



**Essex Agricultural and Technical High School**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of Onsite Visit: March 26-30, 2001**

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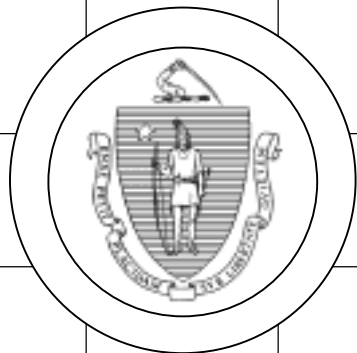
**Action Plan Due: October 9, 2001**

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MASSACHUSETTS DEPARTMENT OF EDUCATION  
COORDINATED PROGRAM REVIEW

Essex Agricultural and Technical High School

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# MASSACHUSETTS DEPARTMENT OF EDUCATION

## COORDINATED PROGRAM REVIEW REPORT

### Essex Agricultural and Technical High 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 three-member Massachusetts Department of Education team visited Essex Agricultural and Technical High School during the week of March 26-30, 2001 to evaluate the implementation of selected criteria in the program areas of special education, civil rights requirements, and Perkins Vocational and Technical Education. 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 area that was brought to the attention of the Department and that the team believes has a significant and positive impact on the delivery of educational services for students enrolled in the Essex Agricultural and Technical High School. This area is as follows:

*The new computer-assisted system of identifying, cataloging, disseminating, and sharing competencies with students and staff across the vocational curriculum is commendable.*

The area of commendation noted above is additionally stated within the body of the Department's report under the appropriate compliance criterion.

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 4 administrative staff.
- Interviews of twenty-nine teaching and support services staff across all levels.
- Interviews of zero (0) parent advisory council (PAC) representatives, and other interviews as requested by persons from the general public.
- Student record reviews: A sample of twelve special education and 20 (twenty) Perkins student records were selected by the Department. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Parent surveys: 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 (2) of these parent surveys were returned to the Department of Education for review by the onsite team.
- Classroom and facilities observation: Due to the unique nature of the programs at Essex Agricultural and Technical High School all academic and vocational instructional classrooms and other school facilities used in the delivery of programs and services were 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

#### Essex Agricultural and Technical High 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?*

The lack of documentation regarding locally developed policies and procedures resulted in a number of partially implemented or not implemented findings under this component. The onsite team found that the district does not have a process in place that ensures the following: (1) that assessments are always appropriately selected and interpreted, (2) that data from a variety of sources is used to make decisions, (3) that all required or optional assessments are completed, and (4) that assessment results are summarized and available to the parent at least two days before the Team meeting. The district has not implemented the special requirements for the determination of specific learning disabilities. Review of records indicated that the following elements of the IEP are not always completed: (1) designation of how students will participate in general state and district-wide assessment programs and (2) determination of transition services. Record review and staff interviews indicated that the Team composition does not always include a person who can commit district resources. The district does not always meet the timelines for conducting annual reviews, performing re-evaluations, or sending the parents the IEP. An additional concern is that progress reports are not sent out as often as required and that they do not contain all the required elements.

The district provides appropriate academic and career and technical assessments to all incoming students. The concern is that the students and their parents or guardians are not adequately involved in planning the program of study.

#### **Component II: Student Identification and Program Placement**

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

The district conducts outreach to the appropriate groups from which students in need of special education may be expected. The district also complies with the school day/school year requirements. The lack of documentation regarding locally developed policies and procedures resulted in a number of partially implemented or not implemented findings under this component. The district does not always develop IEPs with all the required elements. Due to a "tracking" system for determining the group to which a student will be assigned the least

restrictive environment is not selected. There are no policies and procedures to implement the new extended evaluation requirements. A current IEP is not always in place at the beginning of the school year. Teachers are not informed of their “specific” responsibilities regarding IEP goals and objectives due to the district not providing them with a copy of the IEP. The provision to every teacher of a list of every student on an IEP with a brief paragraph or synopsis fails to protect the confidentiality of information. Review of student records indicated that the district has been developing “monitoring” IEPs, no longer acceptable.

The district indicated that there are currently no limited English proficient students enrolled; however, there is no procedure to determine whether a student is limited English proficient and therefore needs special language assistance. The use of a “tracking” system to place students in specific instructional groups does not allow equal access to all academic programs. Academic and vocational staff do not have an opportunity for ongoing communication regarding student progress; also, the district lacks an array of occupational/vocational services to facilitate the necessary program modifications and to meet identified student needs.

Except for limited English proficient students, the district has a system in place for identifying which students meet the Perkins Act definition of special populations in order that they may receive Perkins-funded services.

### **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?*

All notices include the required elements. The lack of documentation regarding locally developed policies and procedures resulted in a number of partially implemented or not implemented findings under this component. Review of records indicated that the district does not always adhere to the timelines for providing notice, obtaining parental consent, or providing the IEP. The district has not implemented its responsibilities regarding educational surrogate parents.

The onsite team did not find evidence that general announcements, counseling materials and notices of extracurricular activities are always translated as required.

As required under the Perkins part of this review, there is appropriate parental representation on councils and committees, and evidence of involvement in the planning, implementation and evaluation of programs.

### **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?*

A number of criteria in this component were found to be “Not Applicable” since the program has only high school students and some responsibilities revert to the sending school district. Review of records and documents and interviews with staff indicated that the district does not provide a continuum of services to meet the needs of all students with disabilities. Insufficient documentation was provided to show that class size and age span requirements are always met.



Work study contracts do not contain the required non-discrimination assurance.

The district has not reviewed its cooperative educational sites and programs to ensure that all aspects of modern industry are included in a student's work experiences. There are no comprehensive "2+2" programs in plant and animal sciences to benefit students. While the commonality of programs and shared facilities between Essex Agricultural and Technical School and North Shore Community College lend themselves to linked programs, such programs do not exist.

#### **Component V: Student Support Services**

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

The district has procedures for recording suspensions. While the district has developed some procedures regarding the general requirements for suspensions of special education students under and over 10 days, they need to be revised to include all the elements promulgated under IDEA-97. The district needs to develop policies regarding students not yet determined to be eligible for special education. The district has a "tracking" system in place and as a result was found not to be providing a free and appropriate public education in the academic areas. One teacher who provides services to students on IEPs is neither certified in special education nor on an approved waiver.

The district provides awards and scholarships in a non-discriminatory manner. The district provides information regarding the full range of general curricular and vocational opportunities available to students in grade 8 from the geographic area that it serves. The student handbook does not include all bases of prohibited discrimination in its statement of non-discrimination. There was no evidence that students, parents, employees or the general public are given the required information on persons responsible for Title VI, Title IX or section 504. An additional concern was that the district does not have appropriate notice or procedures for all students who have left or are about to leave school.

Although the district has no programs that are considered nontraditional, interviews with guidance staff indicated that they are cognizant of the needs of nontraditional students and initiate support. The district has not conducted the appropriate civil rights training for staff and students on gender and sexual orientation bias and discrimination, including harassment. No alternative program exists to meet the needs of students.

#### **Component VI: Faculty, Staff and Administration**

*Does the District maintain certified staff in the specific program areas, provide supervision of aides and tutors, and provide ongoing professional development? Does the district implement an effective system of program leadership and oversight which fosters high standards and performance expectations for all students and staff consistent with the goals of applicable federal and state requirements and Education Reform Act of 1993?*

The district has not developed instructional supports that are responsive to student needs and does not ensure that adequate instructional support is available for students and teachers. There was no evidence that district instructional support includes remedial instruction for students, consultative services for teachers, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of Massachusetts law. The district has not implemented a curriculum accommodation plan to ensure that all efforts are made to meet students' needs in regular education. One of the teachers providing services to students on IEPs is not certified in special

education or on an approved waiver. There was no evidence that staff who have been hired as permanent substitutes/aides are appropriately trained to assist in providing special education or related services or are under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision. The district has not conducted any of the required training.

The district provided evidence that its recruitment is aimed at reaching all groups. The employment application contains a question that could be considered discriminatory, the district's personnel policies and procedures do not cover the permanent substitutes/aides and the district has not conducted the required civil rights training.

Several vocational and academic staff members are not appropriately certified, approved or otherwise qualified.

### **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 district has no facility or classroom that is fully accessible.

Advisory committees review program equipment and facilities at least yearly to ensure that they meet the demands of the workforce. The school lacks an Occupational Health and Safety Plan. Some shops lack the required safety precautions, (eyewash, fire blankets, etc.), pose safety hazards due to clutter and do not have the Material Safety Data Sheets (MSDS). Faculty and other staff have not had recent training in health and safety requirements for occupational programs in general, and for their specific programs.

### **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?*

No documentation was provided that the district regularly evaluates its special education programs and services.

The district indicated in its documentation that it does not have a formal curriculum review process or a comprehensive process for institutional self-evaluation.

The system includes the four core indicators outlined in Perkins III. The Career and Technical Education Reports identify strengths as well as areas needing improvement.

### **Component IX: Record keeping**

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

The district maintains the required records and documentation for special education and for he Perkins vocational programs. A copy of the entitlement grant was provided, but there was no documentation provided as to when the Department approved it. In the Perkins records reviewed an access review log (sign-in sheet) for each student record was not maintained.

**DEFINITION OF TERMS**  
**FOR THE RATING OF EACH COMPLIANCE CRITERION**

<b>Commendable</b>	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation.
<b>Implemented</b>	The requirement is substantially met.
<b>Implementation in Progress</b>	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.
<b>Partially Implemented</b>	The requirement, in one or several important aspects, is not entirely met.
<b>Not Implemented</b>	The requirement is totally or substantially not met.
<b>Not Applicable</b>	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)
- Perkins Vocational and Technical Education (Report Issues # P 1-4)

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

**Department of Education Findings:**

*In connection with evaluations and re-evaluations, review of records indicated that the district does not always ensure that assessments are validated; are administered and interpreted by trained individuals, are tailored to assess specific areas of educational need; are selected and administered to reflect aptitude and achievement levels; and are technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental*

factors. In addition, the onsite team found that in interpreting the data and making decisions the district does not always use a variety of sources to gather relevant functional and developmental information, including information provided by the parent; ensure that information obtained from these sources is considered; ensure that the placement decision conforms with the principle of placement in the least restrictive environment; and include information related to enabling the student to be involved in and progress in the general curriculum.

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 2	<p><b>Required and optional assessments</b></p> <ol style="list-style-type: none"> <li>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"> <li>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.</li> <li>b. Educational assessment by a representative of the school district, including a history of the student’s educational progress in the general curriculum.</li> <li>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.</li> <li>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.</li> </ol> </li> <li>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"> <li>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.</li> <li>b. A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.</li> <li>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</li> </ol> </li> </ol>







<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Record review indicated that the district does not always ensure compliance with part 1, part 2, or part 3 of this criterion.*

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

**Department of Education Findings:**

*Record review indicated that the district does not always designate how each student will participate and, if necessary, devise an alternate assessment.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 6</b>	<p><b>Determination of transition services</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. The transition services are based upon the student's needs, taking into account the student's preferences and interests and includes specially</li> </ol>

CRITERION NUMBER		
	<b>Legal Standard</b>	
	<p>designed instruction, community experiences, the development of employment or other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation.</p> <p>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).</p> <p>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.</p> <p>6. The district ensures that students age 14, or younger if appropriate, are invited to and attend Team meetings at which transition services are discussed or proposed</p>	
	<b>State Regulations</b> Ch.71B, Sections 12A-C	<b>Federal Requirements</b> 300.344(b), 300.347
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>	

**Department of Education Findings:**

*Record review indicated that the district does not always, at age 14, consider the student’s course of study in relation to the student’s future goals and document this in the IEP, as required in part 1 of this criterion. Record review also indicated that, for a student who is 16 years of age, or younger if appropriate, the district does not always include in the IEP services that promote movement of the student from school to post-school activities as specified in part 2 above. In addition, there was no evidence, other than the Bureau of Transitional Planning information, that the district has in place policies and procedures for involving adult human service agencies when and where appropriate.*

CRITERION NUMBER		
	<b>Legal Standard</b>	
<b>SE 7</b>	<p><b>Transfer of parental rights at age of majority and student participation and consent at the age of majority</b></p> <p>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.</p> <p>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.</p> <p>3. The district continues to send the parent written notices and information but will</p>	

CRITERION NUMBER		
	Legal Standard	
	<p>no longer have decision-making authority, except as provided below.</p> <p>(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</p> <p>(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</p> <p>(c) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.</p>	
	<p><b>State Regulations</b> 28.08(7), Ch. 231, Sec. 3A</p>	<p><b>Federal Requirements</b> 300.347(c), 300.517</p>
	<p><b>Rating: Not Implemented</b></p>	<p><b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*The district did not provide evidence that any of the requirements of this criterion are met.*

CRITERION NUMBER		
	Legal Standard	
<p><b>SE 8</b></p>	<p><b>Evaluation Team composition</b> The following persons are members of the evaluation Team:</p> <ol style="list-style-type: none"> <li>1. The child's parents</li> <li>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.</li> <li>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)</li> <li>4. A teacher who has recently had or currently has the student in a classroom or</li> </ol>	

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>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.</p> <ol style="list-style-type: none"> <li>5. The student, age fourteen and older, if he/she chooses</li> <li>6. Other individuals at the request of the student's parents</li> <li>7. At least one teacher or specialist trained in the area of the student's suspected special needs</li> <li>8. Individuals who are qualified to interpret the instructional implications of evaluation results</li> <li>9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education</li> <li>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.</li> <li>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 to obtain the participation of these agencies.</li> </ol> <p><b>State Regulations</b> 28.02(21)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.344; 300.552</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Record review and interviews with staff indicated that the persons required under parts 2, 3, 4, and 8 of this criterion are not always members of the evaluation Team.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 9</b>	<p><b>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</b></p> <ol style="list-style-type: none"> <li>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"> <li>a. provides an evaluation</li> <li>b. convenes a Team meeting</li> <li>c. determines whether the student has one or more disabilities</li> <li>d. determines if the student is making effective progress in school</li> <li>e. determines if any lack of progress is a result of the student's</li> </ol> </li> </ol>

CRITERION NUMBER		
	Legal Standard	
	<p data-bbox="597 344 711 373">disability</p> <p data-bbox="500 380 1398 506">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</p> <p data-bbox="500 512 1284 575">g. develops an IEP where the student is found to need special education</p> <p data-bbox="500 581 862 611">h. provides an evaluation</p> <p data-bbox="500 617 902 646">i. convenes a Team meeting</p> <p data-bbox="500 653 1292 682">j. determines whether the student has one or more disabilities</p> <p data-bbox="500 688 1338 718">k. determines if the student is making effective progress in school</p> <p data-bbox="500 724 1300 787">l. determines if any lack of progress is a result of the student's disability</p> <p data-bbox="407 793 1398 1010">2. 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. 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 data-bbox="407 1016 1344 1142">3. Where a Team finds students eligible for special education only in need of "monitoring services", such students are found no longer eligible for special education and are provided with appropriate supports through the district's regular education program.</p>	
	<p data-bbox="407 1184 704 1247"><b>State Regulations</b> OSS 420, FY '01 Budget</p>	<p data-bbox="980 1184 1260 1247"><b>Federal Requirements</b> 300.534</p>
	<p data-bbox="407 1262 1349 1291"><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>	

**Department of Education Findings:**

*Review of records and interviews with staff indicated that the district does not always, within the forty-five-school-working-day timeline, implement parts 1a –l of this criterion, as required. The onsite team found no evidence that if the 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. Also, review of records indicated that where a Team finds special education students in need only of monitoring services the district does not conduct a re-evaluation and has in several instances written a "monitoring services" IEP.*



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>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.</p> <p>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.</p> <p>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>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.04(5)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.503(a)(3)(i)</td> </tr> </table>	<b>State Regulations</b> 28.04(5)	<b>Federal Requirements</b> 300.503(a)(3)(i)
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	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Not Implemented</b></td> <td style="width: 50%;"><b>District Response Required: Yes</b></td> </tr> </table>	<b>Rating: Not Implemented</b>	<b>District Response Required: Yes</b>
<b>Rating: Not Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Review of documentation indicated that the district has not developed local policies and procedures to implement this criterion. The district provided the Department of Education's Administrative Advisory SPED 2001-3 as evidence of compliance with this criterion.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 12</b>	<p><b>Frequency of re-evaluation</b> Every three years, or sooner if necessary, the school district, with parental consent, conducts a full three-year re-evaluation consistent with the requirements of federal law.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.04(3)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.536</td> </tr> </table>	<b>State Regulations</b> 28.04(3)	<b>Federal Requirements</b> 300.536
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<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Record review indicated that the district does not always provide a re-evaluation every three years or sooner if necessary.*

CRITERION NUMBER		
	Legal Standard	
SE 13	<p><b>Progress Reports and content</b></p> <p>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.</p> <p>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> <p><b>State Regulations</b> 28.07(3)</p> <p><b>Federal Requirements</b> 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Record review indicated that the district progress reports are not sent out as often as report cards for non-disabled students and that the progress reports that are completed do not include 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.*

CRITERION NUMBER		
	Legal Standard	
SE 14	<p><b>Annual review Team meeting</b></p> <p>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><b>State Regulations</b></p> <p><b>Federal Requirements</b></p>	



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	28.04(3) 300.343(c)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Record review indicated that the district does not always hold review Team meetings required by this criterion at least annually, on or before the anniversary date of the implementation of the IEP and that when it does hold review Team meeting it does not always included the major service providers and the parent.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL I. ASSESSMENT OF STUDENT PROGRESS</b>
	<b>Legal Standard</b>
<b>P 1</b>	<p>Appropriate individual academic assessments are provided to all in-coming students. (Section 135)</p> <p>Appropriate academic assessments administered might include, but are not limited to the following:  ABLE ____, APTICOM ____, CAT ____, METROPOLITAN __X__, IOWA ____, MCAS __X__, STANFORD 9 ____,  WRAT ____, OTHER _____</p> <p>Appropriate individual career and technical assessments are provided to all in-coming students. (Section 135)</p> <p>Appropriate career and technical assessments administered might include but are not limited to the following:  ACT Career Planning Program (CPP) ____, ASVAB-CEP ____, ACDM ____,  Bennett Mechanical Comprehension ____,  CAB, CEP, CIT ____, DISCOVER, SAGE ____, Self-Directed Search (SDS) ____,  Myers Briggs Type Indicator _____,  Career Inventories for the Learning Disabled ____, OTHER: _____  OTHER: Kuder Career Search</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*The Metropolitan Achievement Test and the Kuder Career Search are administered to all incoming ninth-grade students and used to identify students' academic and career and technical interests and individual needs.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 2</b>	Academic and vocational assessments provided to in-coming students are used in planning students' vocational and academic program. (Sec. 135)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The assessment results are used by the school to plan the students' program of study. However, the students and their parents or guardians are not adequately involved in the planning process. A formal system to share the assessment results and use them for planning each student's educational program with the involvement of students and their parents/guardians should be developed, along with a system of receiving feedback on the services provided.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 3</b>	Methods of measuring academic competency gain and competency attainment are appropriate. (Sec. 122)
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*There is evidence of the use of competency-based assessments in measuring academic progress.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 4</b>	Methods of measuring career and technical competency gain and competency attainment are appropriate. (Section 122)
	<b>Rating: Commendable</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*The new computer-assisted system of identifying, cataloging, disseminating, and sharing competencies with students and staff across the vocational curriculum is commendable.*

## 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)
- Perkins Vocational and Technical Education (Report Issues # P 5-6)



**Department of Education Findings:**

*The district program provides services to students in grades 9-12 only.*

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 17	<p><b>Initiation of services at age three and Early Intervention transition procedures</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.06(7)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The district program provides services to students in grades 9-12 only.*

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 18	<p><b>IEP development and content; determination of placement; provision of IEP to parent</b></p> <ol style="list-style-type: none"> <li>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 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.</li> <li>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.</li> <li>3. In developing the IEP, the Team proposes specially designed instruction and</li> </ol>

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>related services according to the needs of the child and not according to the availability of such instruction or related services.</p> <ol style="list-style-type: none"> <li>4. The IEP is completed addressing all elements of the standard IEP format provided by the Department of Education.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>9. The IEP is written in generally understandable language.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.05(3), (4), (6) and (7)</p> <p><b>Federal Requirements</b> 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Record review indicated that the district does not always implement all the requirements of this criterion. In addition, interviews with staff and review of the services outlined in the IEPs selected indicated that the district, in most cases, is providing services based on available programs and resources rather than on individual student needs.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 19</b>	<p><b>Extended evaluation</b> If the Team finds a student eligible for special education and finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents' consent, agrees to an extended evaluation period.</p> <ol style="list-style-type: none"> <li>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,</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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.</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>4. The extended evaluation may extend longer than one week, but does not exceed eight school weeks.</li> <li>5. The extended evaluation is not considered a placement.</li> </ol> <p><b>State Regulations</b> 28.05(2)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*While the district has no students on an “extended evaluation,” review of documentation and interviews with staff indicated that there are no policies and procedures for providing an extended evaluation should the Team find that a student is eligible for special education but determines that the evaluation information is insufficient to develop a full or partial IEP.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 20</b>	<p><b>Least restrictive program selected</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. The district does not remove an eligible child from the general education classroom solely because of needed modification in the curriculum.</li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.06(2)(a)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.130; 300.550-300.556</td> </tr> </table>	<b>State Regulations</b> 28.06(2)(a)	<b>Federal Requirements</b> 300.130; 300.550-300.556
<b>State Regulations</b> 28.06(2)(a)	<b>Federal Requirements</b> 300.130; 300.550-300.556		
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Record review and interviews with staff indicated that due to the placement of students in groupings that constitute “tracking,” a program is selected for a student without consideration of any potential harmful effect on the student or on the quality of services that he or she will receive. In addition, review of the selected IEPs indicated that the Team does not state why removal from the general education classroom, when it is recommended, 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.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 21</b>	<p><b>School day and school year requirements</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction.</li> <li>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.</li> <li>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.</li> </ol>



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

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 22</b>	<p><b>IEP implementation and availability</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction.</li> <li>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.</li> <li>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.</li> </ol>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.05(7)(b); 28.06(2)(b)(2)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.342</td> </tr> </table>	<b>State Regulations</b> 28.05(7)(b); 28.06(2)(b)(2)	<b>Federal Requirements</b> 300.342
<b>State Regulations</b> 28.05(7)(b); 28.06(2)(b)(2)	<b>Federal Requirements</b> 300.342		
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>		

**Department of Education Findings:**

*Record review did not provide evidence that the district always has a current, signed IEP in place at the beginning of the school year. Interviews with staff indicated that the district provides a short (one-paragraph) summary for each student on an IEP; the onsite Team therefore concluded that each teacher is not informed of his or her specific responsibilities related to the implementation of the IEP. In addition, interviews with staff and review of the services outlined in the IEPs selected indicated that the district, in most cases, is providing services based on available programs and resources rather than on individual student needs.*

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

**Department of Education Findings:**

*While the district provided its policy regarding confidentiality, the dissemination of the paragraph summaries to all staff for all students on IEPs and the posting, in the high school entrance hall, of a list of students on academic probation violate state and federal regulations and laws.*

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

**Department of Education Findings:**

*While the district indicated that it currently has no students who are limited English proficient, some staff expressed concerns regarding some students' proficiency. There is currently no way to determine any needs in this area since the district does not have procedures or assessments for classifying or evaluating students who may be limited English proficient and who therefore may need special language assistance.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 5</b>	<b>Placement and program modification for limited English proficient students</b> 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
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The district indicated in its documentation that although there are currently no students who require special language assistance, should there be an identified need the district would make the necessary modifications. See finding under MOA 4 above.*

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

**Department of Education Findings:**

*Interviews with staff indicated that students are placed in academic programs using a “tracking” system; the onsite team therefore determined that not all students have equal access to the general education program. See findings under SE 20, MOA 4 and MOA 5 above.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 11</b>	<b>Placement of linguistic, racial minority and female/male students</b> 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
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*See findings under SE 20, MOA 4, MOA 5 and MOA 10 above.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 12</b>	<b>Placement of disabled students in occupational/vocational education programs</b> When occupational/ vocational placement needs of disabled students are being considered: a. persons knowledgeable about a student’s disabilities are present at 504 or special education TEAM meetings and participate in ongoing communication regarding a student’s progress b. an array of occupational/vocational education programs and services are available to facilitate necessary program modifications and to meet the identified needs of students Title II, S. 504
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews with staff indicated that there is no opportunity for ongoing communication regarding student progress among the academic teachers and the academic and vocational teachers, nor is there an array of services to facilitate necessary program modifications and to meet the identified needs of students.*

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

**Department of Education Findings:**

*The pregnancy policy provided refers only to attendance (it is under the attendance section of the student handbook) and not to all the rights and protections afforded to pregnant students under Title IX.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL II. STUDENT IDENTIFICATION AND PLACEMENT</b>	
	<b>Legal Standard</b>	
<b>P5</b>	Career and technical education students are appropriately identified for Perkins funded services and activities. (Section 135)	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

**Department of Education Findings:**

*All students are enrolled in programs that meet the Perkins Act definition of vocational education.*

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>P 6</b>	Special population students are appropriately identified for services. (Section 134)	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*With the exception of students who may have limited English proficiency, the school has a system for identifying which students meet the Perkins Act definition of special populations in order that they may receive Perkins-funded services. See findings under SE 20, MOA 4, MOA 5, MOA 10 and MOA 11 above.*

### 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)
- Perkins Vocational and Technical Education (Report Issues # P 7-8)

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT	
	Legal Standard	
SE 24	<p><b>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</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. Notice is given by the district within a reasonable time for all other actions.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.04(1)</p> <p><b>Federal Requirements</b> 300.503(a)</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*While the district provided a copy of the standard notice and the Parent's Rights Brochure, record review showed insufficient evidence that the district always provides written notice to the child's parent(s) within 5 school days of receipt of the referral, that notice is given by the district within a reasonable time for all other actions, and that the district provides the student's parent(s) with an opportunity to consult with the special education administrator or his/her designee, as required by this criterion.*

CRITERION NUMBER		
	Legal Standard	
SE 25	<p><b>Parental consent</b></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"> <li>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.</li> <li>2. The school district obtains consent before initiating extended evaluation services.</li> <li>3. The school district obtains consent to the services proposed on a student's IEP before providing such services.</li> <li>4. The school district obtains consent prior to placing a student in an initial special education placement and for any subsequent placement.</li> </ol>	

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

**Department of Education Findings:**

*Review of records indicated that the district does not always obtain consent as required under parts 1, 3, and 4 above. No documentation was provided to indicate that the district has procedures regarding what must happen if the parent refuses consent and the district determines it is a denial of FAPE or how the district will document its attempts to obtain consent.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 26</b>	<p><b>Parent participation in meetings</b></p> <p>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.</p> <p>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.</p> <p>3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.</p> <p>4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing.</p> <p>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.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.02(21)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.345(d), 300.501</td> </tr> </table>	<b>State Regulations</b> 28.02(21)	<b>Federal Requirements</b> 300.345(d), 300.501
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<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Due to lack of documentation it could not be determined that the district complies with parts 2,3,4 and 5 of this criterion.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 27</b>	<p><b>Content of Team meeting notice to parents</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b>    <b>Federal Requirements</b>  28.04(b)    300.503-504</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 28</b>	<p><b>Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights</b></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><b>State Regulations</b>    <b>Federal Requirements</b>  28.05(7)    300.345(f)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Record review indicated that the district does not always provide an IEP that complies with the*



CRITERION NUMBER		
	Legal Standard	
SE 31	<p><b>State and district responsibility for educational surrogate parents</b>  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"> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.07(7)</p> <p><b>Federal Requirements</b> 300.515</p>	
	<b>Rating: Not Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*No documentation was provided to indicate that the district has developed policies and procedures to address its responsibilities under this criterion.*

CRITERION NUMBER		
	Legal Standard	
SE 32	<p><b>Parent advisory council for special education</b></p> <ol style="list-style-type: none"> <li>1. The school committee has established a parent advisory council on special education.</li> <li>2. Membership on the council is offered to all parents of children with disabilities and other interested parties.</li> <li>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.</li> <li>4. The parent advisory council has established by-laws regarding officers and</li> </ol>	



<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL III. PARENT AND COMMUNITY INVOLVEMENT</b>	
	<b>Legal Standard</b>	
	populations, and other interested individuals are involved in the development, implementation and evaluation of career and technical programs. (Section 135)	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

**Department of Education Findings:**

*There is appropriate representation on the councils and committees, which are involved in the planning, implementation and evaluation of programs.*

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>P 8</b>	Appropriate information concerning career and technical education programs is provided to students and to their parents at least once a year before students enter the programs, and in no case later than the beginning of the ninth grade. Such information shall include: (a) the opportunities available in career and technical education (b) eligibility requirements for enrollment in career and technical programs (c) specific courses that are available (d) employment and/or further education opportunities; and (e) placement (Section 135)	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

**Department of Education Findings:**

*Appropriate information concerning career and technical education programs is provided to students and their parents or guardians in the primary language of the family. The information is provided at least once a year before students enter the program, and in no case later than the beginning of ninth grade. The information minimally includes all the information included in parts a-e above.*

#### 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)
- Perkins Vocational and Technical Education (Report Issues # P 9-15)

CRITERION NUMBER		
	Legal Standard	
SE 33	<p><b>Involvement in the general curriculum</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. In the IEP the district documents the student's participation in the general curriculum.</li> </ol> <p>State Regulations 28.01(17)</p> <p>Federal Requirements 300.347(a)(1)(i); 300.137</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Record review indicated that the IEP does not always document the student's participation in the general curriculum.*

CRITERION NUMBER		
	Legal Standard	
SE 34	<p><b>Continuum of alternative services and placements</b></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>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Review of records and documents and interviews with staff indicated that the district does not offer a continuum of services and alternative placements to meet the needs of all students with disabilities, nor does it take all steps necessary to ensure compliance with all elements of the IEPs. See findings under SE 20, MOA 4, MOA 5, MOA 10 and MOA 11 in Component II above.*

CRITERION NUMBER		
	Legal Standard	
SE 35	<p><b>Specialized materials and assistive technology</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol> <p>State Regulations Federal Requirements 34 CFR 300.308, 34 CFR 300.346</p>	
	<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>

**Department of Education Findings:**

*Currently no students are enrolled who require specialized materials or assistive technology.*

CRITERION NUMBER		
	Legal Standard	
SE 36	<p><b>IEP implementation, accountability and financial responsibility</b></p> <ol style="list-style-type: none"> <li>1. The district ensures that IEPs are implemented without delay upon parent consent.</li> <li>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.</li> <li>3. The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.</li> <li>4. The district provides all programs and services without expense to the child's parents.</li> <li>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.</li> </ol> <p>State Regulations 28.06(3) Federal Requirements 300.142; 300.350</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*No documentation was provided that the district has policies and procedures to ensure that it oversees the full implementation of out-of-district IEPs (part 2); a process to assist the child to achieve the*



goals and objectives or benchmarks listed in the IEP (part 3); and a policy and procedure should it need to gain access to the parent’s private insurance (part 5).

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 37	<p><b>Procedures for approved and unapproved out-of-district placements</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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).</li> <li>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.</li> <li>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"> <li>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.</li> <li>b. <u>Evaluation of facility</u>: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any</li> </ol> </li> </ol>

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation additionally determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.</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> <p style="text-align: center;"><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	28.02(13), 28.06(3) <span style="float: right;">300.2(c)</span>
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*This criterion is the responsibility of the school district of the town in which the student resides.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 38</b>	<p><b>Educational services in institutional settings (ESIS)</b>  <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"> <li>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.</li> <li>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).</li> <li>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.</li> </ol> <p><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span>  28.06(9)</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*Currently the district has no ESIS students.*

CRITERION NUMBER		
	Legal Standard	
SE 39	<p><b>Procedures used to provide services to eligible students enrolled in private schools at private expense</b></p> <ol style="list-style-type: none"> <li>1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives.</li> <li>2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> </li> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.03(e)</p> <p><b>Federal Requirements</b> 300.450-300.462</p>	
	<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>

**Department of Education Findings:**

*This criterion is the responsibility of the school district of the town in which the student resides.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>SE 40</b></p>	<p><b>Instructional grouping requirements for students aged five and older</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.06(6)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*No documentation was provided regarding the district's compliance with any of the elements of this criterion.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 41</b>	<p><b>Age span requirements</b> 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><b>State Regulations</b> 28.06(6)(f)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*No documentation was provided regarding the district's compliance with any of the elements of this criterion.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 42</b>	<p><b>Programs for young children three and four years of age</b> <u>General requirements:</u></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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).</li> </ol> <p><u>Types of Settings:</u></p> <ol style="list-style-type: none"> <li>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"> <li>a. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting.</li> </ol> </li> </ol>

CRITERION NUMBER		
	<b>Legal Standard</b>	
	<p>b. For public school programs that integrate children with and without disabilities, the class size does not exceed twenty (20) with one teacher and one aide and no more than five (5) students with disabilities. If the number of students with disabilities is six (6) or seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide.</p> <p>6. <u>Substantially separate programs</u> for young children are located in a public school classroom or facility that serves primarily or solely children with disabilities. Substantially separate programs adhere to the following standards:</p> <p>a. Substantially separate programs are programs in which more than 50% of the children have disabilities.</p> <p>b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide.</p>	
	<b>State Regulations</b> 28.06(7)	<b>Federal Requirements</b> 300.342(c)
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>	

**Department of Education Findings:**  
*The district serves students in grades 9-12 only.*

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION</b>	
	<b>Legal Standard</b>	
<b>MOA 15</b>	<p><b>Accessibility of extra curricular activities</b>  Extra curricular activities sponsored by the district are non-discriminatory in that:</p> <ul style="list-style-type: none"> <li>• the school provides equal opportunity for male and female students to participate in intramural and interscholastic sports</li> <li>• 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.</li> </ul> <p>Title II; Title IX ; S. 504; MGL, Ch.76, Section 5</p>	
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>	

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

**Department of Education Findings:**

*The work study contracts do not specifically state that employers do not discriminate in hiring or employment practices.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>P 9</b>	Strategies to improve academic and career and technical skills of all students exist. (Section 135)
	<b>Rating: Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Academic and vocational courses are in the process of being aligned with the Massachusetts Curriculum Frameworks. The integration of academic and vocational education is ongoing. Applied learning methods are incorporated into most academic and vocational courses. Computer literacy is required of all students and is integrated into a sequential course of study leading to both academic and vocational competencies. Extra help is voluntary and informal. A system for providing extra help is lacking. The system of tracking does not allow rigorous courses to be provided to each student based on assessment results.*



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 10</b>	Technology is used to improve academic and career and technical education. (Section 135)
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Some classrooms are equipped with state-of-the-art computers and current software. Applicable technical skills are incorporated into some academic and vocational programs. Programs will be enhanced when the classrooms and shops on the east side of Maple Street have Internet access.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 11</b>	Linkages between secondary and postsecondary programs exist and are accessible to all students. (Section 135)
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*There are no comprehensive “2 + 2” programs in plant and animal sciences to benefit students. The high school and the former Essex Agricultural & Technical Institute (the college division) are on the same campus, although the governance of the college division has been transferred to the adjacent North Shore Community College. The high school and the college offer some of the same programs in plant and animal sciences. They also share some facilities including the library. The commonality of programs and the shared facilities lend themselves to linked programs, which unfortunately do not exist.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 12</b>	All students are provided with strong experience in and an understanding of all aspects of a modern industry. (Section 135)
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Examples of instruction in all aspects of modern industries can be found in academic and vocational courses on campus. However, teachers do not review cooperative education sites and programs in order to ensure that all aspects of a modern industry are included in the students' experiences in those settings.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 13</b>	Instructional supplies and equipment meet the demands of the workforce. (Section 135)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Each advisory committee reviews its program's instructional equipment and supplies. However, a process for correcting deficiencies was not evident. Some teachers were unsure of the school's policy and process for acquiring new equipment and supplies.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 14</b>	The required 15% minimum expenditure is being expended for activities consistent with the two priorities of the Massachusetts State Plan for Professional Development. (Section 135)
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*The school did not access Perkins funds in fiscal year 2001. Before fiscal year 2001, Perkins professional development funds were expended for the priority areas and all staff had access to the professional development activities. These activities have had an impact on curriculum and instruction as evidenced by the vocational competency project described under P4 in Component I above.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 15</b>	Individuals who are members of special populations {which include (A) individuals with disabilities; (B) individuals from economically disadvantaged families, including foster children; (C) individuals preparing for nontraditional training and employment; (D) single parents, including single pregnant women; (E) displaced homemakers; and (F) individuals with other barriers to educational achievement including individuals with limited English proficiency} are provided with equal access to activities, opportunities and course of study without regard to race, color, gender, religion, national origin, English language proficiency, disability or sexual orientation, and with programs that enable them to meet or exceed state adjusted levels of performance.

	(Section 122)	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*The admissions policy and plan has been recently revised. The new policy has more detail and continues to provide for equal access to the school by special populations. The application for admission requires, rather than requests voluntarily, the submission of race, limited English proficiency, and disability information. Some teachers indicated that students with limited English proficiency are not identified for services. The system of tracking does not allow for challenging courses to be taught to all students based on their assessment results. The system of assigning different weights to the same courses for different divisions of students is not known to all staff and all students and is discriminatory. Supplementary services, including curriculum, classroom and equipment modifications, are provided when the need is brought to the attention of the school. However, the school is not proactive in determining needs that are not readily apparent or expressed. None of the facilities is in compliance with the Americans with Disabilities Act (ADA). See findings under SE 20, MOA 4, MOA 5, MOA 10 and MOA 11 in Component II above.*

## 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)
- Perkins Vocational and Technical Education (Report Issues # P 16-17)



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>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.</p> <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%; vertical-align: top;"> <b>State Regulation</b>  MGL c. 76, sec. 16-18  Chapter 71, section 37 H </td> <td style="width: 50%; vertical-align: top;"> <b>Federal Requirements</b>  300.519-300.529 </td> </tr> </table>	<b>State Regulation</b> MGL c. 76, sec. 16-18 Chapter 71, section 37 H	<b>Federal Requirements</b> 300.519-300.529
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	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>		

**Department of Education Findings:**

*The policies and procedures provided by the district need to be revised to include all of the requirements promulgated under 34 CFR 300.519-526 (IDEA-97).*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 46</b>	<p><b>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</b></p> <p>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.</p> <p>2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes</p> <ul style="list-style-type: none"> <li>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;</li> <li>b. to identify appropriate alternative educational setting(s); and</li> <li>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?).</li> </ul> <p>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</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>still offer an appropriate education program to the student with disabilities which may be in some other setting.</p> <ol style="list-style-type: none"> <li>4. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 days             <ol style="list-style-type: none"> <li>a. if the behavior involves weapons or illegal drugs or another controlled substance while at school or a school function; or</li> <li>b. if the district provides evidence that the student is “substantially likely” to injure him/herself or others and a hearing officer orders the alternative placement; and</li> <li>c. the interim alternative education setting enables the student to continue in the general curriculum, to continue receiving services identified on the IEP, and provides services to address the problem behavior.</li> </ol> </li> <li>5. If the Team determines that the behavior <u>IS</u> a manifestation of the disability, then the district takes steps (with the consent of the parent) to correct the IEP, the placement, or the behavior intervention plan and does not suspend the student again during the school year.</li> <li>6. The school district provides written notice to the parent of all rights to appeal and to an expedited hearing. If the parent chooses to appeal, during the appeal the student stays put in the placement on the last accepted IEP or the interim alternative placement, unless the parent and the school district agree otherwise.</li> </ol> <p><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span> 300.519-300.528</p>
	<p><b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*The policies and procedures provided by the district need to be revised to include all of the requirements promulgated under 34 CFR 300.519-26(IDEA-97).*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 47</b>	<p><b>Procedural requirements applied to students not yet determined to be eligible for special education</b></p> <ol style="list-style-type: none"> <li>1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:             <ol style="list-style-type: none"> <li>a. The parent had expressed concern in writing; or</li> </ol> </li> </ol>

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

**Department of Education Findings:**

*The policies and procedures provided by the district need to be revised to include all of the requirements promulgated under 34 CFR 300.527 (IDEA-97).*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 48</b>	<p><b>FAPE (Free, appropriate, public education): Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education</b></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"> <li>1. art and music</li> <li>2. vocational education, industrial arts, and consumer and homemaking education</li> <li>3. work study and employment opportunities</li> <li>4. counseling services</li> <li>5. health services</li> <li>6. transportation</li> <li>7. recess and physical education, including adapted physical education</li> <li>8. athletics and recreational activities</li> <li>9. school-sponsored groups or clubs</li> <li>10. meals</li> </ol>



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.06(5)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.121; 300.300-313</td> </tr> </table>	<b>State Regulations</b> 28.06(5)	<b>Federal Requirements</b> 300.121; 300.300-313
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**Department of Education Findings:**

*Due to the grouping of students by “tracking,” students do not have equal opportunity to participate in the academic portion of the district’s program.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 49</b>	<p><b>Related services</b> 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"> <li>1. speech-language pathology and audiology services</li> <li>2. psychological services</li> <li>3. physical therapy</li> <li>4. occupational therapy</li> <li>5. recreation, including therapeutic recreation</li> <li>6. early identification and assessment of disabilities in children</li> <li>7. counseling services, including rehabilitation counseling</li> <li>8. orientation and mobility services (peripatology)</li> <li>9. medical services for diagnostic or evaluation purposes</li> <li>10. school health services</li> <li>11. social work services in schools, and</li> <li>12. parent counseling and training.</li> </ol> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.02(18)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.24</td> </tr> </table>	<b>State Regulations</b> 28.02(18)	<b>Federal Requirements</b> 300.24
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<b>Rating: Implemented</b>	<b>District Response Required: No</b>		

**Department of Education Findings:**

*Currently only one student receives a related service.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES
	<b>Legal Standard</b>
<b>MOA 1</b>	<p><b>Notification of school district staff and the general public</b> At the beginning of each school year, students, parents, employees, and the general public are:</p> <ol style="list-style-type: none"> <li>1. notified that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability</li> <li>2. given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s)</li> </ol> <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<b>Rating: Partially Implemented                      District Response Required: Yes</b>

**Department of Education Findings:**

*Students are notified by means of the student handbook, but there was no documentation that the district notifies parents, employees and the general public that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability. There was no documentation that students, parents, employees, and the general public are given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s)*

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

**Department of Education Findings:**

*Review of the student handbook indicated that not all non-discrimination statements include “sexual orientation”, “disability”(page 2) and there is also a reference to “handicap” (page 30). There is currently no staff handbook; however, the onsite team was informed that the district is in the process of developing one.*

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

**Department of Education Findings:**

*The grievance procedure in the student handbook does not refer to Title VI. There is currently no staff handbook; however, the onsite team was informed that the district is in the process of developing one.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 8</b>	<p><b>Availability of information to prospective occupational/vocational students</b>  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>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 9</b>	<p><b>Counseling materials and activities free from bias and stereotypes</b>  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"> <li>• encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills</li> <li>• examine testing materials for bias and counteract any found bias when administering and interpreting test results</li> <li>• communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district</li> <li>• support students in non-traditional educational and occupational pursuits for</li> </ul>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	their gender Title II, Title VI; Title IX; S. 504; MGL, Ch.76, Section 5
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews with staff and review of documents indicated that the district does not have a process to examine testing materials for bias and counteract any found bias when administering tests and interpreting test results.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 17</b>	<p><b>Non-discriminatory administration of scholarships, prizes and athletic awards</b> 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> <ul style="list-style-type: none"> <li>• 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</li> <li>• 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</li> </ul> <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 24</b>	<p><b>Notice to students who have left or are about to leave school without a high school diploma</b> 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> <ol style="list-style-type: none"> <li>a. their attendance is voluntary;</li> <li>b. their right to meet with a school representative to discuss the reasons for withdrawal;</li> <li>c. their rights to return to school; and</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	d. all program options available to them. MGL, Ch. 76, S.18
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The letter provided as documentation that the district complies with this criterion is not a notice to all students who have left or are about to leave school without a high school diploma. The letter includes the information mandated by parts a-d of this criterion, but is aimed only at students who are being dropped from the rolls because of 15 days of absences.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 25</b>	<b>Codes of conduct and student handbooks</b> 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. Title VI, Title IX, Section 504, MGL, Ch.76, Section 5
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The non-discrimination policy in some sections of the student handbook is missing the reference to “disability” and “sexual orientation.”*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL</b>
	<b>Legal Standard</b>
<b>P 16</b>	Programs and services exist that support student participation in and completion of nontraditional training and employment activities. (Section135)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The school does not have any programs officially classified as nontraditional. However, the principal*

*recognizes that concentrations within some programs are nontraditional for males or females. There are bulletin boards, newsletters and other visual materials that depict individuals at work at jobs nontraditional for their gender. Staff and guest speakers provide role models. Although clubs and support groups for nontraditional students do not exist, one of the guidance staff is very cognizant of their needs and initiates support whenever possible. Appropriate civil rights training for staff and students on gender and sexual orientation bias and discrimination, including sexual harassment is lacking.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P 17</b>	The needs of students in alternative education programs are adequately addressed? (Section 122)
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*The school does not have an alternative education program. Students in need of alternative education should be referred for services or programs. See finding under SE 34 in Component IV 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)
  - Perkins Vocational and Technical Education (Report Issue # P 18)

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION
	<b>Legal Standard</b>
SE 50	<p><b>Responsibilities of the School Principal and Administrator of Special Education Principal:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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</li> </ol>



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

**Department of Education Findings:**

*Review of documentation indicated that the district has not implemented the requirements under parts 1 and 2. The district currently has no students who require home or hospital services; however, no documentation was provided that the district has a policy should a student require this type of service.*

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	<b>Legal Standard</b>		
SE 51	<p><b>Appropriate special education teacher certification</b>  Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>State Regulations</b>  28.02(3)  603 CMR 7.00 </td> <td style="width: 50%; vertical-align: top;"> <b>Federal Requirements</b>  300.23; 300.36 </td> </tr> </table>	<b>State Regulations</b> 28.02(3) 603 CMR 7.00	<b>Federal Requirements</b> 300.23; 300.36
<b>State Regulations</b> 28.02(3) 603 CMR 7.00	<b>Federal Requirements</b> 300.23; 300.36		
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>		

**Department of Education Findings:**

*The district has one teacher providing special education who is not appropriately certified or on an approved waiver.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 52</b>	<p><b>Appropriate certifications or other credentials -- related services</b>  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><b>State Regulations</b> 28.02(3)</p> <p><b>Federal Requirements</b> 300.23; 300.24; 300.136</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 53</b>	<p><b>Use of paraprofessionals</b></p> <ol style="list-style-type: none"> <li>1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services.</li> <li>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.</li> </ol> <p><b>State Regulations</b></p> <p><b>Federal Requirements</b> 300.136(f)</p>
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*The district has three staff who have been hired as permanent substitutes/aides. No documentation was provided that they have been appropriately trained to assist in providing special education or related services or that they are under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 54</b>	<p><b>Professional development regarding special education</b>  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"> <li>1. state and federal special education requirements and related local special education policies and procedures;</li> <li>2. confidentiality of student records;</li> <li>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;</li> <li>4. methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning styles;</li> <li>5. training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement;</li> <li>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</li> <li>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.</li> </ol> <p><b>State Regulations</b>  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;"><b>Federal Requirements</b>  300.382</p>
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*No documentation was provided that the district has conducted any of the training required by parts 1-7 of this criterion. Staff interviews corroborated that it has not.*

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>MOA 18</b>	<p><b>School district employee recruitment activities</b>  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>

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

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>MOA 19</b>	<b>Employment application and interview procedures</b> 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	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*The employment application asks the following: “Do you have a physical condition which may limit your ability to perform the particular job for which you are applying?” This question does not conform to requirements regarding pre-employment inquiries.*

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>MOA 20</b>	<b>Non-discriminatory personnel policies and procedures</b> District personnel policies and procedures are free of discrimination and bias in the following areas: <ul style="list-style-type: none"> <li>• employee hiring, upgrading, award of tenure, demotion, return from layoff and retirement are the same for both sexes</li> <li>• employee pay schedules and rates of other compensation for all job categories provide equal pay for equal work</li> <li>• 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</li> </ul> Title I, Title VI, Title IX, S. 504	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*The onsite team was not provided with documentation that the district complies with all the requirements of this criterion. The three permanent substitutes/aides are not eligible for all the rights and protections afforded other employees.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 21</b>	<b>Staff training regarding civil rights responsibilities</b> 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
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The district indicated that it has not provided in-service training for all school personnel at least annually regarding civil rights responsibilities.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>P 18</b>	Staff in all Perkins funded positions (teachers, counselors, tutors, aides etc.) are appropriately certified, approved, or otherwise qualified. (M.G.L. c.74 s. 18, M.G.L. c.71.s.38G)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Two teachers are not approved as environmental science vocational teachers. One teacher is not approved as an animal science vocational teacher. One teacher is not certified as an English teacher, and one teacher is not certified as a physical education teacher. One teacher has not completed the additional 12 semester hours of credit as required by 603CMR 4.10 (21)(b).*

## 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)
  - Perkins Vocational and Technical Education (Report Issue # P 19)

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

**Department of Education Findings:**  
*No district facility or classroom is fully accessible.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	<b>Legal Standard</b>
<b>MOA 7</b>	<p><b>Accessibility of district programs and services for students with limited physical mobility</b></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>
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**  
*Not one facility within the district is entirely accessible to students with disabilities.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 14</b>	<p><b>Comparability of facilities and programs</b>  Where the district provides separate facilities or programs for members of a specific group, facilities and programs are comparable to those offered other students in the district, including:</p> <ol style="list-style-type: none"> <li>3. 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;</li> <li>4. 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.</li> </ol> <p>Title II, Title VI, Title IX, S. 504, MGL, Ch. 76, Section 5</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL VII. SCHOOL FACILITIES</b>
	<b>Legal Standard</b>
<b>P 19</b>	<p>Instructional facilities meet the demands of the workforce including those for state of the art facilities as well as for a healthy, safe environment.  (Section 122 and Sec. 135)</p>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Advisory committees review program equipment and facilities at least yearly to ensure that they meet the demands of the workforce (see P13 in Component IV above). The school lacks an Occupational Health and Safety Plan. Some shops lack operable eyewash stations, fire blankets and emergency signage. Material Safety Data Sheets (MSDS) were found to be lacking in all shops. Some shops have unnecessary clutter, which could pose safety hazards and limit the mobility of disabled persons. Faculty and other staff have not had recent training in health and safety requirements for occupational programs in general or for their specific programs.*



## 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)
  - Perkins Vocational and Technical Education (Report Issue # P 20)

CRITERION NUMBER	SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	<b>Legal Standard</b>
<b>SE 56</b>	<p><b>Special education programs and services are evaluated</b></p> <ol style="list-style-type: none"> <li>1. Special education programs, services and administrative areas are regularly evaluated.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b> Chapter 71B Chapter 71, sec. 59C</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.137</p>
	<p><b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*No documentation was provided to indicate that the district has implemented this criterion.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	<b>Legal Standard</b>
<b>MOA 22</b>	<p><b>Curriculum review process</b></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><b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*The district indicated that it does not have a process to ensure that teachers regularly review all instructional and educational materials for such generalizations.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 23</b>	<p><b>Institutional self-evaluation</b>  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><b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*The district indicated that it does not have 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.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>P 20</b>	<p>The school has developed and implemented a system of program evaluation that includes, at a minimum, the following four core indicators: (Section 116)</p> <ul style="list-style-type: none"> <li>(i) Student attainment of challenging State established academic and career and technical skill proficiencies.</li> <li>(ii) Student attainment of a secondary school diploma or its recognized equivalent, proficiency credentials in conjunction with a secondary school diploma or a post secondary degree or credential.</li> <li>(iii) Placement in, retention in, and completion of, postsecondary education or advanced training, placement in military service, or placement or retention in employment/</li> <li>(iv) Student participation in and completion of career and technical education programs that lead to nontraditional training and employment.</li> </ul>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

The system includes the four core indicators outlined in Perkins III. The Career and Technical Education Reports identify strengths as well as areas needing improvement. Further review of the MCAS results and reports will assist teachers in providing for individual student needs.

### 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)
- Perkins Vocational and Technical Education (Report Issue # P 21)

CRITERION NUMBER	SPECIAL EDUCATION IX. RECORD KEEPING
	<b>Legal Standard</b>
SE 57	<p><b>Special education child count</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 603 CMR 23.00</p> <p><b>Federal Requirements</b> 300.750-754; 300.145; 300.560-300.577; Family Educational Rights and Privacy Act (FERPA); 300.133</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 58	<p><b>Federal Special Education Entitlement Grant</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The district has secured the approval of the Department of Education for all amendments prior to their implementation.</li> <li>5. The district spends at least a proportionate share of its federal special education funds on services for children enrolled in private schools at private expense.</li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.03(1)(e)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.230; 300.340-300.500</td> </tr> </table>	<b>State Regulations</b> 28.03(1)(e)	<b>Federal Requirements</b> 300.230; 300.340-300.500
<b>State Regulations</b> 28.03(1)(e)	<b>Federal Requirements</b> 300.230; 300.340-300.500		
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>		

**Department of Education Findings:**

*The district did not provide evidence that the Department had approved the grant.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL IX. RECORD KEEPING</b>
	<b>Legal Standard</b>
<b>P 21</b>	Student records contain the items listed in the Perkins Student Record Review Checklist. (Section 122)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*An access review log (sign-in sheet) for each student record is not maintained. The district has established a system of record keeping which allows for student records to be maintained with up-to-date information and relevant documents in accordance with the Perkins Act requirements. The student record review did not indicate any notable pattern of proficiency or deficiency in the district's record keeping process.*

## APPENDIX

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](http://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.

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### 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.

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## 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](http://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](http://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.

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## 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.

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## 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.

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## 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, TI, SDFS, P

File Name: Essex Agricultural and Technical High School Coordinated Program  
Review Final Report 2001

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