



**SABIS Foxborough Regional Charter School**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of Onsite Visit: October 18, 19, 22-25, 2001**

**Date of Draft Report: January 24, 2002**

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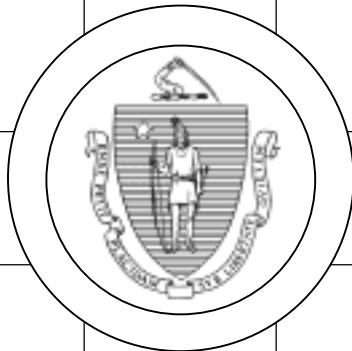
**Action Plan Due: May 6, 2002**

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MASSACHUSETTS DEPARTMENT OF EDUCATION  
COORDINATED PROGRAM REVIEW

SABIS Foxborough Regional Charter School

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**MASSACHUSETTS DEPARTMENT OF EDUCATION**  
**COORDINATED PROGRAM REVIEW REPORT**  
**SABIS FOXBOROUGH REGIONAL CHARTER SCHOOL**

**OVERVIEW OF REVIEW PROCEDURES**

As one part of its school and school district accountability system, the Department of Education oversees local compliance with education requirements through the Coordinated Program Review system. All reviews 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). Additionally, all reviews include certain standards included under the newly adopted Board of Education Physical Restraint Regulations (603 CMR 46.00). Other monitoring activities in the areas of the state's Transitional Bilingual Education law (M.G.L. Chapter 71A), federal requirements under Title I, the Safe and Drug-Free Schools and Communities Act, the Perkins Vocational and Technical Education Act, and Nutrition Programs and Services will be conducted in some districts during these Coordinated Program Reviews. The school districts and charter schools selected for review in 2001-2002 were notified by the Commissioner of Education in April 2001 of the scheduled visits and were encouraged to assess themselves before 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 two to eight members conducts a Coordinated Program Review over two to seven days in a school district or charter school. The team may include Department consultants as well as Department staff members.
- Scope:** Approximately sixty school districts and charter schools are scheduled to receive visits in school year 2001-2002. 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 include certain of the statutory and regulatory requirements for each program area. In the case of special education, the criteria for the FY 2002 reviews contain, at a minimum, those elements required by the federal Office for Special Education Programs (OSEP) and revised requirements under IDEA-97 as described in the Department's Special Education Advisories. Additionally, the 2001-2002 reviews incorporate updated state special education requirements as adopted by the Board of Education, effective December 20, 2000. 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, being intended to promote high standards and achievement for all students.
- Report:** The Department's report is based on a review of documentation 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.
- Other interviews as requested by members of the general public.
- Review of student records in the special education, Transitional Bilingual Education, and Perkins vocational programs. Parents of students with disabilities whose files were selected for the record review are sent a survey that solicits information about their experiences with the district's implementation of special education programs, related services and procedural requirements.
- Observation of classrooms and other facilities. 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 and accessibility requirements.
- Interviews, review of student records, 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 serves as a site for any programs or services operated by the collaborative, interviews with collaborative staff, review of records of collaborative students, and observations of collaborative facilities 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 were found not to be fully implemented, the local district or charter school must propose corrective actions to bring those areas into compliance with the controlling statutes or regulations. Districts are encouraged to incorporate the corrective action into their district and school improvement plans, including their 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 SABIS Foxborough Regional Charter School during the week of October 22, 2001 to evaluate the implementation of selected criteria in the program areas of Special Education, Civil Rights and Title I. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district. The onsite team would like to commend the following areas that were brought to its attention and that it believes have a significant and positive impact on the delivery of educational services for students enrolled in the SABIS Foxborough Regional Charter School. These areas are as follows:

*The Department's Team commends the charter school for its extensive provision of related services offered. In addition to offering related services in all appropriate areas (such as speech/language, occupational therapy and physical therapy), counseling services are available to all students in the school, and the charter school employs both an adjustment counselor and a social worker. Further, the school staff holds weekly "student life" administrative meetings in which the administrative, guidance and special education personnel meet to discuss individual student needs and develop services for all students (including both regular education and special education students) who are in need of assistance.*

*The Department's Team commends the charter school for its extensive offering of instructional supports to students. All students are offered to opportunity to participate in intensive classes if they have difficulty with any particular concepts being taught in the curriculum. In addition, the charter school provides regular feedback to students through frequent testing and progress reporting with the charter schools Academic Monitoring System. Further, peer tutors are available on an as needed basis to all students.*

*The Department's Team commends the charter school for its school day and school year requirements, which exceeds the minimum of 900 hours for elementary level students and the 990 hours needed for secondary school students.*

*Some of the commendations noted above are repeated within the body of the Department's report under the appropriate compliance criteria.*

The Department is submitting the following Coordinated Program Review Report containing findings made pursuant to this onsite visit. In preparing this report, the team reviewed extensive written documentation regarding the operation of the district's programs, together with information gathered by means of following Department program review methods:

- Interviews of four administrative staff.
- Interviews of 20 teaching and support services staff across all levels.
- Interviews of 12 parent advisory council (PAC) representatives, and other interviews as requested by persons from the general public.
- Student record reviews: A sample of 20 student records was selected by the Department. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Parent surveys: 25 parents of students with disabilities were sent surveys that solicited information regarding their experiences with the district's implementation of special education programs, related services and procedural requirements. 13 of these parent surveys were returned to the Department of Education for review by the onsite team.

- Observation of classrooms and other facilities. A sample of 11 instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

The report includes findings in the program areas reviewed organized under nine components . These components are listed in the executive summary on the following pages. The findings in each program area explain the “ratings, ”determinations by the team about the implementation status of the criteria reviewed. The ratings indicate those criteria that 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 controlling statute or regulation. In some instances the team may have rated a requirement as “Implemented” but made a specific comment on the district’s implementation methods that 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 their professional development plan.

# COORDINATED PROGRAM REVIEW REPORT

## EXECUTIVE SUMMARY

### SABIS Foxborough Regional Charter School

The following summary synthesizes the findings for criteria included in the Coordinated Program Review as they respond to essential questions which the Department has formulated for each of the components of the report. Note that a more detailed discussion of the onsite team's findings, 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, is conducted according to the specified timelines, and covers the appropriate content areas to determine instructional needs of students?*

The charter school has assessment procedures in place to ensure that students with disabilities are appropriately identified. Required assessments are conducted and students with disabilities participate in MCAS. While students suspected of having specific learning disabilities are appropriately assessed, the charter school has not implemented the written documentation portion of the special requirements for the determination of specific learning disabilities. Further, the charter school has not consistently completed initial and re-evaluations within the required timelines. In addition, prior to the 2001-02 school year, students aged 14 and over were not specifically invited to Team meetings, nor were representatives of public agencies invited for students who may require transitional services. Progress reports were not consistently completed with appropriate narratives which addressed the student's progress toward achieving the annual goals in the IEP and information regarding the extent to which the progress was sufficient to enable the child to achieve the goals of the IEP by the end of the IEP period.

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

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

The charter school conducts appropriate outreach activities and screening for students entering kindergarten. Special education services for students with special needs commence immediately after parents sign IEPs. However, some IEPs have been allowed to expire and services in some cases were discontinued without parent consent. Further, specially designed instruction which is included on IEPs are offered only in a pull-out setting, which does not necessarily address the individual needs of the student and limits the students' ability to access the least restrictive program. Further, IEPs for students who are pulled out of the general education classrooms for services did not reflect why the removal from the general education classroom was necessary. IEPs for students aged 14 and older did not indicate that transition services had been considered. While the charter school has not currently reported having any students with limited English proficiency, the charter school does not have qualified staff or a plan to obtain qualified staff to identify and provide services for students who may require support due to limited English proficiency. While the charter school uses multiple, objective, educationally-related criteria to identify Title I eligible students, parents, administrators, and pupil services personnel are not consulted regarding the criteria for the identification of students in Title I.

### **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? Where appropriate, does the district involve community representatives in shaping programs?*

The charter school ensures that parents are invited to and participate in Team meetings. However, based on interviews and survey results, parents reported that they are not involved in the decisions regarding their children's program and services. Parents' right to a timely special education evaluation is at times limited because of the charter school's practice of requiring all students who are referred to first participate in the charter school's pre-referral process. Content of Team meeting notices to parents is appropriate, however, notices were not sent at all the required times (such as notices of no eligibility). While the charter school does not currently have any parents who have been identified as needing services in languages other than English, the charter school does have a plan in place to provide interpreters at Team meetings and a plan to seek support in translating materials into languages other than English. The charter school does not have any written policies or procedures regarding parental involvement in Title I, nor does the charter school provide materials or training to Title I parents. Parents are not involved in program planning, implementation, review or improvements of Title I services.

### **Component IV: Curriculum and Instruction**

*Does the district hold all students to high expectations and standards? Are programs designed to maximize student performance and students' participation in the general curriculum? Is curriculum throughout the districts' programs aligned with the Massachusetts Curriculum Frameworks? Has the district provided for coordination across program areas?*

The charter school ensures that all students have access to the charter school's curriculum. However, the charter school's curriculum is not aligned with the Massachusetts Curriculum Frameworks. While the charter school's program is designed to maximize student performance (through frequent testing, required concept mastery, and intensive services for all students when needed), student's with disabilities receive all academic services outside of the general education classroom. This limits the students' participation in the general curriculum. Further, one of the pull-out classrooms exceed the maximum of students and maximum student to teacher ratio. A more complete spectrum of services is offered to students with special needs who require related services. For example, speech/language and occupational therapy services include some consultation and inclusion services in addition to the pull-out model. All extra curricular activities are available to all students. Coordination of services across program areas is limited. There is no established process for the coordination of Title I services with other programs and there is no co-planning time in the teachers' schedules to allow for coordination of special education services with regular education.

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

*Has the district ensured that all students have equal access to programs and services? Does the district provide support to students who need it?*

The charter school provides equal access to all students to participate in educational, nonacademic, extracurricular and ancillary programs. Students with special needs have access to the charter school curriculum. However, this access is limited by the charter school's pull-out model of delivering special education academic services. The charter school's model of providing intensive services to students who have not yet mastered concepts is available to all



students. However, in grades one and two, the Title I program is being used to supplant the intensive program. Students identified as having behavioral needs do not have behavior intervention plans or modifications in their IEPs regarding discipline. The charter school has policies for student conduct and discipline which delineate the discipline procedures. However, the charter school's discipline policies for students with special needs has not been updated to reflect the IDEA-97 regulations. Functional behavioral assessments and manifestation determinations are not conducted as specified in the regulations. While the charter school does publish its non-discrimination statement, the charter school has not provided training in civil rights responsibilities or grievance procedures to staff or to complaint officers. The charter school has not provided training to staff on the use of physical restraint.

#### **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? Are program leadership and oversight effective? Are the district's personnel procedures non-discriminatory and does it seek to recruit employees from all groups?*

Currently the charter school has 21 staff members, two of whom are providing special education services, who are not appropriately certified or hold current certification waivers from the Department of Education. Supervision and training of paraprofessionals is inconsistent. Professional development opportunities are offered to the staff primarily through the charter school's in-house staff development. Staff have not been trained in civil rights responsibilities, confidentiality of student records, methods of collaboration among teachers, paraprofessionals and teacher assistants or physical restraint requirements. Title I professional development activities offered are not based on staff input or needs assessment. While the charter school has personnel policies and procedures which appear to be non-discriminatory, several staff members indicated that they do not believe these policies are implemented in a non-discriminatory manner.

#### **Component VII: School Facilities**

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

All charter school programs are accessible for students with limited physical mobility. However, all special education facilities and classrooms are not equal in physical respects to the average standard of general education facilities and classrooms. One special education classroom was excessively small and was not appropriate for the number of students in the class. The space used for occupational therapy and physical therapy services was not an appropriate space for the delivery of these services.

#### **Component VIII: Program Plan and Evaluation**

*Does the District have written program plans where required that are evaluated according to specific regulatory requirements? Does it use the results of its evaluations to improve programs? Do parents have opportunities for input on needs, program implementation, evaluation, and improvement?*

The charter school completed a special education program review in the summer of 2001 and the charter school has taken steps to implement the results of the program evaluation. The charter school was unable to document evidence there is a curriculum review process in place to review instructional and educational materials. The charter school does not have an 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. The charter school does not conduct a needs assessment annually to determine types of programs and services to be provided to Title I students.

**Component IX: Record keeping**

*Does the District maintain required records and documentation for each specific program area? Are federal entitlement grants appropriately designed, amended, and monitored?*

The charter school maintains a child count of students receiving special education services. However, the Federal Special Education Entitlement Grant and the Title I Grant are not designed by appropriate local administrators who are responsible for the implementation of the local special education and Title I services. There are no charter school-wide procedures for maintaining Title I records. The charter school does not maintain an appropriate log for split-funded Title I staff.

**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>	In reference to compliance criterion MOA 17A, new Board of Education requirements became effective on April 2, 2001 regarding the use of physical restraint in publicly funded education programs. The district is currently engaged in staff training and is beginning implementation practices for these new requirements which the Department's onsite team anticipates will result in substantial compliance by the end of the 2001-2002 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)
  - Title I (Report Issues # TI 1-4)

<b>CRITERION NUMBER</b>	<b>SPECIAL EDUCATION I. ASSESSMENT OF STUDENT PROGRESS</b>
	<b>Legal Standard</b>
<p style="text-align: center;"><b>SE 1</b></p>	<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 style="text-align: right;"><b>Federal Requirements</b> 300.532, 300.535</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 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 visit, with the agreement of the parent</li> </ol> </li> <li>3. At the re-evaluation of a student, if <u>the Team decides</u> that no additional assessments are needed to determine whether the student continues to be eligible for special education, the school district recommends to the student’s parents the following: <ol style="list-style-type: none"> <li>a. that no further assessments are needed and the reasons for this; and</li> <li>b. the right of such parents to request an assessment.</li> </ol> </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> 28.04 (1) and (2)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.532; 300.346.(a)(2)(v)</td> </tr> </table>	<b>State Regulations</b> 28.04 (1) and (2)	<b>Federal Requirements</b> 300.532; 300.346.(a)(2)(v)
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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:**

*Record review and interviews indicate that assessments are conducted in all areas related to the suspected disability. However, Educational Assessments were inconsistently documented in the students' records.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 3</b>	<p><b>Special requirements for determination of specific learning disabilities</b> When the district proposes to evaluate a child suspected of having a specific learning disability, the following requirements are implemented:</p> <p><u>Team membership:</u> The district ensures the Team includes at a minimum the parent, the child's regular classroom teacher appropriate to the age of the child and at least one person qualified to conduct individual diagnostic examinations of children.</p> <p><u>Criteria for determining the existence of a specific learning disability:</u></p> <ol style="list-style-type: none"> <li>1. the achievement is determined not to be commensurate with the age and ability of the child;</li> <li>2. a severe discrepancy exists in one or more areas between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill and reading comprehension, mathematics calculation and reasoning;</li> <li>3. the severe discrepancy between ability and achievement is not resulting from visual, hearing or motor impairment, mental retardation, emotional disturbance or environmental, cultural or economic disadvantage.</li> </ol> <p><u>Required observation of the child:</u></p> <ol style="list-style-type: none"> <li>1. at least one Team member <u>other than</u> the child's regular teacher observes the child's academic performance in the regular classroom setting;</li> <li>2. if the child is less than school age, the observation is conducted in an environment appropriate for a child of that age.</li> </ol> <p><u>Written documentation of the Team's determination of eligibility due to the presence of a specific learning disability includes the following:</u></p> <ol style="list-style-type: none"> <li>1. statement whether the child has a specific learning disability;</li> <li>2. the basis for making the determination;</li> <li>3. the relevant behavior noted during the observation of the child;</li> <li>4. the relationship of that behavior to the child's academic functioning;</li> <li>5. the educationally relevant medical findings, if any;</li> <li>6. statement whether there is a severe discrepancy between achievement and ability that is not correctable without special education and/or related services; and</li> </ol>







<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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> <p><b>State Regulations</b> M.G.L. Ch.71B, Sections 12A-C 603 CMR 28.05(4)(c)</p> <p><b>Federal Requirements</b> 300.344(b), 300.347</p>
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*While the charter school has only a small number of students aged 14 and above who qualify for special education, record review indicated that the transition section of the IEPs for these students was not completed. In addition, staff interviews indicated that a determination of transition services is not currently considered at Team meetings.*

<b>CRITERION NUMBER</b>	
	<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> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. The district continues to send the parent written notices and information but will no longer have decision-making authority, except as provided below. <ol style="list-style-type: none"> <li>(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</li> <li>(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</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>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>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>State Regulations</b>  M.G.L. Ch. 231, Sec 3A  603 CMR 28.08(5), </td> <td style="width: 50%; vertical-align: top;"> <b>Federal Requirements</b>  300.347(c), 300.517 </td> </tr> </table>	<b>State Regulations</b> M.G.L. Ch. 231, Sec 3A 603 CMR 28.08(5),	<b>Federal Requirements</b> 300.347(c), 300.517
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<b>Rating: Not Applicable</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*The charter school added grade 11 during the 2001-02 school year and has not yet had any students aged 17 or above who have required the age of majority discussion of rights. However, the charter school has not yet identified how the age of majority discussion will be conducted at Team meetings and the charter school has not yet developed a plan for documenting the age of majority discussion in the student records.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 8</b>	<p><b><u>Evaluation Team composition</u></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 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.</li> <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> </ol>

CRITERION NUMBER		
	Legal Standard	
	8. Individuals who are qualified to interpret the instructional implications of evaluation results 9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education 10. When one purpose of the Team meeting is to discuss transition services, the student age sixteen or older (or younger, if appropriate) is a part of Team process. If the student does not attend the Team meeting, the school district ensures that the Team is informed of the student's interests and preferences. 11. When one purpose of the Team meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the Team meeting. If the representative(s) does not attend the meeting, the school district takes other steps to obtain the participation of these agencies.	
	<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 300.344; 300.552
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Prior to the 2001-02 school year, the charter school did not specifically invite students aged 14 and above to Team meetings. In addition, transition services had not been considered prior to the 2001-02 school year, therefore no representatives of public agencies were considered for invitation to Team meetings. In September 2001, the charter school began specifically inviting students aged 14 and above to Team meetings.*

CRITERION NUMBER		
	Legal Standard	
<b>SE 9</b>	<b>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</b> 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: <ul 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 disability</li> <li>f. determines if the student requires special education and/or related services and/or accommodations in order to make effective progress</li> </ul>	

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>or that the student requires related services in order to access the general curriculum</p> <p>g. develops an IEP where the student is found to need special education</p> <p>h. provides the parent with the proposed IEP, or a written explanation of the finding of no eligibility</p> <p>i. determines that a student is ineligible to receive special education and/or the student's lack of progress is due to a lack of instruction in reading or math or limited English proficiency or social maladjustment, the student is referred to a more appropriate instructional program or support service</p> <p>j. determines at the time of re-evaluation if the student would continue to make progress in school without the provision of special education services.</p> <p>2. If a Team determines that a student is not eligible for special education but may be eligible for accommodation(s) for disability(ies) under Section 504, the student is referred for consideration by the district for eligibility under that regular education program.</p> <p>3. When the development of a student's IEP does not indicate a need for direct services, the Team makes a finding of no eligibility and appropriate services are provided through the district's general education program.</p> <p style="text-align: center;"><b>State Regulations</b> 28.05(1) and (2)</p> <p style="text-align: center;"><b>Federal Requirements</b> 300.534</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Interviews and record review indicated that prior to the 2001-02 school year timelines for evaluation were not consistently met. In some cases IEPs were not sent to parents until six weeks or more after the Team meeting. Written notice regarding IEPs was not consistently kept in the records. The charter school has taken steps during the 2001-02 school year to ensure that evaluations are completed within specified timelines. In addition, the charter school has begun the practice of giving a handwritten IEP to parents immediately following the Team meeting. Interviews indicated that students who are found not to be eligible for special education are regularly considered for eligibility under Section 504.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 10</b>	<p><b>End of school year evaluations</b> If consent is received within thirty (30) to forty-five (45) school working days before</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>the end of the school year, the school district ensures that a Team meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible no later than fourteen (14) days after the end of the school year.</p> <p><b>State Regulations</b> 28.05(1)</p> <p><b>Federal Requirements</b> 300.342</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Document review and record review indicated that some referrals that were received at least 30 days prior to the end of the school year were not completed until the following school year.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 11</b>	<p><b>School district response to parental request for independent educational evaluation</b></p> <p>If a parent disagrees with an initial evaluation or re-evaluation completed by the school district, and the parent requests an independent educational evaluation, the district implements the following requirements:</p> <ol style="list-style-type: none"> <li>1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the child are justified when an individual assessment rate is higher than that normally allowed.</li> <li>2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district.</li> <li>3. The district extends the right to a publicly funded independent educational evaluation (only if cost shared or funded for state wards or for students receiving free or reduced cost lunch) for sixteen (16) months from the date of the evaluation with which the parent disagrees.</li> <li>4. If the parent is requesting an evaluation in an area not assessed by the school district, or if the student does not meet or the parent does not choose to share the financial documentation regarding the income eligibility standards for free or reduced cost independent educational evaluation, then the school district responds in accordance with the requirements of federal law by paying for the independent educational evaluation or, within five school days, proceeding to Special Education Appeals to show that its evaluation was comprehensive and appropriate. Where the Department’s Special Education Appeals finds that the school district’s evaluation was</li> </ol>

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

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 12</b>	<p><b>Frequency of re-evaluation</b></p> <p>1. Every three years, or sooner if necessary, the school district, with parental consent, conducts a full three-year re-evaluation consistent with the requirements of federal law.</p> <p>2. The district implements re-evaluation procedures in all cases where it is suspected that a student is no longer eligible for special education.</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:**

*Review of records indicated that three-year re-evaluations were not consistently completed on time. However, the charter school has implemented a new procedure during the 2001-02 school year for keeping track of due dates for re-evaluations and annual reviews.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 13</b>	<p><b>Progress Reports and content</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol> <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>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Interviews indicated that there were two sets of progress reports sent out during the 2000-01 school year which is less often than parents are informed of the progress of non-disabled peers (who receive report cards three times per year). In addition, review of student records indicated that progress reports were not consistently completed with appropriate narratives which addressed the students' progress toward the annual goals in the IEP and information regarding the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year. To correct the issue of frequency of progress reporting, the charter school has set up three specific dates during the 2001-02 school year on which progress reports will be completed and sent to parents. These dates coincide with the dates that report cards will be sent to all students.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 14</b>	<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>



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<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> 300.343(c)</td> </tr> </table>	<b>State Regulations</b> 28.04(3)	<b>Federal Requirements</b> 300.343(c)
<b>State Regulations</b> 28.04(3)	<b>Federal Requirements</b> 300.343(c)		
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Document and record review indicated that IEPs were not always reviewed at least annually. However, the charter school has implemented a new procedure during the 2001-02 school year for keeping track of due dates for annual reviews and has reconvened Team meetings in cases where IEPs had expired.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 I. ASSESSMENT OF STUDENT PROGRESS</b>
	<b>Legal Standard</b>
<b>TI 1</b>	<p>MCAS testing has been used to measure the progress of schools and the school district, and the proficiency of students in the academic subjects, adopted by Massachusetts, which reflects challenging content and student performance standards.</p> <p>1111(b)(3)(D)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The charter school's curriculum is not currently aligned with the Massachusetts Curriculum Frameworks. In addition, MCAS results are not used to measure student progress in relation to the Title I program.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 2</b>	<p>In a Schoolwide Program all students are assessed in the selected grades during grade spans 3-5, 6-9, 10-12. 1114 (c)(1)(B)(I) ESEA, IASA</p>
	<b>Rating: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*The charter school does not have a schoolwide Title I program.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 4</b>	MCAS and other local assessment results are analyzed in at least mathematics and reading/language arts and are used a) to determine program needs of students most at risk, b) to inform Title I program design and services, and c) to evaluate the impact on student achievement.  1111 (b)(3) ESEA, IASA
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*MCAS results are not used to measure student progress in relation to the Title I program.*

## 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 1-6)
- Title I (Report Issues # TI 5-9)



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>

**Department of Education Findings:**

*The charter school does not have a pre-school, therefore the pre-school screening requirements are not applicable. However, the charter school conducts appropriate screening for all children who are of age to enter kindergarten.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 17</b>	<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 charter school does not have a pre-school program.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 18A</b>	<p><b>IEP development and content</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 at the Team meeting 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</li> </ol>

CRITERION NUMBER			
	<b>Legal Standard</b>		
	<p>elements are genuinely considered prior to adoption at the Team meeting. All ideas and needs of the child as expressed by all Team members, especially the parents, are genuinely considered by the district prior to proposing the IEP.</p> <p>2. The IEP includes specially designed instruction to meet the needs of the individual student and related services that are necessary to allow the student to benefit from the specially designed instruction, or consists solely of related services that are necessary to allow the student to access the general curriculum, consistent with federal and state requirements.</p> <p>3. In developing the IEP, the Team proposes specially designed instruction and related services according to the needs of the child <u>and not</u> according to the availability of such instruction or related services.</p> <p>4. The IEP is completed addressing all elements of the most current IEP format provided by the Department of Education. Where applicable, the district includes in the IEP, or other notice to the parent, information regarding the implementation of any necessary restraint procedures for students as required under 603 CMR 46.00.</p> <p>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.</p> <p>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.</p> <p>7. The IEP is written in generally understandable language.</p> <p>8.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>State Regulations</b>            28.05(3), (4), (6) and (7)            28.06(2)         </td> <td style="width: 50%; vertical-align: top;"> <b>Federal Requirements</b>            300.340-300.350; 300.343(a)            34 CFR Part 300, Appendix A,            Question #22.         </td> </tr> </table>	<b>State Regulations</b> 28.05(3), (4), (6) and (7) 28.06(2)	<b>Federal Requirements</b> 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.
<b>State Regulations</b> 28.05(3), (4), (6) and (7) 28.06(2)	<b>Federal Requirements</b> 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.		
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<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*While IEPs are developed by the Team upon determining that a student is eligible for special education, the specially designed instruction is offered only in a pull-out setting, which does not always address the individual needs of each student. In addition, record review and interviews indicated that transition services have not been considered for students who are aged 14 and older. Further, the transition information was not completed on the IEPs of students aged 14 and older.*

CRITERION NUMBER	
	<b>Legal Standard</b>

CRITERION NUMBER		
	Legal Standard	
SE 18B	<p><b>Determination of placement; provision of IEP to parent</b></p> <ol style="list-style-type: none"> <li>At the Team meeting, after the IEP has been fully developed, the Team determines the appropriate placement to deliver the services on the student's IEP.</li> <li>Unless the student's IEP requires some other arrangement, the student is educated in the school that he or she would attend if the student did not require special education.</li> <li>The decision regarding placement is based on the IEP, including the types of related services that are to be provided to the child, the type of settings in which those services are to be provided, the types of service providers, and the location at which the services are to be provided.</li> <li>The placement selected by the Team is the least restrictive environment consistent with the needs of the student.</li> <li>Immediately following the development of the IEP, and within 45 school working days after receipt of the parent's written consent to an initial evaluation or reevaluation, the district provides the parent with two (2) copies of the proposed IEP and proposed placement along with the required notice, except that the proposal of placement may be delayed according to the provisions of 603 CMR 28.06(2)(e) in a limited number of cases.</li> </ol> <p><b>State Regulations</b> 28.05(6) and (7)</p> <p><b>Federal Requirements</b> 300.346</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews and record review indicated that prior to the 2001-02 school IEPs were not given to parents immediately following the development of the IEP. In some cases IEPs were not sent to parents until six weeks or more after the Team meeting. Written notice regarding IEPs was not consistently kept in the records. The charter school has taken steps during the 2001-02 school year to ensure that IEPs are given to parents immediately following the development of the IEP. The charter school has begun the practice of giving a handwritten IEP to parents immediately following the Team meeting.*

CRITERION NUMBER		
	Legal Standard	
SE 19	<p><b>Extended evaluation</b></p> <p>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>The extended evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to determine</li> </ol>	





<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	28.06(2)(a) 300.130; 300.550-300.556
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*At this time all academic services and most of the related services for students on IEPs are offered in pull-out settings only. There is currently no inclusion services available for students in need of academic support and only limited inclusion is in place for students needing related services. Students needing only modifications to the curriculum are currently pulled out of the regular education classroom. Further, record review indicated that little or no justification was provided on the IEP for removing students from the regular education classroom. The charter school is currently reviewing this lack of inclusion and has taken some steps to address this, including providing training to staff prior to the start of the 2001-02 school year, with follow-up training scheduled for December 2001.*

<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> <li>7. Camping or recreation programs provided solely for recreational purposes and</li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	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: Commendable</b> <span style="float: right;"><b>District Response Required: No</b></span>		

**Department of Education Findings:**

*The charter school has a school year which includes 182 days in-school for the students. In addition, the length of the school day is such that the number of hours of structured learning time far exceeds the minimum of 900 hours for elementary level students and the 990 hours needed for secondary school students. In addition, the IEP Teams do consider whether an extended school year is needed, and extended year programs are provided in accordance with the regulations.*

<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:**

*Interviews indicated that services are generally implemented without delay. However, for some students, IEPs were allowed to expire and services were not continued. Further, in some cases where*

parents and the charter school disagreed on services, the charter school discontinued services without parent permission and without proceeding to the Bureau of Special Education Appeals (BSEA). In addition, not all students had IEPs in effect at the start of the school year. The charter school has held Team meetings during the fall of 2001 for those students whose IEPs had expired. In addition, IEPs that have been partially or fully rejected have been forwarded to the BSEA.

<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>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
<b>MOA 1</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.</p> <p>Title VI; 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:**

*While the charter school currently does not report having any students who have limited English proficiency, the charter school does not have qualified staff or procedures to obtain evaluation services from staff qualified to assess whether students need special language assistance. Further, the charter school did not provide written documentation regarding this criterion.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 2</b>	<b>Placement and program modification for limited English proficient students</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</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: Not Applicable</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*The charter school has not identified any students who are limited English proficient. However, the charter school does not have procedures in place for making appropriate placement and program modifications should a student with limited English proficiency enroll in the school.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 3</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: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 4</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: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 5</b>	<p><b>Placement of disabled students in occupational/vocational education programs</b>  When occupational/ vocational placement needs of disabled students are being considered:</p> <p>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</p> <p>b. an array of occupational/vocational education programs and services are available to facilitate necessary program modifications and to meet the identified needs of students.</p> <p>Title II, S. 504</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 6</b>	<p><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.</p> <p>Title IX</p>
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The charter school currently has no policy regarding the availability of in-school programs for pregnant students.*

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

CRITERION NUMBER	Legal Standard
	TI 6
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews indicate that parents have a limited role in providing input to the Title I program. There are no structured interviews designed to gather input from parents into the Title I program.*

CRITERION NUMBER	Legal Standard
	TI 7
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Parents, administrators and pupil services personnel are not consulted regarding the criteria for the identification of students in Title I. Teacher recommendations, results of some charter school-wide assessments are used to identify eligible students through a point system. Students are then listed on a prioritized list based on the number of points the student has received through the point system.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 8</b>	<p>There is evidence that students with limited-English proficiency are identified as eligible and selected for Title I services on the same basis as other children selected to receive services.</p> <p>1115(b)(2)(A)(i) ESEA, IASA; 200.63 (c)(3)(ii) (Federal Register) CFR</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*While the charter school currently does not have any students identified as Limited English Proficient, all students have equal access to Title I services.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 9</b>	<p>There is evidence that students with special education needs are identified as eligible and selected for Title I services on the same basis as other children selected to receive services.</p> <p>1115(b)(2)(A)(i); 200.63 (c)(3)(ii) (Federal Register) CFR</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

### COMPONENT III: PARENTAL INVOLVEMENT

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

- Special Education (Report Issues # SE 24-32)
- Civil Rights Methods of Administration (MOA) (Report Issue # MOA 7)
  - Title I (Report Issues # TI 10-11B)



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. The school district provides 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> <li>5. The district provides parents with an opportunity to consult with the Administrator of Special Education or his/her designee regarding the evaluators to be used and the proposed content of all required and optional assessments</li> <li>6. The school district does not limit a parent's right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education that may be described in the district's Curriculum Accommodation Plan, including any pre-referral program.</li> <li>7. The school district refuses to conduct an initial evaluation only when the circumstances of a student make clear that there is no suspicion of a disability and that there is no concern about the student's development.</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:**

*Parent surveys and interviews with parents and teachers indicate that the parents' right to refer a student for a timely special education evaluation is at times limited because of the charter school's practice of requiring all students who are referred to first participate in the charter school's pre-referral process. For example, some parents reported that when they referred their child for an evaluation, the evaluation was declined by the charter school, pending the outcome of the pre-referral process.*

CRITERION NUMBER		
	Legal Standard	
SE 25	<b>Parental consent</b>	

CRITERION NUMBER	
	<p style="text-align: center;"><b>Legal Standard</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 written parental consent before conducting an initial evaluation or making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a reevaluation and before placing a student in a special education placement subsequent to the initial placement in special education.</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> <li>5. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child.</li> <li>6. When the participation or consent of the parent is required and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation.</li> <li>7. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the initial placement, or the parent revokes consent to such reevaluation or placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the child. If, after consideration, the school district determines that the parent’s failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through Special Education Appeals</li> </ol> <p><b>State Regulations</b> 28.07(1)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.500(b)(1)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*While interviews with staff and parents indicated that consent is obtained at the appropriate times, consent for evaluations was often missing from the student records.*

CRITERION NUMBER		
	Legal Standard	
SE 26	<p><b>Parent participation in meetings</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.</li> <li>4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.02(22)</p> <p><b>Federal Requirements</b> 300.345(d), 300.501</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

CRITERION NUMBER		
	Legal Standard	
SE 27	<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> 28.04(b)</p> <p><b>Federal Requirements</b> 300.503-504</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.07(g)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.345(e)</td> </tr> </table>	<b>State Regulations</b> 28.07(g)	<b>Federal Requirements</b> 300.345(e)
<b>State Regulations</b> 28.07(g)	<b>Federal Requirements</b> 300.345(e)		
	<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 30</b>	<p><b>Elements of notice of parents’ rights</b> The district’s notice of parental rights contains all required elements included in the most current version of the Massachusetts Parent’s Rights Brochure.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> MGL c. 71B, Sec. 3</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.503-504</td> </tr> </table>	<b>State Regulations</b> MGL c. 71B, Sec. 3	<b>Federal Requirements</b> 300.503-504
<b>State Regulations</b> MGL c. 71B, Sec. 3	<b>Federal Requirements</b> 300.503-504		
	<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 31</b>	<p><b>State and district responsibility for educational surrogate parents</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. 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>3. 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>4. 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</li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	expenses related to the exercise of his or her responsibilities as an educational surrogate parent for a student enrolled in the district.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.07(7)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.515</td> </tr> </table>	<b>State Regulations</b> 28.07(7)	<b>Federal Requirements</b> 300.515
<b>State Regulations</b> 28.07(7)	<b>Federal Requirements</b> 300.515		
	<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 32</b>	<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 operational procedures.</li> <li>5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources.</li> <li>6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</li> </ol> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> Chapter 71B, sec. 1C; 28.07(4)</td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> </table>	<b>State Regulations</b> Chapter 71B, sec. 1C; 28.07(4)	<b>Federal Requirements</b>
<b>State Regulations</b> Chapter 71B, sec. 1C; 28.07(4)	<b>Federal Requirements</b>		
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>		

**Department of Education Findings:**

*A Parent Advisory Council (PAC) has been established and is open to all parents of children with disabilities and other interested parties. However, at this time, the PAC does not have any by-laws regarding officers and operational procedures. In addition, the PAC does not meet regularly with school officials to participate in the planning, development, and evaluation of the charter school’s*

special education programs.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT
	<b>Legal Standard</b>
<b>MOA 7</b>	<p><b>General information and materials in languages other than English</b> When persons with limited English language skills reside in the community, the following are published in language(s) other than English and disseminated to all relevant recipients: general announcements, counseling materials, notices of extracurricular activities, and information regarding school recruitment and promotional activities.</p> <p>Title VI; MGL, Ch.76, Section 5</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	TITLE 1 III. PARENTAL INVOLVEMENT
	<b>Legal Standard</b>
<b>TI 10</b>	<p>The program demonstrates evidence of having met the following Title I requirements:</p> <ul style="list-style-type: none"> <li>• <input type="checkbox"/> parents are involved in writing, and have agreed upon, both the district’s and school ‘s written parental involvement policies;</li> <li>• plans/policies are developed which ensure that parents are involved in program planning, implementation and review;</li> <li>• parents are involved in a timely, organized, and ongoing manner in the planning, review, and improvement of programs;</li> <li>• parents are provided the following information in a timely manner: <ul style="list-style-type: none"> <li>- school performance profiles and their child’s individual assessment results and interpretation of those results;</li> <li>- a curriculum description and explanation, forms of assessment used, and expected proficiency levels;</li> <li>- opportunities for regular meetings;</li> <li>- and timely responses to parental suggestions</li> </ul> </li> <li>• parents are involved in School-Parent Compacts and annual assessment of the effectiveness of parent involvement; and</li> <li>• an annual Title I informational meeting is conducted for parents together with other pertinent meetings of interest to parents.</li> </ul> <p>1118 (a)-(e) ESEA,IASA</p>
	<p><b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*Documentation and interviews with parents and staff indicated that parents are not involved in program planning, implementation, review or improvements of Title I services. The charter school does not have written policies regarding parent involvement in Title I programs. Timely responses to parent suggestions are hindered by the charter school's policy of parents contacting the lower school coordinator regarding all student issues. Direct contact between parents and teachers is not allowed unless the upper or lower school coordinator has been contacted first and approves of the direct parent-teacher contact. There are no School-Parent Compacts and there is no annual assessment of the effectiveness of parent involvement. There are no annual Title I informational meetings conducted for parents.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 11</b>	All policies and procedures regarding parental involvement are in writing and available and/or distributed to Title I parents in a language and form that they can understand.  1118 (f) ESEA,IASA
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*There are no written policies or procedures regarding parental involvement in Title I.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 11A</b>	The district provides materials and training to Title I parents to enable them to improve their children's achievement. (e.g., curriculum descriptions; school performance profiles)  1118(e)(2)(A) and (B)
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*The charter school does not provide materials or training to Title I parents.*

<b>CRITERION NUMBER</b>	
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	<b>Legal Standard</b>
<b>TI 11B</b>	Parents of Title I students have equal opportunity to be represented on local School Councils.  The Education Reform Act of 1993
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**  
*Charter schools are not required to have School Councils.*

#### 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 8-9)
  - Title I (Report Issues # TI 12-14F)

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION
	<b>Legal Standard</b>
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 28.05(4)(a) and (b)</p> <p>Federal Requirements 300.347(a)(1)(i); 300.137</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*The curriculum at the charter school is not aligned with the Massachusetts Curriculum Frameworks. Staff were unable to provide information regarding the progress of the charter school in aligning the curriculum. Staff interviews revealed that many staff were unfamiliar with the frameworks and that the alignment process was being done primarily through the SABIS corporate offices. The charter school does ensure that all students with disabilities have access to the SABIS curriculum that is available to all other students. However, all special education academic services are offered as pull-out services. The IEPs do not document the need for pull-out services, other than to comment that the student will receive all academic special education services as pull-out services. Interviews indicated that the charter school is currently investigating ways to implement inclusion programs. However, all academic services are currently done in a pull-out model.*

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION
	<b>Legal Standard</b>
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>



CRITERION NUMBER		
	Legal Standard	
	<p>consent.</p> <p>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.</p> <p>3. The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.</p> <p>4. The district provides all programs and services without expense to the child's parents.</p> <p>5. Each time the school district proposes to access the parent's private insurance proceeds to support the costs of IEP implementation, the school district obtains the parent's consent and informs the parents that their refusal to permit the school district to access their private insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents.</p>	<p>State Regulations 28.06(3)</p> <p>Federal Requirements 300.142; 300.350</p>
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Record review indicated that IEPs for many students had been allowed to expire. In some of these cases, the IEP services were also stopped, indicating that the charter school had not been overseeing the full implementation of each IEP which had been proposed and consented to by the child's parent. The charter school has begun a new process during the 2001-02 school year of keeping better track of timelines. In this regard, the charter school has held several Team meetings in the fall of 2001 to develop new IEPs for students' whose IEPs had expired.*

CRITERION NUMBER		
	Legal Standard	
SE 37	<p><b>Procedures for approved and unapproved out-of-district placements</b></p> <p>1. <u>Individual student program oversight</u>: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students' files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Education, or to the out-of-district placement.</p> <p>2. <u>Student right to full procedural protections</u>: The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law</p>	

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district placement.</p> <ol style="list-style-type: none"> <li data-bbox="407 443 1403 743">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. Preference is also given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with LRE requirements. 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 data-bbox="407 743 1403 842">4. <u>Written contracts</u>: At a minimum, 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 data-bbox="407 842 1403 1079">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 data-bbox="407 1079 1403 1879">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 data-bbox="505 1178 1403 1310">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 data-bbox="505 1310 1403 1814">b. <u>Evaluation of facility</u>: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation additionally determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.</li> <li data-bbox="505 1814 1403 1879">c. <u>School district approval to operate a private school in Massachusetts</u>: If services in an unapproved program are provided</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>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 Team 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 and documentation of a monitoring plan pursuant to 603 CMR 28.06(3)(b). The district maintains any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly funded students as set by the state agency responsible for setting program prices.</p> <p>f. <u>Out of state programs</u>: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the Administrator of Special Education ensures that such school has received approval from the host state.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.02(13), 28.06(3)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.2(c)</td> </tr> </table>	<b>State Regulations</b> 28.02(13), 28.06(3)	<b>Federal Requirements</b> 300.2(c)
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<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>		

**Department of Education Findings:**  
*This criterion does not apply to charter schools.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 38</b>	<b>Educational services in institutional settings (ESIS)</b>





CRITERION NUMBER			
	<b>Legal Standard</b>		
	<p>opportunities to participate in the public school special education program consistent with state constitutional limitations.</p> <ul style="list-style-type: none"> <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> </ul> <p>3. Special education services and/or related services provided by the district to a private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance.</p> <p>4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.03(e)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.450-300.462</td> </tr> </table>	<b>State Regulations</b> 28.03(e)	<b>Federal Requirements</b> 300.450-300.462
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**Department of Education Findings:**  
*This criterion does not apply to charter schools.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 40</b>	<p><b>Instructional grouping requirements for students aged five and older</b></p> <ul 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</li> </ul>

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

**Department of Education Findings:**

*The charter school currently has a resource classroom in which group size is 17 students with 1 teacher and 1 aide. This exceeds the maximum of 16 students with 1 teacher and 2 aides. There are actually three different grade levels of students in the classroom, all working on different courses, with only 1 teacher and 1 aide. This means that when all three groups are present in the classroom, there is always one group of students in the resource room not receiving instruction. Further, the resource classroom itself is excessively small and is not appropriate for the number of students in the class.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>

<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. Such requests are implemented only after approval of the Department of Education.</p> <p><b>State Regulations</b> 28.06(6)(f)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<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> <li>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</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>disabilities. If the number of students with disabilities is six (6) or seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide.</p> <p>6. <u>Substantially separate programs</u> for young children are located in a public school classroom or facility that serves primarily or solely children with disabilities. Substantially separate programs adhere to the following standards:</p> <p>a. Substantially separate programs are programs in which more than 50% of the children have disabilities.</p> <p>b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide.</p>		
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<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>		

**Department of Education Findings:**

*The charter school is a kindergarten through grade 11 program and does not have any 3- or 4-year old students.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION</b>		
	<b>Legal Standard</b>		
<b>MOA 8</b>	<p><b>Accessibility of extra curricular activities</b> Extra curricular activities sponsored by the district are non-discriminatory in that:</p> <p>X the school provides equal opportunity for male and female students to participate in intramural and interscholastic sports</p> <p>X extracurricular activities or clubs sponsored by the school do not exclude students on the basis of race, sex, color, religion, national origin, sexual orientation and disability.</p> <p>X Title II; Title IX ; S. 504; MGL, Ch.76, Section 5</p>		
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<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 9</b>	<p><b>Promotional, recruitment, and employment practices of prospective employers of students</b></p> <p>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> <p>X depicting students from both sexes and under represented groups in all pictorial representations</p> <p>X making clear in written materials that all options are open to students regardless of race, color, sex, religion, national origin, sexual orientation or disability</p> <p>X requiring employers recruiting at the school to sign a statement that they do not discriminate in hiring or employment practices</p> <p>Title I, Title VI, Title IX, S. 504, MGL, Ch.76, Section 5</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The school is a kindergarten through grade 11 school only. The 2001-02 school year is the first time that students in grade 11 have attended the school. The Department is providing technical assistance to the charter school to ensure that this requirement will be in place as it becomes applicable.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>TI 12 - TAS</b>	<p>Title I services provided to students are designed to assist the students to meet the expectations and standards of the regular education curriculum and of the state curriculum frameworks.</p> <p>1115 (c)(1)(D) (ii) ESEA,IASA; 1001 (a)(1); 1001 (d)(1) ESEA,IASA</p>
	<p><b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*Title I services provided to students are designed to assist the students to meet the expectations and standards of the regular education curriculum. However, the SABIS curriculum is not aligned with the state curriculum frameworks.*

<b>CRITERION</b>	
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NUMBER	
	Legal Standard
TI 13 - TAS	There is an established process for coordination and collaboration of Title I services with the instructional and assessment programs provided in regular education, special education, TBE/ESL, vocational education, early childhood (including Even Start and Head Start), and for the Homeless.  1112 (b)(4)(A-B); 1115 (c)(1)(E);1120(b)(a)ESEA,IASA
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews and document review indicated that while the teachers have made efforts to collaborate and coordinate Title I services with regular education and special education, there is no established process for the coordination of Title I with other programs.*

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

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

## 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 43-49A)
- Civil Rights Methods of Administration (MOA)  
(Report Issues MOA 10 –17A)
  - Title I (Report Issues # TI 15-18)





have not completed their homework, and for students who are making up tests. However, the alternative room is one classroom with a partial divider. The ages in the alternative room can range from kindergarten to 11<sup>th</sup> grade, with no significant barrier in the classroom between children of different ages. Therefore, a high school aged student who is having behavioral issues may potentially be placed in the same classroom as a kindergarten student. In addition, the individual records for students in the alternative room do not record the length of time that students have spent in the alternative room. Therefore, when looking up an individual student's log in the alternative room, there is no way to tell how much time during each day the student spent in the alternative room. Therefore, none of the partial-days a student may spend in the alternative room is considered when looking at suspensions and whether or not the suspension represents a change in the student's placement.

CRITERION NUMBER		
	Legal Standard	
SE 45	<p><b>Procedures for suspension up to 10 days and after 10 days: General requirements</b></p> <ol style="list-style-type: none"> <li>1. All students, including eligible students with disabilities, receive prior written notice regarding the school's Code of Conduct.</li> <li>2. The school's Code of Conduct includes required procedural safeguards such as opportunity for a hearing (per Goss v. Lopez).</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulation</b> MGL c. 76, sec. 16-18 Chapter 71, section 37 H</p> <p><b>Federal Requirements</b> 300.519-300.529</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*All students receive prior written notice regarding the school's Code of Conduct and the Code of Conduct includes a provision for the opportunity for a hearing. However, the charter school's policies for students with special needs has not been updated to reflect the IDEA-97 regulations. In addition, the charter school does not include in-house suspensions in its log of suspensions (see SE 44 regarding in-house suspensions). For students with special needs who had been suspended more than 10 days, the charter school did not follow the appropriate procedures regarding providing sufficient services to the students to continue to receive a free and appropriate public education.*

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 46	<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> <ol style="list-style-type: none"> <li>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.</li> <li>2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes       <ol style="list-style-type: none"> <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> </ol> </li> <li>3. If the Team determines that the behavior is <u>NOT</u> a manifestation of the disability, then the district may suspend or expel the student consistent with policies applied to any student without disabilities, except that the district must still offer an appropriate education program to the student with disabilities which may be in some other setting.</li> <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>

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

**Department of Education Findings:**

*The charter school currently does not record in-house suspensions or partial days a student spends in the alternative room on its suspension log, resulting in an under-representation of the number of suspensions for students. In addition, the charter school did not hold Team meetings in a timely fashion for at least two students who were suspended for more than 10 days. Further, for one student who was in the process of being tested to determine eligibility for special education, the charter school stopped the evaluation until the student had completed a 30 day suspension. Functional behavioral assessments were not developed for all students whose IEPs indicated their behavior impeded their learning. Alternative educational settings were not provided for all students suspended for more than 10 days. One student who was suspended more than 10 days was given tutoring. However, the Team did not have a say in the type of tutoring provided or the number of tutoring hours provided during the suspension. Team meetings were not held in a timely fashion and manifestation determinations were not made following suspensions of more than 10 days. In addition, there was no documentation indicating that written notice was provided to parents regarding the parents' right to appeal and the right to an expedited hearing.*

<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> <li>b. The parent had requested an evaluation; or</li> <li>c. School district staff had expressed concern that the student had a disability.</li> </ol> </li> <li>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.</li> <li>3. The school district has developed procedures consistent with federal requirements to expedite evaluations.</li> </ol>

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
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<b>Rating: Not Implemented</b>	<b>District Response Required: Yes</b>				

**Department of Education Findings:**

*Record review indicated that while a student who was in the process of being evaluated for a disability was suspended for 30 days, the charter school stopped the assessment process and did not complete testing or hold a Team meeting until after the student had served the entire suspension.*

<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> <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>28.06(5)</td> <td>300.121; 300.300-313</td> </tr> </table>	<b>State Regulations</b>	<b>Federal Requirements</b>	28.06(5)	300.121; 300.300-313
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<b>Rating: Implemented</b>	<b>District Response Required: No</b>				

<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> <p><b>State Regulations</b> 28.02(19)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.24</p>
	<b>Rating: Commendable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*The charter school provides related services in all appropriate areas (such as speech/language, occupational therapy and physical therapy). In addition, the charter school has begun a service delivery model during the 2001-02 school year which includes extensive consultation services from the related services providers to the classroom teachers. Further, the charter school started providing related services within the regular education classrooms during the 2001-02 school year. Counseling services are available to all students in the school, and the charter school employs both an adjustment counselor and a social worker. Further, the school staff holds weekly “student life” administrative meetings in which the administrative, guidance and special education personnel meet to discuss individual student needs and develop services for all students (including regular education and special education students) who are in need of assistance.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 49A</b>	<b>Special Transportation</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>If the IEP specifies that the student's disability requires transportation or specialized transportation arrangements in order to benefit from special education, the district implements these provisions of the student's IEP.</p> <ol style="list-style-type: none"><li>1. The Team determines necessary modifications, special equipment, assistance, need for qualified attendants on vehicles, and any particular precautions required by the student and documents such determinations in the student's IEP. If specialized arrangements can be provided on regular transportation vehicles, the school district makes such arrangements.</li><li>2. The district arranges to have eligible students who use wheelchairs transported in vehicles that do not require such children to be removed from their wheelchairs in order to enter or leave the vehicles; provided, however, that this requirement is not applicable where a Team or the student's physician recommends that the student regularly transfer in and out of conventional vehicles to or from a wheelchair for therapeutic or for independence training reasons.</li><li>3. The Team specifies whether the student requires assistance in or out of the home, on or off of the vehicle, and in or out of the school. If such assistance is specified, the district ensures that it is provided.</li><li>4. The Team specifies if the student has a particular need or problem that may cause difficulties during transportation, such as seizures, a tendency for motion sickness, behavioral concerns, or communication disabilities.</li><li>5. The school district does not allow transportation considerations to influence, modify, or determine the educational program, including the length of the school day, required by any student.</li></ol> <table border="0"><tr><td><b>State Regulations</b> 28.05(5)(b)</td><td><b>Federal Requirements</b></td></tr></table>	<b>State Regulations</b> 28.05(5)(b)	<b>Federal Requirements</b>
<b>State Regulations</b> 28.05(5)(b)	<b>Federal Requirements</b>		
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>		

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
<b>MOA 10</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> <ul style="list-style-type: none"><li>X 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>X given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s)</li></ul>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
	Title VI; Title IX; S. 504; MGL, Ch.76, Section 5
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 11</b>	<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
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 12</b>	<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
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*According to the documentation, the charter school does have a written grievance procedure. However, interviews indicated that staff were unaware of the grievance procedures and unclear about the process of filing a grievance. Staff were unaware of who the Title VI, IX and Section 504 coordinators were. Interviews also indicated that training had not been provided to any staff members, including complaint officers. Complaint officers were unclear of their role in grievance procedures.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 13</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.</p> <p>Title VI, Title IX, S. 504</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 14</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>X encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills</li> <li>X examine testing materials for bias and counteract any found bias when administering and interpreting test results</li> <li>X communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district</li> <li>X support students in non-traditional educational and occupational pursuits for their gender</li> </ul> <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>Legal Standard</b>
	<b>Non-discriminatory administration of scholarships, prizes and athletic awards</b>



CRITERION NUMBER	
	Legal Standard
MOA 15	<p>Scholarships, prizes and athletic awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability with the following exceptions:</p> <p>X when making athletic awards to members of single sex teams, awards are in proportion to the number of students of each gender participating in interscholastic competition</p> <p>X when accepting outside assistance (i.e. wills, trusts) for awards that would discriminate, the district provides an alternative source of funding to erase the discriminatory effect</p> <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p><b>Rating: Not Applicable</b> <b>District Response Required: No</b></p>

**Department of Education Findings:**

*The charter school added grade 11 during the 2001-02 school year and currently does not award scholarships, prizes and athletic awards.*

CRITERION NUMBER	
	Legal Standard
MOA 16	<p><b>Notice to students who have left or are about to leave school without a high school diploma</b></p> <p>The district provides timely notice in writing (in English and the student’s native language with a copy to parents) to students age 16-21 who have left or are about to leave school without obtaining a high school diploma or its equivalent and which includes the following information:</p> <ul 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> <li>d. all program options available to them.</li> </ul> <p>MGL, Ch. 76, S.18</p>
	<p><b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documents and interviews indicated that the charter school has an exit interview for students leaving school, but students are not provided with the appropriate notice or procedural rights information.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 17</b>	<p><b>Codes of conduct and student handbooks</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The district has complaint resolution procedures that include the disciplinary measures that may be imposed upon students who harass or discriminate.</li> <li>3. The principal of each school ensures that the district and school codes of conduct are distributed annually to students, parents and school personnel.</li> </ol> <p>Title VI, Title IX, Section 504, MGL, Ch.76, Section 5</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 17A</b>	<p><b>Use of physical restraint on any student enrolled in a publicly funded education program</b></p> <ol style="list-style-type: none"> <li>1. The district has developed and implemented staff training at least annually on the use of restraint consistent with regulatory requirements.</li> <li>2. The district administers physical restraint on students only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm. The district implements restraint procedures consistent with Department of Education regulations in order to prevent or minimize any harm to the student as a result of the use of physical restraint.</li> <li>3. The district has developed written procedures regarding appropriate responses to student behavior that may require immediate intervention. Such procedures are annually reviewed and provided to school staff and made available to parents of enrolled students.</li> <li>4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Education consistent with the regulations.</li> <li>5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations.</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	603 CMR 46.00
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Document review and interviews indicated that the charter school has no policies or procedures regarding restraint and none of the staff have participated in restraint training. Interviews indicated that most staff were unaware of the regulatory requirements regarding restraint.*

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

**Department of Education Findings:**

*The charter school's Title I program is currently being used to supplant the charter school's intensive program in grades 1 and 2. When the charter school implemented its Title I program, they changed the name of the intensive class to "Title I."*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 16</b>	Representatives from non-public school and/or Neglected or Delinquent (N or D) facilities are consulted and informed about the availability of Title I services and the priority needs of their schools. <p>200.10 (a) (Federal Register) CFR</p>
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*This is not applicable to charter schools.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 17</b>	The Title I services provided in non-public schools and/or N or D facilities are equitable to those provided in public schools and minimize the use of pull-out program models.  1120(a), 200.10 (a) (Federal Register) CFR; 200.11(b) (Federal Register) CFR
	<b>Rating: Not applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**  
*This is not applicable to charter schools.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 18</b>	Additional assistance is provided through teacher-parent conferences for any students not meeting the standards to discuss: <ul style="list-style-type: none"> <li>• what the school will do to help the student meet the standards;</li> <li>• what the family can do to help the student improve performance; and</li> <li>• additional assistance for the student at the school or elsewhere in the community.</li> </ul> 1114(b)(1)(H)(iii)
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**  
*Additional assistance through teacher-parent conferences is not provided.*

## COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION

The criteria in this component examine whether the district has certified staff, provides supervision of aides and tutors, and provides ongoing professional development in the program areas listed below. Additionally, the component examines whether the district implements an effective system of program leadership and oversight which fosters high standards and performance expectations for all students and staff consistent with the goals of applicable federal and state requirements and Education Reform Act of 1993.

:

- Special Education (Report Issues # SE 50-54)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18-21)
  - Title I (Report Issues # TI 19-23)

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 the needs of diverse learners in the general education program. 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</li> </ol>

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION
	<b>Legal Standard</b>
	<p>do not interfere with the medical needs of the student. The principal 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> <p><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</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*The charter school has many elements in its structure which provide instructional support for students. All students are offered to opportunity to participate in intensive classes if they have difficulty with any particular concepts being taught in the curriculum. In addition, the charter school provides regular feedback to students through frequent testing and progress reporting with the charter schools Academic Monitoring System. Peer tutors are available on an as needed basis to all students. While there are many instructional supports in place, the Curriculum Accommodation Plan did not reflect all of the appropriate elements required by the regulations. The Curriculum Accommodation Plan was primarily a restatement of the general SABIS philosophy and did not include all of the instructional supports, training in the provision of pre-referral services, or information about teacher mentoring or parental involvement. In addition, the administrators and staff were unaware of the requirements of the Curriculum Accommodation Plan, which appeared to have been prepared by the SABIS Corporate Offices and was not specific to the SABIS Foxborough Regional Charter School.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 51</b>	<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> <p><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	28.02(3) 300.23; 300.36 603 CMR 7.00
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Document review and interviews indicated that there is one special education teacher providing special education services who is not certified and does not hold a current waiver, as required by both state and federal regulations. In addition, during the course of the Coordinated Program Review, the Department discovered that 18 regular education staff members employed by the charter school do not hold appropriate certification, waivers, or evidence of passing the required portions of the Massachusetts Teacher Test.*

<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)      <b>Federal Requirements</b> 300.23; 300.24; 300.136</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Document review and interviews indicated that there is one special education related service provider who is not certified and does not hold a current waiver, as required by both state and federal regulations.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 53</b>	<p><b>Use of paraprofessionals</b> 1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student</p>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>teachers) are appropriately trained to assist in providing special education or related services.</p> <p>2. Persons employed as paraprofessionals and assistants do not design instruction for students with disabilities but are expected to implement instruction under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision.</p>
	<p><b>State Regulations</b></p> <p><b>Federal Requirements</b> 300.136(f)</p>
	<p><b>Rating: Partially Implemented</b></p> <p><b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Interviews with staff indicated that training for paraprofessionals was inconsistent. While the charter school provides an extensive orientation prior to the beginning of the school year, paraprofessionals who are hired after the start of the school year do not receive orientation. Interviews indicated that personnel supervising paraprofessionals are proximate and readily available to provide supervision. However, the type of supervision provided was inconsistent, due in part to the lack of planning time that paraprofessionals were given to consult with teachers. In addition, staff indicated that not all paraprofessionals are given access to the IEPs for the students they are working with, while other paraprofessionals have not received training specific to the disabilities of the students they are working with.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 54</b>	<p><b>Professional development regarding special education</b></p> <ol style="list-style-type: none"> <li>1) 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:</li> <li>2) state and federal special education requirements and related local special education policies and procedures;</li> <li>3) confidentiality of student records;</li> <li>4) 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>5) methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom;</li> <li>6) training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement;</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>7) training for all locally hired <u>and</u> contracted transportation providers on the unique needs of all students being transported in regular and special transportation vehicles; and</p> <p>8) in cooperation with the special education parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</p> <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><b>Federal Requirements</b> 300.382</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*The charter school provided no documentation regarding the training of staff. Interviews with staff indicated that staff have not received training in all of the required areas. Specifically, staff indicated that they had not received training in confidentiality of student records or methods of collaboration among teachers, paraprofessionals and teacher assistants.*

<b>CRITERION NUMBER</b>	<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 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.</p> <p>Title I, Title VI, Title IX, S. 504</p>
	<p><b>Rating: Implemented</b>                                      <b>District Response Required: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 19</b>	<p><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.</p> <p>Title I, Title VI, Title IX, S. 504</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 20</b>	<p><b>Non-discriminatory personnel policies and procedures</b>  District personnel policies and procedures are free of discrimination and bias in the following areas:</p> <ul style="list-style-type: none"> <li>X employee hiring, upgrading, award of tenure, demotion, return from layoff and retirement are the same for both sexes</li> <li>X employee pay schedules and rates of other compensation for all job categories provide equal pay for equal work</li> <li>X fringe benefits for all job categories such as medical, dental, insurance, leave (sick, personal, professional, parental, dependent care, bereavement) etc. are the same for all employees.</li> </ul> <p>Title I, Title VI, Title IX, S. 504</p>
	<p><b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*While the charter school’s personnel policies and procedures, as they appear in the staff handbook appear to be non-discriminatory, several staff members indicated in interviews that they believe employee pay schedules do not provide equal pay for equal positions and work based on gender. These staff members also indicated that they believe that in some cases pay raises were not offered in an equitable manner (based on gender) for staff holding comparable positions and doing comparable work. This is further complicated because the charter school does not have a grievance procedure in place in which the staff can file a grievance based on unfair or discriminatory personnel practices.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 21</b>	<p><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.</p> <p>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 charter school provided no documentation of training in civil rights responsibilities. Interviews with staff indicated that the staff, including the civil rights leadership in the charter school, have received no training regarding civil rights responsibilities.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>TI 19</b>	<p>All professional staff providing Title I services are appropriately certified or hold current waivers for their job title and function.</p> <p>Chapter 71, 38G</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 20</b>	<p>Teacher aides work under the direct supervision and in close proximity of certified teachers who are employed in that capacity.  1119 (I)(1)(c) ESEA, IASA</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The charter school does not have any teacher aides providing Title I services.*

CRITERION NUMBER	
	Legal Standard
<b>TI 21</b>	Professional development activities: <ul style="list-style-type: none"> <li>• support instructional practices that are conducive to the high achievement and challenging content expectations of the state's education reform efforts (e.g., Curriculum Frameworks); and</li> <li>• are provided to all of the district's instructional staff who serve Title I eligible students.</li> </ul> 1119 (b)(1)(A) ESEA,IASA
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*While professional development opportunities are provided to all of the charter school's instructional staff who serve Title I eligible students, the charter school's curriculum is not aligned with the Massachusetts Curriculum Frameworks. Therefore professional development activities do not support instructional practices that are based on the high achievement and challenging content expectations of the state's education reform efforts.*

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

**Department of Education Findings:**

*Title I professional development activities offered are not based on staff input or needs assessment. Further, in designing professional development activities, the needs of the Title I students are not specifically addressed.*

CRITERION NUMBER	

	<b>Legal Standard</b>
<b>TI 23</b>	<p>Each school identified to be in need of improvement, as part of its school improvement plan, improves the skills of its staff by providing effective professional development activities and by devoting to such activities, over a period of 2 consecutive years, an amount equivalent to 10% of the Part A funds received by the school during 1 fiscal year (or otherwise document how the school is effectively carrying out professional development activities. Decisions about the use of these funds are made by teachers, principals, and other school staff in that school.</p> <p>1116(c)(3)(A)(i), (ii), and (C) ESEA, IASA</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*This criterion is not applicable to charter schools.*

## 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 22-23)

CRITERION NUMBER	SPECIAL EDUCATION VII. SCHOOL FACILITIES
	<b>Legal Standard</b>
SE 55	<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>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Two issues regarding special education facilities and classrooms were seen during the building tour and observations. First, there is a resource classroom that is excessively small and is not appropriate for the number of students in the class. This resource classroom is not equal in all physical respects to the average standards of general education facilities and classrooms. In addition, the space used for occupational therapy and physical therapy is in a hallway and is not an appropriate space for the delivery of services.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	<b>Legal Standard</b>
MOA 22	<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 (IDEA-97)</p>
	<p><b>Rating: Implemented</b>                                      <b>District Response Required: No</b></p>



CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 23</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> <ul style="list-style-type: none"> <li>X separate classes and facilities for disabled, limited English-proficient or pregnant students that are comparable to the facilities, programs, equipment and services offered other students in the district;</li> <li>X changing rooms, showers and other facilities for students of one gender that are comparable in size, number and location to those provided students of the other gender.</li> </ul> <p>Title II, Title VI, Title IX, S. 504, MGL, Ch. 76, Section 5</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Two issues regarding the comparability of facilities were seen during the building tour and observations. First, there is a resource classroom that is excessively small and is not appropriate for the number of students in the class. This resource classroom is not equal in all physical respects to the average standards of general education facilities and classrooms. In addition, the space used for occupational therapy and physical therapy is in a hallway and is not an appropriate space for the delivery of services.*

## 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 24-25)
  - Title I (Report Issues # TI 24-26)

<b>CRITERION NUMBER</b>	<b>SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<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: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*The charter school hired a consultant to complete a special education program review in the summer of 2001. Results of this evaluation were provided in the special education documentation and the charter school also provided information concerning the steps that have been taken to implement the recommendations given in the program evaluation. However, the charter school has not yet begun using information gathered from annual IEP reviews to measure the effectiveness of special education programs and to implement needed improvements. In addition, the charter school did not have data regarding students who had dropped out of school.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>MOA 24</b>	<p><b>Curriculum review process</b> 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>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The charter school currently uses a curriculum provided by the SABIS corporation. The charter school was unable to document evidence that a curriculum review process has been done through the corporation. Currently no local curriculum review is done by the charter school.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 25</b>	<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
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The charter school did not have any documentation regarding institutional self-evaluation. Interviews with staff confirmed that the charter school does not have a comprehensive evaluation process in place to examine and remedy policies and programs regarding discrimination issues.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>TI 24</b>	A needs assessment and data analysis is conducted annually in each school to determine the types of programs and services to be provided to Title I students. Such assessment is conducted in consultation with school staff and parents.  1115 (c)(2)(B); IASA 1114 (b)(1)(A) ESEA,IASA
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The charter school does not conduct a needs assessment annually to determine the types of programs*

and services to be provided to Title I students.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 24A</b>	The effectiveness of the Title I program/services at each school is evaluated on at least an annual basis, and Title I program changes are implemented which reflect the recommendations of this evaluation. The Title I Schoolwide Plan is integrated into the school's Improvement Plan.  1115 (c)(2)(B)ESEA, IASA
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 25</b>	Each Title I school identified in need of improvement develops an improvement plan in consultation with parents, the district, and the school support team, or revises its school plan in a manner that demonstrates the greatest likelihood of improving the performance of participating children.  1116(c)(2)(C)(i) ESEA, IASA
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*The Title I program at the charter school has not been previously identified as in need of improvement.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 26</b>	For districts with one or more Title I schools identified as in need of improvement,

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>the district:</p> <ul style="list-style-type: none"> <li>• provides technical or other assistance as the school develops and implements or revises its school improvement plan. (Such technical assistance may be provided directly or by other entities with experience in helping schools improve achievement.);</li> <li>• (for the 2002-2003 school year) implements corrective action in the identified school during the third year following identification, if the school continues to fail to make adequate yearly progress (e.g., withhold funds, revoke authority to operate a schoolwide program, reconstitution of school staff, etc.); and</li> <li>• provides as many students as possible in an identified school with the opportunity to transfer to another school in the district not in need of improvement.</li> </ul> <p>1116(c)(4) and (5) ESEA, IASA 2763A-32 of P.L. 106-554 (Education Appropriations Act, 2001)</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The Title I program at the charter school has not been previously identified as in need of improvement.*

## COMPONENT IX: RECORD KEEPING

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

- Special Education (Report Issues # SE 57-58)
  - Title I (Report Issues # TI 27-29A)

<b>CRITERION NUMBER</b>	<b>SPECIAL EDUCATION IX. RECORD KEEPING</b>	
	<b>Legal Standard</b>	
<b>SE 57</b>	<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>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>SE 58</b>	<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</li> </ol>	



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	funds on services for children enrolled in private schools at private expense.		
	<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
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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:**

*While the charter school did have a special education entitlement grant, the grant was not designed by appropriate local administrators who are responsible for the implementation of the local special education programs and services. Rather, the special education entitlement grant was designed by a grant writer from the SABIS Corporation who is not involved in the local administration of the special education entitlement funds. Further, local administrators do not monitor the entitlement grant in an ongoing manner to ensure its full implementation as approved by the Department of Education.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 IX. RECORD KEEPING</b>		
	<b>Legal Standard</b>		
<b>TI 27</b>	For each split-funded staff member, the district maintains an appropriate log (time and efforts record) verifying the time actually spent on Title I activities.  200.63 (Federal Register) CFR		
	<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:**

*The charter school has one split-funded staff member. The charter school does not maintain an appropriate log (time and efforts record) verifying the actual time spent on Title I activities.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 28</b>	Documentation is on file at the local Title I office verifying comparability and the district is in compliance with such comparability.  1120 (A)(c)(3)(B) ESEA, IASA		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 50%;"><b>District Response Required: No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>District Response Required: No</b>
<b>Rating: Implemented</b>	<b>District Response Required: No</b>		

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 29</b>	<p>The district has submitted all required reports to the Department of Education including the Local Title I Plan/Application and Performance and Achievement Report.</p> <p>The district maintains appropriate Title I records in a central location or at each Title I school and keeps correspondence on file, including documentation for identifying schools eligible for Title I services (Target Area Selection), and the form for determining school allocations.</p> <p>Information is made available to the Department regarding the allocation of Title I funds to schools and the rank order list and student selection criteria determined by the district.</p> <p>ESEA 1116 (d)(1)(A), 1111(b)(2)(A)(ii), 1120A(c)(2)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Although the Title I teacher maintains student folders, there are no charter school-wide procedures for maintaining Title I records.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 29A</b>	<p><b>Federal Title I Grant:</b></p> <p>The district’s Title I grant is designed by appropriate local administrators who are responsible for the implementation of the local Title I programs and services.</p> <p>Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education.</p> <p>Appropriate local administrators monitor the grant in an ongoing manner to ensure its full implementation as the Department of Education has approved it.</p> <p>The district secures the approval of the Department of Education for all amendments prior to their implementation.</p>

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

**Department of Education Findings:**

*The charter school’s Title I grant was not designed by an appropriate local administrator who is responsible for the implementation of the local Title I programs and services. Rather, the Title I grant was designed by a grant writer from the SABIS Corporation who is not involved in the local administration of the Title I funds. Further, local administrators do not monitor the Title I grant in an ongoing manner to ensure its full implementation as approved by the Department of Education.*

APPENDIX:  
SCHOOL DISTRICT PROFILE INFORMATION

The school district 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 <http://profiles.doe.mass.edu/>. More detailed information on each school within the district is also available at this Web site.

# School and District Profiles

## Definitions of Terms

### Profiles

The Massachusetts Department of Education collects information about schools and districts. Some of the information collected is published in School and District Profiles on DOE web pages. The information provides a snapshot of the educational picture in communities across the state.

Now districts view, add, update and delete their own district and school information over the web to make sure that the information is as up-to-date and accurate as possible. In addition, the general public will be able to view Directory information about each school district in the state. Individuals can retrieve for themselves information such as school personnel, school programs (e.g. School Choice and TBE) and the location of specialized services such as Special Education Collaboratives, and Vocational Training Programs.

The list below provides an explanation of information presented in the Profiles.

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## Directory Information

**DOE Code:** The DOE Code, also referred to as the Organization Code, is an eight digit numeric code assigned by the Massachusetts Department of Education to every organization listed in the Directory Profiles, including every district and school in the Commonwealth. For districts and schools, the first four digits represent the District Code and the last four digits represent the School Code. Thus the organization code "02660505" stands for "0266" (Sharon Public Schools) + "0505" (Sharon High). If a form requires the 8-digit DOE school code it is calling for the entire organization code.

Prior to the 2001 school year, organization codes contained six digits (three for the district and three for the school.) With the exception of some special needs schools, the eight digit codes are the same as the six digit codes with one zero added before the district code and another zero added before the school code. Thus, Sharon High's old six digit organizational code was 266505.

Please Note: The Department's Organization Code is not the same as the Institution codes assigned by the College board for SAT and AP results. Nor is it the same as the NCES code assigned to Massachusetts schools by the U.S. Department of Education.

**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 "PK" indicates the district has pre-kindergarten. A high school range ending in "13" or "14" indicates the district has a post-graduate program. Kindergarten starting age indicates the age as of a particular date at which children are eligible to begin kindergarten.

**Services:** Services include:

- **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.
- **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 class work 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.

**Relationships:** Relationships include:

- **Member of Regional Districts\*:** 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.

\* District level data only.

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## Enrollment

**Enrollment by Grade:** indicates the enrollment for grades Pre-kindergarten (PK), kindergarten through 12, post-graduate grades 13 and 14, and ungraded (u/g) students for the listed school year.

**Race/Ethnicity:** indicates the percent of enrollment by race/ethnicity for the listed 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 listed school year.

**Children Attending Public Schools\*:** indicates the percent of school-age children in a city or town attending public schools, for the listed school years.

\* District level data only.

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## Test Results

**Massachusetts Comprehensive Assessment System (MCAS):** Click the MCAS link to see MCAS results for the district or school.

For additional information about Massachusetts Comprehensive Assessment System (MCAS), please refer to the Department of Education's MCAS web site at [www.doe.mass.edu/mcas](http://www.doe.mass.edu/mcas).

**SAT:** The district or school's SAT results are displayed for the listed years.

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## People

A list of people who work in the organization. Each name is linked to contact information for the person.

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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 listed school years.

**Teacher Salary\*:** indicates the minimum and maximum teacher salaries available, for the listed 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 listed 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.

Click one of the links in the Finance section for more school finance information.

\* District level data only.

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## Other Data

**Dropout/Attendance Rates:** indicates the percentage of students in grades 9-12 who dropped out of school between July 1 and June 30 prior to the listed year and who did not return to school by October 1. 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 listed school year.

**Student Exclusions:** indicates the number of student exclusions that occurred during the listed 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 for the listed school year.

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

SE, MOA, TI

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