



Burlington Public Schools

**COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

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Date of Draft Report: June 19, 2003

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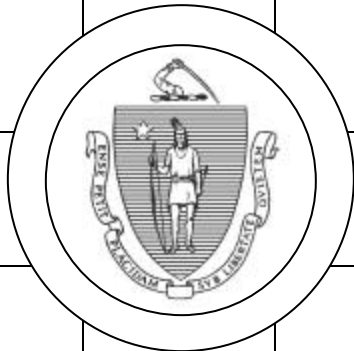
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MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW

Burlington Public Schools

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MASSACHUSETTS DEPARTMENT OF EDUCATION

COORDINATED PROGRAM REVIEW REPORT

Burlington Public Schools

OVERVIEW OF REVIEW PROCEDURES

As one part of its Accountability System, the Department of Education oversees local compliance with education requirements through the Coordinated Program Review System (CPR). Most 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) and other related Massachusetts General Laws. Additionally, all reviews include certain standards included under the Board of Education's Physical Restraint regulations (603 CMR 46.00). Other monitoring activities in the areas of Title I, Safe and Drug-Free Schools and Communities Act, the Perkins Vocational and Technical Education Act, and Nutrition Programs and Services are conducted in some districts during these Coordinated Program Review procedures. The selected school districts for 2002-2003 were notified by the Commissioner of Education in June 2002 of scheduled visits and were required to implement self-assessment activities prior to the arrival of the Department's visiting team.

Coordinated Program Review Elements

Team: Depending upon the size of a school district and the number of program areas to be reviewed, a team of approximately two to eight Department staff members together with any necessary outside consultants conducts a Coordinated Program Review over two to ten days in a school district or charter school.

Scope: Approximately fifty-three school districts and charter schools are scheduled to receive visits in school year 2002-2003. All school districts and charter schools in the Commonwealth are monitored through the Department's Coordinated Program Review system on a six-year cycle with an additional mid-cycle special education follow-up visit.

Content: The Program Review criteria encompass the required elements for the specific program areas. In the case of special education, the elements selected for the 2002-2003 reviews contain, at a minimum, those required by the federal Office for Special Education Programs (OSEP) and revised requirements included under IDEA-97 as described in the Department's Special Education Advisories. Additionally, the 2002-2003 reviews incorporate updated state special education requirements as adopted by the Board of Education and effective on 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, and intended to promote high standards and achievement for all students.

Report: The Department's report is based on a review of written documentation and data regarding the operation of the district's programs, together with information gathered through the following Department program review methods:

- Interviews of administrative, instructional and support staff across all grade levels.
- Interviews of parent advisory council (PAC) representatives and other interviews as requested by persons from the general public.
- Student record reviews in the program areas of special education, Perkins vocational programs, and Section 504 (student accommodation plans). A sample of student records is selected by the Department. Student records are examined by the onsite team using standard Department student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements. Parents of students with disabilities whose files are selected for the record review are sent a survey that solicits information regarding their experiences with the district's implementation of special education programs, related services and procedural requirements.
- Classroom and facilities observation. A sample of instructional classrooms and other school facilities used in the delivery of programs and services are visited to determine general levels of compliance with program requirements.
- Collaborative Programs and Services. Where the district is a member of a collaborative approved by the Department of Education and is a site for programs or services operated by the collaborative, a sample of interviews, student record reviews and classroom and facility observations are conducted.

An Executive Summary and detailed findings for each program area describe determinations of the Department of Education about the implementation status of each requirement (criterion) reviewed.

Response: The findings included in the Final Report note those criteria the implementation of which the team found to be commendable or substantially implemented. Where criteria are found not to be fully implemented, the local district or charter school must propose corrective actions to bring those areas into compliance with the respective statutes or regulations. Districts are encouraged to incorporate the corrective action into their district and school improvement plans, including the district professional development plan.

* * * * *

The Department of Education believes that the Coordinated Program Review process is a positive experience and that the Final Report should be seen as a helpful planning document for the continuing development of programs and services in the school district or charter school.

REPORT INTRODUCTION

A four-member Massachusetts Department of Education team visited Burlington Public Schools during the week of May 5, 2003 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 Burlington Public Schools. These areas are as follows:

- *The district's curriculum review process includes a thorough review for possible bias and discrimination;*
- *The district actively engages parents in the special education process;*
- *The district consistently meets timelines for completing special education evaluations and routinely sends assessments to parents one week prior to the scheduled Team meeting;*
- *The district encourages regular communication between regular education, special education and Title I staff through common planning time and the pre-referral process*

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 13 administrative staff.
- Interviews of 42 teaching and support services staff across all levels.
- Interviews of one parent advisory council (PAC) representatives.
- Interviews as requested by persons from the general public.
- Student record reviews: A sample of 26 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: 28 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. Nine 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 10 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

Burlington Public Schools

The following summary synthesizes the findings for criteria included in the Coordinated Program Review as they respond to essential questions that 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 district implements an assessment system that uses appropriate instruments and includes all required assessments and optional assessments, as appropriate. The district uses information from a variety of sources and consistently places students in the least restrictive environment. Procedures for determining that a student has a specific learning disability have been developed by the district, however, they are not consistently implemented. Reports of assessment results are mailed to parents one week prior to the Team meeting. All special education students participate in general state and district-wide assessment programs and each IEP Team considers accommodations or an alternate assessment for each eligible student.

IEP Teams also consider transition services for students age 14 and above and discuss the transfer of parent rights, however, the results of those determinations are not always documented on students' IEPs. Students age 14 and above are not always invited to Team meetings and general education teachers at the middle and high school levels are not always part of Team meetings.

The district consistently provides an evaluation within thirty school working days after receipt of the parent's written consent for evaluation and convenes a Team meeting within forty-five school working days of receipt of that consent. Timelines for completing end of school year evaluations and independent educational evaluations are also consistently implemented.

Appropriate services are not always available through the district's general education program for students who are not eligible for special education.

Annual review Team meetings are consistently convened on or before the anniversary date of the implementation date of the IEP. However, re-evaluations are not always conducted prior to finding a student no longer eligible for special education.

Parents receive progress reports on each IEP goal at least as often as parents are informed of the progress of non-disabled students. However, some progress reports do not contain information concerning whether the student's progress is sufficient to enable the child to achieve the goals by the end of the year.

Component II: Student Identification and Program Placement

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

The district conducts annual outreach in the community to identify students who may be in need of special education. The district conducts appropriate screening for three and four year

olds and for all children entering kindergarten. IEPs are developed and implemented for eligible students by their third birthdays. The district works with Early Intervention Programs to ensure the effective transition of students into the district's preschool program.

IEPs are developed to include specially designed instruction and related services that are necessary for the student. However, some IEP goals are not annual and measurable. IEP Teams consistently determine the appropriate placement for the student and the placements selected are in the least restrictive environment consistent with the needs of the student. However, Teams do not consistently develop nonparticipation justifications for students who are removed from the general classroom. Also, IEP Teams do not always consider the need for extended school year programming if a student is likely to demonstrate substantial regression. Additionally, proposed IEPs and placements are not always sent to parents immediately after the Team meeting at which they are developed. IEP services begin without delay once a parent accepts the IEP, however, some regular education teachers are unable to provide IEP accommodations consented to on students' IEPs.

The district does not use qualified staff or appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance. The district's English as a second language program does not employ appropriately certified staff members and there is not evidence that the programs are evaluated or reviewed to ensure that limited English proficient students meaningfully participate in the district's educational program and gain English language proficiency. Accordingly, linguistic minority students do not have access, equal to that of other students, to the district's general education program.

The pattern of district placements for students with disabilities and racial minority students is comparable to the pattern of placement for other students. However, male students are retained and suspended more often than female students and in some schools only males are identified as limited English proficient. Students with disabilities are placed in occupational/vocational education programs when appropriate and pregnant students are permitted to remain in regular education classes throughout their pregnancy.

The district has followed all Title I procedures according to the criteria in the regulations.

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 district responds to special education referrals, but not always within five school days. The district also provides written notice to parents prior to evaluating, identifying or changing the educational placement of the child. However, these notices contain standard language that is used for all students and is not individualized to provide adequate notice to each parent. Parental consent is obtained in accordance with state and federal special education law. Team meeting notices are often sent to parent one month prior to the Team meeting and parents consistently attend and participate in Team meetings. However, interpreters are not always present at Team meetings when parents are limited English proficient and there is no evidence that any written information (for example, IEPs and notices) have been translated. The district has recently re-established a Parent Advisory Council.

General information and materials are not available in any language other than English. Parents are involved in the Title I Program. However, some areas of the Title I criteria are not implemented as required regarding parental involvement.

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 district has aligned its curriculum with the Massachusetts Curriculum Frameworks and district personnel reflect a full understanding as to the rights of students with disabilities to be full participants in the general curriculum. The district provides a continuum of services and placements to meet the needs of all students with disabilities and takes all steps necessary to ensure compliance with the elements of each IEP. Each IEP Team considers the need for specialized materials and assistive technology. The district's procedures for approved private special education placements, unapproved private special education placements, educational services in institutional settings and providing services to eligible students enrolled in private school at private expense are consistent with state and federal law.

Instructional grouping requirements for students aged five and older are consistent with state regulations. However, the age span of students in some instructional groupings exceeds forty-eight months and the district has not requested a waiver from the Department of Education. Programs for three and four year olds are provided by the LABBB Collaborative and meet state and federal requirements.

Extra curricular activities are non-discriminatory and accessible to all students. However, prospective employers recruiting at the school do not sign a statement that they do not discriminate in hiring or employment practices.

The district has high expectations and standards for all students. Programs are aligned with Massachusetts Curriculum Frameworks. The district provides coordination across program areas.

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?

IEP Teams consider positive behavioral interventions and the need for modifications to the schools discipline code for students whose behavior impedes their learning. The district has a procedure to record the number and duration of suspensions. Students receive services if a student is suspended for more than ten days, however services are limited to five hours of tutoring per week without consideration as to whether five hours is sufficient for the student to continue to receive a free appropriate public education. The district implements all necessary procedural safeguards, including a manifestation determination and a functional behavioral assessment, prior to a suspension that constitutes a change of placement for a student with disabilities. Likewise, the district provides the required procedural protections for students not yet determined to be eligible for special education.

The district provides a free appropriate public education to special education students, which includes related services and special transportation, as appropriate.

Some, but not all, staff, students, and parents are notified that all district programs, activities and employment opportunities are offered in a nondiscriminatory manner. Likewise, some, but not all staff, students and parents are provided the name and contact information for the Title VI, Title IX and Section 504 coordinators. The district has grievance procedures for Title IX and Section 504, but the procedures are only included in the middle school handbook. The district does not have grievance procedures for Title VI.

The district provides counseling to students in grades 7-9 regarding the full range of curricular and occupational/vocational opportunities. However, limited English proficient students do

not always receive this counseling. Counseling materials are free from bias and discrimination. Students, age 16 and older, who are about to leave school without a diploma meet with their guidance counselor prior to leaving school to discuss their program options, however, they do not receive any written notice from the district. Scholarships, prizes and athletic awards are administered in a non-discriminatory manner.

The district has not developed policies regarding use of physical restraints. However, some staff were trained on physical restraint regulations during the 2001-2002 school year.

The district provides support to all elementary students who need it and they have equal access to support services. Extended Time Activities includes a four-week summer reading program that has been successful. The program was highlighted as a Promising Practice.

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?

The district has curriculum accommodation plans for each level to address the needs of diverse learners in the general education program. However, interviews indicate that there is not adequate instructional support within general education at the high school level. The district provides services in the home or hospital when necessary, but limits tutoring to six hours per week for all students.

Special education staff are appropriately certified. Paraprofessionals are appropriately trained to assist in providing special education and related services. The district offers a wide array of professional development regarding special education, however, training is not offered for transportation providers and an annual workshop is not held with the special education parent advisory council.

School district employee recruitment activities are aimed at reaching all groups of people and employment application and interview procedures are nondiscriminatory. Personnel policies and procedures are also free of discrimination and bias. Some staff receive annual civil rights training, however many staff members do not receive this training.

The district has met the Title I criteria for this component.

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?

Special education facilities and classrooms maximize the inclusion of students into the life of the school and are at least equal in all physical respects to the average standards of general education facilities and classrooms. At least one building at each level is entirely accessible to students with disabilities. 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.

Component VIII: Program Plan and Evaluation

Does the district evaluate its programs in accordance with regulatory requirements? Does it use the results of its evaluations to improve programs? Do parents have opportunities for input on program needs, program implementation, and program evaluation and improvement?

Special education programs and services are regularly evaluated.

The district's curriculum review process includes a regular review of instructional and

educational materials for discriminatory content. Likewise, the district has a process to review athletic programs and scholarships for discrimination. However, the district does not have a process to examine and remedy other district policies and programs that may discriminate or limit educational access.

All Title I components are met as required by the regulations.

Component IX: Record keeping

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

The district maintains a special education child count representing students with current, accepted IEPs. The district's federal special education entitlement grant is designed, amended and monitored by appropriate local administrators.

All of the Title I components are met as required by the regulations.

DEFINITION OF TERMS
FOR THE RATING OF EACH COMPLIANCE CRITERION

Commendable	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation.
Implemented	The requirement is substantially met.
Implementation in Progress	The criterion includes one or more new federal Title I requirements that became effective during the 2002-2003 academic year. The district has substantially implemented any pre-September 1, 2002 requirements also included under the criterion and is currently engaged in staff training and/or is beginning implementation practices for new requirements which the Department's onsite team anticipates will result in substantial compliance by the end of the 2002-2003 school year.
Partially Implemented	The requirement, in one or several important aspects, is not entirely met.
Not Implemented	The requirement is totally or substantially not met.
Not Applicable	The requirement does not apply to the school district or charter school.

Several key areas of compliance with federal special education requirements have been highlighted in **SHADED TEXT** in the Program Review Criteria. These highlighted areas are included in the Massachusetts Continuous Improvement Plan (CIP) that is being used by the U.S. Department of Education, Office of Special Education Programs (OSEP), to track over time this state's compliance in these key areas.

COMPONENT I: ASSESSMENT OF STUDENT PROGRESS

The criteria in this component examine whether the District has implemented an assessment system that uses appropriate instruments, conducted according to the specified timelines and covering the appropriate content areas to determine instructional needs of students for the program areas listed below:

- Special Education (Report Issues # SE 1- SE 14)

CRITERION NUMBER	SPECIAL EDUCATION I. ASSESSMENT OF STUDENT PROGRESS
	Legal Standard
<p style="text-align: center;">SE 1</p>	<p>Assessments are appropriately selected and interpreted for students referred for evaluation</p> <ol style="list-style-type: none"> 1. Tests and other evaluation materials are: <ol style="list-style-type: none"> a. validated b. administered and interpreted by trained individuals c. tailored to assess specific areas of educational need d. selected and administered to reflect aptitude and achievement levels e. as free as possible from cultural and linguistic bias f. provided in the student's native language or other mode of communication where feasible g. not the sole criterion for determining an appropriate educational program h. not only those designed to provide a single general intelligence quotient i. are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or the other factors the test purports to measure j. technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors 2. In interpreting evaluation data and making decisions, the district: <ol style="list-style-type: none"> a. uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent b. ensures that information obtained from these sources is considered c. ensures that the placement decision conforms with placement in the least restrictive environment d. includes information related to enabling the student to be involved in and progress in the general curriculum <p> State Regulations 28.04 </p> <p> Federal Requirements 300.532, 300.535 </p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 2	<p>Required and optional assessments</p> <ol style="list-style-type: none"> 1. Required assessments: The following assessments are completed by appropriately credentialed and trained specialists for each referred student: <ol style="list-style-type: none"> a. Assessment(s) in all areas related to the suspected disability (ies) including consideration of any needed assistive technology devices and services and/or instruction in braille. b. Educational assessment by a representative of the school district, including a history of the student's educational progress in the general curriculum. c. Assessment by a teacher(s) with current knowledge regarding the student's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district curriculum, as well as an assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults. d. For a child being assessed to determine eligibility for services at age three (3), an observation of the child's interactions in the child's natural environment or early intervention program is strongly encouraged together with the use of current assessments from early intervention Teams to avoid duplicate testing. 2. Optional assessments: The Administrator of Special Education may recommend or the parent may request one or more of the following: <ol style="list-style-type: none"> a. A comprehensive health assessment by a physician that identifies medical problems or constraints that may affect the student's education. The school nurse may add additional relevant health information from the student's school health records. b. A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination. c. A home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of the parent 3. At the re-evaluation of a student, if <u>the Team decides</u> that no additional assessments are needed to determine whether the student continues to be eligible for special education, the school district recommends to the student's parents the following: <ol style="list-style-type: none"> a. that no further assessments are needed and the reasons for this; and b. the right of such parents to request an assessment. <p style="text-align: center;">State Regulations Federal Requirements</p>

CRITERION NUMBER	
	Legal Standard
	28.04 (1) and (2) 300.532; 300.346.(a)(2)(v)
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

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

CRITERION NUMBER	
	Legal Standard
	her conclusions. <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">State Regulations</div> <div style="width: 45%;">Federal Requirements 300.540-543</div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">Rating: Partially Implemented</div> <div style="width: 45%;">DISTRICT RESPONSE REQUIRED:</div> </div> <div style="text-align: right; margin-top: 5px;">Yes</div>

Department of Education Findings:

Documentation indicates that the district has developed a standard specific learning disability (SLD) form for IEP Teams to complete when determining whether a student has a specific learning disability. The form contains most of the required elements, however it does not indicate that the Team has determined whether achievement is commensurate with the age of the child or that the Team has considered the effects of environmental, cultural or economic disadvantage. Additionally, student record review and interviews indicate that the SLD form is inconsistently used by IEP Teams. Also, student record review and interviews indicate that the student is not always observed by someone other than the class teacher when a specific learning disability is suspected and the class teacher does not always attend the Team meeting to determine eligibility.

CRITERION NUMBER	
	Legal Standard
SE 4	<p>Reports of assessment results</p> <ol style="list-style-type: none"> 1. Each person conducting an assessment shall summarize in writing the procedures employed, the results, and the diagnostic impression, and shall define in detail and in educationally relevant and common terms, the student’s needs, offering explicit means of meeting them. Assessors may recommend appropriate types of placements, but shall not recommend specific classrooms or schools. 2. Summaries of assessments are completed prior to discussion by the Team and, upon request, are made available to the parent at least two days in advance of the Team discussion. <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;">State Regulations 28.04(2)(c)</div> <div style="width: 45%;">Federal Requirements 300.532</div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">Rating: Commendable</div> <div style="width: 45%;">DISTRICT RESPONSE REQUIRED:</div> </div> <div style="text-align: right; margin-top: 5px;">No</div>

Department of Education Findings:

Interviews and student record review indicate that assessment reports are routinely mailed to parents one week before the Team meeting, whether or not the parent requests the assessment reports.

CRITERION NUMBER	
	Legal Standard
	<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>State Regulations M.G.L. Ch.71B, Sections 12A-C 603 CMR 28.05(4)(c)</p> <p style="text-align: right;">Federal Requirements 300.344(b), 300.347</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Student record review and parent surveys indicate that middle school students age 14 and above are not always invited to Team meetings and, in those cases, there is no documentation that the Team considered the student’s future goals in choosing a course of study. Interviews do indicate that Teams genuinely consider student interests and future goals in developing the IEP, when students attend Team meetings. However, student record review indicates that some IEP vision statements for in-district students are vague and do not reflect student interests or future goals.

CRITERION NUMBER	
	Legal Standard
SE 7	<p>Transfer of parental rights at age of majority and student participation and consent at the age of majority</p> <ol style="list-style-type: none"> 1. One year prior to the student reaching age eighteen, the district informs the student of his or her right at age 18 to make all decisions in relation to special education programs and services. 2. Upon reaching the age of eighteen, the school district implements procedures to obtain consent from the student to continue the student’s special education program. 3. The district continues to send the parent written notices and information but will no longer have decision-making authority, except as provided below. <ol style="list-style-type: none"> (a) If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority. The parent does not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction (b) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including

CRITERION NUMBER	
	Legal Standard
	<p>allowing the parent to co-sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student's choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making</p> <p>(c) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.</p> <p>State Regulations M.G.L. Ch. 231, Sec 3A 603 CMR 28.08(5),</p> <p>Federal Requirements 300.347(c), 300.517</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicate that the information in this criterion is discussed at Team meetings and documented on IEPs. However, student record review did not contain any evidence that this criterion is implemented other than the fact that some students age 18 and older sign their own IEPs.

CRITERION NUMBER	
	Legal Standard
SE 8	<p>Evaluation Team composition</p> <p>The following persons are members of the evaluation Team:</p> <ol style="list-style-type: none"> 1. The child's parents 2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district. 3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson) 4. A teacher who has recently had or currently has the student in a classroom or other teaching situation. If the student is involved or may be involved in a regular education program, a regular education teacher must be included as a Team member. 5. The student, age fourteen and older, if he/she chooses 6. Other individuals at the request of the student's parents 7. At least one teacher or specialist trained in the area of the student's

CRITERION NUMBER	
	Legal Standard
	<p>suspected special needs</p> <p>8. Individuals who are qualified to interpret the instructional implications of evaluation results</p> <p>9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education</p> <p>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.</p> <p>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.</p> <p>State Regulations 28.02(22)</p> <p>Federal Requirements 300.344; 300.552</p>
	<p>Rating: Partially Implemented</p> <p>DISTRICT RESPONSE REQUIRED:</p> <p style="text-align: right;">Yes</p>

Department of Education Findings:

Student record review and interviews indicate that regular education teachers do not consistently attend Team meetings at the middle school and high school levels. Interviews also indicate that the district has a policy to ensure that there is always a representative of the district with authority to commit district resources at Team meetings. However, staff members responsible for implementing that policy do not do so consistently. Additionally, see SE 5.

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

CRITERION NUMBER	
	Legal Standard
	<p>services and/or accommodations in order to make effective progress or that the student requires related services in order to access the general curriculum</p> <p>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>State Regulations 28.05(1) and (2)</p> <p>Federal Requirements 300.534</p>
	<p>Rating: Partially Implemented</p> <p>DISTRICT RESPONSE REQUIRED:</p> <p>Yes</p>

Department of Education Findings:

Interviews indicate that appropriate services are not always available through the district's general education program for high school students who are not eligible for special education.

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

CRITERION NUMBER				
	Legal Standard			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 28.05(1)</td> <td style="width: 50%; vertical-align: top;">Federal Requirements 300.342</td> </tr> </table>	State Regulations 28.05(1)	Federal Requirements 300.342	
State Regulations 28.05(1)	Federal Requirements 300.342			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 25%; text-align: center;">DISTRICT RESPONSE REQUIRED:</td> <td style="width: 25%; text-align: center;">No</td> </tr> </table>	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No
Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No		

CRITERION NUMBER	
	Legal Standard
SE 11	<p>School district response to parental request for independent educational evaluation</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"> 1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the child are justified when an individual assessment rate is higher than that normally allowed. 2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. 3. The district extends the right to a publicly funded independent educational evaluation (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. 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 comprehensive and appropriate, the school district does not pay for the independent educational evaluation requested by the parent. 5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator’s

CRITERION NUMBER	
	Legal Standard
	<p>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> <p>State Regulations 28.04(5)</p> <p>Federal Requirements 300.503(a)(3)(i)</p>
	<p>Rating: Implemented</p> <p style="text-align: right;">DISTRICT RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
SE 12	<p>Frequency of re-evaluation</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> <p>State Regulations 28.04(3)</p> <p>Federal Requirements 300.536</p>
	<p>Rating: Partially Implemented</p> <p style="text-align: right;">DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicate that re-evaluations are often not conducted prior to finding a student no longer eligible for special education.

CRITERION NUMBER	
	Legal Standard
SE 13	<p>Progress Reports and content</p> <ol style="list-style-type: none"> 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. Progress report information sent to parents includes written information on the student's progress toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year. <p>State Regulations 28.07(3)</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Student record review and parent surveys indicate that progress reports do not always contain information on the student's progress toward the annual goals in the IEP and whether such progress is sufficient to enable the child to achieve the goals by the end of the year.

CRITERION NUMBER	
	Legal Standard
SE 14	<p>Annual review Team meeting</p> <p>At least annually, on or before the anniversary date of the implementation of the IEP, a Team meeting (including the major service providers and the parent) is held to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate.</p> <p>State Regulations 28.04(3)</p> <p>Federal Requirements 300.343(c)</p>
	<p>Rating: Implemented DISTRICT RESPONSE REQUIRED: No</p>

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 24-25)

CRITERION NUMBER											
	Legal Standard										
	<p>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" data-bbox="407 913 1388 1045"> <tr> <td data-bbox="407 913 950 947">State Regulations</td> <td data-bbox="976 913 1274 947">Federal Requirements</td> </tr> <tr> <td data-bbox="407 947 950 980">28.05(3), (4), (6) and (7)</td> <td data-bbox="976 947 1323 980">300.340-300.350; 300.343(a)</td> </tr> <tr> <td data-bbox="407 980 950 1014">28.06(2)</td> <td data-bbox="976 980 1339 1014">34 CFR Part 300, Appendix A,</td> </tr> <tr> <td></td> <td data-bbox="976 1014 1144 1045">Question #22.</td> </tr> </table>	State Regulations	Federal Requirements	28.05(3), (4), (6) and (7)	300.340-300.350; 300.343(a)	28.06(2)	34 CFR Part 300, Appendix A,		Question #22.	DISTRICT RESPONSE REQUIRED:	Yes
State Regulations	Federal Requirements										
28.05(3), (4), (6) and (7)	300.340-300.350; 300.343(a)										
28.06(2)	34 CFR Part 300, Appendix A,										
	Question #22.										
Rating: Partially Implemented											

Department of Education Findings:

Student record review indicates that IEP goals are not always annual and measurable and IEP Teams are not consistently completing IEP page 3. Additionally, see SE 8 in Component I, above.

CRITERION NUMBER			
	Legal Standard		
SE 18B	<p>Determination of placement; provision of IEP to parent</p> <p>1. 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.</p> <p>2. 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.</p> <p>3. 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</p>		

CRITERION NUMBER				
	Legal Standard			
	<p>at which the services are to be provided.</p> <p>4. The placement selected by the Team is the least restrictive environment consistent with the needs of the student.</p> <p>5. 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.</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations 28.05(6) and (7)</td> <td style="width: 50%; border: none;">Federal Requirements 300.346</td> </tr> </table>	State Regulations 28.05(6) and (7)	Federal Requirements 300.346	
State Regulations 28.05(6) and (7)	Federal Requirements 300.346			
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Rating: Partially Implemented	DISTRICT RESPONSE REQUIRED:	Yes		

Department of Education Findings:

Student record review indicates that IEPs are not always sent to parents immediately after development of the IEP except at the high school level. Student record review also indicates that some IEP service delivery grids do not indicate the type of service providers.

CRITERION NUMBER	
	Legal Standard
SE 19	<p>Extended evaluation If the Team finds a student eligible for special education and finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents' consent, agrees to an extended evaluation period.</p> <ol style="list-style-type: none"> 1. The extended evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to determine, in part, necessary annual goals and services, the Team writes a partial IEP that, if accepted by the parent, is immediately implemented by the district while the extended evaluation is occurring. 2. The extended evaluation period is not used to allow additional time to complete the required assessments. 3. If the parent consents to an extended evaluation, the Team documents their findings and determines what evaluation time period is necessary and the types of information needed to develop an IEP. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to develop an IEP when the evaluation is complete. 4. The extended evaluation may extend longer than one week, but does not exceed

CRITERION NUMBER	
	Legal Standard
	<p>eight school weeks. 5. The extended evaluation is not considered a placement.</p> <p>State Regulations 28.05(2)(b)</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Implemented</p> <p style="text-align: center;">DISTRICT RESPONSE REQUIRED:</p> <p style="text-align: right;">No</p>

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

Department of Education Findings:

Student record review indicates that many nonparticipation justifications do not contain the required elements.

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

Department of Education Findings:

Interviews indicate that IEP Teams for in- district students do not always consider the need for extended school year programming if a student is likely to demonstrate substantial regression.

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

Department of Education Findings:

Interviews indicate that some regular education teachers have a disproportionate number of students on IEPs or 504 plans and that these teachers are unable to implement IEP accommodations due to the large number of students in their class who require the same accommodation. Interviews further indicate that some regular education teachers have insufficient support to appropriately implement classroom accommodations.

CRITERION NUMBER			
	Legal Standard		
SE 23	<p>Confidentiality of personally identifiable information</p> <p>The district protects the confidentiality of any personally identifiable information that is collected, used or maintained in accordance with federal and state law.</p> <p>State Regulations 603 CMR 23.00 (Student Records Regulations)</p> <p>Federal Requirements 300.560-576; Family Educational Rights and Privacy Act (FERPA)</p>		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT		
	Legal Standard		
MOA 1	Identification of limited English proficient students The district uses qualified staff and appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance. Title VI; MGL, Ch.76, Section 5		
	Rating: Not Implemented	District Response Required:	Yes

Department of Education Findings:

Interviews and documentation indicate that the district does not use qualified staff and appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance. Interviews and documentation indicate that the district uses an informal language sample done by the classroom teacher to identify limited English proficient students and that if the teacher has concerns based on this informal assessment an ESL tutor reviews the student's record and makes recommendations for tutorial services. Interviews and documentation indicate that annual classifications occur in the same manner.

CRITERION NUMBER			
	Legal Standard		
MOA 2	Program modifications and support services for limited English proficient students For students requiring special language assistance, the district implements necessary program modifications and support services to effectively serve limited English proficient students. Such program modifications and support services: <ol style="list-style-type: none"> 1. are based on sound education theory; 2. provide for English-language development; 3. provide for the meaningful participation of limited English proficient students in the district's educational program; 4. are evaluated and appropriately revised in an ongoing manner; and 5. demonstrate that students receiving such programs and services are gaining English language proficiency. Title VI; M.G.L. c. 71, s. 38Q, 38Q1/2; c. 71A; c. 76, s. 5		
	Rating: Not Implemented	DISTRICT RESPONSE REQUIRED:	Yes

Department of Education Findings:

Documentation and interviews indicate that the district uses an ESL program for limited English proficient students. However, according to documentation and interviews none of the ESL staff members are appropriately certified. Additionally, the district did not provide any documentation and interviews did not indicate that the program modifications and support services provide for the meaningful participation of limited English proficient students in the district’s educational program, are evaluated and appropriately revised in an ongoing manner and demonstrate that students are gaining English language proficiency.

CRITERION NUMBER	
	Legal Standard
MOA 3	<p>Access to a full range of education programs</p> <p>Students from linguistic, racial, and ethnic minorities; males; females; and students with disabilities all have access equal to that of other students to the general education program and the full range of any occupational/vocational education programs offered by the district.</p> <p>Title II; Title VI; Title IX; Section 504; M.G.L. c. 71A; c. 76, s. 5</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

See MOA 1 and 2, above.

CRITERION NUMBER	
	Legal Standard
MOA 4	<p>Placement of linguistic, racial minority and female/male students</p> <p>Patterns of placement in district programs and services for disabled students, linguistic and racial minority students, and females are consistent with patterns of placement for non-disabled students, linguistic and racial majority students, and males. If these patterns of placement are not consistent, the district is able to demonstrate that placements have been made for valid educational reasons.</p> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Documentation indicates that males are retained and suspended more often than female students.

Documentation also indicates that all identified limited English proficient students at the middle school level are male. Additionally, see MOA 1 and 2, above.

CRITERION NUMBER	
	Legal Standard
MOA 5	<p>Placement of disabled students in occupational/vocational education programs 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; Section 504</p>
	<p>Rating: Implemented DISTRICT RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 6	<p>Availability of in-school programs for pregnant students Pregnant students are permitted to remain in regular education classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.</p> <p>Title IX</p>
	<p>Rating: Implemented DISTRICT RESPONSE REQUIRED: No</p>

CRITERION NUMBER	TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
TI 24	(For Targeted Assistance Schools) A description is available of the multiple, objective, educationally-related criteria used to identify eligible students in grade 3

CRITERION NUMBER	TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT		
	Legal Standard		
	and higher who are failing or most at-risk of failing to meet the high quality student academic performance and assessment standards required of all students. 1115 (b)(1)(B) NCLB		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
TI 25	There is evidence that limited-English proficient students are identified as eligible and selected for Title I services on the same basis as other students selected to receive services. 1115(b)(2)(A) NCLB		
	Rating: Partially Implemented	DISTRICT RESPONSE REQUIRED:	Yes

Department of Education Findings:
See MOA 1 and 2

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 26-28)

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

Department of Education Findings:

Student record review indicates that special education referrals are not always responded to within five school days. Additionally, the notice provided by the district (N1 and N2 forms) contains standard language that is used for all students and is not individualized to provide adequate written notice to each parent.

CRITERION NUMBER		
	Legal Standard	
SE 25	<p>Parental consent In accordance with state and federal law, the school district obtains informed parental consent as follows:</p> <ol style="list-style-type: none"> 1. The school district obtains written parental consent before conducting an initial 	

CRITERION NUMBER			
	Legal Standard		
	<p>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.</p> <ol style="list-style-type: none"> 2. The school district obtains consent before initiating extended evaluation services. 3. The school district obtains consent to the services proposed on a student's IEP before providing such services. 4. The school district obtains consent prior to placing a student in an initial special education placement and for any subsequent placement. 5. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child. 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. 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 <p>State Regulations 28.07(1)</p> <p style="text-align: right;">Federal Requirements 300.500(b)(1)</p>		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

CRITERION NUMBER	
	Legal Standard
SE 26	<p>Parent participation in meetings</p> <ol style="list-style-type: none"> 1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child. 2. The Administrator of Special Education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend. 3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts. 4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing. 5. In cases where the district, after reasonable efforts, is unable to obtain the parents' participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents' participation. <p>State Regulations 28.02(22)</p> <p style="text-align: right;">Federal Requirements 300.345(d), 300.501</p>
	<p>Rating: Implemented</p> <p style="text-align: right;">DISTRICT RESPONSE REQUIRED: No</p>

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

CRITERION NUMBER	
	Legal Standard
SE 28	<p>Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights Immediately following the development of the IEP and without undue delay, the district provides the parents with a copy of the proposed IEP or a written explanation of the finding of no eligibility for special education together with the required notice of procedural safeguards and parents' rights.</p> <p>State Regulations 28.05(7)</p> <p>Federal Requirements 300.345(f)</p>
	<p>Rating: Partially Implemented</p> <p>DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

See SE 18B and SE 24, above.

CRITERION NUMBER	
	Legal Standard
SE 29	<p>Communications are in English and primary language of home</p> <ol style="list-style-type: none"> 1. Communications with parents are in both English and the primary language of the home if such primary language is other than English. Any interpreter used in fulfilling these requirements is fluent in the primary language of the home and familiar with special education procedures, programs and services. If the parents or the student are unable to read in any language or are blind or deaf, communications required by these regulations are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and that all such communications are documented. 2. If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (1) that it has provided such notice in an alternate manner, (2) that the content of the notice and (3) the steps taken to ensure that the parent understands the content of the notice. <p>State Regulations 28.07(g)</p> <p>Federal Requirements 300.345(e)</p>
	<p>Rating: Partially Implemented</p> <p>DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicate that interpreters are not always provided when parents are limited English proficient. Interviews also indicate that when interpreters are provided they are often not familiar with special education procedures, programs and services. Documentation and interviews indicate that it is the district’s procedure to use the translated special education forms found on Massachusetts Department of Education website. However, there is no evidence that these forms have been used or that the district has procedures for translating the narrative portions of the special education forms.

CRITERION NUMBER	
	Legal Standard
SE 30	<p>Elements of notice of parents’ rights The district’s notice of parental rights contains all required elements included in the most current version of the Massachusetts Parent’s Rights Brochure.</p> <p>State Regulations MGL c. 71B, Sec. 3</p> <p style="text-align: right;">Federal Requirements 300.503-504</p>
	<p>Rating: Implemented DISTRICT RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
SE 31	<p>State and district responsibility for educational surrogate parents</p> <ol style="list-style-type: none"> 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. 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. 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 . 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 expenses related to the exercise of his or her responsibilities as an educational surrogate parent for a student enrolled in the district.

CRITERION NUMBER				
	Legal Standard			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.07(7)</td> <td style="width: 50%;">Federal Requirements 300.515</td> </tr> </table>	State Regulations 28.07(7)	Federal Requirements 300.515	
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Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No		

CRITERION NUMBER					
	Legal Standard				
SE 32	<p>Parent advisory council for special education</p> <ol style="list-style-type: none"> 1. The school committee has established a parent advisory council on special education. 2. Membership on the council is offered to all parents of children with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the school committee on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school committee's special education programs. 4. The parent advisory council has established by-laws regarding officers and operational procedures. 5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. 6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request. <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%;">STATE REGULATIONS</td> <td style="width: 50%;">FEDERAL REQUIREMENTS</td> </tr> <tr> <td>Chapter 71B, sec. 1C; 28.07(4)</td> <td></td> </tr> </table>	STATE REGULATIONS	FEDERAL REQUIREMENTS	Chapter 71B, sec. 1C; 28.07(4)	
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Rating: Partially Implemented	DISTRICT RESPONSE REQUIRED:	Yes			

Department of Education Findings:

Documentation and interviews indicate that the parent advisory council has a chairperson, that membership is offered to all parents of children with disabilities and other interested parties and that the parent advisory council receives assistance from the school committee. However, during the 2002-2003 school year the parent advisory council did not advise the school on matters that pertain to

the education and safety of student with disabilities or meet with school officials to participate in the planning, development and evaluation of the district's special education programs. Additionally, there is no evidence that the district conducted a workshop with the parent advisory council during the 2002-2003 school year. Finally, documentation and interviews indicate that the parent advisory council has not established by-laws.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT
	Legal Standard
MOA 7	<p>General information and materials in languages other than English When students have parents or guardians with limited English language skills, 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; M.G.L. c. 76, s. 5</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Interviews and documentation did not provide any evidence that this criterion is being implemented.

CRITERION NUMBER	TITLE 1 III. PARENTAL AND COMMUNITY INVOLVEMENT
	Legal Standard
TI 26	<p><u>School District Requirements:</u></p> <ol style="list-style-type: none"> 1. Title I programs, activities, and procedures are planned and implemented providing meaningful consultation with parents of participating children. 1118(a)(1) 2. The school district's written parental involvement policy is developed jointly with the LEA, agreed upon, and distributed to parents of participating children. 1118(a)(2) 3. Parents are involved in the joint development of the school and district plan. 4. Parents are involved in the joint development of a process of review and improvement of services. 5. The school district provides coordination, technical assistance, and other support to assist schools in planning and implementing effective parental involvement activities to improve student achievement and school performance. 6. The school district builds schools' and parents' capacity for strong parental involvement.

CRITERION NUMBER	TITLE 1 III. PARENTAL AND COMMUNITY INVOLVEMENT
	Legal Standard
	7. Title I parental involvement services are integrated with other programs' parental involvement strategies at the school and district level. 8. School district conducts, with involvement of parents, annual evaluation of content and effectiveness of parental involvement policy in improving achievement and parental involvement and uses the results. 1118(a)(2)(A) – (G) 9. Parents of participating children are involved in deciding how Title I funds are reserved and allotted for parental involvement activities. 1118(d)(3)(B)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Documentation and interviews indicate that the district has not addressed items 2, 8, or 9.

CRITERION NUMBER	Legal Standard
TI 27	The district provides materials and training to Title I parents to enable them to improve their children's achievement. (e.g., literacy training, using technology to foster parental involvement, frequent meetings with teachers, etc.) 1118(e)(2) NCLB
	Rating: Commendable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

The Department commends the school district for strategies used to help parents build their capacity to improve their children's achievement. Information is sent home on the back of the school's weekly menu. The information includes parenting tips, child development and educational ideas. Parents can use the information to work with their children at home and stay current with the school's curriculum and new technology.

CRITERION NUMBER			
	Legal Standard		
<p>TI 28</p>	<p><u>School Requirements:</u></p> <ol style="list-style-type: none"> 1. The school’s written parent involvement policy is developed jointly with, agreed upon, and distributed to parents of participating children. 1118(b)(1) NCLB 2. Parents are notified of the school’s Title I parent involvement policy in an understandable and uniform format and, to the extent practicable, this information is provided in the language of the home. 1118(b)(1) NCLB 3. The school implements the following policy involvement requirements: <ul style="list-style-type: none"> - Convenes annual meetings at times convenient for parents; - Offers a flexible number of meetings (e.g., in the early morning or in the evening, etc.); - Involves parents in an organized, ongoing, timely way in the planning, review, and improvement of school parental involvement policy and schoolwide programs; - Provides parents with timely information about Title I programs, descriptions and an explanation of the Title I curriculum and assessment procedures; - Provides parents with opportunities for regular meetings regarding the education of their children; and - Provides parents with materials and training to improve their children’s achievement. 1118 (c)(1)-(4); 1118 (e)(2) NCLB 4. Each school develops jointly with parents a school-parent compact that outlines shared responsibilities for improving student achievement and achieving the state’s high standards. 1118(d) NCLB 		
	<p>Rating: Partially Implemented</p>	<p>DISTRICT RESPONSE REQUIRED:</p>	<p>Yes</p>

Department of Education Findings:

Documentation indicates that the Title I schools have not implemented a procedure for notification and distribution of the written parent involvement policy to parents of participating children. Items: 1 & 2 (1118(b)(1)) NCLB

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 29-33)

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
SE 33	<p data-bbox="402 411 906 443">Involvement in the general curriculum</p> <ol data-bbox="402 443 1386 877" style="list-style-type: none"> <li data-bbox="402 443 1386 575">1. District personnel reflect a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance as well as the rights of students with disabilities to be full participants in the general curriculum. <li data-bbox="402 575 1386 707">2. The district has either aligned its district curriculum with the Frameworks or has taken steps to provide students (including all students with disabilities) with essential learning opportunities that prepare the students to reach the state graduation standards. <li data-bbox="402 707 1386 806">3. At least one member of all IEP Teams is familiar with the general curriculum and is able to discuss an eligible student's appropriate access to the general curriculum. <li data-bbox="402 806 1386 877">4. In the IEP the district documents the student's participation in the general curriculum. <p data-bbox="402 911 630 978">State Regulations 28.05(4)(a) and (b)</p> <p data-bbox="976 911 1273 978">Federal Requirements 300.347(a)(1)(i); 300.137</p>		
	Rating: Partially Implemented	DISTRICT RESPONSE REQUIRED:	Yes

Department of Education Findings:
See SE 8 in Component I, above.

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
SE 34	<p data-bbox="402 1430 1057 1461">Continuum of alternative services and placements</p> <p data-bbox="402 1461 1406 1625">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 data-bbox="402 1659 610 1690">State Regulations</p> <p data-bbox="976 1659 1281 1726">Federal Requirements 300.551;300.305; 300.123</p>		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

CRITERION NUMBER	
	Legal Standard
SE 37	<p>Procedures for approved and unapproved out-of-district placements</p> <ol style="list-style-type: none"> 1. <u>Individual student program oversight</u>: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students' files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Education, or to the out-of-district placement. 2. <u>Student right to full procedural protections</u>: The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district placement. 3. <u>Preference to approved programs</u>: The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. 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. 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). 5. <u>Use of unapproved programs</u>: A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student's IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation. 6. <u>Placement documentation</u>: The following documentation is maintained by the school district pursuant to its placement of children in unapproved out-of-district programs: <ol style="list-style-type: none"> a. <u>Search</u>: The Administrator of Special Education documents the search for and unavailability of a program approved by the Department. The Administrator places such documentation in the student record. b. <u>Evaluation of facility</u>: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such

CRITERION NUMBER	
	Legal Standard
	<p>program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation additionally determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.</p> <p>c. <u>School district approval to operate a private school in Massachusetts</u>: If services in an unapproved program are provided in a school setting, the Administrator of Special Education ensures that such school has received approval from the local school committee under MGL c.76, §1 and a copy of such approval is retained in the student record.</p> <p>d. <u>Pricing</u>: Pursuant to the requirements for Compliance, Reporting and Auditing for Human and Social Services at 808 CMR 1.00, the Administrator obtains pricing forms required to set program prices for programs receiving publicly funded students. Such pricing forms are completed by the proposed placement and document that the price proposed for the student’s tuition is the lowest price charged for similar services to any student in that program.</p> <p>e. <u>Notification of the Department of Education</u>: Prior to placement, if the 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> <p style="text-align: center;">State Regulations Federal Requirements</p>

CRITERION NUMBER	
	Legal Standard
	28.02(13), 28.06(3) 300.2(c)
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
SE 38	<p>Educational services in institutional settings (ESIS) <u>Department of Education responsibility:</u> In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities. <u>School district responsibility:</u></p> <ol style="list-style-type: none"> 1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law. 2. Where a student's IEP requires a type or amount of service that the facility does not provide, it remains the responsibility of the parent's school district to implement the student's IEP by arranging and paying for the provision of such service(s). 3. The parent's school district coordinates with the state agency to ensure that the student receives an evaluation, an annual review, and special education services as identified at a Team meeting convened by the parent's school district. <p>State Regulations Federal Requirements 28.06(9)</p>
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER			
	Legal Standard		
SE 39	<p>Procedures used to provide services to eligible students enrolled in private schools at private expense</p> <ol style="list-style-type: none"> 1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives. 2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> a. The district provides special education and/or related services designed to meet the needs of eligible children who are attending private schools at private expense and whose parents reside in the jurisdiction of the school district. The school district provides to such children genuine opportunities to participate in the public school special education program consistent with state constitutional limitations. b. The district provides or arranges for the provision of evaluation services and an IEP for any eligible private school child whose parent resides in the jurisdiction of the school district. The evaluation may take place in the public school, the private school, or an appropriate contracted facility, and the school district ensures that a representative of the child's private school is invited to participate as a member of the Team pursuant to §28.05. c. The district provides or arranges for the provision of the special education and/or related services described by the child's IEP and the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds. d. The district does not withdraw or withhold services from a child solely because the school district has met the spending requirements of federal law. 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. 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>State Regulations 28.03(e)</p> <p>Federal Requirements 300.450-300.462</p>		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

CRITERION NUMBER			
	Legal Standard		
SE 40	<p>Instructional grouping requirements for students aged five and older</p> <ol style="list-style-type: none"> 1. The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. 2. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs. 3. When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, group size does not exceed eight (8) students with a certified special educator, twelve (12) students if the certified special educator is assisted by one aide, and sixteen (16) students if the certified special educator is assisted by two aides. 4. For eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students' school schedule, the district provides instructional groupings that do not exceed eight (8) students to one certified special educator or twelve (12) students to a certified special educator and an aide. 5. After the school year has begun, if instructional groups have reached maximum size as delineated in paragraphs 3 and 4 of this criterion, the Administrator of Special Education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than two additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school. 6. In such cases, the Administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated. 7. The district takes all steps necessary to reduce the instructional groups to the sizes outlined in paragraph 3 or 4 of this criterion for subsequent years. Such steps are documented by the district. <p>State Regulations 28.06(6)</p> <p>Federal Requirements</p>		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

CRITERION NUMBER	
	Legal Standard
SE 41	<p>Age span requirements The ages of the youngest and oldest child in any instructional grouping do not differ by more than forty-eight months. A written request for approval of a wider age range is submitted to the Commissioner of Education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Education.</p> <p>State Regulations 28.06(6)(f)</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Documentation and interviews indicate that the following instructional groupings exceed a 48 month age span: (1) the language based classroom at Francis Wyman elementary school; and (2) the following Alternative Education classes: Algebra, Writing Workshop, Media Literacy, Science, Social Issues and World Issues

CRITERION NUMBER	
	Legal Standard
SE 42	<p>Programs for young children three and four years of age <u>General requirements:</u></p> <ol style="list-style-type: none"> 1. The school district ensures programs are available for eligible children three and four years of age. Such programs shall be developmentally appropriate and specially designed for children ages three and four years. 2. Where at all possible the school district accepts referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements. 3. Where appropriate, the school district elects, consistent with federal requirements to use the format and services of the Individualized Family Service Plan (IFSP), if appropriate, for an additional year as a means of transitioning eligible children to public school services. 4. Where appropriate the Team allows a child to remain in a program designed for three and four year old children for the duration of the school year in which the child turns five years old (including the summer following the date of the child's fifth birthday). <p>Types of Settings:</p>

CRITERION NUMBER			
	Legal Standard		
	<p>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:</p> <ol style="list-style-type: none"> a. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting. b. For public school programs that integrate children with and without disabilities, the class size does not exceed twenty (20) with one teacher and one aide and no more than five (5) students with disabilities. If the number of students with disabilities is six (6) or seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide. <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> <ol style="list-style-type: none"> a. Substantially separate programs are programs in which more than 50% of the children have disabilities. b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide. <p>State Regulations 28.06(7)</p> <p>Federal Requirements 300.342(c)</p>		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
MOA 8	<p>Accessibility of extra curricular activities Extra curricular activities sponsored by the district are non-discriminatory in that:</p> <ol style="list-style-type: none"> 1. the school provides equal opportunity for male and female students to participate in intramural and interscholastic sports; 2. extracurricular activities or clubs sponsored by the school do not exclude students on the basis of race, sex, color, religion, national origin, sexual orientation and disability. <p>Title II; Title IX ; Section 504; M.G.L. c. 76, s. 5</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER	
	Legal Standard
MOA 9	<p>Promotional, recruitment, and employment practices of prospective employers of students The district ensures that promotional efforts and recruitment and employment practices and materials aimed at students, including career days, work study, cooperative work experience and apprenticeship training programs, are free of bias and discrimination by:</p> <ol style="list-style-type: none"> 1. depicting students from both sexes and under represented groups in all pictorial representations; 2. making clear in written materials that all options are open to students regardless of race, color, sex, religion, national origin, sexual orientation or disability; 3. requiring employers recruiting at the school to sign a statement that they do not discriminate in hiring or employment practices. <p>Title I; Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Documentation and interviews indicate that the district does not require employers recruiting at the school to sign a statement that they do not discriminate in hiring or employment practices.

CRITERION NUMBER	TITLE 1 IV. CURRICULUM AND INSTRUCTION
	Legal Standard
TI 29 - TAS	<p>The district implements effective instructional strategies that are based on scientifically-based research that:</p> <ul style="list-style-type: none"> - give primary consideration to extended learning time; - help provide an accelerated, high quality curriculum; and - minimize the removal of students from the classroom during regular hours. <p>1115(c)(1)(C) NCLB</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
TI 30 – TAS/SWP	The school district provides opportunities for Title I students to participate in extended day/week/year programs and activities that may be funded through the integration of district resources. 1114(b)(1)(B)(ii)(II); 1115(c)(1)(C)(i) NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 31 - SWP	A comprehensive Schoolwide Program (SWP) plan has been developed with the involvement of the community, those served by the program and the individuals who will implement the plan, including: <ul style="list-style-type: none"> • teachers, principals and other staff, and where appropriate, • pupil services personnel, • parents, and • secondary school students, if applicable. 1114(b)(2)(B)(ii) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

The school district does not have a schoolwide program.

CRITERION NUMBER	
	Legal Standard
TI 32 - SWP	The SWP plan includes a comprehensive needs assessment of the entire school that is based upon information on the performance of students in relation to the state academic content standards and the state student academic performance standards. 1114(b)(1)(A) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
	REQUIRED:

Department of Education Findings:

See TI 31-SWP, above.

CRITERION NUMBER	
	Legal Standard
TI 33- SWP	In providing technical assistance and support to schoolwide programs, the district ensures that the programs and plans contain all required schoolwide components and plan requirements, and are developed in consultation with schools so that each school can make Annual Yearly Progress (AYP) toward meeting the state student academic achievement standards. 1112(c)(1)(C); 1114(b)(1)and (2) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

See TI 31-SWP, above.

COMPONENT V: STUDENT SUPPORT SERVICES

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

- Special Education (Report Issues # SE 43-49A)
- Civil Rights Methods of Administration (MOA)
(Report Issues MOA 10 –17A)
 - Title I (Report Issues # TI 34)

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

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

CRITERION NUMBER			
	Legal Standard		
SE 45	<p>Procedures for suspension up to 10 days and after 10 days: General requirements</p> <ol style="list-style-type: none"> 1. All students, including eligible students with disabilities, receive prior written notice regarding the school’s Code of Conduct. 2. The school’s Code of Conduct includes required procedural safeguards such as opportunity for a hearing (per Goss v. Lopez). 3. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below. 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 		

CRITERION NUMBER	
	Legal Standard
	<p>services for the student to continue to receive a free and appropriate public education.</p> <p>5. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.</p> <p>State Regulation MGL c. 76, sec. 16-18 Chapter 71, section 37 H</p> <p>Federal Requirements 300.519-300.529</p>
	<p>Rating: Partially Implemented</p> <p style="text-align: center;">DISTRICT RESPONSE REQUIRED:</p> <p style="text-align: right;">Yes</p>

Department of Education Findings:

Student record review and interviews indicate that students who are suspended for more than ten days receive a standard amount of tutoring (5 hours per week) without consideration as to whether that amount of tutoring is sufficient to ensure that the student continues to receive a free appropriate public education. Additionally, elementary and middle school handbooks do not contain information on procedural safeguards for special education students and the high school handbook does not include that special education services and access to the curriculum continue after the 10th consecutive day of suspension for special education students. Furthermore, no evidence was provided that students at Fox Hills Elementary School receive prior written notice of the school code of conduct.

CRITERION NUMBER	
	Legal Standard
SE 46	<p>Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district</p> <p>1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.</p> <p>2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes</p> <ul style="list-style-type: none"> a. to develop or review a functional behavioral assessment of the student’s behavior to modify a behavior intervention plan or develop an assessment plan; b. to identify appropriate alternative educational setting(s); and c. to determine the relationship between the disability and the behavior - “a manifestation decision” (Is IEP appropriate? Is placement appropriate? If there was a behavior plan, was it implemented? Does student understand impact and consequences of his/her behavior?)

CRITERION NUMBER	
	Legal Standard
	REQUIRED:

CRITERION NUMBER	
	Legal Standard
SE 49	<p>Related services For each student with special education needs found to require related services, the school district provides or arranges for the provision of transportation and such developmental, corrective, and other supportive services as are required to assist a student to benefit from special education or to access the general curriculum, and includes:</p> <ol style="list-style-type: none"> 1. speech-language pathology and audiology services 2. psychological services 3. physical therapy 4. occupational therapy 5. recreation, including therapeutic recreation 6. early identification and assessment of disabilities in children 7. counseling services, including rehabilitation counseling 8. orientation and mobility services (peripatology) 9. medical services for diagnostic or evaluation purposes 10. school health services 11. social work services in schools, and 12. parent counseling and training. <p>State Regulations 28.02(19)</p> <p>Federal Requirements 300.24</p>
	<p>Rating: Implemented</p> <p>DISTRICT RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
SE 49A	<p>Special Transportation</p> <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"> 1. The Team determines necessary modifications, special equipment, assistance,

Department of Education Findings:

Documentation indicates that the following school handbooks do not contain the complete nondiscrimination notification: Memorial Elementary School, Francis Wyman Elementary School, Fox Hills Elementary School, Pine Glen Elementary School, Marshall Simons Middle School and the parent handbook for Burlington High School. No evidence of an alternative method of notification was provided. Additionally, there is no evidence that students, parents and employees at the following schools have been informed of the name, address and telephone number of the Title VI, Title IX and Section 504 Coordinators: Memorial Elementary School, Fox Hills Elementary School, Marshall Simons Middle School and Burlington High School.

CRITERION NUMBER	
	Legal Standard
MOA 11	<p>Publication of notices of non-discrimination All publications for students, parents and employees, including written materials and other media used to publicize a school, specifically affirm that the school does not discriminate on the basis of race, color, sex, religion, national origin, sexual orientation or disability.</p> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Documentation indicates that publications from the Memorial Elementary School and Francis Wyman Elementary School do not include a non-discrimination notice. The non-discrimination notice is included on some, but not all, major publications for Burlington High School. Additionally, the non-discrimination notices at Fox Hills Elementary School, Pine Glen Elementary School and Marshall Simons Middle School do not include religion.

CRITERION NUMBER	
	Legal Standard
MOA 12	<p>Grievance procedures Written grievance procedures for students and for employees covering Title VI (race, national origin), Title IX (sex equity), and Section 504 (disability) have been adopted and published, and a grievance process is in place that provides prompt and equitable resolution.</p> <p>Title II; Title VI; Title IX; Section 504</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Documentation indicates that district grievance procedures do not include Title VI. Furthermore, grievance procedures are only included in the middle school handbook. There is no evidence of dissemination of grievance procedures at the elementary or high school levels.

CRITERION NUMBER	
	Legal Standard
MOA 13	<p>Availability of information to prospective occupational/vocational students All students in grades 7-9, including those in special education and English as a second language programs, receive counseling and information on the full range of general curricular and any occupational/vocational opportunities available to them.</p> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicate that general and special education students receive counseling and information on the full range of general curricular and any occupational/vocational opportunities available to them. However, interviews indicate that students in English as a second language programs do not always receive counseling and information on the full range of curricular and occupational/vocational opportunities available to them.

CRITERION NUMBER	
	Legal Standard
MOA 14	<p>Counseling materials and activities free from bias and stereotypes To ensure that materials and activities are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation or disability, all counselors:</p> <ol style="list-style-type: none"> 1. encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills; 2. examine testing materials for bias and counteract any found bias when administering and interpreting test results; 3. communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district; 4. support students in non-traditional educational and occupational pursuits for their gender.

CRITERION NUMBER	
	Legal Standard
	Title II; Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5
	Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes

Department of Education Findings:

See MOA 13, above.

CRITERION NUMBER	
	Legal Standard
MOA 15	<p>Non-discriminatory administration of scholarships, prizes and athletic awards Scholarships, prizes and athletic awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability with the following exceptions:</p> <ol style="list-style-type: none"> 1. 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; 2. 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>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
MOA 16	<p>Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion</p> <p>1. Within ten days from a student’s fifteenth consecutive unexcused absence, the school provides written notice to students age 16 or over and their parents or guardians. The notice is in English and the family’s native language and states that the student and the parent or guardian may meet with a representative of the district within ten days from the date the notice was sent. At the request of the parent or guardian, the district may consent to an extension of the time for the</p>

CRITERION NUMBER	
	Legal Standard
	<p>meeting of not longer than fourteen days.</p> <p>2. At the meeting the participants discuss the reasons that the student is leaving school and alternative educational or other placements. The student and parent or guardian are told that attendance is voluntary after the student turns 16 but are also informed of the student's right to return to school.</p> <p>M.G.L. c. 76, ss. 5, 18; St. 1965, c. 741</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicate that each student who is about to leave school without a diploma participates in a meeting with his/her guidance counselor prior to withdrawing from school. Opportunities such as Burlington Evening Academy are discussed at this meeting. However, documentation indicates that the written notice provided to the student does not include the right to meet with school officials within ten days or explain the right of regular education students to return to school. Further, there is no documentation that the letter is also sent to the student's parent(s) or that it can be translated if necessary.

CRITERION NUMBER	
	Legal Standard
MOA 17	<p>Codes of conduct and student handbooks</p> <ol style="list-style-type: none"> 1. All school and district codes of conduct and student handbooks contain a nondiscrimination policy based on race, color, sex, religion, national origin, sexual orientation and disability. 2. The district has complaint resolution procedures that include the disciplinary measures that may be imposed upon students who harass or discriminate. 3. The principal of each school ensures that the district and school codes of conduct are distributed annually to students, parents and school personnel. <p>Title VI; Title IX; Section 504; M.G.L. c.76, s. 5</p>
	<p>Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

See SE 45, MOA 10 and MOA 11, above.

CRITERION NUMBER			
	Legal Standard		
MOA 17A	<p>Use of physical restraint on any student enrolled in a publicly funded education program</p> <ol style="list-style-type: none"> 1. The district has developed and implemented staff training at least annually on the use of restraint consistent with regulatory requirements. Such training occurs within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. 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. 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. 4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Education consistent with the regulations. 5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations. <p>M.G.L. c. 71, s. 37G; 603 CMR 46.00</p>		
	Rating: Partially Implemented	DISTRICT RESPONSE REQUIRED:	Yes

Department of Education Findings:

Documentation does not include copies of written policies and procedures regarding implementation of this criterion. Documentation and interviews indicate that some staff were trained during the 2001-2002 school year, but that all staff do not receive annual training on this topic.

CRITERION NUMBER	TITLE 1 V. STUDENT SUPPORT SERVICES		
	Legal Standard		
TI 34	<ol style="list-style-type: none"> 1. Appropriate officials from private schools are informed and consulted about the availability of Title I services. 2. Written affirmation is obtained and signed by officials of each participating private school, confirming that required consultation has occurred. 3. Appropriate officials from Neglected or Delinquent (N or D) facilities are informed and consulted about the availability of Title I services. <p>1120 NCLB</p>		

CRITERION NUMBER	TITLE 1 V. STUDENT SUPPORT SERVICES
	Legal Standard
	Rating: Implemented District Response Required: No

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 35-36)

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

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	<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> <table border="0" style="width: 100%;"> <tr> <td data-bbox="402 779 803 877">State Regulations 28.03(3) Chapter 71, sec. 38Q and 38Q ½</td> <td data-bbox="812 779 1403 877">Federal Requirements</td> </tr> </table>	State Regulations 28.03(3) Chapter 71, sec. 38Q and 38Q ½	Federal Requirements
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Interviews indicate that there is not adequate instructional support at the high school level. Interviews also indicate that middle school guidance counselors do not provide support for regular education students because of their special education responsibilities. Interviews indicate that home/hospital instruction is limited to 6 hours per week and that services are not determined based on the individual needs of the student.

CRITERION NUMBER			
	Legal Standard		
SE 51	<p>Appropriate special education teacher certification Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p> <table border="0" style="width: 100%;"> <tr> <td data-bbox="402 1554 803 1652">State Regulations 28.02(3) 603 CMR 7.00</td> <td data-bbox="812 1554 1403 1652">Federal Requirements 300.23; 300.36</td> </tr> </table>	State Regulations 28.02(3) 603 CMR 7.00	Federal Requirements 300.23; 300.36
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	<table border="0" style="width: 100%;"> <tr> <td data-bbox="402 1673 803 1732">Rating: Implemented</td> <td data-bbox="812 1673 1403 1732">DISTRICT RESPONSE REQUIRED: No</td> </tr> </table>	Rating: Implemented	DISTRICT RESPONSE REQUIRED: No
Rating: Implemented	DISTRICT RESPONSE REQUIRED: No		

CRITERION NUMBER	
	Legal Standard
SE 52	<p>Appropriate certifications or other credentials -- <u>related service providers</u> Any person, including non-educational personnel, who provides related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the regular or special classroom teacher is appropriately certified, licensed, board-registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession.</p> <p>State Regulations 28.02(3)</p> <p>Federal Requirements 300.23; 300.24; 300.136</p>
	<p>Rating: Implemented</p> <p style="text-align: center;">DISTRICT RESPONSE REQUIRED:</p> <p style="text-align: right;">No</p>

CRITERION NUMBER	
	Legal Standard
SE 53	<p>Use of paraprofessionals</p> <ol style="list-style-type: none"> 1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services. 2. Persons employed as paraprofessionals and assistants 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>State Regulations</p> <p>Federal Requirements 300.136(f)</p>
	<p>Rating: Implemented</p> <p style="text-align: center;">DISTRICT RESPONSE REQUIRED:</p> <p style="text-align: right;">No</p>

CRITERION NUMBER			
	Legal Standard		
SE 54	<p>Professional development regarding special education</p> <ol style="list-style-type: none"> 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: 2) state and federal special education requirements and related local special education policies and procedures; 3) confidentiality of student records; 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; 5) methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom; 6) training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement; 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 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>State Regulations Chapter 71, sec. 38g 28.03(1)(a) Chapter 71, sec. 38Q and 38Q ½</p> <p>Federal Requirements 300.382</p>		
	Rating: Partially Implemented	DISTRICT RESPONSE REQUIRED:	Yes

Department of Education Findings:

Documentation and interviews indicate that the district does not offer training for transportation providers nor does it conduct an annual workshop with the special education parent advisory council.

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

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	persons with disabilities. When certain categories of employment show a disproportionate number of females/males, racial and ethnic group members or disabled persons, the district makes efforts to recruit for such positions members of the under represented groups. Title I; Title VI; Title IX; Section 504		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
MOA 19	Employment application and interview procedures Job application forms and interview questions do not include inquiries regarding a candidate's race, ethnicity, age, marital and parental status, national origin, physical attributes, religious background, health, health history and physical or mental condition. Title I; Title VI; Title IX; Section 504		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

CRITERION NUMBER			
	Legal Standard		
MOA 20	Non-discriminatory personnel policies and procedures District personnel policies and procedures are free of discrimination and bias in the following areas: 1. employee hiring, upgrading, award of tenure, demotion, return from layoff and retirement are the same for both sexes; 2. employee pay schedules and rates of other compensation for all job categories provide equal pay for equal work; 3. fringe benefits for all job categories such as medical, dental, insurance, leave (sick, personal, professional, parental, dependent care, bereavement) etc. are the same for all employees. Title I; Title VI; Title IX; Section 504		

CRITERION NUMBER	
	Legal Standard
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
MOA 21	<p>Staff training regarding civil rights responsibilities The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of disability, race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting.</p> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes

Department of Education Findings:

Documentation and interviews indicate that the district does not provide annual training on civil rights responsibilities to all school personnel.

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
TI 35	<p>All professional staff providing Title I services are appropriately certified (licensed) or hold current certification waivers for their job title and function.</p> <ul style="list-style-type: none"> • Teachers are highly qualified. • Paraprofessionals: <ul style="list-style-type: none"> - New Hires (hired on or after January 8, 2002): completed at least 2 years at an institution of higher education; obtained associates degree, or met rigorous standard of quality (passed state assessment, nce available). - Existing Paraprofessional Staff (hired prior to January 8, 2002): working to satisfy requirements by 2006; and - All paraprofessional staff have earned a secondary high school

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	diploma. MGL Chapter 71, 38G 1119(a), (c), (d), and (f) NCLB		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
TI 36	Minimum Expenditures The school district uses between 5% and 10% of its Title I funds for professional development activities to ensure that teachers who are not highly qualified, become highly qualified. 1119(k)(1) NCLB		
	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No

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
	Legal Standard
SE 55	<p>Special education facilities and classrooms</p> <ol style="list-style-type: none"> 1. The school district provides facilities and classrooms for eligible students which maximize the inclusion of such students into the life of the school; 2. provide accessibility in order to implement fully each child's IEP; 3. are at least equal in all physical respects to the average standards of general education facilities and classrooms; and 4. are given the same priority as general education programs for access to and use of instructional and other space in public schools in order to minimize the separation or stigmatization of eligible students. <p>State Regulations 28.03(b)</p> <p>Federal Requirements Section 504 of the Rehabilitation Act of 1973</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	Legal Standard
MOA 22	<p>Accessibility of district programs and services for students with limited physical mobility</p> <p>In at least one facility within the district, the district makes available and entirely accessible to students with disabilities all educational programs and services offered at each level (preschool, elementary and secondary).</p> <p>Title II; Section 504; M.G.L. c. 71B</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	Legal Standard
MOA 23	<p>Comparability of facilities and programs</p> <p>Where the district provides separate facilities or programs for members of a specific group, facilities and programs are comparable to those offered other students in the district, including:</p> <ol style="list-style-type: none"> 1. separate classes and facilities for disabled, limited English-proficient or pregnant students that are comparable to the facilities, programs, equipment and services

CRITERION NUMBER				
	Legal Standard			
	<p>offered other students in the district;</p> <p>2. changing rooms, showers and other facilities for students of one gender that are comparable in size, number and location to those provided students of the other gender.</p> <p>Title II; Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 30%; text-align: center;">DISTRICT RESPONSE REQUIRED:</td> <td style="width: 20%; text-align: right;">No</td> </tr> </table>	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No
Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No		

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 37-43)

CRITERION NUMBER	SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SE 56	<p>Special education programs and services are evaluated</p> <ol style="list-style-type: none"> 1. Special education programs, services and administrative areas are regularly evaluated. 2. The district develops methods for determining the effectiveness of programs in assisting students with disabilities to achieve the goals set forth in their IEPs in the least restrictive environment. 3. The district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed. 4. As part of these evaluation procedures, the district measures the success of programs based on students' local and statewide assessment results, drop out rates and graduation rates for special education students. <p>State Regulations Chapter 71B Chapter 71, sec. 59C</p> <p style="text-align: right;">Federal Requirements 300.137</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
MOA 24	<p>Curriculum review process</p> <p>The district has a process to ensure that teachers in the district regularly review all instructional and educational materials for simplistic and demeaning generalizations, lacking intellectual merit on the basis of disability, race, color, sex, religion, national origin and sexual orientation.</p> <p>M.G.L. c. 76, s. 5</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 25	<p>Institutional self-evaluation</p> <p>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,</p>

CRITERION NUMBER	
	Legal Standard
	color, sex, religion, national origin, sexual orientation, or disability. Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5
	Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes

Department of Education Findings:

Documentation and interviews indicate that the district has an evaluation process to examine and remedy athletic programs and scholarships, but the evaluation process does not include any other policies or programs.

CRITERION NUMBER	TITLE 1 VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
TI 37	A needs assessment and data analysis is conducted annually in each Title I 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. 1114(b)(1)(A); 1115 (c)(2)(B) NCLB
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 38	The adequate yearly progress (APY) of each Title I school is evaluated on at least an annual basis, and Title I program changes are implemented that reflect the results of this evaluation. 1114 (b)(2)(B)(iii); 1115 (c)(2)(B); 1116(A)(1)(A) and (B) NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 39	Each Title I school identified as “in need of improvement” develops (not later than 3 months after being identified) an improvement plan or revises its school plan in consultation with parents, staff, other district personnel, and outside experts. 1116(b)(3)(A) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

No schools have been identified as “in need of improvement.”

CRITERION NUMBER	
	Legal Standard
TI 40	For any of the district’s Title I schools that have been identified as “in need of improvement,” the district spends at least 10% of each school’s allocation of Title I funds to provide teachers and the schools’ principals with high-quality professional development that directly addresses the problems associated with academic achievement in those schools.. 1116(b)(3)(A)(iii)(I) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

See TI 39, above.

CRITERION NUMBER	
	Legal Standard
TI 41	For schools that have been identified as “in need of improvement,” the school district provides all students enrolled in those schools the choice to transfer to another of the school district’s schools identified as not in need of improvement. Priority is given to the lowest achieving children from low-income families. 1116(b)(1)(E)(i) and (ii) NCLB

CRITERION NUMBER	
	Legal Standard
	2763A-32 of P.L. 106-554 (Education Appropriations Act, 2001)
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:
See TI 39, above.

CRITERION NUMBER	
	Legal Standard
TI 42	For schools that have been identified as “in need of improvement,” school improvement plans must be implemented not later than the beginning of next full school year following this identification. 1116(b)(3)(D)
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:
See TI 39, above.

CRITERION NUMBER	
	Legal Standard
TI 43	For schools that continue to fail to make AYP after being identified as “in need of improvement,” the school district continues to make the transfer option available to students, to make supplemental educational services available and to provide technical assistance to such schools. 1116(b)(5) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:
See TI 39, above.

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 44-45-Program Requirements and TI 1-23-Fiscal Requirements)

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

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

CRITERION NUMBER			
	Legal Standard		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations 28.03(1)(e)</td> <td style="width: 50%; border: none;">Federal Requirements 300.230; 300.340-300.500</td> </tr> </table>	State Regulations 28.03(1)(e)	Federal Requirements 300.230; 300.340-300.500
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Rating: Implemented	DISTRICT RESPONSE REQUIRED: No		

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING – PROGRAM REQUIREMENTS		
	Legal Standard		
TI 44	<ol style="list-style-type: none"> 1. The district has submitted all required reports to the Department including the district Title I Plan/Application and Performance and Achievement Report. 2. 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 documents used to determine school allocations. 3. Current 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>1113; 1116 (c)(1)(B) NCLB</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Rating: Implemented</td> <td style="width: 50%; border: none;">District Response Required: No</td> </tr> </table>	Rating: Implemented	District Response Required: No
Rating: Implemented	District Response Required: No		

CRITERION NUMBER	
	Legal Standard
TI 45	<p>Federal Title I Grant:</p> <p>The district’s Title I grant is developed 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.</p> <p>Appropriate local administrators monitor the grant in an ongoing manner to ensure its full implementation as the Department has approved it.</p> <p>The district secures the approval of the Department for all amendments prior to their</p>

CRITERION NUMBER	
	Legal Standard
	implementation.
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	TITLE I IX. RECORD KEEPING – FISCAL REQUIREMENTS
	Legal Standard
TI 1	The maintenance of effort fiscal test is of local and state expenditures, <i>not</i> of Title I or other federal expenditures. 1120A(a); 9521 NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 2	The school district’s combined fiscal effort per student <i>or</i> aggregate expenditures of the school district and state for free public education for the preceding fiscal year was not less than 90% of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year. 1120A(a); 9521(a) NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 3	The district’s comparability fiscal test is a comparison of local and state funds in Title I schools and non-Title I schools, <i>not</i> a comparison of Federal funds. 1120A(c) NCLB

CRITERION NUMBER	
	Legal Standard
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 4	<p>1. The school district uses state and local funds in Title I schools that provide services that, taken as a whole, are at least comparable to services in non-Title I schools.</p> <p>1120A(c)(1)(A) NCLB</p> <p>2. If all of the district’s schools are Title I schools, the school district uses state and local funds to provide services that, taken as a whole, are substantially comparable in each school.</p> <p>1120A(c)(1)(B) NCLB</p>
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 5	<p>Documentation of the district’s Comparability Report demonstrates annual compliance with the comparability requirement, and is documented at least biennially.</p> <p>1120A(c)(3)(B) NCLB</p>
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER				
	Legal Standard			
TI 6	<p>The district has established and implemented the following requirements that are on file at the Department of Education:</p> <ol style="list-style-type: none"> 1. a district-wide salary schedule; 2. a policy to ensure equivalence among schools in teachers, administrators, and other staff; and 3. a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. <p>1120A(c)(2)(A) NCLB</p>			
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Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No		

CRITERION NUMBER				
	Legal Standard			
TI 7	<p>Other measures, such as student/instructional staff ratios or student/instructional staff salary ratios are used to demonstrate Comparability.</p> <ol style="list-style-type: none"> 1. Student/staff ratios: The Title I school average, as determined in Comparability Report forms, does not exceed 110% of average of non-Title I schools. 2. Student/staff salary ratios: The Title I school averages are at least 90% of the average of non-Title I schools. 3. Staff salary differentials for years of employment are not used in implementing requirements under criterion TI 7(2) above. <p>1120A(c)(2)(B); 1120A(c)(3)(A) NCLB; Title I Policy Guidance IASA</p>			
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Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No		

CRITERION NUMBER				
	Legal Standard			
TI 8	<p>If the school district groups schools by grade-span for demonstrating comparability, the school district does so in a way that reflects the actual grade-spans of the school district.</p> <p>1120A(c)(1)(C) NCLB; Title I Policy Guidance IASA</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 30%;">DISTRICT RESPONSE REQUIRED:</td> <td style="width: 20%; text-align: right;">No</td> </tr> </table>	Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No
Rating: Implemented	DISTRICT RESPONSE REQUIRED:	No		

CRITERION NUMBER	
	Legal Standard
TI 9	In applicable situations, the school district divides a grade-span with significant school enrollment differences into a large-group/small-group model. Title I Policy Guidance IASA
	Rating: Not Applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

The school district does not utilize the large group/small group grade – span split.

CRITERION NUMBER	
	Legal Standard
TI 10	Non-instructional staff (e.g., cafeteria workers, custodians, nurses, playground aides, student teachers, volunteers, etc.) are not included in the district’s comparability determinations. Title I Policy Guidance IASA
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 11	If the district is receiving and excluding supplemental state and local funds from the Title I comparability determinations, the school district is able to demonstrate that the supplemental state and/or local funds that are excluded from Title I comparability determinations are used for programs that meet the intent and purposes of Title I. 1120A(d) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

The district does not utilize the exclusion provision.

CRITERION NUMBER	
	Legal Standard
TI 12 [Applicable to Targeted Assistance Schools (TAS)]	The school district is able to demonstrate that it uses Title I funds only to supplement and, to the extent practical, increase the level of funds that would in the absence of Title I funds be made available from non-Federal sources for the education of students participating in Title I programs. 1120A(b)(1) NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 13 [Applicable to TAS]	The school district/school is able to demonstrate that the Title I funds have been used for the express purpose of serving those students who were identified as being in greatest need of Title I assistance based on the School district's and school's Title I student selection criteria. 1115(a) NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 14 [Applicable to Schoolwide Programs (SWP)]	<ol style="list-style-type: none"> 1. Title I funds may be used in combination with state, local, and other federal funds to serve the entire school population in accordance with the schoolwide plan in effect for the school. 1114(a)(1) NCLB 2. The school district is able to demonstrate that the Title I funds in a SWP supplement are in addition to the total amount of funds that would, in the absence of the Title I funds, be made available from non-federal sources for the school, including funds needed to provide services required by law for children with disabilities and children with limited English proficiency.

CRITERION NUMBER	
	Legal Standard
	1114(a)(2)(B) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:
The district does not have a Schoolwide Program.

CRITERION NUMBER	
	Legal Standard
TI 15 (Exclusion)	<i>If the district is receiving and excluding supplemental state and local funds from the Title I supplement(not supplant determinations) the school district is able to demonstrate that the supplemental state and/or local funds that are excluded from Title I supplement (not supplant,) determinations are used for programs that meet the intent and purposes of Title I.</i>
	1120A 1120A(d)
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:
The district does not utilize the Exclusion provision.

CRITERION NUMBER	
	Legal Standard
TI 16	In implementing federal Title I supplement, not supplant requirements, the school district has developed and implements a Supplement Not Supplant policy and procedure.
	Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes

Department of Education Findings:
Implementation in Progress: The school district is in the process of developing written supplement/supplant policies and procedures.

CRITERION NUMBER	
	Legal Standard
TI 17	For each split-funded staff member, the district maintains an appropriate log (time and effort record) that documents the time actually spent by staff on Title I activities. EDGAR; OMB Circular/Cost Guidelines
	Rating: Partially Implemented DISTRICT RESPONSE REQUIRED: Yes

Department of Education Findings:

Documentation was available for the (one) split-funded staff person. However, the information was not presented in an appropriate format with specific activities.

CRITERION NUMBER	
	Legal Standard
TI 18	The school district has selected eligible schools in accordance with Title I requirements under this criterion. 1113(a); 1113(b); 1113(c); NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 19	The school district includes accurate data in its Title I Application (Form 1) for the number of school-age students residing in each of the district's school attendance areas. 1113(a) NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 20	The school district has made appropriate reservations (set asides) on Form 2 in accordance with NCLB requirements. 1113(c)(2)(A); 1113(c)(3) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

The school district did not use the set asides provision.

CRITERION NUMBER	
	Legal Standard
TI 21	The final allocations to district schools have been calculated in accordance with Title I requirements, and the final allocation totals appropriately relate to the budget total. 1113(a); 1113(c)(2)(A) NCLB
	Rating: Implemented DISTRICT RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
TI 22	The school district has made private school allocations in accordance with Title I requirements. 1120(a); 1120(b); 1120(c) NCLB
	Rating: Not applicable DISTRICT RESPONSE REQUIRED: No

Department of Education Findings:

Documentation indicates private schools have refused Title I services.

APPENDIX
SCHOOL DISTRICT PROFILE INFORMATION

The information which is provided in this Appendix was drawn from data supplied by the school district. The Department's visiting team carefully reviewed this data as part of its planning for the onsite visit and in preparing this Coordinated Program Review Report. This district-wide information, together with more detailed school building data, 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/>>.

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 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.

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.

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.

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.

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

People

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

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.

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

The electronic version of this profile information is available at:

<http://profiles.doe.mass.edu/home.asp?mode=ot&view=&ot=5>

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