partial implementation was cited in the Department's November 1996 Coordinated Program Review final report. The Department concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT	
	Legal Standard	
SE 25	<p>Parental consent</p> <p>In accordance with state and federal law, the school district obtains informed parental consent as follows:</p> <ol style="list-style-type: none"> 1. The school district obtains consent before conducting an evaluation to determine eligibility for special education or before conducting a re-evaluation as required every three years or earlier if necessary. 2. The school district obtains consent before initiating extended evaluation services. 3. The school district obtains consent to the services proposed on a student's IEP before providing such services. 4. The school district obtains consent prior to placing a student in an initial special education placement and for any subsequent placement. 	

CRITERION NUMBER			
	Legal Standard		
	<p>5. A parent is informed that consent may be revoked at any time.</p> <p>6. If the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the child's initial placement in special education, or the parent revokes consent to such reevaluation or placement, the district considers with the parent whether such action will result in the denial of a free appropriate public education to the child, and if so, the school district seeks resolution through the Bureau of Special Education Appeals.</p> <p>7. The attempts of the district to secure the consent of the parent are documented through letters, written notices sent by certified mail, telephone calls and home visits at such time as the parent is likely to be home.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.07(1)</td> <td style="width: 50%;">Federal Requirements 300.500(b)(1)</td> </tr> </table>	State Regulations 28.07(1)	Federal Requirements 300.500(b)(1)
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Record review indicates the district does not consistently obtain informed parental consent for elements # 1, # 3, # 4 and # 7 under this criterion as required. Although a majority of student records reviewed contained blue tracking forms and written notices with staff notes regarding attempts to secure parental consent, the onsite team cannot verify the timeline of these attempts or whether parental consent was ultimately obtained. The district does not have a systemic method for documenting its attempts to secure consent of parents.

CRITERION NUMBER	
	Legal Standard
SE 26	<p>Parent participation in meetings</p> <ol style="list-style-type: none"> 1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child. 2. The Administrator of Special Education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend. 3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts. 4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing. 5. In cases where the district, after reasonable efforts, is unable to obtain the parents' participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents' participation.

CRITERION NUMBER			
	Legal Standard		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.02(21)</td> <td style="width: 50%;">Federal Requirements 300.345(d), 300.501</td> </tr> </table>	State Regulations 28.02(21)	Federal Requirements 300.345(d), 300.501
State Regulations 28.02(21)	Federal Requirements 300.345(d), 300.501		
	Rating: Partially Implemented District Response Required: Yes		

Department of Education Findings:

While staff interviews indicate that the district makes multiple attempts to involve parents, documentation and record review did not provide evidence that this is consistently implemented. In a majority of records reviewed, the district's use of a blue tracking form attempts to provide a system for securing parent participation but the corresponding required parental notices were not consistently found in the record. Specifically, notices for rescheduled team meetings were not consistently contained in student records. The district is currently using a form in their attempts to document its efforts of notifying parents of Team meetings. It is recommended that the district does not call this a 'waiver' to attend but uses this form only to document its efforts to ensure parent attendance. Staff interviews indicate that the bottom portion of this form is used to document its attempts to ensure parents' attendance at Team meetings. However, the top portion of this form seeks the parents' signature to waive their attendance at Team meetings. The Department reminds the district the intention of these regulations is to ensure not only attendance but to ensure parents' participation at Team meetings. The regulation requires that the district use other methods to ensure participation, through individual or conference telephone calls, or video conferencing. This finding of partial implementation was cited in the Department's November 1996 Coordinated Program Review final report. The Department concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER			
	Legal Standard		
SE 27	<p>Content of Team meeting notice to parents</p> <ol style="list-style-type: none"> 1. The parent notice of an evaluation required by 603 CMR 28.04(1)(a) meets all of the content requirements set forth in MGL c.71B, §3, and in federal law and seeks the consent of the parent for any evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student's skills or abilities and to consult regarding the evaluators to be used. 2. The parent notice of any Team meeting states the purpose, time and location of the meeting as well as who will be in attendance. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.04(b)</td> <td style="width: 50%;">Federal Requirements 300.503-504</td> </tr> </table>	State Regulations 28.04(b)	Federal Requirements 300.503-504
State Regulations 28.04(b)	Federal Requirements 300.503-504		
	Rating: Implemented District Response Required: No		

CRITERION NUMBER			
	Legal Standard		
SE 28	<p>Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights Immediately following the development of the IEP and without undue delay, the district provides the parents with a copy of the proposed IEP or a written explanation of the finding of no eligibility for special education together with the required notice of procedural safeguards and parents' rights.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations 28.05(7)</td> <td style="width: 50%; border: none;">Federal Requirements 300.345(f)</td> </tr> </table>	State Regulations 28.05(7)	Federal Requirements 300.345(f)
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Prior to September 2000, record review indicates that not all records contained evidence that the district consistently met the ten school working days timeline. Under current state regulations, the requirement to provide parents with two copies of the proposed IEP and proposed placement immediately (within 3-5 days) following the development of the proposed IEP and proposed placement is not met. Staff interviews indicate that in some cases the district provides a proposed IEP marked "draft" at the conclusion of the Team meeting. Record review and parent surveys indicate that the district does not consistently provide the Parent's Rights Brochure as required. Also, record review indicates when the district did issue a finding of no eligibility for two students, the two Notices of District to Act (Form N 2) did not provide a description of the district's refusal by answering the six questions on the form as required.

CRITERION NUMBER	
	Legal Standard
SE 29	<p>Communications are in English and primary language of home</p> <ol style="list-style-type: none"> 1. Communications with parents are in both English and the primary language of the home if such primary language is other than English. Any interpreter used in fulfilling these requirements is fluent in the primary language of the home and familiar with special education procedures, programs and services. If the parents or the student are unable to read in any language or are blind or deaf, communications required by these regulations are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and that all such communications are documented. 2. If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (1) that it has provided such notice in an alternate manner,

CRITERION NUMBER					
	Legal Standard				
	(2) that the content of the notice and (3) the steps taken to ensure that the parent understands the content of the notice.				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td></td> <td>300.345(e)</td> </tr> </table>	State Regulations	Federal Requirements		300.345(e)
State Regulations	Federal Requirements				
	300.345(e)				
	Rating: Implemented District Response Required: No				

CRITERION NUMBER					
	Legal Standard				
SE 30	<p>Elements of notice of parents’ rights The district’s notice of parental rights contains all required elements included in the Massachusetts Parent’s Rights Brochure, September 2000.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>MGL c. 71B, Sec. 3</td> <td>300.503-504</td> </tr> </table>	State Regulations	Federal Requirements	MGL c. 71B, Sec. 3	300.503-504
State Regulations	Federal Requirements				
MGL c. 71B, Sec. 3	300.503-504				
	Rating: Implemented District Response Required: No				

CRITERION NUMBER	
	Legal Standard
SE 31	<p>State and district responsibility for educational surrogate parents When a student is without parental representation and requires an educational surrogate parent to be appointed in accordance with federal law and regulations, upon request of the Department, the district responsible for services to the student assists in identifying a person willing to serve as an educational surrogate parent.</p> <ol style="list-style-type: none"> 1. Upon assignment by the Department, such educational surrogate parent has all the rights and responsibilities of a parent in making decisions regarding eligibility and services for special education for the assigned student. The Department provides notice of appointment to the school district and any state agency with custody of the student. 2. A person identified by the district and willing to serve as an educational surrogate parent has no conflict of interest and is not in the employ of the school district or any state or local agencies involved with the care of the student . 3. A person identified by the district, appointed by the Department, and serving as

CRITERION NUMBER			
	Legal Standard		
	<p>an educational surrogate parent does not receive financial remuneration from the district except that the school district reimburses the person for reasonable expenses related to the exercise of his or her responsibilities as an educational surrogate parent for a student enrolled in the district.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.07(7)</td> <td style="width: 50%;">Federal Requirements 300.515</td> </tr> </table>	State Regulations 28.07(7)	Federal Requirements 300.515
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

The district has not adopted local policies and procedures regarding implementation of the district's responsibility and role in implementation of educational surrogate parents as required.

CRITERION NUMBER			
	Legal Standard		
SE 32	<p>Parent advisory council for special education</p> <ol style="list-style-type: none"> 1. The school committee has established a parent advisory council on special education. 2. Membership on the council is offered to all parents of children with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the school committee on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school committee's special education programs. 4. The parent advisory council has established by-laws regarding officers and operational procedures. 5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. 6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations Chapter 71B, sec. 1C; FY '01 State Budget, Outside Section 168 28.07(4)</td> <td style="width: 50%;">Federal Requirements</td> </tr> </table>	State Regulations Chapter 71B, sec. 1C; FY '01 State Budget, Outside Section 168 28.07(4)	Federal Requirements
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

While there is an established PAC, documentation review did not provide evidence that elements # 3, # 4, # 5 and # 6 under this criterion are met as required. The PAC membership list did not indicate the year.

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

CRITERION NUMBER	TITLE 1 III. PARENTAL INVOLVEMENT
	Legal Standard
TI 10	<p>The program demonstrates evidence of having met the following Title I requirements:</p> <ul style="list-style-type: none"> • plans/policies are developed to ensure parents are involved in program planning, implementation and review; • goals, objectives and time lines have been established for parent training sessions which reflect the need of parents to be trained in methods of program planning and building capacity for the effective involvement of parents; • parents are involved in School-Parent Compacts and annual assessment of the effectiveness of parent involvement; and • holding an annual Title I informational meeting for parents. <p>1118 (a)(2) ESEA, IASA</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Document review and staff and parent interviews indicate the district does not conduct an annual end-of-year assessment of the effectiveness of parental involvement.

CRITERION NUMBER	
	Legal Standard
TI 11	All policies and procedures regarding parental involvement are in writing and available and/or distributed to Title I parents in a language and form that is understandable. 1118 (a)(2) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 11A	The district provides materials and training to Title I parents to enable them to improve their children’s achievement. 1113(e)(2)(A)(B) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 11B	Parents of Title I students have equal opportunity to be represented on local School Councils. Education Reform Act of 1993
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION III. PARENTAL INVOLVEMENT
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	Legal Standard
TBE 8	<p>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.</p> <p>603 CMR 14.03(1)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Currently there is no parent advisory council for bilingual parents and they are not represented on school-based councils. The superintendent is currently leading an ad-hoc group of Latino parents in discussions related to their children’s education. However, the district employs a community liaison at the pre-K through grade eight levels and a tutor/parent liaison at the high school level to ensure greater involvement of bilingual parents. In addition, the district also has translated documents into Spanish for parents and provides simultaneous translation services at meetings.

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:

- Special Education (Report Issues # SE 33-42)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 15-16)
 - Title I (Report Issues # TI 12-14A)
- Transitional Bilingual Education (Report Issues # TBE 9-11)

CRITERION NUMBER		
	Legal Standard	
SE 33	<p>Involvement in the general curriculum</p> <ol style="list-style-type: none"> 1. The district has aligned its general curriculum with the Massachusetts Curriculum Frameworks and at least one member of all IEP Teams is familiar with the Curriculum Frameworks such that the Team is able to discuss an eligible student's appropriate access to the general curriculum. 2. The district ensures that all students with disabilities have access to the general curriculum that is available to all other students and receive instruction in the content areas of this curriculum. 3. In the IEP the district documents the student's participation in the general curriculum. <p>State Regulations 28.01(17)</p> <p>Federal Requirements 300.347(a)(1)(i); 300.137</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Record review indicates that IEPs do not consistently include evidence that the Team documents an eligible student's appropriate access to the general curriculum. Documentation and staff interviews verify that the district, following the cancellation of two professional days last fall, has rescheduled professional development opportunities on the Curriculum Frameworks during staff meetings, grade level meetings or department meetings. Documentation provided to the onsite team for review contained the district's 5 Year Professional Development Plan and current profession development offerings for staff; however, the district did not provide evidence that its general curriculum is aligned with the Curriculum Frameworks.

CRITERION NUMBER		
	Legal Standard	
SE 34	<p>Continuum of alternative services and placements</p> <p>The district provides or arranges for the provision of each of the elements of the IEPs of students in need of special education from the ages of three through twenty-one, ensuring that a continuum of services and alternative placements is available to meet the needs of all students with disabilities, and takes all steps necessary to ensure compliance with all elements of the IEPs, including vocational education.</p> <p>State Regulations</p> <p>Federal Requirements 300.551;300.305; 300.123</p>	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

The documentation provided is insufficient to determine that the district offers a continuum of services and alternative placements. The documentation consists of descriptions of district programs that does not contain the building levels or ages of students served throughout the district. Staff interviews and building tours indicate that the district does not have a continuum of programs that meet students' needs in an age appropriate placement. The onsite team concludes that vocational opportunities are limited and students' IEP services and alternative placements are based upon available programs. See comment SE 20.

CRITERION NUMBER	
	Legal Standard
SE 35	<p>Specialized materials and assistive technology</p> <ol style="list-style-type: none"> 1. Specialized materials and equipment specified in IEPs are provided, are of good quality and are suitable for the role they play in the IEP. 2. The school district provides evidence that assistive technology is considered for each eligible student and, if necessary, described in the IEP and provided by the district. <p>State Regulations Federal Requirements 34 CFR 300.308, 34 CFR 300.346</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

While interviews indicate that assistive technology is considered, staff indicate that in many cases they no longer request the necessary materials or equipment since the district continually fails to provide it. The onsite team has concluded that assistive technology needs may not be on students' IEPs due to district non-responsiveness. However, staff interviews and classroom observations conducted at the Knipe Elementary School, that houses a program for hearing impaired students, provides evidence that acoustic modification, environmental accommodations and assistive technology devices are provided as required.

This finding of partial implementation was cited in the Department's November 1996 Coordinated Program Review final report. The Department concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	
	Legal Standard
SE 36	<p>IEP implementation, accountability and financial responsibility</p> <ol style="list-style-type: none"> 1. The district ensures that IEPs are implemented without delay upon parent consent. 2. The district oversees in an ongoing manner the full implementation of each in-district and each out-of-district IEP it proposes which has been consented

CRITERION NUMBER		
	Legal Standard	
	<p>to by a child’s parents.</p> <p>3. The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.</p> <p>4. The district provides all programs and services without expense to the child’s parents.</p> <p>5. Each time the school district proposes to access the parent’s private insurance proceeds to support the costs of IEP implementation, the school district obtains the parent’s consent and informs the parents that their refusal to permit the school district to access their private insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents.</p>	<p>Federal Requirements 300.142; 300.350</p>
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

The district has not adopted local policies and procedures for IEP accountability that documents its practices under this criterion as required. The onsite team did not find evidence that elements # 2 and # 5 are implemented.

CRITERION NUMBER		
	Legal Standard	
SE 37	<p>Procedures for approved and unapproved out-of-district placements</p> <p>1. <u>Individual student program oversight</u>: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students’ files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Education, or to the out-of-district placement.</p> <p>2. <u>Student right to full procedural protections</u>: The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district placement.</p> <p>3. <u>Preference to approved programs</u>: The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. When an approved program is available to</p>	

CRITERION NUMBER	
	Legal Standard
	<p>provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department.</p> <p>4. <u>Written contracts</u>: The school district enters into written contracts with all public and private out-of-district placements. Such contracts meet the content requirements of 28.06(3)(f)(1-5).</p> <p>5. <u>Use of unapproved programs</u>: A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student’s IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation.</p> <p>6. <u>Placement documentation</u>: The following documentation is maintained by the school district pursuant to its placement of children in unapproved out-of-district programs:</p> <ul style="list-style-type: none"> a. <u>Search</u>: The Administrator of Special Education documents the search for and unavailability of a program approved by the Department. The Administrator places such documentation in the student record. b. <u>Evaluation of facility</u>: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation additionally determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility. c. <u>School district approval to operate a private school in Massachusetts</u>: If services in an unapproved program are provided in a school setting, the Administrator of Special Education ensures that such school has received approval from the local school committee under MGL c.76, §1 and a copy of such approval is retained in the student record. d. <u>Pricing</u>: Pursuant to the requirements for Compliance, Reporting and Auditing for Human and Social Services at 808 CMR 1.00, the Administrator obtains pricing forms required to set program prices for programs receiving publicly funded students. Such pricing forms are completed by the proposed placement and document that

CRITERION NUMBER					
	Legal Standard				
	<p>the price proposed for the student’s tuition is the lowest price charged for similar services to any student in that program.</p> <p>e. <u>Notification of the Department of Education:</u> Prior to placement, if the Administrator determines that placement in such facility is appropriate, the Administrator notifies the Department of the intent to place the student and the name and location of the proposed placement. In addition, the Administrator forwards the notice of proposed placement and completed pricing forms to the Department along with the information on the proposed terms of the contract that will govern such placement. The district maintains any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly funded students as set by the state agency responsible for setting program prices.</p> <p>f. <u>Out of state programs:</u> If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the Administrator of Special Education ensures that such school has received approval from the host state.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.02(13), 28.06(3)</td> <td>300.2(c)</td> </tr> </table>	State Regulations	Federal Requirements	28.02(13), 28.06(3)	300.2(c)
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Rating: Implemented	District Response Required: No				

CRITERION NUMBER	
	Legal Standard
SE 38	<p>Educational services in institutional settings (ESIS)</p> <p><u>Department of Education responsibility:</u> In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities.</p> <p><u>School district responsibility:</u></p> <ol style="list-style-type: none"> 1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, and providing special education in accordance with state and federal law. 2. Where a student's IEP requires a type or amount of service that the facility does not provide, it remains the responsibility of the parent’s school district to

CRITERION NUMBER	
	Legal Standard
	<p>implement the student's IEP by arranging and paying for the provision of such service(s).</p> <p>3. The parent's school district coordinates with the state agency to ensure that the student receives an evaluation, an annual review, and special education services as identified at a Team meeting convened by the parent's school district.</p> <p>State Regulations 28.06(9)</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The district has not adopted local policies and procedures regarding students served in institutional settings that documents its practices as required under this criterion.

CRITERION NUMBER	
	Legal Standard
SE 39	<p>Procedures used to provide services to eligible students enrolled in private schools at private expense</p> <ol style="list-style-type: none"> 1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives. 2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> a. The district provides special education and/or related services designed to meet the needs of eligible children who are attending private schools at private expense and whose parents reside in the jurisdiction of the school district. The school district provides to such children genuine opportunities to participate in the public school special education program consistent with state constitutional limitations. b. The district provides or arranges for the provision of evaluation services and an IEP for any eligible private school child whose parent resides in the jurisdiction of the school district. The evaluation may take place in the public school, the private school, or an appropriate contracted facility, and the school district ensures that a representative of the child's private school is invited to participate as a member of the Team pursuant to §28.05. c. The district provides or arranges for the provision of the special education and/or related services described by the child's IEP and the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral

CRITERION NUMBER			
	Legal Standard		
	<p>site. When services are provided using only federal funds, services are provided on public or private school grounds.</p> <p>d. The district does not withdraw or withhold services from a child solely because the school district has met the spending requirements of federal law.</p> <p>3. Special education services and/or related services provided by the district to a private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance.</p> <p>4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.03(e)</td> <td style="width: 50%;">Federal Requirements 300.450-300.462</td> </tr> </table>	State Regulations 28.03(e)	Federal Requirements 300.450-300.462
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

The district has not adopted local policies and procedures for the evaluation and provision of special education and/or related services for students enrolled in private schools at private expense as required under this criterion.

CRITERION NUMBER	
	Legal Standard
SE 40	<p>Instructional grouping requirements for students aged five and older</p> <ol style="list-style-type: none"> 1. The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. 2. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs. 3. When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, group size does not exceed eight (8) students with a certified special educator, twelve (12) students if the certified special educator is assisted by one aide, and sixteen (16) students if the certified special educator is assisted by two aides. 4. For eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students' school schedule, the district provides instructional groupings that do not exceed eight (8) students to one certified special educator or twelve (12) students to a certified special educator and an aide.

CRITERION NUMBER	
	Legal Standard
	<p>5. After the school year has begun, if instructional groups have reached maximum size as delineated in paragraphs 3 and 4 of this criterion, the Administrator of Special Education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than two additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school.</p> <p>6. In such cases, the Administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated.</p> <p>7. The district takes all steps necessary to reduce the instructional groups to the sizes outlined in paragraph 3 or 4 of this criterion for subsequent years.</p>
	<p>State Regulations 28.06(6)</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The onsite team, based on insufficient documentation, could not determine that the district is in compliance with the requirements under elements # 2, # 3, # 4, # 5, # 6 and # 7 of this criterion. Staff interviews and classroom observations at the Consentino Middle School revealed that one integrated/inclusion classroom consisted of 80% of the students on IEPs.

Although the district was aware in November 2000 that high school instructional groupings exceeded the maximum sizes, written notification was not provided to the Department until January 2001. Also, the partial documentation provided for this criterion breached student confidentiality (teacher notes on handwritten class list). See comment SE 23.

The finding of partial implementation of instructional groupings at the high school was cited in the Department's November 1996 Coordinated Program Review final report. The Department concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	
	Legal Standard
SE 41	<p>Age span requirements The ages of the youngest and oldest child in any instructional grouping do not differ by more than forty-eight months. A written request for approval of a wider age range is submitted to the Commissioner of Education in cases where the district believes it is justified.</p>

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

Department of Education Findings:

The onsite team, based on insufficient documentation, could not determine that the district is in compliance with the requirements of this criterion. Review of partial documentation provided indicates the ages of the youngest and oldest child in certain classes exceed the forty-eight months. Specifically, both the DD2 programs (PAL 4 and PALS 5) at Consentino Middle School, the DD2MH program at Pentucket Lake Elementary School and programs at the high school exceed the age span requirements.

Although the district was aware in September 2000 that age span requirements exceeded the requirements, written requests for approval were not completed until January 2001.

The finding of partial implementation of the high school programs was cited in the Department's November 1996 Coordinated Program Review final report. The Department concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	
	Legal Standard
SE 42	<p>Programs for young children three and four years of age <u>General requirements:</u></p> <ol style="list-style-type: none"> 1. The school district ensures programs are available for eligible children three and four years of age. Such programs shall be developmentally appropriate and specially designed for children ages three and four years. 2. Where at all possible the school district accepts referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements. 3. Where appropriate, the school district elects, consistent with federal requirements to use the format and services of the Individualized Family Service Plan (IFSP), if appropriate, for an additional year as a means of transitioning eligible children to public school services. 4. Where appropriate the Team allows a child to remain in a program designed for three and four year old children for the duration of the school year in which the child turns five years old (including the summer following the date of the child's fifth birthday). <p><u>Types of Settings:</u></p> <ol style="list-style-type: none"> 5. <u>Inclusionary programs</u> for young children are located in a setting that includes children with and without disabilities and meet the following standards:

CRITERION NUMBER					
	Legal Standard				
	<p>a. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting.</p> <p>b. For public school programs that integrate children with and without disabilities, the class size does not exceed twenty (20) with one teacher and one aide and no more than five (5) students with disabilities. If the number of students with disabilities is six (6) or seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide.</p> <p>6. <u>Substantially separate programs</u> for young children are located in a public school classroom or facility that serves primarily or solely children with disabilities. Substantially separate programs adhere to the following standards:</p> <p>a. Substantially separate programs are programs in which more than 50% of the children have disabilities.</p> <p>b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide.</p>				
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Rating: Partially Implemented	District Response Required: Yes				

Department of Education Findings:

The documentation provided by the district did not include the disability status as required. Therefore, the onsite team cannot determine whether the types of settings are developmentally appropriate or are specially designed for children ages three and four.

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> <p>X the school provides equal opportunity for male and female students to participate in intramural and interscholastic sports</p> <p>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> <p>Title II; Title IX ; S. 504; MGL, Ch.76, Section 5</p>		
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Rating: Implemented	District Response Required: No		

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: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Although the district provided copies of an outline of Youth Tech Entrepreneurs and a reference guide to policy and legislation regarding the Massachusetts School-to-Work System, this documentation is insufficient to verify the district's efforts to comply with the requirements under this criterion.

CRITERION NUMBER	TITLE 1 IV. CURRICULUM AND INSTRUCTION
	Legal Standard
TI 12	<p>Title I services provided to students are designed to assist the students to meet the expectations and standards of the regular education curriculum and of the state curriculum frameworks. 1115 (c)(1)(D) (ii) ESEA,IASA; 1001 (a)(1); 1001 (d)(1) ESEA,IASA</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
TI 13	There is an established process for coordination and collaboration of Title I services with the instructional and assessment programs provided in regular education, special education, TBE/ESL, vocational education, early childhood (including Even Start and Head Start), and for the Homeless. 1112 (b)(4)(A-B); 1115 (c)(1)(E); 1120(b)(a)ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 14	Efforts are being made to minimize removing students from the regular classroom during school hours. Title I inclusion services are provided in a manner to accelerate learning and do not result in in-class pull-out models. 1115(c)(1)(D)(iii) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 14A	The school district provides opportunities for Title I students to participate in extended day/week/year programs and activities which may be funded through the integration of district resources. 1115(c)(1)(D)(i) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
TBE 9	The Transitional Bilingual Education program is a full-time program of instruction

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION IV. CURRICULUM AND INSTRUCTION	
	Legal Standard	
	that includes: 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. G.L. c.71A, <input type="checkbox"/> 1 and <input type="checkbox"/> 2	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Documentation review indicates that in a majority of the elementary schools, the district does provide a full-time program of instruction that includes all courses required by law. In some cases at the elementary level, students are provided content area instruction from a TBE teacher and ESL support from a different teacher. At the high school and middle schools, bilingual math is not offered. The onsite team concludes there are limited course offerings for TBE students in general at the high school. At the high school, bilingual classes receive credit for graduation, but they do not receive quality points (given for higher level courses) because they are comprehensive classes. This adversely effects their class rank because bilingual classes do not carry the same quality points as all other classes. Many similar Spanish honors courses, which provide a more basic curriculum than Spanish as a first language courses, do receive honors credit while the Spanish classes for native speakers do not. Staff interviews indicate that the Curriculum Frameworks are incorporated into TBE and ESL programs. Staff interviews indicate that each teacher determines the amount of time classes are taught in English or the native language based on the skill level of the particular class. However, interviews indicate that the district does not provide staff specific guidance on this topic. See comment TBE 12.

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, <input type="checkbox"/> 5	
	Rating: Implemented	District Response Required: No

Department of Education Findings:

All TBE students participate with their fellow students in art, music and physical education and may participate in all extracurricular activities and after-school programs.

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: Implemented District Response Required: No

Department of Education Findings:

A review of data and observation of classrooms revealed that age span requirements are in compliance.

COMPONENT V: STUDENT SUPPORT SERVICES

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

- Special Education (Report Issues # SE 43-49)
- Civil Rights Methods of Administration (MOA)
(Report Issues MOA 1, 2, 6, 8, 9, 17, 24, 25)
 - Title I (Report Issues # TI 15-18)
- Transitional Bilingual Education (Report Issues # TBE 12-13)

CRITERION NUMBER			
	Legal Standard		
	<ol style="list-style-type: none"> 1. All students, including eligible students with disabilities, receive prior written notice regarding the school's Code of Conduct. 2. The school's Code of Conduct includes required procedural safeguards such as opportunity for a hearing (per Goss v. Lopez). 3. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below. 4. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education. 5. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> State Regulation MGL c. 76, sec. 16-18 Chapter 71, section 37 H </td> <td style="width: 50%; vertical-align: top;"> Federal Requirements 300.519-300.529 </td> </tr> </table>	State Regulation MGL c. 76, sec. 16-18 Chapter 71, section 37 H	Federal Requirements 300.519-300.529
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Review of student handbooks provided to the onsite team (Haverhill High School, Hunking and Consentino Middle Schools, and Burnham and Knipe Elementary Schools) does not verify that all students, including students with disabilities, receive prior written notice as required under this criterion. Although the handbooks reviewed did include the school's discipline code, none of the handbooks contained the required due process clause for either short or long term suspensions. The high school handbook's information includes four steps under an appeal procedure. The first step in the appeal procedure states that any disciplinary action may be appealed by the student and parent/guardian jointly. The fourth step of the appeal procedure states that, if no resolution is achieved at each level of authority up through the Superintendent's Office, the parent may appeal to the Department of Education. This latter statement does not conform to current federal regulations. Although the high school handbook is translated into Spanish, the Spanish translated version is not a direct translation and does not contain the same information. Additionally, the Spanish translated version of the high school handbook contains information not found in the English version. The parent and community information booklet and the Spanish translated version do not include the information required under this criterion.

CRITERION NUMBER	
	Legal Standard
SE 46	Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district

CRITERION NUMBER	
	<p style="text-align: center;">Legal Standard</p> <ol style="list-style-type: none"> 1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement. 2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes <ol style="list-style-type: none"> a. to develop or review a functional behavioral assessment of the student’s behavior to modify a behavior intervention plan or develop an assessment plan; b. to identify appropriate alternative educational setting(s); and c. to determine the relationship between the disability and the behavior - “a manifestation decision” (Is IEP appropriate? Is placement appropriate? If there was a behavior plan, was it implemented? Does student understand impact and consequences of his/her behavior? Can student control behavior?). 3. If the Team determines that the behavior is <u>NOT</u> a manifestation of the disability, then the district may suspend or expel the student consistent with policies applied to any student without disabilities, except that the district must still offer an appropriate education program to the student with disabilities which may be in some other setting. 4. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 days <ol style="list-style-type: none"> a. if the behavior involves weapons or illegal drugs or another controlled substance while at school or a school function; or b. if the district provides evidence that the student is “substantially likely” to injure him/herself or others and a hearing officer orders the alternative placement; and c. the interim alternative education setting enables the student to continue in the general curriculum, to continue receiving services identified on the IEP, and provides services to address the problem behavior. 5. If the Team determines that the behavior <u>IS</u> a manifestation of the disability, then the district takes steps (with the consent of the parent) to correct the IEP, the placement, or the behavior intervention plan and does not suspend the student again during the school year. 6. The school district provides written notice to the parent of all rights to appeal and to an expedited hearing. If the parent chooses to appeal, during the appeal the student stays put in the placement on the last accepted IEP or the interim alternative placement, unless the parent and the school district agree otherwise. <p>State Regulations Federal Requirements 300.519-300.528</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The district did not provide evidence of written procedures or training regarding conducting a manifestation review and other discipline procedures. Interviews indicate the staff has limited knowledge of the requirements of this criterion.

CRITERION NUMBER	
	Legal Standard
SE 47	<p>Procedural requirements applied to students not yet determined to be eligible for special education</p> <ol style="list-style-type: none"> 1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if: <ol style="list-style-type: none"> a. The parent had expressed concern in writing; or b. The parent had requested an evaluation; or c. School district staff had expressed concern that the student had a disability. 2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures to conduct an expedited evaluation to determine eligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility. 3. The school district has developed procedures consistent with federal requirements to expedite evaluations. <p>State Regulations Federal Requirements 20 U.S.C. Chapter 33, Section 1415(k)</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The district did not provide evidence of written procedures or training regarding procedural requirements applied to students not yet determined to be eligible for special education. Interviews indicate the staff has limited knowledge of the requirements of this criterion.

CRITERION NUMBER	
	Legal Standard
SE 48	<p>FAPE (Free, appropriate, public education): Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education</p> <p>All students receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational,</p>

CRITERION NUMBER			
	Legal Standard		
	<p>supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.</p> <p>Programs, services and activities include, but are not limited to:</p> <ol style="list-style-type: none"> 1. art and music 2. vocational education, industrial arts, and consumer and homemaking education 3. work study and employment opportunities 4. counseling services 5. health services 6. transportation 7. recess and physical education, including adapted physical education 8. athletics and recreational activities 9. school-sponsored groups or clubs 10. meals 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.06(5)</td> <td style="width: 50%;">Federal Requirements 300.121; 300.300-313</td> </tr> </table>	State Regulations 28.06(5)	Federal Requirements 300.121; 300.300-313
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

The district did not provide the required documentation describing the district's methods of providing FAPE. The onsite team could not determine that all students in substantially separate programs have equal opportunity to participate in educational, non-academic, extracurricular and ancillary programs as their non-disabled peers. Record review and staff interviews indicate a number of eligible students do not receive Art, Music and Physical Education as part of the general education program. While many special education students are provided Music Therapy and Adaptive Physical Education (although these services are not included on their IEPs), staff interviews indicated that some other special education students are not provided these services or other regular curriculum offerings in these areas and could profit from them.

CRITERION NUMBER	
	Legal Standard
SE 49	<p>Related services</p> <p>For each student with special education needs found to require related services, the school district provides or arranges for the provision of transportation and such developmental, corrective, and other supportive services as are required to assist a student to benefit from special education or to access the general curriculum, and includes:</p> <ol style="list-style-type: none"> 1. speech-language pathology and audiology services 2. psychological services 3. physical therapy

CRITERION NUMBER			
	Legal Standard		
	4. occupational therapy 5. recreation, including therapeutic recreation 6. early identification and assessment of disabilities in children 7. counseling services, including rehabilitation counseling 8. orientation and mobility services (peripatology) 9. medical services for diagnostic or evaluation purposes 10. school health services 11. social work services in schools, and 12. parent counseling and training.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.02(18)</td> <td style="width: 50%;">Federal Requirements 300.24</td> </tr> </table>	State Regulations 28.02(18)	Federal Requirements 300.24
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Department of Education Findings:

Staff interviews indicate that in some cases Speech and Language Therapy services were delayed due to lack of appropriate staff.

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> <ul style="list-style-type: none"> X notified that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability X given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s) <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Not Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes
Rating: Not Implemented	District Response Required: Yes		

Department of Education Findings:

Although the district provided copies of the student and parent handbook and a parent and community information booklet, these publications do not satisfy the documentation requirements for this criterion. There is no district-wide staff handbook. The district did not provide a list of notification methods or a description of implementation strategies as required.

The district's non-discrimination policy, printed on the inside front cover of the student and parent handbook, does not include 'national origin' as a basis for non-discrimination and uses the term

'handicaps' rather than 'disability'. In the high school student handbook, the section on Discrimination-Title IX, Chapter 622 provides a summary of definitions of Title IX and Chapter 622 (codified MGL, Chapter 76, Section 5). However, the Chapter 622 definition does not include "sexual orientation" as a basis for non-discrimination. Although, the handbook states that in accordance with Title VII (incorrectly stated for Title VI), Title IX and Section 504, the school system shall designate a school official as coordinator to publicize anti-discrimination requirements and handle all complaints, the handbook does not provide the name, address and telephone number of the Title VI, Title IX and Section 504 Coordinator.

In the district's parent and community information booklet, the notice of the district's non-discrimination policy does not include 'sexual orientation' as a basis for discrimination and uses the term 'handicap' instead of 'disability'. This booklet does not provide the name, address and telephone number of the Title VI, Title IX or Section 504 Coordinator(s). The onsite team concludes that all announcements regarding the district's non-discrimination policy do not meet the requirements of this criterion. Interviews indicate that staff have little or no knowledge of who is the district's Title VI, Title IX and Section 504 coordinator(s).

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: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

See comments MOA 1 and MOA 6.

CRITERION NUMBER	
	Legal Standard
MOA 6	<p>Grievance procedures Written grievance procedures for students and for employees covering Title VI (race, national origin), Title IX (sex equity), and Section 504 (disability) have been adopted and published, and a grievance process is in place that provides prompt and equitable resolution. Title II, Title VI, Title IX, S. 504</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Information on Where To File A Complaint, includes a non-discrimination policy that does not include ‘religion’ or ‘sexual orientation’ as a basis for non-discrimination and adds ‘age’ in admission to, access to, treatment in, or employment in its services, programs and activities. Students are informed that they may file a complaint with the building principal or the Executive Director of Student Services because both these individuals are the “Grievance Administrators”. The name, address and telephone number are provided for one “Grievance Administrator”. In addition, under Where To File A Complaint, the information states... “A person who alleges discrimination based upon disability, pursuant to Section 504, Chapter 766 and/or Disabilities Education Act, must use the procedure outlined in the Massachusetts Department of Education’s Parents’ Rights brochure, rather than this grievance procedure”. The handbook states that a copy of the brochure is available from the Director of Special Education.

In some cases, staff interviews indicate that the Executive Director of Student Services is the Section 504 Coordinator and is responsible for student to staff or student to student discrimination complaints, while the Executive Director of Personnel and Labor Relations is responsible for staff employment complaints.

The onsite team concludes that the district does not have a clear written grievance/complaint process that is prompt and equitable and meets the requirements under this criterion.

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: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district did not provide the required documentation or a description of its implementation strategies to determine full compliance of this criterion. See comment MOA 10, MOA 12 and SE 34.

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: X encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests,

CRITERION NUMBER	
	Legal Standard
	<p>abilities, and skills</p> <p>X examine testing materials for bias and counteract any found bias when administering and interpreting test results</p> <p>X communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district</p> <p>X support students in non-traditional educational and occupational pursuits for their gender</p> <p>Title II, Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 17	<p>Non-discriminatory administration of scholarships, prizes and athletic awards</p> <p>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</p> <p>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</p>

CRITERION NUMBER	
	Legal Standard
	<p>includes the following information:</p> <ul style="list-style-type: none"> a. their attendance is voluntary; b. their right to meet with a school representative to discuss the reasons for withdrawal; c. their rights to return to school; and d. all program options available to them. <p>MGL, Ch. 76, S.18</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Documentation review indicates the district's notice is not translated in the student's native language.

CRITERION NUMBER	
	Legal Standard
MOA 25	<p>Codes of conduct and student handbooks</p> <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: Not Implemented District Response Required: Yes

Department of Education Findings:

Documentation review indicates the district does not have a consistent district-wide nondiscrimination policy in all school and district codes of conduct and student handbooks. Although the high school student handbook does contain a harassment policy and a definition of general harassment and sexual harassment, it does not include complaint resolution procedures that include disciplinary measures. The district did not verify that principals of all schools ensure that the district and school codes of conduct are distributed annually as required. See comments SE 43 and MOA 23.

CRITERION NUMBER	TITLE 1 V. STUDENT SUPPORT SERVICES
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	Legal Standard
TI 15	<p>The program design serves to supplement, not supplant:</p> <ul style="list-style-type: none"> • regular education • special education • transitional bilingual education • services for low incidence limited-English proficient students. <p>200.63 (Federal Register) CFR; 1115 (b)(2)(ii) ESEA, IASA</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Document review and staff interviews indicate that the Title I program supplants services offered by the district. Title I schools do not provide supplementary reading services.

CRITERION NUMBER	
	Legal Standard
TI 16	<p>Representatives from non-public school and/or Neglected or Delinquent (N or D) homes are consulted and informed about the availability of Title I services and the priority needs of their schools.</p> <p>200.10 (a) (Federal Register) CFR</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 17	<p>The Title I services provided in non-public schools and/or N or D homes are equitable to those provided in public schools and minimize the use of pull-out program models.</p> <p>1120(a), 200.10 (a) (Federal Register) CFR; 200.11(b) (Federal Register) CFR</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
TI 18	Additional student assistance is provided through teacher-parent conferences for any students not meeting the standards to discuss (a) what the school will do to help the student meet the standards; (b) what the family can do to help the student improve performance; and (c) additional assistance for the student at the school or elsewhere in the community. 1114(b)(1)(H)(iii)
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION V. STUDENT SUPPORT SERVICES
	Legal Standard
TBE 12	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. 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)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Based on documentation and record review and staff interviews and observations, the onsite team concludes the district needs to examine its high school offerings to ensure that TBE students have the opportunity to access more advanced courses and have a wider variety of courses offered in their native language. High school course offerings in TBE are the most basic courses available at the school and are a barrier for students if they have advanced content knowledge but low language skills. Although useful for students, the Spanish as a first language course offered at four levels, may utilize staff that could be assigned to teach more critical content areas.

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 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)

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

Department of Education Findings:

Although the district provides a Spanish translation of the student and parent handbook and a parent and community information booklet, these publications do not satisfy the requirements of 603 CMR 26.08. Students enrolled in TBE programs are notified in their primary language of the provisions of the Student Record Regulations. See finding under MOA 1 in Component V.

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.

:

- Special Education (Report Issues # SE 50-54)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18-21)
 - Title I (Report Issues # TI 19-22)
- Transitional Bilingual Education (Report Issues # TBE 15-17)

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
SE 50	<p>Responsibilities of the School Principal and Administrator of Special Education Principal:</p> <ol style="list-style-type: none"> 1. <u>Instructional support.</u> The principal in each of the district’s schools promotes instructional practices responsive to student needs and ensures that adequate instructional support is available for students and teachers. Instructional support includes remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of MGL c. 71B, §2. The principal consults with the Administrator of Special Education regarding accommodations and interventions for students. Such efforts and their results are documented and placed in the student record. Additionally, when an individual student is referred for an evaluation to determine eligibility for special education, the principal ensures that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility. 2. <u>Curriculum Accommodation Plan.</u> The principal implements a curriculum accommodation plan adopted by the district to ensure that all efforts have been made to meet students’ needs in regular education. The plan assists the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the regular education program including, but not limited to, direct and systemic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning. The Plan includes teacher training in (1) analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the regular classroom of students with diverse learning styles; (2) methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate such styles; and (3) training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement. 3. <u>Coordination with special education.</u> The principal with the assistance of the Administrator of Special Education coordinates the delivery and supervision of special education services within each school building. 4. <u>Educational services in home or hospital.</u> Upon receipt of a physician’s written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION								
	Legal Standard								
	<p>coordinates such services with the Administrator for Special Education for eligible students. Such educational services are not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.</p> <p><u>Administrator of Special Education:</u></p> <p>5. The school district has an appointed person to be its Administrator of Special Education. The Administrator supervises all special education for the school district and ensures compliance with all federal and state special education laws. As appropriate, and in accordance with the requirements of MGL c.71B, §3A, the Administrator may designate other school district personnel to carry out some of the duties of the Administrator.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations</td> <td style="width: 50%; border: none;">Federal Requirements</td> </tr> <tr> <td style="border: none;">28.03(3)</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Chapter 71, sec. 38Q and 38Q ½ as amended</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">by FY '01 State Budget Out Side Sections 146 and 147</td> <td style="border: none;"></td> </tr> </table>	State Regulations	Federal Requirements	28.03(3)		Chapter 71, sec. 38Q and 38Q ½ as amended		by FY '01 State Budget Out Side Sections 146 and 147	
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Rating: Partially Implemented	District Response Required: Yes								

Department of Education Findings:

The district provided a 1996 job postings for a high school principal, a 2000 job posting for an elementary principal and a 1995 job posting for the Director of Special Education; however, this information does not provide the required documentation to determine full compliance of this criterion.

Although the district did provide a Curriculum Accommodation Plan for the district (CAPD), the CAPD does not address the required elements; for example, how the district will ensure that all efforts have been made to meet students' needs in regular education or provide information on teacher training. The CAPD did reiterate the district's pre-referral process (STAT) and did state that building principals plan to develop building specific Curriculum Accommodation Plans in the Spring of 2001. The district has not adopted local policies and procedures for home and hospital programs or provide a description of support services available to limited English-proficient students.

CRITERION NUMBER	Legal Standard						
SE 51	<p>Appropriate special education teacher certification Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations</td> <td style="width: 50%; border: none;">Federal Requirements</td> </tr> <tr> <td style="border: none;">28.02(3)</td> <td style="border: none;">300.23; 300.36</td> </tr> <tr> <td style="border: none;">603 CMR 7.00</td> <td style="border: none;"></td> </tr> </table>	State Regulations	Federal Requirements	28.02(3)	300.23; 300.36	603 CMR 7.00	
State Regulations	Federal Requirements						
28.02(3)	300.23; 300.36						
603 CMR 7.00							

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

Department of Education Findings:

Documentation review and staff interviews indicate that out of approximately 133 special education staff; two staff have expired certification certificates, 28 staff are not on approved waivers and two other staff's certification status could not be determined.

CRITERION NUMBER	
	Legal Standard
SE 52	<p>Appropriate certifications or other credentials -- related services Any person, including non-educational personnel, who provides related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the regular or special classroom teacher is appropriately certified, licensed, board-registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession.</p> <p>State Regulations Federal Requirements 28.02(3) 300.23; 300.24; 300.136</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Documentation review indicates that out of approximately 12 speech and language therapists, two therapists do not have licenses and one therapist is not appropriately certified.

CRITERION NUMBER	
	Legal Standard
SE 53	<p>Use of paraprofessionals</p> <ol style="list-style-type: none"> 1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services. 2. Persons employed as paraprofessionals and assistants are under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision.

CRITERION NUMBER					
	Legal Standard				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td></td> <td>300.136(f)</td> </tr> </table>	State Regulations	Federal Requirements		300.136(f)
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Rating: Partially Implemented	District Response Required: Yes				

Department of Education Findings:

The district has not adopted a local policy and plan for paraprofessional staff. Documentation review indicates that training was offered on January 22, 2001 to all paraprofessionals; however, there is no verification that attendance was required. The district did not provide evidence that paraprofessionals are appropriately trained to assist in providing IEP services and are supervised by appropriately certified staff.

CRITERION NUMBER					
	Legal Standard				
SE 54	<p>Professional development regarding special education The district considers the needs of all staff in developing training opportunities for professional and paraprofessional staff and provides a variety of offerings which at a minimum include the following training topics offered on an annual basis:</p> <ol style="list-style-type: none"> 1. state and federal special education requirements and related local special education policies and procedures; 2. confidentiality of student records; 3. training in analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the regular classroom of students with diverse learning styles; 4. methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning styles; 5. training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement; 6. training for all locally hired and contracted transportation providers on the unique needs of all students being transported in regular and special transportation vehicles; and 7. in cooperation with the special education parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request. <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>Chapter 71, sec. 38g 28.03(1)(a) Chapter 71, sec. 38Q and 38Q ½ as amended by FY '01 State Budget Out Side Sections 146 and 147</td> <td>300.382</td> </tr> </table>	State Regulations	Federal Requirements	Chapter 71, sec. 38g 28.03(1)(a) Chapter 71, sec. 38Q and 38Q ½ as amended by FY '01 State Budget Out Side Sections 146 and 147	300.382
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CRITERION NUMBER	
	Legal Standard
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

While the district considers the needs of staff, the onsite team could not determine that staff and paraprofessional training opportunities include at a minimum elements # 1 through # 7 as required under this criterion.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
MOA 18	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
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 19	Employment application and interview procedures Job application forms and interview questions conform to requirements regarding pre-employment inquiries of a candidate's race, ethnicity, age, marital and parental status, national origin, physical attributes, religious background, health, health history and physical or mental condition. Title I, Title VI, Title IX, S. 504
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district's teaching position application form asks for personal data which includes a description of the applicant's general health and an estimate of occupational time lost due to illness during the last five years.

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:</p> <ul style="list-style-type: none"> 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 <p>Title I, Title VI, Title IX, S. 504</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 21	<p>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.</p> <p>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:

Documentation review and staff interviews indicate that discrimination and harassment prevention training was provided for approximately 535 staff during the 1999-2000 school year.

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION	
	Legal Standard	
TI 19	All professional staff providing Title I services are appropriately certified or hold current waivers for their job title and function. Chapter 71, 38G	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
TI 20	Teacher aides work under the direct supervision and in close proximity of certified teachers who are employed in that capacity. 1119 (I)(1)(c) ESEA, IASA	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
TI 21	Professional development activities: X support instructional practices that are conducive to the high achievement and challenging content expectations of the state's education reform efforts (e.g., Curriculum Frameworks); and X are provided to all of the district's instructional staff who serve Title I eligible students. 1119 (b)(1)(A) ESEA, IASA	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 22	Title I professional development activities are designed by principals, teachers, and other school staff to ensure that Title I students' needs are addressed. The district devotes sufficient resources to effectively carry out its responsibilities for professional development. 1119 (a)(2) ESEA, IASA; 1114(b)(1)(H)(i).
	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:

Documentation review and staff interviews indicate that there are two TBE teachers that are not appropriately certified. Also, the TBE director does not hold Supervisor/Director certification as required.

At the Consentino Middle School, bilingual teachers are not part of school teams. However at Silver Hill Elementary School, the team integration works very well. At other schools visited, collaboration varied among staff members. Native language paraprofessionals are available to assist with instructional support and for other duties requested by the teacher, such as, bus monitoring, etc. The district makes every effort to hire qualified and certified staff.

CRITERION NUMBER	
	Legal Standard

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: Implemented District Response Required: No

Department of Education Findings:

A review of data and observations of classes indicate that TBE classes remain within class size requirements.

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: Not Implemented District Response Required: Yes

Department of Education Findings:

Documentation review and interviews indicate staff has not been provided training in language acquisition. This finding of not implemented was cited in the Department's November 1996 Coordinated Program Review final report. The Department concludes that the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

COMPONENT VII: SCHOOL FACILITIES

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

- Special Education (Report Issues # SE 55)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 7 and 14)
 - Transitional Bilingual Education (Report Issues # TBE 18-19)

CRITERION NUMBER	SPECIAL EDUCATION VII. SCHOOL FACILITIES	
	Legal Standard	
SE 55	<p>Special education facilities and classrooms</p> <ol style="list-style-type: none"> 1. The school district provides facilities and classrooms for eligible students which maximize the inclusion of such students into the life of the school; 2. provide accessibility in order to implement fully each child's IEP; 3. are at least equal in all physical respects to the average standards of general education facilities and classrooms; and 4. are given the same priority as general education programs for access to and use of instructional and other space in public schools in order to minimize the separation or stigmatization of eligible students. <p>State Regulations 28.03(b)</p> <p>Federal Requirements Section 504 of the Rehabilitation Act of 1973</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Staff interviews and classroom observations indicate that elements # 1 through # 4 are not fully met as required under this criterion. The PALS 4 and PAL 5 at the Consentino Middle School is located in one large classroom that does not minimize the separation or stigmatization of eligible students. Some students at Pentucket Lake Elementary are placed in programs there because age appropriate middle school programs are not accessible. The behavior classes at Fox and Moody Elementary schools are located in the basement. The location of these programs does not meet the requirements of this criterion. The onsite team concludes that the district has not made a good faith effort to look at the entire population of eligible students, age groupings, compatibility, developmental abilities, district resources and buildings to bring the district into compliance as required. This finding of partial implementation regarding the Consentino Middle School classroom was cited in the Department's November 1996 Coordinated Program Review final report. The Department concludes the district has failed to implement its own March 1997 Corrective Action Plan for this criterion.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES	
	Legal Standard	
MOA 7	<p>Accessibility of district programs and services for students with limited physical mobility</p> <p>In at least one facility within the district, the district makes available and entirely accessible to students with disabilities all educational programs and services offered at each level (preschool, elementary and secondary).</p> <p>Title II of the Americans with Disabilities Act; S. 504; MGL, Ch. 71B;</p>	

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	Legal Standard
	Individuals with Disability Act-Revisions of 1997, (IDEA-97)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Staff interviews and classroom observations indicate that the middle school level is not entirely accessible to students with limited physical mobility. The accessible schools do not have appropriate programs particular to students needs. See comment SE 55.

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

Department of Education Findings:

Staff interviews and classroom observations indicate that classes for special education and TBE students at the Consentino Middle School, special education classes at the Fox, Moody and Pentucket Lake Elementary schools are not comparable to those offered other students in the district. See comments SE 55 and TBE 19.

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

CRITERION NUMBER	TRANSITIONAL BILINGUAL EDUCATION VII. SCHOOL FACILITIES
	Legal Standard
	Rating: Implemented District Response Required: No

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: Partially Implemented District Response Required: Yes

Department of Education Findings:

Staff interviews and classroom observations indicate that the TBE classrooms #1A and ##1B at the Consentino Middle School are not at least equal in all respects to those classrooms provided to monolingual English speaking students.

Staff interviews and classroom observations indicate that textbooks used at the elementary and middle school levels are in the native language. Most of the textbooks are the translated version used for regular education classes. The TBE classrooms (1A and 1b) at the Consentino Middle School are not comparable to those provided for regular education students. The district attempts to find comparable textbooks in the native language to correspond to the mainstream textbooks. However, the bilingual classes in Health and Computer at the high school do not have any textbooks. See comment MOA 14.

COMPONENT VIII: PROGRAM PLAN AND EVALUATION

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

- Special Education (Report Issue # SE 56)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 22-23)
 - Title I (Report Issues # TI 23-23A)
- Transitional Bilingual Education (Report Issue # TBE 20)

CRITERION NUMBER	SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SE 56	<p>Special education programs and services are evaluated</p> <ol style="list-style-type: none"> 1. Special education programs, services and administrative areas are regularly evaluated. 2. The district develops methods for determining the effectiveness of programs in assisting students with disabilities to achieve the goals set forth in their IEPs in the least restrictive environment. 3. The district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed. 4. As part of these evaluation procedures, the district measures the success of programs based on students' local and statewide assessment results, drop out rates and graduation rates for special education students. <p>State Regulations Chapter 71B Chapter 71, sec. 59C</p> <p style="text-align: right;">Federal Requirements 300.137</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The district did not provide the required documentation to determine full compliance of this criterion. For example, the onsite team was provided a copy of the Behavior Management Study Groups that summarized the recommendations from the district's behavior management staff regarding their own programs. Another study group held on December 4, 2000, Summary of PAL Meeting, documents the need to discuss plans to begin locating older PALS group to the high school. The district also provided a statistics document that could not be interpreted by the onsite team. See comments SE 20 and SE 41.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
MOA 22	<p>Curriculum review process</p> <p>The district has 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.</p> <p>MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 23	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
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Documentation review and staff interviews indicate that in 1998 the district's school committee undertook the process to review and update policies. As new policies are adopted, they are disseminated to the schools and the public through the Superintendent's procedures and implementation strategies. Through this school committee review, the district has adopted a policy on harassment. However, the dissemination process in place is the issuing of memorandums to principals. The U.S.D.O.E. Office for Civil Rights guidance suggests that distributing the procedures to administrators may not in itself be an effective way of providing notice, as these memorandums are usually not widely circulated to and understood by all members of the school community.

CRITERION NUMBER	TITLE 1 VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
TI 23	A needs assessment and data analysis is conducted annually to determine the types of programs and services to be provided to Title I students. Such assessment is conducted in consultation with school staff and parents. IASA 1115 (c)(2)(B); IASA 1114 (b)(1)(A)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Document review and staff interviews indicate the annual needs assessment and data analysis are not fully utilized to determine the content areas funded by Title 1.

CRITERION NUMBER	
	Legal Standard
TI 23A	<p>a. The Title I program is evaluated on at least an annual basis, and Title I program changes are implemented which reflect the recommendations of such program evaluation.</p> <p>b. The Title I School wide Plan is integrated into the school's Improvement Plan.</p> <p>IASA 1115 (c)(2)(B)</p>
	<p>Rating: Implemented District Response Required: No</p>

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, § 1I, § 10.
	<p>Rating: Implemented District Response Required: Yes</p>

Department of Education Findings:

The district issues a parent survey to determine the effectiveness of its programs. Areas of needed improvement are: services to low incidence students, classroom space issues at the Consentino Middle School and tracking bilingual students receiving special education services. These areas of needed improvement have not been addressed by the district at the time of the Department's onsite visit. (See other related TBE findings included in this report.)

COMPONENT IX: RECORD KEEPING

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

- Special Education (Report Issues # SE 57-58)
 - Title I (Report Issues # TI 24-26A)
- Safe and Drug Free Schools (Report Issue # SDF 9)
- Transitional Bilingual Education (Report Issue # TBE 21)

CRITERION NUMBER	SPECIAL EDUCATION IX. RECORD KEEPING	
	Legal Standard	
SE 57	<p>Special education child count</p> <ol style="list-style-type: none"> 1. A child count is maintained representing students with current, accepted IEPs who are provided, at a minimum, direct special education and/or related services to each student. The count is filed as part of annual school report by December 1 of each school year and provides an unduplicated listing of the number of students with IEPs in each program and does not reveal the identity of individual students or their parents. 2. The child count also includes students with disabilities determined eligible for special education who are attending private schools at private expense and are receiving publicly funded services according to IEPs developed by the district. 3. The district does not include as part of its special education child count students who are determined by the Department to be erroneously classified as eligible to be counted under federal or state special education requirements or who are no longer receiving special education and/or related services. <p>State Regulations 603 CMR 23.00</p> <p>Federal Requirements 300.750-754; 300.145; 300.560-300.577; Family Educational Rights and Privacy Act (FERPA); 300.133</p>	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 58	<p>Federal Special Education Entitlement Grant</p> <ol style="list-style-type: none"> 1. The district's Special Education entitlement grant is designed by appropriate local administrators who are responsible for the implementation of the local special education programs and services. 2. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education. 3. Appropriate local administrators monitor the entitlement grant in an ongoing manner to ensure its full implementation as the Department of Education has approved it. 4. The district has secured the approval of the Department of Education for all amendments prior to their implementation. 5. The district spends at least a proportionate share of its federal special education 	

CRITERION NUMBER			
	Legal Standard		
	funds on services for children enrolled in private schools at private expense.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.03(1)(e)</td> <td style="width: 50%;">Federal Requirements 300.230; 300.340-300.500</td> </tr> </table>	State Regulations 28.03(1)(e)	Federal Requirements 300.230; 300.340-300.500
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Rating: Implemented	District Response Required: No		

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING		
	Legal Standard		
TI 24	Each split-funded staff member maintains an appropriate log (time and efforts record) verifying the time spent on Title I activities. 200.63 (Federal Register) CFR		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 50%;">District Response Required: No</td> </tr> </table>	Rating: Implemented	District Response Required: No
Rating: Implemented	District Response Required: No		

CRITERION NUMBER			
	Legal Standard		
TI 25	Documentation is on file at the local Title I office verifying comparability and the LEA is in compliance with comparability. 1120 (A)(c) ESEA, IASA		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 50%;">District Response Required: No</td> </tr> </table>	Rating: Implemented	District Response Required: No
Rating: Implemented	District Response Required: No		

CRITERION NUMBER		
	Legal Standard	
<p>TI 26</p>	<p>a.</p> <p>b.</p>	<p>The district has submitted the required reports: Local Title I Plan/Application and Performance and Achievement Report.</p> <p>LEA maintains appropriate Title I records in a central location or at each Title I school and keeps correspondence on file, including:</p> <ul style="list-style-type: none"> X documentation for identifying schools eligible for Title I services (Target Area Selection), and X the form for determining school allocations X allocating funds to schools forms are available X rank order list and student selection criteria are available. <p>ESEA 1116 (d)(1)(A), 1111(b)(2)(A)(ii), 11120A(c)(2)</p>
	<p>Rating: Implemented</p>	<p>District Response Required: No</p>

CRITERION NUMBER		
	Legal Standard	
<p>TI 26A</p>	<p>Federal Title I Entitlement Grant:</p> <p>a.</p> <p>b.</p> <p>c.</p> <p>d.</p>	<p>The district's Title I entitlement grant is designed by appropriate local administrators who are responsible for the implementation of the local Title I programs and services.</p> <p>Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education.</p> <p>Appropriate local administrators monitor the entitlement grant in an ongoing manner to ensure its full implementation as it has been approved by the Department of Education.</p> <p>The district has secured the approval of the Department of Education for all amendments prior to their implementation.</p>
	<p>Rating: Implemented</p>	<p>District Response Required: No</p>

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:

Documentation review and staff interviews indicate that the cumulative records on bilingual students are maintained in a confidential manner. However, the log of access was not present in all records but when the log of access was present, it was frequently not signed by appropriate school personnel. Results of student testing are placed in TBE records that include placement testing in the fall and annual evaluations in the spring. During registration, previous school information is gathered.

APPENDIX I:
NUTRITION PROGRAMS AND SERVICES

Code of Federal Regulations:
7 CFR Parts: 210 National School Lunch Program
215 Special Milk Program for Children
220 School Breakfast Program
227 Nutrition Education and Training Program
245 Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools

The criteria in this component of the Coordinated Program Review examine whether the School Food Authority ensures that the requirements for participation in the National School Lunch, School Breakfast, Special Milk and Commodity School Programs are being implemented. These requirements specify program responsibilities of local officials in the areas of program administration, preparation and service of nutritious meals, use of program funds, program monitoring, reporting and record keeping. The findings included in this section of the report have been made through on-site activities completed by the Department's Nutrition Programs and Services team member.

CRITERION NUMBER	NUTRITION PROGRAMS AND SERVICES	
	Legal Standard	
NS 1	All free and reduced price and paid lunches claimed for reimbursement are served to students eligible for free, reduced price and paid lunches respectively; and are counted, recorded, consolidated and reported through a system which consistently yields correct claims. 7 CFR 210.18 (g) (1).	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

The Department recommends that the district implement a new counting and claiming system. This new system needs to be implemented in all the elementary and middle schools to ensure an accurate point of service and consolidation of claims. Written procedures for implementing the card system need to be submitted.

CRITERION NUMBER		
	Legal Standard	
NS 2	Records indicate that lunches claimed for reimbursement within the school food authority contain food items/components as required by program regulations. 7 CFR 210.18 (g) (2)	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
NS 3	School Food Authorities account for all revenues and expenditures of their nonprofit school food service. In order to participate in the NSLP, the School Food Authority maintains records to demonstrate compliance with program requirements. Retention of these documents is for three years after the close of the fiscal year to which they pertain except in cases where audit findings are unresolved. 7CFR210.9 (a) (17); 210.14, 210.15	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	
	Legal Standard
NS 4	The School Food Authority works to strengthen the following school nutrition program participation and management practices: a. school nutrition participation b. nutrition education activities c. productivity evaluation 7CFR 210.19; 7CFR 220.8; 7CFR 210.9
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The food service director needs to initiate, through interdisciplinary measures, more integrated nutrition education activities.

CRITERION NUMBER	
	Legal Standard
NS 5	All eligible students have access to the school food services program. 7 CFR 15b; 7 CFR 210.23(c).
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
NS 6	The School Food Authority ensures that established sanitation and health standards are implemented. Facilities are properly safeguarded against theft, spoilage and other loss. 7 CFR 210.13
	Rating: Implemented District Response Required: No

APPENDIX II:
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.

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