



Francis W. Parker Charter School

**COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

Dates of Onsite Visit: October 23-25, 2000

Date of Draft Report: January 5, 2001

Due Date for Comments: January 22, 2001

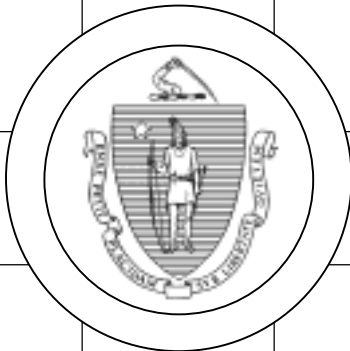
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Action Plan Due: April 27, 2001

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**MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW**

Francis W. Parker Charter School

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MASSACHUSETTS DEPARTMENT OF EDUCATION

COORDINATED PROGRAM REVIEW REPORT

Francis W. Parker Charter School

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

A two-member Massachusetts Department of Education team visited Francis W. Parker Charter School during the week of October 25, 2000 to evaluate the implementation of selected criteria in the program areas of special education and civil rights requirements. 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 Francis W. Parker Charter School. These areas are as follows:

- *Commitment by administration and staff to meeting the individual needs of all students in the least restrictive environment.*
- *Personal Learning Plan for each student in the school, independent of special education requirements.*
- *Low student/teacher ratios in all classes.*
- *Exemplary parental involvement in all aspects of the school.*
- *Flexibility in development of support services for students, which have been beneficial to all students.*
- *Well-developed curriculum review process.*

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

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

- Interviews of two administrative staff.
- Interviews of seven teaching and support services staff across all levels.
- Interviews of one parent representative and other interviews as requested by persons from the general public.
- Student record reviews: A sample of thirteen student records was selected by the Department. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Parent surveys: Twelve 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. Two of these parent surveys were returned to the Department of Education for review by the onsite team.
- Classroom and facilities observation: A sample of three 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

Francis W. Parker Charter School

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?

Before the current school year, IEP Teams at the charter school did not always include a teacher or specialist trained in the area of the student's special needs. With the addition of a special education teacher, the charter school is now staffed appropriately. However, the charter school is frequently not meeting requirements in the following areas:

- 1) The school is not meeting timelines for the development of IEPs, for holding annual review Team meetings, and for performing re-evaluations.
- 2) Transition planning is not being addressed at Team meetings and fully described on IEPs.
- 3) Progress reports do not address specific goals and objectives of the IEP.
- 4) The school lacks proper procedures for amending an IEP.

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 charter school has assessment procedures that ensure that students with disabilities are properly identified. Its efforts to provide for students in the least restrictive environment are commendable. At the time of the Department's onsite visit, initial assessments were mostly provided by the sending school districts. The school's Teams, however, do not propose most related services, nor are such services provided to students.

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?

Although parents are actively involved in all aspects of the charter school and are participants in decisions regarding their children, there is no official parent advisory council for special education as required by state regulations. Although verbal notification is always provided, the school does not always notify parents in writing of their child's referral for a special education evaluation or of Team meetings. The school does not always obtain parents' written consent for evaluations and for changes in the special education services provided to their child.

Although English is the predominant language of all current students, the charter school is prepared to notify parents in other languages as required. Also, the school fails to document in student records that it has obtained written parental consent as required by regulation at numerous junctures.

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?

Students at the charter school are held to high expectations. Class sizes, the age span of students within classes, and student-teacher ratios were found to be within required limits, and the charter school's low student-to-staff ratio for special education pull-outs is commendable. The charter school's programs are designed to foster the inclusion of all students within regular education, and the school is pro-active in its outreach to meet the individual needs of all students.

Component V: Student Support Services

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

Students are provided with equal access to extracurricular services free of bias or discrimination. However, the charter school neither proposes nor provides most related special education services, nor does it inform students adequately as to their opportunities for vocational education. Staff and parents are generally unaware of the district's Title VI, Title IX and Section 504 coordinators. The school has no grievance procedures for discrimination based on race or disability, and its complaint resolution procedures are inadequate in that they do not contain specific sanctions for students who harass or discriminate.

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?

Charter school staff have appropriate credentials for their areas of responsibility. The school employs a certified special education teacher but does not use aides or tutors. The school needs to provide the required annual training to staff on certain special education topics and needs to develop a Curriculum Accommodation Plan. More coordination by school administrators of the delivery of special education services is also needed.

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 charter school is fully accessible to handicapped students in all program areas. Facilities provided for the implementation of special education services are at least comparable to those for non-disabled students. The school actively pursues a policy of providing an inclusive environment for all students and maximizes integration of all students into the life of the school.

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?

Documentation and staff interviews indicated that the charter school has failed to respond in a timely fashion to evaluations that indicate a need for additional special education staff and program supports. Parental involvement in program evaluation and improvement is ongoing but not formalized.

Component IX: Record keeping

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

The district has appropriate procedures to maintain records and documentation in the area of special education

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)

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 style="text-align: right;">Federal Requirements 300.532, 300.535</p>	
	Rating: Implemented	District Response Required: No

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. 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 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: <ol style="list-style-type: none"> a. that no further assessments are needed and the reasons for this; and

CRITERION NUMBER			
	Legal Standard		
	<p style="text-align: center;">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%; vertical-align: top;">State Regulations 28.04(2)</td> <td style="width: 50%; vertical-align: top;">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)
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Rating: Implemented	District Response Required: No		

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> <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

CRITERION NUMBER					
	Legal Standard				
	necessary, devise an alternate assessment.				
	<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>300.138; 300.139</td> </tr> </table>	State Regulations	Federal Requirements		300.138; 300.139
State Regulations	Federal Requirements				
	300.138; 300.139				
	Rating: Implemented District Response Required: No				

Department of Education Findings: *Although the above criterion is being met, how students will participate is often indicated in the incorrect column on the IEP form.*

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

CRITERION NUMBER			
	Legal Standard		
	<table border="0"> <tr> <td>State Regulations Ch.71B, Sections 12A-C</td> <td>Federal Requirements 300.344(b), 300.347</td> </tr> </table>	State Regulations Ch.71B, Sections 12A-C	Federal Requirements 300.344(b), 300.347
State Regulations Ch.71B, Sections 12A-C	Federal Requirements 300.344(b), 300.347		
	Rating: Not Implemented District Response Required: Yes		

Department of Education Findings:

Record reviews showed that transition planning is not documented on students' IEPs.

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

CRITERION NUMBER			
	Legal Standard		
	form and maintained in the student record.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.08(7), Ch. 231, Sec. 3A</td> <td style="width: 50%;">Federal Requirements 300.347(c), 300.517</td> </tr> </table>	State Regulations 28.08(7), Ch. 231, Sec. 3A	Federal Requirements 300.347(c), 300.517
State Regulations 28.08(7), Ch. 231, Sec. 3A	Federal Requirements 300.347(c), 300.517		
	<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 none of the school's special education students have reached age 17, the school needs to develop policies for the transfer of parental rights at the age of majority.

CRITERION NUMBER	
	Legal Standard
SE 8	<p>Evaluation Team composition The following persons are members of the evaluation Team:</p> <ol style="list-style-type: none"> 1. The child's parents 2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district. 3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson) 4. A teacher who has recently had or currently has the student in a classroom or other teaching situation. If the student is involved or may be involved in a regular education program, a regular education teacher must be included as a Team member. 5. The student, age fourteen and older, if he/she chooses 6. Other individuals at the request of the student's parents 7. At least one teacher or specialist trained in the area of the student's suspected special needs 8. Individuals who are qualified to interpret the instructional implications of evaluation results 9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education 10. When one purpose of the Team meeting is to discuss transition services, the student age sixteen, or younger, is a part of Team process. If the student does not attend the Team meeting, the school district ensures that the Team is informed of the student's interests and preferences. 11. When one purpose of the Team meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the Team meeting. If the representative(s) does not attend the meeting, the school district takes other steps

CRITERION NUMBER			
	Legal Standard		
	to obtain the participation of these agencies.		
	<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:

Record reviews and staff interviews indicated that a teacher or specialist trained in the area of the student’s suspected special needs is not always part of the IEP Team. With the recent addition of a special education teacher, the school is now in a position to comply with 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 general curriculum g. develops an IEP where the student is found to need special education h. provides the parent with the proposed IEP, or a written explanation of the finding of no eligibility 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 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.

CRITERION NUMBER			
	Legal Standard		
	<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>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations OSS 420, FY '01 Budget</td> <td style="width: 50%;">Federal Requirements 300.534</td> </tr> </table>	State Regulations OSS 420, FY '01 Budget	Federal Requirements 300.534
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	<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:

Record reviews and staff interviews indicated that the school is not consistently meeting the timelines of this criterion.

CRITERION NUMBER			
	Legal Standard		
SE 10	<p>End of school year evaluations If consent is received at least 30 days before the end of the school year, the Team is scheduled no later than 14 days after the end of the school year to allow for the provision of a proposed IEP or finding of no special needs prior to the beginning of the next school year.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.05(1)</td> <td style="width: 50%;">Federal Requirements 300.342</td> </tr> </table>	State Regulations 28.05(1)	Federal Requirements 300.342
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	<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
SE 11	<p>School district response to parental request for independent educational evaluation If a parent disagrees with an initial evaluation or re-evaluation completed by the</p>

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

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> <p>State Regulations 28.04(3)</p> <p>Federal Requirements 300.536</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Record reviews indicated that re-evaluations are not always conducted within the required timelines.

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. <p>State Regulations 28.07(3)</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Record reviews indicated that progress reports do not specifically address the goals and

objectives of the IEP.

CRITERION NUMBER	
	Legal Standard
<p>SE 14</p>	<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 28.04(3)</p> <p>Federal Requirements 300.343(c)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Record reviews indicated that annual review Team meetings are often held late.

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)

CRITERION NUMBER	
	Legal Standard
	Chapter 71, section 57
	Rating: Implemented District Response Required: No

Department of Education Findings:

Parts 1 and 2 of this criterion are not applicable since the school does not serve a three- and four-year old population. Part 3 is appropriately implemented.

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"> 1. 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. 2. 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 style="text-align: right;">Federal Requirements 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</p>
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

The school population does not include children of this age.

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"> 1. 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

CRITERION NUMBER			
	<p style="text-align: center;">Legal Standard</p> <p>development of measurable, annual goals and objectives/benchmarks for the 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 border="0" style="width: 100%;"> <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:

Record reviews and staff interviews indicated that the IEP Team does not propose most related services and that they are not provided to students by the school.

CRITERION	
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NUMBER		
	Legal Standard	
SE 19	<p>Extended evaluation If the Team is unable to determine eligibility or 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: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 20	<p>Least restrictive program selected</p> <ol style="list-style-type: none"> 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. 	

CRITERION NUMBER			
	Legal Standard		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.06(2)(a)</td> <td style="width: 50%;">Federal Requirements 300.130; 300.550-300.556</td> </tr> </table>	State Regulations 28.06(2)(a)	Federal Requirements 300.130; 300.550-300.556
State Regulations 28.06(2)(a)	Federal Requirements 300.130; 300.550-300.556		
	Rating: Commendable District Response Required: No		

Department of Education Findings:

The school vigorously pursues a policy of providing an inclusive environment for all students.

CRITERION NUMBER	
	Legal Standard
SE 21	<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

CRITERION NUMBER			
	Legal Standard		
	with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.05(4) Chapter 69, section 1G</td> <td style="width: 50%;">Federal Requirements 300.309(b)</td> </tr> </table>	State Regulations 28.05(4) Chapter 69, section 1G	Federal Requirements 300.309(b)
State Regulations 28.05(4) Chapter 69, section 1G	Federal Requirements 300.309(b)		
	Rating: Implemented District Response Required: No		

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		
	Rating: Implemented District Response Required: No		

CRITERION NUMBER	
	Legal Standard
SE 23	Confidentiality of personally identifiable information

CRITERION NUMBER	
	Legal Standard
	The district protects the confidentiality of any personally identifiable information that is collected, used or maintained in accordance with federal and state law. State Regulations 603 CMR 23.00 (Student Records Regulations) Federal Requirements 300.560-576; Family Educational Rights and Privacy Act (FERPA)
	Rating: Implemented District Response Required: No

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
MOA 4	Identification of limited English proficient students The district uses qualified staff and appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance. Title VI; MGL, Ch.76, Section 5
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 5	Placement and program modification for limited English proficient students For students requiring special language assistance, the district makes necessary program modifications to effectively serve limited English proficient students. Title VI; MGL, Ch.76, Section 5
	Rating: Implemented District Response Required: No

Department of Education Findings:

Although no current students require special language assistance, the school is prepared to deal with this circumstance.

CRITERION	
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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 school. Title II, Title VI, Title IX, S. 504, MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: Yes</p>

Department of Education Findings:

Although the school does not routinely offer occupational/vocational programs, the school should develop procedures to ensure that these needs are considered and provided as appropriate to individual student interests and program needs.

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: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 12	<p>Placement of disabled students in occupational/vocational education programs When occupational/ vocational placement needs of disabled students are being considered: a. persons knowledgeable about a student's disabilities are present at 504 or special education TEAM meetings and participate in ongoing</p>

CRITERION NUMBER	
	Legal Standard
	<p>communication regarding a student's progress</p> <p>b. an array of occupational/vocational education programs and services are available to facilitate necessary program modifications and to meet the identified needs of students</p> <p>Title II, S. 504</p>
	<p>Rating: Implemented District Response Required: No</p>

Department of Education Findings:

Note: Part b is not applicable to charter schools.

CRITERION NUMBER	
	Legal Standard
MOA 13	<p>Availability of in-school programs for pregnant students</p> <p>Pregnant students are permitted to remain in regular education classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.</p> <p>Title IX</p>
	<p>Rating: Implemented District Response Required: No</p>

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)

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:

Record reviews and interviews with staff indicated that although parents are always notified that their child has been referred for special education, notifications are not always made in writing.

CRITERION NUMBER		
	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. 5. A parent is informed that consent may be revoked at any time. 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 	

CRITERION NUMBER			
	Legal Standard		
	<p>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 reviews indicated that although consent for IEP evaluations and for changes in the delivery of services is obtained, it is not always obtained in writing. Also, IEPs are not always amended to reflect changes in services.

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. 		
	<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
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Record reviews and staff interviews indicated that although parents are always notified and

always attend TEAM meetings, such notification is not consistently provided in writing.

CRITERION NUMBER	
	Legal Standard
<p>SE 27</p>	<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. <p>State Regulations 28.04(b)</p> <p style="text-align: right;">Federal Requirements 300.503-504</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

In the records reviewed by the Department’s team, notices of referral for evaluation and notices of Team meetings did not meet the requirements of this criterion.

CRITERION NUMBER	
	Legal Standard
<p>SE 28</p>	<p>Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights</p> <p>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> <p>State Regulations 28.05(7)</p> <p style="text-align: right;">Federal Requirements 300.345(f)</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 29	<p>Communications are in English and primary language of home</p> <p>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.</p> <p>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, (2) that the content of the notice and (3) the steps taken to ensure that the parent understands the content of the notice.</p> <p>State Regulations Federal Requirements 300.345(e)</p>
	<p>Rating: Implemented District Response Required: No</p>

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> <p>State Regulations MGL c. 71B, Sec. 3</p> <p>Federal Requirements 300.503-504</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
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	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 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. 	
	State Regulations 28.07(7)	Federal Requirements 300.515
	Rating: Implemented	District Response Required: No

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 	

CRITERION NUMBER	
	Legal Standard
	<p>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.</p> <p>State Regulations Federal Requirements Chapter 71B, sec. 1C; FY '01 State Budget, Outside Section 168 28.07(4)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Although parents are actively involved in all aspects of the school, there is no official parent advisory council for special education.

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

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)

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: Implemented	District Response Required: No

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: Implemented	District Response Required: No

Department of Education Findings:

The charter school is prepared to offer and implement a substantially separate program should the IEP Team recommend such a placement. At the time of the Department's onsite visit, no IEPs called for a substantially separate program. The school provides vocational services through an association with the Montachusett Regional Vocational Technical School.

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>	
	Rating: Implemented	District Response Required: No

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 to by a child's parents. 3. The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP. 4. The district provides all programs and services without expense to the child's parents. 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>State Regulations 28.06(3) Federal Requirements 300.142; 300.350</p>	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 37	<p>Procedures for approved and unapproved out-of-district placements</p> <ol style="list-style-type: none"> 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. 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. 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 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. 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). 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. 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: <ol 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

CRITERION NUMBER			
	<p style="text-align: center;">Legal Standard</p> <p>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.</p> <p>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.</p> <p>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 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 border="0" style="width: 100%; margin-top: 20px;"> <tr> <td style="width: 50%;">State Regulations 28.02(13), 28.06(3)</td> <td style="width: 50%;">Federal Requirements 300.2(c)</td> </tr> </table>	State Regulations 28.02(13), 28.06(3)	Federal Requirements 300.2(c)
State Regulations 28.02(13), 28.06(3)	Federal Requirements 300.2(c)		
	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Rating: Not Applicable</td> <td style="width: 50%;">District Response Required: No</td> </tr> </table>	Rating: Not Applicable	District Response Required: No
Rating: Not Applicable	District Response Required: No		

Department of Education Findings:

CRITERION NUMBER	
	Legal Standard

Chapter 71, Section 89(t) of the Massachusetts General Laws exempts charter schools from this criterion.

CRITERION NUMBER	
	Legal Standard
SE 38	<p>Educational services in institutional settings (ESIS) <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. <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 implement the student's IEP by arranging and paying for the provision of such service(s). 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 style="display: flex; justify-content: space-between;">State Regulations Federal Requirements</p> <p>28.06(9)</p>
	<p>Rating: Not Applicable District Response Required: No</p>

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.

CRITERION NUMBER	
	Legal Standard
	<p>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:</p> <ul 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 site. When services are provided using only federal funds, services are provided on public or private school grounds. 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>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> <p>State Regulations 28.03(e)</p> <p>Federal Requirements 300.450-300.462</p>
	<p>Rating: Not Applicable District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 40	Instructional grouping requirements for students aged five and older

CRITERION NUMBER			
	Legal Standard		
	<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. 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. 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. 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. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.06(6)</td> <td style="width: 50%;">Federal Requirements</td> </tr> </table>	State Regulations 28.06(6)	Federal Requirements
State Regulations 28.06(6)	Federal Requirements		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Commendable</td> <td style="width: 50%;">District Response Required: No</td> </tr> </table>	Rating: Commendable	District Response Required: No
Rating: Commendable	District Response Required: No		

Department of Education Findings:

The school's 3:1 student- to-staff ratio for special education pullouts is significantly better than the required standard.

CRITERION NUMBER	
	Legal Standard

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> <p>State Regulations 28.06(6)(f)</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Implemented District Response Required: No</p>

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: <ol style="list-style-type: none"> a. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting. 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

CRITERION NUMBER			
	Legal Standard		
	<p>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>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.06(7)</td> <td style="width: 50%;">Federal Requirements 300.342(c)</td> </tr> </table>	State Regulations 28.06(7)	Federal Requirements 300.342(c)
State Regulations 28.06(7)	Federal Requirements 300.342(c)		
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Rating: Not Applicable	District Response Required: No		

Department of Education Findings:
The school serves students in grades 7-12 only.

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>		
	<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
MOA 16	<p>Promotional, recruitment, and employment practices of prospective employers of students The district ensures that promotional efforts and recruitment and employment</p>

CRITERION NUMBER	
	Legal Standard
	<p>practices and materials aimed at students, including career days, work study, cooperative work experience and apprenticeship training programs, are free of bias and discrimination by:</p> <ul style="list-style-type: none"> X depicting students from both sexes and under represented groups in all pictorial representations X making clear in written materials that all options are open to students regardless of race, color, sex, religion, national origin, sexual orientation or disability X requiring employers recruiting at the school to sign a statement that they do not discriminate in hiring or employment practices <p>Title I, Title VI, Title IX, S. 504, MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

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)

CRITERION NUMBER	SPECIAL EDUCATION V. STUDENT SUPPORT SERVICES	
	Legal Standard	
SE 43	<p>Behavioral interventions For a student whose behavior impedes their learning or the learning of others, the Team considers the student’s behavior including positive behavioral interventions, ability to follow school discipline codes, any needed code modifications and the possible need for a functional behavioral assessment.</p>	
	<p>State Regulations</p>	<p>Federal Requirements 300.346</p>
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 44	<p>Procedure for recording suspensions The district has a procedure to record the number and duration of suspensions, including any suspensions from any part of the student’s IEP program (including transportation).</p>	
	<p>State Regulations</p>	<p>Federal Requirements 300.121(d)(2)</p>
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 45	<p>Procedures for suspension up to 10 days and after 10 days: General requirements</p> <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. 	

CRITERION NUMBER			
	Legal Standard		
	<p>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.</p> <p>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.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulation MGL c. 76, sec. 16-18 Chapter 71, section 37 H</td> <td style="width: 50%; border: none;">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
State Regulation MGL c. 76, sec. 16-18 Chapter 71, section 37 H	Federal Requirements 300.519-300.529		
	District Response Required: No		
	Rating: Implemented		

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

CRITERION NUMBER					
	Legal Standard				
	3. The school district has developed procedures consistent with federal requirements to expedite evaluations.				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td></td> <td>20 U.S.C. Chapter 33, Section 1415(k)</td> </tr> </table>	State Regulations	Federal Requirements		20 U.S.C. Chapter 33, Section 1415(k)
State Regulations	Federal Requirements				
	20 U.S.C. Chapter 33, Section 1415(k)				
	Rating: Implemented District Response Required: No				

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, 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</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.06(5)</td> <td>300.121; 300.300-313</td> </tr> </table>	State Regulations	Federal Requirements	28.06(5)	300.121; 300.300-313
State Regulations	Federal Requirements				
28.06(5)	300.121; 300.300-313				
	Rating: Implemented District Response Required: No				

CRITERION NUMBER		
	Legal Standard	
<p>SE 49</p>	<p>Related services 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 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. 	<p>Federal Requirements 300.24</p>
	<p>State Regulations 28.02(18)</p>	<p>Federal Requirements 300.24</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>	

Department of Education Findings:

Record reviews and staff interviews indicated that the school does not have an adequate system for the provision of related services. An uncertified staff member who lacks appropriate credentials is currently providing speech and language services.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES	
	Legal Standard	
<p>MOA 1</p>	<p>Notification of school district staff and the general public At the beginning of each school year, students, parents, employees, and the general public are:</p> <p>X notified that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability</p> <p>X given the name(s), address(es) and telephone number(s) of Title VI, Title IX</p>	

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES
	Legal Standard
	and Section 504 coordinator(s) Title VI; Title IX; S. 504; MGL, Ch.76, Section 5
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Review of documentation and staff interviews indicated that coordinators for Title VI, Title IX and Section 504 have not been designated and that staff are not aware that such coordinators should have been designated.

CRITERION NUMBER	
	Legal Standard
MOA 2	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
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 6	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
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Review of documentation indicated that written grievance procedures do not cover issues pertaining to discrimination based on race or disability.

CRITERION NUMBER	
	Legal Standard
MOA 8	<p>Availability of information to prospective occupational/vocational students All students in grades 7-9, including those in special education and English as a second language programs, receive counseling and information on the full range of general curricular and any occupational/vocational opportunities available to them. Title VI, Title IX, S. 504</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Review of documentation and staff interviews indicated that the charter school does not provide sufficient information to students on the vocational opportunities available to them.

CRITERION NUMBER	
	Legal Standard
MOA 9	<p>Counseling materials and activities free from bias and stereotypes To ensure that materials and activities are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation or disability, all counselors:</p> <ul style="list-style-type: none"> X encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills X examine testing materials for bias and counteract any found bias when administering and interpreting test results X communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district X support students in non-traditional educational and occupational pursuits for their gender <p>Title II, Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard

MOA 17	<p>Non-discriminatory administration of scholarships, prizes and athletic awards Scholarships, prizes and athletic awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability with the following exceptions:</p> <p>X when making athletic awards to members of single sex teams, awards are in proportion to the number of students of each gender participating in interscholastic competition</p> <p>X when accepting outside assistance (i.e. wills, trusts) for awards that would discriminate, the district provides an alternative source of funding to erase the discriminatory effect</p> <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

Department of Education Findings:

The charter school awards no scholarships, prizes, or athletic awards.

CRITERION NUMBER	
	Legal Standard
MOA 24	<p>Notice to students who have left or are about to leave school without a high school diploma The district provides timely notice in writing (in English and the student’s native language with a copy to parents) to students age 16-21 who have left or are about to leave school without obtaining a high school diploma or its equivalent and which includes the following information:</p> <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>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 25	Codes of conduct and student handbooks

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

Department of Education Findings:

Review of documentation indicated that complaint procedures do not contain specific sanctions for students who harass or discriminate. See also the finding under MOA6 above.

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)

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 border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 28.03(3) Chapter 71, sec. 38Q and 38Q ½ as amended by FY '01 State Budget Out Side Sections 146 and 147</td> <td style="width: 50%; vertical-align: top;">Federal Requirements</td> </tr> </table>	State Regulations 28.03(3) Chapter 71, sec. 38Q and 38Q ½ as amended by FY '01 State Budget Out Side Sections 146 and 147	Federal Requirements
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

- 1) *At the time of the Department's onsite visit, it was noted that the charter school had recently added a special education teacher to its staff. Before the start of the 2000-2001 school year, the school was inadequately staffed to provide special education services. The ability to provide these services must be maintained in order to ensure continued compliance with this criterion.*
- 2) *A Curriculum Accommodation Plan needs to be developed by the school in consultation with the Department.*
- 3) *More coordination by school administrators of the delivery of special education services is needed.*

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 border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 28.02(3) 603 CMR 7.00</td> <td style="width: 50%; vertical-align: top;">Federal Requirements 300.23; 300.36</td> </tr> </table>	State Regulations 28.02(3) 603 CMR 7.00	Federal Requirements 300.23; 300.36
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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 28.02(3)</p> <p>Federal Requirements 300.23; 300.24; 300.136</p>
	<p>Rating: Implemented District Response Required: No</p>

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. <p>State Regulations</p> <p>Federal Requirements 300.136(f)</p>
	<p>Rating: Not Applicable District Response Required: No</p>

Department of Education Findings:

The charter school does not now employ any paraprofessionals or aides.

CRITERION NUMBER	
	Legal Standard
SE 54	Professional development regarding special education

CRITERION NUMBER	
	Legal Standard
	<p>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. <p>State Regulations 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</p> <p style="text-align: right;">Federal Requirements 300.382</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Although interviews indicated that the staff is familiar with some aspects of the above training topics, training sessions pertaining to these topics were not documented. Also, the charter school does not have a parent advisory council.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
MOA 18	<p>School district employee recruitment activities The district's employee recruitment activities are aimed at reaching all groups, including bilingual/bicultural persons, females/males in nontraditional roles and persons with disabilities. When</p>

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

CRITERION NUMBER		
	Legal Standard	
MOA 20	Non-discriminatory personnel policies and procedures District personnel policies and procedures are free of discrimination and bias in the following areas: X employee hiring, upgrading, award of tenure, demotion, return from layoff and retirement are the same for both sexes X employee pay schedules and rates of other compensation for all job categories provide equal pay for equal work X fringe benefits for all job categories such as medical, dental, insurance, leave (sick, personal, professional, parental, dependent care, bereavement) etc. are the same for all employees Title I, Title VI, Title IX, S. 504	
	Rating: Implemented	District Response Required: No

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. Title VI, Title IX, S. 504, MGL, Ch. 76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

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)

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

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

CRITERION NUMBER	
	Legal Standard
MOA 14	<p>Comparability of facilities and programs</p> <p>Where the district provides separate facilities or programs for members of a specific group, facilities and programs are comparable to those offered other students in the</p>

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

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)

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:

Documentation and staff interviews indicated that the charter school has failed to respond in a timely fashion, as required under part 3 of this criterion, when its evaluations indicate a need for additional staff and program supports.

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	<p>Institutional self-evaluation The district has in place a comprehensive evaluation process to examine and remedy policies and programs that discriminate or limit educational access due to race, color, sex, religion, national origin, sexual orientation, or disability. Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

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)

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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APPENDIX:
SCHOOL DISTRICT PROFILE INFORMATION

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

School and District Profiles

Definitions of Terms

School and District Profiles make important information about the Commonwealth's public schools available to all interested citizens. The array of information presented in the Profiles provides one snapshot of the educational picture in communities across the state. This information can be used in conjunction with firsthand observations and discussions by parents, educators, policy-makers, and any other interested parties to inform decision-making and ultimately improve the education of all Massachusetts students. 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.

SE, MOA

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