



**Roxbury Charter High School
for
Business, Finance and Entrepreneurship
COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

**Dates of Onsite Visit: October 4-6, 2004
Date of Draft Report: November 16, 2004
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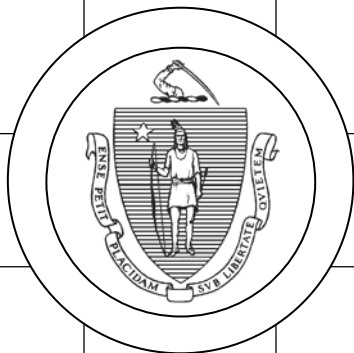
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MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW

Roxbury Charter High School
for
Business, Finance and Entrepreneurship

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MASSACHUSETTS DEPARTMENT OF EDUCATION

COORDINATED PROGRAM REVIEW REPORT

**Roxbury Charter High School
for
Business, Finance and Finance**

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, 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 Board of Education’s Student Learning Time regulations (603 CMR 27.00);
- 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 two-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 were revised for the 2003-2004 school year. All districts that enroll limited English proficient students will be reviewed using these updated standards during the 2004-2005 school year.

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

- Title I of the Elementary and Secondary Education Act of 1965, including other related grants funded by the No Child Left Behind Act of 2001;
- Safe and Drug-Free Schools and Communities Act;
- Career and Technical Education requirements under the federal Perkins Vocational and Applied Technology Education Act and M.G.L. c. 74;
- Innovative assistance programs funded under Title V of the No Child Left Behind Act; and
- Nutrition Programs and Services.

The Department's 2004-2005 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 is posted at <<<http://www.doe.mass.edu/pqa/review/cpr/6yrcycle.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-five school districts and charter schools are scheduled to receive visits in school 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 2004-2005 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 2004-2005 reviews incorporate state special education requirements as adopted by the Board of Education and effective on December 20, 2000. The Program Review compliance criteria selected in all of the regulated program areas are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993, and intended to promote high standards and achievement for all students.

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

- Interviews of administrative, instructional, and support staff across all grade levels.
- Interviews of parent advisory council (PAC) representatives and other interviews as requested by persons from the general public.
- Student record reviews in the program areas of special education, English learner education (c. 71A), Career and Technical Education, 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. The onsite team visits a sample of instructional classrooms and other school facilities used in the delivery of programs and services 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, interviews, student record review, and classroom and facility observations are conducted for the collaborative.

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: In the Final Report the team notes those criteria that it found to be substantially implemented or whose implementation it found to be commendable. Where criteria are found not to be implemented fully, the local district or charter school must propose corrective actions to bring those areas into compliance with the respective statutes or regulations.

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 six-member Massachusetts Department of Education team visited Roxbury Charter High School for Business, Finance and Entrepreneurship during the week of October 4, 2004 to evaluate the implementation of selected criteria in the program areas of Special Education, English Language Education, Methods of Administration/Civil Rights, Title I and Nutrition. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district.

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

- Interviews of four administrative staff.
- Interviews of 12 teaching and support services staff across all levels.
- Interviews as requested by persons from the general public.
- Student record reviews: All 12 student records were 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: 12 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. Two 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 three 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 "rating," 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 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 charter school.

Charter Schools are expected to incorporate the corrective action into school improvement plans, including their professional development plans.

COORDINATED PROGRAM REVIEW REPORT

EXECUTIVE SUMMARY

Roxbury Charter High School for Business, Finance and Entrepreneurship

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 Roxbury Charter High School for Business, Finance and Entrepreneurship has not developed procedures to ensure that appropriate assessments are conducted to determine student eligibility for special education and to identify students who require English Language Learner services. The charter school was unable to demonstrate the array of assessments available to staff, appropriate staff training in the administration of assessments or that required assessments are routinely completed. Staff members were unaware of the basic requirements for determining that a student requires special education services. Key documents that are necessary to demonstrate the basic compliance with federal and state regulated procedures were absent from the student records reviewed by the onsite team. Furthermore, the charter school was unable to produce documentation of its internal compliance procedures for the Department's onsite team to review.

Component II: Student Identification and Program Placement

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

The charter school has not followed the appropriate procedures for the identification and placement of students. There was no evidence that IEP Teams convened to develop IEPs and the school has not articulated in any procedural manual the process by which staff members can refer a student for special education services. IEPs found in student records were developed without evidence of a Team meeting being held, and IEPs were unsigned by a parent or other appropriate educational decision maker. There was no evidence that parents actively participated in the process for developing IEPs or in determining placements. The onsite team noted several concerns with the school's lack of procedures for identifying and assessing students who may be limited English proficient and providing those students with a required Sheltered English Immersion (SEI) program.

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?

Few parents contacted the Department during the Coordinated Program Review regarding the school's practices of parental involvement. The onsite review team was, therefore, left to rely on evidence documented in student records. The student records did not contain required special education placement notices, Team meeting notices or Team meeting attendance sheets. IEPs and placement pages were unsigned; all of which suggest parents are not encouraged to be actively engaged in the decision-making for their children. Lastly, the charter school did not produce documentation that reflected the school's practices of outreach to parents in Special Education, Title I, civil rights requirements, and for students who potentially may require English language learner services.

Component IV: Curriculum and Instruction

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

The charter school has a longer school day and school year with a focus on improving student academic success, which is a commendable practice. The Department's primary concern in this area, however, is the school's lack of a viable special education program that is capable of providing a continuum of services to disabled students in accordance with the needs identified in each individual student's IEP. The lack of required Title I documentation raised numerous concerns about the school's effectiveness in providing Title I services to students. Lastly, the school has not developed a Sheltered English Immersion (SEI) program and does not have staff who are appropriately trained to implement SEI practices effectively.

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?

Staff were unaware of the requirements and protections under the Individuals with Disabilities Education Act of 1997 when disciplining students with special needs. The charter school personnel were unaware of the federal protections required for students in the process of undergoing an evaluation or for students who received long-term suspensions (more than 10 days). The charter school has not articulated required civil rights elements in the school's handbook or developed procedures for staff to ensure the school meets its civil rights responsibilities. The school did not have any documentation of its policies or procedures for ensuring the implementation of the requirements of the federal McKinney-Vento Homeless Education Assistance Improvement Act. Staff members have not been trained in the procedures for implementing the proper physical restraint of a student. The school does not have Sheltered English Immersion (SEI) programs and services and did not produce documentation that demonstrates its ability to provide an SEI program for English Language Learners.

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?

The school does not have appropriately licensed personnel in special education. Furthermore, interviews indicate that not all general education teachers have taken the state teacher test. Teachers were unaware of the contents of the school's Curriculum Accommodation Plan or what purpose the plan served in the educating students with diverse learning needs. The charter school was unable to produce a copy of this plan for the onsite team's review. Teachers in general education had not received professional development in special education inclusionary practices. Training was limited to professional development in the IEP process and development. Staff were not trained by the charter school in implementing their civil rights responsibilities, though some staff members demonstrated understanding through prior educational or employment activities. The lack of Title I documentation demonstrating that staff have not taken the teacher test and participated in professional development indicates the school is not meeting its obligations under the federal No Child Left Behind Act (NCLB).

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 charter school is inaccessible to students, staff, and persons from the general public with limited physical mobility. All students are educated or provided services in relatively equitable classrooms.

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 charter school was unable to provide documentation to suggest that it evaluates its special education program. The charter school lacks developed policies and procedures for ensuring curriculum review practices and institutional review to ensure the school does not limit student access. The charter school did not provide written evidence that it conducts a needs assessment or data analysis on an annual basis to determine the types of programs and services it will provide under Title I.

Component IX: Record keeping

Does the charter school 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?

Student records do not have logs of access that are consistent with the requirements of the Board of Education Student Record Regulations. The school does not have appropriate procedures to maintain a current and accurate special education child count. Furthermore, the school has been counting students who did not have current, signed IEPs. The charter school is in non-compliance with most of the record keeping requirements under Title I, despite the

fact that the school has been receiving funds for more than one year.

DEFINITION OF TERMS
FOR THE RATING OF EACH COMPLIANCE CRITERION

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

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

School District or Charter School: Roxbury Charter High School for Business and Finance

**SUMMARY OF COMPLIANCE CRITERIA INCLUDED IN THIS REPORT
RECEIVING A COMMENDABLE RATING
FROM THE DEPARTMENT OF EDUCATION**

Special Education	Civil Rights and Other General Education Requirements	Safe and Drug Free Schools	Career and Technical Education	Title I	English Learner Education
	MOA 7B				

**SUMMARY OF COMPLIANCE CRITERIA INCLUDED IN THIS REPORT
REQUIRING CORRECTIVE ACTION PLAN DEVELOPMENT
in response to the following
COORDINATED PROGRAM REVIEW REPORT FINDINGS**

PROGRAM AREA	PARTIALLY IMPLEMENTED	NOT IMPLEMENTED	OTHER CRITERIA REQUIRING RESPONSE
Special Education	SE 15, SE16, SE18A, SE18B, SE21, SE 22, SE23, SE29, SE 32, SE 34, SE36, SE 43, SE 44, SE 49, SE 50, SE 52, SE 54, SE 58	SE 1, SE 2, SE 3, SE 4, SE 8, SE 9, SE 10, SE 11, SE 12, SE 13, SE 14, SE24, SE 25, SE26, SE27, SE28, SE 45, SE 46, SE 47, SE 51, SE 56, SE 57	SE19
Civil Rights and Other General Education Requirements	MOA 3, MOA 10A, MOA 11A, MOA 17A, MOA 18A, MOA 23A	MOA 1, MOA 2, MOA 2A, MOA 2B, MOA 2C, MOA 5A, MOA 5B, MOA 5C, MOA 5D, MOA ^A, MOA 6B, MOA 6C,MOA 6D, MOA 7, MOA 12A, MOA 14A, MOA 21, MOA 22, MOA 25	
Title I	TI 18, TI 39, TI 40	TI 3, TI 6, TI7, TI 8, TI 10, TI11, TI 12, TI19, TI 20, TI21, TI22, TI 23, TI24, TI25, TI30, TI 31, TI 32	

PROGRAM AREA	PARTIALLY IMPLEMENTED	NOT IMPLEMENTED	OTHER CRITERIA REQUIRING RESPONSE
English Learner Education	ELE 1, ELE 2, ELE 3, ELE 11, ELE 14, ELE 18	ELE 4, ELE 5, ELE 6, ELE 7, ELE 8, ELE 9, ELE 10, ELE 13, ELE 15, ELE 17	
Nutrition Programs and Services	NS1, NS2, NS3		

NOTE THAT ALL OTHER CRITERIA REVIEWED BY THE DEPARTMENT THAT ARE NOT MENTIONED ABOVE HAVE RECEIVED AN “IMPLEMENTED” RATING.

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 1-14)
- English Learner Education (Report Issues # ELE 1-2)

CRITERION NUMBER	SPECIAL EDUCATION I. ASSESSMENT OF STUDENTS
	Legal Standard
SE 1	<p>Assessments are appropriately selected and interpreted for students referred for evaluation</p> <ol style="list-style-type: none"> 1. Tests and other evaluation materials are: <ol style="list-style-type: none"> a. validated b. administered and interpreted by trained individuals c. tailored to assess specific areas of educational need d. selected and administered to reflect aptitude and achievement levels e. as free as possible from cultural and linguistic bias f. provided in the student's native language or other mode of communication where feasible g. not the sole criterion for determining an appropriate educational program h. not only those designed to provide a single general intelligence quotient i. are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or the other factors the test purports to measure j. technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors 2. In interpreting evaluation data and making decisions, the district: <ol style="list-style-type: none"> a. uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent b. ensures that information obtained from these sources is considered c. ensures that the placement decision conforms with placement in the least restrictive environment d. includes information related to enabling the student to be involved in and progress in the general curriculum <p>State Regulations 28.04 28.05</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.532, 300.535 34 CFR 104.35(b)</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Evaluation data was not contained in the student records. Furthermore, the documentation provided by the charter school did not provide evidence of procedures for selection or access to appropriate assessments materials.

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

CRITERION NUMBER					
	Legal Standard				
	<p>a. that no further assessments are needed and the reasons for this; and</p> <p>b. the right of such parents to request an assessment.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">State Regulations</td> <td style="text-align: center;">Federal Requirements</td> </tr> <tr> <td style="text-align: center;">28.04 (1) and (2)</td> <td style="text-align: center;">300.532; 300.346.(a)(2)(v)</td> </tr> </table>	State Regulations	Federal Requirements	28.04 (1) and (2)	300.532; 300.346.(a)(2)(v)
State Regulations	Federal Requirements				
28.04 (1) and (2)	300.532; 300.346.(a)(2)(v)				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Rating: Not Implemented</td> <td style="text-align: center;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes		
Rating: Not Implemented	District Response Required: Yes				

Department of Education Findings:

There was no evidence that the district completes required or optional assessments. There was no evidence that the school has procedures to ensure required assessments are completed as part of a student's initial evaluation or re-evaluation to determine special education eligibility. Please see SE 1 for additional commentary.

CRITERION NUMBER	
	Legal Standard
SE 3	<p>Special requirements for determination of specific learning disabilities When the district proposes to evaluate a child suspected of having a specific learning disability, the following requirements are implemented:</p> <p>a. <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>b. <u>Criteria for determining the existence of a specific learning disability</u>:</p> <ol style="list-style-type: none"> 1. the achievement is determined not to be commensurate with the age and ability of the child; 2. a severe discrepancy exists in one or more areas between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill and reading comprehension, mathematics calculation and reasoning; 3. the severe discrepancy between ability and achievement is not resulting from visual, hearing or motor impairment, mental retardation, emotional disturbance or environmental, cultural or economic disadvantage. <p>c. <u>Required observation of the child</u>:</p> <ol style="list-style-type: none"> 1. at least one Team member <u>other than</u> the child's regular teacher observes the child's academic performance in the regular classroom setting; 2. if the child is less than school age, the observation is conducted in an environment appropriate for a child of that age.

CRITERION NUMBER	
	Legal Standard
	28.04(2)(c) 300.532
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Student records did not contain evidence that the diagnostic impressions of the evaluators were completed or any evidence that parents are given the opportunity to review assessment results before the Team meeting.

CRITERION NUMBER	
	Legal Standard
SE 5	<p>Participation in general State and district-wide assessment programs</p> <ol style="list-style-type: none"> 1. All students with disabilities whose placements are funded by the district are included in the Massachusetts Comprehensive Assessment System (MCAS) and other district-wide assessment programs. 2. The district’s IEP Teams designate how each student will participate and, if necessary, provide an alternate assessment. 3. The superintendent of a school district--or, for a public school program that is not part of a school district, the equivalent administrator— <ol style="list-style-type: none"> a. files an MCAS performance appeal for a student with a disability when the student’s parent or guardian or the student, if 18 or over, requests it, provided that the student meets the eligibility requirements for such an appeal; b. obtains the consent of the parent or guardian or the student, if 18 or over, for any MCAS performance appeal filed on behalf of a student with a disability; c. includes in the MCAS performance appeal, to the extent possible, the required evidence of the student’s knowledge and skills in the subject at issue. <p>State Requirements St. 2003, c. 140; 603 CMR 30.05(2),(3),(5)</p> <p>Federal Requirements 34 CFR 300.138; 300.139</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 6	<p>Determination of transition services</p> <ol style="list-style-type: none"> 1. For a student who is 14 years of age, the Team considers the student’s course of study in relation to the student’s future goals and document this in the IEP. 2. For a student who is 16 years of age, or younger if appropriate, the Team includes in the IEP services that promote movement of the student from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. 3. The transition services are based upon the student's needs, taking into account the student's preferences and interests and includes specially designed instruction, community experiences, the development of employment or other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation. 4. For any student approaching graduation or the age of twenty-two, the Team determines whether the student is likely to require continuing services from adult human service agencies. In such circumstances, the Administrator of Special Education makes a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c.71B, §12A-§12C (known as Chapter 688). 5. In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the Team reconvenes to identify alternative strategies to meet the transition objectives. 6. The district ensures that students age 14, or younger if appropriate, are invited to and encouraged to attend part or all of Team meetings at which transition services are discussed or proposed <p>State Requirements M.G.L. Ch.71B, Sections 12A-C 603 CMR 28.05(4)(c)</p> <p>Federal Requirements 34 CFR 300.344(b), 300.347</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 7	Transfer of parental rights at age of majority and student participation and

CRITERION NUMBER	
	Legal Standard
	<p>consent at the age of majority</p> <ol style="list-style-type: none"> 1. One year prior to the student reaching age eighteen, the district informs the student of his or her right at age 18 to make all decisions in relation to special education programs and services. 2. Upon reaching the age of eighteen, the school district implements procedures to obtain consent from the student to continue the student’s special education program. 3. The district continues to send the parent written notices and information but will no longer have decision-making authority, except as provided below. <ol style="list-style-type: none"> (a) If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority. The parent does not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction (b) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including 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 (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>State Regulations 603 CMR 28.08(5)</p> <p style="text-align: right;">Federal Requirements 300.347(c), 300.517</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 8	Evaluation Team composition

CRITERION NUMBER	
	<p style="text-align: center;">Legal Standard</p> <p>The following persons are members of the evaluation Team:</p> <ol style="list-style-type: none"> 1. The child's parents 2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district. 3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson) 4. A teacher who has recently had or currently has the student in a classroom or other teaching situation. If the student is involved or may be involved in a regular education program, a regular education teacher must be included as a Team member. 5. The student, age fourteen and older, if he/she chooses 6. Other individuals at the request of the student's parents 7. At least one teacher or specialist trained in the area of the student's suspected special needs 8. Individuals who are qualified to interpret the instructional implications of evaluation results 9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education 10. When one purpose of the Team meeting is to discuss transition services, the student age sixteen or older (or younger, if appropriate) is a part of Team process. If the student does not attend the Team meeting, the school district ensures that the Team is informed of the student's interests and preferences. 11. When one purpose of the Team meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the Team meeting. If the representative(s) does not attend the meeting, the school district takes other steps to obtain the participation of these agencies. 12. When one purpose of the Team meeting is to discuss vocational education needs, a person knowledgeable about vocational education placement options is present at the meeting. <p>State Regulations 28.02(22)</p> <p>Federal Requirements 34 CFR 300.344; 300.552</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Student records did not contain Team meeting notices or Team attendance sheets, thus, the onsite team was unable to verify the attendance of Team participants or whether Team meetings were actually held by the charter school.

CRITERION NUMBER					
	Legal Standard				
SE 9	<p>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a. provides an evaluation b. convenes a Team meeting c. determines whether the student has one or more disabilities d. determines if the student is making effective progress in school e. determines if any lack of progress is a result of the student's disability f. determines if the student requires special education and/or related services and/or accommodations in order to make effective progress or that the student requires related services in order to access the general curriculum g. develops an IEP where the student is found to need special education h. provides the parent with the proposed IEP, or a written explanation of the finding of no eligibility 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 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. 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. 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 style="text-align: center;"> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.05(1) and (2)</td> <td>300.534</td> </tr> </table> </p>	State Regulations	Federal Requirements	28.05(1) and (2)	300.534
State Regulations	Federal Requirements				
28.05(1) and (2)	300.534				
	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Rating: Not Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes		
Rating: Not Implemented	District Response Required: Yes				

Department of Education Findings:

Student records did not contain NI notices, Team meeting notices or attendance sheets. Therefore, the onsite Team was unable to determine when the Team meetings were held and when the IEPs were

CRITERION NUMBER	
	Legal Standard
SE 11	<p>School district response to parental request for independent educational evaluation</p> <p>If a parent disagrees with an initial evaluation or re-evaluation completed by the school district, and the parent requests an independent educational evaluation, the district implements the following requirements:</p> <ol style="list-style-type: none"> 1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the child are justified when an individual assessment rate is higher than that normally allowed. 2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. 3. The district extends the right to a publicly funded independent educational evaluation (only if cost shared or funded for state wards or for students receiving free or reduced cost lunch) for sixteen (16) months from the date of the evaluation with which the parent disagrees. 4. If the parent is requesting an evaluation in an area not assessed by the school district, or if the student does not meet or the parent does not choose to share the financial documentation regarding the income eligibility standards for free or reduced cost independent educational evaluation, then the school district responds in accordance with the requirements of federal law by paying for the independent educational evaluation or, within five school days, proceeding to Special Education Appeals to show that its evaluation was comprehensive and appropriate. Where the Department's Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, the school district does not pay for the independent educational evaluation requested by the parent. 5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator's 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. 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>State Regulations 28.04(5)</p> <p>Federal Requirements 300.502(a)(3)(i)</p>

CRITERION NUMBER			
	Legal Standard		
	information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 28.07(3)</td> <td style="width: 50%; vertical-align: top;">Federal Requirements 34 CFR 300.347</td> </tr> </table>	State Regulations 28.07(3)	Federal Requirements 34 CFR 300.347
State Regulations 28.07(3)	Federal Requirements 34 CFR 300.347		
	Rating: Not Implemented District Response Required: Yes		

Department of Education Findings:

Student records did not contain progress reports regarding student progress towards meeting their IEP goals.

CRITERION NUMBER			
	Legal Standard		
SE 14	<p>Annual review Team meeting 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> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 28.04(3)</td> <td style="width: 50%; vertical-align: top;">Federal Requirements 300.343(c)</td> </tr> </table>	State Regulations 28.04(3)	Federal Requirements 300.343(c)
State Regulations 28.04(3)	Federal Requirements 300.343(c)		
	Rating: Not Implemented District Response Required: Yes		

Department of Education Findings:

Student records indicate that in cases in which annual reviews were due, there was no evidence that IEP Team meetings were held. Team meeting notices and attendance sheets were not contained in the student record and IEPs were unsigned by the parents.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION I. ASSESSMENT OF STUDENT PROGRESS
	Legal Standard

CRITERION NUMBER	ENGLISH LEARNER EDUCATION I. ASSESSMENT OF STUDENT PROGRESS
	Legal Standard
ELE 1	<p>Annual Assessment</p> <ol style="list-style-type: none"> 1. The district annually assesses the English proficiency of all limited English proficient (LEP) students. 2. The following tests selected by the Massachusetts Board of Education are administered annually by qualified staff to students who are English learners: <ol style="list-style-type: none"> (a) the Massachusetts Comprehensive Assessment System (MCAS) in grades 3-12; and (b) the Massachusetts English Proficiency Assessment (MEPA) in grades 3-12, and the Massachusetts English Language Assessment – Oral (MELA-O) in grades K-12. <p style="text-align: center;">Authority: G.L. c. 71A, § 7; 603 CMR 14.02</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The district did not provide any documentation regarding this criterion. Student records and staff interviews indicate the existence of LEP students, however, the district is not assessing the students in accordance with this criterion and does not have staff that are qualified to provide the MELA-O.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION I. ASSESSMENT OF STUDENT PROGRESS
	Legal Standard
ELE 2	<p>MCAS Participation</p> <p>Limited English proficient students participate in the annual administration of the MCAS (Massachusetts Comprehensive Assessment System) exam as required and in accordance with Department guidelines.</p> <p style="text-align: center;">Authority: GL. C. 71A, § 7; G.L. c. 69, § 1I; N.C.L.B., Title I, Title VI</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

While students have not yet taken MCAS, the charter school did not provide evidence that it has bilingual dictionaries an electronic translator for students and did not provide evidence of the accommodations available for LEP students.

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 (Report Issues # MOA 1-6)
 - Title I (Report Issues # TI 19-20)
- English Learner Education (Report Issues # ELE 3-6)

CRITERION NUMBER	
	Legal Standard
	<p>optional on the part of the parents.</p> <p>3. Provision is made for ongoing and periodic screening of all students as required by the Department of Public Health (vision, hearing, and posture).</p> <p>State Regulations Federal Requirements 28.03(1)(d) Chapter 71, Section 57</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district did not document that screening of students occurs for vision, hearing and posture as required by the Department of Public Health. Items one and two of this criterion do not apply.

CRITERION NUMBER	
	Legal Standard
SE 17	<p>Initiation of services at age three and Early Intervention transition procedures</p> <p>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.</p> <p>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.</p> <p>State Regulations Federal Requirements 28.06(7)(b) 34 CFR 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</p>
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

The charter school is a high school only.

CRITERION NUMBER			
	Legal Standard		
SE 18A	<p>IEP development and content</p> <ol style="list-style-type: none"> 1. Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP at the Team meeting using the evaluation data to guide development of measurable, annual goals and objectives/benchmarks for the student. If the district chooses to draft any element(s) of the IEP for discussion, the Team Chairperson ensures that those elements are genuinely considered prior to adoption at the Team meeting. All ideas and needs of the child as expressed by all Team members, especially the parents, are genuinely considered by the district prior to proposing the IEP. 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. 3. In developing the IEP, the Team proposes specially designed instruction and related services according to the needs of the child <u>and not</u> according to the availability of such instruction or related services. 4. The IEP is completed addressing all elements of the most current IEP format provided by the Department of Education. Where applicable, the district includes in the IEP, or other notice to the parent, information regarding the implementation of any necessary restraint procedures for students as required under 603 CMR 46.00. 5. If the Team members are unable to agree on the IEP, the Team chairperson states the elements of the IEP proposed by the school district. 6. The school district ensures that each IEP Team has at least one person with authority to commit the resources of the district and that whatever services are set out in the IEP will actually be provided and that the IEP will not be changed at a higher administrative level within the district. 7. The IEP is written in generally understandable language. <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>State Regulations 28.05(3), (4), (6) and (7)</p> <p>28.06(2)</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Federal Requirements 34 CFR 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p> </td> </tr> </table>	<p>State Regulations 28.05(3), (4), (6) and (7)</p> <p>28.06(2)</p>	<p>Federal Requirements 34 CFR 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>
<p>State Regulations 28.05(3), (4), (6) and (7)</p> <p>28.06(2)</p>	<p>Federal Requirements 34 CFR 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>		
	<p>Rating: Partially Implemented District Response Required: Yes</p>		

Department of Education Findings:

There was no evidence that Teams convened to develop the IEPs or that assessment data was used in the development of the annual goals of the IEP. There was no evidence that related service needs were considered in the development of IEPs. Lastly, there was no evidence that parents had input into the development of the IEP. Nonparticipation justification statements were not developed when student

IEPs indicated partial removal from the general education classroom. Lastly, some goals developed by the charter school were actually classroom accommodations necessary for the student to make effective progress.

CRITERION NUMBER		
	Legal Standard	
SE 18B	<p>Determination of placement; provision of IEP to parent</p> <ol style="list-style-type: none"> 1. At the Team meeting, after the IEP has been fully developed, the Team determines the appropriate placement to deliver the services on the student’s IEP. 2. Unless the student’s IEP requires some other arrangement, the student is educated in the school that he or she would attend if the student did not require special education. 3. The decision regarding placement is based on the IEP, including the types of related services that are to be provided to the child, the type of settings in which those services are to be provided, the types of service providers, and the location at which the services are to be provided. 4. The placement selected by the Team is the least restrictive environment consistent with the needs of the student. 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>State Regulations 28.05(6) and (7)</p> <p>Federal Requirements 34 CFR 300.346</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

There was no evidence in the student record that Teams convened to determine placement. Placement forms were unsigned by parents. Furthermore, the parents did not sign the IEPs developed by Roxbury Charter High School.

CRITERION NUMBER		
	Legal Standard	

CRITERION NUMBER	
	Legal Standard
	<p>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> <p>State Regulations 28.06(2)(a); Chapter 71B, section 3</p> <p>Federal Requirements 34 CFR 300.130; 300.550-300.556</p>
	<p>Rating: Implemented District Response Required: Yes</p>

CRITERION NUMBER	
	Legal Standard
SE 21	<p>School day and school year requirements</p> <ol style="list-style-type: none"> 1. 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. 2. 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. In such case the daily duration of the program shall be specified by the Team, and Team shall state on the IEP the reason for such different duration. 3. Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction. 4. 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. 5. 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.

CRITERION NUMBER	
	Legal Standard
	<p>6. Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.</p> <p>State Regulations 28.05(4) Chapter 69, Section 1G</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.309(b)</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Student records and staff interviews did not provide sufficient evidence to suggest that IEP teams routinely consider the need for extended school year for eligible students.

CRITERION NUMBER	
	Legal Standard
SE 22	<p>IEP implementation and availability</p> <ol style="list-style-type: none"> 1. Where the IEP of the student in need of special education has been accepted in whole or in part by that student's parent, the school district provides the mutually agreed upon services without delay. 2. At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction. 3. Each teacher and provider described in the IEP is informed of his or her specific responsibilities related to the implementation of the student's IEP. 4. The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved. <p>State Regulations 28.05(7)(b); 28.06(2)(d)(2)</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.342</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Staff interviews indicate that teachers were not always aware of their specific responsibility for implementing the IEP. Furthermore, the sole special education provider is not licensed in special

education. Lastly, several IEPs within the student record were unsigned by the parents.

CRITERION NUMBER			
	Legal Standard		
SE 23	<p>Confidentiality of personally identifiable information The district protects the confidentiality of any personally identifiable information that is collected, used or maintained in accordance with federal and state law.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>State Regulations 603 CMR 23.00 (Student Records Regulations) Privacy Act</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Federal Requirements 34 CFR 300.560-576; Family Educational Rights and (FERPA)</p> </td> </tr> </table>	<p>State Regulations 603 CMR 23.00 (Student Records Regulations) Privacy Act</p>	<p>Federal Requirements 34 CFR 300.560-576; Family Educational Rights and (FERPA)</p>
<p>State Regulations 603 CMR 23.00 (Student Records Regulations) Privacy Act</p>	<p>Federal Requirements 34 CFR 300.560-576; Family Educational Rights and (FERPA)</p>		
	<p>Rating: Partially Implemented District Response Required: Yes</p>		

Department of Education Findings:

The charter school does not maintain a log of access for the student records consistent with the state Student Record Regulations.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
MOA 1	<p>Identification of limited-English-proficient students 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>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The district did not submit documentation that it has developed procedures for the identification of students that may be Limited English Proficient (LEP).

CRITERION NUMBER	
	Legal Standard
MOA 2	<p>Program modifications and support services for limited-English-proficient students</p> <p>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"> 1. are based on sound education theory; 2. provide for English-language development; 3. provide for the meaningful participation of limited-English-proficient students in the district’s educational program; 4. are evaluated and appropriately revised in an ongoing manner; and 5. are demonstrably useful in assisting students receiving such program modifications and services to gain English language proficiency. <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>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The district did not submit any documentation demonstrating it has the capacity to implement program modifications for LEP students. Furthermore, teaching staff interviews indicate some classes have students who are LEP, but program modifications are not made or considered for LEP students.

CRITERION NUMBER	
	Legal Standard
MOA 2A	<p>Identification of homeless children and youth</p> <p>The homeless education liaison designated under MOA 11A ensures that homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(6)(A)(i)</p>

CRITERION NUMBER	
	Legal Standard
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The charter school has not developed procedures for identifying students who may become homeless during the course of the school year and ensuring continued access to an education.

CRITERION NUMBER	
	Legal Standard
MOA 2B	<p>Equal educational opportunity for homeless children and youth The homeless education liaison ensures that homeless children and youth enroll in, and have a full and equal opportunity to succeed in, district schools.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(6)(A)(ii)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Please see “MOA 2A” above.

CRITERION NUMBER	
	Legal Standard
MOA 2C	<p>Access to services for homeless families, children, and youth The homeless education liaison ensures that homeless families, children, and youth receive educational services for which they are eligible, including Head Start and Even Start programs and preschool programs administered by the district, and referrals to health care services, dental services, mental health services, and other appropriate services.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(6)(A)(iii)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The district did not provide any evidence that it has procedures to ensure homeless families and students have access to educational and health related services.

CRITERION NUMBER	
	Legal Standard
MOA 3	<p>Access to a full range of education programs 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>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The charter school does not have appropriate identification procedures for LEP students, does not make program modifications for LEP students and lacks an ELE program

CRITERION NUMBER	
	Legal Standard
MOA 4	<p>Placement of disabled, linguistic and racial minority, homeless, and female/male students 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>

CRITERION NUMBER	
	Legal Standard
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 5A	<p>Placement of homeless students According to the best interest of the homeless student, the district either</p> <ol style="list-style-type: none"> 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 enrolls the student in any public school that nonhomeless students who live in the attendance area where the student is actually living (with or without parents) are eligible to attend. <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 an unaccompanied youth, 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>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The charter school has not established a homeless liaison and did not provide evidence that it has procedures to ensure that homeless students are appropriately placed to ensure access to an education.

CRITERION NUMBER	
	Legal Standard
MOA 5B	<p>Immediate enrollment of homeless students</p> <ol style="list-style-type: none"> 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.

CRITERION NUMBER	
	Legal Standard
	<ol style="list-style-type: none"> 2. The enrolling school immediately contacts the school last attended by the homeless student to obtain relevant academic and other records. 3. If the homeless student needs to obtain immunizations or immunization or medical records, the enrolling school immediately refers the student’s parent or guardian (or the student, if an unaccompanied youth) to the homeless education liaison for assistance in obtaining them. <p>NCLB: Title X, Part C, Sec. 722(g)(3)(C)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Please see MOA 5A above for comment regarding the lack of established procedures.

CRITERION NUMBER	
	Legal Standard
MOA 5C	<p>Transportation of homeless students to and from the school of origin</p> <ol style="list-style-type: none"> 1. The school district has adopted policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the homeless education liaison), to and from the school of origin, in accordance with the following provisions. 2. If the homeless student is continuing to attend his or her school of origin and continues to live in the school district in which the school of origin is located, the student’s transportation to and from the school of origin is provided or arranged by the school district in which the school of origin is located. 3. 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 from the school of origin. If they cannot agree on a method, the responsibility and costs are shared equally. <p>NCLB: Title X, Part C, Sec. 722(g)(1)(J)(iii)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Please se MOA 5A and 5B for comments.

CRITERION NUMBER	<p style="text-align: center;">TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT</p>	
	<p style="text-align: center;">Legal Standard</p>	
<p style="text-align: center;">TI 19</p>	<p>(For Targeted Assistance Schools) A description is available of the multiple, objective, educationally-related criteria used to identify and rank 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.</p> <p>1115 (b)(1)(B) NCLB</p>	
	<p>Rating: Not Implemented</p>	<p>District Response Required: Yes</p>

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements for identifying and ranking eligible students under this criterion.

CRITERION NUMBER		
	<p style="text-align: center;">Legal Standard</p>	
<p style="text-align: center;">TI 20</p>	<p>(For Targeted Assistance Schools) There is evidence that limited English proficient students are identified as eligible and selected for Title I services on the same basis as other students selected to receive services.</p> <p>1115(b)(2)(A) NCLB</p>	
	<p>Rating: Not Implemented</p>	<p>District Response Required: Yes</p>

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements to identify eligible limited English proficient (LEP) students under this criterion.

CRITERION NUMBER	<p style="text-align: center;">ENGLISH LEARNER EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT</p>	
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CRITERION NUMBER	
	Legal Standard
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The district did not provide any documentation of its policy for implementing waiver procedures.

CRITERION NUMBER	
	Legal Standard
ELE 5	<p>Program Placement and Structure</p> <p>The district places LEP students in</p> <ol style="list-style-type: none"> 1. “sheltered English immersion” classrooms, in which nearly all books and instructional materials are in English, but with the curriculum and presentation designed for students who are learning the language. All reading, writing and subject matter are taught in English. Teachers may use an English learner’s native language, when necessary, for clarification purposes. Districts may also modify general education classrooms, so that the activities and instruction in those classrooms provide sheltered English instruction to LEP students; or 2. “two-way bilingual” classrooms, in which students develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of an equal number of proficient English speakers and proficient speakers of the other language; or 3. (for kindergarten students) either a sheltered English immersion, two-way bilingual, or an English-only language general education classroom with assistance in English language acquisition, including, but not limited to, English as a second language. <p style="text-align: center;">Authority G.L. c. 71A, § 2, 4, 7; Title VI</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

While interviews indicate the presence of LEP students, the district does not currently provide sheltered English immersion as currently required under law.

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 (Report Issue # MOA 6A-7)
 - Title I (Report Issues # TI 21-23)
- English Learner Education (Report Issue # ELE 7)

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT	
	Legal Standard	
SE 24	<p>Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE</p> <ol style="list-style-type: none"> 1. A student may be referred for an evaluation by a parent or any person in a care-giving or professional position concerned with the student's development. 2. When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the child's parent(s) within 5 school days of receipt of the referral. 3. Notice is given by the district within a reasonable time for all other actions. 4. <i>The school district provides the student's parent(s) with an opportunity to consult with the Special Education Administrator or his/her designee to discuss the reasons for the referral and the nature of the proposed evaluation</i> 5. <i>The district provides parents with an opportunity to consult with the Administrator of Special Education or his/her designee regarding the evaluators to be used and the proposed content of all required and optional assessments</i> 6. <i>The school district does not limit a parent's right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education that may be described in the district's Curriculum Accommodation Plan, including any pre-referral program.</i> 7. <i>The school district refuses to conduct an initial evaluation only when the circumstances of a student make clear that there is no suspicion of a disability and that there is no concern about the student's development.</i> <p>State Regulations 28.04(1)</p> <p>Federal Requirements 34 CFR 300.503(a)</p>	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

Student records indicated that the charter school did not produce the federally required written (N1 or N2) notices.

CRITERION NUMBER		
	Legal Standard	
SE 25	<p>Parental consent In accordance with state and federal law, the school district obtains informed</p>	

CRITERION NUMBER		
	Legal Standard	
	<p>parental consent as follows:</p> <ol style="list-style-type: none"> 1. The school district obtains written parental consent before conducting an initial evaluation and before making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a reevaluation and before placing a student in a special education placement subsequent to the initial placement in special education. 2. The school district obtains consent before initiating extended evaluation services. 3. The school district obtains consent to the services proposed on a student’s IEP before providing such services.. 4. 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. 5. 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. 6. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the initial placement, or the parent revokes consent to such reevaluation or placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the child. If, after consideration, the school district determines that the parent’s failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through Special Education Appeals <p>State Regulations 28.07(1)</p> <p>Federal Requirements 34 CFR 300.500(b)(1)</p>	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

Student records indicate that parental consent was not acquired for IEPs or placements. In addition, consent forms (NIA) to parents for rev-evaluations were not contained in the student record.

CRITERION NUMBER	
	Legal Standard
SE 26	<p>Parent participation in meetings</p> <ol style="list-style-type: none"> 1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child. 2. The Administrator of Special Education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend. 3. The district schedules the meeting at a mutually agreed upon time and place, and documents such efforts. 4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing. 5. In cases where the district, after reasonable efforts, is unable to obtain the parents' participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents' participation. <p>State Regulations 28.02(22)</p> <p>Federal Requirements 34 CFR 300.345(d), 300.501</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Student records, parent interviews and surveys indicate that parents did not participate in the Team process at Roxbury Charter High School and in some instances, did not receive copies of the IEP.

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

CRITERION NUMBER	
	Legal Standard
	28.04(1)(b) 34 CFR 300.503-504
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Student records indicate that team meeting notices and attendance sheets were not contained in the student record.

CRITERION NUMBER	
	Legal Standard
SE 28	<p>Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights Immediately following the development of the IEP and without undue delay, the district provides the parents with two copies of the proposed IEP or a written explanation of the finding of no eligibility for special education together with the required notice of procedural safeguards and parents' rights.</p> <p>State Regulations Federal Requirements 28.05(7) 34 CFR 300.345(f)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Please see SE 25, 26 and 27.

CRITERION NUMBER	
	Legal Standard
SE 29	<p>Communications are in English and primary language of home</p> <p>1. Communications with parents are in simple and commonly understood words and 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</p>

CRITERION NUMBER					
	Legal Standard				
	<p>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.</p> <p>2. If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (1) that it has provided such notice in an alternate manner, (2) that the content of the notice and (3) the steps taken to ensure that the parent understands the content of the notice.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.07(8)</td> <td>34 CFR 300.345(e)</td> </tr> </table>	State Regulations	Federal Requirements	28.07(8)	34 CFR 300.345(e)
State Regulations	Federal Requirements				
28.07(8)	34 CFR 300.345(e)				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Partially Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Partially Implemented	District Response Required: Yes		
Rating: Partially Implemented	District Response Required: Yes				

Department of Education Findings:

While the charter school was able to produce templates of translated documents available from the Department’s website , the charter school did not have established procedures for ensuring interpreters and translations of documents could occur when necessary.

CRITERION NUMBER					
	Legal Standard				
SE 30	<p>Elements of notice of parents’ rights The district’s notice of parental rights contains all required elements included in the most current version of the Massachusetts Parent’s Rights Brochure.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>M.G.L. c. 71B, Section 3</td> <td>34 CFR 300.503-504</td> </tr> </table>	State Regulations	Federal Requirements	M.G.L. c. 71B, Section 3	34 CFR 300.503-504
State Regulations	Federal Requirements				
M.G.L. c. 71B, Section 3	34 CFR 300.503-504				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 50%;">District Response Required: No</td> </tr> </table>	Rating: Implemented	District Response Required: No		
Rating: Implemented	District Response Required: No				

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
SE 31	<p>State and district responsibility for educational surrogate parents</p> <ol style="list-style-type: none"> 1. When a student is without parental representation and requires an educational surrogate parent to be appointed in accordance with federal law and regulations, upon request of the Department, the district responsible for services to the student assists in identifying a person willing to serve as an educational surrogate parent. 2. Upon assignment by the Department, such educational surrogate parent has all the rights and responsibilities of a parent in making decisions regarding eligibility and services for special education for the assigned student. The Department provides notice of appointment to the school district and any state agency with custody of the student. 3. A person identified by the district and willing to serve as an educational surrogate parent has no conflict of interest and is not in the employ of the school district or any state or local agencies involved with the care of the student . 4. A person identified by the district, appointed by the Department, and serving as an educational surrogate parent does not receive financial remuneration from the district except that the school district reimburses the person for reasonable expenses related to the exercise of his or her responsibilities as an educational surrogate parent for a student enrolled in the district. <p>State Regulations 28.07(7)</p> <p>Federal Requirements 34 CFR 300.515</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 32	<p>Parent advisory council for special education</p> <ol style="list-style-type: none"> 1. The school district has established a district-wide parent advisory council on special education. 2. Membership on the council is offered to all parents of children with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the district 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 district’s special education programs. 4. The parent advisory council has established by-laws regarding officers and operational procedures.

CRITERION NUMBER	
	Legal Standard
	<p>5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources.</p> <p>6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</p>
	<p>State Regulations Chapter 71B, Section 3; 28.07(4)</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The parent advisory group established by Roxbury Charter High School does not meet the requirements established by this criterion, such as providing parents of special education students the opportunity to meet in planning, developing and evaluating the school's special education program or bylaws of operation.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT
	Legal Standard
MOA 6A	<p>Information and opportunities for participation for parents and guardians of homeless students</p> <p>The homeless education liaison ensures that parents and guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in their children's education.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(6)(A)(iv)</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The charter school was unable to produce evidence that it has a homeless liaison, proper procedures for ensuring homeless families and youth are appropriately serviced or evidence of its efforts to ensure the continued participation of parents or guardians in the education of their homeless students.

CRITERION NUMBER	
	Legal Standard
MOA 6B	<p>Public notice of educational rights of homeless children and youth The homeless education liaison ensures that public notice of the educational rights of homeless children and youth is disseminated in places where they receive services, such as schools, family shelters, and soup kitchens.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(6)(A)(v)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:
Please see “MOA 6A” above.

CRITERION NUMBER	
	Legal Standard
MOA 6C	<p>Information and assistance with respect to transportation of homeless students The homeless education liaison ensures that each homeless student’s parent or guardian, as well as any unaccompanied youth, is fully informed of all transportation services, including transportation to and from the school of origin as required in MOA 5C above, and is assisted in accessing transportation to the school where the student is placed.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(6)(A)(vii)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:
Please see “MOA 6A” above.

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
MOA 6D	<p>Coordination and collaboration by the homeless education liaison The homeless education liaison coordinates and collaborates with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(6)(C)</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Please see "MOA 6A" above.

CRITERION NUMBER	
	Legal Standard
MOA 7	<p>Information to be translated into languages other than English 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 and program 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>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The charter school did not provide documentation that it provides translated documents when necessary, or information regarding its capacity to do so or examples of translated communications.

CRITERION NUMBER	TITLE 1
	III. PARENTAL AND COMMUNITY INVOLVEMENT
	Legal Standard

CRITERION NUMBER	TITLE 1 III. PARENTAL AND COMMUNITY INVOLVEMENT
Legal Standard	
<p style="text-align: center;">TI 21</p>	<p><u>School District Requirements:</u></p> <ol style="list-style-type: none"> 1. Title I policies, programs, activities, and procedures are assessed for needs, planned, implemented and evaluated with meaningful consultation of parents of participating children. 1118(a)(1) 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) 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 4. The district builds schools’ and parents’ capacity for strong parental involvement. 5. Title I parental involvement services are integrated with other programs’ parental involvement strategies at the school and district level. 6. The district conducts, with involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy in improving student achievement and parental involvement. Evaluation results are used to improve programs and services. 1118(a)(2)(A) – (G) 7. The district has a system for schools to provide parents with “right to know” information: <ol style="list-style-type: none"> a. Status of school identified for school improvement b. Notice of teacher qualifications and right of parent to inquire c. Notice, if applicable, that students are taught by non- highly qualified teachers for more than four weeks. <p style="text-align: center;">1118(d)(3)(B)</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements to develop, jointly with parents of students participating in Title I services, a written parental involvement policy that describes how the school will carry out the parental involvement requirements under this criterion. RCHS does not conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy and has not provided parents with “right-to-know” notification as required.

CRITERION NUMBER	
	Legal Standard
TI 22	<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>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements to provide parents with opportunities to obtain materials and training to improve their child’s achievement under this criterion.

CRITERION NUMBER	
	Legal Standard
TI 23	<p><u>School Requirements:</u></p> <ol style="list-style-type: none"> 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 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 3. The school implements the following parent involvement requirements: <ol style="list-style-type: none"> a. Convenes an annual informational meeting at a time convenient for parents; 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.); c. Involves parents in an organized, ongoing, timely way in the planning, review, and improvement of school parental involvement policy and schoolwide programs; d. Provides parents with timely information about Title I programs, descriptions, and an explanation of the Title I curriculum and assessment procedures; and e. Provides parents with materials and training to improve their children’s achievement.

CRITERION NUMBER	
	Legal Standard
	<p>1118 (c)(1)-(4); 1118 (e)(2) NCLB</p> <p>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.</p> <p>1118(d) NCLB</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements to develop, jointly with parents of students participating in Title I services, a written parental involvement policy and a School-Parent Compact under this criterion.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION III. PARENTAL INVOLVEMENT
	Legal Standard
ELE 7	<p>Parent Involvement</p> <p>The district develops a mechanism for including parents or guardians of LEP students in matters pertaining to their children's education.</p> <p>Authority: Title VI</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The district did not document its mechanism for including parents of LEP students in the education process for English language learners.

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 (Report Issues MOA 7A-9)
 - Title I (Report Issues # TI 24-28)
- English Learner Education (Report Issues #8-10)

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION	
	Legal Standard	
SE 33	<p data-bbox="407 411 889 443">Involvement in the general curriculum</p> <ol data-bbox="407 447 1398 877" style="list-style-type: none"> 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. 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. 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. 4. In the IEP the district documents the student's participation in the general curriculum. <p data-bbox="407 915 630 978">State Regulations 28.05(4)(a) and (b)</p> <p data-bbox="980 915 1382 978" style="text-align: right;">Federal Requirements 34 CFR 300.347(a)(1)(i); 300.137</p>	
	Rating: Implemented	District Response Required: Yes

CRITERION NUMBER		
	Legal Standard	
SE 34	<p data-bbox="407 1320 1029 1352">Continuum of alternative services and placements</p> <p data-bbox="407 1356 1406 1520">The district provides or arranges for the provision of each of the elements of the IEPs of students in need of special education from the ages of three through twenty-one, ensuring that a continuum of services and alternative placements is available to meet the needs of all students with disabilities, and takes all steps necessary to ensure compliance with all elements of the IEPs, including vocational education.</p> <p data-bbox="407 1558 630 1589">State Regulations</p> <p data-bbox="980 1558 1390 1621" style="text-align: right;">Federal Requirements 34 CFR 300.551;300.305; 300.123</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

The charter school interviews indicate that the school does not provide related services, despite a few instances where noted the student's IEP notes that the student requires related services. Staff interviews further suggest that such services would be contracted with outside agencies, however, no

documentation was provided indicating such contracts exist.

CRITERION NUMBER		
	Legal Standard	
SE 35	<p>Specialized materials and assistive technology</p> <ol style="list-style-type: none"> 1. Specialized materials and equipment specified in IEPs are provided, are of good quality and are suitable for the role they play in the IEP. 2. The school district provides evidence that assistive technology is considered for each eligible student and, if necessary, described in the IEP and provided by the district. <p>State Regulations</p> <p>Federal Requirements 34 CFR 300.308, 34 CFR 300.346</p>	
	Rating: Implemented	District Response Required: Yes

CRITERION NUMBER		
	Legal Standard	
SE 36	<p>IEP implementation, accountability and financial responsibility</p> <ol style="list-style-type: none"> 1. The district ensures that IEPs are implemented without delay upon parent consent. 2. The district oversees in an ongoing manner the full implementation of each in-district and each out-of-district IEP it proposes which has been consented to by a child's parents. 3. The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP. 4. The district provides all programs and services without expense to the child's parents. 5. Each time the school district proposes to access the parent's private insurance to support the costs of IEP implementation, the school district obtains the parent's consent and informs the parents that their refusal to permit the school district to access their private insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents. <p>State Regulations 28.06(3)</p> <p>Federal Requirements 34 CFR 300.142; 300.350</p>	

CRITERION NUMBER	
	Legal Standard
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The review of the student records indicates that the parents had not signed the Roxbury Charter High School IEPs and in a few instances, IEPs have expired.

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

CRITERION NUMBER	
	Legal Standard
	<p>programs are entitled to the full protections of state and federal special education law and regulation.</p> <p>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:</p> <ul style="list-style-type: none"> a. <u>Search</u>: The Administrator of Special Education documents the search for and unavailability of a program approved by the Department. The Administrator places such documentation in the student record. b. <u>Evaluation of facility</u>: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such 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. 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 M.G.L. c.76, §1 and a copy of such approval is retained in the student record. 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. 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

CRITERION NUMBER			
	Legal Standard		
	<p>regard to such objection. The district maintains documentation of the approved price for publicly funded students as set by the state agency responsible for setting program prices.</p> <p>f. <u>Out of state programs</u>: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the Administrator of Special Education ensures that such school has received approval from the host state.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.02(14), 28.06(3)</td> <td style="width: 50%;">Federal Requirements 34 CFR 300.2(c)</td> </tr> </table>	State Regulations 28.02(14), 28.06(3)	Federal Requirements 34 CFR 300.2(c)
State Regulations 28.02(14), 28.06(3)	Federal Requirements 34 CFR 300.2(c)		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Not Applicable</td> <td style="width: 50%;">District Response Required: No</td> </tr> </table>	Rating: Not Applicable	District Response Required: No
Rating: Not Applicable	District Response Required: No		

Department of Education Findings:
This criterion is not applicable to Charter Schools.

CRITERION NUMBER			
	Legal Standard		
SE 38	<p>Educational services in institutional settings (ESIS) <u>Department of Education responsibility</u>: In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities. <u>School district responsibility</u>:</p> <ol style="list-style-type: none"> 1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law. 2. Where a student's IEP requires a type or amount of service that the facility does not provide, it remains the responsibility of the parent's school district to implement the student's IEP by arranging and paying for the provision of such service(s). 3. The parent's school district coordinates with the state agency to ensure that the student receives an evaluation, an annual review, and special education services as identified at a Team meeting convened by the parent's school district. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> </table>	State Regulations	Federal Requirements
State Regulations	Federal Requirements		

CRITERION NUMBER	
	Legal Standard
	28.06(9)
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 39	<p>Procedures used to provide services to eligible students enrolled in private schools at private expense</p> <ol style="list-style-type: none"> 1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives. 2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> a. The district provides special education and/or related services designed to meet the needs of eligible children who are attending private schools at private expense and whose parents reside in the jurisdiction of the school district. The school district provides to such children genuine opportunities to participate in the public school special education program consistent with state constitutional limitations. b. The district provides or arranges for the provision of evaluation services and an IEP for any eligible private school child whose parent resides in the jurisdiction of the school district. The evaluation may take place in the public school, the private school, or an appropriate contracted facility, and the school district ensures that a representative of the child's private school is invited to participate as a member of the Team pursuant to §28.05. c. The district provides or arranges for the provision of the special education and/or related services described by the child's IEP and the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds. d. The district does not withdraw or withhold services from a child solely because the school district has met the spending requirements of federal law. 3. Special education services and/or related services provided by the district to a

CRITERION NUMBER	
	Legal Standard
	<p>private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance.</p> <p>4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children.</p> <p>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.</p> <p>State Regulations 28.03(1)(e); Chapter 71B, section 2</p> <p>Federal Requirements 34 CFR 300.450-300.462</p>
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

This criterion is not applicable to charter schools.

CRITERION NUMBER	
	Legal Standard
SE 40	<p>Instructional grouping requirements for students aged five and older</p> <ol style="list-style-type: none"> 1. The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. 2. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs. 3. When eligible students are assigned to instructional groupings outside of the general education classroom for <u>60% or less of the students' school schedule</u>, group size does not exceed eight (8) students with a certified special educator, twelve (12) students if the certified special educator is assisted by one aide, and sixteen (16) students if the certified special educator is assisted by two aides. 4. For eligible students served in settings that are substantially separate, serving solely students with disabilities for <u>more than 60% of the students' school schedule</u>, the district provides instructional groupings that do not exceed eight (8) students to one certified special educator or twelve (12) students to

CRITERION NUMBER	
	Legal Standard
SE 42	<p>Programs for young children three and four years of age</p> <p><u>General requirements:</u></p> <ol style="list-style-type: none"> 1. The school district ensures programs are available for eligible children three and four years of age. Such programs shall be developmentally appropriate and specially designed for children ages three and four years. 2. Where at all possible the school district accepts referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the child's third birthday in accordance with federal requirements. 3. Where appropriate, the school district elects, consistent with federal requirements to use the format and services of the Individualized Family Service Plan (IFSP), if appropriate, for an additional year as a means of transitioning eligible children to public school services. 4. Where appropriate the Team allows a child to remain in a program designed for three and four year old children for the duration of the school year in which the child turns five years old (including the summer following the date of the child's fifth birthday). <p><u>Types of Settings:</u></p> <ol style="list-style-type: none"> 5. <u>Inclusionary programs</u> for young children are located in a setting that includes children with and without disabilities and meet the following standards: <ol style="list-style-type: none"> a. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting. b. For public school programs that integrate children with and without disabilities, the class size does not exceed twenty (20) with one teacher and one aide and no more than five (5) students with disabilities. If the number of students with disabilities is six (6) or seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide. 6. <u>Substantially separate programs</u> for young children are located in a public school classroom or facility that serves primarily or solely children with disabilities. Substantially separate programs adhere to the following standards: <ol style="list-style-type: none"> a. Substantially separate programs are programs in which more than 50% of the children have disabilities. b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide. <p>State Regulations 28.06(7)</p> <p>Federal Requirements 34 CFR 300.342(c)</p>

CRITERION NUMBER	
	Legal Standard
	Rating: Not Applicable District Response Required: No

Department of Education Findings:
The charter school is a high school.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
MOA 7A	<p>School Year Schedules</p> <ol style="list-style-type: none"> 1. Before the beginning of each school year, the school district sets a school year schedule for each school. The school year includes at least 185 school days for students in grades 1-12 at each elementary, middle, and secondary school in the district, and these schools are in operation for at least 180 days a year for these students. 2. The school district ensures that unless his or her IEP or Section 504 Accommodation Plan provides otherwise, each elementary school student is scheduled for at least 900 hours of structured learning time a year and each secondary school student is scheduled for at least 990 hours of structured learning time a year, within the required school year schedule. Where the school district operates separate middle schools, it designates each one as either elementary or secondary. 3. Where the school district sets a separate school year and school day schedule for kindergarten programs, it provides at least 425 hours of structured learning time a year. If the district schedules two sessions of kindergarten a day, it ensures equal instructional time for all kindergarten students. <p>M.G.L. c. 69, s. 1G; 603 CMR 27.03, 27.04</p>
	Rating: Implemented District Response Required: Yes

CRITERION NUMBER	
	Legal Standard
MOA 7B	Structured Learning Time

CRITERION NUMBER	
	Legal Standard
	<p>The school district ensures that its structured learning time is time during which students are engaged in regularly scheduled instruction, learning, or assessments within the curriculum of core subjects and other subjects as defined in 603 CMR 27.02. The district's structured learning time may include directed study (activities directly related to a program of studies, with a teacher available to assist students), independent study (a rigorous, individually designed program under the direction of a teacher, assigned a grade and credit), technology-assisted learning, presentations by persons other than teachers, school-to-work programs, and statewide student performance assessments.</p> <p>The district ensures that its structured learning time does not include time at breakfast or lunch, passing between classes, in homeroom, at recess, in non-directed study periods (study halls), participating in optional school programs, or receiving school services such as health screening, speech, or physical and occupational therapy, except where those services are prescribed by a student's IEP or Section 504 Accommodation Plan.</p> <p>The hours spent in any type of structured learning time are verified by the school district. Where the school district counts independent study or a school-to-work program as structured learning time, it has guidelines that explain clearly how hours spent by students are verified.</p> <p>M.G.L. c. 69, s. 1G; 603 CMR 27.02, 27.04</p>
	Rating: Commendable District Response Required: No

Department of Education Findings:

The charter school provides 207 school days and over 1276 hours of structured learning time, including an extended day "guided study" period.

CRITERION NUMBER	
	Legal Standard
MOA 7C	<p>Early Release of High School Seniors</p> <p>When the school district schedules the early release at the end of the year of the senior class of a high school, it does so in accordance with a written policy that conforms with Board of Education requirements under 603 CMR 27.05, ensuring that neither the conclusion of the seniors' school year nor graduation is more than 12 school days before the regular scheduled closing date of that school.</p> <p>M.G.L. c. 69, s. 1G; 603 CMR 27.05</p>

CRITERION NUMBER	
	Legal Standard
	Rating: Implemented District Response Required: No

Department of Education Findings:

The charter school currently has only 9th and 10th grades with plans for expansion to a full four grade level high school.

CRITERION NUMBER	
	Legal Standard
MOA 8	<p>Accessibility of extracurricular activities Extracurricular activities sponsored by the district are nondiscriminatory in that: the school provides equal opportunity for all students to participate in intramural and interscholastic sports; 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.</p> <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>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 9	Hiring and employment practices of prospective employers of students

CRITERION NUMBER	
	Legal Standard
	<ol style="list-style-type: none"> 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. 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. <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>
	Rating: Implemented District Response Required: No

Department of Education Findings:

The charter school currently has only 9th and 10th grades with plans for expansion to a full four grade level high school.

CRITERION NUMBER	TITLE 1 IV. CURRICULUM AND INSTRUCTION
	Legal Standard
TI 24 - TAS	<p>The district implements effective instructional strategies that are based on scientifically-based research that:</p> <ol style="list-style-type: none"> a. give primary consideration to extended learning time; b. help provide an accelerated, high quality curriculum; and c. minimize the removal of students from the classroom during regular hours. <p>1115(c)(1)(C) NCLB</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

*The RCHS did not provide the required documentation in order to determine compliance with the requirements to **implement effective instructional strategies that are based on scientifically-based research** under this criterion.*

CRITERION NUMBER	
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	Legal Standard
TI 25 – TAS/SWP	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. 1114(b)(1)(B)(ii)(II); 1115(c)(1)(C)(i) NCLB
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements to provide opportunities for students receiving Title I services to participate in extended programs and activities under this criterion.

CRITERION NUMBER	Legal Standard
TI 26 - SWP	For each school a comprehensive Schoolwide Program (SWP) plan has been developed with the involvement of the community, those served by the program, and the individuals who will implement the plan, including: <ol style="list-style-type: none"> 1. a year of planning, 2. teachers, principals, and other staff, and where appropriate, 3. pupil services personnel, 4. parents, 5. secondary school students, if applicable, 6. revision, as necessary, by the school, and 7. availability of the plan to parents and the public in a language that parents can understand. 1114(b)(2)(B)(ii-iv) NCLB
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

The RCHS is not a Schoolwide Program.

CRITERION NUMBER	Legal Standard
TI 27 - SWP	The SWP plan includes a comprehensive needs assessment of the entire school that

CRITERION NUMBER	
	Legal Standard
	is based upon information on the performance of students in relation to the state academic content standards. 1114(b)(1)(A) NCLB
	Rating: Not Applicable District Response Required: No

Department of Education Findings:
The RCHS is not a Schoolwide Program.

CRITERION NUMBER	
	Legal Standard
TI 28- SWP	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
	Rating: Not Applicable District Response Required: No

Department of Education Findings:
The RCHS is not a Schoolwide Program.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
ELE 8	Declining Entry to a Program The district provides English language support to students whose parents have declined entry to a sheltered English immersion, two-way bilingual, or other ELE program. (See Implementation Guidance below.) Authority: Title VI

CRITERION NUMBER	ENGLISH LEARNER EDUCATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The district does not have documentation demonstrating it has procedures for parents of students who wish to decline entry into the school's ELE program.

CRITERION NUMBER	
	Legal Standard
ELE 9	<p>Instructional Grouping</p> <ol style="list-style-type: none"> 1. The district only groups students of different ages together in instructional settings if their levels of English proficiency are similar. 2. The district's grouping of students ensures that LEP students receive effective content instruction at appropriate academic levels that is based on the Massachusetts curriculum frameworks. <p>Authority: G.L. c. 71A, § 4; Title VI</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Because sheltered English instruction is not provided, the school can not ensure that LEP students are receiving effective content instruction.

CRITERION NUMBER	
	Legal Standard
ELE 10	<p>Parental Notification</p> <ol style="list-style-type: none"> 1. Upon placement in the ELE program, a notice is mailed to the parents or guardians written in the primary/home language, as well as in English, that informs parents of: <ol style="list-style-type: none"> (a) the reasons for identification of the student as Limited English Proficient (LEP); (b) the child's level of English proficiency; (c) program placement and/or the method of instruction used in the

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 (Report Issues MOA 10A –17A)
 - Title I (Report Issues # TI 29A-29B)
- English Learner Education (Report Issues # ELE 11-13)

CRITERION NUMBER	
	Legal Standard
SE 45	<p>Procedures for suspension up to 10 days and after 10 days: General requirements</p> <ol style="list-style-type: none"> 1. All students, including eligible students with disabilities, receive prior written notice regarding the school’s Code of Conduct. 2. The school’s Code of Conduct includes required procedural safeguards such as opportunity for a hearing (per Goss v. Lopez). 3. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below. 4. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education. 5. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year. <p>State Requirements M.G.L. Ch. 76, Sections 16-18 and Ch. 71, Section 37 H</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.519-300.529</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Staff interviews indicate that personnel are unaware of the procedural protections for students with disabilities or students facing disciplinary action, who are undergoing the process of an evaluation as required by the Individuals with Disabilities Education Act of 1997.

CRITERION NUMBER	
	Legal Standard
SE 46	<p>Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district</p> <ol style="list-style-type: none"> 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. 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"> a. to develop or review a functional behavioral assessment of the

CRITERION NUMBER		
	Legal Standard	
SE 47	<p>Procedural requirements applied to students not yet determined to be eligible for special education</p> <ol style="list-style-type: none"> 1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if: <ol style="list-style-type: none"> a. The parent had expressed concern in writing; or b. The parent had requested an evaluation; or c. School district staff had expressed concern that the student had a disability. 2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures to conduct an expedited evaluation to determine eligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility. 3. The school district has developed procedures consistent with federal requirements to expedite evaluations. <p>State Regulations</p> <p>Federal Requirements 20 U.S.C. Chapter 33, Section 1415(k); 34 CFR 300.527</p>	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

Please see SE 45 and 46 above.

CRITERION NUMBER		
	Legal Standard	
SE 48	<p>FAPE (Free, appropriate, public education): Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education</p> <p>All students receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.</p> <p>Programs, services and activities include, but are not limited to:</p> <ol style="list-style-type: none"> 1. art and music 	

CRITERION NUMBER		
	Legal Standard	
	2. vocational education, industrial arts, and consumer and homemaking education 3. work study and employment opportunities 4. counseling services available at all levels in the district 5. health services 6. transportation 7. recess and physical education, including adapted physical education 8. athletics and recreational activities 9. school-sponsored groups or clubs 10. meals <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>State Regulations</p> <p>28.06(5)</p> </div> <div style="width: 45%;"> <p>Federal Requirements</p> <p>34 CFR 300.121; 300.300-313</p> </div> </div>	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 49	<p>Related services For each student with special education needs found to require related services, the school district provides or arranges for the provision of transportation and such developmental, corrective, and other supportive services as are required to assist a student to benefit from special education or to access the general curriculum, and includes:</p> <ol style="list-style-type: none"> 1. speech-language pathology and audiology services 2. psychological services 3. physical therapy 4. occupational therapy 5. recreation, including therapeutic recreation 6. early identification and assessment of disabilities in children 7. counseling services, including rehabilitation counseling 8. orientation and mobility services (peripatology) 9. medical services for diagnostic or evaluation purposes 10. school health services 11. social work services in schools, and 12. parent counseling and training. <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>State Regulations</p> <p>28.02(19)</p> </div> <div style="width: 45%;"> <p>Federal Requirements</p> <p>34 CFR 300.24</p> </div> </div>	

CRITERION NUMBER	
	Legal Standard
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The student record review indicates that in a few instances, students require related services. The school, however, does not have related service providers and was unable to provide documentation to demonstrate that the charter school contracts with external vendors to secure these services..

CRITERION NUMBER	
	Legal Standard
SE 49A	<p>Special Transportation</p> <p>If the IEP specifies that the student’s disability requires transportation or specialized transportation arrangements in order to benefit from special education, the district implements these provisions of the student’s IEP.</p> <ol style="list-style-type: none"> 1. The Team determines necessary modifications, special equipment, assistance, 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. 2. The district arranges to have eligible students who use wheelchairs transported in vehicles that do not require such children to be removed from their wheelchairs in order to enter or leave the vehicles; provided, however, that this requirement is not applicable where a Team or the student’s physician recommends that the student regularly transfer in and out of conventional vehicles to or from a wheelchair for therapeutic or for independence training reasons. 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. 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. 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>State Regulations 28.05(5)(b)</p> <p>Federal Requirements 34 CFR 300.24(b)(15)</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES
	Legal Standard
MOA 10A	<p>Handbooks and codes of conduct</p> <ol style="list-style-type: none"> 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. 2. Student codes of conduct contain: <ol style="list-style-type: none"> a) procedures assuring due process in disciplinary proceedings and b) appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans. 3. Handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain: <ol style="list-style-type: none"> a) a nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5, b) the school's procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and c) the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred. <p>Section 504; M.G.L. c. 71, s. 37H; 603 CMR 26.08</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The student code of conduct does not have procedures for assuring due process and disciplinary proceedings for students with disabilities. The code of conduct does not contain a nondiscrimination notice consistent with the requirements of state regulation and lacks procedures for investigating and resolving allegations of racial and sexual harassment.

CRITERION NUMBER	
	Legal Standard
MOA 11A	<p>Designation of liaison/coordinator(s); grievance procedures</p> <p>The district has designated one or more staff persons to serve as liaison for homeless students, carrying out the duties described in NCLB: Title X, Part C, Sec. 722(g)(6), and to serve as coordinator for compliance with its responsibilities under Title IX,</p>

CRITERION NUMBER	
	Legal Standard
	<p>Section 504, and (if it employs 50 or more persons) Title II. 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.</p> <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>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The charter school has not published grievance procedures for resolving allegations of gender discrimination or discrimination based on disability.

CRITERION NUMBER	
	Legal Standard
<p>MOA 12A</p>	<p>Annual and continuous notification concerning nondiscrimination and coordinators</p> <ol style="list-style-type: none"> 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. 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. 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. <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>

CRITERION NUMBER	
	Legal Standard
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

Documentation and staff interviews indicate that the district has not provided notice identifying who the current Title IX and 504 coordinators are and published materials do not contain notice that the school does not discriminate against protected classes, including sexual orientation as defined by Massachusetts state regulation.

CRITERION NUMBER	
	Legal Standard
MOA 13	<p>Availability of information and counseling on general curricular and occupational/vocational opportunities 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> <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, 106.36; 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</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 14	<p>Counseling and counseling materials free from bias and stereotypes 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"> 1. encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests,

CRITERION NUMBER	
	Legal Standard
	<p>abilities, and skills;</p> <ol style="list-style-type: none"> 2. examine testing materials for bias and counteract any found bias when administering tests and interpreting test results; 3. communicate effectively with limited-English-proficient and disabled students and facilitate their access to all programs and services offered by the district; 4. provide limited-English-proficient students with the opportunity to receive counseling in their primary language; 5. support students in educational and occupational pursuits that are nontraditional for their gender. <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>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 14A	<p>Policies and practices to prevent stigmatization and segregation of homeless students The school district has adopted policies and practices to ensure that homeless students are not stigmatized or segregated on the basis of their being homeless.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(1)(J) (i)</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The charter school has not adopted policies to prevent the stigmatization of homeless students.

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
MOA 14B	<p>Comparability of services for homeless students If they meet any eligibility criteria, homeless students are provided services comparable to services offered to other students in the school, including: Title I services; educational programs for students with disabilities; educational programs for students with limited English proficiency; programs in vocational and technical education; and programs for gifted and talented students.</p> <p>NCLB: Title X, Part C, Sec. 722 (g)(4)</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 15	<p>Non-discriminatory administration of scholarships, prizes and awards 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.</p> <p>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>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
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	Legal Standard
MOA 16	<p>Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion</p> <p>1. Within ten days from a student’s fifteenth consecutive unexcused absence, the school provides written notice to students age 16 or over and their parents or guardians. The notice is in English and the family’s native language and states that the student and the parent or guardian may meet with a representative of the district within ten days from the date the notice was sent. At the request of the parent or guardian, the district may consent to an extension of the time for the 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>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 17A	<p>Use of physical restraint on any student enrolled in a publicly-funded education program</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Education consistent with the regulations.</p>

CRITERION NUMBER	
	Legal Standard
	<p>5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations.</p> <p>M.G.L. c. 71, s. 37G; 603 CMR 46.00</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Staff interviews indicate that staff members have not been trained regarding the restraint of students and reporting procedures. The charter school did not provide documentation or its written procedures for the restraint of students.

CRITERION NUMBER	TITLE 1 V. STUDENT SUPPORT SERVICES
	Legal Standard
TI 29A	<p>1. Appropriate officials from private schools are informed and consulted about the availability of Title I services. Evidence of appropriate communication is maintained on file.</p> <p>2. Written affirmation is obtained and signed by officials of each participating private school, confirming that required consultation has occurred.</p> <p>1120 NCLB; 1421-1426 NCLB</p>
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

Charter schools are not required to meet obligations for serving students in private schools.

CRITERION NUMBER	
	Legal Standard
TI 29B	<p>1. Appropriate officials from Neglected or Delinquent (N or D) facilities are informed and consulted about the availability of Title I services. A contract</p>

CRITERION NUMBER	
	Legal Standard
	<p>exists between the district and the N or D facility, if applicable.</p> <p>2. The N or D program provides the appropriate academic and support services to enhance student achievement and provides a successful transition to non-institutional settings for the participants.</p> <p>1120 NCLB; 1421-1426 NCLB</p>
	<p>Rating: Not Applicable District Response Required: No</p>

Department of Education Findings:

Charter schools are not required to meet obligations for serving Neglected or Delinquent facilities/students.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION V. STUDENT SUPPORT SERVICES
	Legal Standard
ELE 11	<p>Equal Access to Academic Programs and Services</p> <ol style="list-style-type: none"> 1. The districts does not segregate LEP students from their English-speaking peers, except when necessary, to implement an English learner education program. 2. The district ensures that LEP students participate fully with their English-speaking peers and are provided support in non-core regular public school courses. 3. The district ensures that LEP students have the opportunity to receive academic support services, such as guidance and counseling, in the student’s primary language. 4. The district ensures that LEP students are taught to the same academic standards and curriculum frameworks as all students, and provides the same opportunities to master such standards and frameworks as other students, including the opportunity to enter academically advanced classes, receive credit for work done, and have access to the full range of programs. 5. The district provides access to the full range of academic opportunities and supports afforded non-LEP students, such as those outlined in the District Curriculum Accommodation Plan (DCAP), access to special education services, and the implementation of Section 504 Student Accommodation Plans. 6. The district uses content objectives that are based on the Massachusetts curriculum frameworks in English language arts, history and social science,

CRITERION NUMBER	ENGLISH LEARNER EDUCATION V. STUDENT SUPPORT SERVICES		
	Legal Standard		
	<p>mathematics, and science and technology/engineering, taught by qualified staff members. Language objectives are also based on the Massachusetts English language arts standards, and those standards contained in the Massachusetts English Language Proficiency Benchmarks and Outcomes.</p> <p>Authority: Title VI; c. 71A, §7; 603 CMR 26.07 (8)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Education Findings:

Documentation and staff interviews indicate that students are not provided the same opportunity to master the standards of the curriculum frameworks due to the lack of a shelter English Immersion program for students who require such a program. Staff interviews and the lack of school documentation indicate that students are not provided English language instruction based on the state English Language proficiency benchmarks and outcomes.

CRITERION NUMBER			
	Legal Standard		
ELE 12	<p>Equal Access to Nonacademic and Extracurricular Programs The district provides appropriate support, where necessary, to limited English proficient students to ensure that they have equal access to the nonacademic programs and extracurricular activities available to their English-speaking peers.</p> <p>Authority: Title VI; 603 CMR 26.06 (2)</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
ELE 13	<p>Follow-up Support</p> <ol style="list-style-type: none"> The district monitors students who have exited an English learner education program for two years and provides language support services to those students, if needed. 		

CRITERION NUMBER			
	Legal Standard		
	<p>2. To the extent possible, the district provides access to adult basic education in English language and literacy skill instruction for LEP students who were previously enrolled in a public secondary school in the Commonwealth directly from a country other than the United States and who were unable to achieve English language proficiency as determined by assessments.</p> <p>Authority: Title VI; Chapter 218 of the Acts of 2002</p>		
	Rating: Not Implemented	District Response Required:	Yes

Department of Education Findings:

The charter school did not provide any documentation of either its Sheltered English Immersion program or its monitoring procedures for students who may exit from the SEI program.

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 (Report Issues MOA 18A-21)
 - Title I (Report Issues # TI 30-31)
- English Learner Education (Report Issues 14-15)

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
SE 50	<p data-bbox="407 411 1401 474">Responsibilities of the School Principal and Administrator of Special Education Principal:</p> <ol style="list-style-type: none"> <li data-bbox="407 478 1401 978">1. Instructional support. 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 M.G.L. 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 data-bbox="407 982 1401 1549">2. Curriculum Accommodation Plan. The principal implements a curriculum accommodation plan developed by the district's general education program 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. <i>(The plan may be part of a multi-year strategic plan.)</i> <li data-bbox="407 1554 1401 1654">3. Coordination with special education. 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 data-bbox="407 1659 1401 1852">4. Educational services in home or hospital. 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

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	<p data-bbox="506 344 1390 575">hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services 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 data-bbox="407 611 829 642"><u>Administrator of Special Education:</u></p> <p data-bbox="407 646 1398 842">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 M.G.L. c.71B, §3A, the Administrator may designate other school district personnel to carry out some of the duties of the Administrator.</p> <p data-bbox="407 877 626 909">State Regulations</p> <p data-bbox="407 913 834 978">28.03(3) Chapter 71, Section 38Q and 38Q ½</p> <p data-bbox="883 877 1162 909" style="text-align: right;">Federal Requirements</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Education Findings:

Documentation and staff interviews indicate that while the district has developed a DCAP, teachers were unaware of the existence of the DCAP, its contents or purpose.

CRITERION NUMBER			
	Legal Standard		
SE 51	<p data-bbox="407 1486 1162 1518">Appropriate special education teacher certification/licensure</p> <p data-bbox="407 1522 1390 1619">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 data-bbox="407 1654 626 1686">State Regulations</p> <p data-bbox="407 1690 583 1755">28.02(3) 603 CMR 7.00</p> <p data-bbox="883 1654 1162 1686" style="text-align: right;">Federal Requirements</p> <p data-bbox="883 1690 1175 1722" style="text-align: right;">34 CFR 300.23; 300.136</p>		
	Rating: Not Implemented	District Response Required:	Yes

Department of Education Findings:

Staff interviews and documentation indicate that the school's special education teacher is not licensed to provide special education services in the state of Massachusetts.

CRITERION NUMBER			
	Legal Standard		
SE 52	<p>Appropriate certifications/licenses or other credentials -- <u>related service providers</u> Any person, including non-educational personnel, who provides related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the regular or special classroom teacher is appropriately certified, licensed, board-registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession.</p> <p>State Regulations 28.02(3)</p> <p>Federal Requirements 34 CFR 300.23; 300.24; 300.136</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Education Findings:

The charter school did not provide documentation that staff currently providing counseling services to students hold appropriate licensure or evidence that the charter school contracts with external vendors to provide these services to students.

CRITERION NUMBER			
	Legal Standard		
SE 53	<p>Use of paraprofessionals</p> <ol style="list-style-type: none"> 1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services. 2. Persons employed as paraprofessionals and assistants do not design instruction for students with disabilities but are expected to implement instruction under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision. <p>State Regulations</p> <p>Federal Requirements 34 CFR 300.136(f)</p>		

CRITERION NUMBER			
	Legal Standard		
	Rating: Implemented	District Response Required:	No

Department of Education Findings:
The school does not have paraprofessionals.

CRITERION NUMBER			
	Legal Standard		
SE 54	<p>Professional development regarding special education 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:</p> <ol style="list-style-type: none"> 1. state and federal special education requirements and related local special education policies and procedures; 2. confidentiality of student records; 3. 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; 4. methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom; 5. training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement; 6. 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 7. in cooperation with the special education parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request. <p>State Regulations Chapter 71, Section 38g CMR 28.03(1)(a) and 28.06(8)(c) Chapter 71, Section 38Q and 38Q ½</p> <p>Federal Requirements 34 CFR 300.382</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Education Findings:

While some staff indicated summer training was provided on the IEP process, a majority of staff interviews indicate a lack of training on state and federal special education requirements or training in the pre-referral process of the charter school.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
MOA 18A	<p>School district employment practices 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>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The charter school did not provide any copies of its employment policies and procedures for hiring staff, however, staff interviews indicate the school is an equal opportunity employer and seeks to recruit from all groups.

CRITERION NUMBER	
	Legal Standard
MOA 19 Reserved	

CRITERION NUMBER	
	Legal Standard
MOA 20	

CRITERION NUMBER	
	Legal Standard
Reserved	

CRITERION NUMBER				
	Legal Standard			
MOA 21	<p>Staff training regarding civil rights responsibilities The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of students’ race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting.</p> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31-106.42; M.G.L. c. 76, s. 5; 603 CMR 26.00, esp. 26.07(2), (3)</p>			
	<table border="1"> <tr> <td>Rating: Not Implemented</td> <td>District Response Required:</td> <td>Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required:	Yes
Rating: Not Implemented	District Response Required:	Yes		

Department of Education Findings:

The district did not provide the onsite team with documentation of its staff training in civil rights responsibilities; furthermore, staff interviews indicate that staff members have not been trained in this regard.

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
TI 30	<ol style="list-style-type: none"> 1. All professional staff providing Title I services are appropriately licensed (or hold current licensure waivers) and are highly qualified for their job title and function. 2. Where applicable, the district’s Title IIA grant application describes how it will use these funds to meet the requirements of section 1119. 3. Each principal of a school that has a Title I program (whether a Schoolwide or a Targeted Assistance program) has attested in writing that the teachers within the school (Title I and non-Title I) who teach the core academic subjects have met or are working toward meeting the highly qualified teacher requirements.

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	MGL Chapter 71, 38G 1119(a), (c), (d), and (f) NCLB 2122(b) 10 NCLB		
	Rating: Not Implemented	District Response Required:	Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements that its Title I funded teachers are highly qualified for their job title and function under this criterion.

CRITERION NUMBER	Legal Standard		
TI 31	Professional Development 1. The school district uses at least 5% 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		
	Rating: Not Implemented	District Response Required:	Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements to ensure that teachers who are not highly qualified become highly qualified and to involve Title I teachers in the professional development needs assessment under this criterion.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
ELE 14	Licensure and Fluency Requirements		

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	<p>1. The district assures that all teachers in English language classrooms are literate and fluent in English. A teacher is literate in English if the teacher:</p> <ul style="list-style-type: none"> (a) possesses a teaching license issued pursuant to G.L. c.71, section 38G; or (b) possesses a vocational teacher approval or a vocational technical educator license; or (c) earns a passing score on the Communication and Literacy Skills portion of the Massachusetts Tests for Educator Licensure (MTEL); or (d) possesses a Bachelor's degree from a college or university where the language of instruction was English. <p>English fluency may be determined through one or more of the following methods:</p> <ul style="list-style-type: none"> (a) classroom observation and assessment by the teacher's supervisor, principal, and/or superintendent or charter school leader; or (b) an interview and assessment by the teacher's supervisor, principal, and/or superintendent or charter school leader; or (c) the teacher's demonstration of fluency in English, through a test accepted by the Commissioner of Education; or (d) another method determined by the superintendent or charter school leader, and accepted by the Commissioner of Education. <p>2. Teachers and educational staff who are qualified and who teach in ELE programs hold the appropriate licenses or current waivers issued by the Department of Education.</p> <p>3. If the district has 200 or more LEP students and has a director of programs for LEP students who is employed in that position for one-half time or more, that director is certified in English as a Second Language, or Bilingual Education, or English Language Learners program license, and an administrator/supervisor license.</p> <p>4. Although districts are required no later than July 2008 to have at least one teacher who is certified in ESL, or TBE, or ELL under Chapter 71A, under federal Title VI, districts are required to have certified and qualified staff.</p> <p>Authority: G.L. c. 71, § 38G; G.L. c. 71A, § 2; Chapter 218 of the Acts of 2002, §§ 24 and 25; Title VI; 603 CMR 14.05</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Education Findings:

Staff interviews and documentation indicate that not all teachers of LEP students hold appropriate licensure or are trained to provide English language instruction to LEP students.

CRITERION NUMBER			
	Legal Standard		
ELE 15	<p>Professional Development Requirements District schools with LEP students implement a professional development plan that provides high quality training in second language acquisition and in working with culturally and linguistically diverse student populations. The school provides opportunities that ensure the progress of LEP students in developing oral comprehension, speaking, reading, and writing of English, and also in meeting academic standards and curriculum frameworks.</p> <p>Authority: M.G.L. c71, § 59C; NCLB, Title III</p>		
	Rating: Not Implemented	District Response Required:	Yes

Department of Education Findings:

The charter school did not provide any documentation demonstrating it has established a professional development plan that provides high quality training in the areas identified by this criterion.

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 (Report Issues MOA 22-23)
- English Learner Education (Report Issue # ELE 16)

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

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES		
	Legal Standard		
MOA 22	<p>Accessibility of district programs and services for students with disabilities</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>		
	Rating: Not Implemented	District Response Required:	Yes

Department of Education Findings:

The Roxbury Charter High School is an inaccessible facility for persons with limited mobility.

CRITERION NUMBER			
	Legal Standard		
MOA 23	<p>Comparability of facilities 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"> 1. separate facilities for disabled, limited-English-proficient or pregnant students that are comparable to the facilities for other students in the district; 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. <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>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VII. SCHOOL FACILITIES		
	Legal Standard		
ELE 16	<p>The district ensures that LEP students are provided facilities, materials and services comparable to those provided to the overall student population.</p> <p>Authority: Title VI; 603 CMR 26.07</p>		
	Rating: Implemented	District Response Required:	No

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 (Report Issues MOA 23A-25)
 - Title I (Report Issues # TI 32-38)
- English Learner Education (Report Issue #17)

CRITERION NUMBER	SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SE 56	<p>Special education programs and services are evaluated</p> <ol style="list-style-type: none"> 1. Special education programs, services and administrative areas are regularly evaluated. 2. The district develops methods for determining the effectiveness of programs in assisting students with disabilities to achieve the goals set forth in their IEPs in the least restrictive environment. 3. The district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed. 4. As part of these evaluation procedures, the district measures the success of programs based on students' local and statewide assessment results, drop out rates and graduation rates for special education students. <p>State Regulations Chapter 71B, Section 2 Chapter 71, Section 59C</p> <p>Federal Requirements 34 CFR 300.137</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

The district did not provide documentation nor did staff interviews demonstrate that the district conducts an evaluation of its special education program on a regular basis. Further, the school did not provide information regarding what data is used to measure the effectiveness of the special education program.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
MOA 23A	<p>Review and revision of policies to remove barriers to the enrollment and retention of homeless children and youth</p> <p>The school district has adopted policies to remove barriers to the enrollment and retention of homeless children and youth in district schools; it regularly reviews and revises those policies.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(1)(I), 722(g)(7)</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The charter school has not developed policies for maintaining students within the school who become homeless during the course of the school year.

CRITERION NUMBER	
	Legal Standard
MOA 24	Curriculum review The district ensures that teachers in the district 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. M.G.L. c. 76, s. 5; 603 CMR 26.05(2)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district did not provide documentation of its curriculum review practices; however, teachers indicate independent review of classroom materials and curriculum does take place and teacher curriculum review occurs with the assistance and direction of the Dean of Curriculum and Instruction.

CRITERION NUMBER	
	Legal Standard
MOA 25	Institutional self-evaluation 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. 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)

CRITERION NUMBER	
	Legal Standard
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The charter school did not provide documentation of any institutional self-evaluation that occurs on an annual basis to ensure the school does not limit education access. Staff interviews indicate that a review of this nature has not taken place in the school's first year of operation.

CRITERION NUMBER	
	Legal Standard
MOA 26	<p>Records for homeless students The school maintains for each homeless student records ordinarily kept by it, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, so that the records are available, in a timely fashion, when the student enters a new school or school district.</p> <p>NCLB: Title X, Part C, Sec. 722(g)(3)(D)</p>
	Rating: Implemented District Response Required: No

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

CRITERION NUMBER	TITLE 1 VIII. PROGRAM PLAN AND EVALUATION	
	Legal Standard	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements that a systematic needs assessment, involving the use of data analysis as well as input from staff and parents is conducted on an annual basis under this criterion.

CRITERION NUMBER		
	Legal Standard	
TI 33	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	
	Rating: Not Applicable	District Response Required: No

Department of Education Findings:

The RCHS opened in September of 2003; therefore, Cycle IV (school years 2004-2005 and 2005-2006) will be the first reporting cycle.

CRITERION NUMBER		
	Legal Standard	
TI 34	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	
	Rating: Not Applicable	District Response Required: No

Department of Education Findings:

The RCHS is not a school in improvement status.

CRITERION NUMBER	
	Legal Standard
TI 35	For schools that have been identified as “in need of improvement,” school improvement plans must be implemented not later than the beginning of next full school year following this identification. 1116(b)(3)(D)
	Rating: Not Applicable District Response Required: No

Department of Education Findings:
See TI 34.

CRITERION NUMBER	
	Legal Standard
TI 36	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
	Rating: Not Applicable District Response Required: No

Department of Education Findings:
See TI 34.

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
TI 37	<p>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.</p> <p>1116(b)(1)(E)(i) and (ii) NCLB 2763A-32 of P.L. 106-554 (Education Appropriations Act, 2001)</p>
	<p>Rating: Not Applicable District Response Required: No</p>

Department of Education Findings:

See TI 34.

CRITERION NUMBER	
	Legal Standard
TI 38	<p>For schools that continue to fail to make AYP after being identified as “in need of improvement,” the district:</p> <ol style="list-style-type: none"> 1. Continues to make the choice to transfer option available to students; 2. Makes supplemental educational services available; 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; 3. The district addresses requirements for schools in Corrective Action (if applicable), and; 4. The district provides technical assistance to schools in improvement and/or corrective action status. <p>1116(b)(5) and 1116 (e) NCLB; 200.46 (4) and (5)</p>
	<p>Rating: Not Applicable District Response Required: No</p>

Department of Education Findings:

See TI 34.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
ELE 17	<p>DOE Data Submission Requirements and Program Evaluation</p> <ol style="list-style-type: none"> 1. The district reports annually to the Department, the following student information: <ol style="list-style-type: none"> i.the schools in which LEP students are enrolled; ii.the grade levels of the students; iii.the primary languages of each LEP student; and iv.the types of English learner programs in which the district has enrolled LEP students, including sheltered English immersion, two-way bilingual, transitional bilingual education (for students with waivers only), or students whose parents have declined services. 2. The district conducts periodic evaluations of the effectiveness of its ELE program. The students are showing English language development and the ability to participate meaningfully in the educational program. Where the district documents that the program is not effective, it takes steps to make appropriate program adjustments or changes that are responsive to the outcomes of the program evaluation. <u>For Title III districts:</u> 3. The district provides information to the Department that describes: <ol style="list-style-type: none"> (a) ELE programs and activities; (b) a description of the progress made by students in learning English and academic content; (c) the number and percentage of students in the programs attaining English proficiency by the end of the school year; and (d) the description of academic progress made by the students. <p>Authority: M.G.L. c 71A; NCLB, Title III, Title VI; 603 CMR 14.03</p>
	<p>Rating: Not Implemented District Response Required: Yes</p>

Department of Education Findings:

Please see ELE 3 for comment.

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)
- English Learner Education (Report Issue # 18)

CRITERION NUMBER	SPECIAL EDUCATION IX. RECORD KEEPING	
	Legal Standard	
SE 57	<p>Special education child count</p> <ol style="list-style-type: none"> 1. The school district maintains appropriate procedures to ensure that an accurate and unduplicated child count is provided to the Department of Education upon request. A child count represents students with current, accepted IEPs who are provided, at a minimum, direct special education and/or related services by the district or by an out-of-district provider through a contract with the district. 2. The child count also includes students with disabilities determined eligible for special education who are attending private schools at private expense and are receiving publicly funded services according to IEPs developed by the district. 3. The district does not include as part of its special education child count (a) students who are determined by the Department to be erroneously classified as eligible to be counted under federal or state special education requirements; (b) students who are no longer receiving special education and/or related services; and (c) students with disabilities for whom the district has no programmatic responsibility, even if the district has financial responsibility. <p>State Regulations 603 CMR 23.00</p> <p>Federal Requirements 34 CFR 300.750-754; 300.145; 300.560-300.577 Family Educational Rights and Privacy Act (FERPA); 34 CFR 300.133</p>	
	Rating: Not Implemented	District Response Required: Yes

Department of Education Findings:

Documentation and staff interviews indicate the district does not have procedures to provide an accurate count of students with signed, accepted IEPs.

CRITERION NUMBER	
	Legal Standard
SE 58	<p>Federal Special Education Entitlement Grant</p> <ol style="list-style-type: none"> 1. The district’s Special Education entitlement grant is designed by appropriate local administrators who are responsible for the implementation of the local special education programs and services. 2. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education. 3. Appropriate local administrators monitor the entitlement grant in an ongoing manner to ensure its full implementation as the Department of Education has approved it. 4. The district has secured the approval of the Department of Education for all amendments prior to their implementation. <p>State Regulations 28.03(1)(e)</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.230; 300.340-300.500</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Staff interviews indicate that the school’s special education director does not design the special education entitlement grant of the school.

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING – General Requirements
	Legal Standard
TI 39	<ol style="list-style-type: none"> 1. The district has submitted all required reports to the Department including the district Title I Plan/Application and Performance and Achievement Report. 2. The district maintains appropriate Title I records in a central location or at each Title I school and keeps correspondence on file, including documentation for identifying schools eligible for Title I services (Target Area Selection) determining school allocations. 3. Current information is made available to the Department regarding the allocation of Title I funds to schools and the rank order list and student selection criteria determined by the district. <p>1113; 1116 (c)(1)(B) NCLB</p>

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING – General Requirements
	Legal Standard
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Interviews and review of documentation indicate that RCHS did not provide all the required documentation in order to determine full compliance with the requirements under this criterion. RCHS did not provide the rank order list and student selection criteria documentation and the submission of the Performance and Achievement Report as required.

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING – General Requirements
	Legal Standard
TI 40	<p>Federal Title I Grant:</p> <ol style="list-style-type: none"> 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. 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, 3. Appropriate local administrators monitor the grant in an ongoing manner to ensure its full implementation as the Department has approved it.
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Interviews and review of documentation indicate that appropriate Title I program planning and monitoring of the grant did not occur.

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING – FISCAL REQUIREMENTS
	I. Maintenance of Effort
	Legal Standard
TI 1	The maintenance of effort fiscal test is of local and state expenditures, <i>not</i> of Title I

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING – FISCAL REQUIREMENTS		
	I. Maintenance of Effort		
	Legal Standard		
	or other federal expenditures. 1120A(a); 9521 NCLB		
	Rating: Not Applicable	District Response Required:	No

Department of Education Findings:

The RCHS opened in September of 2003; therefore, fiscal data is not available to determine maintenance of effort.

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

Department of Education Findings:

The RCHS opened in September of 2003; therefore, fiscal data is not available to determine maintenance of effort.

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

CRITERION NUMBER	
	Legal Standard
	<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 enrollment differences into a large-group/small-group model.</p> <p>Title I Policy Guidance IASA</p>
	<p>Rating: Not Applicable District Response Required: No</p>

Department of Education Findings:

The RCHS is a one-school district. Therefore, comparison among schools within the district is not possible.

CRITERION NUMBER	
	Legal Standard
<p>TI 5</p>	<p>1. Other measures, such as student/instructional staff ratios or student/instructional staff salary ratios, are used to demonstrate comparability.</p> <ul style="list-style-type: none"> 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. b. Student/staff salary ratios: The Title I school averages are at least 90% of the average of non-Title I schools. c. Staff salary differentials for years of employment are not used in implementing requirements under criterion TI 5 (b) above. <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>
	<p>Rating: Not Applicable District Response Required: No</p>

Department of Education Findings:

The RCHS is a one-school district. Therefore, comparison among schools within the district is not possible.

CRITERION NUMBER	
	Legal Standard
TI 6	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 supplemental state and/or local funds that are excluded from Title I comparability determinations are used for programs that meet the intent and purposes of Title I. 1120A(d) NCLB
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine if the school is using the exclusion provision under this criterion.

CRITERION NUMBER	
	III. Supplement, Not Supplant
	Legal Standard
TI 7 [Applicable to Targeted Assistance Schools (TAS)]	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
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the supplement not supplant requirements under this criterion. It was not evident that Title I funded staff are providing supplemental services to those students with the greatest educational need.

CRITERION NUMBER	
	Legal Standard
TI 8 [Applicable to TAS]	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. 1115(a) NCLB
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements that the school identify students in the targeted assistance program using student selection criteria for the purpose of serving identified students in greatest academic need of Title I services under this criterion.

CRITERION NUMBER	
	Legal Standard
TI 9 [Applicable to Schoolwide Programs (SWP)]	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 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
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

The RCHS is a Targeted Assistance School.

CRITERION NUMBER	
	Legal Standard
TI 10 (Exclusion)	<i>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.</i> 1120A 1120A(d)
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine if the school is using the exclusion provision under this criterion.

CRITERION NUMBER	
	Legal Standard
TI 11	In implementing federal Title I supplement, not supplant requirements, the district has developed and implemented a Supplement Not Supplant policy and procedures.
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the requirements under this criterion.

CRITERION NUMBER	
	IV. Other Fiscal Requirements
	Legal Standard
TI 12	The district maintains time and effort records for all Title I staff to document the time actually spent by staff on Title I activities. a. Full-time staff – Staff funded solely from the Title I grant sign semi-

CRITERION NUMBER	
	IV. Other Fiscal Requirements
	Legal Standard
	<p>annual certifications that he/she has been working solely in activities supported by the Title I grant for the period indicated. The certification is signed by the employee or supervisory official having first-hand knowledge of the work performed by the employee.</p> <p>b. Split time staff – Title I personnel whose time is charged in part to Title I and in part to other revenue sources (district funds or other federal funds) maintain monthly time and effort records. The employee documents the portions of time and effort dedicated to Title I and other revenue sources and must account for the total time for which the employee is compensated. The time and effort record coincides with one or more pay periods and must be signed by the employee and countersigned by an administrator or supervisor.</p> <p>EDGAR: OMB Circular A-87; MADOE Title I Instructions</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide the required documentation in order to determine compliance with the time and effort requirements for split-funded Title I staff under this criterion.

CRITERION NUMBER	
	Legal Standard
TI 13	<p>The district has selected eligible schools in accordance with Title I requirements under this criterion.</p> <p>1113(a); 1113(b); 1113(c); NCLB</p>
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

The RCHS is a one-school district. Therefore, comparison among schools within the district is not possible.

CRITERION NUMBER	
	Legal Standard
TI 14	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
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 15	The district has made appropriate reservations (set asides) on Form 2 in accordance with applicable NCLB requirements: 1. Professional development – highly qualified staff 2. Professional development – schools in need of improvement 3. Choice-related transportation and supplementary services 4. Parental involvement 5. Homeless 1113(c)(2)(A); 1113(c)(3) NCLB
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 16	The final allocations to schools have been calculated in accordance with Title I requirements, and the final allocation totals appropriately relate to the budget total. 1113(a); 1113(c)(2)(A) NCLB
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 17	The district has made private school allocations in accordance with Title I requirements. 1120(a); 1120(b); 1120(c) NCLB
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

Charter schools are not required to meet the obligations for serving students in private schools.

CRITERION NUMBER	
	Legal Standard
TI 18	<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 style="padding-left: 40px;">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"> 1. Does the current year budget total correspond with the district’s entitlement together with any carryover? If not, obtain explanation. 2. Does the current year budget total correspond with the total funds allocated on Form 1? If not, obtain explanation. 3. Review the allocation for each school. Do the allocated dollars for each school approximate budget 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. 4. 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. <p>MADOE Title I Grant Application Instructions and Guidance</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The RCHS did not provide all the required documentation in order to determine full compliance with the requirements under this criterion. Specifically, supporting budget documents were not provided in order to determine if appropriate program planning and implementation are consistent with identified student needs.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION IX. RECORD KEEPING
	Legal Standard
ELE 18	Records of LEP Students <ol style="list-style-type: none">1. Cumulative records of English language learners are maintained in a confidential fashion, as required by the Massachusetts Student Record Regulations, and are available to parents upon request.2. LEP student records include:<ol style="list-style-type: none">(a) home language survey;(b) results of tests and evaluations, including, MELA-O, previous LAS-R and –W, MEPA, MCAS, or other tests chosen by the Board of Education;(c) information about students’ previous school experiences;(d) copies of progress reports and report cards;(e) evidence of follow-up monitoring (if applicable);(f) documentation of a parent’s notice to “opt-out” of English learner education; and(g) Individual Student Success Plans for students who have failed MCAS, if the district is required to complete plans for non-LEP students. <p>Authority: 603 CMR 23.05, 23.07; c 69, § 1I; Title VI</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The student record review indicates that one student identified as a special education student who is also limited English proficient did not include the results of any LAS-R and W or MELA-O assessments in the student record.

APPENDIX I
NUTRITION PROGRAMS AND SERVICES

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

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

CRITERION NUMBER	NUTRITION PROGRAMS AND SERVICES	
	Legal Standard	
NS 1	All free and reduced price and paid lunches claimed for reimbursement are served to students eligible for free, reduced price and paid lunches respectively; and are counted, recorded, consolidated and reported through a system which consistently yields correct claims. 7 CFR 210.18 (g) (1).	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

7CFR 210.18(b)(2)i Please see S-5 for application and/or benefit issuance errors and indicate the DATE INACT OR CORR (the date the error was corrected and/or benefit terminated), in the appropriate column on S-5. Please be advised that, according to program regulations, students whose benefits will be increased must be done within 3 operating days while students for whose benefits will be decreased must be given 10 operating days. Documentation of the change in status, including the date and the notice to parents, must be maintained. Please see “Eligibility Guidance for School Meals Manual” for specific information. Also be advised that application and benefit issuance errors may lead to a fiscal disallowance.

7CFR 210.7(c)(1)i Seventeen (17) names on the benefit issuance list are listed for benefits based on applications from the prior school year. Please be advised that, according to “Eligibility Guidance for School Meals Manual”, applications from the prior school year are valid for the first 30 operating days of school. Please ensure that new applications are completed for those students, in order for them to continue to receive program benefits.

The total household size and the reason for approval were not recorded on the bottom of the free and reduced application. Please record the total household size and either the total monthly income or reason for application approval at the bottom of every application.

Applications were approved for free benefits based upon a reported income of zero. Please be advised that, according to “Eligibility Guidance for School Meals Manual”, applications reporting zero income are only temporarily approved for free benefits. Please document temporary free approval at the bottom of the application and also record the time period and expiration date of the free status. Please also ensure follow-up at the end of the temporary free status.

Two sibling applications were reviewed at Roxbury Charter H.S. Both applications were dated the same date. One application lists an income that qualifies the students for free benefits while the other application lists an income that qualifies the students for reduced benefits. Please verify the income with the family to determine the correct eligibility status.

Two applications were on file for the same student. The first application was approved for reduced benefits while the second application was approved for free benefits. Both applications were approved for benefits based on differently reported income. Please verify the income reported on the most recently approved application to ensure the correct eligibility status.

CRITERION NUMBER	
	Legal Standard
NS 2	Records indicate that lunches claimed for reimbursement within the school food authority contain food items/components as required by program regulations. 7 CFR 210.18 (g) (2)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Production records were not available during the course of the review. Please submit a production record for one serving day in the review month of September.

Milks were delivered on the review day to be used for the following serving day. At on onset of meal service, milk was not offered as part of the reimbursable meal. Technical Assistance was provided and milk was offered to all students. Please ensure that milk is offered for every lunch service.

Technical Assistance: Although Roxbury Charter High School does not participate in the breakfast program, meal service was observed and recommendations were made. Two varieties of cereal, juice and outdated milk were available to students. Bread was later available. Once it was discovered that the milk was outdated, food components were put away and service was discontinued. The juice remained on the table for the duration of the meal service. Please serve all cold items from the cooler. Please ensure that outdated milk is immediately thrown away. Additionally, a responsible adult must take and record all reimbursable meals at the point of service.

On the day of the review the beef stew and the vegetables (the hot items) were plated and the fruit, bread and milk were optional. Through discussion with staff it was learned that hot components are plated while the cold items remain optional. Please be advised that according to offer vs. serve (mandatory at the secondary level), five components must be offered and any three must be taken to count and claim a meal.

CRITERION NUMBER	
	Legal Standard
NS 3	School Food Authorities account for all revenues and expenditures of their nonprofit school food service. In order to participate in the NSLP, the School Food Authority maintains records to demonstrate compliance with program requirements. Retention of these documents is for three years after the close of the fiscal year to which they pertain except in cases where audit findings are unresolved. 7CFR210.9 (a) (17); 210.14, 210.15
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Please complete the supplemental financial report (forwarded under separate cover) and forward it to School Nutrition and Health.

CRITERION NUMBER	
	Legal Standard
NS 4	The School Food Authority works to strengthen the following school nutrition program participation and management practices: a. school nutrition participation b. nutrition education activities c. productivity evaluation 7CFR 210.19; 7CFR 220.8; 7CFR 210.9
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
NS 5	All eligible students have access to the school food services program. 7 CFR 15b; 7 CFR 210.23(c).
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
NS 6	The School Food Authority ensures that established sanitation and health standards are implemented. Facilities are properly safeguarded against theft, spoilage and other loss. 7 CFR 210.13
	Rating: Implemented District Response Required: No

**APPENDIX II:
SCHOOL DISTRICT PROFILE INFORMATION**

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

School District Profile Information

Definitions of Terms

Profiles

Introduction

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

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

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

The electronic version of this district's or charter school's profile information is available at:
<http://profiles.doe.mass.edu/home.asp?mode=ot&view=&ot=5>

Organization Types

Approved Special Education Schools	Responsible for providing an education for students with disabilities. A school district (LEA) may place a student in an out-of-state program if it believes that such program is the most appropriate for the student.
Charter School	Public schools that are created by parents, teachers, businesses, and community leaders and have the freedom to organize their activities around a core mission, curriculum, or teaching method. Their autonomy gives them the freedom to create their own budgets and to hire and fire teachers and staff.
Collaborative	Collaboratives are formed through an agreement among two or more school committees to provide education for their member school systems. Agreements must be filed with the Commissioner of DOE. A Board representative of each member school committee manages them.
Collaborative Programs	Regardless of the size of the individual collaborative, each school provides programs that its member districts demand.
Private School	A non-publicly funded school that provides educational services directly to attending students.
Public School	Public schools are administered by a Public School District, and provide educational

services directly to attending students. Expenses are paid by state appropriation.

Public School Districts	An administrative unit responsible for managing primary and secondary school services within a defined geographical boundary. There can be two types of School Districts, Operational and Non-Operational district, and expenses are paid by state appropriation.
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The Data 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:

This section displays 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. **NOTE:** District level data only.

Services:

- **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:

- **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. **NOTE:** District level data only.

Enrollment/Indicators

Enrollment by Grade

Indicates the enrollment for students in grades Pre-kindergarten (PK), kindergarten through 12, Special Education beyond grade 12 (SP), Career and Technical Education beyond grade 12 (CT) for the listed school year.

Enrollment by 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.

Dropout Rate:

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.

Children Attending Public Schools

Indicates the percent of school-age children in a city or town attending public schools, for the listed school years. **NOTE:** District level data only.

Attendance/Exclusions:

Attendance rate indicates the average percentage of enrolled students, (grades 1-12), present in school for the listed school year. Student Exclusion (count) 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. Student Exclusion (rate) indicates the rate of exclusions per 1000 students.

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 that did not yet report data.

Plans of High School Graduates:

Indicates the post-graduate intentions of students for the listed school year.

Test Results

Massachusetts Comprehensive Assessment System (MCAS):

- Shows percentage of students at each performance level for the current year
- Select a year to view past year's performance level data
- Select annual comparisons or the  icon for a graphical display of MCAS results
- For 2002 only: view Cycle II Performance Rating Reports
- For 2001 only: select a 'Grade and Subject' to view test item analysis data

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

Finance - District level data only.

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: total teaching salaries, divided by the number of full-time equivalent teachers, equals the average teacher salary.

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.

This Coordinated Program Review Final Report is also available at:
<http://www.doe.mass.edu/pqa/review/cpr/reports/> .

SE, MOA, TI, ELE, N - 2005

File Name: Roxbury Charter High School for Business and Finance 2005.doc

Last Revised on: 12/14/04

Prepared by: POM, DLP