



The Commonwealth of Massachusetts Department of Education

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February 10, 2004

Ronald Prouty, Interim Superintendent
Auburn Public Schools
5 West Street
Auburn, MA 01501

Re: Onsite Follow-up Monitoring Report: Coordinated Program Review Corrective Action
Plan Verification and Special Education Mid-cycle Review

Dear Superintendent Prouty:

Enclosed is the Department's Coordinated Program Review Follow-up Monitoring Report together with findings regarding your district's Coordinated Program Review Mid-cycle Review. This report contains the Department's findings based on the onsite activities conducted in your school district to verify the implementation status and effectiveness of corrective steps taken in response to your Coordinated Program Review Report issued on September 12, 2001. This report also includes a report on the status of implementation for new state or federal special education requirements enacted since your district's last Coordinated Program Review.

While the Department of Education found certain noncompliance issues to be resolved, others were partially corrected, not addressed at all and/or new issues were identified by the Department's onsite team.

As the Department previously informed you, in cases where a district fails to fully and effectively implement a Corrective Action Plan, which was proposed by your district and approved by the Department, the Department must then prepare a Corrective Action Plan for the district, which must be implemented without further delay. You will find these requirements for corrective action and further progress reporting included in the attached report together with any steps that must be taken by the district to fully implement new special education requirements. Please provide the Department with your written assurance that the Department's requirements for corrective action will be implemented by your school district within the timelines specified. Your statement of assurance must be submitted to the Department's Onsite Chairperson by February 27, 2004. Your staff's cooperation throughout these Follow-up Monitoring activities is appreciated.

Should you require additional clarification of information included in our report, please do not hesitate to contact the Onsite Team Chairperson at 781-338-3709.

Sincerely,

Rebecca Walawender, Coordinated Program Review Follow-up Chairperson
Program Quality Assurance Services

John D. Stager, Administrator
Program Quality Assurance Services

c: David P. Driscoll, Commissioner of Education
Stephen Lindberg, School Committee Chairperson
Dr. Ralph Hicks, District Program Review Follow-up Coordinator

Encl.: Follow-up Monitoring Report
Model special education and due process policies and procedures

**MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW**

Auburn Public Schools

**ONSITE VERIFICATION OF CORRECTIVE ACTION PLAN IMPLEMENTATION
AND/OR IDENTIFICATION OF ADDITIONAL FINDINGS REQUIRING CORRECTIVE ACTION**

**Action Plan Submitted on December 26, 2001
Progress Reports Submitted on June 3, 2002; December 16, 2002
Onsite Visit Conducted on January 27, 2004
Date of this Report February 10, 2004**

Criterion Number and Topic	Implementation Status of Requirements or Any Required Corrective Action Plan Determined to be <u>Substantially Implemented</u>	Method(s) of Verification	Comments Regarding Implementation of Requirements	Corrective Action Plan Determined to be <u>Not Fully Implemented</u> or <u>Additional Issues Identified</u>	Findings Regarding Incomplete Implementation of Approved Corrective Action Plan or Identification of Additional Issues of Noncompliance	Further Corrective Action Ordered by the Department of Education and Timelines for Implementation and Further Progress Reporting
Special Education Requirements	✓			✓		
SE 1 Assessments are appropriately selected and interpreted for students referred for evaluation	✓	Record review	Record review indicated that assessments are appropriately selected and interpreted.			
SE 6 Determination of transition services	✓	Record review	Record review indicated that Teams consider appropriate transition services for students and include members from outside agencies when necessary.			

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<p>SE 8 Evaluation Team composition</p>	✓	Record review	Record review indicated that Teams include all required members and students over the age of 14 are included when appropriate.	✓		
<p>SE 18A IEP development and content</p>	✓	Record review	Record review indicated that Teams develop IEPs that address individual student needs.			
<p>SE 18B Determination of placement; immediate provision of IEP to parent</p>	✓	Record review	Record review indicated that the parent is provided with the proposed IEP immediately following its development.			
<p>SE 20 Least restrictive program selected</p>	✓	Document review and record review	Document and record review indicated that students are placed in the least restrictive environment.			
<p>SE 21 School day and school year requirements</p>	✓	Document review and record review	Document and record review indicated that Teams routinely consider extended day and extended year programs for students who would benefit			

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	✓		from such programs. Students are receiving extended day and year services when the Team determines that lack of such programs would constitute a denial of FAPE.	✓		
SE 22 IEP implementation and availability	✓	Document review and record review	Document and record review indicated that IEP services begin upon receipt of parental consent.			
SE 26 Parent participation in meetings	✓	Record review	Record review indicated that the district makes a concerted effort to ensure parental attendance at Team meetings. The district has a high rate of parent participation.			
SE 32 Parent advisory council for special education	✓	Document review and interviews	Document review and interviews indicated that the district has an active and involved PAC that serves in an advisory capacity to the district.			

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SE 33 Involvement in the general curriculum	✓	Document review and record review	Document and record review indicated that all students receive instruction in the general curriculum.	✓		
SE 48 FAPE (Free, appropriate, public education): Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education	✓	Document review and record review	Document and record review indicated that the district provides all students with an equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs. The district offers occupational and vocational opportunities for students on IEPs who are not admitted to the local vocational technical high school; however, the offerings are limited.			
SE 49A Special Transportation	✓	Record review	Record review indicated that students receive specialized transportation when need for that related service is determined by the Team and noted on the student's IEP.			
SE 54 Professional	✓	Document review	Document review indicated that the district covers all			

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development regarding special education	✓	review	that the district covers all required professional development topics on an annual basis.	✓		
SE 56 Special education programs and services are evaluated	✓	Document review	Document review indicated that the district regularly evaluates its special education programs and services.			
Other Requirements						
SE 2 Required and Optional Assessments	✓	Record review	Record review indicated that parents are consulted regarding the evaluators that will be used. Each consent for evaluation is accompanied by a description of the assessment and the assessor.			
SE 3 Special requirements for determination of specific learning disabilities				✓	Not all “Determination of Specific Learning Disability” forms note the relevant behaviors of the student during the observation.	Train staff regarding the requirements of making an eligibility determination of specific learning disability. Submit three copies of completed “Determination of Specific Learning Disability”

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	✓			✓		forms from each school, by May 21, 2004.
SE 4 Reports of assessment results				✓	Reports of assessment results are not completed at least two days before the Team meeting at the Julia Bancroft School and the Pakachoag School.	Submit a tracking form that documents dates that reports of assessment results are completed and the date of the corresponding IEP meeting for all initial and reevaluations held at the Julia Bancroft and Pakachoag schools between February and May 2004, by May 21, 2004.
SE 5 Participation in general state district-wide assessment programs	✓	Record review	Record review indicated that all students, regardless of disability, participate in state and district-wide assessments.			
SE11 School district response to parental request for independent educational evaluation	✓	Record review and interviews	Record review and interviews indicated that the district responds to all requests for Independent Educational Evaluations according to the regulations.			
SE 12	✓	Record	Record review indicated that			

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Frequency of reevaluation	✓	review	the district completes evaluations within the required timelines.	✓		
SE 13 Progress reports and content	✓	Record review	Record review indicated that special education progress reports containing all required elements are distributed as often as general education progress reports.			
SE 19 Extended evaluation	✓	Record review	Record review indicated that the district follows the appropriate procedures when implementing extended evaluations.			
SE 23 Confidentiality of personal identifiable information	✓	Record review	Record review indicated that individual student records contained only information about the specific student.			
SE 24 Notice to parent regarding proposal or refusal to initiate or change the identification,	✓	Record review	Record review indicated that the district provides parents with a consent form when the parent requests an evaluation.			

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evaluation , or educational placement of the child or the provision of FAPE	✓			✓		
SE 25 Parental consent	✓	Record review	Record review indicated that the district does not initiate a change in service without parental consent.			
SE 29 Communications are in English and primary language of home	✓	Document review and record review	Document and record review indicated that the district provides information to parents in both English and the native language of the home when required.			
SE 40 Instructional grouping requirements for students age 5 and older	✓	Interviews	Interviews indicated that no class size exceeds the regulatory limit.			
SE 43 Behavioral interventions	✓	Record review	Record review indicated that the district develops behavior plans for students who need them.			

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SE 45 Procedures for suspension up to 10 days and after 10 days: general requirements	✓			✓	Document review indicated that not all handbooks contain the required due process notification. Please find a model special education discipline policy and procedures and notification of due process rights as required by Goss v. Lopez attached.	Revise each school handbook to contain the required elements, by May 21, 2004.
SE 46 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	✓	Document review	Document review indicated that the district maintains an accurate count of student suspensions.			
SE 50 Responsibilities of	✓	Document review	Document review indicated that the district has developed a			

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the school principal and administrator of special education	✓		District Curriculum Accommodation Plan.	✓		
SE 53 Use of paraprofessionals	✓	Document review and interviews	Document review and interviews indicated that the district provides paraprofessionals opportunities for professional development.			
SE 55 Special education facilities and classrooms	✓	Document review and interviews	Document review and interviews indicated that special education service delivery space is comparable to general education service delivery space.			
Civil Rights Requirements						
MOA 5A Placement of homeless students	✓	Document review and interviews	Document review and interviews indicated that the district places homeless students according to the best interest of the student.			
MOA 5B Immediate enrollment of	✓	Document review and interviews	Document review and interviews indicated that the district's policies and			

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homeless students	✓	interviews	district's policies and procedures allow for the immediate enrollment of homeless students.	✓		
MOA 5C Transportation of homeless students to and from the school of origin	✓	Document review and interviews	Document review and interviews indicated that homeless students are transported according to regulatory requirements.			
MOA 17A Use of physical restraint on any student enrolled in a publicly-funded education program	✓	Document review, record review and interviews	Document and record review and interviews indicated that the district has appropriately trained staff regarding the regulations.			