



**LEOMINSTER PUBLIC SCHOOLS**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of Onsite Visit: October 28-November 1 and December 1,5 and 6, 2002**

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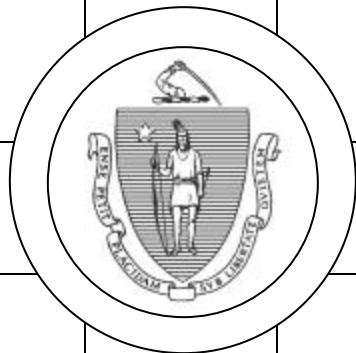
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**MASSACHUSETTS DEPARTMENT OF EDUCATION  
COORDINATED PROGRAM REVIEW**

**Leominster Public Schools**

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# MASSACHUSETTS DEPARTMENT OF EDUCATION

## COORDINATED PROGRAM REVIEW REPORT

### Leominster 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 the state's Transitional Bilingual Education law (M.G.L. Chapter 71A), Title I, Safe and Drug-Free Schools and Communities Act, the Perkins Vocational and Technical Education Act, and Nutrition Programs and Services are conducted in some districts during these Coordinated Program Review procedures. The selected school districts for 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, Transitional Bilingual 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 ten member Massachusetts Department of Education team visited the Leominster School district during the week of October 28, 2002 to evaluate the implementation of selected criteria in the program areas of Special Education, Civil Rights, Safe and Drug Free Schools, Vocational Education, Title I and Nutrition. Due to the fact that the Title I component of the onsite visit to the district was conducted at a later date, the findings in this program area are included as a separate Appendix to this main body of this report. 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 Leominster School District. These areas are as follows:

- *District's efforts to reduce special education out-of- district placements.*
- *Administrative restructuring that includes a special education coordinator at each level.*
- *Effort to make all programs available to all students regardless of disability.*
- *Staff belief that the district's current administration is committed to addressing past deficiencies and is now working toward effectively meeting the needs of special education students.*
- *Effort to restructure the program pertaining to staffing and recruitment for Spanish speaking students.*
- *Strong career and technical education programs and training opportunities for students, especially at the middle school level.*
- *Title I extended day program that provides supportive math instruction for at-risk students.*

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

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

- Interviews of 18 administrative staff.
- Interviews of 84 teaching and support services staff across all levels.
- Interviews of five parent advisory council (PAC) representatives.
- Interviews as requested by persons from the general public.
- Student record reviews: A sample of 58 (23 Special Education, 20 Perkins and 15 English Language Learners) 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: 23 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 11 instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

The report includes findings in the program areas reviewed organized under nine components . These components are listed in the executive summary on the following pages. The findings in each program area explain the “ratings, ”determinations by the team about the implementation status of the criteria reviewed. The ratings indicate those criteria that were found by the team to be substantially “Implemented” or implemented in a “Commendable” manner. (Refer to the “Definition of Terms” section of the report.) Where criteria were found to be either "Partially Implemented" or "Not Implemented," the district or charter school must propose to the Department corrective actions to bring those areas into compliance with the controlling statute or regulation. In some instances the team may have rated a requirement as “Implemented” but made a specific comment on the district’s implementation methods that also may require response from the district or charter school.

Districts are expected to incorporate the corrective action into their district and school improvement plans, including their professional development plan.

# COORDINATED PROGRAM REVIEW REPORT

## EXECUTIVE SUMMARY

### Leominster Public Schools

The following summary synthesizes the findings for criteria included in the Coordinated Program Review as they respond to essential questions which the Department has formulated for each of the components of the report. Note that a more detailed discussion of the onsite team's findings, together with the specific legal standards for each program area included in this review, follows this summary.

#### **Component I: Assessment of Student Progress**

*Has the district implemented an assessment system that uses appropriate instruments, is conducted according to the specified timelines, and covers the appropriate content areas to determine instructional needs of students?*

Required state and local assessments are conducted and students with disabilities participate in MCAS with appropriate modifications. However, educational assessments are not consistently conducted by a representative of the district or by a teacher with current knowledge of the student's abilities and a process was not indicated for the determination of a Specific Learning Disability. Assessment of Limited English Proficient students is generally adequate. Regulatory timelines for special education procedures, including but not limited to IEP development and three-year re-evaluations, are not consistently being met. Student career plans that demonstrate the use of assessment in planning vocational programs of study for students were not indicated. Student records did not always contain evidence of individualized use of student career assessments. The development of a more comprehensive vision statement and more specific consideration of post school transition needs is recommended.

#### **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?*

Justification for Team decisions pertaining to Least Restrictive Environment (LRE) was not consistently and clearly stated. The district provides a variety of related services and all students have access to the general curriculum. However, a system is not in place for distinguishing between students with special education needs and those with language needs. In the area of Title I, procedures for student identification, eligibility determination and placement are in accordance with regulatory requirements.

#### **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?*

Although parents are actively involved in decisions pertaining to their children, written parental consent for Team meetings and the stated purpose of Team meetings was not consistently documented. Also, communication to non-English speaking parents in languages other than Spanish was not documented. Although the district has established a Parent



Advisory Council (PAC), it is not currently meeting all regulatory requirements of the PAC in that it does not participate in the planning, development and evaluation of the school committee's special education programs. Parental involvement regarding Title I programs was found to be inconsistent.

#### **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?*

Programs are designed to foster the inclusion of all students within regular education. The district has aligned its general curriculum with the Massachusetts Curriculum Frameworks and ensures that all students with disabilities have access to the full academic curriculum and extra curricular activities. However, in some instances, class size and student teacher ratios were found to exceed required limits and documentation of waivers was not noted. In addition, a process was not in place for the oversight and monitoring of services for out-of-district placements and it was not clear how requirements pertaining to services for students in private schools are being implemented. The district does not provide courses in Portuguese and support for Portuguese speaking students is not sufficient. In order for the district to continue to receive funds for the Safe and Drug Free Schools program, it must be able to document the existence of a comprehensive program of substance abuse and violence prevention, based upon a program or programs with a proven track record of reducing undesirable student behaviors in these areas. While the Safe and Drug Free Schools program currently has several commendable practices, they do not appear to be coordinated from building to building or level to level, and for the most part, are not built upon research based or science-based programs, as required by law. Curriculum and instruction criteria are being met for Title I programs. The Title I extended day program that provides supportive math instruction is commendable.

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

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

The school district provides a full range of related services by qualified professionals. Equal access is provided for Title I students, including those in private schools and facilities for neglected or delinquent students. The onsite team also found that staff directly involved with the suspension process was fully knowledgeable about the legal requirements. However, review of documentation indicated that the names of the coordinators for Title VI, Title IX and Section 504 were not provided in all school handbooks and school codes of conduct were not distributed annually at each school. Faculty handbooks were inconsistent in providing notice of non-discrimination policies. Also, students who have left or are about to leave school without a high school diploma did not receive proper written notice of their rights.

#### **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 not developed a Curriculum Accommodation Plan. Also, not all special

education policies and practices reflected current regulatory requirements and therefore the district will need to review and update its special education policies and practices. Several instances of non-certified staff without appropriate waivers were noted. All Title I staff were appropriately certified. Although some staff are aware of issues pertaining to mandatory training topics, the district needs to provide and document in-service training opportunities for staff and parents for all mandatory topics. Additionally, professional development opportunities were not generally provided to paraprofessional staff. Personnel policies and procedures dealing with staff recruitment, job applications and hiring are non-discriminatory; as are those dealing with equity in pay, tenure and the accrual of other benefits.

### **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?*

The district meets most regulatory requirements consistent with ensuring that all students have equal opportunity and access to programs or services. However, some locations for the delivery of special education services (at all levels) were not optimal in either size or their location for maximizing the integration of all students into the life of the school. In addition, some spaces for the delivery of services for English language learners were not optimal.

### **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?*

Although a process is in place for the review of curricular and instructional materials for bias and discrimination, it has not been documented. A district-wide process for the evaluation of special education programs and services has not been developed. Also, the district's Title I program plan and evaluation process is not consistent for each Title I building.

### **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's special education records did not consistently contain all required documents, making it difficult for the Department's onsite Team to determine compliance with regulations. The review of records and documentation did not always reflect the district's practices as described to the Department's onsite team through staff interviews. Title I records did not consistently contain all required elements. Also, Perkins student records and those for English language learners did not consistently contain complete, specific, up-to-date and relevant documentation.

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

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

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

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 2	<p><b>Required and optional assessments</b></p> <ol style="list-style-type: none"> <li>1. <b>Required assessments:</b> The following assessments are completed by appropriately credentialed and trained specialists for each referred student: <ol style="list-style-type: none"> <li>a. Assessment(s) in all areas related to the suspected disability (ies) including consideration of any needed assistive technology devices and services and/or instruction in braille.</li> <li>b. Educational assessment by a representative of the school district, including a history of the student's educational progress in the general curriculum.</li> <li>c. Assessment by a teacher(s) with current knowledge regarding the student's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district curriculum, as well as an assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults.</li> <li>d. For a child being assessed to determine eligibility for services at age three (3), an observation of the child's interactions in the child's natural environment or early intervention program is strongly encouraged together with the use of current assessments from early intervention Teams to avoid duplicate testing.</li> </ol> </li> <li>2. <b>Optional assessments:</b> The Administrator of Special Education may recommend or the parent may request one or more of the following: <ol style="list-style-type: none"> <li>a. A comprehensive health assessment by a physician that identifies medical problems or constraints that may affect the student's education. The school nurse may add additional relevant health information from the student's school health records.</li> <li>b. A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.</li> <li>c. A home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of the parent</li> </ol> </li> <li>3. At the re-evaluation of a student, if <u>the Team decides</u> that no additional assessments are needed to determine whether the student continues to be eligible for special education, the school district recommends to the student's parents the following: <ol style="list-style-type: none"> <li>a. that no further assessments are needed and the reasons for this; and</li> <li>b. the right of such parents to request an assessment.</li> </ol> </li> </ol> <p style="text-align: center;"><b>State Regulations</b> <span style="margin-left: 200px;"><b>Federal Requirements</b></span></p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	28.04 (1) and (2) <span style="float: right;">300.532; 300.346.(a)(2)(v)</span>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 30%; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 20%; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Review of records indicated that educational assessments were not consistently conducted by a representative of the district or by a teacher with current knowledge of the student’s abilities.*

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







<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>6. The district ensures that students age 14, or younger if appropriate, are invited to and attend Team meetings at which transition services are discussed or proposed</p> <p><b>State Regulations</b> M.G.L. Ch.71B, Sections 12A-C 603 CMR 28.05(4)(c)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.344(b), 300.347</p>
	<p><b>Rating: Partially Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>Yes</b></p>

**Department of Education Findings:**

*Record reviews showed that transition planning is not consistently documented on students' IEPs at the middle and high school levels.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>(c) the student has shared decision-making</p> <p>The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.</p> <p><b>State Regulations</b> M.G.L. Ch. 231, Sec 3A 603 CMR 28.08(5),</p> <p><b>Federal Requirements</b> 300.347(c), 300.517</p>
	<p><b>Rating: Partially Implemented</b></p> <p style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></p> <p style="text-align: right;"><b>Yes</b></p>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that while a procedure is in place for the transfer of parental rights at the age of majority, it is not consistently documented in student records.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 8</b>	<p><b>Evaluation Team composition</b></p> <p>The following persons are members of the evaluation Team:</p> <ol style="list-style-type: none"> <li>1. The child's parents</li> <li>2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district.</li> <li>3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson)</li> <li>4. A teacher who has recently had or currently has the student in a classroom or other teaching situation. If the student is involved or may be involved in a regular education program, a regular education teacher must be included as a Team member.</li> <li>5. The student, age fourteen and older, if he/she chooses</li> <li>6. Other individuals at the request of the student's parents</li> <li>7. At least one teacher or specialist trained in the area of the student's suspected special needs</li> <li>8. Individuals who are qualified to interpret the instructional implications of evaluation results</li> <li>9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education</li> </ol>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<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>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.02(22)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.344; 300.552</td> </tr> </table>	<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 300.344; 300.552	
<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 300.344; 300.552			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 33%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 33%; border: none;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 9</b>	<p><b>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</b></p> <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> <ol style="list-style-type: none"> <li>a. provides an evaluation</li> <li>b. convenes a Team meeting</li> <li>c. determines whether the student has one or more disabilities</li> <li>d. determines if the student is making effective progress in school</li> <li>e. determines if any lack of progress is a result of the student's disability</li> <li>f. determines if the student requires special education and/or related services and/or accommodations in order to make effective progress or that the student requires related services in order to access the general curriculum</li> <li>g. develops an IEP where the student is found to need special education</li> <li>h. provides the parent with the proposed IEP, or a written explanation of the finding of no eligibility</li> <li>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</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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><b>State Regulations</b> 28.05(1) and (2)</p> <p><b>Federal Requirements</b> 300.534</p>
	<p><b>Rating: Partially Implemented</b></p> <p><b>DISTRICT RESPONSE REQUIRED:</b></p> <p style="text-align: right;"><b>Yes</b></p>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that the district does not consistently complete the process of developing an IEP within regulatory time requirements and that instructions to parents are at times confusing and may cause undue delay. Also, it was not demonstrated that the district appropriately convenes a Team for the purpose of determining the appropriateness of terminating an IEP and whether to transition a student to a 504 accommodation plan.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 10</b>	<p><b>End of school year evaluations</b></p> <p>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> <p><b>State Regulations</b> 28.05(1)</p> <p><b>Federal Requirements</b> 300.342</p>
	<p><b>Rating: Implemented</b></p> <p><b>DISTRICT RESPONSE REQUIRED:</b></p> <p style="text-align: right;"><b>No</b></p>

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
<b>SE 11</b>	<p><b>School district response to parental request for independent educational evaluation</b></p> <p>If a parent disagrees with an initial evaluation or re-evaluation completed by the school district, and the parent requests an independent educational evaluation, the district implements the following requirements:</p> <ol style="list-style-type: none"> <li>1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the child are justified when an individual assessment rate is higher than that normally allowed.</li> <li>2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district.</li> <li>3. The district extends the right to a publicly funded independent educational evaluation (only if cost shared or funded for state wards or for students receiving free or reduced cost lunch) for sixteen (16) months from the date of the evaluation with which the parent disagrees.</li> <li>4. If the parent is requesting an evaluation in an area not assessed by the school district, or if the student does not meet or the parent does not choose to share the financial documentation regarding the income eligibility standards for free or reduced cost independent educational evaluation, then the school district responds in accordance with the requirements of federal law by paying for the independent educational evaluation or, within five school days, proceeding to Special Education Appeals to show that its evaluation was comprehensive and appropriate. Where the Department’s Special Education Appeals finds that the school district’s evaluation was comprehensive and appropriate, the school district does not pay for the independent educational evaluation requested by the parent.</li> <li>5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator’s report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools.</li> <li>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.</li> </ol> <p style="text-align: center;"> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><b>State Regulations</b></td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> <tr> <td>28.04(5)</td> <td>300.503(a)(3)(i)</td> </tr> </table> </p>	<b>State Regulations</b>	<b>Federal Requirements</b>	28.04(5)	300.503(a)(3)(i)
<b>State Regulations</b>	<b>Federal Requirements</b>				
28.04(5)	300.503(a)(3)(i)				



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	28.07(3) 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347
	<b>Rating: Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>Yes</b>

**Department of Education Findings:**

*Although staff interviews indicated that the above criterion is being met, this was not consistently documented in student records.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 14</b>	<b>Annual review Team meeting</b> 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.
	<b>State Regulations</b> 28.04(3) <b>Federal Requirements</b> 300.343(c)
	<b>Rating: Partially Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>Yes</b>

**Department of Education Findings:**

*Record reviews indicated that the district does not consistently meet regulatory timelines for conducting an annual review Team meeting.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL I. ASSESSMENT OF STUDENT PROGRESS</b>
	<b>Legal Standard</b>
<b>P 1</b>	(a) Appropriate individual academic assessments are provided to all in-coming students. (Section 135) Appropriate academic assessments administered include, but are not limited to the following:



CRITERION NUMBER	PERKINS VOCATIONAL I. ASSESSMENT OF STUDENT PROGRESS
	<b>Legal Standard</b>
	<ul style="list-style-type: none"> <li>• ABLE</li> <li>• APTICOM</li> <li>• CAT</li> <li>• METROPOLITAN</li> <li>• IOWA</li> <li>• MCAS</li> <li>• STANFORD 9</li> <li>• WRAT</li> </ul> <p>(b) Academic assessments provided to incoming students are used in planning students' academic program. (Sec. 135)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:** *Staff and student interviews and student record documentation indicated that academic assessments are not provided to incoming ninth grade students in order to assist with appropriate course selection. A method needs to be developed to disseminate assessment results to appropriate instructional staff and parents to assist with monitoring student achievement.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>P 2</b>	<p>(a) Appropriate individual career and technical assessments are provided to all <u>in-</u> <u>coming</u> students. (Section 135)</p> <p>Appropriate career and technical assessments administered might include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• ACT Career Planning</li> <li>• ACDM</li> <li>• CAB</li> <li>• CIT</li> <li>• SAGE</li> <li>• Myers Briggs Type Indicator</li> <li>• ASVAB</li> <li>• CAP/COP</li> <li>• Bennett Mechanical Comprehension</li> <li>• DISCOVER</li> <li>• Self-Directed Search (SDS)</li> </ul>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<ul style="list-style-type: none"> <li>• Career Inventories for the Learning Disabled</li> <li>(b) Career and Technical Education assessments provided to in-coming students are used in planning students' vocational and academic program. (Sec. 135)</li> </ul>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:** *Staff and student interviews and review of student record documentation indicated that although some students are provided with an Interest Inventory, career and technical assessments are not provided to incoming students to assist with appropriate course/program selection. A method needs to be developed to disseminate assessment results to appropriate instructional staff and parents to assist with monitoring student achievement*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>P 3</b>	Methods of measuring academic competency gain and competency attainment are appropriate. (Sec. 122)			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**Comment:** *Assessment results need to be uniformly analyzed and utilized to drive the curriculum, instruction and services provided to all students.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>P 4</b>	Methods of measuring career and technical competency gain and competency attainment are appropriate. (Section 122)			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**Comment:** *Staff and student interviews and review of documentation indicated that the measurement of students' vocational competency gain and competency attainment are documented. However, the documentation format is inconsistent among individual vocational programs and not uniformly provided to students and their parents/guardians. It should be noted that the review team found a documented competency skill gain and attainment process for students on a co-op education placement that insures that vocational skill attainment is appropriate and regularly monitored.*

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



<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	28.03(1)(d) Chapter 71, section 57			
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<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Although staff interviews indicated that required screening is taking place, it was not evident from review of the district's documentation.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SE 17</b>	<p><b>Initiation of services at age three and Early Intervention transition procedures</b></p> <ol style="list-style-type: none"> <li>1. The school district encourages referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements.</li> <li>2. The district implements procedures to ensure the effective transition of young children with disabilities from Early Intervention Programs through participation in transition planning conferences arranged by such programs.</li> </ol> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.06(7)(b)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</td> </tr> </table>	<b>State Regulations</b> 28.06(7)(b)	<b>Federal Requirements</b> 300.24(b)(3); 300.121(c); 300.132; 300.342(c)	
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<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 18A</b>	<p><b>IEP development and content</b></p> <ol style="list-style-type: none"> <li>1. Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP at the Team meeting using the evaluation data to guide development of measurable, annual goals and objectives/benchmarks for the student. If the district chooses to draft any</li> </ol>

CRITERION NUMBER			
	Legal Standard		
	<p>element(s) of the IEP for discussion, the Team Chairperson ensures that those elements are genuinely considered prior to adoption at the Team meeting. All ideas and needs of the child as expressed by all Team members, especially the parents, are genuinely considered by the district prior to proposing the IEP.</p> <p>2. The IEP includes specially designed instruction to meet the needs of the individual student and related services that are necessary to allow the student to benefit from the specially designed instruction, or consists solely of related services that are necessary to allow the student to access the general curriculum, consistent with federal and state requirements.</p> <p>3. In developing the IEP, the Team proposes specially designed instruction and related services according to the needs of the child <u>and not</u> according to the availability of such instruction or related services.</p> <p>4. The IEP is completed addressing all elements of the most current IEP format provided by the Department of Education. Where applicable, the district includes in the IEP, or other notice to the parent, information regarding the implementation of any necessary restraint procedures for students as required under 603 CMR 46.00.</p> <p>5. If the Team members are unable to agree on the IEP, the Team chairperson states the elements of the IEP proposed by the school district.</p> <p>6. The school district ensures that each IEP Team has at least one person with authority to commit the resources of the district and that whatever services are set out in the IEP will actually be provided and that the IEP will not be changed at a higher administrative level within the district.</p> <p>7. The IEP is written in generally understandable language.</p> <p>8.</p> <p><b>State Regulations</b> 28.05(3), (4), (6) and (7) 28.06(2)</p>		<p><b>Federal Requirements</b> 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of records and staff interviews indicated that IEPs did not consistently include specially designed instruction to enable students to access the general curriculum. Also, the annual review Team does not always include a representative with the authority to commit the district's resources.*

CRITERION NUMBER			
	Legal Standard		
SE 18B	<p><b>Determination of placement; provision of IEP to parent</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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 at which the services are to be provided.</li> <li>4. The placement selected by the Team is the least restrictive environment consistent with the needs of the student.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.05(6) and (7)</p> <p><b>Federal Requirements</b> 300.346</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of records indicated that the process of developing an IEP and providing the parent with copies of the proposed IEP was not consistently completed within regulatory time requirements.*

CRITERION NUMBER			
	Legal Standard		
SE 19	<p><b>Extended evaluation</b></p> <p>If the Team finds a student eligible for special education finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents' consent, agrees to an extended evaluation period.</p> <ol style="list-style-type: none"> <li>1. The extended evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to determine eligibility and to determine, in part, necessary annual goals and services, the</li> </ol>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>Team writes a partial IEP that, if accepted by the parent, is immediately implemented by the district while the extended evaluation is occurring.</p> <p>2. The extended evaluation period is not be used to allow additional time to complete the required assessments and does not deny programs and services to the student.</p> <p>3. If the parent consents to an extended evaluation, the Team documents their findings and determines what evaluation time period is necessary and the types of information needed to determine eligibility and/or develop an IEP, if appropriate. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to make their eligibility determination and/or develop an IEP when the evaluation is complete.</p> <p>4. The extended evaluation may extend longer than one week, but does not exceed eight school weeks.</p> <p>5. The extended evaluation is not considered a placement.</p> <p><b>State Regulations</b> 28.05(2)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Partially Implemented</b></p> <p style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></p> <p style="text-align: right;"><b>Yes</b></p>

**Department of Education Findings:**

*Review of records and staff interviews indicated at least in one instance an extended evaluation was utilized inappropriately as a placement instead of a forty-five day interim alternative placement.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 20</b>	<p><b>Least restrictive program selected</b></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><b>State Regulations</b></p> <p style="text-align: right;"><b>Federal Requirements</b></p>



<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	28.06(2)(a) 300.130; 300.550-300.556			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 30%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 20%; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Review of documentation indicated that the justification for Team decisions pertaining to the least restrictive environment for students is not consistently and clearly stated.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 21</b>	<p><b>School day and school year requirements</b></p> <ol style="list-style-type: none"> <li>1. The school district ensures that every eligible elementary level student is scheduled to receive a minimum of 900 hours per school year of structured learning time and every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time unless otherwise provided for below.</li> <li>2. The Team routinely considers the need for an educational program that is less than or more than the regular school day or school year, including extended day, or year, and/or residential services and indicates on the IEP why the shorter or longer program is necessary.</li> <li>3. The daily duration of the child’s program is equal to that of the regular school day unless the Team states that a different duration is necessary to provide a free appropriate public education to the child.</li> <li>4. Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction.</li> <li>5. An extended day or year program is identified if the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided.</li> <li>6. If residential services are required, the IEP clearly specifies the reasons for such determination and how such services will be coordinated with the day education services provided to the student. Additionally, the annual goals and services on the student’s IEP reflects the comprehensive nature of the educational program required.</li> <li>7. Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.</li> </ol> <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.05(4) Chapter 69, section 1G</td> <td style="width: 50%; text-align: right;"><b>Federal Requirements</b> 300.309(b)</td> </tr> </table>	<b>State Regulations</b> 28.05(4) Chapter 69, section 1G	<b>Federal Requirements</b> 300.309(b)
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<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>State Regulations</b>  603 CMR 23.00 (Student Records Regulations) </td> <td style="width: 50%; vertical-align: top;"> <b>Federal Requirements</b>  300.560-576; Family Educational Rights and Privacy Act (FERPA) </td> </tr> </table>	<b>State Regulations</b> 603 CMR 23.00 (Student Records Regulations)	<b>Federal Requirements</b> 300.560-576; Family Educational Rights and Privacy Act (FERPA)	
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<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>		
	<b>Legal Standard</b>		
<b>MOA 1</b>	<b>Identification of limited English proficient students</b> The district uses qualified staff and appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance.  Title VI; MGL, Ch.76, Section 5		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 50%; text-align: right;"><b>District Response Required: Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>
<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that not all notices are provided in the parent’s native language. In addition, the district does not have a method in place to distinguish between special education issues and language issues.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>MOA 2</b>	<b>Program modification for limited English proficient students</b> For students requiring special language assistance, the district makes necessary program modifications to effectively serve limited English proficient students.  Title VI; M.G.L. c. 71, s. 38Q, 38Q1/2; c. 76, s. 5			
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<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Staff interviews indicated that the district is adequately meeting the language needs only for Spanish speaking students. Adequate services are not in place to meet the needs of Portuguese speaking students, especially at Somerset Middle school. In general, staffing is adequate for the existing programs and services to Limited English Proficient students. However, the tutor (“liaison”) at the high school is being inappropriately used as a guidance counselor, translator and utility person for the needs of Limited English Proficient students.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 3</b>	<p><b>Access to a full range of education programs</b>            All students in grades 7-12, including linguistic and/or racial and ethnic minorities, males/females and students with disabilities, have access to the general education program and the full range of any occupational/vocational education programs offered by the district.</p> <p>Title II; Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 4</b>	<p><b>Placement of linguistic, racial minority and female/male students</b>            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><b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 5</b>	<p><b>Placement of disabled students in occupational/vocational education programs</b>  When occupational/ vocational placement needs of disabled students are being considered:</p> <p>a. persons knowledgeable about a student’s disabilities are present at 504 or special education TEAM meetings and participate in ongoing communication regarding a student’s progress</p> <p>b. an array of occupational/vocational education programs and services are available to facilitate necessary program modifications and to meet the identified needs of students.</p> <p>Title II; Section 504</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

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

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
<b>P5</b>	<p>Career and technical education students are appropriately identified for Perkins-funded services and activities.* (Section 135)</p> <p>*Perkins definition of “vocational and technical education.” Vocational and</p>

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL II. STUDENT IDENTIFICATION AND PLACEMENT</b>		
	<b>Legal Standard</b>		
	technical education means organized educational activities that offer a sequence of courses that provides individuals with the academic and technical skills the individuals need to prepare for further education and for careers in current or emerging employment sectors.		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>P 6</b>	Special population students are appropriately identified for services and include the following groups: <ul style="list-style-type: none"> <li>• individuals with disabilities</li> <li>• individuals from economically disadvantage families, including foster children</li> <li>• individuals preparing for nontraditional training and employment</li> <li>• single parents, including single pregnant women</li> <li>• displaced homemakers</li> <li>• individuals with other barriers to educational achievement, including individuals with limited English proficiency</li> </ul> (Section 134)		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

### 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)
  - Safe and Drug Free Schools (Report Issues # SDF 1-3)
- Perkins Vocational and Technical Education (Report Issues # P 7-8)

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT	
	Legal Standard	
SE 24	<p><b>Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE</b></p> <ol style="list-style-type: none"> <li>1. A student may be referred for an evaluation by a parent or any person in a caregiving or professional position concerned with the student's development.</li> <li>2. When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the child's parent(s) within 5 school days of receipt of the referral.</li> <li>3. Notice is given by the district within a reasonable time for all other actions.</li> <li>4. The school district provides the student's parent(s) with an opportunity to consult with the Special Education Administrator or his/her designee to discuss the reasons for the referral and the nature of the proposed evaluation</li> <li>5. The district provides parents with an opportunity to consult with the Administrator of Special Education or his/her designee regarding the evaluators to be used and the proposed content of all required and optional assessments</li> <li>6. The school district does not limit a parent's right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education that may be described in the district's Curriculum Accommodation Plan, including any pre-referral program.</li> <li>7. The school district refuses to conduct an initial evaluation only when the circumstances of a student make clear that there is no suspicion of a disability and that there is no concern about the student's development.</li> </ol> <p><b>State Regulations</b> 28.04(1)</p> <p><b>Federal Requirements</b> 300.503(a)</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

**Comment:**

*The district needs to be sure not to limit the due process rights of parents.*

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT	
	Legal Standard	
SE 25	<p><b>Parental consent</b></p> <p>In accordance with state and federal law, the school district obtains informed parental consent as follows:</p> <ol style="list-style-type: none"> <li>1. The school district obtains written parental consent before conducting an initial evaluation or making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a reevaluation and before placing a student in a special education placement subsequent to the</li> </ol>	



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>initial placement in special education.</p> <ol style="list-style-type: none"> <li>2. The school district obtains consent before initiating extended evaluation services.</li> <li>3. The school district obtains consent to the services proposed on a student's IEP before providing such services.</li> <li>4. The school district obtains consent prior to placing a student in an initial special education placement and for any subsequent placement.</li> <li>5. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child.</li> <li>6. When the participation or consent of the parent is required and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation.</li> <li>7. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the initial placement, or the parent revokes consent to such reevaluation or placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the child. If, after consideration, the school district determines that the parent's failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through Special Education Appeals</li> </ol> <p><b>State Regulations</b> 28.07(1)</p> <p><b>Federal Requirements</b> 300.500(b)(1)</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that although parental consent is consistently obtained verbally, it is not always documented in writing.*

CRITERION NUMBER			
	Legal Standard		
SE 26	<p><b>Parent participation in meetings</b></p> <ol style="list-style-type: none"> <li>1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child.</li> <li>2. The Administrator of Special Education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend.</li> <li>3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.</li> <li>4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing.</li> <li>5. In cases where the district, after reasonable efforts, is unable to obtain the parents' participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents' participation.</li> </ol> <p><b>State Regulations</b> 28.02(22)</p> <p><b>Federal Requirements</b> 300.345(d), 300.501</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of records indicated that parents are not consistently notified in writing early enough to ensure that they have an opportunity to attend team meetings. The district is also not documenting its efforts to facilitate the participation of parents.*

CRITERION NUMBER			
	Legal Standard		
SE 27	<p><b>Content of Team meeting notice to parents</b></p> <ol style="list-style-type: none"> <li>1. The parent notice of an evaluation required by 603 CMR 28.04(1)(a) meets all of the content requirements set forth in MGL c.71B, §3, and in federal law and seeks the consent of the parent for any evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student's skills or abilities and to consult regarding the evaluators to be used.</li> <li>2. The parent notice of any Team meeting states the purpose, time and location of the meeting as well as who will be in attendance.</li> </ol> <p><b>State Regulations</b> 28.04(b)</p> <p><b>Federal Requirements</b> 300.503-504</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE</b>	<b>Yes</b>

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

**Department of Education Findings:**

*Review of documentation indicated that notices to parents pertaining to Team meetings did not consistently state the purpose of the meeting, or list the anticipated attendees.*

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

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that IEPs or notices to parents of findings of no eligibility are sometimes delayed.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 29</b>	<p><b>Communications are in English and primary language of home</b></p> <ol style="list-style-type: none"> <li>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.</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>2. If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (1) that it has provided such notice in an alternate manner, (2) that the content of the notice and (3) the steps taken to ensure that the parent understands the content of the notice.</p> <p><b>State Regulations</b> 28.07(g)</p> <p><b>Federal Requirements</b> 300.345(e)</p>
	<p><b>Rating: Partially Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that a system is not in place for communication with non-Spanish, non-English speaking parents.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 31</b>	<p><b>State and district responsibility for educational surrogate parents</b> 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.</p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<p>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.</p> <p>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 .</p> <p>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.</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.07(7)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.515</td> </tr> </table>	<b>State Regulations</b> 28.07(7)	<b>Federal Requirements</b> 300.515	
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<b>Rating: Not Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Review of documentation did not provide evidence that a policy is in place or being implemented to ensure that the district is meeting its responsibilities pertaining to educational surrogate parents.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
SE 32	<p><b>Parent advisory council for special education</b></p> <p>1. The school committee has established a parent advisory council on special education.</p> <p>2. Membership on the council is offered to all parents of children with disabilities and other interested parties.</p> <p>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.</p> <p>4. The parent advisory council has established by-laws regarding officers and operational procedures.</p> <p>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.</p> <p>6. The school district conducts, in cooperation with the parent advisory council, at</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</p> <p><b>STATE REGULATIONS</b>                      <b>FEDERAL REQUIREMENTS</b></p> <p>Chapter 71B, sec. 1C; 28.07(4)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>Yes</b></p>

**Department of Education Findings:**

*Review of documentation and interviews with staff and parents indicated that the duties of the Parent Advisory Council do not include an advisory role. Also, operational procedures are not stated and officers are not named.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT</b>
	<b>Legal Standard</b>
<b>MOA 7</b>	<p><b>General information and materials in languages other than English</b> 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><b>Rating: Partially Implemented</b>                      <b>District Response Required:</b>                      <b>Yes</b></p>

**Department of Education Findings:**

*Review of documentation showed that school handbooks were generally not available in languages other than English. Only the high school handbook was available in Spanish. Also, translated information and materials were not documented for low incidence languages.*

<b>CRITERION NUMBER</b>	<b>SAFE AND DRUG FREE SCHOOLS III. PARENTAL INVOLVEMENT</b>		
	<b>Legal Standard</b>		
<b>SDF 1</b>	The local education agency coordinates such agency's programs and projects with community-wide efforts to achieve such agency's goals for drug and violence prevention.  [Title IV Sec. 4115 (b) (2) (D)]		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*While community agencies provide some programs for students and have occupied seats on the district advisory council, there appears to be limited coordination between programs.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SDF 2</b>	The local education agency coordinates such agency's programs and projects with other federal, state, and local programs for drug-abuse and violence prevention, including health programs.  [Title IV Sec. 4115 (b) (2) (E)]		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*While numerous programs exist throughout the district, there appears to be limited coordination between them.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SDF 2A</b>	The Safe and Drug Free Schools Advisory Council is representative of community agencies. The Council includes parents, students and representatives from the schools and prevention community.  Advisory Council activities are directed toward developing appropriate drug abuse and violence awareness and prevention programs.  [Title IV Sec. 4115 (b) (2) (E)]		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE</b>	<b>Yes</b>

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

**Department of Education Findings:**

*In the past, the Safe and Drug Free Schools and Communities Act placed primary importance on the role of a fully representative and activist advisory council in every stage of development and evaluation of a violence and substance abuse prevention program. The district response to this standard must now reflect adaptation to the “No Child Left Behind” (NCLB) emphasis on continuing consultation with parents and community around safety, substance abuse, and violence prevention issues in the school. This must be part of the consolidated NCLB program design for FY 2003.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SDF 2B</b>	There is evidence of an ongoing role for the Advisory Council in program planning and implementation through a comprehensive set of activities.			
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<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Documentation provided describe an ongoing role for the advisory council. Interviews revealed that the advisory council met infrequently in FY 2002, thus impeding full realization of this standard. The district’s response to this standard beginning in FY 2003 must reflect adaptation to the NCLB emphasis on continuing consultation with parents and community around safety, substance abuse, and violence prevention issues in the school. This must be part of the consolidated NCLB program design for FY 2003.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SDF 3</b>	There are program activities implemented to promote the involvement of parents. [Title IV Sec. 4116 (a)(1)]			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Not Implemented</b></td> <td style="width: 25%; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: center;"><b>Yes</b></td> </tr> </table>	<b>Rating: Not Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Not Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Documentation and interviews indicated that there has not been uniform parent involvement in Safe*



and Drug Free Schools activities across the district. An action plan must describe how this standard will be met in the consolidated NCLB program design for FY 2003.

CRITERION NUMBER	<b>PERKINS VOCATIONAL III. PARENT AND COMMUNITY INVOLVEMENT</b>		
	<b>Legal Standard</b>		
<b>P 7</b>	Parents, students, teachers, representatives of business and industry, labor organizations, advisory committees and/or school councils, representatives of special populations, and other interested individuals are involved in the development, implementation and evaluation of career and technical programs. (Section 135)		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

**Department of Education Findings:** *Review of the program’s advisory committee documentation and staff and student interviews indicated the effectiveness of advisory committee membership participation. However, uniform policies and procedures need to be developed to maintain consistent implementation and documentation for all advisory committees.*

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

**Department of Education Findings:** *The Center for Technical Education’s summer programs, Open House, recruitment materials and the course description in the Program of Studies for vocational programs provide an excellent resource for parents and students. The well-organized middle school Shadowing Program with its added emphasis of nontraditional opportunities for students and the Center’s Tech Awareness Program for students to explore career and technical programs are commendable.*

## 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)
  - Safe and Drug Free Schools (Report Issue # SDF 4)
- Perkins Vocational and Technical Education (Report Issues # P 9-16)

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
SE 33	<p><b>Involvement in the general curriculum</b></p> <ol style="list-style-type: none"> <li>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> <li>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> <li>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> <li>4. In the IEP the district documents the student's participation in the general curriculum.</li> </ol> <p>State Regulations 28.05(4)(a) and (b)</p> <p>Federal Requirements 300.347(a)(1)(i); 300.137</p>		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
SE 34	<p><b>Continuum of alternative services and placements</b></p> <p>The district provides or arranges for the provision of each of the elements of the IEPs of students in need of special education from the ages of three through twenty-one, ensuring that a continuum of services and alternative placements is available to meet the needs of all students with disabilities, and takes all steps necessary to ensure compliance with all elements of the IEPs, including vocational education.</p> <p>State Regulations</p> <p>Federal Requirements 300.551;300.305; 300.123</p>		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 35</b>	<p><b>Specialized materials and assistive technology</b></p> <ol style="list-style-type: none"> <li>Specialized materials and equipment specified in IEPs are provided, are of good quality and are suitable for the role they play in the IEP.</li> <li>The school district provides evidence that assistive technology is considered for each eligible student and, if necessary, described in the IEP and provided by the district.</li> </ol> <p>State Regulations Federal Requirements 34 CFR 300.308, 34 CFR 300.346</p>
	<p><b>Rating: Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 36</b>	<p><b>IEP implementation, accountability and financial responsibility</b></p> <ol style="list-style-type: none"> <li>The district ensures that IEPs are implemented without delay upon parent consent.</li> <li>The district oversees in an ongoing manner the full implementation of each in-district and each out-of-district IEP it proposes which has been consented to by a child's parents.</li> <li>The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.</li> <li>The district provides all programs and services without expense to the child's parents.</li> <li>Each time the school district proposes to access the parent's private insurance proceeds to support the costs of IEP implementation, the school district obtains the parent's consent and informs the parents that their refusal to permit the school district to access their private insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents.</li> </ol> <p>State Regulations 28.06(3)                                      Federal Requirements 300.142; 300.350</p>
	<p><b>Rating: Partially Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>Yes</b></p>

**Department of Education Findings:**

Review of documentation did not indicate that the district has a process in place for the oversight of out-of-district placements.

CRITERION NUMBER	
	Legal Standard
SE 37	<p><b>Procedures for approved and unapproved out-of-district placements</b></p> <ol style="list-style-type: none"> <li>1. <u>Individual student program oversight</u>: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students' files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Education, or to the out-of-district placement.</li> <li>2. <u>Student right to full procedural protections</u>: The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district placement.</li> <li>3. <u>Preference to approved programs</u>: The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. Preference is also given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with LRE requirements. When an approved program is available to provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department.</li> <li>4. <u>Written contracts</u>: At a minimum, the school district enters into written contracts with all public and private out-of-district placements. Such contracts meet the content requirements of 28.06(3)(f)(1-5).</li> <li>5. <u>Use of unapproved programs</u>: A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student's IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation.</li> <li>6. <u>Placement documentation</u>: The following documentation is maintained by the school district pursuant to its placement of children in unapproved out-of-district programs:             <ol style="list-style-type: none"> <li>a. <u>Search</u>: The Administrator of Special Education documents the search for and unavailability of a program approved by the Department. The Administrator places such documentation in the student record.</li> </ol> </li> </ol>

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>b. <u>Evaluation of facility</u>: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation additionally determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.</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</p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	received approval from the host state.			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.02(13), 28.06(3)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.2(c)</td> </tr> </table>	<b>State Regulations</b> 28.02(13), 28.06(3)	<b>Federal Requirements</b> 300.2(c)	
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<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Review of documentation did not show that the district is monitoring the provision of services to and the programs of individual students placed in public and private out-of-district placements.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SE 38</b>	<p><b>Educational services in institutional settings (ESIS)</b>  <u>Department of Education responsibility:</u> In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities.  <u>School district responsibility:</u></p> <ol style="list-style-type: none"> <li>1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law.</li> <li>2. Where a student's IEP requires a type or amount of service that the facility does not provide, it remains the responsibility of the parent's school district to implement the student's IEP by arranging and paying for the provision of such service(s).</li> <li>3. The parent's school district coordinates with the state agency to ensure that the student receives an evaluation, an annual review, and special education services as identified at a Team meeting convened by the parent's school district.</li> </ol> <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.06(9)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b></td> </tr> </table>	<b>State Regulations</b> 28.06(9)	<b>Federal Requirements</b>	
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<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

CRITERION NUMBER			
	Legal Standard		
SE 39	<p><b>Procedures used to provide services to eligible students enrolled in private schools at private expense</b></p> <ol style="list-style-type: none"> <li>1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives.</li> <li>2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> <li>a. The district provides special education and/or related services designed to meet the needs of eligible children who are attending private schools at private expense and whose parents reside in the jurisdiction of the school district. The school district provides to such children genuine opportunities to participate in the public school special education program consistent with state constitutional limitations.</li> <li>b. The district provides or arranges for the provision of evaluation services and an IEP for any eligible private school child whose parent resides in the jurisdiction of the school district. The evaluation may take place in the public school, the private school, or an appropriate contracted facility, and the school district ensures that a representative of the child's private school is invited to participate as a member of the Team pursuant to §28.05.</li> <li>c. The district provides or arranges for the provision of the special education and/or related services described by the child's IEP and the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds.</li> <li>d. The district does not withdraw or withhold services from a child solely because the school district has met the spending requirements of federal law.</li> </ol> </li> <li>3. Special education services and/or related services provided by the district to a private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance.</li> <li>4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children.</li> </ol> <p><b>State Regulations</b> 28.03(e)</p> <p><b>Federal Requirements</b> 300.450-300.462</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**



*Review of documentation indicated a list of eligible students. However documentation was not provided that demonstrated how the above criterion is being met.*

<b>CRITERION NUMBER</b>	<b>Legal Standard</b>		
<b>SE 40</b>	<p><b>Instructional grouping requirements for students aged five and older</b></p> <ol style="list-style-type: none"> <li>1. The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP.</li> <li>2. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs.</li> <li>3. When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, group size does not exceed eight (8) students with a certified special educator, twelve (12) students if the certified special educator is assisted by one aide, and sixteen (16) students if the certified special educator is assisted by two aides.</li> <li>4. For eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students' school schedule, the district provides instructional groupings that do not exceed eight (8) students to one certified special educator or twelve (12) students to a certified special educator and an aide.</li> <li>5. After the school year has begun, if instructional groups have reached maximum size as delineated in paragraphs 3 and 4 of this criterion, the Administrator of Special Education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than two additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school.</li> <li>6. In such cases, the Administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated.</li> <li>7. The district takes all steps necessary to reduce the instructional groups to the sizes outlined in paragraph 3 or 4 of this criterion for subsequent years. Such steps are documented by the district.</li> </ol> <p style="text-align: center;"> <span style="display: inline-block; width: 45%;"><b>State Regulations</b> 28.06(6)</span> <span style="display: inline-block; width: 45%;"><b>Federal Requirements</b></span> </p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews did not clearly indicate the basis for the composition of instructional groupings. Instances were noted where class sizes exceeded regulatory limits.*

Documentation of waivers was not noted.

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

Review of documentation and staff interviews indicated that age span waivers were not consistently obtained as required.

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

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

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>MOA 8</b>	<p><b>Accessibility of extra curricular activities</b>  Extra curricular activities sponsored by the district are non-discriminatory in that:</p> <ul style="list-style-type: none"> <li>1. the school provides equal opportunity for male and female students to participate in intramural and interscholastic sports;</li> <li>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.</li> </ul> <p>Title II; Title IX ; Section 504; M.G.L. c. 76, s. 5</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

CRITERION NUMBER			
	Legal Standard		
<b>MOA 9</b>	<b>Promotional, recruitment, and employment practices of prospective employers of students</b> The district ensures that promotional efforts and recruitment and employment practices and materials aimed at students, including career days, work study, cooperative work experience and apprenticeship training programs, are free of bias and discrimination by: <ol style="list-style-type: none"> <li>1. depicting students from both sexes and under represented groups in all pictorial representations;</li> <li>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;</li> <li>3. requiring employers recruiting at the school to sign a statement that they do not discriminate in hiring or employment practices.</li> </ol> Title I; Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
<b>SDF 4</b>	Local SDFSCA activities (where applicable) are integrated with the following federal programs under IASA and Goals 2000 and the ESEA: <ul style="list-style-type: none"> <li>• Title I (helping disadvantaged children meet high standards);</li> <li>• Title II (professional development );</li> <li>• Subpart 1 of Part A of Title VII (bilingual education);</li> <li>• Subpart 4 of Part A of Title IX (Indian education);</li> <li>• Title VI (innovative education program strategies);</li> <li>• Part C of Title VII (emergency immigrant education); and</li> <li>• IDEA-97 (special education)</li> </ul> [Title IV Sec. 4115 (c) (2) (B) (iii)]		
	<b>Rating: Not Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*Interviews and documentation showed inconsistent efforts at program coordination. Under NCLB, the included federal grant programs are to be coordinated in a unified plan.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL IV. CURRICULUM AND INSTRUCTION</b>		
	<b>Legal Standard</b>		
<b>P 9</b>	Strategies to improve academic and career and technical skills of all students exist. (Section 135)		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

**Department of Education Findings:** *Staff and student interviews and review of documentation indicated that although the courses provided are rigorous and systems of extra help are provided to all students, the grade 11 and 12 Tech Math and Tech English course curricula should be aligned with the English Language Arts and Mathematics academic standards.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>P 10</b>	Strategies to improve career and technical skills of all students exist. (Section 135)		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

**Department of Education Findings:** *Staff and student interviews and review of documentation indicated that although the courses provided are rigorous and systems of extra help are provided to all students, all career and technical related course curricula should be aligned with the English Language Arts and Mathematics academic standards.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>P 11</b>	(a) Technology is used to improve academic education. (Section 135) (b) Technology is used to improve career and technical education.		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
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	<b>Legal Standard</b>		
<b>P 12</b>	Linkages between secondary and postsecondary programs exist and are accessible to all students. (Section 135)		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

**Department of Education Findings:** *Staff and student interviews and review of documentation indicated that although linkages between secondary and post-secondary programs exist, efforts need to be made to assure that all students are informed of the benefits of the Tech Prep program and that documentation is distributed appropriately among key stakeholders.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>P 13</b>	All students are provided with strong experience in and an understanding of all aspects of a modern industry. (Section 135)		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>P 14</b>	Instructional supplies and equipment meet the demands of the workforce. (Section 135)		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>P 15</b>	The required 15% minimum expenditure is being expended for activities consistent with the two priorities of the Massachusetts State Plan for Professional		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	Development. (Section 135)
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P16</b>	Individuals who are members of special populations { that include individuals with disabilities; individuals from economically disadvantaged families, including foster children; individuals preparing for nontraditional training and employment; single parents, including single pregnant women; displaced homemakers; and individuals with other barriers to educational achievement including individuals with limited English proficiency are provided with equal access to recruitment activities, admission and opportunities to a full range of courses of study without regard to race, color, gender, religion, national origin, English language proficiency, disability, or sexual orientation, and with programs that enable them to meet or exceed state adjusted levels of performance. (Section 122, Chapter 76, section 5 [Chapter 622], Title IX)
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

## 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)
- Perkins Vocational and Technical Education (Report Issues # P 17-18)



CRITERION NUMBER	<b>SPECIAL EDUCATION V. STUDENT SUPPORT SERVICES</b>		
	<b>Legal Standard</b>		
<b>SE 43</b>	<p><b>Behavioral interventions</b> 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>		
	<b>State Regulations</b>	<b>Federal Requirements</b> 300.346	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>	

CRITERION NUMBER			
	<b>Legal Standard</b>		
<b>SE 44</b>	<p><b>Procedure for recording suspensions</b> 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>		
	<b>State Regulations</b>	<b>Federal Requirements</b> 300.121(d)(2)	
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>4. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education.</p> <p>5. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.</p> <p><b>State Regulation</b> MGL c. 76, sec. 16-18 Chapter 71, section 37 H</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.519-300.529</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 46</b>	<p><b>Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district</b></p> <p>1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.</p> <p>2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes</p> <ul style="list-style-type: none"> <li>a. to develop or review a functional behavioral assessment of the student’s behavior to modify a behavior intervention plan or develop an assessment plan;</li> <li>b. to identify appropriate alternative educational setting(s); and</li> <li>c. to determine the relationship between the disability and the behavior - “a manifestation decision” (Is IEP appropriate? Is placement appropriate? If there was a behavior plan, was it implemented? Does student understand impact and consequences of his/her behavior? Can student control behavior?).</li> </ul> <p>3. If the Team determines that the behavior is <u>NOT</u> a manifestation of the disability, then the district may suspend or expel the student consistent with policies applied to any student without disabilities, except that the district must still offer an appropriate education program to the student with disabilities which may be in some other setting.</p> <p>4. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up</p>

CRITERION NUMBER	
	<p align="center"><b>Legal Standard</b></p> <p>to 45 days</p> <ol style="list-style-type: none"> <li>a. if the behavior involves weapons or illegal drugs or another controlled substance while at school or a school function; or</li> <li>b. if the district provides evidence that the student is “substantially likely” to injure him/herself or others and a hearing officer orders the alternative placement; and</li> <li>c. the interim alternative education setting enables the student to continue in the general curriculum, to continue receiving services identified on the IEP, and provides services to address the problem behavior.</li> </ol> <p>5. If the Team determines that the behavior <u>IS</u> a manifestation of the disability, then the district takes steps (with the consent of the parent) to correct the IEP, the placement, or the behavior intervention plan and does not suspend the student again during the school year.</p> <p>6. The school district provides written notice to the parent of all rights to appeal and to an expedited hearing. If the parent chooses to appeal, during the appeal the student stays put in the placement on the last accepted IEP or the interim alternative placement, unless the parent and the school district agree otherwise.</p> <p><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span>  <span style="float: right;">300.519-300.528</span></p>
<b>Rating: Implemented</b>	<div style="display: flex; justify-content: space-between;"> <span><b>DISTRICT RESPONSE REQUIRED:</b></span> <span><b>No</b></span> </div>

CRITERION NUMBER	
SE 47	<p align="center"><b>Legal Standard</b></p> <p><b>Procedural requirements applied to students not yet determined to be eligible for special education</b></p> <ol style="list-style-type: none"> <li>1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:             <ol style="list-style-type: none"> <li>a. The parent had expressed concern in writing; or</li> <li>b. The parent had requested an evaluation; or</li> <li>c. School district staff had expressed concern that the student had a disability.</li> </ol> </li> <li>2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures to conduct an expedited evaluation to determine eligibility. If</li> </ol>



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

CRITERION NUMBER			
	Legal Standard		
SE 49A	<p><b>Special Transportation</b></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"> <li>1. The Team determines necessary modifications, special equipment, assistance, need for qualified attendants on vehicles, and any particular precautions required by the student and documents such determinations in the student’s IEP. If specialized arrangements can be provided on regular transportation vehicles, the school district makes such arrangements.</li> <li>2. The district arranges to have eligible students who use wheelchairs transported in vehicles that do not require such children to be removed from their wheelchairs in order to enter or leave the vehicles; provided, however, that this requirement</li> </ol>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>is not applicable where a Team or the student’s physician recommends that the student regularly transfer in and out of conventional vehicles to or from a wheelchair for therapeutic or for independence training reasons.</p> <p>3. The Team specifies whether the student requires assistance in or out of the home, on or off of the vehicle, and in or out of the school. If such assistance is specified, the district ensures that it is provided.</p> <p>4. The Team specifies if the student has a particular need or problem that may cause difficulties during transportation, such as seizures, a tendency for motion sickness, behavioral concerns, or communication disabilities.</p> <p>5. The school district does not allow transportation considerations to influence, modify, or determine the educational program, including the length of the school day, required by any student.</p>
	<p><b>State Regulations</b> 28.05(5)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></p>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
<b>MOA 10</b>	<p><b>Notification of school district staff and the general public</b> At the beginning of each school year, students, parents, employees, and the general public are:</p> <p>1. notified that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability; given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s).</p> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<p><b>Rating: Partially Implemented</b></p> <p style="text-align: right;"><b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Review of district documentation and staff interviews indicated that the names of the coordinators for Title VI, Title IX and Section 504 were not provided in school handbooks and that in general, staff are not aware of them.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 11</b>	<p><b>Publication of notices of non-discrimination</b>  All publications for students, parents and employees, including written materials and other media used to publicize a school, specifically affirm that the school does not discriminate on the basis of race, 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><b>Rating: Partially Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>Yes</b></p>

**Department of Education Findings:**

*Review of documentation revealed that all publications do not contain a full notice of non-discrimination.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 12</b>	<p><b>Grievance procedures</b>  Written grievance procedures for students and for employees covering Title VI (race, national origin), Title IX (sex equity), and Section 504 (disability) have been adopted and published, and a grievance process is in place that provides prompt and equitable resolution.</p> <p>Title II; Title VI; Title IX; Section 504</p>
	<p><b>Rating: Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 13</b>	<p><b>Availability of information to prospective occupational/vocational students</b>  All students in grades 7-9, including those in special education and English as a second language programs, receive counseling and information on the full range of general curricular and any occupational/vocational opportunities available to them.</p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 30%; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 20%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>MOA 14</b>	<p><b>Counseling materials and activities free from bias and stereotypes</b> To ensure that materials and activities are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation or disability, all counselors:</p> <ol style="list-style-type: none"> <li>1. encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills;</li> <li>2. examine testing materials for bias and counteract any found bias when administering and interpreting test results;</li> <li>3. communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district;</li> <li>4. support students in non-traditional educational and occupational pursuits for their gender.</li> </ol> <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%;"><b>Rating: Implemented</b></td> <td style="width: 30%; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 20%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 15</b>	<p><b>Non-discriminatory administration of scholarships, prizes and athletic awards</b> Scholarships, prizes and athletic awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability with the following exceptions:</p> <ol style="list-style-type: none"> <li>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;</li> </ol>



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

**Department of Education Findings:**

*Review of documentation did not reveal the criteria on which scholarships, prizes and awards are based.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 16</b>	<p><b>Notice to students who have left or are about to leave school without a high school diploma</b></p> <p>The district provides timely notice in writing (in English and the student’s native language with a copy to parents) to students age 16-21 who have left or are about to leave school without obtaining a high school diploma or its equivalent and which includes the following information:</p> <ul style="list-style-type: none"> <li>a. their attendance is voluntary;</li> <li>b. their right to meet with a school representative to discuss the reasons for withdrawal;</li> <li>c. their rights to return to school; and</li> <li>d. all program options available to them.</li> </ul> <p>M.G.L. c. 76, s. 18</p>
	<p><b>Rating: Not Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>Yes</b></p>

**Department of Education Findings:**

*Review of documentation indicated that the notice to students pertaining to the above criterion did not contain all of the required elements.*

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

**Department of Education Findings:**

*Review of documentation indicated that all school handbooks did not include a comprehensive nondiscrimination policy statement.*

<b>CRITERION NUMBER</b>	<b>Legal Standard</b>		
<b>MOA 17A</b>	<p><b>Use of physical restraint on any student enrolled in a publicly funded education program</b></p> <ol style="list-style-type: none"> <li>1. The district has developed and implemented staff training at least annually on the use of restraint consistent with regulatory requirements.</li> <li>2. The district administers physical restraint on students only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm. The district implements restraint procedures consistent with Department of Education regulations in order to prevent or minimize any harm to the student as a result of the use of physical restraint.</li> <li>3. The district has developed written procedures regarding appropriate responses to student behavior that may require immediate intervention. Such procedures are annually reviewed and provided to school staff and made available to parents of enrolled students.</li> <li>4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Education consistent with the regulations.</li> <li>5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations.</li> </ol> <p>M.G.L. c. 71, s. 37G; 603 CMR 46.00</p>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL</b>
	<b>Legal Standard</b>
<b>P 17</b>	Programs and services exist that support student participation in and completion of nontraditional training and employment activities. (Section135)
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>P18</b>	The needs of students in alternative education programs are adequately addressed. (Section 122)
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

## COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION

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

:

- Special Education (Report Issues # SE 50-54)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18-21)
  - Perkins Vocational and Technical Education (Report Issue # P 19)

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

CRITERION NUMBER	<b>SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION</b>		
	<b>Legal Standard</b>		
	<p>do not interfere with the medical needs of the student. The principal coordinates such services with the Administrator for Special Education for eligible students. Such educational services are not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.</p> <p><u>Administrator of Special Education:</u></p> <p>5. The school district has an appointed person to be its Administrator of Special Education. The Administrator supervises all special education for the school district and ensures compliance with all federal and state special education laws. As appropriate, and in accordance with the requirements of MGL c.71B, §3A, the Administrator may designate other school district personnel to carry out some of the duties of the Administrator.</p>		
	<p><b>State Regulations</b> 28.03(3) Chapter 71, sec. 38Q and 38Q ½</p>	<p><b>Federal Requirements</b></p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews did not demonstrate that the district has developed a Curriculum Accommodation Plan. Also, not all special education policies and practices reflected current regulatory requirements, and indicated the need for review and revision.*

CRITERION NUMBER			
	<b>Legal Standard</b>		
<b>SE 51</b>	<p><b>Appropriate special education <u>teacher</u> certification</b> Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p>		
	<p><b>State Regulations</b> 28.02(3) 603 CMR 7.00</p>	<p><b>Federal Requirements</b> 300.23; 300.36</p>	
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated several instances of non-certified staff without appropriate waivers from the Department.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 53</b>	<p><b>Use of paraprofessionals</b></p> <ol style="list-style-type: none"> <li>1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services.</li> <li>2. Persons employed as paraprofessionals and assistants 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.</li> </ol> <p><b>State Regulations</b></p> <p><b>Federal Requirements</b> 300.136(f)</p>
	<p><b>Rating: Partially Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*Staff interviews indicated that district-wide professional development opportunities are not generally provided to paraprofessionals.*

CRITERION NUMBER			
	Legal Standard		
SE 54	<p><b>Professional development regarding special education</b></p> <ol style="list-style-type: none"> <li>1) The district considers the needs of all staff in developing training opportunities for professional and paraprofessional staff and provides a variety of offerings which at a minimum include the following training topics offered on an annual basis:</li> <li>2) state and federal special education requirements and related local special education policies and procedures;</li> <li>3) confidentiality of student records;</li> <li>4) training in analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the regular classroom of students with diverse learning styles;</li> <li>5) methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom;</li> <li>6) training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement;</li> <li>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</li> <li>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.</li> </ol> <p><b>State Regulations</b> Chapter 71, sec. 38g 28.03(1)(a) Chapter 71, sec. 38Q and 38Q ½</p> <p><b>Federal Requirements</b> 300.382</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Although review of documentation and staff interviews indicated that staff training is being provided and staff are familiar with some aspects of the above training topics, mandatory training sessions pertaining to all of the above specific topics were not documented.*

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



<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION</b>		
	<b>Legal Standard</b>		
	The district's employee recruitment activities are aimed at reaching all groups, including bilingual/bicultural persons, females/males in nontraditional roles and persons with disabilities. When certain categories of employment show a disproportionate number of females/males, racial and ethnic group members or disabled persons, the district makes efforts to recruit for such positions members of the under represented groups.  Title I; Title VI; Title IX; Section 504		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that the district needs to focus its efforts on developing a more diverse staff for regular education students.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>MOA 19</b>	<b>Employment application and interview procedures</b> Job application forms and interview questions 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		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>MOA 20</b>	<b>Non-discriminatory personnel policies and procedures</b> District personnel policies and procedures are free of discrimination and bias in the following areas:  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		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	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
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 21</b>	<b>Staff training regarding civil rights responsibilities</b> The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of disability, race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting.  Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*Review of district documentation and staff interviews indicated that annual staff training in the area of civil rights is not taking place.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>P 19</b>	All career and technical education staff in Perkins eligible programs appropriately certified, approved, or otherwise qualified. (M.G.L. c.74 s. 18, M.G.L. c.71.s.38G)
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

*Department of Education Findings: Review of documentation indicated that all vocational faculty do not hold appropriate certification/approval and current professional improvement status. Efforts*

*need to be made to regularly monitor non-certified/approved staff to assure that they are making progress to attain certification/approval within the appropriate timelines.*

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

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

**Department of Education Findings:**

*Site observations indicated the following inappropriate location of spaces for the delivery of special education services: speech under a stairwell at the Bennett School, a stand-alone portable classroom for life-skills students, a life-skills class at the high school designated as "Sheltered English," and a partitioned language based classroom at Johnny Appleseed Elementary School. Also, a sixth grade room without windows or second means of exit at Southeast Middle School needs to be reviewed by local fire officials for safety.*

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

CRITERION NUMBER	

	<b>Legal Standard</b>		
<b>MOA 23</b>	<p><b>Comparability of facilities and programs</b> Where the district provides separate facilities or programs for members of a specific group, facilities and programs are comparable to those offered other students in the district, including:</p> <ol style="list-style-type: none"> <li>1. separate classes and facilities for disabled, limited English-proficient or pregnant students that are comparable to the facilities, programs, equipment and services offered other students in the district;</li> <li>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.</li> </ol> <p>Title II; Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Not all spaces at the elementary level for services to Limited English Proficient students are comparable to spaces provided for all other students. Also refer to SE55*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL VII. SCHOOL FACILITIES</b>		
	<b>Legal Standard</b>		
<b>P 20</b>	Instructional facilities meet the demands of the workforce including those for state of the art facilities as well as for a healthy, safe environment. (Section 122 and Sec. 135)		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:** *The development and implementation of the Annual Programmatic Review along with the implementation of the Facility Checklist is commendable. However, all of the findings resulting from the needs assessment process should be addressed, implemented, completed, and regularly monitored for compliance. An Occupational Health and Safety Plan needs to be developed and implemented.*

## 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)
  - Safe and Drug Free Schools (Report Issue # SDF 5-8)
- Perkins Vocational and Technical Education (Report Issue # P 21)

CRITERION NUMBER	SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	<b>Legal Standard</b>
<b>SE 56</b>	<p><b>Special education programs and services are evaluated</b></p> <ol style="list-style-type: none"> <li>1. Special education programs, services and administrative areas are regularly evaluated.</li> <li style="background-color: #00FF00;">2. The district develops methods for determining the effectiveness of programs in assisting students with disabilities to achieve the goals set forth in their IEPs in the least restrictive environment.</li> <li>3. The district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed.</li> <li>4. As part of these evaluation procedures, the district measures the success of programs based on students' local and statewide assessment results, drop out rates and graduation rates for special education students.</li> </ol> <p><b>State Regulations</b> Chapter 71B Chapter 71, sec. 59C</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.137</p>
	<p><b>Rating: Not Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Review of district documentation and staff interviews indicated that a district-wide process for the evaluation of special education programs and services has not been developed.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	<b>Legal Standard</b>
<b>MOA 24</b>	<p><b>Curriculum review process</b></p> <p>The district has a process to ensure that teachers in the district regularly review all instructional and educational materials for simplistic and demeaning generalizations, lacking intellectual merit on the basis of disability, race, color, sex, religion, national origin and sexual orientation.</p> <p>M.G.L. c. 76, s. 5</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Staff interviews indicated that the district has a process for the review of curricular and instructional materials. However, the process is not documented.*



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 25</b>	<p><b>Institutional self-evaluation</b>  The district has in place a comprehensive evaluation process to examine and remedy policies and programs that discriminate or limit educational access due to race, color, sex, religion, national origin, sexual orientation, or disability.</p> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<p><b>Rating: Not Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>Yes</b></p>

**Department of Education Findings:**

*Interviews with staff and review of district documentation indicated that a comprehensive process is not in place to evaluate policies pertaining to the above areas of possible discrimination.*

<b>CRITERION NUMBER</b>	<b>SAFE AND DRUG FREE SCHOOLS VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>SDF 5</b>	<p>Each recipient bases its programs on a thorough assessment of objective data about the drug and violence problems in the schools and communities served. Each SDFSCA grant recipient conducts a thorough assessment of the nature and extent of youth drug use and violence problems.</p> <p>[Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116 ]</p>
	<p><b>Rating: Implemented</b>                      <b>District Response Required: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 6</b>	<p>Each recipient, with the assistance of a local or regional advisory council, establishes a set of measurable goals and objectives and designs its programs to meet those goals and objectives.</p> <p>[Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116 ]</p>
	<p><b>Rating: Implemented</b>                      <b>DISTRICT RESPONSE REQUIRED:</b>                      <b>No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 7</b>	Each recipient designs and implements its programs for youth based on research or evaluation that provides evidence that programs used actually prevent or reduce drug use, violence or disruptive behavior among youth.  [Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116 ]
	<b>Rating: Partially Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>Yes</b>

**Department of Education Findings:**

*The district needs to specify how they will implement “research-based or science-based” programs in grades K-12 as clearly required by their own data and analysis. “Research-based” or “science-based” programs are those that have been evaluated according to strict criteria and have demonstrated statistical evidence of effectiveness, e.g., Second Step and the Life Skills Training Program. The district has recently purchased one of these programs and the other has in the past been provided to a small number of students by a community organization, but at the time of this review, neither program has been appropriately implemented in the Leominster schools. An action plan must describe how this standard is addressed in the consolidated NCLB program design for FY 2003.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 8</b>	Each recipient evaluates its programs periodically to assess its progress toward achieving its goals and objectives, and uses its evaluation results to refine, improve and strengthen its programs, and to refine its goals and objectives as appropriate.
	<b>Rating: Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>No</b>

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>P 21</b>	<p>The school has developed and implemented a system of program evaluation that includes, at a minimum, the following four core indicators (Section 116):</p> <ul style="list-style-type: none"> <li>(i) Student attainment of challenging State established academic and vocational and technical skill proficiencies;</li> <li>(ii) Student attainment of a secondary school diploma or its recognized equivalent, a proficiency credential in conjunction with a secondary school diploma, or a post secondary degree or credential;</li> <li>(iii) Placement in, retention in, and completion of postsecondary education or advanced training, placement in military service, or placement or retention in employment; and</li> <li>(iv) Student participation in and completion of vocational and technical education programs that lead to nontraditional training and employment.</li> </ul>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:** *Review of documentation, classroom observations and staff interviews indicated that an annual program review process was developed and implemented. The program evaluation process includes the four core indicators outlined in Perkins III, identifies areas of strength, makes recommendations and has a process for correcting any deficiencies. Other programmatic offerings should develop a similar program review process. This should include but not be limited to student support services, academic and career and technical offerings, and cooperative education.*

## 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)
- Safe and Drug Free Schools (Report Issue # SDF 9)
- Perkins Vocational and Technical Education (Report Issue # P 22)

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

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

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	funds on services for children enrolled in private schools at private expense.			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.03(1)(e)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.230; 300.340-300.500</td> </tr> </table>	<b>State Regulations</b> 28.03(1)(e)	<b>Federal Requirements</b> 300.230; 300.340-300.500	
<b>State Regulations</b> 28.03(1)(e)	<b>Federal Requirements</b> 300.230; 300.340-300.500			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	<b>SAFE AND DRUG FREE SCHOOLS IX. RECORD KEEPING</b>		
	<b>Legal Standard</b>		
<b>SDF 9</b>	<p>Appropriate accounting and budget procedures are being implemented to insure that program expenditures are related to the purpose and intent of the Safe and Drug Free Schools and Communities Act.</p> <p>[(EDGAR 76.730 TO 734)]</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 50%;"><b>District Response Required: Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>
<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Documentation and interviews revealed compliance with all provisions of this standard except the requirement for the keeping of time distribution logs. As a result of the Department's visit, these logs have been designed and are to be implemented for FY 2003.*

<b>CRITERION NUMBER</b>	<b>PERKINS VOCATIONAL IX. RECORD KEEPING</b>		
	<b>Legal Standard</b>		
<b>P 22</b>	<p>Student records contain the items listed in the Perkins Student Record Review Checklist. (Section 122)</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 50%;"><b>District Response Required: Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>
<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:** *Staff interviews and review of records indicated that student records are not regularly maintained with up-to-date academic, career and technical, and extra curricular student information and relevant documentation. Many records did not contain any information after eighth grade attendance and some students had no record. There was no*

*documentation demonstrating that information is shared with students, parents and instructors. Additionally, there was no documented evidence that staff had accessed the records to assist students (i.e., signed record authorization forms).*

APPENDIX I:  
NUTRITION PROGRAMS AND SERVICES

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

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



<b>CRITERION NUMBER</b>	<b>NUTRITION PROGRAMS AND SERVICES</b>		
	<b>Legal Standard</b>		
<b>NS 1</b>	All free and reduced price and paid lunches claimed for reimbursement are served to students eligible for free, reduced price and paid lunches respectively; and are counted, recorded, consolidated and reported through a system which consistently yields correct claims. 7 CFR 210.18 (g) (1).		
	<b>Rating: Commendable</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

**Department of Education Findings:**

*More than eight hundred applications were reviewed district-wide. All applications were approved correctly. The approval process is outstanding.*

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

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>NS 4</b>	The School Food Authority works to strengthen the following school nutrition program participation and management practices: a. school nutrition participation b. nutrition education activities c. productivity evaluation 7CFR 210.19; 7CFR 220.8; 7CFR 210.9
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>NS 5</b>	All eligible students have access to the school food services program. 7 CFR 15b; 7 CFR 210.23(c).
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>NS 6</b>	The School Food Authority ensures that established sanitation and health standards are implemented. Facilities are properly safeguarded against theft, spoilage and other loss. 7 CFR 210.13
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

APPENDIX II:  
SCHOOL DISTRICT PROFILE INFORMATION

The information which is provided in this Appendix was drawn from data supplied by the school district. The Department's visiting team carefully reviewed this data as part of its planning for the onsite visit and in preparing this Coordinated Program Review Report. 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 TBE) and the location of specialized services such as Special Education Collaboratives, and Vocational Training Programs.

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

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## Directory Information

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

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

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

**Grades/Schools\*:** indicates the number and grade range of elementary, middle/junior high and high schools in the district, as well as the total number of schools in the district and the grade range of the school system. An elementary range beginning with "PK" indicates the district has pre-kindergarten. A high school range ending in "13" or "14" indicates the district has a post-graduate program. Kindergarten starting age indicates the age as of a particular date at which children are eligible to begin kindergarten.

**Services:** Services include:

- **Inter-district Choice:** indicates whether students from other districts may enroll in the district through the state school choice program, which is voluntary and on a space-available basis.
- **Intra-district Choice:** indicates whether the district has a school choice program within the school district for students who live in the district.
- **Vocational Education:** indicates whether the district operates a Chapter 74 approved vocational education program.
- **Transitional Bilingual Education (TBE):** indicates whether the district operates a TBE program. Under Massachusetts law, a district must provide a TBE program in a particular language if there are 20 or more limited English proficient students in that particular language group enrolled in the district. Limited English proficient students are students whose first language is not English and who cannot perform ordinary class work in English.
- **METCO:** indicates whether the district participates in the state METCO program, which promotes voluntary desegregation by enrolling minority students from Boston and Springfield in suburban schools.

**Relationships:** Relationships include:

- **Member of Regional Districts\*:** for local school districts, indicates the name(s) of any academic and/or vocational regional district(s) of which the local school district is a member. For regional school districts, indicates the names of member local school districts. A regional school district provides educational services to more than one town.

\* District level data only.

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## Enrollment

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

**Race/Ethnicity:** indicates the percent of enrollment by race/ethnicity for the listed school year. The reporting categories are those used by the U.S. Bureau of the Census.

**Selected Populations:** indicates the percent of enrollment represented by students in special education programs\*, students who are limited English proficient, and students eligible to receive free or reduced price lunch\*. Data are for the listed school year.

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

\* District level data only.

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## Test Results

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

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

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

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## People

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

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## Finance

**Per Pupil Expenditures\*:** are calculated by dividing a district's operating costs by its average pupil membership. Operating costs include expenditures for administration, instruction, pupil services, transportation, plant maintenance, and fixed charges. These costs do not include capital outlay and long-term interest on school debt. Average pupil membership includes students who receive services in the district's schools, as well as students receiving home or hospital instruction. Data for regular education, special education, bilingual education and vocational education students are provided in addition to the total for all day programs, for the listed school years.

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

**Foundation Budget Spending Comparison\*:** The education reform act established a foundation budget for each school district. This budget represents the minimum level of spending needed to provide an adequate education for the district's students. The foundation budget is made up of 19 separate categories. The chart shows the district's actual spending in each category for the listed school year as a percentage of the district's foundation budget. If the percentage exceeds 100%, the district spent more in the category than suggested by the foundation budget. If the percentage is less than 100%, the district spent less. Significant variations between local spending and the foundation budget, or between local spending and the statewide averages, should be reviewed closely. In some cases, the differences may be due to unique circumstances and needs within the district. In other cases, the differences may suggest potential areas for review and improvement.

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

\* District level data only.

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## Other Data

**Dropout/Attendance Rates:** indicates the percentage of students in grades 9-12 who dropped out of school between July 1 and June 30 prior to the listed year and who did not return to school by October 1. Dropouts are defined as students who leave school prior to graduation for reasons other than transfer to another school.

**Attendance Rate:** indicates the average percentage of enrolled students present in school for the listed school year.

**Student Exclusions:** indicates the number of student exclusions that occurred during the listed school year. An exclusion is defined as the removal of a student for disciplinary purposes permanently, indefinitely or for more than ten consecutive school days.

**Plans of High School Graduates:** indicates the post-graduate intentions of students for the listed school year.

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

The electronic version of this profile information is available at:

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

SE MOA TBE N SDFS P 2003

File Name: Leominster CPR Report 2003

Last Revised on: April 4, 2003

Prepared by: J.K., D.K.



**Leominster Public Schools**

**APPENDIX:**

**TITLE I FINDINGS**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of CPR Onsite Visit: October 28-November 1 and December 1,5 and 6, 2002**

**Dates of Title I Portion of CPR Onsite Visit: December 23, 2003**

**Date of Draft Report: March 4, 2003**

**Due Date for Comments: March 21, 2003**

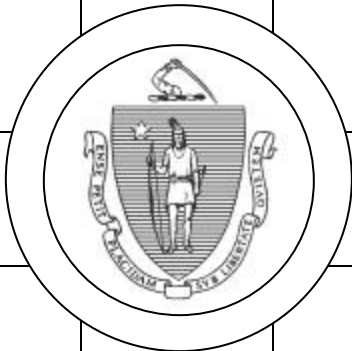
**Date of Final Report: April 4, 2003**

**Action Plan Due: May 23, 2003**

**Department of Education Onsite Team Members:**

**George Marshall**

**Kalister Byrd**



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**David P. Driscoll, Commissioner of Education**

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**MASSACHUSETTS DEPARTMENT OF EDUCATION  
COORDINATED PROGRAM REVIEW  
APPENDIX OF TITLE I FINDINGS  
(Refer for the Department’s Full Coordinated Program Review Report  
for Findings in other Regulated Program Areas)**

**Leominster**

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

<b>Commendable</b>	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation.
<b>Implemented</b>	The requirement is substantially met.
<b>Implementation in Progress</b>	The criterion includes one or more new 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.
<b>Partially Implemented</b>	The requirement, in one or several important aspects, is not entirely met.
<b>Not Implemented</b>	The requirement is totally or substantially not met.
<b>Not Applicable</b>	The requirement does not apply to the school district or charter school.

## COMPONENT 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:

Title I (Report Issues # TI 24-25)

<b>CRITERION NUMBER</b>	<b>TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
<b>TI 24</b>	<p>(For Targeted Assistance Schools) A description is available of the multiple, objective, educationally-related criteria used to identify eligible students in grade 3 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.</p> <p>1115 (b)(1)(B) NCLB</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 25</b>	<p>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.</p> <p>1115(b)(2)(A) NCLB</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

### COMPONENT III: PARENTAL INVOLVEMENT

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

- Title I (Report Issues # TI 26-28)

CRITERION NUMBER	<b>TITLE 1 III. PARENTAL AND COMMUNITY INVOLVEMENT</b>
	<b>Legal Standard</b>
<b>TI 26</b>	<p><u>School District Requirements:</u></p> <ol style="list-style-type: none"> <li>1. Title I programs, activities, and procedures are planned and implemented providing meaningful consultation with parents of participating children. 1118(a)(1)</li> <li>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)</li> <li>3. Parents are involved in the joint development of the school and district plan.</li> <li>4. Parents are involved in the joint development of a process of review and improvement of services.</li> <li>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.</li> <li>6. The school district builds schools’ and parents’ capacity for strong parental involvement.</li> <li>7. Title I parental involvement services are integrated with other programs’ parental involvement strategies at the school and district level.</li> <li>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)</li> <li>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)</li> </ol>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Interviews revealed that the level of parental involvement varies at individual Title I schools. As a result, program planning, program activities and parental consultation meetings do not occur on a consistent basis throughout the district. In addition, the district does not conduct an annual evaluation of the content and effectiveness of the parental involvement policy.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 27</b>	The district provides materials and training to Title I parents to enable them to

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	improve their children’s achievement. (e.g., literacy training, using technology to foster parental involvement, frequent meetings with teachers, etc.)  1118(e)(2) NCLB
	<b>Rating: Partially Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>Yes</b>

**Department of Education Findings:**

*Interviews revealed that parents of Title I children in the first and second grades are more likely to receive training and be provided with materials to improve the skills of their children. Training opportunities for parents of Title I students were found not to be consistent at all grade levels that provide Title I services.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 28</b>	<p><u>School Requirements:</u></p> <ol style="list-style-type: none"> <li>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</li> <li>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</li> <li>3. The school implements the following policy involvement requirements: <ul style="list-style-type: none"> <li>- Convenes annual meetings at times convenient for parents;</li> <li>- Offers a flexible number of meetings (e.g., in the early morning or in the evening, etc.);</li> <li>- Involves parents in an organized, ongoing, timely way in the planning, review, and improvement of school parental involvement policy and schoolwide programs;</li> <li>- Provides parents with timely information about Title I programs, descriptions and an explanation of the Title I curriculum and assessment procedures;</li> <li>- Provides parents with opportunities for regular meetings regarding the education of their children; and</li> <li>- Provides parents with materials and training to improve their children’s achievement.</li> </ul> 1118 (c)(1)-(4); 1118 (e)(2) NCLB</li> <li>4. Each school develops jointly with parents a school-parent compact that outlines shared responsibilities for improving student achievement and</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	achieving the state's high standards.  1118(d) NCLB
	<b>Rating: Partially Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that the district has developed parental involvement policies with parental input and participation. These policies were recently reviewed and updated. However, some essential procedures, activities and processes are not consistently a component of the Title I parental involvement program on a district-wide level. The areas of concern are as follows: 1) A sufficient number of parental meetings are not scheduled on a flexible schedule, 2) Sufficient numbers of parents are not involved in the planning, review and improvement of the parental involvement program and 3) Parents are not consistently involved in training activities pertaining to materials to assist them in helping their children to improve.*



#### 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:

- Title I (Report Issues # TI 29-33)

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

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 30 – TAS/SWP</b>	<p>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.</p> <p>1114(b)(1)(B)(ii)(II); 1115(c)(1)(C)(i) NCLB</p>		
	<b>Rating: Commendable</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

**Department of Education Findings:**

*The extended day program for children in grades one through three provides an effective continuum of supplementary support for students residing in the Riverside public housing development. Participating staff at Appleseed School have developed an after-school program that provides quality instruction in math through the use of manipulatives and group problem solving.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 31 - SWP</b>	<p>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:</p> <ul style="list-style-type: none"> <li>• teachers, principals and other staff, and where appropriate,</li> <li>• pupil services personnel,</li> </ul>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<ul style="list-style-type: none"> <li>• parents, and</li> <li>• secondary school students, if applicable.</li> </ul> <p>1114(b)(2)(B)(ii) NCLB</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

**Department of Education Findings:**

*The district does not operate a Title I school-wide program.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 32 - SWP</b>	<p>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.</p> <p>1114(b)(1)(A) NCLB</p>
	<p><b>Rating: Not applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

**Department of Education Findings:**

*The district does not operate a Title I school-wide program.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 33- SWP</b>	<p>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.</p> <p>1112(c)(1)(C); 1114(b)(1)and (2) NCLB</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

**Department of Education Findings:**

*The district does not operate a Title I school-wide program.*

## 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:

- Title I (Report Issues # TI 34)

<b>CRITERION NUMBER</b>	<b>TITLE 1 V. STUDENT SUPPORT SERVICES</b>	
	<b>Legal Standard</b>	
<b>TI 34</b>	<ol style="list-style-type: none"> <li>1. Appropriate officials from private schools are informed and consulted about the availability of Title I services.</li> <li>2. Written affirmation is obtained and signed by officials of each participating private school, confirming that required consultation has occurred.</li> <li>3. Appropriate officials from Neglected or Delinquent (N or D) facilities are informed and consulted about the availability of Title I services.</li> </ol> <p>1120 NCLB</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

## 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.

:

- Title I (Report Issues # TI 35-36)

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION	
	Legal Standard	
<b>TI 35</b>	<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"> <li>• Teachers are highly qualified.</li> <li>• Paraprofessionals: <ul style="list-style-type: none"> <li>- <b>New Hires</b> (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).</li> <li>- <b>Existing Paraprofessional Staff</b> (hired prior to January 8, 2002): working to satisfy requirements by 2006; and</li> <li>- <b>All paraprofessional staff</b> have earned a secondary high school diploma.</li> </ul> </li> </ul> <p>MGL Chapter 71, 38G 1119(a), (c), (d), and (f) NCLB</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

CRITERION NUMBER		
	Legal Standard	
<b>TI 36</b>	<p>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.</p> <p>1119(k)(1) NCLB</p>	
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED: No</b>



## 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:

- Title I (Report Issues # TI 37-43)

CRITERION NUMBER	<b>TITLE 1 VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>TI 37</b>	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
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that needs assessments and data analysis are not consistently conducted on an annual basis at each Title I school. These processes occurred more often when a district-wide building specific federal or state educational initiative request required that information be provided.*

CRITERION NUMBER	<b>Legal Standard</b>
<b>TI 38</b>	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
	<b>Rating: Implemented</b> <b>DISTRICT RESPONSE REQUIRED: No</b>

CRITERION NUMBER	<b>Legal Standard</b>
<b>TI 39</b>	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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*At the time of the department's onsite visit, there were no schools identified as "in need of improvement."*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 40</b>	<p>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..</p> <p>1116(b)(3)(A)(iii)(I) NCLB</p>
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*At the time of the Department's onsite visit, there were no schools identified as "in need of improvement."*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 41</b>	<p>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.</p> <p>1116(b)(1)(E)(i) and (ii) NCLB 2763A-32 of P.L. 106-554 (Education Appropriations Act, 2001)</p>
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*At the time of the Department’s onsite visit, there were no schools identified as “in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 42</b>	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)
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*At the time of the Department’s onsite visit, there were no schools identified as “in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 43</b>	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
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*At the time of the Department’s onsite visit, there were no schools identified as “in need of improvement.”*

## COMPONENT IX: RECORD KEEPING

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

- Title I (Report Issues # TI 44-45-Program Requirements and TI 1-23-Fiscal Requirements)

<b>CRITERION NUMBER</b>	<b>TITLE 1 IX. RECORD KEEPING – PROGRAM REQUIREMENTS</b>
	<b>Legal Standard</b>
<b>TI 44</b>	<ol style="list-style-type: none"> <li>1. The district has submitted all required reports to the Department including the district Title I Plan/Application and Performance and Achievement Report.</li> <li>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.</li> <li>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.</li> </ol> <p>1113; 1116 (c)(1)(B) NCLB</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 45</b>	<p><b>Federal Title I Grant:</b></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 implementation.</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	<b>TITLE I IX. RECORD KEEPING – FISCAL REQUIREMENTS</b>		
	<b>Legal Standard</b>		
<b>TI 1</b>	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		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 2</b>	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		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 3</b>	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		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 4</b>	<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>		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 5</b>	<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>		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 6</b>	<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"> <li>1. a district-wide salary schedule;</li> <li>2. a policy to ensure equivalence among schools in teachers, administrators, and other staff; and</li> <li>3. a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.</li> </ol>		



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	1120A(c)(2)(A) NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 7</b>	<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"> <li>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.</li> <li>2. Student/staff salary ratios: The Title I school averages are at least 90% of the average of non-Title I schools.</li> <li>3. Staff salary differentials for years of employment are not used in implementing requirements under criterion TI 7(2) above.</li> </ol> <p>1120A(c)(2)(B); 1120A(c)(3)(A) NCLB; Title I Policy Guidance IASA</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 8</b>	<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>
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 9</b>	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
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*At the time of the department's onsite visit there were no grade spans with significant school enrollment differences that would require a large group or small group division.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 10</b>	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
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 11</b>	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
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The district does not use the exclusionary method when determining supplement versus supplant.*

Refer also to TI 15.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 12</b> [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
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 13</b> [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
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 14</b> [Applicable to Schoolwide Programs (SWP)]	<ol style="list-style-type: none"> <li>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</li> <li>2. The school district is able to demonstrate that the Title I funds in a SWP</li> </ol>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<p>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.</p> <p>1114(a)(2)(B) NCLB</p>			
	<table> <tr> <td><b>Rating: Not Applicable</b></td> <td style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="text-align: center;"><b>No</b></td> </tr> </table>	<b>Rating: Not Applicable</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Not Applicable</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**Department of Education Findings:**

*The district does not operate a Title I school-wide program.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<p><b>TI 15</b> (Exclusion)</p>	<p><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></p> <p>1120A 1120A(d)</p>			
	<table> <tr> <td><b>Rating: Not Applicable</b></td> <td style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="text-align: center;"><b>No</b></td> </tr> </table>	<b>Rating: Not Applicable</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Not Applicable</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**Department of Education Findings:**

*The district does not use the exclusionary method when determining supplement versus supplant.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<p><b>TI 16</b></p>	<p>In implementing federal Title I supplement, not supplant requirements, the school district has developed and implements a Supplement Not Supplant policy and procedure.</p>			
	<table> <tr> <td><b>Rating: Implemented.</b></td> <td style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="text-align: center;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented.</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented.</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 17</b>	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
	<b>Rating: Partially Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>Yes</b>

**Department of Education Findings:**

*Review of documentation and staff interviews indicated that some split-funded staff do not maintain a record of time and effort through either a daily or weekly log, or an appropriately developed class schedule.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 19</b>	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
	<b>Rating: Implemented</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 20</b>	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
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 21</b>	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
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 22</b>	The school district has made private school allocations in accordance with Title I requirements.  1120(a); 1120(b); 1120(c) NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>TI 23</b>	Budgeting – The school district budget process demonstrates appropriate Title I program planning and implementation consistent with identified student needs at each school.  MADOE Title I Grant Application Instructions and Guidance			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 30%; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 20%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

TI APPENDIX

File Name: Leominster CPR Draft Title I Appendix  
Last Revised on: April 4, 2003  
Prepared by: Title I staff, JK, DK