

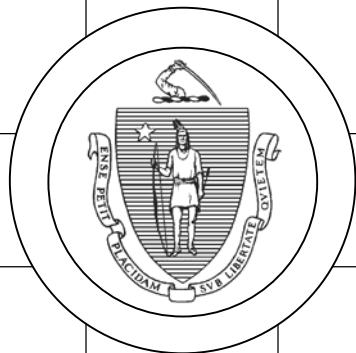


**SOUTH BOSTON HARBOR ACADEMY CHARTER  
SCHOOL**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of Onsite Visit: May 5-9, 2003**  
**Date of Draft Report: October 3, 2003**  
**Due Date for Comments: October 20, 2003**  
**Date of Final Report: November 21, 2003**  
**Action Plan Due: January 9, 2004**

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MASSACHUSETTS DEPARTMENT OF EDUCATION  
COORDINATED PROGRAM REVIEW

SOUTH BOSTON HARBOR ACADEMY CHARTER SCHOOL

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# MASSACHUSETTS DEPARTMENT OF EDUCATION

## COORDINATED PROGRAM REVIEW REPORT

### South Boston Harbor Academy Charter School

#### OVERVIEW OF REVIEW PROCEDURES

As one part of its Accountability System, the Department of Education oversees local compliance with education requirements through the Coordinated Program Review System (CPR). Most reviews include selected requirements in special education under the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.* (IDEA-97), and M.G.L. Chapter 71B (Chapter 766 of the Acts of 1972) and certain federal civil rights requirements under Titles I and II of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, together with related state requirements under M.G.L. Chapter 76, Section 5 (Chapter 622 of the Acts of 1971) and other related Massachusetts General Laws. Additionally, all reviews include certain standards included under the Board of Education's Physical Restraint regulations (603 CMR 46.00). Other monitoring activities in the areas of Title I, Safe and Drug-Free Schools and Communities Act, the Perkins Vocational and Technical Education Act, and Nutrition Programs and Services are conducted in some districts during these Coordinated Program Review procedures. The selected school districts for 2002-2003 were notified by the Commissioner of Education in June 2002 of scheduled visits and were required to implement self-assessment activities prior to the arrival of the Department's visiting team.

#### Coordinated Program Review Elements

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

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

**Content:** The Program Review criteria encompass the required elements for the specific program areas. In the case of special education, the elements selected for the 2002-2003 reviews contain, at a minimum, those required by the federal Office for Special Education Programs (OSEP) and revised requirements included under IDEA-97 as described in the Department's Special Education Advisories. Additionally, the 2002-2003 reviews incorporate updated state special education requirements as adopted by the Board of Education and effective on December 20, 2000. The Program Review compliance criteria selected in all of the regulated program areas are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993, and intended to promote high standards and achievement for all students.

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

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

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

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

\* \* \* \* \*

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

## REPORT INTRODUCTION

A four-member Massachusetts Department of Education team visited South Boston Harbor Academy Charter School during the week of May 5, 2003 to evaluate the implementation of selected criteria in the program areas of Civil Rights, Special Education and Title I. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district. The onsite team would like to commend the following area that was brought to its attention and that it believes has a significant and positive impact on the delivery of educational services for students enrolled in the South Boston Harbor Academy Charter School:

*South Boston Harbor Academy Charter School is strongly committed to ensuring that all students receive an education based on the Massachusetts Curriculum Frameworks. In order to ensure that all students have additional opportunities to access the curriculum, the school has developed several programs: a Saturday School program to assist all students who are at risk of failing one or more classes during the school year, after-school tutoring and homework support, and previewing, which occurs before school and introduces students to the content of certain subjects before it is encountered in class that day.*

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 nine administrative staff.
- Interviews of 12 teaching and support services staff across all levels.
- Interviews of six parent advisory council (PAC) representatives.
- Student record reviews: the Department selected a sample of 20 special education student records. 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: 24 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. Seven of these parent surveys were returned to the Department of Education for review by the onsite team, and one letter from a parent was sent to the Department.
- Observation of classrooms and other facilities. A sample of one instructional classroom 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 indicated 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

### South Boston Harbor Academy Charter School

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

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

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

South Boston Harbor Academy Charter School appropriately selects and interprets assessments. However, the charter school does not always conduct educational assessments or assess in the suspected area(s) of disability. In addition, the charter school does not implement the requirements for a determination of specific learning disability. Assessment results are made available to parents, and the evaluation team is composed of the necessary members. While the charter school staff understands that a parent may request an independent evaluation and complies with all associated timelines, the charter school does not implement the procedures for the sliding fee scale.

All students with disabilities participate in MCAS. The charter school ensures that annual reviews, re-evaluations and end-of-the-school-year evaluations occur within the appropriate timeframes. Additionally, the charter school consistently provides the IEP to the parent within 45 school working days after receiving the parent's consent to an evaluation and within 3-5 days after the Team meeting. While parents of special education students receive progress reports at least as often as parents of non-disabled students, progress reports do not always address whether the student's progress is sufficient to enable the student to achieve the goals by the end of the IEP period.

Major service providers do not always attend the annual review Team meetings. In addition, the IEP Team inconsistently includes student vision statements in the IEPs.

#### **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?*

South Boston Harbor Academy Charter School has continuous contact with groups that might transfer students with special needs into the charter school.

There are concerns with IEP development. A number of IEPs have been written for consultation services only, not specially designed instruction indicated, and Teams develop IEPs according to the availability of instruction or related services. After the Team develops the IEP, it will sometimes be changed at a higher administrative level within the charter school. Finally, parents do not leave the Team meeting with a written description of agreed-upon goals and services.

Parents do not always sign student placement pages, and the placement page does not always correspond with the actual placement of the child. In addition, while the charter school immediately informs parents in writing when there will be a delay in services, the letter to the parents does not mention the need to provide the student with compensatory services. The IEP does not always articulate the basis for the removal of a student from the general education program, and IEP Teams do not consider the need for extended year services. However, appropriate procedures are in place for the use of extended evaluations, and the confidentiality of any personally identifiable information is protected.

On its enrollment application the school asks for the language that is spoken at home. However, the charter school has no plan or procedures for assessing students' English language proficiency if the need arises. Moreover, the charter school has no plan for programs or supports that could be implemented for limited-English-proficient students.

All students have access to the full range of education programs. However, data indicated that a disproportionate number of males are found eligible for special education services. Finally, the charter school does not have a policy for participation of pregnant students in school programs.

### **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?*

South Boston Harbor Academy Charter School consistently obtains parental consent before conducting any evaluations or beginning services. In addition, the charter school ensures that one or both parents participate in Team meetings. Team meeting notices contain the required content, and parents are provided with parents' rights along with the IEP.

However, notices to parents at key junctures required under federal special education law do not always contain complete information. In addition, the charter school does not have a process for translating documents or obtaining interpreters. While the charter school has a parent advisory council (PAC), the PAC has not established bylaws regarding officers and operational procedures.

### **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?*

South Boston Harbor Academy Charter School holds all students to high standards, and all curricula are aligned with the Massachusetts Curriculum Frameworks. Moreover, the charter school has created programs, such as Saturday School and after-school tutoring and homework programs that are available to all students who need additional support. Students with disabilities have access to assistive technology, and age span and instructional group size requirements are met. Extracurricular opportunities are available to all groups, and the charter school ensures that prospective employers' promotional efforts and employment and recruitment practices and materials are free from bias and discrimination.



### **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?*

South Boston Harbor Academy has a system in place for tracking suspensions. Key personnel have a clear understanding of the federal disciplinary procedures for students with disabilities. Students with disabilities are provided with opportunities equal to those of their non-disabled peers to participate in educational, non-academic and extracurricular activities. The charter school makes provisions for special transportation needs.

Counseling materials and activities are free from bias and stereotypes, and awards and scholarships are free from discriminatory restrictions.

The Student and Family Handbook contains the grievance procedures for students and employees who feel they have been discriminated against or harassed based on race, color, national origin, sex, disability, age, sexual orientation and religion. However, the school does not have a policy or procedures regarding the use of physical restraints.

### **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?*

At the time of the Coordinated Program Review, all related service staff were certified. While the charter school has a District Curriculum Accommodation Plan (DCAP), the DCAP does not include all required elements. In addition, the charter school has not provided opportunities for training in analyzing and accommodating diverse learning styles of all students in order to achieve the objective of inclusion in the regular classroom of students with diverse learning styles.

Employee recruitment activities are aimed at all groups, and the employment application, as well as personnel policies and procedures, are nondiscriminatory. However, the charter school does not provide all school personnel with annual in-service training regarding civil rights responsibilities.

### **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?*

South Boston Harbor Academy Charter School is entirely accessible to students with disabilities. Moreover, classrooms and facilities used to provide instruction for special education students maximize their inclusion into the life of the school. However, rooms are not always made available for related service providers who are providing one-on-one services; therefore, students do not always receive services in a private, quiet location.

### **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?*

South Boston Harbor Academy Charter School conducts a comprehensive review of its policies and programs with regard to civil rights. However, the charter school does not evaluate its special education programs and services.

The charter school does not have a curriculum review process.

**Component IX: Record keeping**

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

South Boston Harbor Academy Charter School does not always include SASID numbers on its IEPs.

**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.

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

## COMPONENT I: ASSESSMENT OF STUDENT PROGRESS

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

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

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

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 2	<p><b>Required and optional assessments</b></p> <ol style="list-style-type: none"> <li>1. <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="float: right;"><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>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*The student record review indicated that education assessments and assessments in the suspected area of disability are not always conducted before making an eligibility determination.*

<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, or economic disadvantage.</li> </ol> <p><u>Required written certification of Team members:</u></p>

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	Each Team member certifies in writing whether the report reflects his or her conclusion. If not, the Team member submits a separate statement presenting his or her conclusions.				
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<b>Rating: Not Implemented</b>	<b>District Response Required: Yes</b>				

**Department of Education Findings:**

*Student record review and interviews indicated that the district is unaware of the requirements for making a determination of a specific learning disability. Observations are not conducted and the required documentation is not completed.*

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
<b>SE 4</b>	<p><b>Reports of assessment results</b></p> <ol style="list-style-type: none"> <li>1. Each person conducting an assessment shall summarize in writing the procedures employed, the results, and the diagnostic impression, and shall define in detail and in educationally relevant and common terms, the student’s needs, offering explicit means of meeting them. Assessors may recommend appropriate types of placements, but shall not recommend specific classrooms or schools.</li> <li>2. Summaries of assessments are completed prior to discussion by the Team and, upon request, are made available to the parent at least two days in advance of the Team discussion.</li> </ol>				
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<b>Rating: Implemented</b>	<b>District Response Required: No</b>				

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 5</b>	<p><b>Participation in general State and district-wide assessment programs</b></p> <ol style="list-style-type: none"> <li>1. All students with disabilities whose placements are funded by the district are included in the Massachusetts Comprehensive Assessment System (MCAS) and other district-wide assessment programs.</li> <li>2. The district’s IEP Teams designate how each student will participate and, if</li> </ol>



<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	necessary, provide an alternate assessment.				
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CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>SE 6</b></p>	<p><b>Determination of transition services</b></p> <ol style="list-style-type: none"> <li>1. For a student who is 14 years of age, the Team considers the student's course of study in relation to the student's future goals and document this in the IEP.</li> <li>2. For a student who is 16 years of age, or younger if appropriate, the Team includes in the IEP services that promote movement of the student from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.</li> <li>3. The transition services are based upon the student's needs, taking into account the student's preferences and interests and includes specially designed instruction, community experiences, the development of employment or other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation.</li> <li>4. For any student approaching graduation or the age of twenty-two, the Team determines whether the student is likely to require continuing services from adult human service agencies. In such circumstances, the Administrator of Special Education makes a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c.71, §12A-§12C (known as Chapter 688).</li> <li>5. In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the Team reconvenes to identify alternative strategies to meet the transition objectives.</li> <li>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</li> </ol> <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: Yes</b></p>

**Department of Education Findings:**

*The student record review showed that IEP teams do not consistently include vision statements in IEP's for students 14 and older.*

CRITERION NUMBER		
	Legal Standard	
SE 7	<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 the student has shared decision-making</li> <li>(c) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.</li> </ol> </li> </ol> <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>	
	<b>Rating: Not Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*No eighteen-year-olds currently attend South Boston Harbor Academy Charter School. However, the charter school does enroll students through grade 11 and is planning on expanding through to grade 12. Consequently, the school must have procedures in place to implement these requirements beginning when any student turns seventeen.*





<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	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..				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b></td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> <tr> <td>28.05(1)</td> <td>300.342</td> </tr> </table>	<b>State Regulations</b>	<b>Federal Requirements</b>	28.05(1)	300.342
<b>State Regulations</b>	<b>Federal Requirements</b>				
28.05(1)	300.342				
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>				

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

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>is sent to the parents and to the school district. The independent evaluator's report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools.</p> <p>6. Within ten (10) school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.04(5)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.503(a)(3)(i)</td> </tr> </table>	<b>State Regulations</b> 28.04(5)	<b>Federal Requirements</b> 300.503(a)(3)(i)
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<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Based on interviews, it appears that staff are unaware of the correct procedures for using the sliding fee scale for independent educational evaluations. In addition, documentation shows that the school lacks procedures for conducting independent educational evaluations.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 12</b>	<p><b>Frequency of re-evaluation</b></p> <ol style="list-style-type: none"> <li>1. Every three years, or sooner if necessary, the school district, with parental consent, conducts a full three-year re-evaluation consistent with the requirements of federal law.</li> <li>2. The district implements re-evaluation procedures in all cases where it is suspected that a student is no longer eligible for special education.</li> </ol>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.04(3)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.536</td> </tr> </table>	<b>State Regulations</b> 28.04(3)	<b>Federal Requirements</b> 300.536
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<b>Rating: Implemented</b>	<b>District Response Required: No</b>		
<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 13</b>	<p><b>Progress Reports and content</b></p> <ol style="list-style-type: none"> <li>1. Parents receive reports on the student's progress toward reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled</li> </ol>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>students.</p> <p>2. Progress report information sent to parents includes written information on the student's progress toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year.</p> <p><b>State Regulations</b> 28.07(3)</p> <p><b>Federal Requirements</b> 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Student records show that progress reports do not always address whether the student has made sufficient progress to achieve the IEP goals by the end of the IEP period.*

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

**Department of Education Findings:**

*Student record review and interviews show that major service providers do not always attend the annual review Team meeting.*



## 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)



**Department of Education Findings:**

*Pursuant to its charter, South Boston Harbor Academy does not serve the relevant population. The school currently serves students in grades 5 – 11.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>SE 17</b></p>	<p><b>Initiation of services at age three and Early Intervention transition procedures</b></p> <ol style="list-style-type: none"> <li>1. The school district encourages referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements.</li> <li>2. The district implements procedures to ensure the effective transition of young children with disabilities from Early Intervention Programs through participation in transition planning conferences arranged by such programs.</li> </ol> <p><b>State Regulations</b> 28.06(7)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*Pursuant to its charter, South Boston Harbor Academy does not serve the relevant population. The school currently serves students in grades 5 – 11.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>SE 18A</b></p>	<p><b>IEP development and content</b></p> <ol style="list-style-type: none"> <li>1. Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP at the Team meeting using the evaluation data to guide development of measurable, annual goals and objectives/benchmarks for the student. If the district chooses to draft any element(s) of the IEP for discussion, the Team Chairperson ensures that those elements are genuinely considered prior to adoption at the Team meeting. All ideas and needs of the child as expressed by all Team members, especially the parents, are genuinely considered by the district prior to proposing the IEP.</li> <li>2. The IEP includes specially designed instruction to meet the needs of the individual student and related services 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.</li> </ol>

CRITERION NUMBER			
	Legal Standard		
	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. 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. 5. If the Team members are unable to agree on the IEP, the Team chairperson states the elements of the IEP proposed by the school district. 6. The school district ensures that each IEP Team has at least one person with authority to commit the resources of the district and that whatever services are set out in the IEP will actually be provided and that the IEP will not be changed at a higher administrative level within the district. 7. The IEP is written in generally understandable language.	<b>State Regulations</b> 28.05(3), (4), (6) and (7) 28.06(2)	<b>Federal Requirements</b> 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*Student record review indicated that some IEPs have been written indicating consultation services only, not specially designed instruction. Interviews indicated that IEP services are sometimes determined by the availability of services within the school or through existing contracts, not by the individual student's needs. Interviews also indicated that in some cases elements of IEPs that have been agreed to at the Team meeting are changed at a higher administrative level within the school.*

CRITERION NUMBER			
	Legal Standard		
SE 18B	<b>Determination of placement; provision of IEP to parent</b> 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. 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. 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		

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	<p>at which the services are to be provided.</p> <p>4. The placement selected by the Team is the least restrictive environment consistent with the needs of the student.</p> <p>5. Immediately following the development of the IEP, and within 45 school working days after receipt of the parent's written consent to an initial evaluation or reevaluation, the district provides the parent with two (2) copies of the proposed IEP and proposed placement along with the required notice, except that the proposal of placement may be delayed according to the provisions of 603 CMR 28.06(2)(e) in a limited number of cases.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b></td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> <tr> <td>28.05(6) and (7)</td> <td>300.346</td> </tr> </table>	<b>State Regulations</b>	<b>Federal Requirements</b>	28.05(6) and (7)	300.346
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<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>				

**Department of Education Findings:**

*Student record review shows that parents do not always sign placement pages and that the placement pages do not always correspond with the actual placement of the child. Interviews indicate that parents do not leave with written description of goals and services agreed upon at the Team meeting.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 19</b>	<p><b>Extended evaluation</b></p> <p>If the Team finds a student eligible for special education and finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents' consent, agrees to an extended evaluation period.</p> <ol style="list-style-type: none"> <li>1. The extended evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to determine, in part, necessary annual goals and services, the Team writes a partial IEP that, if accepted by the parent, is immediately implemented by the district while the extended evaluation is occurring.</li> <li>2. The extended evaluation period is not used to allow additional time to complete the required assessments.</li> <li>3. If the parent consents to an extended evaluation, the Team documents their findings and determines what evaluation time period is necessary and the types of information needed to develop an IEP. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to develop an IEP when the evaluation is complete.</li> <li>4. The extended evaluation may extend longer than one week, but does not exceed eight school weeks.</li> <li>5. The extended evaluation is not considered a placement.</li> </ol>

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

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 20</b>	<p><b>Least restrictive program selected</b></p> <ol style="list-style-type: none"> <li>1. The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs.</li> <li>2. If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.</li> <li>3. The district does not remove an eligible child from the general education classroom solely because of needed modification in the curriculum.</li> </ol> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.06(2)(a)</td> <td style="width: 50%; text-align: right;"><b>Federal Requirements</b> 300.130; 300.550-300.556</td> </tr> </table>	<b>State Regulations</b> 28.06(2)(a)	<b>Federal Requirements</b> 300.130; 300.550-300.556
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<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Student record review shows that the Team does not always articulate the bases for the removal of students from the general education program.*

<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</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p><b>longer program is necessary.</b></p> <p>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.</p> <p>4. Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction.</p> <p><b>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.</b></p> <p>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.</p> <p>7. Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.</p> <p><b>State Regulations</b> 28.05(4) Chapter 69, section 1G</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.309(b)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Interviews indicated that Teams do not routinely consider the need for extended-school-year services.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 22</b>	<p><b>IEP implementation and availability</b></p> <p><b>1. Where the IEP of the student in need of special education has been accepted in whole or in part by that student's parent, the school district provides the mutually agreed upon services without delay.</b></p> <p><b>2. At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction.</b></p> <p>3. Each teacher and provider described in the IEP is informed of his or her specific responsibilities related to the implementation of the student’s IEP.</p> <p>4. <b>The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved.</p> <p><b>State Regulations</b> 28.05(7)(b); 28.06(2)(b)(2)</p> <p><b>Federal Requirements</b> 300.342</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Student record review indicated that when there is a delay in providing services, such as speech and language services, the notice letter sent to the parents about the delay does not refer to the need to provide the student with alternative methods, such as compensatory services, once a new provider has been found.*

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

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
<b>MOA 1</b>	<p><b>Identification of limited English proficient students</b> The district uses qualified staff and appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance.</p> <p>Title VI; MGL, Ch.76, Section 5</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation and interviews indicated that the school does not have procedures for properly*



assessing students.

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

**Department of Education Findings:**

*Documentation and interviews indicated that the school does not have a plan that includes the programs and supports that can be implemented if a limited English proficient student attends South Boston Harbor Academy Charter School.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 3</b>	<p><b>Access to a full range of education programs</b>            Students from linguistic, racial, and ethnic minorities; males; females; and students with disabilities all have access equal to that of other students to the general education program and the full range of any occupational/vocational education programs offered by the district.</p> <p>Title II; Title VI; Title IX; Section 504; M.G.L. c. 71A; c. 76, s. 5</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*See findings under MOA 1 and 2 above and SE 50 in Component VI below.*

<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>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Data indicated that a disproportionate number of males are found eligible for special education services.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 6</b>	<p><b>Availability of in-school programs for pregnant students</b>  Pregnant students are permitted to remain in regular education classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.</p>

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

**Department of Education Findings:**

*Documentation shows that South Boston Harbor Academy Charter School does not have a policy for participation of pregnant students in school programs.*

### 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)

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 care-giving 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. The district gives notice within a reasonable time for all other actions.</li> <li>4. The school district provides the student's parent(s) with an opportunity to consult with the Special Education Administrator or his/her designee to discuss the reasons for the referral and the nature of the proposed evaluation</li> <li>5. The district provides parents with an opportunity to consult with the Administrator of Special Education or his/her designee regarding the evaluators to be used and the proposed content of all required and optional assessments</li> <li>6. The school district does not limit a parent's right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education that may be described in the district's Curriculum Accommodation Plan, including any pre-referral program.</li> <li>7. The school district refuses to conduct an initial evaluation only when the circumstances of a student make clear that there is no suspicion of a disability and that there is no concern about the student's development.</li> </ol> <p><b>State Regulations</b> 28.04(1)</p> <p><b>Federal Requirements</b> 300.503(a)</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records show that the required written notices, such as the N1 and N2 forms, do not always contain an adequate narrative describing the basis for the school's proposal or refusal to take an action.*

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</li> </ol>	

<b>CRITERION NUMBER</b>	
	<p style="text-align: center;"><b>Legal Standard</b></p> <p>and before placing a student in a special education placement subsequent to the initial placement in special education.</p> <ol style="list-style-type: none"> <li>2. The school district obtains consent before initiating extended evaluation services.</li> <li>3. The school district obtains consent to the services proposed on a student's IEP before providing such services.</li> <li>4. The school district obtains consent prior to placing a student in an initial special education placement and for any subsequent placement.</li> <li>5. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child.</li> <li>6. When the participation or consent of the parent is required and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation.</li> <li>7. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the initial placement, or the parent revokes consent to such reevaluation or placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the child. If, after consideration, the school district determines that the parent's failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through Special Education Appeals</li> </ol> <p><b>State Regulations</b> 28.07(1)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.500(b)(1)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
<b>SE 26</b>	<p style="text-align: center;"><b>Legal Standard</b></p> <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> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.</p> <p>4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing.</p> <p>5. In cases where the district, after reasonable efforts, is unable to obtain the parents' participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents' participation.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.02(22)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.345(d), 300.501</td> </tr> </table>	<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 300.345(d), 300.501
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<b>Rating: Implemented</b>	<b>District Response Required: No</b>		

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 27</b>	<p><b>Content of Team meeting notice to parents</b></p> <p>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.</p> <p>2. The parent notice of any Team meeting states the purpose, time and location of the meeting as well as who will be in attendance.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.04(1)(b)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.503-504</td> </tr> </table>	<b>State Regulations</b> 28.04(1)(b)	<b>Federal Requirements</b> 300.503-504
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<b>Rating: Implemented</b>	<b>District Response Required: No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 28</b>	<p><b>Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights</b></p> <p>Immediately following the development of the IEP and without undue delay, the district provides the parents with a copy of the proposed IEP or a written explanation of the finding of no eligibility for special education together with the required notice of procedural safeguards and parents' rights.</p>

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

<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> <li>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.</li> </ol> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.07(g)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.345(e)</td> </tr> </table>	<b>State Regulations</b> 28.07(g)	<b>Federal Requirements</b> 300.345(e)
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<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Documentation and interviews indicated that the district does not provide translated documents or have a procedure for obtaining interpreters when necessary.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 30</b>	<p><b>Elements of notice of parents' rights</b></p> <p>The district's notice of parental rights contains all required elements included in the most current version of the Massachusetts Parent's Rights Brochure.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b></td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> </table>	<b>State Regulations</b>	<b>Federal Requirements</b>
<b>State Regulations</b>	<b>Federal Requirements</b>		





CRITERION NUMBER			
	Legal Standard		
	<p>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 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></p> <p>Chapter 71B, sec. 1C; 28.07(4)</p>	<p><b>FEDERAL REQUIREMENTS</b></p>	
	<p><b>Rating: Partially Implemented</b></p>		<p><b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Interviews and documentation show that the parent advisory council does not have bylaws regarding officers and operational procedures.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT		
	Legal Standard		
<p><b>MOA 7</b></p>	<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></p>		<p><b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation and interviews show that the district makes no provision for obtaining translated documents for students and families who are limited English proficient. See findings under SE 29 in Component III and MOA 1 and MOA 2 in Component II above.*

#### COMPONENT IV: CURRICULUM AND INSTRUCTION

The criteria in this component examine whether the district holds all students to high expectations and standards and ensures that the program areas reviewed are designed to maximize student performance within regular education and are implemented according to specific regulatory requirements with respect to learning time, class size, staffing ratio, and age spans. The criteria also examine if the district has provided for coordination across the following program areas:

- Special Education (Report Issues # SE 33-42)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 8-9)

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION	
	Legal Standard	
SE 33	<p data-bbox="407 411 889 443"><b>Involvement in the general curriculum</b></p> <ol data-bbox="407 443 1398 877" style="list-style-type: none"> <li data-bbox="407 443 1398 575">1. District personnel reflect a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance as well as the rights of students with disabilities to be full participants in the general curriculum.</li> <li data-bbox="407 575 1398 707">2. The district has either aligned its district curriculum with the Frameworks or has taken steps to provide students (including all students with disabilities) with essential learning opportunities that prepare the students to reach the state graduation standards.</li> <li data-bbox="407 707 1398 806">3. At least one member of all IEP Teams is familiar with the general curriculum and is able to discuss an eligible student's appropriate access to the general curriculum.</li> <li data-bbox="407 806 1398 877">4. In the IEP the district documents the student's participation in the general curriculum.</li> </ol> <p data-bbox="407 915 631 978">State Regulations 28.05(4)(a) and (b)</p> <p data-bbox="980 915 1281 978">Federal Requirements 300.347(a)(1)(i); 300.137</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION	
	Legal Standard	
SE 34	<p data-bbox="407 1266 1029 1297"><b>Continuum of alternative services and placements</b></p> <p data-bbox="407 1297 1406 1461">The district provides or arranges for the provision of each of the elements of the IEPs of students in need of special education from the ages of three through twenty-one, ensuring that a continuum of services and alternative placements is available to meet the needs of all students with disabilities, and takes all steps necessary to ensure compliance with all elements of the IEPs, including vocational education.</p> <p data-bbox="407 1499 613 1530">State Regulations</p> <p data-bbox="980 1499 1289 1562">Federal Requirements 300.551;300.305; 300.123</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*See findings under SE 18A, SE 21 & SE 22 in Component II above.*



CRITERION NUMBER	
	<b>Legal Standard</b>
SE 37	<p><b>Procedures for approved and unapproved out-of-district placements</b></p> <ol style="list-style-type: none"> <li>1. <u>Individual student program oversight</u>: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students' files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Education, or to the out-of-district placement.</li> <li>2. <u>Student right to full procedural protections</u>: The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district placement.</li> <li>3. <u>Preference to approved programs</u>: The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. 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> <li>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</li> </ol> </li> </ol>







<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<p>private school students in consultation with private school representatives.</p> <p>2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented:</p> <ul style="list-style-type: none"> <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> </ul> <p>3. Special education services and/or related services provided by the district to a private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance.</p> <p>4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children.</p> <table border="0" data-bbox="402 1480 1419 1549"> <tr> <td data-bbox="402 1480 852 1549"><b>State Regulations</b> 28.03(e)</td> <td data-bbox="852 1480 1419 1549"><b>Federal Requirements</b> 300.450-300.462</td> </tr> </table>		<b>State Regulations</b> 28.03(e)	<b>Federal Requirements</b> 300.450-300.462
<b>State Regulations</b> 28.03(e)	<b>Federal Requirements</b> 300.450-300.462			
	<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>		

**Department of Education Findings:**

*Charter schools are exempt from the requirements of this criterion.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 41</b>	<p><b>Age span requirements</b> The ages of the youngest and oldest child in any instructional grouping do not differ by more than forty-eight months. A written request for approval of a wider age range is submitted to the Commissioner of Education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Education.</p> <p><b>State Regulations</b> 28.06(6)(f)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 42</b>	<p><b>Programs for young children three and four years of age</b> <u>General requirements:</u></p> <ol style="list-style-type: none"> <li>1. The school district ensures programs are available for eligible children three and four years of age. Such programs shall be developmentally appropriate and specially designed for children ages three and four years.</li> <li>2. Where at all possible the school district accepts referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements.</li> <li>3. Where appropriate, the school district elects, consistent with federal requirements to use the format and services of the Individualized Family Service Plan (IFSP), if appropriate, for an additional year as a means of transitioning eligible children to public school services.</li> <li>4. Where appropriate the Team allows a child to remain in a program designed for three and four year old children for the duration of the school year in which the child turns five years old (including the summer following the date of the child's fifth birthday).</li> </ol> <p><u>Types of Settings:</u></p> <ol style="list-style-type: none"> <li>5. <u>Inclusionary programs</u> for young children are located in a setting that includes children with and without disabilities and meet the following standards: <ol style="list-style-type: none"> <li>a. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting.</li> <li>b. For public school programs that integrate children with and without disabilities, the class size does not exceed twenty (20) with one teacher and one aide and no more than five (5) students with disabilities. If the number of students with disabilities is six (6) or</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide.</p> <p>6. <u>Substantially separate programs</u> for young children are located in a public school classroom or facility that serves primarily or solely children with disabilities. Substantially separate programs adhere to the following standards:</p> <p>a. Substantially separate programs are programs in which more than 50% of the children have disabilities.</p> <p>b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.06(7)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.342(c)</td> </tr> </table>	<b>State Regulations</b> 28.06(7)	<b>Federal Requirements</b> 300.342(c)
<b>State Regulations</b> 28.06(7)	<b>Federal Requirements</b> 300.342(c)		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Not Applicable</b></td> <td style="width: 50%;"><b>District Response Required: No</b></td> </tr> </table>	<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>
<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>		

**Department of Education Findings:**

*Pursuant to its charter, South Boston Harbor Academy does not serve the relevant population. The school currently serves students in grades 5 – 11.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION</b>		
	<b>Legal Standard</b>		
<b>MOA 8</b>	<p><b>Accessibility of extra curricular activities</b> Extra curricular activities sponsored by the district are non-discriminatory in that:</p> <ol 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> </ol> <p>Title II; 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: 50%;"><b>District Response Required: No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>District Response Required: No</b>
<b>Rating: Implemented</b>	<b>District Response Required: No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 9</b>	<p><b>Promotional, recruitment, and employment practices of prospective employers of students</b> 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</p>



## COMPONENT V: STUDENT SUPPORT SERVICES

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

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



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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><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> <ol style="list-style-type: none"> <li>1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.</li> <li>2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes       <ol style="list-style-type: none"> <li>a. to develop or review a functional behavioral assessment of the student’s behavior to modify a behavior intervention plan or develop an assessment plan;</li> <li>b. to identify appropriate alternative educational setting(s); and</li> <li>c. to determine the relationship between the disability and the behavior - “a manifestation decision” (Is IEP appropriate? Is placement appropriate? If there was a behavior plan, was it implemented? Does student understand impact and consequences of his/her behavior? Can student control behavior?).</li> </ol> </li> <li>3. If the Team determines that the behavior is <u>NOT</u> a manifestation of the disability, then the district may suspend or expel the student consistent with policies applied to any student without disabilities, except that the district must still offer an appropriate education program to the student with disabilities which may be in some other setting.</li> <li>4. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 days       <ol style="list-style-type: none"> <li>a. if the behavior involves weapons or illegal drugs or another controlled substance while at school or a school function; or</li> <li>b. if the district provides evidence that the student is “substantially likely” to injure him/herself or others and a hearing officer orders the alternative placement; and</li> <li>c. the interim alternative education setting enables the student to continue in the general curriculum, to continue receiving services</li> </ol> </li> </ol>





CRITERION NUMBER		
	Legal Standard	
SE 48	<p><b>FAPE (Free, appropriate, public education): Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education</b></p> <p>All students receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.</p> <p>Programs, services and activities include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. art and music</li> <li>2. vocational education, industrial arts, and consumer and homemaking education</li> <li>3. work study and employment opportunities</li> <li>4. counseling services available at all levels in the district</li> <li>5. health services</li> <li>6. transportation</li> <li>7. recess and physical education, including adapted physical education</li> <li>8. athletics and recreational activities</li> <li>9. school-sponsored groups or clubs</li> <li>10. meals</li> </ol> <p><b>State Regulations</b> 28.06(5)</p> <p><b>Federal Requirements</b> 300.121; 300.300-313</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

CRITERION NUMBER		
	Legal Standard	
SE 49	<p><b>Related services</b></p> <p>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> </ol>	

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>10. school health services  11. social work services in schools, and  12. parent counseling and training.</p> <p><b>State Regulations</b> 28.02(19)</p> <p><b>Federal Requirements</b> 300.24</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**  
*See finding under SE 18A in Component II above.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 49A</b>	<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 is not applicable where a Team or the student’s physician recommends that the student regularly transfer in and out of conventional vehicles to or from a wheelchair for therapeutic or for independence training reasons.</li> <li>3. The Team specifies whether the student requires assistance in or out of the home, on or off of the vehicle, and in or out of the school. If such assistance is specified, the district ensures that it is provided.</li> <li>4. The Team specifies if the student has a particular need or problem that may cause difficulties during transportation, such as seizures, a tendency for motion sickness, behavioral concerns, or communication disabilities.</li> <li>5. The school district does not allow transportation considerations to influence, modify, or determine the educational program, including the length of the school day, required by any student.</li> </ol> <p><b>State Regulations</b> 28.05(5)(b)</p> <p><b>Federal Requirements</b></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>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> <ol style="list-style-type: none"> <li>1. notified that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability;</li> <li>2. given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s).</li> </ol> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*Please note that the Department is no longer requiring districts to have a coordinator for Title VI, nor is it necessary for the school to fulfill this criterion with respect to the general public.*

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





<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	guardian are told that attendance is voluntary after the student turns 16 but are also informed of the student’s right to return to school.  M.G.L. c. 76, ss. 5, 18; St. 1965, c. 741
	<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 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: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<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. Such training occurs within the first month of each school year and, for employees hired after the school year begins, within a month of their employment.</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</li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>procedures are annually reviewed and provided to school staff and made available to parents of enrolled students.</p> <p>4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Education consistent with the regulations.</p> <p>5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations.</p> <p>M.G.L. c. 71, s. 37G; 603 CMR 46.00</p>		
	<b>Rating: Not Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*Documentation and interviews indicated that the school does not have procedures for the use of physical restraints.*



## COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION

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

:

- Special Education (Report Issues # SE 50-54)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18-21)

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

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

**Department of Education Findings:**

*Documentation indicated that the charter school's curriculum accommodation plan (DCAP) does not include teacher training. Moreover, the DCAP does not indicate how supports, such as after-school tutoring, after-school homework support and Saturday School, are integrated into the regular education program.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 51</b>	<p><b>Appropriate special education teacher certification</b> Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p> <p><b>State Regulations</b> 28.02(3) 603 CMR 7.00</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.23; 300.136</p>
	<p><b>Rating: Implemented</b>                                      <b>District Response Required: No</b></p>



CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>education policies and procedures;</p> <p>3) confidentiality of student records;</p> <p>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;</p> <p>5) methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom;</p> <p>6) training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement;</p> <p>7) training for all locally hired <u>and</u> contracted transportation providers on the unique needs of all students being transported in regular and special transportation vehicles; and</p> <p>8) in cooperation with the special education parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</p> <p><b>State Regulations</b> Chapter 71, sec. 38g 28.03(1)(a) Chapter 71, sec. 38Q and 38Q ½</p> <p><b>Federal Requirements</b> 300.382</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation and interviews indicated that the school has not conducted training in the area of analyzing and accommodating diverse learning styles.*

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<p><b>MOA 18</b></p>	<p><b>School district employee recruitment activities</b> The district's employee recruitment activities are aimed at reaching all groups, including bilingual/bicultural persons, females/males in nontraditional roles and persons with disabilities. When certain categories of employment show a disproportionate number of females/males, racial and ethnic group members or disabled persons, the district makes efforts to recruit for such positions members of the under represented groups.</p> <p>Title I; Title VI; Title IX; Section 504</p>
	<p><b>Rating: Implemented</b>                      <b>District Response Required: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 19</b>	<p><b>Employment application and interview procedures</b>  Job application forms and interview questions 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.</p> <p>Title I; Title VI; Title IX; 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 20</b>	<p><b>Non-discriminatory personnel policies and procedures</b>  District personnel policies and procedures are free of discrimination and bias in the following areas:</p> <ol style="list-style-type: none"> <li>1. employee hiring, upgrading, award of tenure, demotion, return from layoff and retirement are the same for both sexes;</li> <li>2. employee pay schedules and rates of other compensation for all job categories provide equal pay for equal work;</li> <li>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.</li> </ol> <p>Title I; Title VI; Title IX; 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 21</b>	<p><b>Staff training regarding civil rights responsibilities</b>  The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of disability, race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting.</p> <p>Title VI; Title IX; Section 504; M.G.L. c. 76, s. 5</p>

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

**Department of Education Findings:**

*Documentation review and interviews indicated that staff training on civil rights responsibilities is not conducted at least annually.*

## COMPONENT VII: SCHOOL FACILITIES

The criteria in this component examine whether the district maintains facilities that are conducive to learning, facilitate integration, and provide equal access and opportunity for students to achieve in the program areas listed below:

- Special Education (Report Issues # SE 55)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 22-23)



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

**Department of Education Findings:**

*Observations and interviews show that related service providers do not have instructionally appropriate areas designated for their use. For example, the onsite team noticed that the speech and language pathologist was conducting one-on-one services in the open library while classes were changing.*

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

CRITERION NUMBER	
	<b>Legal Standard</b>
MOA 23	<p><b>Comparability of facilities and programs</b></p> <p>Where the district provides separate facilities or programs for members of a specific group, facilities and programs are comparable to those offered other students in the</p>

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

**Department of Education Findings:**

*See finding under SE 55 above.*

## 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)

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

**Department of Education Findings:**

*Documentation and interviews indicated that the charter school does not evaluate its special education program and services.*

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>MOA 24</b>	<p><b>Curriculum review process</b></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> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*Documentation and interviews indicated that the charter school does not have such a process.*

<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: Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*While interviews indicated that the charter school does an institutional self-evaluation, the school did not submit documentation of any such self-evaluation indicated.*

## COMPONENT IX: RECORD KEEPING

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

- Special Education (Report Issues # SE 57-58)

CRITERION NUMBER	SPECIAL EDUCATION IX. RECORD KEEPING	
	Legal Standard	
SE 57	<p><b>Special education child count</b></p> <ol style="list-style-type: none"> <li>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>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>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: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student record review shows that the charter school does not have SASID numbers on all IEPs.*

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>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>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>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>The district has secured the approval of the Department of Education for all amendments prior to their implementation.</li> </ol>	

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	5. The district spends at least a proportionate share of its federal special education funds on services for children enrolled in private schools at private expense.				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b></td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> <tr> <td>28.03(1)(e)</td> <td>300.230; 300.340-300.500</td> </tr> </table>	<b>State Regulations</b>	<b>Federal Requirements</b>	28.03(1)(e)	300.230; 300.340-300.500
<b>State Regulations</b>	<b>Federal Requirements</b>				
28.03(1)(e)	300.230; 300.340-300.500				
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>				



APPENDIX  
SCHOOL DISTRICT PROFILE INFORMATION

The information which is provided in this Appendix was drawn from data supplied by the school district. The Department's visiting team carefully reviewed this data as part of its planning for the onsite visit and in preparing this Coordinated Program Review Report. This district-wide information, together with more detailed school building data, is periodically updated by the school district and is available in an ever current form on the Department's internet web site at <<http://profiles.doe.mass.edu/>>.

# School and District Profiles

## Definitions of Terms

### Profiles

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

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

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

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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" indicated 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>

The electronic version of the Department's Coordinated Program Review Final Report is available at:

<http://www.doe.mass.edu/pqa/review/cpr/reports/> .

SE MOA 2003

File Name: South Boston Harbor Academy Charter School CPR Draft Report 2003.doc

Last Revised on: November 21, 2003

Prepared by: MG; POM; CS



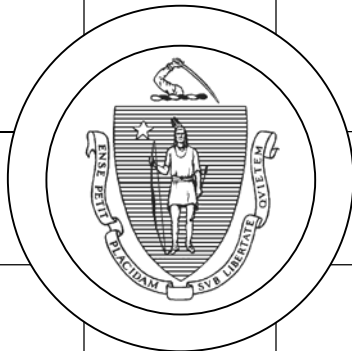
**South Boston Harbor Academy Charter School**

**APPENDIX:  
TITLE I FINDINGS**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of CPR Onsite Visit:  
Dates of Title I Portion of CPR Onsite Visit: May 5, 2003  
Date of Title I Draft Report: October 3, 2003  
Due Date for Comments: October 20, 2003  
Date of Final Report: November 21, 2003  
Action Plan Due: January 9, 2004**

**Department of Education Onsite Team Members:  
Thomas Chin**



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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**

**South Boston Harbor Academy Charter School**

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# MASSACHUSETTS DEPARTMENT OF EDUCATION

## COORDINATED PROGRAM REVIEW REPORT

### South Boston Harbor Charter School

#### OVERVIEW OF REVIEW PROCEDURES

As one part of its Accountability System, the Department of Education oversees local compliance with education requirements through the Coordinated Program Review System (CPR). Most reviews include selected requirements in special education under the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.* (IDEA-97), and M.G.L. Chapter 71B (Chapter 766 of the Acts of 1972) and certain federal civil rights requirements under Titles I and II of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, together with related state requirements under M.G.L. Chapter 76, Section 5 (Chapter 622 of the Acts of 1971) and other related Massachusetts General Laws. Additionally, all reviews include certain standards included under the Board of Education's Physical Restraint regulations (603 CMR 46.00). Other monitoring activities in the areas of Title I, Safe and Drug-Free Schools and Communities Act, the Perkins Vocational and Technical Education Act, and Nutrition Programs and Services are conducted in some districts during these Coordinated Program Review procedures. The selected school districts for 2002-2003 were notified by the Commissioner of Education in June 2002 of scheduled visits and were required to implement self-assessment activities prior to the arrival of the Department's visiting team.

#### Coordinated Program Review Elements

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

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

Content: The Program Review criteria encompass the required elements for the specific program areas. In the case of special education, the elements selected for the 2002-2003 reviews contain, at a minimum, those required by the federal Office for Special Education Programs (OSEP) and revised requirements included under IDEA-97 as described in the Department's Special Education Advisories. Additionally, the 2002-2003 reviews incorporate updated state special education requirements as adopted by the Board of Education and effective on December 20, 2000. The Program Review compliance criteria selected in all of the regulated program areas are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993, and intended to promote high standards and achievement for all students.

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



- Interviews of administrative, instructional and support staff across all grade levels.
- Interviews of parent advisory council (PAC) representatives and other interviews as requested by persons from the general public.
- Student record reviews in the program areas of special education, Perkins vocational programs, and Section 504 (student accommodation plans). The Department selects a sample of student records. 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.

## TITLE I APPENDIX INTRODUCTION

A one person-member Massachusetts Department of Education team visited South Boston Harbor Academy Charter School during the week of May 5, 2003 to evaluate the implementation of selected criteria in the Title I program. This Appendix of Title I Findings supplements additional Department of Education Findings regarding other regulated program areas included in the district's Coordinated Program Review 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 Department is submitting the following Title I Appendix to the district's Coordinated Program Review Report containing findings made pursuant to this onsite visit. In preparing this Title I Appendix, 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 1 administrative staff.
- Interviews of 2 teaching and support services staff across all levels.
- Interviews of 1 Title I parent representatives.
- Interviews as requested by persons from the general public.
- Observation of classrooms and other facilities. A sample of 1 instructional classroom 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 indicated 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

### TITLE I EXECUTIVE SUMMARY

#### South Boston Harbor Academy Charter School

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

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

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

The South Boston Harbor Academy Charter School (SBHACS) has identified students in need but has not used a rank order list to identify those in greatest need of Title I services and programs.

#### **Component III: Parental Involvement**

*Has the district ensured that parents are notified in the appropriate language and are involved in decisions regarding their children's programs and services? Where appropriate, does the district involve community representatives in shaping programs?*

The SBHACS has strong parental involvement; however, the school does not conduct an annual evaluation of the content and effectiveness of its parental involvement policy. This evaluation should involve parents, and its results should be used to improve student achievement and parental involvement.

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

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

The SBHACS is a targeted assistance school.

#### **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 SBHACS provides all students equal access to programs and services.

#### **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 SBHACS teachers who were hired after August 10, 2000 and who do not meet teacher requirements are in the process of taking the Massachusetts Educator Certification Test. Documentation indicated that the SBHACS does not reserve 5 - 10% of its professional development funds to ensure that teachers become highly qualified.

**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?*

Documentation and interviews indicated that the SBHACS conducts a needs assessment; however, the assessment is not conducted in consultation with parents.

**Component IX: Record keeping**

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

As a result of the inexperience of the Title I director and personnel, required documentation describing the Title I program plan and the Title I application has been incomplete. Although students in need of services are identified for the Title I program, any SBHACS student may participate in the Title I programs, possibly beyond the incidental inclusion parameters. Moreover, the SBHACS does not use a rank order list in order to identify students in greatest need of Title I services and programs.

**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>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

**Department of Education Findings:**

*See finding under TI 13 in Component IX at the end of the report.*

<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>	
	<b>Rating: Implemented</b>	<b>District Response Required: 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:

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



<b>CRITERION NUMBER</b>	<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:**

*Documentation and interviews indicated that the South Boston Harbor Academy Charter School (SBHACS) does not involve parents in its annual evaluation of the content and effectiveness of its parental involvement policy. This evaluation should involve parents, and its results should be used to improve student achievement and parental involvement.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 27</b>	<p>The district provides materials and training to Title I parents to enable them to improve their children’s achievement. (e.g., literacy training, using technology to foster parental involvement, frequent meetings with teachers, etc.)</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	1118(e)(2) 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 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 achieving the state’s high standards.  1118(d) NCLB</li> </ol>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

#### 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>	The district implements effective instructional strategies that are based on scientifically-based research that: <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: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 30 – TAS/SWP</b>	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>1114(b)(1)(B)(ii)(II); 1115(c)(1)(C)(i) NCLB</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

**Department of Education Findings:**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 31 - SWP</b>	A comprehensive Schoolwide Program (SWP) plan has been developed with the involvement of the community, those served by the program and the individuals who will implement the plan, including: <ul style="list-style-type: none"> <li>• teachers, principals and other staff, and where appropriate,</li> <li>• pupil services personnel,</li> <li>• parents, and</li> <li>• secondary school students, if applicable.</li> </ul> <p>1114(b)(2)(B)(ii) NCLB</p>

<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:**  
*The SBHACS is a targeted assistance school.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 32 - SWP</b>	The SWP plan includes a comprehensive needs assessment of the entire school that is based upon information on the performance of students in relation to the state academic content standards and the state student academic performance standards.  1114(b)(1)(A) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**  
*The SBHACS is a targeted assistance school.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 33- SWP</b>	In providing technical assistance and support to schoolwide programs, the district ensures that the programs and plans contain all required schoolwide components and plan requirements, and are developed in consultation with schools so that each school can make Annual Yearly Progress (AYP) toward meeting the state student academic achievement standards.  1112(c)(1)(C); 1114(b)(1) and (2) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**  
*The SBHACS is a targeted assistance school.*

## 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)

CRITERION NUMBER	<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: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*This standard is not applicable to the SBHACS because it is a charter school.*

## 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
	<b>Legal Standard</b>
<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, once 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: Partially Implemented                      District Response Required: Yes</b>

**Department of Education Findings:**

*The SBHACS teachers who were hired after August 10, 2000, and who do not meet teacher requirements are in the process of taking the Massachusetts Educator Certification Test.*

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: Partially Implemented                      District Response Required: Yes</b>

**Department of Education Findings:**

*Documentation indicated that the SBHACS does not reserve 5 - 10% of its professional development funds to ensure that teachers become highly qualified.*

## 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	TITLE 1 VIII. PROGRAM PLAN AND EVALUATION
	<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:**

*Documentation and interviews indicated that the SBHACS conducts a needs assessment; however, the assessment is not conducted in consultation with parents.*

CRITERION NUMBER	TITLE 1 VIII. PROGRAM PLAN AND EVALUATION
	<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	TITLE 1 VIII. PROGRAM PLAN AND EVALUATION
	<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>Rating: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*DOE has not identified the SBHACS as a school “in need of improvement.”*

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

**Department of Education Findings:**

*DOE has not identified the SBHACS as a school "in need of improvement."*

CRITERION NUMBER	
	Legal Standard
TI 41	For schools that have been identified as "in need of improvement," the school district provides all students enrolled in those schools the choice to transfer to another of the school district's schools identified as not in need of improvement. Priority is given to the lowest achieving children from low-income families.  1116(b)(1)(E)(i) and (ii) NCLB 2763A-32 of P.L. 106-554 (Education Appropriations Act, 2001)
	<b>Rating: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*DOE has not identified the SBHACS as a school "in need of improvement."*

CRITERION NUMBER	
	Legal Standard
TI 42	For schools that have been identified as "in need of improvement," school improvement plans must be implemented not later than the beginning of next full school year following this identification.  1116(b)(3)(D)
	<b>Rating: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*DOE has not identified the SBHACS as a school “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:**

*DOE has not identified the SBHACS as a school “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: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Documentation and interviews indicated that the school does not maintain a rank order list.*

<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: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*As a result of the inexperience of the school’s Title I director and personnel, required documentation describing the Title I program plan and the Title I application has been incomplete. Documentation indicated that local administrators who are responsible for the implementation of the local Title I program and services do not monitor the programs and services to ensure their full implementation as*

described.

<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: Not Applicable</b>	<b>District Response Required:</b>	<b>No</b>

**Department of Education Findings:**

*The SBHACS is a one-school district.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 4</b>	1. The school district uses state and local funds in Title I schools that provide		



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The SBHACS is a one-school district.*

<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>
	<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 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> <p>1120A(c)(2)(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 SBHACS is a one-school district.*

CRITERION NUMBER	
	<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>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**  
*The SBHACS is a one-school district.*

CRITERION NUMBER	
	<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>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**  
*The SBHACS is a one-school district.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 9</b>	<p>In applicable situations, the school district divides a grade-span with significant school enrollment differences into a large-group/small-group model.</p> <p>Title I Policy Guidance IASA</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**  
*The SBHACS is a one-school district.*

<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: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**  
*The SBHACS is a one-school district.*

<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> <b>District Response Required: No</b>

**Department of Education Findings:**  
*The SBHACS is a one-school district.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 12</b>	The school district is able to demonstrate that it uses Title I funds only to supplement

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
[Applicable to Targeted Assistance Schools (TAS)]	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: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The SBHACS Title I program consists of after-school tutoring and the Saturday morning program. Although students in need of services are identified for the Title I program, any SBHACS student may participate in the Title I programs, possibly beyond the incidental inclusion parameters.*

<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: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Documentation and interviews indicated that the school identified students in need, but did not use a rank order list to identify those in greatest need of Title I services and programs. The after-school tutoring program with 22 teachers and the Saturday morning program with 3 teachers cover all core academic subjects. The SBHACS Title I program should conform to size, scope, and quality guidelines. It should be more structured and focused, and the number of subjects covered should perhaps be reduced in order to provide the greatest impact on teacher instruction and student learning and reflect No Child Left Behind Goal One, that by 2014 all students will attain proficiency in reading/language arts and mathematics. Currently, the Saturday morning program consists of a supervised study room with minimal teaching or student interaction.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 14</b> [Applicable to	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

CRITERION NUMBER			
	Legal Standard		
Schoolwide Programs (SWP)]	<p>plan in effect for the school.</p> <p>1114(a)(1) NCLB</p> <p>2. The school district is able to demonstrate that the Title I funds in a SWP supplement are in addition to the total amount of funds that would, in the absence of the Title I funds, be made available from non-federal sources for the school, including funds needed to provide services required by law for children with disabilities and children with limited English proficiency.</p> <p>1114(a)(2)(B) NCLB</p>	<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>

**Department of Education Findings:**  
*The SBHACS is a targeted assistance school.*

CRITERION NUMBER			
	Legal Standard		
<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>	<b>Rating: Not Applicable</b>	<b>District Response Required: No</b>

**Department of Education Findings:**  
*The SBHACS does not use the exclusion provision.*

CRITERION NUMBER			
	Legal Standard		
<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>		

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

**Department of Education Findings:**

*Interviews show that the director is familiar with “supplement, not supplant”; however, a written policy and procedure is needed for effective communication with and understanding by all staff.*

<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: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews and documentation indicated that an appropriate log (time and effort record) is not maintained.*

<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: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*The SBHACS is a one-school district.*

<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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	areas. 1113(a) NCLB
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**  
*The school submitted an application with incomplete data.*

<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: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**  
*Documentation and interviews indicated that the school has not made reservations on Form 2 for professional development in order to produce highly qualified staff.*

<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> <b>District Response Required: No</b>

<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.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	1120(a); 1120(b); 1120(c) NCLB
	<b>Rating: Not Applicable</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*This standard is not applicable to the SBHACS because it is a charter school.*

<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
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Documentation indicated that the budget for administration exceeds the 15% guideline limit.*



Title I Appendix 2003

File Name: South Boston Harbor Academy Charter School CPR Draft Report Title I  
Appendix 2003.doc

Last Revised on: November 21, 2003

Prepared by: MG; POM; CS