



The Commonwealth of Massachusetts Department of Education

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September 8, 2004

Superintendent Jere I. Hochman, Superintendent of Schools
Amherst-Pelham Regional School District
170 Chestnut Street
Amherst, MA 01002

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

Dear Superintendent Hochman:

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 **July 6, 2000**. 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 **September 24, 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 **(413) 284-0382**.

Sincerely,

Alvin W. Morton, Coordinated Program Review Follow-up Chairperson
Program Quality Assurance Services

John D. Stager, Administrator
Program Quality Assurance Services

cc: David P. Driscoll, Commissioner of Education
Barbara Love, School Committee Chairperson
Maria Geryk, District Program Review Follow-up Coordinator
Janet Straus, Director of South Amherst Campus Public Day Program

Encl.: Follow-up Monitoring Report

**MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW**

Amherst-Pelham Regional School District

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

**Action Plan Submitted on September 20, 2000
Onsite Visit Conducted on September 16-19, 2003
Date of this Report September 8, 2004**

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Special Education Requirements						
SE 1 Assessments are appropriately selected and interpreted for students referred for evaluation	Substantially implemented	<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	Assessments are appropriately selected and interpreted for students referred for special education evaluations.			
SE 2		<u>Document</u>		Partially	The district does not	The district needs to draft a

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Required and optional assessments	√	<u>Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>		Implemented	consistently conduct evaluations in all areas of suspected disability or disabilities. Also, the district does not routinely complete all of the assessments that parents have consented to.	memorandum and provide a copy to the Department, reminding all education personnel and service providers that they are mandated to conduct assessments in all the areas of suspected disability or disabilities, plus they are to complete the evaluations that parents have consented to. Also, the district must submit 6 copies of signed consent forms, at least 3 from both schools, and copies of the consented to evaluations. All requirements are due at the Department by January 19, 2005 .
SE 3 Special	Substantially implemented	<u>Document Reviews</u>	The district implements the special education			

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requirements for determination of specific learning disabilities	√	<u>Student Record Reviews</u> <u>Interviews</u>	requirements for the determination of a specific learning disability.	√		
SE 5 Participation in general State and district-wide assessment programs	Substantially implemented	<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	All students with disabilities are included in MCAS and other district-wide assessments. The district's IEP Teams designate how each student will participate and if necessary, provide an alternate assessment.			
SE 6 Determination of transition services		<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	The district's IEP Teams determine the appropriate transition services for students and the identified transition services are implemented. Students age 14 and above are invited to attend Team Meetings.	Partially implemented	The district does not routinely document whether a student is likely to require continuing services from adult human service agencies, a Chapter 688 referral.	The district needs to submit 5 copies of Chapter 688 referrals that it has initiated over the last 2 years, due at the Department by January 19, 2005 .

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SE 7 Transfer of parental rights at age of majority and student participation and consent at the age of majority	Substantially implemented	<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	The district implements the requirements for the transfer of parental rights at the age of majority and student participation and consent at the age of majority.			
SE 8 Evaluation Team composition		<u>Student Record Reviews</u> <u>Interviews</u>		Partially implemented	The district does not consistently have a representative in attendance at Team Meetings that has the authority to commit district resources. Also, a parent or parents are not always in attendance at Team Meetings, and the	The district must draft a memorandum, distribute it throughout the district to all special and regular education teachers and provide a copy to the Department reminding all of its education personnel of the mandated requirements for Team composition for all Team Meetings. In addition,

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	√			√	district does not provide a record of attempts to contact the parent/parents in order to secure their participation at the Team Meetings. Furthermore, regular education teachers do not consistently participate in the Team Meetings. Lastly, the district needs to make sure that all attendance sheets for the Team Meetings are initialized,	the Department recommends that the district develop and implement a tracking system that records the number of attempts made to secure the attendance of a parent/parents at Team Meetings. Lastly, the district must distribute a list and provide a copy to the Department of all personnel and their positions that are able to commit district resources to be made available at every school within the district.
					in order to document what district personnel were actually in attendance at the meetings.	All requirements are due at the Department by January 19, 2005.
SE 9 Eligibility		<u>Document Reviews</u>		Partially implemented	The district does not consistently follow the	The district must provide training to its key special

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determination: Timelines for evaluation, immediate provision of IEP	√	<u>Student Record Reviews</u> <u>Interviews</u>		√	mandated timelines in making eligibility determinations. The district does not routinely use the N1 and N2 forms and their accompanying narratives when the Team determines that the child is not eligible for special education services. Also, the district does not ensure that the Notice of No Eligibility is provided to the parent or parents within the mandated 10 days of the Team Meeting. Lastly, the district does not always conduct formal reevaluations/testing and hold Team	education personnel, on the topic of developing an IEP within the mandated 45 SWD. In addition, the Department recommends that the district develop a log that enables the district to transmit the necessary information to district personnel. The Department also recommends that the district create a tracking system that ensures that IEPs are developed within the mandated timeframes. Lastly, the district must provide 6 copies of completed N1 and N2 forms and their accompanying narratives when the district has determined a student to not be eligible for special education after initial

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					Meetings before finding a student no longer	
SE 9 Eligibility determination: Timelines for evaluation, immediate provision of IEP					eligible for special education or related services.	reevaluations (N1 form). All requirements are due by January 19, 2005.
SE 11 School district response to parental request for independent educational evaluation	Substantially implemented	<u>Document Reviews</u> <u>Interviews</u>	The district follows the regulatory requirements concerning parental requests for independent education evaluations.			
SE 15 Outreach by the School District (Child Find)	Substantially implemented	<u>Document Reviews</u> <u>Interviews</u>	The district has annual or more frequent out reach to the community groups, schools and professionals from which promotion or transfer of students in need			

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	√		of special education may be expected.	√		
SE 18A IEP development and content		<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	The district's IEP Teams do develop IEPs with the appropriate content.	Partially implemented	The district does not consistently have a representative in attendance at Team Meetings that has the authority to commit district resources to whatever services that are set out in the IEP and will not be changed at a higher administrative level within the district.	The district must distribute a list and provide a copy to the Department of all personnel and their positions that are able to commit district resources at Team Meetings and to be made available at every school within the district. This requirement is due by January 19, 2005.
SE 18B Determination of placement; immediate provision of IEP to parent		<u>Student Record Reviews</u> <u>Interviews</u>		Partially implemented	The district does not consistently provide an IEP to the parent/parents immediately following the development of the IEP at the Team	In order to meet the requirement of "immediately" the Department has issued guidance which recommends that the district's procedures for

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					Meeting. Also, the district is not using the updated and mandated placement forms, PL1, the Team Determination of Educational Placement and PL2, the Administrative Placement Information.	issuing the IEP to parents include a summary of the main points of agreement, IEP goals and the service delivery grid at the completion of the Team Meeting and that the complete IEP is sent to the parent/parents within 3-5 days. The district must provide training for Team Chairpersons on this requirement and provide the agenda and attendance sheet to the Department by January 19, 2005 . The district also needs to provide the date of each Team Meeting held in October and November 2004 and the
SE 18B Determination of placement;						date on which the IEP was sent to the parent/parents following each Team

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immediate provision of IEP to parent	√			√		
SE 20 Least restrictive program selected		<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>		Partially implemented	Teacher interviews indicated that the district has removed some eligible children from the general education classroom when modifications and accommodations in the general curriculum may have been more appropriate. On a separate matter, parent and teacher interviews indicated that the intensive needs children are sometimes mainstreamed inappropriately and that the amount and extent of services for these	The district must draft a proposal and provide a copy to the Department that addresses these concerns regarding the lack of accommodations and modifications in the general education classrooms. And for the issue of mainstreaming the intensive needs population and its appropriateness as viewed by an IEP Team, the district needs to submit 5 IEPs for students that have intensive needs. This requirement is due at the Department by January 19, 2005.

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	√			√	students is unclear to their service providers.	
SE 21 School day and school year requirements	Substantially implemented	<u>Student Record Reviews</u> <u>Interviews</u>	The district implements school day and school year requirements including providing extended day or year programs for special education students who demonstrate substantial regression in their learning skills.			
SE 22 IEP implementation and availability	Substantially implemented	<u>Student Record Reviews</u> <u>Interviews</u>	The district has an IEP in effect for eligible students at the beginning of each school year and begins IEP services without delay once an IEP has been accepted by the students' parents.			
SE 24 Notice to parent regarding proposal or refusal to initiate or		<u>Document Reviews</u> <u>Staff Interviews</u>		Partially implemented	The district has limited a parent's right to refer a student for a timely special education evaluation because all	The district must draft a memorandum, distribute it throughout the district and provide a copy to the Department reminding all of

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initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE	√			√	referrals to special education are filtered through the district's Child Study Team, the Student Assistance Teacher's Team (SATT). Also, the district does not consistently send the parent or parents the proposal to evaluate, i.e. consent, within 5 SWD of receiving the request to evaluate.	its education personnel of the state and federal laws that mandate that parent requests for an evaluation bypass the pre-referral program, and the district is mandated to send written notice to the parent within 5 school working days of the request. Also, the district is to provide a copy of each parent request for the months of September, October, and November 2004, including the date the request was received and the date the consent form was mailed to the parent. All requirements due by January 19, 2005.
SE 25 Parental consent	Substantially implemented	<u>Student Record Reviews</u>	The district obtains informed parental consent as required by state and federal			

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	√		law.	√		
SE 26 Parent participation in meetings		<u>Interviews</u> Student Record Reviews <u>Interviews</u>		Partially implemented	The district does not routinely ensure that parents are part of the IEP Teams. And if the parent/parents cannot attend the Team Meetings, the district does not document its efforts to secure parent participation, nor does it document the other methods of parent participation in the Team process. See SE 8.	See SE 8
SE 27 Content of Team meeting notice to parents	Substantially implemented	<u>Student Record Reviews</u>	Team notices contain the required contents.			

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SE 28 Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights	√	<u>Student Record Reviews</u> <u>Interviews</u>	The district does provide parents with notification of procedural safeguards and parents' rights.	Partially implemented	The district does not consistently provide an IEP to the parent/parents immediately following the development of the IEP at the Team Meeting. The district also does not routinely use the N1 and N2 forms when the Team determines that the child is not eligible for special education services. See SE 18B and SE 9.	See SE 18B and SE 9
SE 29 Communications are in English and primary language of home	√	<u>Student Record Reviews</u> <u>Interviews</u>	√	Partially implemented	The district does not consistently provide information to a parent or parents in the native language of the home.	The district needs to design a system that records and tracks the communications made to a household in its native language, evidence that communications are being sent home are due at

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	√			√		the Department by January 19, 2005.
SE 30 Elements of notice of parents' rights	Substantially implemented	<u>Document Reviews</u>	The district provides parents with the current version of the Massachusetts Parent's Rights Brochure.			
SE 32 Parent advisory council for special education	Substantially implemented	<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	The district has established a parent advisory council (PAC) that meets all of the requirements mandated under state law.			
SE 33 Involvement in the general curriculum		<u>Student Record Reviews</u> <u>Interviews</u>	The district has aligned its curriculum with the Massachusetts Curriculum Frameworks, and the IEP Teams document the student's participation in the general curriculum on the IEP.	Partially implemented	The district does not consistently have a least one member of its IEP Team Meetings that is familiar with the general curriculum and is able to discuss the student's access to the general curriculum.	See SE 8

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	√			√	See SE 8	
SE 34 Continuum of alternative services and placements		<u>Document Reviews</u> <u>Interviews</u>		Partially implemented	The district does not provide a continuum of vocationally related programs and services to the intensive needs children in the Developmental Studies Program, when they do not successfully gain admission to selective admissions vocational-technical education school programs.	The district needs to develop a proposal to provide a continuum of vocationally related programs and services to the intensive needs children in its district. A copy of this proposal and a projected date of when the proposal will be implemented must be provided to the Department by January 19, 2005 .
SE 36 IEP implementation, accountability and financial responsibility	Substantially implemented	<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	The district ensures that IEPs are implemented without delay upon parent consent and without cost to the parent.			
SE 37	Substantially	<u>Document</u>	The district has appropriate			

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Procedures for approved and unapproved out-of-district placements	implemented	<u>Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	procedures for placing students in approved and unapproved out-of-district placements.			
SE 38 Educational services in institutional settings (<i>ESIS</i>)	Substantially implemented	<u>Interviews</u>	The district implements its responsibilities to students in institutional settings.			
SE 39 Procedures used to provide services to eligible students enrolled in private schools at private expense	Substantially implemented	<u>Document Review</u> <u>Interviews</u>	The district has procedures, consistent with state and federal laws pertaining to providing services to eligible students enrolled in private schools at private expense.			
SE 43 Behavioral interventions	Substantially implemented	<u>Document Reviews</u>	The district's IEP Teams consider students' behavior including positive behavior			

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		<u>Student Record Reviews</u> <u>Interviews</u>	interventions and ability to follow school discipline codes.			
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	Substantially implemented	<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	The district has procedures for suspending eligible students with disabilities that are consistent with state laws and federal regulations.			

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of the district						
SE 47 Procedural requirements applied to students not yet determined to be eligible for special education	Substantially implemented	<u>Document Reviews</u> <u>Interviews</u>	The district has appropriate procedures for students not yet determined to be eligible for special education who have suspended.			
SE 48 FAPE (Free, appropriate, public education): Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in		<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>		Partially implemented	The district does not provide a continuum of vocationally related programs and services to the intensive needs children in the Developmental Studies Program, when they do not successfully gain admission to selective admissions vocational-technical education school programs.	The district needs to provide documentation of the in-district vocational programs that it offers to its children with disabilities. The documentation must be received by the Department on January 19, 2005 . Also, see SE 34.

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regular education	√			√		
SE 49 Related services	Substantially implemented	<u>Student Record Reviews</u> <u>Interviews</u>	The district provides related services for each eligible student, as indicated on his/her IEP.			
SE 49A Special Transportation	Substantially implemented	<u>Student Record Reviews</u> <u>Interviews</u>	The district's IEP Teams routinely consider the transportation needs of eligible students and documents the Team decisions regarding transportation on the students' IEP.			
SE 50 Responsibilities of the School Principal and Administrator of Special Education		<u>Document Reviews</u> <u>Student Record Reviews</u> <u>Interviews</u>	The district has appointed principals at every school in the district and an administrator of special education; school officials fulfill their responsibilities set forth in M.G. L. c. 71 § 38Q and 38 Q ½ and 603	Partially implemented	The district does not currently have a District Curriculum Accommodation Plan (DCAP). Also, the district did not provide any documentation on the	The district needs to develop a DCAP and provide a copy to the Department. Also the district needs to amend the duties and responsibilities for its principals within the district to include oversight of the

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			CMR 28.03 (3) except for those listed to the right.		duties and responsibilities of its principals as they pertain to the Child Study Team, (SATT) as it is named in the district.	pre-referral process and the Building Based Support Team. The district needs to submit documentation that it has established a formal Child Study/Building Based Team as mandated under DCAP. With this documentation of a formal Child Study Team, the district needs to provide copies of attendance sheets for the meetings transpiring in the months of September, October, and November 2004. Next, the district needs to provide training to its principals and
SE 50 Responsibilities of the School Principal and Administrator of Special						vice principals on utilizing the district's DCAP on a consistent basis. An agenda and attendance sheet for this training needs to be sent to

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of Special Education	√			√		the Department. Lastly, the district needs to provide 5 copies of its pre-referral efforts that are documented in the students' files before they were referred to special education, if at all. All requirements are due by January 19, 2005.
SE 54 Professional development regarding special education	Substantially implemented	<u>Document Reviews</u> <u>Interviews</u>	The district considers the needs of all staff in developing training opportunities and provides a variety of offerings, which include the required topics.			
SE 56 Special education programs and services are evaluated	Substantially implemented	<u>Document Reviews</u> <u>Interviews</u>	The district's special education programs, services, and administrative areas are regularly evaluated.			
Other Requirements						

Criterion Number and Topic	Implementation Status of Requirements or Corrective Action Plan Determined to be <u>Substantially Implemented</u> √	Method(s) of Verification	Comments Regarding Corrective Action Plan Implementation	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
SE 13 Progress Reports and content	√	<u>Student Record Reviews</u>	.	Partially implemented	<p>The district does not routinely send parents of children with disabilities reports on their progress toward reaching the goals set forth in their IEPs, at least as often as parents are informed of the progress of non-disabled children. Also, the district does not consistently complete the progress reports for its students because it does not always answer the questions that are at the bottom of the report that ask: 1) What is the student's progress toward the annual goal? 2) Is the progress</p>	<p>The district must develop a system, which allows it to send progress reports to the parents of children with disabilities at least as often as parents of non-disabled children receive report cards. Details of this system must be provided to the Department. Also, the district needs to provide training to its education personnel on completing progress reports, a copy of the agenda and the attendance roster must be sent to the Department. Lastly, the district needs to submit 5 copies of completed progress reports that address both questions from all the schools in the district for</p>

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					sufficient to enable the student to achieve the annual goal by the end of the IEP period?	the first report card period during the 2004-2005 school year. All requirements are due at the Department by July 1, 2005.
SE 23 Confidentiality of personally identifiable information		<u>Student Record Reviews</u>		Partially implemented	The district does not consistently place logs of access into the files of its students in order to have an accurate record of who, when, and for what purpose an individual was accessing information from a particular	The district must ensure that all of its student records contain a log of access. Documentation to evidence this requirement must be provided to the Department by January 19, 2005.

Criterion Number and Topic	Implementation Status of Requirements or Corrective Action Plan Determined to be <u>Substantially Implemented</u>	Method(s) of Verification	Comments Regarding Corrective Action Plan Implementation	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
	√			√	student's file.	