



**Rockport Public Schools**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of Onsite Visit: October 20-24, 2003**

**Date of Draft Report: January 5, 2004**

**Due Date for Comments: January 23, 2004**

**Date of Final Report: January 27, 2004**

**Action Plan Due: March 16, 2004**

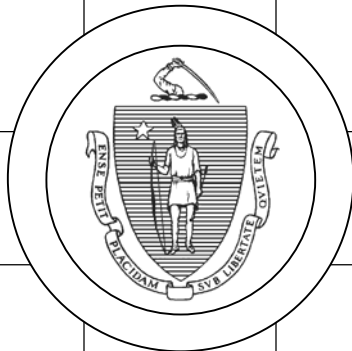
**Department of Education Onsite Team Members:**

**Diane Chadwell**

**Joel Krakow**

**David Buchanan**

**Juan Tapia**



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

MASSACHUSETTS DEPARTMENT OF EDUCATION  
COORDINATED PROGRAM REVIEW

Rockport Public Schools

Table of Contents

**OVERVIEW OF REVIEW PROCEDURES.....3**

**REPORT INTRODUCTION.....6**

**EXECUTIVE SUMMARY.....8**

**DEFINITION OF TERMS.....14**

**COMPONENT I: ASSESSMENT OF STUDENTS.....15**  
SPECIAL EDUCATION.....16

**COMPONENT II: STUDENT IDENTIFICATION AND PLACEMENT .....28**  
SPECIAL EDUCATION.....29  
CIVIL RIGHTS METHODS OF ADMINISTRATION .....36  
TITLE 1 .....39

**COMPONENT III: PARENTAL INVOLVEMENT .....41**  
SPECIAL EDUCATION.....42  
CIVIL RIGHTS METHODS OF ADMINISTRATION .....48  
TITLE 1 .....48  
SAFE AND DRUG FREE SCHOOLS.....51

**COMPONENT IV: CURRICULUM AND INSTRUCTION .....53**  
SPECIAL EDUCATION.....54  
CIVIL RIGHTS METHODS OF ADMINISTRATION .....62  
TITLE 1 .....63  
SAFE AND DRUG FREE SCHOOLS.....65

**COMPONENT V: STUDENT SUPPORT SERVICES .....66**  
SPECIAL EDUCATION.....67  
CIVIL RIGHTS METHODS OF ADMINISTRATION .....72  
TITLE 1 .....78

**COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION.....79**  
SPECIAL EDUCATION.....80  
CIVIL RIGHTS METHODS OF ADMINISTRATION .....84  
TITLE 1 .....85

**COMPONENT VII: SCHOOL FACILITIES.....88**  
SPECIAL EDUCATION.....89  
CIVIL RIGHTS METHODS OF ADMINISTRATION .....89

**COMPONENT VIII: PROGRAM PLAN AND EVALUATION.....91**

SPECIAL EDUCATION.....	92
CIVIL RIGHTS METHODS OF ADMINISTRATION .....	92
TITLE 1 .....	93
SAFE AND DRUG FREE SCHOOLS.....	97
<b>COMPONENT IX: RECORD KEEPING .....</b>	<b>99</b>
SPECIAL EDUCATION.....	100
TITLE 1 .....	101
SAFE AND DRUG FREE SCHOOLS.....	110
<b>APPENDIX: .....</b>	<b>112</b>
SCHOOL AND DISTRICT PROFILES.....	113

# MASSACHUSETTS DEPARTMENT OF EDUCATION

## COORDINATED PROGRAM REVIEW REPORT

### Rockport Public Schools

#### OVERVIEW OF REVIEW PROCEDURES

As one part of its Accountability System, the Department of Education oversees local compliance with education requirements through the Coordinated Program Review System (CPR). All reviews include the following selected requirements:

- special education under the federal Individuals with Disabilities Education Act (IDEA-97), and M.G.L. Chapter 71B (Chapter 766 of the Acts of 1972);
- federal civil rights requirements under Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, together with related state requirements under M.G.L. Chapter 76, Section 5 (Chapter 622 of the Acts of 1971) and other Massachusetts General Laws;
- targeted standards from the Board of Education's Physical Restraint regulations (603 CMR 46.00);
- targeted standards from the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001 (included in the No Child Left Behind Act of 2001); and
- provisions of M.G.L. c. 71A, the state law that governs the provision of education to limited English proficient students. (Note that due to the voters' approval in 2002 of an initiative petition entitled "Question 2," M.G.L. c. 71A has been significantly amended. Under the amended Chapter 71A, limited English proficient students, now referred to as "English learners," must be provided instruction in sheltered English immersion or 2-way bilingual programs unless they have received a waiver. As a result of this change in the law, the Department's Coordinated Program Review standards under Chapter 71A are significantly revised for the 2003-2004 school year. All districts reviewed by the Department during the 2003-2004 Coordinated Program Review cycle and that enroll limited English proficient students have been implementing self-assessment activities using these updated standards. Six school districts throughout the state are participating in pilot monitoring activities to validate their self-assessment results as part of their scheduled Coordinated Program Review.)

Additional program areas reviewed during the Coordinated Program Review visits in selected districts may also include:

- Title I of the Elementary and Secondary Education Act of 1965, including related "No Child Left Behind" requirements in Title IIA;
- Safe and Drug-Free Schools and Communities Act;
- Career and Technical Education requirements under the federal Perkins Vocational and Technical Education Act and state M.G.L. c. 74; and
- Nutrition Programs and Services

The selected school districts for 2003-2004 were notified by the Commissioner of Education in June 2003 of scheduled visits and of requirements to implement self-assessment activities prior to the arrival of the Department's visiting team.

The Department's 2003-2004 schedule of Coordinated Program Reviews is posted on the Department's web-site at <<http://www.doe.mass.edu/pqa/review/cpr/schedule.html>>. The statewide six-year Program

Review cycle together with the Department's Mid-cycle Special Education follow-up monitoring schedule are posted at <[http://www.doe.mass.edu/pqa/review/cpr/6yrcycle\\_ad.html](http://www.doe.mass.edu/pqa/review/cpr/6yrcycle_ad.html)>.

### **Coordinated Program Review Elements**

**Team:** Depending upon the size of a school district and the number of program areas to be reviewed, a team of two to eight 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:** Fifty-four school districts and charter schools are scheduled to receive visits in school year 2003-2004. 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 2003-2004 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 2003-2004 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 review in the program areas of special education, English learner education (c. 71A), Career and Technical Education programs, and Section 504 (student accommodation plans). A representative 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 review and classroom and facility observations are conducted.

An Executive Summary and detailed findings for each program area describe determinations of the Department 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 compliance criteria are found to be not fully implemented, the local district, charter school, or educational collaborative must propose corrective actions to bring those areas into compliance with the respective statutes or regulations.

All recently issued Department of Education Coordinated Program Review Reports are posted on the agency's website at <http://www.doe.mass.edu/pqa/review/cpr/reports/>.

The Department believes that the Coordinated Program Review process is a positive experience and that the Final Report is a helpful planning document for the continued development and improvement of programs and services in each school district, charter school and educational collaborative.

## REPORT INTRODUCTION

A four-member Massachusetts Department of Education team visited Rockport Public Schools during the week of October 20, 2003 to evaluate the implementation of selected criteria in the program areas of Special Education, Civil Rights, Title I and Safe and Drug Free Schools. 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 highlight the following areas that were brought to its attention and that it believes have a significant and positive impact on the delivery of educational services for students enrolled in the Rockport Public Schools. These areas are as follows:

*The onsite team found that the Rockport Public Schools has a very competent, committed and caring staff. Teachers in different programs have respect for each other. There is a very collegial atmosphere in all of the schools. The teachers expressed that they feel good about working in Rockport. They feel that the district is very child centered and that students receive all the services they need. Staff works well with parents and there is a high level of parent participation at special education Team meetings.*

*There is a strong focus on providing the least restrictive environment for students with special needs. The child support team (Positive Intervention Plans) process at the elementary school and the organization of grades into teams at the middle school strongly support maintaining all students in the regular education class and reduce unnecessary referrals for special education evaluations.*

*There is a very strong process in place to determine the current level of substance abuse and violence among the student population in Rockport. In addition to the Youth Risk Behavior Surveys funded from other sources, the process includes focus groups with community leaders community agency staff, teachers, school staff, parents and advisory council members. The district uses many sources to determine the level of substance abuse and violence. Additionally, the analysis of the data collected is based upon ongoing local assessment, activities and programs.*

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 30 teaching and support services staff across all levels.
- Interviews of 11 parent advisory council (PAC) representatives.
- Interviews as requested by persons from the general public.
- Student Record review: A sample of 25 student records was selected by the Department. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Parent surveys: 25 parents of students with disabilities were sent surveys that solicited information regarding their experiences with the district's implementation of special education programs, related services and procedural requirements. 10 of these parent surveys were returned to the Department of Education for review by the onsite team.

- Observation of classrooms and other facilities. A sample of 5 instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

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

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



# COORDINATED PROGRAM REVIEW REPORT

## EXECUTIVE SUMMARY

### Rockport Public Schools

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

#### **Component I: Assessment of Students**

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

The district has an assessment system in place to determine students eligible for special education. Students are assessed every three years and their Individualized Educational Programs (IEPs) are reviewed annually. Appropriate tests, evaluation materials and information from a variety of sources are used; although the district does not always complete the educational history and teacher report for all initial and re-evaluation assessments as required. Each person completing an assessment summarizes the assessment results and provides educationally relevant recommendations for the student. Teams, however, do not always observe students or complete the required report when determining that a student has a specific learning disability. Placements are also made in conformance with the principle of placement in the least restrictive environment. Most Teams are composed of the appropriate members. There is concern, however, that there is not always present at Team meetings either a regular education teacher or a representative of the district who has the authority to commit the district's resources. Additional concerns are that the regular education teacher may not stay at the meeting long enough to participate in the development of the IEP, that IEPs are not sent to the parent immediately following their development or that transition services for students over 14 years old are not documented in the IEP. Not all parents of students with special education needs receive reports regarding their children's progress toward meeting the goals on their IEPs as often as reports are provided to the parents of students in the regular education program. Often the progress reports that are sent to parents do not report specifically on the student's progress toward meeting the IEP goals.

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

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

The district has procedures for the identification and placement of students eligible for special education services. Screening to identify children who may need special education supports is conducted for three- and four- year-olds and for all kindergarteners in the district. Special education services are begun at age three for all eligible students. The district also reaches out to other organizations within the community who may be aware of children who need special education services. Special education Teams are developing IEPs with all the required elements; however, often the IEP goals are not annual or measurable. Teams consistently select the least restrictive program possible for students, and all IEP services are provided

once consented to by the parent. Teams are not always using the extended evaluation process to further assess students after they have been determined eligible for services but require additional information to completely develop the IEP.

All students have equal access to a full range of education programs. The district has procedures to ensure that the new regulations related to homeless students are implemented appropriately and that homeless students continue receiving their education with the fewest possible interruptions. Although the district provides support services to students who self-identify as limited English proficient (LEP), the district does not have procedures to ensure that all students who may be limited English proficient are assessed by qualified staff. Although staff are sensitive to the needs of LEP students and modify their curriculum as best they can, without appropriate procedures, qualified staff, and training, the district cannot be sure that all LEP students are receiving appropriate language assistance and curriculum modifications.

The district has recently updated its criteria used to identify eligible students for the Title I program; however, the district has not begun to implement these criteria this year. The district uses the same basis to identify LEP students as eligible for services as other students are selected to receive services.

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

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

The district has ensured that parents are involved in decisions regarding their children's progress and services. The district has a high rate of parent participation at IEP Team meetings. Parents are notified of their rights and are involved in all decisions regarding their children. Areas of concern are the provision of the IEP to parents within required timelines, the development of an active special education parent advisory council to help the school committee on matters related to the education and safety of students with disabilities and to participate in the planning, development and evaluation of the special education programs.

The district does not have a procedure to identify parents who are not proficient in English or to ensure that parents are communicated with in their native language.

The district provides coordination, technical assistance and other resources to assist schools in planning and implementing parental involvement activities to improve student achievement; however, the district has not built parents' capacity for strong parental involvement. It has not involved parents in planning Title I programs, activities and procedures and the parental involvement policy is not distributed to parents annually. While the school regularly provides materials for parents, no formal training is offered to enable parents to improve the achievement of their children.

The Safe and Drug Free School (SDFSCA) program develops its application through timely and meaningful consultation with community agencies, parents, students and representatives from the schools and prevention community. It coordinates the district's program and projects with community-wide efforts to achieve the state Department of education's goals for drug and violence prevention. The district, however, needs to provide parents with progress reports about program outcomes and accomplishments.

#### **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 district's programs aligned with the Massachusetts Curriculum Frameworks? Has the district provided for coordination across program areas?*

The district holds all students to high expectations and standards and ensures that programs are designed to maximize student performance within regular education. The district has aligned its general education curriculum with the Massachusetts Curriculum Frameworks and ensures that all students with disabilities have access to the general curriculum. A full continuum of services and all necessary specialized materials and assistive technology are provided for special education students. One concern is that the district does not provide alternate vocational/occupational services required by federal law (IDEA) for disabled students who are not accepted into vocational schools. All IEPs are implemented without delay. All instructional groupings for disabled students are within the allowable teacher/student ratios. The district provides evaluations and, when necessary, services for disabled students who are enrolled in private schools at private expense. Appropriate procedures are followed to ensure that all programs used for out-of-district placements are approved by the Department of Education. The district has not yet begun to develop monitoring plans for all students placed in out-of-district placements.

Extracurricular activities sponsored by the district are nondiscriminatory in that the district provides equal opportunity for all students to participate in intramural and interscholastic sports; and extracurricular activities and clubs do not exclude students on the basis of race, sex, color, religion, national origin, sexual orientation, disability, or homelessness.

The district implements effective instructional strategies that are based on scientifically based research and the district provides opportunities for students receiving Title I services to participate in extended day, week and year programs and activities.

Safe and Drug Free Schools activities are integrated with other federal programs under No Child Left Behind. The district implements a commendable process to determine the level of substance abuse and violence among students in Rockport. The SDFSCA program has established a set of performance measures and has designed its programs to meet these measures; however, the program needs to publicly report progress toward attaining these performance measures.

#### **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?*

Disabled students have equal opportunities to participate in all supportive and remedial services that are available as part of the general education program as well as in the nonacademic and extracurricular programs of the district. A full array of related services are provided for students with disabilities as needed. The district ensures that students whose behavior results in violations of the student code of conduct and suspensions are provided procedural safeguards according to federal law (IDEA). Special education Teams, however, need to consider providing functional behavioral assessments and behavioral intervention plans for special education students who are recognized as having behavioral difficulties before the student violates the schools' codes of conduct. The statement included in the student code of conduct regarding the additional safeguards for students with disabilities who

are excluded from school for extended periods of time needs to be updated to include a requirements under federal law (IDEA).

The district provides the required notification of nondiscrimination in its student handbooks; however, the notification statement is not complete in all handbooks. In addition, the district has designated staff persons to serve as liaisons for homeless students and as coordinators for compliance with its responsibilities under civil rights. The district has a procedure for accepting and investigating complaints alleging discrimination; however, this procedure is not published in all handbooks. All students have equal access to information and counseling on general curricular and occupational and vocational opportunities and counseling and counseling materials are free from bias and stereotyping. The review Team is concerned that the district has not developed and implemented annual staff training on the use of restraint consistent with regulatory requirements.

Private schools in the district have been informed and consulted about the availability of Title I services; however, it does not appear that the district has contacted the private school administrators who have expressed an interest in these services.

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

*Does the district maintain licensed 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?*

Principals in all schools ensure that instructional supports are provided for all students; however, the district has not developed a District Curriculum Accommodation Plan. The principal with the assistance of the administrator of special education coordinates the delivery and supervision of special education within each school. The district, however, has not transferred from the administrator of special education the responsibility to the principal for students in home or hospital programs due to medical reasons as required by the outside section of the FY '01 State Budget. The district generally maintains appropriately licensed or certified teachers and related service providers in its special education and Title I programs. There are, however, two special education staff members who are not currently appropriately credentialed. There is also concern that some paraprofessionals are designing specialized instruction for students with special needs. The district has not provided all required areas of professional development.

District employment practices are free from discrimination. Required civil rights training has not been provided for staff.

All professional staff providing Title I services are appropriately licensed. The district uses Title I funds to provide professional development activities to ensure that teachers who are not highly qualified, become highly qualified.

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

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

The district has two spaces used for special education instruction occurs that are not comparable to those spaces used for regular education instruction. The room at the elementary school used for occupational therapy and physical therapy is too small for the number of

activities that occur at the same time. The two resource rooms at the high school are located in an area that does not minimize the separation or stigmatization of eligible students.

The district does make available and entirely accessible to students with disabilities all educational programs and services at each grade level.

### **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?*

The district evaluates the special education program annually; however this evaluation does not determine the effectiveness of the district's programs in assisting students with disabilities to achieve the goals set forth in their IEPs and the evaluation does not measure the success of the district's programs based on the students' local and statewide assessment results, drop out and graduation rates for special education students.

The district has procedures to ensure that instructional materials do not include simplistic or demeaning generalizations on the basis of disability, race, color, sex, religion, national origin, or sexual orientation. The district annually reviews its policies to ensure that all students have equal access to all educational and extracurricular programs.

There is no systematic data analysis and needs assessment conducted annually to determine the types of programs and services to be provided to Title I students; however, the adequate yearly progress of that Title I school is evaluated appropriately each year.

There is a very strong process in place to determine the current level of substance abuse and violence among the student population in Rockport. The Safe and Drug Free Schools programs and activities are designed and implemented based on scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use. There, however, is not an evaluation plan that includes process, outcomes and impact assessment. The limited evaluation that is conducted is not fully utilized in improving the district goals and program. The evaluation results need to be made available to the public upon request.

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

*Does the District maintain required records and documentation for each program area? Are entitlement grants appropriately designed, amended, and monitored? Does the district use federal grant funds in accordance with statutory fund-use rules, including supplement not supplant provisions where applicable? Does the district meet applicable maintenance of effort requirements?*

Required records and documentation are maintained for the special education program; however, the district does not have a procedure to ensure that only current, accepted IEPs are reported to the Department on the December 1 child count report. Appropriate administrators who are responsible for the implementation of the local special education program develop the district's Special Education entitlement grant.

The district has submitted all required Title I reports to the Department including the district Title I Plan/Application and Performance and Achievement Report. The Title I grant is developed by appropriate administrators who are responsible for the implementation of the local Title I programs and services. The district is not able to demonstrate that the Title I

funds have been used for the express purpose of servicing those students who were identified as being in greatest need of Title I assistance.

Appropriate accounting and budget procedures are in place for the Safe and Drug Free Schools program. Excellent documentation is maintained by the business office and the SDFSCA coordinator. The program assurances convey a clear and consistent message that acts of violence and illegal use of drugs are wrong and harmful and include the require information for keeping schools safe and drug-free.

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

<b>Commendable</b>	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation.
<b>Implemented</b>	The requirement is substantially met.
<b>Partially Implemented</b>	The requirement, in one or several important aspects, is not entirely met.
<b>Not Implemented</b>	The requirement is totally or substantially not met.
<b>Not Applicable</b>	The requirement does not 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 STUDENTS

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

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.04 (1) and (2)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.532; 300.346.(a)(2)(v)</td> </tr> </table>	<b>State Regulations</b> 28.04 (1) and (2)	<b>Federal Requirements</b> 300.532; 300.346.(a)(2)(v)	
<b>State Regulations</b> 28.04 (1) and (2)	<b>Federal Requirements</b> 300.532; 300.346.(a)(2)(v)			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Partially Implemented</b></td> <td style="width: 25%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Record review indicated that the required educational assessment, including a history of the student’s educational progress and an assessment by a teacher with current knowledge regarding the student’s specific abilities, is not always completed for initial and three-year reevaluation IEP Team meetings.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 3</b>	<p><b>Special requirements for determination of specific learning disabilities</b> When the district proposes to evaluate a child suspected of having a specific learning disability, the following requirements are implemented:</p> <p><u>Team membership:</u> The district ensures the Team includes at a minimum the parent, the child’s regular classroom teacher appropriate to the age of the child and at least one person qualified to conduct individual diagnostic examinations of children.</p> <p><u>Criteria for determining the existence of a specific learning disability:</u></p> <ol style="list-style-type: none"> <li>1. the achievement is determined not to be commensurate with the age and ability of the child;</li> <li>2. a severe discrepancy exists in one or more areas between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill and reading comprehension, mathematics calculation and reasoning;</li> <li>3. the severe discrepancy between ability and achievement is not resulting from visual, hearing or motor impairment, mental retardation, emotional disturbance or environmental, cultural or economic disadvantage.</li> </ol> <p><u>Required observation of the child:</u></p> <ol style="list-style-type: none"> <li>1. at least one Team member <u>other than</u> the child’s regular teacher observes the child’s academic performance in the regular classroom setting;</li> <li>2. if the child is less than school age, the observation is conducted in an environment appropriate for a child of that age.</li> </ol> <p><u>Written documentation of the Team’s determination of eligibility due to the presence of a specific learning disability includes the following:</u></p> <ol style="list-style-type: none"> <li>1. statement whether the child has a specific learning disability;</li> <li>2. the basis for making the determination;</li> <li>3. the relevant behavior noted during the observation of the child;</li> <li>4. the relationship of that behavior to the child’s academic functioning;</li> </ol>





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

**Department of Education Findings:**

*Record review indicated that, for students who are 14 years old, IEP Teams do not always assist the student to consider their future goals or to develop their vision to be discussed at their IEP Team meeting. Teams, therefore, do not always consider or document in the IEP the student’s course of study in relation to the student’s future goals. Record review and interviews indicated that, for students who are 16 years of age, Teams do not include services in the IEP that promote movement of the student from school to post-school activities.*

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student's choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making</p> <p>(c) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.</p> <p><b>State Regulations</b> 603 CMR 28.08(5)</p> <p><b>Federal Requirements</b> 300.347(c), 300.517</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></p> <p style="text-align: right;"><b>No</b></p>

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

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<p>determined by the Administrator of Special Education</p> <p>10. When one purpose of the Team meeting is to discuss transition services, the student age sixteen or older (or younger, if appropriate) is a part of Team process. If the student does not attend the Team meeting, the school district ensures that the Team is informed of the student's interests and preferences.</p> <p>11. When one purpose of the Team meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the Team meeting. If the representative(s) does not attend the meeting, the school district takes other steps to obtain the participation of these agencies.</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.02(22)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.344; 300.552</td> </tr> </table>	<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 300.344; 300.552	
<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 300.344; 300.552			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Partially Implemented</b></td> <td style="width: 25%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Record review and interviews indicated that there is not always a member of the IEP Team who has the authority to commit the resources of the district. Interviews indicated that not all Team chairpersons believe that they have the authority to commit the resources of the district for all programs and services needed for students, particularly for out-of-district placements, extended day or year services or assistive technology. In addition, record review and interviews indicated that at the high school there is not always a Team member who is a regular education teacher who has recently had or currently has the student in a classroom or other teaching situation. Interviews indicated that often when a regular education teacher attends the Team meeting the teacher will present his report on the student and then leave the meeting without actually participating in the development of the IEP.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 9</b>	<p><b>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</b></p> <p>1. Within forty-five school working days after receipt of the parent's written consent to an initial evaluation, unscheduled evaluation, or re-evaluation, the school district:</p> <ol style="list-style-type: none"> <li>a. provides an evaluation</li> <li>b. convenes a Team meeting</li> <li>c. determines whether the student has one or more disabilities</li> <li>d. determines if the student is making effective progress in school</li> <li>e. determines if any lack of progress is a result of the student's</li> </ol>



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

**Department of Education Findings:**

*Record review and interviews indicated that although the district completes the evaluation and holds the IEP Team meeting within the required timelines, because IEPs are not provided to the parent immediately after the Team meeting, the district does not meet the timelines required by this criterion. (See finding under SE 28 in Component 3 below.)*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 10</b>	<p><b>End of school year evaluations</b></p> <p>If consent is received within thirty (30) to forty-five (45) school working days before the end of the school year, the school district ensures that a Team meeting is</p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<p>scheduled so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible no later than fourteen (14) days after the end of the school year.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.05(1)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.342</td> </tr> </table>	<b>State Regulations</b> 28.05(1)	<b>Federal Requirements</b> 300.342	
<b>State Regulations</b> 28.05(1)	<b>Federal Requirements</b> 300.342			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 25%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator's report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools.</p> <p>6. Within ten (10) school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate.</p> <p><b>State Regulations</b> 28.04(5)</p> <p><b>Federal Requirements</b> 300.502(a)(3)(i)</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 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> <p><b>State Regulations</b> 28.04(3)</p> <p><b>Federal Requirements</b> 300.536</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></p>

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

**Department of Education Findings:**

*Record review indicated that progress reports are not always sent to parents of disabled students as often as reports are sent to parents of non-disabled students. In addition, progress reports do not always include information on the student's progress toward the annual goals in the IEP and do not always include information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year.*

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

## COMPONENT II: STUDENT IDENTIFICATION AND PLACEMENT

The criteria in this component examine whether the district has followed procedures for student identification and placement into the program according to the criteria in regulations for the program areas listed below:

- Special Education (Report Issues # SE 15-23)
- Civil Rights Methods of Administration (MOA)  
(Report Issues # MOA 1-6)
  - Title I (Report Issues # TI 19-20)



<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.03(1)(d) Chapter 71, section 57</td> <td style="width: 50%; border: none; text-align: right;"><b>Federal Requirements</b></td> </tr> </table>	<b>State Regulations</b> 28.03(1)(d) Chapter 71, section 57	<b>Federal Requirements</b>	
<b>State Regulations</b> 28.03(1)(d) Chapter 71, section 57	<b>Federal Requirements</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 25%; border: none; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SE 17</b>	<p><b>Initiation of services at age three and Early Intervention transition procedures</b></p> <ol style="list-style-type: none"> <li>1. The school district encourages referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements.</li> <li>2. The district implements procedures to ensure the effective transition of young children with disabilities from Early Intervention Programs through participation in transition planning conferences arranged by such programs.</li> </ol> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.06(7)(b)</td> <td style="width: 50%; border: none; text-align: right;"><b>Federal Requirements</b> 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</td> </tr> </table>	<b>State Regulations</b> 28.06(7)(b)	<b>Federal Requirements</b> 300.24(b)(3); 300.121(c); 300.132; 300.342(c)	
<b>State Regulations</b> 28.06(7)(b)	<b>Federal Requirements</b> 300.24(b)(3); 300.121(c); 300.132; 300.342(c)			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 25%; border: none; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

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

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

**Department of Education Findings:**

*Record review indicated that the goals developed by IEP Teams are not always annual and measurable. (See finding under SE 8 regarding part 6. in Component II above.)*

CRITERION NUMBER			
	Legal Standard		
<b>SE 18B</b>	<p><b>Determination of placement; provision of IEP to parent</b></p> <p>1. At the Team meeting, after the IEP has been fully developed, the Team determines the appropriate placement to deliver the services on the student's IEP.</p>		



<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	<p>2. Unless the student’s IEP requires some other arrangement, the student is educated in the school that he or she would attend if the student did not require special education.</p> <p>3. The decision regarding placement is based on the IEP, including the types of related services that are to be provided to the child, the type of settings in which those services are to be provided, the types of service providers, and the location 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
<b>State Regulations</b>	<b>Federal Requirements</b>				
28.05(6) and (7)	300.346				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>	
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>			

**Department of Education Findings:**

*Record review and interviews indicated that IEPs are not provided to the parent immediately following the development of the IEP and as a result, the required timelines outlined in part 5. are not met.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 19</b>	<p><b>Extended evaluation</b> If the Team finds a student eligible for special education and finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents’ consent, agrees to an extended evaluation period.</p> <p>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.</p> <p>2. The extended evaluation period is not used to allow additional time to complete the required assessments.</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>3. If the parent consents to an extended evaluation, the Team documents their findings and determines what evaluation time period is necessary and the types of information needed to 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.</p> <p>4. The extended evaluation may extend longer than one week, but does not exceed eight school weeks.</p> <p>5. The extended evaluation is not considered a placement.</p> <p><b>State Regulations</b> 28.05(2)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<p><b>Rating: Partially Implemented</b></p> <p style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></p> <p style="text-align: right;"><b>Yes</b></p>

**Department of Education Findings:**

*Record review and interviews indicated that all Teams are not aware of when an extended evaluation should be used. Several records reviewed by the onsite team included evaluations that were completed after the Team determined the student eligible for special education services and found that an additional evaluation was needed to complete the student's IEP, but the extended evaluation process and form were not used.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 20</b>	<p><b>Least restrictive program selected</b></p> <p>1. The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs.</p> <p>2. If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.</p> <p>3. The district does not remove an eligible child from the general education classroom solely because of needed modification in the curriculum.</p> <p>4. If a student's IEP necessitates special education services in a day or residential facility or an out-of-district educational collaborative program, the IEP Team considers whether the student requires special education services and support to promote the student's transition to placement in a less restrictive program.</p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.06(2)(a); Chapter 71B, section 3</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 34 CFR 300.130; 300.550-300.556</td> </tr> </table>	<b>State Regulations</b> 28.06(2)(a); Chapter 71B, section 3	<b>Federal Requirements</b> 34 CFR 300.130; 300.550-300.556	
<b>State Regulations</b> 28.06(2)(a); Chapter 71B, section 3	<b>Federal Requirements</b> 34 CFR 300.130; 300.550-300.556			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 25%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SE 21</b>	<p><b>School day and school year requirements</b></p> <ol style="list-style-type: none"> <li>1. The school district ensures that every eligible elementary level student is scheduled to receive a minimum of 900 hours per school year of structured learning time and every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time unless otherwise provided for below.</li> <li>2. The Team routinely considers the need for an educational program that is less than or more than the regular school day or school year, including extended day, or year, and/or residential services and indicates on the IEP why the shorter or longer program is necessary.</li> <li>3. The daily duration of the child’s program is equal to that of the regular school day unless the Team states that a different duration is necessary to provide a free appropriate public education to the child.</li> <li>4. Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction.</li> <li>5. An extended day or year program is identified if the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided.</li> <li>6. If residential services are required, the IEP clearly specifies the reasons for such determination and how such services will be coordinated with the day education services provided to the student. Additionally, the annual goals and services on the student’s IEP reflects the comprehensive nature of the educational program required.</li> <li>7. Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.</li> </ol> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.05(4) Chapter 69, section 1G</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.309(b)</td> </tr> </table>	<b>State Regulations</b> 28.05(4) Chapter 69, section 1G	<b>Federal Requirements</b> 300.309(b)	
<b>State Regulations</b> 28.05(4) Chapter 69, section 1G	<b>Federal Requirements</b> 300.309(b)			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 25%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 22</b>	<p><b>IEP implementation and availability</b></p> <ol style="list-style-type: none"> <li>1. Where the IEP of the student in need of special education has been accepted in whole or in part by that student's parent, the school district provides the mutually agreed upon services without delay.</li> <li>2. At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction.</li> <li>3. Each teacher and provider described in the IEP is informed of his or her specific responsibilities related to the implementation of the student's IEP.</li> <li>4. The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved.</li> </ol> <p><b>State Regulations</b> 28.05(7)(b); 28.06(2)(b)(2)</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.342</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED:</b>      <b>No</b></p>

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

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT		
	Legal Standard		
MOA 1	<p><b>Identification of limited-English-proficient students</b> The district uses qualified staff and appropriate procedures and assessments to identify students who are limited-English-proficient and assess their level of English proficiency.</p> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); 603 CMR 14.02; M.G.L c. 76, s. 5; 603 CMR 26.03</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*The onsite team notes that the district has very few students who are limited English proficient (LEP) and that the district provides tutorial support for those who have self identified. Documentation review and interviews, however, indicated that the district does not have qualified staff or appropriate procedures and assessments to identify students who are limited English proficient.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT		
	Legal Standard		
MOA 2	<p><b>Program modifications and support services for limited-English-proficient students</b> The district implements necessary program modifications and support services to serve effectively limited-English-proficient students who need special language assistance. 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. are demonstrably useful in assisting students receiving such program modifications and services to gain English language proficiency.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); M.G.L. c. 71, s. 38Q1/2; 603 CMR 28.03(3)(a); M.G.L. c. 71A, ss. 2(e), 4; 603 CMR 14.04; M.G.L. c. 76, s. 5; 603 CMR 26.03</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*While the district has provided support services for limited English proficient students in the past,*

*because the district does not currently have qualified staff and has not provided necessary professional development, the district is not currently prepared to ensure English-language development or meaningful participation of LEP students in the district's educational program.*

CRITERION NUMBER			
	Legal Standard		
<p><b>MOA 3</b></p> <p><b>Access to a full range of education programs</b>            Students from linguistic, racial, and ethnic minorities; males; females; homeless students; 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 VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA: 34 CFR 300.305; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03</p>			
	<p><b>Rating: Implemented</b></p>	<p><b>DISTRICT RESPONSE REQUIRED:</b></p>	<p><b>No</b></p>

CRITERION NUMBER			
	Legal Standard		
<p><b>MOA 4</b></p> <p><b>Placement of disabled, linguistic and racial minority, homeless, and female/male students</b>            Patterns of placement in district programs and services for disabled students, linguistic and racial minority students, homeless students, and females are consistent with patterns of placement for non-disabled students, linguistic and racial majority students, nonhomeless 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: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 71B, s. 6; c. 76, s. 5; 603 CMR 26.03</p>			
	<p><b>Rating: Implemented</b></p>	<p><b>DISTRICT RESPONSE REQUIRED:</b></p>	<p><b>No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 5A</b>	<p><b>Placement of homeless students</b>  According to the best interest of the homeless student, the district either</p> <ol style="list-style-type: none"> <li>1. continues the student’s education in the student’s school of origin for the duration of homelessness and, if the student becomes permanently housed during an academic year, for the remainder of that academic year; or</li> <li>2. enrolls the student in any public school that nonhomeless students who live in the attendance area where the student is actually living are eligible to attend.</li> </ol> <p>If the district sends the student to a school other than the school of origin or a school requested by the student’s parent or guardian, it provides the parent or guardian with a written explanation, including a statement of the right to appeal the placement. If the student is unaccompanied, notice of the right to appeal is provided to the student.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(3)(A), (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>MOA 5B</b>	<p><b>Immediate enrollment of homeless students</b>  The school where a homeless student is placed immediately enrolls the student even if he or she is unable to produce records normally required for enrollment, such as previous academic records, medical records, or proof of residency.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(3)(C)(i)</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 5C</b>	<p><b>Transportation of homeless students to and from the school of origin</b>  If a homeless student is continuing to attend his or her school of origin but lives in another district than that in which the school of origin is located, the two districts agree on a method to apportion responsibility and costs for transportation to and</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	from the school of origin. If they cannot agree on a method, the responsibility and costs are shared equally.  NCLB: Title X, Part C, Sec. 722(g)(1)(J)(iii)
	<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 6</b>	<b>Availability of in-school programs for pregnant students</b> Pregnant students are permitted to remain in regular education classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.  Title IX: 20 U.S.C. 1681; 34 CFR 106.40(b)
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	<b>TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
<b>TI 19</b>	(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 student academic performance and assessment standards required of all students.  1115 (b)(1)(B) NCLB
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Interviews with staff and review of documentation indicated that while the criteria to identify eligible*



*students was recently updated, it was not implemented this year.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 20</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:</b>	<b>No</b>

### COMPONENT III: PARENTAL INVOLVEMENT

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

- Special Education (Report Issues # SE 24-32)
- Civil Rights Methods of Administration (MOA) (Report Issue # MOA 7)
  - Title I (Report Issues # TI 21-23)
- Safe and Drug Free Schools (Report Issues # SDF 1-3)



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>3. The school district obtains consent to the services proposed on a student’s IEP before providing such services.</p> <p>4. The school district obtains consent prior to placing a student in an initial special education placement and for any subsequent placement.</p> <p>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.</p> <p>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.</p> <p>7. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the initial placement, or the parent revokes consent to such reevaluation or placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the child. If, after consideration, the school district determines that the parent’s failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through Special Education Appeals</p> <p style="text-align: center;"><b>State Regulations</b> 28.07(1)</p> <p style="text-align: center;"><b>Federal Requirements</b> 300.500(b)(1)</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></p> <p style="text-align: right;"><b>No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 26</b>	<p><b>Parent participation in meetings</b></p> <p>1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child.</p> <p>2. The Administrator of Special Education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend.</p> <p>3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.</p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<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	
<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 300.345(d), 300.501			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**Department of Education Findings:**

*Record review and interviews indicated that the district has a very high rate of parent participation at IEP Team meetings.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SE 27</b>	<p><b>Content of Team meeting notice to parents</b></p> <ol style="list-style-type: none"> <li>1. The parent notice of an evaluation required by 603 CMR 28.04(1)(a) meets all of the content requirements set forth in MGL c.71B, §3, and in federal law and seeks the consent of the parent for any evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student's skills or abilities and to consult regarding the evaluators to be used.</li> <li>2. The parent notice of any Team meeting states the purpose, time and location of the meeting as well as who will be in attendance.</li> </ol>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.04(b)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.503-504</td> </tr> </table>	<b>State Regulations</b> 28.04(b)	<b>Federal Requirements</b> 300.503-504	
<b>State Regulations</b> 28.04(b)	<b>Federal Requirements</b> 300.503-504			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**Department of Education Findings:**

*Record review indicated that the district provides notice to parents as required, but the notice of a proposal to evaluate does not always include all of the information required by federal regulation 34 CFR 300.503(2)(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>  Immediately following the development of the IEP and without undue delay, the district provides the parents with a copy of the proposed IEP or a written explanation of the finding of no eligibility for special education together with the required notice of procedural safeguards and parents' rights.</p> <p><b>State Regulations</b> 28.05(7)</p> <p><b>Federal Requirements</b> 300.345(f)</p>
	<p><b>Rating: Partially Implemented</b></p> <p><b>DISTRICT RESPONSE REQUIRED:</b> <b>Yes</b></p>

**Department of Education Findings:**

*Record review and interviews indicated that the district does not provide the parent with a copy of the proposed IEP immediately following its development.*

<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>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> 28.07(g)</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.345(e)</td> </tr> </table>	<b>State Regulations</b> 28.07(g)	<b>Federal Requirements</b> 300.345(e)	
<b>State Regulations</b> 28.07(g)	<b>Federal Requirements</b> 300.345(e)			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 25%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SE 30</b>	<p><b>Elements of notice of parents' rights</b> The district's notice of parental rights contains all required elements included in the most current version of the Massachusetts Parent's Rights Brochure.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>State Regulations</b> MGL c. 71B, Sec. 3</td> <td style="width: 50%; border: none;"><b>Federal Requirements</b> 300.503-504</td> </tr> </table>	<b>State Regulations</b> MGL c. 71B, Sec. 3	<b>Federal Requirements</b> 300.503-504	
<b>State Regulations</b> MGL c. 71B, Sec. 3	<b>Federal Requirements</b> 300.503-504			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Implemented</b></td> <td style="width: 25%; border: none;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; border: none; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 31</b>	<p><b>State and district responsibility for educational surrogate parents</b></p> <ol style="list-style-type: none"> <li>1. When a student is without parental representation and requires an educational surrogate parent to be appointed in accordance with federal law and regulations, upon request of the Department, the district responsible for services to the student assists in identifying a person willing to serve as an educational surrogate parent.</li> <li>2. Upon assignment by the Department, such educational surrogate parent has all the rights and responsibilities of a parent in making decisions regarding eligibility and services for special education for the assigned student. The Department provides notice of appointment to the school district and any state agency with custody of the student.</li> <li>3. A person identified by the district and willing to serve as an educational surrogate parent has no conflict of interest and is not in the employ of the school district or any state or local agencies involved with the care of the student .</li> <li>4. A person identified by the district, appointed by the Department, and serving as an educational surrogate parent does not receive financial remuneration from the district except that the school district reimburses the person for reasonable</li> </ol>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	expenses related to the exercise of his or her responsibilities as an educational surrogate parent for a student enrolled in the district.			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.07(7)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.515</td> </tr> </table>	<b>State Regulations</b> 28.07(7)	<b>Federal Requirements</b> 300.515	
<b>State Regulations</b> 28.07(7)	<b>Federal Requirements</b> 300.515			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
<b>SE 32</b>	<p><b>Parent advisory council for special education</b></p> <ol style="list-style-type: none"> <li>1. The school committee has established a parent advisory council on special education.</li> <li>2. Membership on the council is offered to all parents of children with disabilities and other interested parties.</li> <li>3. The parent advisory council duties include but are not limited to: advising the school committee on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school committee's special education programs.</li> <li>4. The parent advisory council has established by-laws regarding officers and operational procedures.</li> <li>5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources.</li> <li>6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</li> </ol> <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%;"><b>STATE REGULATIONS</b></td> <td style="width: 50%;"><b>FEDERAL REQUIREMENTS</b></td> </tr> <tr> <td>Chapter 71B, sec. 3; 28.07(4)</td> <td></td> </tr> </table>	<b>STATE REGULATIONS</b>	<b>FEDERAL REQUIREMENTS</b>	Chapter 71B, sec. 3; 28.07(4)	
<b>STATE REGULATIONS</b>	<b>FEDERAL REQUIREMENTS</b>				
Chapter 71B, sec. 3; 28.07(4)					
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>	
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>			

**Department of Education Findings:**

*Documentation review and interviews indicated that the district has made several attempts to develop*



*a Parent Advisory Council (PAC) for Special Education. The district has not been able to engage the parents in performing the advisory responsibilities as stated in part 3. of this criterion. The required parent’s rights workshop has not been presented in over a year.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT
	<b>Legal Standard</b>
<b>MOA 7</b>	<p><b>Information to be translated into languages other than English</b>            When students have parents or guardians with limited English language skills, general announcements and notices of extracurricular activities and other opportunities are distributed to them in the primary language of the home. When persons with limited English language skills reside in the community, school recruitment and promotional materials are disseminated to them in their primary language(s).</p> <p>Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Interviews indicated that although the district has arranged to have general announcements verbally translated for limited English parents in a few instances, the district does not have a policy or procedures to identify parents who may need notices and other documents communicated to them in their native language and it has not identified resources to use when they need written or verbal translations.*

CRITERION NUMBER	TITLE 1 III. PARENTAL AND COMMUNITY INVOLVEMENT
	<b>Legal Standard</b>
<b>TI 21</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 district’s written parental involvement policy is developed and annually reevaluated with, agreed upon, and distributed to parents of participating children. 1118(a)(2)</li> <li>3. The district provides coordination, technical assistance, and other resources to assist schools in planning and implementing effective parental involvement activities to improve student achievement and school performance. 1118(e)(2) NCLB</li> </ol>

CRITERION NUMBER	TITLE 1 III. PARENTAL AND COMMUNITY INVOLVEMENT
	<b>Legal Standard</b>
	<p>4. The district builds schools’ and parents’ capacity for strong parental involvement.</p> <p>5. Title I parental involvement services are integrated with other programs’ parental involvement strategies at the school and district level.</p> <p>6. The district conducts, with involvement of parents, annual evaluation of the content and effectiveness of the parental involvement policy in improving student achievement and parental involvement and uses the evaluation results. 1118(a)(2)(A) – (G)</p> <p>7. The district has a system for schools to provide parents with “right to know” information:</p> <ul style="list-style-type: none"> <li>a. Status of school identified for school improvement</li> <li>b. Notice of teacher qualifications and right of parent to inquire</li> <li>c. Notice, if applicable, that students are taught by non- highly qualified teachers for more than four weeks.</li> </ul> <p style="text-align: center;">1118(d)(3)(B)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews with staff and review of documentation indicated that while some of the district requirements under this criterion are implemented, parts 1., 2., 4., and 6. have not been fully addressed.*

CRITERION NUMBER	Legal Standard
<b>TI 22</b>	<p>The district and schools provide 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> <p>1118(e)(2) NCLB</p>
	<b>Rating: Partially Implemented</b> <b>DISTRICT RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Interviews and review of documentation indicated that the school provides materials for parents on a regular basis; but no formal training to enable parents to improve the achievement of their children is offered.*

CRITERION NUMBER			
	Legal Standard		
<p><b>TI 23</b></p>	<p><u>School Requirements:</u></p> <ol style="list-style-type: none"> <li>1. The school has a written parent involvement policy that 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 format. 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 parent requirements:               <ol style="list-style-type: none"> <li>a. Convenes an annual informational meeting at a time convenient for parents;</li> <li>b. Provides parents with opportunities for regular meetings regarding the education of their children; and offers a flexible number of meetings (e.g., in the early morning or in the evening, etc.);</li> <li>c. Involves parents in an organized, ongoing, timely way in the planning, review, and improvement of school parental involvement policy and schoolwide programs;</li> <li>d. Provides parents with timely information about Title I programs, descriptions, and an explanation of the Title I curriculum and assessment procedures; and</li> <li>e. Provides parents with materials and training to improve their children’s achievement. 1118 (c)(1)-(4); 1118 (e)(2) NCLB</li> </ol> </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>		
	<p><b>Rating: Partially Implemented</b></p>	<p><b>DISTRICT RESPONSE REQUIRED:</b></p>	<p><b>Yes</b></p>

**Department of Education Findings:**

*Interviews with staff and review of documentation indicated that while some of the school requirements under this criterion are implemented, parts 1., 3c. and 3e. have not been addressed.*

CRITERION NUMBER	<b>SAFE AND DRUG FREE SCHOOLS III. PARENTAL INVOLVEMENT</b>		
	<b>Legal Standard</b>		
<b>SDF 1</b>	The Safe and Drug Free Schools program develops its application through timely and meaningful consultation with community agencies, parents, students and representatives from the schools and prevention community.  [Title IV Sec. 4115 (b) (2) (E)]		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

**Department of Education Findings:**

*Based on interviews and documentation there is strong evidence of meaningful consultations with community agencies and there is participation by community agencies in focus groups and meetings regarding the prevalence of drugs and violence problems among youth in the community. Community agencies are mostly aware of the goals and objectives of the local Safe and Drug Free Schools and Community Act (SDFSCA) program. There is effective collaboration with the DA's office, the Board of Health, Rape Crisis Center, Youth Commission and the police department.*

CRITERION NUMBER	<b>Legal Standard</b>		
<b>SDF 2</b>	The local education agency coordinates such agency's programs and projects with community-wide efforts to achieve SEA's goals for drug and violence prevention.  [NCLB Title IV Sec. 4114 (c) (1) (B)]		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

**Department of Education Findings:**

*Based on documentation and interviews there is evidence of timely and meaningful consultation with community agencies in the development and implementation of the goals and objectives of the programs through out the year.*

CRITERION NUMBER	<b>Legal Standard</b>		
<b>SDF 2A</b>	The local education agency coordinates such agency's programs and projects with other federal, state and local programs for drug-abuse and violence prevention.		

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	[Title IV Sec. 4114 (c) (1) (B)]			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**Department of Education Findings:**

*Based on interviews and documentation the Rockport Public Schools has a very strong partnership with all applicable local programs and projects for drug-abuse and violence prevention, especially with the Health Enhancement grant, the police department, the youth commission and the Rape Crisis Council.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SDF 3</b>	<p>There are program activities implemented to promote the involvement of parents.</p> <p>[Title IV Sec. 4116 (a)(1)]</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Based on interviews and documentation there is evidence that the district promotes parent involvement and some parents participated in focus groups/meetings regarding the prevalence of drugs and violence among the youth in the community. However, most of the parents interviewed were not aware of the goals and objectives of the Rockport SDFSCA program. The parents need to be provided at least annually with progress/status reports regarding program outcomes and accomplishments.*

#### COMPONENT IV: CURRICULUM AND INSTRUCTION

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

- Special Education (Report Issues # SE 33-42)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 8-9)
  - Title I (Report Issues # TI 24-28)
- Safe and Drug Free Schools (Report Issue # SDF 4)

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

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
SE 34	<p><b>Continuum of alternative services and placements</b></p> <p>The district provides or arranges for the provision of each of the elements of the IEPs of students in need of special education from the ages of three through twenty-one, ensuring that a continuum of services and alternative placements is available to meet the needs of all students with disabilities, and takes all steps necessary to ensure compliance with all elements of the IEPs, including vocational education.</p> <p>State Regulations</p> <p>Federal Requirements 300.551; 300.305; 300.123</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Documentation and record review and interviews indicated that the district's continuum of services does not include vocational services for disabled students who are not accepted at a vocational school.*





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

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation additionally determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.</p> <p>c. <u>School district approval to operate a private school in Massachusetts</u>: If services in an unapproved program are provided in a school setting, the Administrator of Special Education ensures that such school has received approval from the local school committee under MGL c.76, §1 and a copy of such approval is retained in the student record.</p> <p>d. <u>Pricing</u>: Pursuant to the requirements for Compliance, Reporting and Auditing for Human and Social Services at 808 CMR 1.00, the Administrator obtains pricing forms required to set program prices for programs receiving publicly funded students. Such pricing forms are completed by the proposed placement and document that the price proposed for the student’s tuition is the lowest price charged for similar services to any student in that program.</p> <p>e. <u>Notification of the Department of Education</u>: Prior to placement, if the Team determines that placement in such facility is appropriate, the Administrator notifies the Department of the intent to place the student and the name and location of the proposed placement. In addition, the Administrator forwards the notice of proposed placement and completed pricing forms to the Department along with the information on the proposed terms of the contract that will govern such placement and documentation of a monitoring plan pursuant to 603 CMR 28.06(3)(b). The district maintains any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly funded students as set by the state agency responsible for setting program prices.</p> <p>f. <u>Out of state programs</u>: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the Administrator of Special Education ensures that such school has received approval from the host state.</p>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.02(13), 28.06(3)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.2(c)</td> </tr> </table>	<b>State Regulations</b> 28.02(13), 28.06(3)	<b>Federal Requirements</b> 300.2(c)	
<b>State Regulations</b> 28.02(13), 28.06(3)	<b>Federal Requirements</b> 300.2(c)			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Partially Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>Yes</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>		

**Department of Education Findings:**

*Record review and interviews indicated that the district does not develop monitoring plans for all students placed in out-of-district placements.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>SE 38</b>	<p><b>Educational services in institutional settings (ESIS)</b>  <u>Department of Education responsibility:</u> In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities.  <u>School district responsibility:</u></p> <ol style="list-style-type: none"> <li>1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law.</li> <li>2. Where a student's IEP requires a type or amount of service that the facility does not provide, it remains the responsibility of the parent's school district to implement the student's IEP by arranging and paying for the provision of such service(s).</li> <li>3. The parent's school district coordinates with the state agency to ensure that the student receives an evaluation, an annual review, and special education services as identified at a Team meeting convened by the parent's school district.</li> </ol> <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.06(9)</td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> </table>	<b>State Regulations</b> 28.06(9)	<b>Federal Requirements</b>	
<b>State Regulations</b> 28.06(9)	<b>Federal Requirements</b>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 39</b>	<p>Procedures used to provide services to eligible students enrolled in private schools at private expense</p> <ol style="list-style-type: none"> <li>1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives.</li> <li>2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> <li>a. The district provides special education and/or related services designed to meet the needs of eligible children who are attending private schools at private expense and whose parents reside in the jurisdiction of the school district. The school district provides to such children genuine opportunities to participate in the public school special education program consistent with state constitutional limitations.</li> <li>b. The district provides or arranges for the provision of evaluation services and an IEP for any eligible private school child whose parent resides in the jurisdiction of the school district. The evaluation may take place in the public school, the private school, or an appropriate contracted facility, and the school district ensures that a representative of the child's private school is invited to participate as a member of the Team pursuant to §28.05.</li> <li>c. The district provides or arranges for the provision of the special education and/or related services described by the child's IEP and the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds.</li> <li>d. The district does not withdraw or withhold services from a child solely because the school district has met the spending requirements of federal law.</li> </ol> </li> <li>3. Special education services and/or related services provided by the district to a private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance.</li> <li>4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children.</li> <li>5. An expedited special education evaluation, which is limited to a child's physician statement unless there is a clear indication of the need or unless the parents request additional evaluation, is conducted and service provided to eligible students by the district within 15 calendar days of the school district's receipt of the child's physician statement.</li> </ol> <p><b>State Regulations</b> 28.03(1)(e); Chapter 71B, section 2</p> <p><b>Federal Requirements</b> 34 CFR 300.450-300.462</p>		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>



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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 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>6. <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</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>teacher and one aide and no more than five (5) students with disabilities. If the number of students with disabilities is six (6) or seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide.</p> <p>7. <u>Substantially separate programs</u> for young children are located in a public school classroom or facility that serves primarily or solely children with disabilities. Substantially separate programs adhere to the following standards:</p> <ol style="list-style-type: none"> <li>a. Substantially separate programs are programs in which more than 50% of the children have disabilities.</li> <li>b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide.</li> </ol> <p><b>State Regulations</b> 28.06(7)</p> <p><b>Federal Requirements</b> 300.342(c)</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></p>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>MOA 8</b>	<p><b>Accessibility of extracurricular activities</b> Extracurricular activities sponsored by the district are nondiscriminatory in that:</p> <ol style="list-style-type: none"> <li>1. the school provides equal opportunity for all 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, disability, or homelessness.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.41; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37(a), (c); Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title X, Part C, Sec. 721; Mass. Const. amend. art 114; M.G.L. c. 76, s. 5; 603 CMR 26.06</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: right;"><b>District Response Required: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 9</b>	<p><b>Hiring and employment practices of prospective employers of students</b></p> <ol style="list-style-type: none"> <li>1. The district requires employers recruiting at the school to sign a statement that the employer complies with applicable federal and state laws prohibiting discrimination in hiring or employment practices.</li> <li>2. Prospective employers to whom this criterion applies include those participating in career days and work-study and apprenticeship training programs, as well as those offering cooperative work experience.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(1),(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.38; Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(1)(v), 104.37(a); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(1)(v); M.G.L. c. 76, s. 5; 603 CMR 26.07(5)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	<b>TITLE 1 IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>TI 24 - TAS</b>	<p>The district implements effective instructional strategies that are based on scientifically-based research that:</p> <ol style="list-style-type: none"> <li>a. give primary consideration to extended learning time;</li> <li>b. help provide an accelerated, high quality curriculum; and</li> <li>c. minimize the removal of students from the classroom during regular hours.</li> </ol> <p>1115(c)(1)(C) NCLB</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 25 – TAS/SWP</b>	<p>The school district provides opportunities for students receiving Title I services to participate in extended day/week/year programs and activities that the district offers.</p> <p>1114(b)(1)(B)(ii)(II); 1115(c)(1)(C)(i) 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 28- SWP</b>	In providing technical assistance and support to schoolwide programs, the district ensures that the programs and plans contain all ten required schoolwide components, and are designed to ensure that each school will make Adequate Yearly Progress (AYP).  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 district is only eligible to provide services as a targeted assistance program.*

<b>CRITERION NUMBER</b>	<b>SAFE AND DRUG FREE SCHOOLS IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>SDF 4</b>	Local SDFSCA activities (where applicable) are integrated with the following federal programs under No Child Left Behind (NCLB): <ul style="list-style-type: none"> <li>• Title I (helping disadvantaged children meet high standards);</li> <li>• Title II (professional development);</li> <li>• Title IV B 21<sup>st</sup> Century Learning Center programs</li> <li>• Title V (innovative education program strategies);</li> </ul> [Title IV Sec. 4114 (d) (2) (A)]
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*Based on interviews and documentation there is evidence of collaboration with the Title I coordinator, staff and the superintendent for integrating activities at the elementary level.*

## COMPONENT V: STUDENT SUPPORT SERVICES

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

- Special Education (Report Issues # SE 43-49A)
- Civil Rights Methods of Administration (MOA)  
(Report Issues MOA 10 –17A)
- Title I (Report Issues # TI 29)



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>notice regarding the school's Code of Conduct.</p> <ol style="list-style-type: none"> <li>2. The school's Code of Conduct includes required procedural safeguards such as opportunity for a hearing (per Goss v. Lopez).</li> <li>3. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below.</li> <li>4. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education.</li> <li>5. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.</li> </ol> <p><b>State Regulation</b> MGL c. 76, sec. 16-18 Chapter 71, section 37 H</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.519-300.529</p>
	<p><b>Rating: Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></p>

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





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

<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</li> </ol>



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

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
<b>MOA 10A</b>	<p><b>Handbooks and codes of conduct</b></p> <p>1. The district has a code of conduct for students and one for teachers. The principal of every school containing grades 9-12 prepares, in consultation with the school council, a student handbook containing the student code of conduct and distributes it to each student annually, as well as to parents and school personnel; the school council reviews and revises the student code of conduct every year. The principal of every school containing other grades distributes the district’s student code of conduct to students, parents, and personnel annually. At the request of a parent or student whose primary language is not English, a handbook or student code of conduct is translated into that language.</p> <p>2. Student codes of conduct contain:</p> <p>a) procedures assuring due process in disciplinary proceedings and</p> <p>b) appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans.</p> <p>3. Handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain:</p> <p>a) a nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5, and affirms the school’s non-tolerance for harassment or discrimination, including that based on race, color, national origin, sex, religion, or sexual orientation;</p> <p>b) the school’s procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and</p> <p>c) the disciplinary measures that the school may impose if it determines that</p>

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES
	<b>Legal Standard</b>
	harassment or discrimination has occurred.  Section 504; M.G.L. c. 71, s. 37H; 603 CMR 26.08
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Documentation review indicated that the district does not have a code of conduct for teachers. The elementary student handbook does not have procedures assuring due process in disciplinary proceedings, does not have procedures for the discipline of students with disabilities and does not have the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred. The middle school student handbook does not have procedures for accepting, investigating and resolving complaints alleging discrimination or harassment. The high school's statement of nondiscrimination does not include sexual orientation. The procedures for the discipline of students with special needs included in the middle and high student handbooks needs to be updated to reflect the requirements of federal law (IDEA).*

CRITERION NUMBER	Legal Standard
<b>MOA 11A</b>	<p><b>Designation of liaison/coordinator(s); grievance procedures</b></p> <ol style="list-style-type: none"> <li>1. The district has designated one or more staff persons to serve as liaison for homeless students and to serve as coordinator for compliance with its responsibilities under Title IX, Section 504, and (if it employs 50 or more persons) Title II.</li> <li>2. The district has adopted and published grievance procedures for students and for employees providing for prompt and equitable resolution of complaints alleging discrimination based on sex or disability.</li> </ol> <p>Title IX: 20 U.S.C. 1681; 34 CFR 106.8; Section 504: 29 U.S.C. 794; 34 CFR 104.7; Title II: 42 U.S.C. 12132; 28 CFR 35.107; NCLB: Title X, Part C, Sec. 722(g)(1)(J)(ii)</p>
	<b>Rating: Implemented</b> <b>DISTRICT RESPONSE REQUIRED: No</b>

CRITERION NUMBER			
	Legal Standard		
MOA 12A	<p><b>Annual and continuous notification concerning nondiscrimination and coordinators</b></p> <ol style="list-style-type: none"> <li>1. If the district offers vocational education programs, it advises students, parents, employees and the general public before the beginning of each school year that all vocational opportunities will be offered regardless of race, color, national origin, sex or disability. The notice includes a brief summary of program offerings and admission criteria and the name(s), office address(es), and phone number(s) of the person(s) designated under MOA 11A to coordinate compliance under Title IX and Section 504.</li> <li>2. In all cases, the district takes continuing steps to notify applicants, students, parents, and employees (including those with impaired vision or hearing), as well as unions or professional organizations holding collective bargaining or professional agreements with the district, that it does not discriminate on the basis of race, color, national origin, sex, or disability. This notice, also, includes the name(s), office address(es), and phone number(s) of the person(s) designated under MOA 11A to coordinate compliance under Title IX and Section 504.</li> <li>3. Written materials and other media used to publicize a school include a notice that the school does not discriminate on the basis of race, color, national origin, sex, disability, religion, or sexual orientation.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.6(d); Title IX: 20 U.S.C. 1681; 34 CFR 106.8(a), 106.9; Section 504: 29 U.S.C. 794; 34 CFR 104.8; M.G.L. c. 76, s. 5; 603 CMR 26.02(2)</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Although the district has designated coordinators for Title IX and Section 504, documentation review and interviews indicated that it has not included the names, office address and phone number of these coordinators with its notices of nondiscrimination.*

CRITERION NUMBER			
	Legal Standard		
MOA 13	<p><b>Availability of information and counseling on general curricular and occupational/vocational opportunities</b></p> <p>Students from linguistic, racial, and ethnic minorities; males; females; homeless students; and students with disabilities all receive, in grades 7-12, the same information and counseling as other students on the full range of general curricular and any occupational/vocational opportunities available to them.</p>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37(b); Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 721; Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 14</b>	<p><b>Counseling and counseling materials free from bias and stereotypes</b>  To ensure that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation, disability, and homelessness, all counselors:</p> <ol style="list-style-type: none"> <li>1. encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills;</li> <li>2. examine testing materials for bias and counteract any found bias when administering tests and interpreting test results;</li> <li>3. communicate effectively with limited-English-proficient and disabled students and facilitate their access to all programs and services offered by the district;</li> <li>4. provide limited-English-proficient students with the opportunity to receive counseling in their primary language;</li> <li>5. support students in educational and occupational pursuits that are nontraditional for their gender.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37; Title II: 42 U.S.C. 12132; 28 CFR 35.130, 35.160; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 721; Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.04, 26.07(8)</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

CRITERION NUMBER			
	Legal Standard		
MOA 15	<p><b>Non-discriminatory administration of scholarships, prizes and awards</b>  Scholarships, prizes and awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability.  Schools may post or print information regarding private restricted scholarships as long as no preferential treatment is given to any particular scholarship offered and as long as the school does not endorse or recommend any such scholarship nor advise or suggest to a particular student that he or she apply for such a scholarship.  Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.37; Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(1)(v); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(1)(v); Mass. Const. amend. art. 114; M.G.L. c. 76, s. 5; 603 CMR 26.07(7)</p>		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Documentation review indicated that the district participates in the administration of one scholarship that discriminates on the basis of gender.*

CRITERION NUMBER			
	Legal Standard		
MOA 16	<p><b>Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion</b></p> <p>1. Within ten days from a student’s fifteenth consecutive unexcused absence, the school provides written notice to students age 16 or over and their parents or guardians. The notice is in English and the family’s native language and states that the student and the parent or guardian may meet with a representative of the district within ten days from the date the notice was sent. At the request of the parent or guardian, the district may consent to an extension of the time for the meeting of not longer than fourteen days.</p> <p>2. At the meeting the participants discuss the reasons that the student is leaving school and alternative educational or other placements. The student and parent or guardian are told that attendance is voluntary after the student turns 16 but are also informed of the student’s right to return to school.</p> <p>M.G.L. c. 76, ss. 5, 18; St. 1965, c. 741</p>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*Although interviews indicated that the district has a thorough process to meet with students who are considering leaving the school without a diploma to present all alternatives and options to them, the district did not present evidence that it sends written notice to students after their fifteenth consecutive unexcused absence as required in part 1. of this criterion.*

<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 procedures are annually reviewed and provided to school staff and made available to parents of enrolled students.</li> <li>4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Education consistent with the regulations.</li> <li>5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations.</li> </ol> <p>M.G.L. c. 71, s. 37G; 603 CMR 46.00</p>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*Documentation review and interviews indicated that the district has not developed restraint*

*procedures and has not developed and implemented annual training for all staff regarding the use of restraint.*

CRITERION NUMBER	TITLE 1 V. STUDENT SUPPORT SERVICES
	<b>Legal Standard</b>
<b>TI 29</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. A contract exists between the district and the N or D facility, if applicable.</li> </ol> <p>1120 NCLB</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Interviews with staff indicated that private schools have been informed about the availability of services; however, little documentation of this contact was available. In addition, no written documentation of consultation with the school that had responded affirmatively to outreach on this issue was available.*

## COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION

The criteria in this component examine whether the district has licensed 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. Finally, this component examines whether the district's personnel procedures are non-discriminatory and aimed at recruiting employees from all groups.

- Special Education (Report Issues # SE 50-54)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18A-21)
  - Title I (Report Issues # TI 30-31)



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

**Department of Education Findings:**

*Record review and interviews indicated that when a student is referred for an evaluation at the middle and high schools there is no documentation about the use of instructional support services with the student presented as part of the evaluation information. Documentation review indicated that the district has not developed a District Curriculum Accommodation Plan. Interviews indicated that the special education director, not the principal as required by this criterion, arranges for provision of educational services in the home or hospital for students who must remain at home or in a hospital for medical reasons.*

CRITERION NUMBER	<b>Legal Standard</b>		
<b>SE 51</b>	<p><b>Appropriate special education <u>teacher</u> certification</b> Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p>		
	<p><b>State Regulations</b> 28.02(3) 603 CMR 7.00</p>	<p><b>Federal Requirements</b> 300.23; 300.136</p>	
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*Documentation review indicated that the district currently employs two special education staff who are not appropriately credentialed to provide special education services.*

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

CRITERION NUMBER	Legal Standard		
SE 53	<p><b>Use of paraprofessionals</b></p> <ol style="list-style-type: none"> <li>1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services.</li> <li>2. Persons employed as paraprofessionals and assistants do not design instruction for students with disabilities but are expected to implement instruction under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision.</li> </ol>		
	<p><b>State Regulations</b></p>	<p><b>Federal Requirements</b> 300.136(f)</p>	
	<p><b>Rating: Partially Implemented</b></p>	<p><b>DISTRICT RESPONSE REQUIRED:</b></p>	<p><b>Yes</b></p>

**Department of Education Findings:**

*Interviews indicated that one of the paraprofessionals designs and implements instruction for students with disabilities and the onsite team is concerned that there may be additional paraprofessionals who also design instruction for students.*

CRITERION NUMBER			
	Legal Standard		
<p><b>SE 54</b></p>	<p><b>Professional development regarding special education</b></p> <ol style="list-style-type: none"> <li>1) The district considers the needs of all staff in developing training opportunities for professional and paraprofessional staff and provides a variety of offerings which at a minimum include the following training topics offered on an annual basis:</li> <li>2) state and federal special education requirements and related local special education policies and procedures;</li> <li>3) confidentiality of student records;</li> <li>4) training in analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the regular classroom of students with diverse learning styles;</li> <li>5) methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom;</li> <li>6) training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement;</li> <li>7) training for all locally hired <u>and</u> contracted transportation providers on the unique needs of all students being transported in regular and special transportation vehicles; and</li> <li>8) in cooperation with the special education parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</li> </ol> <p><b>State Regulations</b> Chapter 71, sec. 38g 28.03(1)(a) Chapter 71, sec. 38Q and 38Q ½</p> <p><b>Federal Requirements</b> 300.382</p>		
	<p><b>Rating: Partially Implemented</b></p>	<p><b>DISTRICT RESPONSE REQUIRED:</b></p>	<p><b>Yes</b></p>

**Department of Education Findings:**

*Documentation review and interviews indicated that the district has not provided training in the following topics: part 5., methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom, part 6., training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement, item 7., training for all locally hired transportation providers*

*on the unique needs of all students being transported in regular and special transportation vehicles, and part 8., in cooperation with the special education parent advisory council, at least one workshop annually on the rights of students and their parents and guardians under the state and federal special education laws.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>MOA 18A</b>	<p><b>School district employment practices</b>  District employment practices in general are free from discrimination on the basis of race, color, national origin, sex, or disability. In particular, the district’s faculty salary scales are based on the conditions and responsibilities of employment without regard to race, color, national origin, sex, or disability, and the district’s employee recruitment is aimed at reaching all groups, including members of linguistic, ethnic, and racial minorities, females and males, and persons with disabilities.</p> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(c); EEOA: 20 U.S.C. 1703(d); Title IX: 20 U.S.C. 1681; 34 CFR 106.51-106.61; Section 504: 29 U.S.C. 794; 34 CFR 104.11-104.14; Title II: 42 U.S.C. 12132; 28 CFR 35.140; Mass. Const. amend. art 114</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 19</b> Reserved	

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 20</b> Reserved	



CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION
	<b>Legal Standard</b>
	<p>following: passing the Massachusetts Test for Educator Licensure (MTEL) appropriate Subject Matter Test; completion of an appropriate academic major; completion of an appropriate graduate degree; completion of comparable coursework equivalent to an undergraduate academic major; advanced certification or credentialing; or completing an approved Individual Professional Development Plan as outlined in the Massachusetts high objective uniform standard of evaluation.</p> <p>c. The above requirements apply to Title I teachers in targeted assistance programs. In schoolwide programs, the above requirements apply to <b>all</b> teachers in the school.</p> <p>2. All paraprofessional staff providing Title I services must meet the following:</p> <p>a. New Hires (hired on or after January 8, 2002): must have completed at least 2 years at an institution of higher education; or obtained an Associate's degree or higher, or met rigorous standard of quality (passed the state-endorsed assessment or local assessment, once available, as outlined in the DOE's policy document);</p> <p>b. Existing paraprofessional staff (hired prior to January 8, 2002): working to satisfy requirements by 2006; and</p> <p>c. All paraprofessional staff: must have earned a secondary high school diploma.</p> <p>d. The above requirements apply to any instructional paraprofessional who is paid for with Title I funds in a targeted assistance program. The above requirements apply to <b>all</b> instructional paraprofessionals in a schoolwide program.</p> <p>e. Exempt from the above requirements are paraprofessionals who serve primarily as translators or work solely on parental involvement activities.</p> <p>*Non Title I teachers have until the end of the 2005-2006 school year to meet the highly qualified teacher requirements.</p> <p>MGL Chapter 71, 38G 1119(a), (c), (d), and (f) NCLB 2122(b) 10 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 31</b>	Professional Development 1. 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. 2. Title I teachers are involved in the Title IIA professional development needs assessment.  1119(k)(1) NCLB 2122(c)(1)(2) NCLB		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>



## COMPONENT VII: SCHOOL FACILITIES

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

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

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

**Department of Education Findings:**

*Classroom observation and interviews indicated that the classroom at the elementary school used for OT and PT is too small for the number of activities that take place there. The two resource rooms in the high school at the end of the hall in the stairway are not located in an area of the school that would minimize separation or stigmatization of eligible students.*

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	<b>Legal Standard</b>
<b>MOA 22</b>	<p><b>Accessibility of district programs and services for students with disabilities</b></p> <p>In at least one facility within the district, the district makes available and entirely accessible to students with disabilities all educational and vocational programs and services offered at each level (preschool, elementary and secondary).</p> <p>Section 504: 29 U.S.C. 794; 34 CFR 104.21,104.22; Title II: 42 U.S.C. 12132; 28 CFR 35.149, 35.150; Mass. Const. amend. art. 114</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>MOA 23</b>	<p><b>Comparability of facilities</b> Where the district provides separate facilities for members of a specific group, those facilities are comparable to those offered other students in the district, including:</p> <ol style="list-style-type: none"> <li>1. separate facilities for disabled, limited-English-proficient or pregnant students that are comparable to the facilities for other students in the district;</li> <li>2. separate toilet, locker room, and shower facilities for students of one gender that are comparable in size, condition, number and location to those provided students of the other gender.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.33, 106.40(b)(3); Section 504: 29 U.S.C. 794; 34 CFR 104.34(c); Mass. Const. amend. art. 114; 603 CMR 28.03(1)(b)</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Rating: Partially Implemented</b></td> <td style="width: 30%; border: none; text-align: center;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 20%; border: none; text-align: center;"><b>No</b></td> </tr> </table>	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

**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 program plans that are evaluated according to specific regulatory requirements and whether parents have opportunities for input on needs, program implementation, evaluation, and improvement in the program areas listed below:

- Special Education (Report Issue # SE 56)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 24-25)
  - Title I (Report Issues # TI 32-38)
- Safe and Drug Free Schools (Report Issue # SDF 5-8)

<b>CRITERION NUMBER</b>	<b>SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>SE 56</b>	<p><b>Special education programs and services are evaluated</b></p> <ol style="list-style-type: none"> <li>1. Special education programs, services and administrative areas are regularly evaluated.</li> <li>2. The district develops methods for determining the effectiveness of programs in assisting students with disabilities to achieve the goals set forth in their IEPs in the least restrictive environment.</li> <li>3. The district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed.</li> <li>4. As part of these evaluation procedures, the district measures the success of programs based on students' local and statewide assessment results, drop out rates and graduation rates for special education students.</li> </ol> <p><b>State Regulations</b> Chapter 71B Chapter 71, sec. 59C</p> <p style="text-align: right;"><b>Federal Requirements</b> 300.137</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation review indicated that the district has an outside contractor evaluate its special education program annually; however, this evaluation does not determine the effectiveness of the district's programs in assisting students with disabilities to achieve the goals set forth in their IEPs; and the evaluation does not measure the success of district's programs based on the students' local and statewide assessment results, drop out and graduation rates for special education students.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>MOA 24</b>	<p><b>Curriculum review process</b></p> <p>The district has a process to ensure that teachers in the district regularly review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.</p>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION</b>		
	<b>Legal Standard</b>		
	M.G.L. c. 76, s. 5; 603 CMR 26.05(2)		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>MOA 25</b>	<p><b>Institutional self-evaluation</b> The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation.</p> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.07(1),(4)</p>		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>	<b>TITLE 1 VIII. PROGRAM PLAN AND EVALUATION</b>		
	<b>Legal Standard</b>		
<b>TI 32</b>	<p>A needs assessment and a data analysis are conducted annually in each Title I school to determine the types of programs and services to be provided to Title I students. The implemented program is evaluated for effectiveness annually and the resulting program changes are described. Meeting notes, analysis of assessment, and all relevant documents are available.</p> <p>1114(b)(1)(A); 1115 (c)(2)(B) NCLB</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*Interviews with staff and review of documentation indicated that there is no systematic data analysis and overall needs assessment conducted annually. Also, there was no evaluation of the program available.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 33</b>	The adequate yearly progress (AYP) of each Title I school is evaluated in the aggregate and by subgroup, as available, on an annual basis. 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> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 34</b>	Each Title I school identified as “in need of improvement” revises (not later than 3 months after being identified) a two-year school improvement plan in consultation with parents, staff, other district personnel, and outside experts that meets NCLB requirements.  1116(b)(3)(A) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The district does not have any schools that have been identified as “in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 35</b>	For schools that have been identified as “in need of improvement,” school improvement plans must be implemented not later than the beginning of next full school year following this identification.  1116(b)(3)(D)
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The district does not have any schools that have been identified as “in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 36</b>	For any of the district’s Title I schools that have been identified as “in need of improvement,” the school spends at least 10% of its allocation of Title I funds to provide teachers and the school principal with high-quality professional development that directly addresses the problems associated with academic achievement in the school.  1116(b)(3)(A)(iii)(I) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The district does not have any schools that have been identified as “in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 37</b>	For schools that have been identified as “in need of improvement,” the district provides students enrolled in those schools the choice to transfer to another of the district’s schools not identified as in need of improvement and informs parents of this opportunity. Priority is given to the lowest achieving students from low-income families.



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	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:</b> <b>No</b>

**Department of Education Findings:**

*The district does not have any schools that have been identified as “in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 38</b>	For schools that continue to fail to make AYP after being identified as “in need of improvement,” the district: <ul style="list-style-type: none"> <li>a. Continues to make the choice to transfer option available to students;</li> <li>b. Begins to make supplemental educational services available; <p>For supplemental services, the district/school notifies parents of eligible students at least annually about the availability of supplemental educational services, objectively determines which students should receive services if all students can not be served, arranges for service to be provided, ensures that students with disabilities and students with limited English proficiency are served appropriately and when requested, assists the Department with monitoring the services provided, and;</p> </li> <li>c. To provide technical assistance to such schools.</li> </ul> <p>1116(b)(5) and 1116 (e) NCLB; 200.46 (4) and (5)</p>
	<b>Rating: Not Applicable</b> <b>DISTRICT RESPONSE REQUIRED:</b> <b>No</b>

**Department of Education Findings:**

*The district does not have any schools that have been identified as “in need of improvement.”*

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

**Department of Education Findings:**

*Based on documentation and interviews, there is evidence that the school district has a very strong process in place to determine the current level of substance abuse and violence amongst the student population in Rockport. In addition to the Youth Risk Behavior Surveys (YRBS) funded from other sources, the process includes focus groups with community leaders and agencies, teachers, school staff, parents and advisory council members. Furthermore, school disciplinary records at all levels and nurse’s logs are reviewed and analyze. Interviews, meetings and data collection is also conducted regarding incidents/usage by youth from local enforcement agencies, health agencies and community agencies. There is appropriate documentation to support the statistics and incident information reported in the objective analysis section of the district’s most recent SDFSCA grant application. Additionally, there is evidence /documentation that the objective analysis was based upon on going local assessment and activities and programs.*

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS VIII. PROGRAM PLAN AND EVALUATION		
	<b>Legal Standard</b>		
<b>SDF 6</b>	Each recipient establishes a set of performance measures and designs its programs to meet those measures.		
	[Title IV Sections 4114, (d) (B) (i) (I) (II) (ii) (C)]		
	<b>Rating: Partially Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>Yes</b>

**Department of Education Findings:**

*The design of the substance and violence prevention programs is based on a thorough and well defined needs assessment of the objective data about the drug and violence problems among youth in the district. The district has established goals, measurable objectives and activities for its prevention programs. These stated goals, objectives and activities address the needs identified by the objective analysis and the principles of effectiveness. However, the district needs to publicly report progress toward attaining their performance measures.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 7</b>	Each recipient designs and implements its programs for youth based on research or evaluation that provides evidence that programs used are based on scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use.  [NCLB, Title IV Section 4115, (a) (C)]
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*Based on interviews and documentation, selected programs and activities respond to the identified needs. These programs and activities are based on scientifically based research that complies with the Principles of Effectiveness. All students participate in all activities and all programs are adjusted when needed for language limited students and/or students with special needs. There are very clear expectations against violence and illegal use of drugs with appropriate and well-enforced consequences in place for violation of the policies*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 8</b>	Each recipient shall conduct a periodic evaluation to assess its progress toward reducing violence and illegal drug use in schools to be served based on performance measures.  [NCLB, Title IV Secs. 4115 (2) (A),(B)]
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*Based on interviews and documentation there is not an evaluation plan in place that includes process, outcomes and impact assessment. Limited evaluations are done in class or at schools, but they are not fully utilized in improving the district goals and programs. The evaluation results need to be made available to the public upon request with public notice of such availability.*

## COMPONENT IX: RECORD KEEPING

The criteria in this component examine whether the district maintains required records and documentation for each program area, whether entitlement grants are appropriately designed, amended, and locally monitored, whether the use federal grant funds is in accordance with statutory fund-use rules, including supplement not supplant provisions and maintenance of effort requirements where applicable for the program areas listed below:

- Special Education (Report Issues # SE 57-58)
- Title I (Report Issues # TI 39-40 General Requirements and TI 1-18 Fiscal Requirements)
- Safe and Drug Free Schools (Report Issue # SDF 9-10)

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

**Department of Education Findings:**

*Documentation review and interviews indicated that the district does not have a process in place to ensure that all students who are reported on the special education child count have a current, accepted IEP.*

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>SE 58</b>	<p><b>Federal Special Education Entitlement Grant</b></p> <ol style="list-style-type: none"> <li>1. The district's Special Education entitlement grant is designed by appropriate local administrators who are responsible for the implementation of the local special education programs and services.</li> <li>2. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education.</li> <li>3. Appropriate local administrators monitor the entitlement grant in an ongoing</li> </ol>	

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
	<p>manner to ensure its full implementation as the Department of Education has approved it.</p> <p>4. The district has secured the approval of the Department of Education for all amendments prior to their implementation.</p>			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.03(1)(e)</td> <td style="width: 50%;"><b>Federal Requirements</b> 300.230; 300.340-300.500</td> </tr> </table>	<b>State Regulations</b> 28.03(1)(e)	<b>Federal Requirements</b> 300.230; 300.340-300.500	
<b>State Regulations</b> 28.03(1)(e)	<b>Federal Requirements</b> 300.230; 300.340-300.500			
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>DISTRICT RESPONSE REQUIRED:</b></td> <td style="width: 25%; text-align: right;"><b>No</b></td> </tr> </table>	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>
<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>		

<b>CRITERION NUMBER</b>	<b>TITLE 1 IX. RECORD KEEPING – General Requirements</b>		
	<b>Legal Standard</b>		
<b>TI 39</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) determining 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>		
	1113; 1116 (c)(1)(B) NCLB		
	<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>TI 40</b>	<p><b>Federal Title I Grant:</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department, including those for grant amendments,</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	3. Appropriate local administrators monitor the grant in an ongoing manner to ensure its full implementation as the Department has approved it.
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	<b>TITLE 1 IX. RECORD KEEPING – FISCAL REQUIREMENTS</b>
	<b>I. Maintenance of Effort</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> <span style="float: right;"><b>District Response Required: No</b></span>

<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> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>II. Comparability</b>
	<b>Legal Standard</b>
<b>TI 3</b>	1. Documentation of the district’s Comparability Report demonstrates annual compliance with the comparability requirement and is documented at least

<b>CRITERION NUMBER</b>	
	<b>II. Comparability</b>
	<b>Legal Standard</b>
	<p>biennially.</p> <p>1120A(c)(3)(B) NCLB</p> <p>2. 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.</p> <p>1120A(c) NCLB</p> <p>3. The school district uses state and local funds in Title I schools that provide services that, taken as a whole, are at least comparable to services in non-Title I schools.</p> <p>1120A(c)(1)(A) NCLB</p> <p>4. 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: Implemented</b></p> <p style="text-align: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 4</b>	<p>1. The district has established and implemented the following requirements:</p> <ul style="list-style-type: none"> <li>a. a district-wide salary schedule;</li> <li>b. a policy to ensure equivalence among schools in teachers, administrators, and other staff; and</li> <li>c. a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.</li> </ul> <p>1120A(c)(2)(A) NCLB</p> <p>2. 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>3. In applicable situations, the school district divides a grade-span with significant school</p>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	enrollment differences into a large-group/small-group model.  Title I Policy Guidance IASA
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 5</b>	<p>1. Other measures, such as student/instructional staff ratios or student/instructional staff salary ratios, are used to demonstrate comparability.</p> <p>a. 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.</p> <p>b. Student/staff salary ratios: The Title I school averages are at least 90% of the average of non-Title I schools.</p> <p>c. Staff salary differentials for years of employment are not used in implementing requirements under criterion TI 5 (b) above.</p> <p>1120A(c)(2)(B); 1120A(c)(3)(A) NCLB; Title I Policy Guidance IASA</p> <p>2. Non-instructional staff (e.g., cafeteria workers, custodians, nurses, playground aides, student teachers, volunteers, etc.) are not included in the district’s comparability determinations.</p> <p>Title I Policy Guidance IASA</p>
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The requirements under this criterion are not relevant to the district since there is only one school in the grade span in which Title I services are being provided.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 6</b>	If the district is receiving and excluding supplemental state and local funds from the Title I comparability determinations, the district is able to demonstrate that the

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	supplemental state and/or local funds that are excluded from Title I comparability determinations are used for programs that meet the intent and purposes of Title I.  1120A(d) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The district has not made use of the exclusion provision in making comparability determinations.*

<b>CRITERION NUMBER</b>	
	<b>III. Supplement, Not Supplant</b>
	<b>Legal Standard</b>
<b>TI 7</b> <b>[Applicable to Targeted Assistance Schools (TAS)]</b>	The district is able to demonstrate that it uses Title I funds only to supplement and, to the extent practical, increase the level of funds that would in the absence of Title I funds be made available from non-federal sources for the education of students participating in Title I programs.  1120A(b)(1) NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 8</b> <b>[Applicable to TAS]</b>	The 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 district's and school's Title I student selection criteria.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	1115(a) NCLB
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*Classroom observation and interviews with staff members indicated that services are sometimes used for all students, not only those identified as eligible for Title I services.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 9</b> <b>[Applicable to Schoolwide Programs (SWP)]</b>	1. Title I funds may be used in combination with state, local, and other federal funds to serve the entire school population in accordance with the schoolwide plan in effect for the school.  1114(a)(1) NCLB  2. The district is able to demonstrate that the Title I funds in a schoolwide program school 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 students with disabilities and students with limited English proficiency.  1114(a)(2)(B) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The district is only eligible to provide services as a targeted assistance program.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 10</b> <b>(Exclusion)</b>	If the district is excluding supplemental state and local funds from the Title I supplement (not supplant determinations), the district is able to demonstrate that the excluded funds are used for programs that meet the intent and purposes of Title I.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	1120A(d)
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*The district has not made use of the exclusion provision in making supplement, not supplant determinations.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 11</b>	<p>In implementing federal Title I supplement, not supplant requirements, the district has developed and implemented a Supplement Not Supplant policy and procedures. Note the following Department procedures in determining compliance under this criterion:</p> <ol style="list-style-type: none"> <li>1. Review the policies and procedures the district has in place to ensure that federal funds supplement and do not supplant the regular school budget and services. Who is responsible for supplement not supplant at the district and at the school building level? Are the policies and procedures adequate?</li> <li>2. Select a sample of schools. Compare the listing of personnel for last year to this year for differences in personnel, grades, and subjects taught.</li> </ol>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*While interviews with staff indicate that they are aware that funding and services must supplement and not supplant those of the district, there is no written policy regarding this requirement.*

<b>CRITERION NUMBER</b>	
	<b>IV. Other Fiscal Requirements</b>
	<b>Legal Standard</b>
<b>TI 12</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 Applicable</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**  
*There are no split funded staff members in the Title I program.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 13</b>	The district has selected eligible schools in accordance with Title I requirements under this criterion.  1113(a); 1113(b); 1113(c); NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 14</b>	The district includes accurate data in its Title I Application (Form 1) for the number of students residing in each of the district’s school attendance areas.  1113(a) NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>DISTRICT RESPONSE REQUIRED: No</b></span>



**Department of Education Findings:**

*Interviews with staff and review of documentation indicated that the district is still in the process of establishing services at one local private school.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>TI 18</b>	<p>Budgeting – The district budget process demonstrates appropriate Title I program planning and implementation consistent with identified student needs at each school.</p> <p>Note the following Department procedures in determining compliance under this criterion:</p> <p>Review the latest budget, budget narrative, budget comparison, and list of Title I personnel documents to gain an understanding of the schools and grades participating in Title I programs. Interview school staff to determine which subjects and grades are Title I.</p> <ol style="list-style-type: none"> <li>a. Does the current year budget total agree with the district’s entitlement together with any carryover? If not, obtain explanation.</li> <li>b. Does the current year budget total agree with the total funds allocated on Form 1? If not, obtain explanation.</li> <li>c. Review the allocation for each school. Do the allocated dollars for each school approximate the dollarization of personnel assigned to the school as shown on the personnel list? During the school visit, determine whether the personnel are assigned and teaching the grades and subjects noted.</li> <li>d. Sample schools to compare the consistency of the listing of personnel to the personnel listed on Form D of the Comparability Report. If not consistent, obtain explanation.</li> </ol> <p>MADDOE Title I Grant Application Instructions and Guidance</p>		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

<b>CRITERION NUMBER</b>	<b>SAFE AND DRUG FREE SCHOOLS IX. RECORD KEEPING</b>		
	<b>Legal Standard</b>		
<b>SDF 9</b>	<p>Appropriate accounting and budget procedures are being implemented to insure that program expenditures are related to the purpose and intent of the Safe and Drug Free Schools and Communities Act.</p>		

<b>CRITERION NUMBER</b>	<b>SAFE AND DRUG FREE SCHOOLS IX. RECORD KEEPING</b>		
	<b>Legal Standard</b>		
	[(EDGAR 76.730 TO 734)]		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

**Department of Education Findings:**

*Appropriate accounting and budget procedures are in place and approved budgets and amendments are on file for fiscal years 2003 and 2004. Excellent documentation was found in the Business Office and with the SDFSCA Coordinator. Time distribution logs were maintained for individuals funded under SDFSCA funds.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SDF 10</b>	Each recipient provides a set of assurances that the activities or programs to be funded comply with the Principles of Effectiveness and foster a safe and drug-free learning environment that supports academic achievement.  [NCLB Title IV Sec. 4114 (d) (1) (6-9)]		
	<b>Rating: Implemented</b>	<b>DISTRICT RESPONSE REQUIRED:</b>	<b>No</b>

**Department of Education Findings:**

*Based on documentation and interviews there is evidence that the assurances convey a clear and consistent message that acts of violence and illegal use of drugs are wrong and harmful and included the required information for keeping schools safe and drug-free.*



APPENDIX:  
SCHOOL DISTRICT PROFILE INFORMATION

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

# School and District Profiles

## Definitions of Terms

### Profiles

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

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

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

---

## Directory Information

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

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

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

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

**Services:** Services include:

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

**Relationships:** Relationships include:

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

\* District level data only.

---

## Enrollment

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

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

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

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

\* District level data only.

---

## Test Results

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

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

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

---

## People

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

---

## Finance

**Per Pupil Expenditures\*:** are calculated by dividing a district's operating costs by its average pupil membership. Operating costs include expenditures for administration, instruction, pupil services, transportation, plant maintenance, and fixed charges. These costs do not include capital outlay and long-term interest on school debt.

Average pupil membership includes students who receive services in the district's schools, as well as students receiving home or hospital instruction. Data for regular education, special education, bilingual education and vocational education students are provided in addition to the total for all day programs, for the listed school years.

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

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

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

\* District level data only.

---

## Other Data

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

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

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

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

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

The electronic version of this profile information is available at:

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

This Coordinated Program Review Final Report is also available at:

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

MASTER CPR REPORT FORMAT 2004

SE, MOA, TI, SDFS 2004

File Name: Rockport Coordinated Program Review Final Report 2004

Last Revised on: January 26, 2004

Prepared by: dlc; dk