



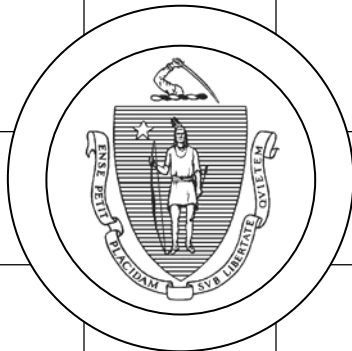
**Melrose Public Schools**

**COORDINATED PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of Onsite Visit: April 5-15, 2005**  
**Date of Draft Report: August 10, 2005**  
**Due Date for Comments: August 26, 2005**  
**Date of Final Report: September 7, 2005**  
**Action Plan Due: October 22, 2005**

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**MASSACHUSETTS DEPARTMENT OF EDUCATION  
COORDINATED PROGRAM REVIEW**

**Melrose Public Schools**

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# MASSACHUSETTS DEPARTMENT OF EDUCATION

## COORDINATED PROGRAM REVIEW REPORT

### Melrose Public Schools

#### OVERVIEW OF REVIEW PROCEDURES

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

- special education under the federal Individuals with Disabilities Education Act (IDEA-97), and M.G.L. Chapter 71B (Chapter 766 of the Acts of 1972);
- federal civil rights requirements under Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974, Title IX of the Education Amendments of 1972, 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 significantly 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 Melrose Public Schools during the week of April 4<sup>th</sup> and April 11<sup>th</sup> to evaluate the implementation of selected criteria in the program areas of Special Education, Methods of Administration/Civil Rights, Title I, English Language Education and Safe and Drug Free Schools. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district. The onsite team would like to commend the following areas that were brought to its attention and that it believes have a significant and positive impact on the delivery of educational services for students enrolled in the Melrose Public Schools.

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 12 administrative staff.
- Interviews of 80 teaching and support services staff across all levels.
- Interviews of three parent advisory council (PAC) representatives.
- Interviews as requested by persons from the general public.
- Student record reviews: A sample of 54 Special Education and English Language Learner student records was selected by the Department. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Parent surveys: 39 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. 14 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 15 instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

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

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

# COORDINATED PROGRAM REVIEW REPORT

## EXECUTIVE SUMMARY

### Melrose Public Schools

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

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

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

The district's special education evaluation practices are inconsistent across the district. The onsite team noted varying quality at the elementary, middle and secondary school levels. Evaluations are not always completed within the timelines mandated by regulation, and do not always target the specific areas of suspected disability. Deficiencies in the evaluation summaries are noted because evaluators do not always specify their recommendations within their reports. In a few instances, evaluation results and the recommendations of the evaluator were contradictory. The district does not have established evaluation processes for identifying students who may be limited English proficient. At the time of the onsite review, the district was in the process of developing procedures for identifying and assessing Limited English Proficient Students.

#### **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 onsite review team noted some concerns regarding district personnel determining the type of placement needed for the provision of services in special education. Teams do not clearly articulate the basis for removal from the general education setting and the documentation produced at the Team meeting did not always reflect the actual practice or correct placement type.

The district does not have an English Language Education program consistent with the requirements of Massachusetts General Law Chapter 71A. The district relies on an insufficient number of staff to provide consultation to regular educators and a "pull-out" service model for its schools. Teachers have not received the required training to effectively operate a Sheltered English Immersion (SEI) program.

Melrose has a Homeless Education Liaison that has developed and implemented procedures and best practices to ensure that homeless students are identified, enroll in the school and given equal access to all programs and services for which they are eligible. The School Committee has approved homeless policies as specified under No Child Left Behind Act, 2002. The Liaison has a wide network of social and health agencies, community members, faith based groups and school staff reaching out and supporting homeless students in Melrose.

The Title 1 criteria used to identify students are not multiple, objective, educationally related criteria. Review of documentation indicates that not all selection criteria are objective academic criteria as required by the guidelines.

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

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

The district does not translate general notices or mandated forms, relying upon a stamp in multiple languages informing parents that the document in hand is important and must be translated. Parent surveys and interviews expressed concerns regarding the district's communications to parents about special education matters. The Special Education Advisory Committee is not involved in the formal evaluation of the district's special education programs and services. According to the sample of parent surveys returned to the Department and interviews of parents conducted by the Department's onsite team, parents feel they are not full participants in the Team process and are concerned that decisions regarding services and placement are made by personnel who do not participate in the IEP Team meeting.

Under the English Language Education requirements, the district does not translate report cards or progress reports into the primary language of the parent.

The Homeless Education Liaison has done outreach and disseminated information in public places to ensure that parents and guardians of homeless students are informed of the educational and related opportunities available to their children. This information is available in their web site, parent information center, schools and has been disseminated to agencies, churches and various other places.

There is a constructive and collaborative working relationship between Title 1 parents and teachers. Parental involvement policies have been developed and implemented with the participation and involvement of Title I parents.

The districts maintains an exemplary level of consultation in a timely and meaningful way with community agencies, parents, students, police and fire departments, Board of Health, private schools, DA's Office, faculty, staff, administrators, Melrose Partnership for Healthy Youth, YMCA, Melrose Alliance Against Drugs, METCO, hospitals, Riverside Community Care, the Human Rights Coalition and parents in the development and implementation of the Safe and Drug Free Schools program and activities. Some of these collaborations with community agencies have provided additional funding, programs and activities in drug and violence prevention for students, parents and staff. It is evident that the district involves, promotes and maintains a strong parent component.

### **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?*

Melrose Public Schools is a district in transition, attempting to develop a more inclusionary special education model throughout the district. The district has experienced difficulties and challenges in its mission to redefine its methodology and pedagogy to ensure all students with

disabilities have access to the general education curriculum. There are some concerns that the curriculum in substantially separate programs is not designed to maximize student performance and provide access to the general education curriculum, a matter the district is attempting to address through focused professional development of its service providers, and redesigning the structure of its special education programs. Some staff members and parents expressed their concerns regarding the impact on the continuum of special education services should the district proceed with its initiatives in special education. Homeless students have the same accessibility to programs and activities as all the students of Melrose. Also transportation and scholarships are available for extra curricular activities.

Melrose Public Schools is meeting the requirements for providing a full year schedule to students that includes the required structured learning time hours of 900 hours at the elementary level and 990 hours at the high school level. Extracurricular activities are offered to all students and do not exclude students on the basis of race, disability, gender or other protected class.

Melrose Public Schools does not document its communications to parents of students identified as Limited English proficient, who require a Sheltered English Immersion (SEI) program. Evidence of whether parents elected to “opt out” of an SEI program or evidence that parents were notified of the student’s placement in an SEI program, were not contained in the student records reviewed by the Department’s onsite team.

Title 1 services are targeted at helping at-risk students meet the expectations and standards of the general curriculum. Melrose is a Targeted-Assistance district; therefore, the school-wide requirements are not applicable to Melrose Public Schools.

The SDFS coordinator provides coordination on an exemplary level with all program directors/coordinators, administrators and others members of the community to address their specific needs in the development and implementation of all programs and activities for students, staff and parents.

#### **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?*

There are serious deficiencies in the district’s English Language Education program. The district is not providing Sheltered English Immersion (SEI) as required by M.G.L. Chapter 71A. The district relies on a single individual to operate and provide services in its K-12 “ESL program” using a model that does not comply with the expectations and standards articulated in M.G.L. Chapter 71A.

A frequent concern noted by staff members in the district was the lack of reading support specialists for students who required remedial or tutorial instruction, potentially leading to a higher rate of special education referrals.

Behavioral modifications for students with disabilities are not always considered and documented in the student’s IEP. This potentially leads to placements in more restrictive settings or disciplinary action without consideration of the student’s disability in determining the appropriateness of disciplinary consequences. Staff members were unclear of the procedures for conducting a manifestation determination or at what junctures a manifestation determination meeting was necessary. The Department notes that vocational opportunities for

students with disabilities within the district are limited to addressing the needs of cognitively low- functioning students. Furthermore, there is severe lack of related services such as occupational therapy, speech therapy and physical therapy, which has resulted in systemic noncompliance.

While the district publishes a code of conduct, the handbook does not contain the district's grievance procedure for resolving issues of discrimination based on a person's disability. Furthermore, Under the MOA/Civil Rights requirements, the district does not have the capacity to provide counseling to students in languages other than English. The district effectively communicates with students who intend to leave school without a diploma and makes every effort to dissuade students from such of course of action and offers alternatives to students for consideration.

Under Title I, there is ample and equitable support allowing students to transition from one grade to the next. Private school officials are informed of the availability of Title I services within the district.

#### **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 onsite team notes only a few instances in which staff members do not hold the current special education licensure necessary to provide special education services. Paraprofessionals are appropriately supervised, however, paraprofessionals are not always informed of their specific responsibilities within the classroom to which they are assigned. Furthermore, some paraprofessionals are not informed of their specific responsibilities in implementing student IEPs. There are ongoing difficulties in acquiring the services of qualified related service providers that has led to gaps in the provision of services to students. The district's efforts are aimed at recruiting personnel from all groups in a non-discriminatory manner.

District staff indicate a general understanding of civil rights requirements except at the elementary level. Staff members at the elementary level were generally unaware of the district's policies and procedures for addressing issues of harassment.

In the area of English Language Education, while all staff members are fluent and literate in English, however, the district has not provided the minimum 10 hours of professional development to instructional staff to effectively implement a Sheltered English Immersion (SEI) program.

All Title 1 staff meet highly qualified criteria or are working towards highly qualified status. The onsite team noted however, that principals have not documented the "highly qualified status" attestation letter as required. The district is using the appropriate expenditure of funds for professional development activities to ensure teachers become highly qualified under the requirements of the federal No Child Left Behind Act.

#### **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 Department's onsite team notes some concerns with school facilities. The specifics of the concerns are found in the body of this report and include the location of the STEP program at the high school level, the location of special education classrooms at the middle school and the availability of materials to some special education students. The onsite Team was informed that the middle school was scheduled for demolition at the close of the school year; the onsite team noted some staff members voiced concerns of space availability while the new middle school is under construction.

### **Component VIII: Program Plan and Evaluation**

*Does the district evaluate its programs in accordance with regulatory requirements? Does it use the results of its evaluations to improve programs? Do parents have opportunities for input on program needs, program implementation, and program evaluation and improvement?*

Documentation indicates the district has evaluated its special education programs; however, regular education, special education and related service providers indicate they do not participate in the evaluation of the special education program. Parents and the Special Education Parent Advisory Council are not involved in the evaluation process.

The district does not conduct needs assessment or complete data analysis to determine programmatic goals, strengths, and/or weaknesses for special education. However, there is a mid-year and end of year evaluation of the program and its activities.

The district conducts a curriculum review to prevent demeaning generalizations of differences among people and cultures and conducts institutional policy reviews to ensure its current policies are not inherently discriminatory. Records are maintained for all students.

The district reviews annually the Homeless Policies, its K-12 programs and its counseling materials to ensure that are free from bias and stereotypes.

Melrose has an exemplary process in place to determine the current level of substance use and violence problems among the students in the community. The district has established goals, measurable objectives and activities for its prevention programs. These goals, objectives and activities address the needs identified by the objective analysis. Programs are crafted on scientifically based research and evaluation that demonstrate evidence of program effectiveness in reducing and preventing drug use and disruptive behaviors among youth. Components have been implemented including: Second Step, Project Northland, Olweus Bullying Prevention Program, Peer Mediation, Teen Health Teaching Modules, Smoking Cessation, Gay Straight Alliance, Teen Dating Violence, The Great Body Shop and SADD. The district has an evaluation process in place to measure the progress toward achieving its goals and objectives. There is evidence that that evaluation results are used to refine, improve and strengthen the local programs and activities and the SDFS program results are reported publicly on a consistent basis.

The district's Title I school is a pre-school program. The district's schools have not been designated as schools in need of improvement, and therefore, multiple criteria within this component do not apply to the district.

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

*Does the District maintain required records and documentation for each program area? Are entitlement grants appropriately designed, amended, and monitored? Does the district use federal grant funds in*

*accordance with statutory fund-use rules, including supplement not supplant provisions where applicable? Does the district meet applicable maintenance of effort requirements?*

The district maintains student records in a secure location. Staff members were aware of the requirements for confidentiality of student information. Special Education Entitlement grants are appropriate designed by the requisite personnel.

The district has yet to develop an effective Sheltered English Immersion (SEI) program and a process for monitoring the effectiveness of an SEI program.

The required records and documentation are maintained for the Title 1 program. The district used Title 1 funds only to supplement other educational services.

Appropriate accounting documentation was found and budget procedures are in place. Approved budgets and amendments are on file for fiscal years 2004 and 2005. Expenditures are strictly related to the intent of the grant. Time distribution logs are maintained for individuals funded under SDFSCA funds. Melrose conveys a clear message that acts of violence and illegal drug use are wrong and harmful. The sets of assurances, schools' discipline policies, security procedures and crisis management plan all include the required information for keeping schools safe and drug free.

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

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

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

**School District or Charter School: Melrose Public Schools**

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

<b>Special Education</b>	<b>Civil Rights and Other General Education Requirements</b>	<b>Safe and Drug Free Schools</b>	<b>Career and Technical Education</b>	<b>Title I</b>	<b>English Learner Education</b>
		SDF 2, SDF 4, SDF 5 SDF 7			

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

<b>PROGRAM AREA</b>	<b>PARTIALLY IMPLEMENTED</b>	<b>NOT IMPLEMENTED</b>	<b>OTHER CRITERIA REQUIRING RESPONSE</b>
<b>Special Education</b>	SE 1, SE 2, SE 3, SE 4, SE 6, SE 8, SE 9, SE 11, SE 12, SE 13, SE 14, SE 18A, SE 18B, SE 19, SE 20, SE 21, SE 22, SE 25, SE 27, SE28, SE 29, SE 33, SE 34, SE 36, SE 37, SE 41, SE 42, SE 43, SE 45, SE 46, SE 50, SE 51, SE 53, SE 55, SE 56, SE 57		
<b>Civil Rights and Other General Education Requirements</b>	MOA 1, MOA 2,		
<b>Title I</b>	TI 12, TI 19, TI 20, TI 30, TI 32		
<b>Safe and Drug Free Schools</b>			
<b>English Learner Education</b>	ELE 1, ELE 3, ELE 4, ELE 6, ELE 8, ELE 11, ELE 15, ELE 17, ELE 18	ELE 5, ELE 10, ELE 13	

**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)

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

**Department of Education Findings:**

*Student records indicate that assessments consented to by parents are not always completed or completed within the timelines required by state regulation. The Department onsite team noted in some instances, the parent or guardian of the student did not sign consent forms. Assessments are not always tailored to assess the suspected disabilities of the student. In a few instances, copies of*

evaluations were not found in the student files. In addition, staff interviews indicate the district does not have the capacity to provide assessments in languages other than English. Staff interviews also indicate a limited variety of assessment tools being used at the elementary school level.

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>SE 2</b>	<p><b>Required and optional assessments</b></p> <ol style="list-style-type: none"> <li>1. <u>Required assessments</u>: The following assessments are completed by appropriately credentialed and trained specialists for each referred student:               <ol style="list-style-type: none"> <li>a. Assessment(s) in all areas related to the suspected disability (ies) including consideration of any needed assistive technology devices and services and/or instruction in braille.</li> <li>b. Educational assessment by a representative of the school district, including a history of the student’s educational progress in the general curriculum.</li> <li>c. Assessment by a teacher(s) with current knowledge regarding the student’s specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district curriculum, as well as an assessment of the student’s attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults.</li> <li>d. For a child being assessed to determine eligibility for services at age three (3), an observation of the child’s interactions in the child’s natural environment or early intervention program is strongly encouraged together with the use of current assessments from early intervention Teams to avoid duplicate testing.</li> </ol> </li> <li>2. <u>Optional assessments</u>: The Administrator of Special Education may recommend or the parent may request one or more of the following:               <ol style="list-style-type: none"> <li>a. A comprehensive health assessment by a physician that identifies medical problems or constraints that may affect the student's education. The school nurse may add additional relevant health information from the student’s school health records.</li> <li>b. A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.</li> <li>c. A home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of the parent</li> </ol> </li> <li>3. At the re-evaluation of a student, if <u>the Team decides</u> that no additional assessments are needed to determine whether the student continues to be</li> </ol>

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	<p>eligible for special education, the school district recommends to the student's parents the following:</p> <ul style="list-style-type: none"> <li>a. that no further assessments are needed and the reasons for this; and</li> <li>b. the right of such parents to request an assessment.</li> </ul>				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><b>State Regulations</b></td> <td style="text-align: center;"><b>Federal Requirements</b></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>	<b>State Regulations</b>	<b>Federal Requirements</b>	28.04 (1) and (2)	300.532; 300.346.(a)(2)(v)
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<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>				

**Department of Education Findings:**

*Student records indicate that classroom teacher evaluations are not always completed. Educational Status assessments are not always completed. The onsite team noted that the district does not always assess the student in the area(s) of suspected disability, necessitating the district to request consent for additional evaluations and inappropriately using the procedures for an “extended evaluation” to complete the required evaluations. Furthermore, records indicate that district personnel do not always complete observations or the required written report for determining a student has a specific learning disability contrary to the requirements of federal regulation and the established policies articulated in the district’s documentation. Staff interviews confirm that personnel, who have participated in a Team meeting in which a student was identified as having a specific learning disability, were generally unaware of the reporting requirements required by federal regulation.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 3</b>	<p><b>Special requirements for determination of specific learning disabilities</b></p> <p>When the district proposes to evaluate a child suspected of having a specific learning disability, the following requirements are implemented:</p> <ul style="list-style-type: none"> <li>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.</li> <li>b. <u>Criteria for determining the existence of a specific learning disability</u>: <ul style="list-style-type: none"> <li>1. the achievement is determined not to be commensurate with the age and ability of the child;</li> <li>2. a severe discrepancy exists in one or more areas between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill and reading comprehension, mathematics calculation and reasoning;</li> <li>3. the severe discrepancy between ability and achievement is not resulting from</li> </ul> </li> </ul>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>define in detail and in educationally relevant and common terms, the student’s needs, offering explicit means of meeting them. Assessors may recommend appropriate types of placements, but shall not recommend specific classrooms or schools.</p> <p>2. Summaries of assessments are completed prior to discussion by the Team and, upon request, are made available to the parent at least two days in advance of the Team discussion.</p> <p><b>State Regulations</b> 28.04(2)(c)</p> <p><b>Federal Requirements</b> 300.532</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The student record reviews indicate that NI notices are not always provided with the consent to evaluate form. Assessments are not completed before the Team meeting and are only available on the date of the meeting, which does not provide the parent with an opportunity to review the summaries of the evaluations (at a minimum) two days before the Team meeting. In the review of evaluations, the evaluators do not always make recommendations based on the needs of the student. In some instances, evaluations stated that: “recommendations will be made at the Team meeting” which is inconsistent with the requirements of this criterion.*

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

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	skills in the subject at issue.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>State Requirements</b>  St. 2003, c. 140;  603 CMR 30.05(2),(3),(5) </td> <td style="width: 50%; vertical-align: top;"> <b>Federal Requirements</b>  34 CFR 300.138; 300.139 </td> </tr> </table>	<b>State Requirements</b> St. 2003, c. 140; 603 CMR 30.05(2),(3),(5)	<b>Federal Requirements</b> 34 CFR 300.138; 300.139
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<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>SE 6</b>	<p><b>Determination of transition services</b></p> <ol style="list-style-type: none"> <li>1. For a student who is 14 years of age, the Team considers the student’s course of study in relation to the student’s future goals and document this in the IEP.</li> <li>2. For a student who is 16 years of age, or younger if appropriate, the Team includes in the IEP services that promote movement of the student from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.</li> <li>3. The transition services are based upon the student's needs, taking into account the student's preferences and interests and includes specially designed instruction, community experiences, the development of employment or other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation.</li> <li>4. For any student approaching graduation or the age of twenty-two, the Team determines whether the student is likely to require continuing services from adult human service agencies. In such circumstances, the Administrator of Special Education makes a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c.71B, §12A-§12C (known as Chapter 688).</li> <li>5. In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the Team reconvenes to identify alternative strategies to meet the transition objectives.</li> <li>6. The district ensures that students age 14, or younger if appropriate, are invited to and encouraged to attend part or all of Team meetings at which transition services are discussed or proposed</li> </ol> <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%;"><b>State Requirements</b></td> <td style="width: 50%;"><b>Federal Requirements</b></td> </tr> </table>	<b>State Requirements</b>	<b>Federal Requirements</b>
<b>State Requirements</b>	<b>Federal Requirements</b>		

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	M.G.L. Ch.71B, Sections 12A-C 603 CMR 28.05(4)(c)
	34 CFR 300.344(b), 300.347
	<b>Rating: Partially Implemented</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*Student records indicate that students' interests or desires are not always considered in developing the vision statement for students over 14 years of age.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 7</b>	<p><b>Transfer of parental rights at age of majority and student participation and consent at the age of majority</b></p> <ol style="list-style-type: none"> <li>1. One year prior to the student reaching age eighteen, the district informs the student of his or her right at age 18 to make all decisions in relation to special education programs and services.</li> <li>2. Upon reaching the age of eighteen, the school district implements procedures to obtain consent from the student to continue the student's special education program.</li> <li>3. The district continues to send the parent written notices and information but will no longer have decision-making authority, except as provided below. <ol style="list-style-type: none"> <li>(a) If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority. The parent does not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction</li> <li>(b) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student's choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making</li> <li>(c) The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	form and maintained in the student record.		
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<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 8</b>	<p><b>Evaluation Team composition</b> The following persons are members of the evaluation Team:</p> <ol style="list-style-type: none"> <li>1. The child's parents</li> <li>2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district.</li> <li>3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson)</li> <li>4. A teacher who has recently had or currently has the student in a classroom or other teaching situation. If the student is involved or may be involved in a regular education program, a regular education teacher must be included as a Team member.</li> <li>5. The student, age fourteen and older, if he/she chooses</li> <li>6. Other individuals at the request of the student's parents</li> <li>7. At least one teacher or specialist trained in the area of the student's suspected special needs</li> <li>8. Individuals who are qualified to interpret the instructional implications of evaluation results</li> <li>9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education</li> <li>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.</li> <li>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.</li> <li>12. When one purpose of the Team meeting is to discuss vocational education</li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	needs, a person knowledgeable about vocational education placement options is present at the meeting.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>State Regulations</b> 28.02(22)</td> <td style="width: 50%;"><b>Federal Requirements</b> 34 CFR 300.344; 300.552</td> </tr> </table>	<b>State Regulations</b> 28.02(22)	<b>Federal Requirements</b> 34 CFR 300.344; 300.552
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	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Student records indicate that general educators and special educators do not always attend Team meetings when required. In some instances, a person with the authority to commit the resources of the district is not in attendance at the Team meeting. Furthermore, staff interviews indicate that in the middle school, regular education teachers, who do not have the student in their classrooms are asked to attend the student’s Team meeting.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 9</b>	<p><b>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</b></p> <ol style="list-style-type: none"> <li>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"> <li>a. provides an evaluation</li> <li>b. convenes a Team meeting</li> <li>c. determines whether the student has one or more disabilities</li> <li>d. determines if the student is making effective progress in school</li> <li>e. determines if any lack of progress is a result of the student’s disability</li> <li>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</li> <li>g. develops an IEP where the student is found to need special education</li> <li>h. provides the parent with the proposed IEP, or a written explanation of the finding of no eligibility</li> <li>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</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>j. determines at the time of re-evaluation if the student would continue to make progress in school without the provision of special education services.</p> <p>2. If a Team determines that a student is not eligible for special education but may be eligible for accommodation(s) for disability(ies) under Section 504, the student is referred for consideration by the district for eligibility under that regular education program.</p> <p>3. When the development of a student’s IEP does not indicate a need for direct services, the Team makes a finding of no eligibility and appropriate services are provided through the district’s general education program.</p> <p><b>State Regulations</b> 28.05(1) and (2)</p> <p><b>Federal Requirements</b> 300.534</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records indicate the district does not always complete evaluations within 30 school days. In some instances, evaluations were weeks over due. IEPs are not always issued immediately and are not accompanied by the federally required written notice (NI), further complicating the ability to determine when the IEP was actually issued by the district. Team meetings are not always held within the 45-day timeline. Consent forms are not always sent within five days when requested by a parent and again do not always have an accompanying written notice. The Department noted in some instances that district personnel requested from the parents the right to extend the timeline past the mandatory 45-days. Furthermore, the student records indicate that the district conducted “extended evaluations” when it failed to properly identify all area(s) of suspected disability and consequently, failed to assess the student in that regard.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 10</b>	<p><b>End of school year evaluations</b> If consent is received within thirty (30) to forty-five (45) school working days before the end of the school year, the school district ensures that a Team meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible no later than fourteen (14) days after the end of the school year..</p> <p><b>State Regulations</b> 28.05(1)</p> <p><b>Federal Requirements</b> 300.342</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The student records indicate that in some instances, the district does not proceed to provide a consent to evaluate form to the parent/guardian, which delays the completion of the three-year re-evaluation until the following school year.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>

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

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

**Department of Education Findings:**

*The review of the district’s documentation and policy with regard to Independent Educational Evaluations (IEE), indicates that the district has developed a form that instructs parents to inquire with their private insurance provider as to whether the IEE would be covered through private insurance, without clarifying that a parent is not required to do so in order to obtain a publically funded IEE. The district’s policy suggests to parents that they are restricted from asking for an evaluation in an area not assessed by the district. The district’s notice to parents does not explicitly inform parents of their rights to request an IEE despite the parent’s unwillingness to provide financial documentation and participate in the “Sliding Fee Scale” as articulated in 603 CMR 28.04(5).*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 12</b>	<p><b>Frequency of re-evaluation</b></p> <ol style="list-style-type: none"> <li>1. Every three years, or sooner if necessary, the school district, with parental consent, conducts a full three-year re-evaluation consistent with the requirements of federal law.</li> <li>2. The district implements re-evaluation procedures in all cases where it is suspected that a student is no longer eligible for special education.</li> </ol> <p><b>State Regulations</b>    <b>Federal Requirements</b>  28.04(3)    300.536</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records indicate that the district does not follow evaluation procedures when removing a student from special education and in some instances fails to conduct the three-year re-evaluation at the three-year mark. Parent surveys and interviews also support that the district does not always conduct the three-year re-evaluation in a timely manner.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 13</b>	<p><b>Progress Reports and content</b></p> <ol style="list-style-type: none"> <li>1. Parents receive reports on the student's progress toward reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled students.</li> <li>2. Progress report information sent to parents includes written information on the student's progress toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year.</li> </ol> <p><b>State Regulations</b> 28.07(3)</p> <p><b>Federal Requirements</b> 34 CFR 300.347</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: No</b>

**Department of Education Findings:**

*Student records indicate that progress reports are not always completed for the student or do not address all the goals identified in the student's IEP. Progress reports do not always reflect the progress in relation to meeting the student's IEP goals and instead discussed extemporaneous information about the student. The Department's onsite team noted significant variation in the quality and completeness of progress reports developed by service providers.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 14</b>	<p><b>Annual review Team meeting</b></p> <p>At least annually, on or before the anniversary date of the implementation of the IEP, a Team meeting (including the major service providers and the parent) is held to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate.</p> <p><b>State Regulations</b> 28.04(3)</p> <p><b>Federal Requirements</b> 300.343(c)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records indicate that district IEP teams do not meet the timeline for holding annual review Team meetings and developing a new IEP. In some instances, the major service providers of the student do not attend the annual review meeting. Furthermore, the records indicate some students did not have an annual review to develop a new IEP. The onsite team noted "gaps" in the annual development of the IEP and the use of unsigned amendments to existing IEPs.*

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

**Department of Education Findings:**

*Student records indicate that some students have incomplete evaluations for determining their English Language proficiency. The district, however, is conducting the MEPA and more currently, the MELA-O. Documentation indicates the district administered a home language survey this school year. The survey provided to parents was in English only.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>ELE 2</b>	<p><b>MCAS Participation</b></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;"><b>Authority: GL. C. 71A, § 7; G.L. c. 69, § 1I; N.C.L.B., Title I, Title VI</b></p>
	<p><b>Rating: Implemented</b>                                      <b>District Response Required: No</b></p>

## COMPONENT II: STUDENT IDENTIFICATION AND PLACEMENT

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

- Special Education (Report Issues # SE 15-23)
- Civil Rights Methods of Administration (Report Issues # MOA 1-6)
  - Title I (Report Issues # TI 19-20)
- English Learner Education (Report Issues # ELE 3-6)

CRITERION NUMBER	<b>SPECIAL EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
SE 15	<p><b>Outreach by the School District (Child Find)</b>  The district has annual or more frequent outreach and continuous liaison with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education:</p> <ol style="list-style-type: none"> <li>1. professionals in community</li> <li>2. private nursery schools</li> <li>3. day care facilities</li> <li>4. group homes</li> <li>5. parent organizations</li> <li>6. clinical /health care agencies</li> <li>7. early intervention programs</li> <li>8. other public/private/parochial schools</li> <li>9. other agencies/organizations</li> <li>10. the school itself, including charter schools</li> <li>11. agencies serving migrant and/or homeless persons pursuant to the McKinney-Vento Education Act for Homeless Children</li> </ol> <p><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span>  <span style="float: right;">34 CFR 300.125; 300.312</span></p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	<b>Legal Standard</b>
SE 16	<p><b>Screening</b></p> <ol style="list-style-type: none"> <li>1. The school district conducts screening for three and four year olds and for all children who are of age to enter kindergarten. Such screening is designed to review a child's development and to assist in identification of those children who should be referred for an evaluation to determine eligibility for special education services.</li> <li>2. Participation in the screening program for three and four year olds is optional on the part of the parents.</li> <li>3. Provision is made for ongoing and periodic screening of all students as required by the Department of Public Health (vision, hearing, and posture).</li> </ol> <p><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span>  <span style="float: right;">28.03(1)(d)</span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	Chapter 71, Section 57
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 17</b>	<p><b>Initiation of services at age three and Early Intervention transition procedures</b></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><b>State Regulations</b> 28.06(7)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b> 34 CFR 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 18A</b>	<p><b>IEP development and content</b></p> <p>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</p>

CRITERION NUMBER						
	Legal Standard					
	<p>proposing the IEP.</p> <p>2. The IEP includes specially designed instruction to meet the needs of the individual student and related services that are necessary to allow the student to benefit from the specially designed instruction, or consists solely of related services that are necessary to allow the student to access the general curriculum, consistent with federal and state requirements.</p> <p>3. In developing the IEP, the Team proposes specially designed instruction and related services according to the needs of the child <u>and not</u> according to the availability of such instruction or related services.</p> <p>4. The IEP is completed addressing all elements of the most current IEP format provided by the Department of Education. Where applicable, the district includes in the IEP, or other notice to the parent, information regarding the implementation of any necessary restraint procedures for students as required under 603 CMR 46.00.</p> <p>5. If the Team members are unable to agree on the IEP, the Team chairperson states the elements of the IEP proposed by the school district.</p> <p>6. The school district ensures that each IEP Team has at least one person with authority to commit the resources of the district and that whatever services are set out in the IEP will actually be provided and that the IEP will not be changed at a higher administrative level within the district.</p> <p>7. The IEP is written in generally understandable language.</p> <table border="0" data-bbox="391 1079 1417 1247"> <tr> <td data-bbox="391 1079 941 1150"><b>State Regulations</b> 28.05(3), (4), (6) and (7)</td> <td data-bbox="941 1079 1417 1150"><b>Federal Requirements</b> 34 CFR 300.340-300.350; 300.343(a)</td> </tr> <tr> <td data-bbox="391 1150 941 1247">28.06(2)</td> <td data-bbox="941 1150 1417 1247">34 CFR Part 300, Appendix A, Question #22.</td> </tr> </table>		<b>State Regulations</b> 28.05(3), (4), (6) and (7)	<b>Federal Requirements</b> 34 CFR 300.340-300.350; 300.343(a)	28.06(2)	34 CFR Part 300, Appendix A, Question #22.
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28.06(2)	34 CFR Part 300, Appendix A, Question #22.					
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>				

**Department of Education Findings:**

*The student record review indicates that IEP Teams do not always develop measurable annual goals or appropriate specially designed instruction. Often accommodations are confused with specially designed instruction. School personnel do not always clearly identify the reason for removing a student from the general education setting. The lack of availability of occupational therapy (OT) limits Teams from recommending that service and as a result the provision of OT services to students. At two elementary schools, the Horace Mann and Hoover Schools, the district did not have an OT provider and were unable to provide services to students. Team attendance sheets indicate they do not always have a member in attendance that has the authority to commit the resources of the district. The onsite team noted that the district is not using the updated PL1 form. IEPs did not always document the student’s SASID number, or the language of the parent and some IEPs were not signed and dated by the district’s LEA representative. Staff interviews indicate that IEP teams do not routinely consider the need for Adaptive Physical Education and that the provision of services are sometimes dictated by the availability of services and not by the needs of students. Staff interviews, parent surveys and interviews also indicate that staff members are discouraged from making recommendations for 1-on-1 aides for students. In a few instances Teams prepare a “Draft IEP”. The parent leaves the Team*

meeting with the “draft” and is told that the “final copy” of the IEP will be mailed at a later date. Lastly, staff interviews indicate that the practice of the district is to limit access to services based upon district availability and not upon individual student need

CRITERION NUMBER		
	Legal Standard	
<p><b>SE 18B</b></p>	<p><b>Determination of placement; provision of IEP to parent</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The placement selected by the Team is the least restrictive environment consistent with the needs of the student.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.05(6) and (7)</p> <p><b>Federal Requirements</b> 34 CFR 300.346</p>	
	<p><b>Rating: Partially Implemented</b></p>	<p><b>District Response Required: Yes</b></p>

**Department of Education Findings:**

Student records indicate the district is not using the current PL1 form or identifying the placement correctly. The review of service delivery grids indicates that the district’s placement proposals (PL1 forms) do not accurately reflect the amount of services listed under part “B” and “C” of the service delivery grid. IEPs and placement forms are not always accompanied by an N1 notice or issued within 45 school days.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 19</b>	<p><b>Extended evaluation</b>  If the Team finds a student eligible for special education and finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents' consent, agrees to an extended evaluation period.</p> <ol style="list-style-type: none"> <li>1. The extended evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to determine, in part, necessary annual goals and services, the Team writes a partial IEP that, if accepted by the parent, is immediately implemented by the district while the extended evaluation is occurring.</li> <li>2. The extended evaluation period is not used to allow additional time to complete the required assessments.</li> <li>3. If the parent consents to an extended evaluation, the Team documents their findings and determines what evaluation time period is necessary and the types of information needed to develop an IEP. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to develop an IEP when the evaluation is complete.</li> <li>4. The extended evaluation may extend longer than one week, but does not exceed eight school weeks.</li> <li>5. The extended evaluation is not considered a placement.</li> </ol> <p><b>State Regulations</b> 28.05(2)(b)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records indicate the district uses extended evaluation procedures to allow additional time to complete initial and re-evaluations. Based on interviews, not all staff are aware of the appropriate procedures for conducting an extended evaluation.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 20</b>	<p><b>Least restrictive program selected</b></p> <ol style="list-style-type: none"> <li>1. [REDACTED] The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs. [REDACTED]</li> <li>2. [REDACTED] If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student's [REDACTED] program and the basis for its conclusion that education of the student in a less [REDACTED]</li> </ol>

<b>CRITERION NUMBER</b>					
	<b>Legal Standard</b>				
	<p>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>				
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**Department of Education Findings:**

*Student records indicate the IEP Team does not always clearly articulate the basis for the removal of the student from the general education setting. In some instances, students are being removed from the general education setting without a stated basis. Staff interviews at the elementary level indicate that students must be placed in a full or partial inclusion program before a Team may consider a more restrictive setting.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 21</b>	<p><b>School day and school year requirements</b></p> <ol style="list-style-type: none"> <li>1. The Team routinely considers the need for an educational program that is less than or more than the regular school day or school year, including extended day, or year, and/or residential services and indicates on the IEP why the shorter or longer program is necessary.</li> <li>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.</li> <li>3. Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction.</li> <li>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.</li> <li>5. If residential services are required, the IEP clearly specifies the reasons for such</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>determination and how such services will be coordinated with the day education services provided to the student. Additionally, the annual goals and services on the student's IEP reflects the comprehensive nature of the educational program required.</p> <p>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><b>State Regulations</b> 28.05(4) Chapter 69, Section 1G</p> <p style="text-align: right;"><b>Federal Requirements</b> 34 CFR 300.309(b)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*While the district's documentation indicates that all special education staff members were provided training on Extended School Year requirements, the student record documentation indicates that Teams do not routinely consider the need for extended year programming, leading the district to amend IEPs in order to address the need for extended year programs. Furthermore, the Extended Year Programs available in the district are not designed based on the individual needs identified on the student's IEP.*

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



<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented      District Response Required: Yes</b>

**Department of Education Findings:**

*Student records and documentation indicate that the district does not have adequate procedures for assessing students to determine their English language proficiency. A review of the ELL student records and documentation indicate that the district did not conduct a home language survey until November and December 2004. Please see ELE 1 for additional information.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>
	<b>Legal Standard</b>
<b>MOA 2</b>	<p><b>Program modifications and support services for limited-English-proficient students</b></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"> <li>1. are based on sound education theory;</li> <li>2. provide for English-language development;</li> <li>3. provide for the meaningful participation of limited-English-proficient students in the district’s educational program;</li> <li>4. are evaluated and appropriately revised in an ongoing manner; and</li> <li>5. are demonstrably useful in assisting students receiving such program modifications and services to gain English language proficiency.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); M.G.L. c. 71, s. 38Q1/2; 603 CMR 28.03(3)(a); M.G.L. c. 71A, ss. 2(e), 4; 603 CMR 14.04; M.G.L. c. 76, s. 5; 603 CMR 26.03</p>
	<b>Rating: Partially Implemented      District Response Required: Yes</b>

**Department of Education Findings:**

*The district has not developed a Sheltered English Immersion (SEI) program consistent with the requirements of M.G.L. c. 71A. The district relies on a “pull-out” educational model for the provision of services to Limited English Proficient (LEP) students.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 2A</b>	<p>Identification of homeless children and youth 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>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 2B</b>	<p><b>Equal educational opportunity for homeless children and youth</b> 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>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 2C</b>	<p><b>Access to services for homeless families, children, and youth</b> 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>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

CRITERION NUMBER	
	<b>Legal Standard</b>
MOA 3	<p><b>Access to a full range of education programs</b>  Students from linguistic, racial, and ethnic minorities; males; females; homeless students; and students with disabilities all have access equal to that of other students to the general education program and the full range of any occupational/vocational education programs offered by the district.</p> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA: 34 CFR 300.305; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The district has not developed a Sheltered English Immersion (SEI) program consistent with the requirements of M.G.L. c. 71A.*

CRITERION NUMBER	
	<b>Legal Standard</b>
MOA 4	<p><b>Placement of disabled, linguistic and racial minority, homeless, and female/male students</b>  Patterns of placement in district programs and services for disabled students, linguistic and racial minority students, homeless students, and females are consistent with patterns of placement for non-disabled students, linguistic and racial majority students, nonhomeless students, and males. If these patterns of placement are not consistent, the district is able to demonstrate that placements have been made for valid educational reasons.</p> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 71B, s. 6; c. 76, s. 5; 603 CMR 26.03</p>

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

**Department of Education Findings:**

*Documentation and staff interviews indicate a disproportionate representation of African-American and Latino students in special education.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 5A</b>	<p><b>Placement of homeless students</b>  According to the best interest of the homeless student, the district either</p> <ol style="list-style-type: none"> <li>1. continues the student’s education in the student’s school of origin for the duration of homelessness and, if the student becomes permanently housed during an academic year, for the remainder of that academic year; or</li> <li>2. enrolls the student in any public school that nonhomeless students who live in the attendance area where the student is actually living (with or without parents) are eligible to attend.</li> </ol> <p>If the district sends the student to a school other than the school of origin or a school requested by the student’s parent or guardian, it provides the parent or guardian with a written explanation, including a statement of the right to appeal the placement. If the student is 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>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 5B</b>	<p><b>Immediate enrollment of homeless students</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. The enrolling school immediately contacts the school last attended by the homeless student to obtain relevant academic and other records.</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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> <p>NCLB: Title X, Part C, Sec. 722(g)(3)(C)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 5C</b>	<p><b>Transportation of homeless students to and from the school of origin</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p>NCLB: Title X, Part C, Sec. 722(g)(1)(J)(iii)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 5D</b>	<p><b>Disputes over the enrollment of homeless students</b></p> <p>If a dispute arises over a homeless student’s placement or enrollment in a school:</p> <ol style="list-style-type: none"> <li>1. the school in which enrollment is sought immediately admits the homeless student, pending resolution of the dispute;</li> <li>2. the school provides the parent or guardian of the student with a written explanation of the school’s decision regarding school selection or enrollment, including the rights of the parent, guardian, or unaccompanied youth to appeal the decision;</li> <li>3. the student, parent, or guardian is referred to the homeless education liaison, who carries out the dispute resolution process prescribed by the Department of Education and, in the case of an unaccompanied youth, ensures that the youth is immediately enrolled in school pending resolution of the dispute.</li> </ol> <p>NCLB: Title X, Part C, Sec. 722(g)(3)(E)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 6</b>	<p><b>Availability of in-school programs for pregnant students</b></p> <ol style="list-style-type: none"> <li>1. Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.</li> <li>2. The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school unless it requires such certification for all students for other physical or emotional conditions requiring the attention of a physician.</li> </ol> <p>Title IX: 20 U.S.C. 1681; 34 CFR 106.40(b)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT
	<b>Legal Standard</b>
<b>TI 19</b>	(For Targeted Assistance Schools) A description is available of the multiple, objective, educationally-related criteria used to identify 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.  1115 (b)(1)(B) NCLB
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The district is not using multiple, objective, educationally related criteria to identify Title I students who are eligible for support.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 20</b>	(For Targeted Assistance Schools) There is evidence that limited English proficient students, students with disabilities, and students who are homeless are identified as eligible and selected for Title I services on the same basis as other students selected to receive services.  1115(b)(2)(A) NCLB
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*The identification of students for Title I services is not equitable. The district awards extra points for certain criteria for some students and not others.*

CRITERION NUMBER	ENGLISH LEARNER EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT
	<b>Legal Standard</b>
<b>ELE 3</b>	<b>Initial Identification</b>  The district has procedures that actively seek to identify limited English proficient

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>	
	<b>Legal Standard</b>	
	students.  <b>Authority: G.L. c. 71A § 4, 5</b>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records and documentation indicate that the district did not conduct a home language survey until November and December of 2004. Staff interviews and documentation indicated that not all parents were surveyed.*

<b>CRITERION NUMBER</b>	<b>Legal Standard</b>	
<b>ELE 4</b>	<p><b>Waiver Procedures</b></p> <ol style="list-style-type: none"> <li>1. Waivers may be granted based on parent request, providing the parent annually visits the school and provides written informed consent. Parents must be provided with program descriptions <i>in a language they can understand</i>.</li> <li>2. Students who are under age 10, may only be granted waivers if (a) the student has been placed in an English language classroom for at least 30 calendar days, (b) the school certifies in no less than 250 words that the student “has special and individual physical or psychological needs, separate from lack of English proficiency” that requires an alternative program, and (c) the waiver is authorized by both the school superintendent and principal. All waiver requests and school district responses (approved or disapproved waivers) must be placed in the student’s permanent school record. For students under age 10, both the superintendent and the principal must authorize the waiver, and it must be made under guidelines established by, and subject to the review of the local school committee. These guidelines may, but are not required to, contain an appeals process. Students who are over age 10 may be granted waivers when it is the informed belief of the school principal and educational staff that an alternative program would be better for the student’s overall educational progress. Students receiving waivers may be transferred to other English language education programs. See 603 CMR 14.04.</li> </ol> <p><b>Authority: G.L. c. 71A, § 5</b></p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>



CRITERION NUMBER	
	<b>Legal Standard</b>
<b>ELE 6</b>	<p><b>Program Exit and Readiness</b></p> <ol style="list-style-type: none"> <li>1. The district does not re-designate a student from Limited English Proficient (LEP) to Formerly Limited English Proficient (FLEP), until: <ol style="list-style-type: none"> <li>a) s/he is deemed English proficient; and</li> <li>b) can participate meaningfully in all aspects of the district’s general education program without the use of adapted or simplified English materials.</li> </ol> </li> <li>2. The time in which LEP students receive sheltered English immersion instruction is not normally intended to exceed one school year.</li> <li>3. Districts may not limit or cap the amount of time in which an LEP student is placed in a language support program and may only exit the student from such a program after determining that the student is proficient in English.</li> </ol> <p><b>Authority: Title VI; G.L. c. 71A, § 4</b></p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation indicates that while the district has developed parameters (such as MEPA, MELA-O and MCAS score and, teacher recommendations) for considering whether a student should exit a Sheltered English Immersion (SEI) program, the district has not developed specific criteria of how it will use the gathered information for exiting a student from the SEI program. Furthermore, as noted above, the district has not developed a SEI program that is consistent with the requirements of state law. Lastly, pullout student services are limited to one year of service, regardless of the needs of the individual student, which is not consistent with the requirements of Title VI.*

### 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)
- Safe and Drug Free Schools (Report Issues # SDF 1-3)
- English Learner Education (Report Issue # ELE 7)

<b>CRITERION NUMBER</b>	<b>SPECIAL EDUCATION III. PARENTAL INVOLVEMENT</b>	
	<b>Legal Standard</b>	
<b>SE 24</b>	<p><b>Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE</b></p> <ol style="list-style-type: none"> <li>1. A student may be referred for an evaluation by a parent or any person in a care-giving or professional position concerned with the student's development.</li> <li>2. When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the child's parent(s) within 5 school days of receipt of the referral.</li> <li>3. Notice is given by the district within a reasonable time for all other actions.</li> <li>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></li> <li>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></li> <li>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></li> <li>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></li> </ol> <p><b>State Regulations</b> 28.04(1)</p> <p><b>Federal Requirements</b> 34 CFR 300.503(a)</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*The student record review indicates that notice is not always provided within five days of a parent's request for an evaluation. Staff interviews indicate that students who are referred for an evaluation through the district's IST team are often delayed for several weeks before the consent to evaluate form is provided to the parent.*

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

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
	<p>parental consent as follows:</p> <ol style="list-style-type: none"> <li>1. The school district obtains written parental consent before conducting an initial evaluation 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.</li> <li>2. The school district obtains consent before initiating extended evaluation services.</li> <li>3. The school district obtains consent to the services proposed on a student's IEP before providing such services..</li> <li>4. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child.</li> <li>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.</li> <li>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</li> </ol> <p><b>State Regulations</b> 28.07(1)</p> <p><b>Federal Requirements</b> 34 CFR 300.500(b)(1)</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records indicate that in some instances, the evaluations were started or completed before the receipt of signed consent form was provided to the district.*

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 26	<p><b>Parent participation in meetings</b></p> <ol style="list-style-type: none"> <li>1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child.</li> <li>2. The Administrator of Special Education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend.</li> <li>3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.</li> <li>4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing.</li> <li>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.</li> </ol> <p><b>State Regulations</b> 28.02(22)</p> <p><b>Federal Requirements</b> 34 CFR 300.345(d), 300.501</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
SE 27	<p><b>Content of Team meeting notice to parents</b></p> <ol style="list-style-type: none"> <li>1. The parent notice of an evaluation required by 603 CMR 28.04(1)(a) meets all of the content requirements set forth in 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.</li> <li>2. The parent notice of any Team meeting states the purpose, time and location of the meeting as well as who will be in attendance.</li> </ol> <p><b>State Regulations</b> 28.04(1)(b)</p> <p><b>Federal Requirements</b> 34 CFR 300.503-504</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 28</b>	<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><b>State Regulations</b> 28.05(7)</p> <p><b>Federal Requirements</b> 34 CFR 300.345(f)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records indicate the district does not always provide notice with the IEP and placement.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 29</b>	<p><b>Communications are in English and primary language of home</b></p> <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 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> <p><b>State Regulations</b> 28.07(8)</p> <p><b>Federal Requirements</b> 34 CFR 300.345(e)</p>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

Staff interviews indicate that while efforts are made to obtain translators for Team meetings, the district does not always provide translated IEP forms and notices to parents.

CRITERION NUMBER		
	Legal Standard	
SE 30	<p><b>Elements of notice of parents' rights</b> The district's notice of parental rights contains all required elements included in the most current version of the Massachusetts Parent's Rights Brochure.</p>	
	<p><b>State Regulations</b> M.G.L. c. 71B, Section 3</p>	<p><b>Federal Requirements</b> 34 CFR 300.503-504</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>	

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

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 32</b>	<p><b>Parent advisory council for special education</b></p> <ol style="list-style-type: none"> <li>1. The school district has established a district-wide parent advisory council on special education.</li> <li>2. Membership on the council is offered to all parents of children with disabilities and other interested parties.</li> <li>3. The parent advisory council duties include but are not limited to: advising the 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.</li> <li>4. The parent advisory council has established by-laws regarding officers and operational procedures.</li> <li>5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources.</li> <li>6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws and makes written materials explaining such rights available upon request.</li> </ol> <p><b>State Regulations</b> Chapter 71B, Section 3; 28.07(4)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Staff and Parent Advisory Council (PAC) interviews indicate that the PAC is not involved in the planning, evaluation or development of special education programs and services.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT</b>	
	<b>Legal Standard</b>	
<b>MOA 6A</b>	<p><b>Information and opportunities for participation for parents and guardians of homeless students</b>  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>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>MOA 6B</b>	<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>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>MOA 6C</b>	<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>	

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	NCLB: Title X, Part C, Sec. 722(g)(6)(A)(vii)
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 6D</b>	<p><b>Coordination and collaboration by the homeless education liaison</b>  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>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 7</b>	<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>
	<b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Staff interviews and documentation indicate that the district does not provide translated notices to parents, whose primary language is not English. The district resorts to stamping notices with an*

*advisory in several languages that informs parents that the document is important and must be translated. This practice is insufficient to meet the requirements of this standard.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 III. PARENTAL AND COMMUNITY INVOLVEMENT</b>
	<b>Legal Standard</b>
<b>TI 21</b>	<p><u>School District Requirements:</u></p> <ol style="list-style-type: none"> <li>1. Title I policies, programs, activities, and procedures are assessed for needs, planned, implemented and evaluated with meaningful consultation of parents of participating children. 1118(a)(1)</li> <li>2. The district’s written parental involvement policy is developed and annually reevaluated with, agreed upon, and distributed to parents of participating children. 1118(a)(2)</li> <li>3. The district provides coordination, technical assistance, and other resources to assist schools in planning and implementing effective parental involvement activities to improve student achievement and school performance. 1118(e)(2) NCLB</li> <li>4. The district builds schools’ and parents’ capacity for strong parental involvement.</li> <li>5. Title I parental involvement services are integrated with other programs’ parental involvement strategies at the school and district level.</li> <li>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)</li> <li>7. The district has a system for schools to provide parents with “right to know” information:               <ol style="list-style-type: none"> <li>a. Status of school identified for school improvement</li> <li>b. Notice of teacher qualifications and right of parent to inquire</li> <li>c. Notice, if applicable, that students are taught by non- highly qualified teachers for more than four weeks.</li> </ol> </li> </ol> <p>1118(d)(3)(B)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 22</b>	<p>The district and schools provide materials and training to Title I parents to enable them to improve their children’s achievement (e.g., literacy training, using technology to foster parental involvement, frequent meetings with teachers, etc.).</p> <p>1118(e)(2) NCLB</p>
	<p><b>Rating: Implemented</b> District Response Required: <b>No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 23</b>	<p><u>School Requirements:</u></p> <ol style="list-style-type: none"> <li>1. The school has a written parent involvement policy that is developed jointly with, agreed upon, and distributed to parents of participating children. 1118(b)(1) NCLB</li> <li>2. Parents are notified of the school’s Title I parent involvement policy in an understandable format. To the extent practicable, this information is provided in the language of the home. 1118(b)(1) NCLB</li> <li>3. The school implements the following parent involvement requirements: <ol style="list-style-type: none"> <li>a. Convenes an annual informational meeting at a time convenient for parents;</li> <li>b. Provides parents with opportunities for regular meetings regarding the education of their children; and offers a flexible number of meetings (e.g., in the early morning or in the evening, etc.);</li> <li>c. Involves parents in an organized, ongoing, timely way in the planning, review, and improvement of school parental involvement policy and schoolwide programs;</li> <li>d. Provides parents with timely information about Title I programs, descriptions, and an explanation of the Title I curriculum and assessment procedures; and</li> <li>e. Provides parents with materials and training to improve their children’s achievement. 1118 (c)(1)-(4); 1118 (e)(2) NCLB</li> </ol> </li> <li>4. Each school develops jointly with parents a School-Parent Compact that outlines shared responsibilities for improving student achievement and achieving the state’s high standards. 1118(d) NCLB</li> </ol>

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

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 2</b>	The local education agency coordinates such agency's programs and projects with community-wide efforts to achieve SEA's goals for drug and violence prevention.  [NCLB Title IV Sec. 4114 (c) (1) (B)]
	<b>Rating: Commendable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*Based on interviews and documentation, the Melrose Public Schools participates on an exemplary level with other agencies in activities that include surveys, focus groups, program development and implementation, writing grants, evaluations and meetings regarding the prevalence of drugs and violence in the community. The community agencies are informed and participate in the Health Advisory Council, Community Coalition, the Melrose Public Schools leadership team and other meetings providing timely and meaningful consultation in the district's drug and violence activities. Community agencies involved include, but are not limited to the following: Community Coalition of Melrose, Board of Health, Melrose Partnership for Healthy youth, Human Rights Coalition, Police and Fire departments, Project Alliance, the YMCA, Melrose Alliance against Violence, Riverside Community Care, METCO, Children Hospital, Hallmark Health and the District Attorney's Office. Some examples of effective collaboration are as follows: (1) The Melrose Alliance Against Violence*

*received a federal grant for Youth Violence Prevention, implementing a comprehensive bullying program for middle school youth in the public and private schools. (2) Melrose Common Ground Youth Center in collaboration with the YMCA and Hope Alliance Church for high school students.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 2A</b>	The local education agency coordinates such agency’s programs and projects with other federal, state and local programs for drug-abuse and violence prevention.  [Title IV Sec. 4114 (c) (1) (B)]
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 3</b>	There are program activities implemented to promote the involvement of parents.  [Title IV Sec. 4116 (a) (1)]
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION III. PARENTAL INVOLVEMENT</b>
	<b>Legal Standard</b>
<b>ELE 7</b>	<b>Parent Involvement</b>  The district develops a mechanism for including parents or guardians of LEP students in matters pertaining to their children’s education.  <b>Authority: Title VI</b>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Staff interviews, student records and documentation indicate that the district is not translating*

*documents (including progress reports and report cards) for parents who do not speak English and therefore, limiting their ability to be fully included in matters related to their children's education.*

#### 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)
- Safe and Drug Free Schools (Report Issue # SDF 4)
- English Learner Education (Report Issues #8-10)

CRITERION NUMBER	<b>SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION</b>	
	<b>Legal Standard</b>	
SE 33	<p><b>Involvement in the general curriculum</b></p> <ol style="list-style-type: none"> <li>1. District personnel reflect a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance as well as the rights of students with disabilities to be full participants in the general curriculum.</li> <li>2. The district has either aligned its district curriculum with the Frameworks or has taken steps to provide students (including all students with disabilities) with essential learning opportunities that prepare the students to reach the state graduation standards.</li> <li>3. At least one member of all IEP Teams is familiar with the general curriculum and is able to discuss an eligible student's appropriate access to the general curriculum.</li> <li>4. In the IEP the district documents the student's participation in the general curriculum.</li> </ol>	
	<p><b>State Regulations</b> 28.05(4)(a) and (b)</p>	<p><b>Federal Requirements</b> 34 CFR 300.347(a)(1)(i); 300.137</p>
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Staff interviews indicate that the curriculum within the substantially separate programs at the middle school is not based on the state curriculum frameworks.*

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

**Department of Education Findings:**

Staff interviews and documentation indicate vocational opportunities for students are limited to attendance at a vocational high school or the “job skills” for students who are in the STEP program designed for students that are cognitively impaired. Furthermore, staff interviews and parent interviews indicate gaps in services, primarily for related services, have occurred in the district on a frequent basis. Lastly, staff interviews and parents indicate that the district is proposing to eliminate its substantially separate classrooms at the elementary level for school year 2005-2006 which may affect the district’s ability to offer continuum of services as required by federal regulation.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 35</b>	<p><b>Specialized materials and assistive technology</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol> <p><b>State Regulations</b> <span style="float: right;"><b>Federal Requirements</b></span>  <span style="float: right;">34 CFR 300.308, 34 CFR 300.346</span></p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 36</b>	<p><b>IEP implementation, accountability and financial responsibility</b></p> <ol style="list-style-type: none"> <li>1. The district ensures that IEPs are implemented without delay upon parent consent.</li> <li>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.</li> <li>3. The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.</li> <li>4. The district provides all programs and services without expense to the child’s parents.</li> <li>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.</li> </ol>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"><b>State Regulations</b> 28.06(3)</td> <td style="width: 50%; vertical-align: top;"><b>Federal Requirements</b> 34 CFR 300.142; 300.350</td> </tr> </table>	<b>State Regulations</b> 28.06(3)	<b>Federal Requirements</b> 34 CFR 300.142; 300.350
<b>State Regulations</b> 28.06(3)	<b>Federal Requirements</b> 34 CFR 300.142; 300.350		
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>		

**Department of Education Findings:**

*Student records indicate that the district does not always implement IEPs without a delay in the provision of services. did not have There was no evidence of monitoring plans in the student record of those students placed in out-of-district programs. Furthermore, in a few instances, the district did not meet its responsibility to implement an IEP when students reside in the district with family members that were not the legal guardians of the student. In some instances, unsigned IEPs were implemented; in fact, district personnel provided progress reports for an unsigned IEP. Lastly, some goals articulated on the student’s IEP cannot be fulfilled because of the lack of services providers.*

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

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>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).</p> <p>5. <u>Use of unapproved programs</u>: A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student’s IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation.</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"> <li>a. <u>Search</u>: The Administrator of Special Education documents the search for and unavailability of a program approved by the Department. The Administrator places such documentation in the student record.</li> <li>b. <u>Evaluation of facility</u>: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved 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.</li> <li>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.</li> <li>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.</li> <li>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</li> </ul>

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>and the name and location of the proposed placement. In addition, the Administrator forwards the notice of proposed placement and completed pricing forms to the Department along with the information on the proposed terms of the contract that will govern such placement and documentation of a monitoring plan pursuant to 603 CMR 28.06(3)(b). The district maintains any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly funded students as set by the state agency responsible for setting program prices.</p> <p>f. <u>Out of state programs</u>: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the Administrator of Special Education ensures that such school has received approval from the host state.</p> <p><b>State Regulations</b> 28.02(14), 28.06(3)</p> <p><b>Federal Requirements</b> 34 CFR 300.2(c)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation demonstrates that the district has developed monitoring forms for students in out-of-district programs, however, the review of student records indicate that the district does not document its monitoring of students placed in out-of-district programs.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>SE 38</b></p>	<p><b>Educational services in institutional settings (ESIS)</b>  <u>Department of Education responsibility</u>: In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities.  <u>School district responsibility</u>:</p> <ol style="list-style-type: none"> <li>1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law.</li> <li>2. Where a student's IEP requires a type or amount of service that the facility does</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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).</p> <p>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.</p> <p><b>State Regulations</b> 28.06(9)</p> <p style="text-align: right;"><b>Federal Requirements</b></p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 39</b>	<p><b>Procedures used to provide services to eligible students enrolled in private schools at private expense</b></p> <ol style="list-style-type: none"> <li>1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives.</li> <li>2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> <li>a. The district provides special education and/or related services designed to meet the needs of eligible children who are attending private schools at private expense and whose parents reside in the jurisdiction of the school district. The school district provides to such children genuine opportunities to participate in the public school special education program consistent with state constitutional limitations.</li> <li>b. The district provides or arranges for the provision of evaluation services and an IEP for any eligible private school child whose parent resides in the jurisdiction of the school district. The evaluation may take place in the public school, the private school, or an appropriate contracted facility, and the school district ensures that a representative of the child's private school is invited to participate as a member of the Team pursuant to §28.05.</li> <li>c. The district provides or arranges for the provision of the special education and/or related services described by the child's IEP and the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds.</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>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.</p> <p>3. Special education services and/or related services provided by the district to a private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance.</p> <p>4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children.</p> <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><b>State Regulations</b> 28.03(1)(e); Chapter 71B, section 2</p> <p><b>Federal Requirements</b> 34 CFR 300.450-300.462</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 40</b>	<p><b>Instructional grouping requirements for students aged five and older</b></p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>



requested an age span waiver from the Department of Education for this program.

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	28.06(7) 34 CFR 300.342(c)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Documentation provided by the district indicates that the inclusionary pre-school programs have a class size of 18 students at the Roosevelt School, in room 107, with 9 special education students, exceeding the requirements of this criterion. Room 105 has a total of 16 students, seven of which are students with disabilities, which also exceeds the requirements under section "5 b" of this criterion.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>MOA 7A</b>	<p><b>School Year Schedules</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p>M.G.L. c. 69, s. 1G; 603 CMR 27.03, 27.04</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
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	<b>Legal Standard</b>
<b>MOA 7B</b>	<p><b>Structured Learning Time</b></p> <ol style="list-style-type: none"> <li>1. 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 (including physical education, required by M.G.L. c. 71, s. 3). 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.</li> <li>2. 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.</li> <li>3. 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.</li> </ol> <p>M.G.L. c. 69, s. 1G; 603 CMR 27.02, 27.04</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 7C</b>	<p><b>Early Release of High School Seniors</b></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>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	Legal Standard
<p><b>MOA 8</b></p>	<p><b>Accessibility of extracurricular activities</b>            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>
	<p><b>Rating: Implemented</b> <b>District Response Required: No</b></p>

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

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

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>TI 25 – TAS/SWP</b>	<p>The school district provides opportunities for students receiving Title I services to participate in extended day/week/year programs and activities that the district offers.</p> <p>1114(b)(1)(B)(ii)(II); 1115(c)(1)(C)(i) NCLB</p>	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>TI 26 - SWP</b>	<p>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:</p> <ol style="list-style-type: none"> <li>1. a year of planning,</li> <li>2. teachers, principals, and other staff, and where appropriate,</li> <li>3. pupil services personnel,</li> <li>4. parents,</li> <li>5. secondary school students, if applicable,</li> </ol>	



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	1112(c)(1)(C); 1114(b)(1) and (2) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**  
*Melrose is a Targeted Assistance district.*

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

**Department of Education Findings:**  
*There is evidence, based in documentation and interviews, that the SDFS Coordinator meets frequently with other coordinators and administrators to address their specific needs and collaborate in the implementation of all programs activities for Melrose students, staff and parents. This exemplary collaboration provided additional training to the health and physical education staff and provided training and workshops for parents.*

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>ELE 8</b>	<b>Declining Entry to a Program</b>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION IV. CURRICULUM AND INSTRUCTION</b>	
	<b>Legal Standard</b>	
	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.)	
	<b>Authority: Title VI</b>	
	<b>Rating: Not Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student records indicate the district is not documenting the options provided to parents regarding the program possibilities for students who are English Language Learners. Furthermore, the district does not have a Sheltered English Immersion program.*

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>ELE 9</b>	<b>Instructional Grouping</b> <ol style="list-style-type: none"> <li>1. The district only groups students of different ages together in instructional settings if their levels of English proficiency are similar.</li> <li>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.</li> </ol>	
	<b>Authority: G.L. c. 71A, § 4; Title VI</b>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: No</b>

**Department of Education Findings:**

*Students are kept within their general education program; however, the district does not have a Sheltered English Immersion program to ensure that Limited English Proficient students have access to the content of the curriculum.*

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>ELE 10</b>	<p><b>Parental Notification</b></p> <ol style="list-style-type: none"> <li>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"> <li>(a) the reasons for identification of the student as Limited English Proficient (LEP);</li> <li>(b) the child’s level of English proficiency;</li> <li>(c) program placement and/or the method of instruction used in the program;</li> <li>(d) how the program will meet the educational strengths and needs of the student;</li> <li>(e) how the program will specifically help the child learn English;</li> <li>(f) the specific exit requirements; and</li> <li>(g) the parents’ right to apply for a waiver (see ELE 4), or to decline to enroll their child in the program (see ELE 9).</li> </ol> <p>(All districts need to comply with a-c and g. Title III districts must comply with a-g. Title III districts must send parental notification no later than 30 days after the beginning of the school year.)</p> </li> <li>2. The district will provide to parents and guardians of LEP students, report cards, and progress reports in the same manner and with the same frequency as general education reporting. The reports shall, to the maximum extent possible, be written in a language understandable to the parent/guardian.</li> </ol> <p><b>Authority: NCLB, Title III; c. 71A, §7; 603 CMR 14.02</b></p>
	<p><b>Rating: Not Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Education Findings:**

*Student records indicate that the district does not provide notices to parents of the basis for determining that a student is limited English proficient, the current level of the student’s English proficiency, the program placement of the student, how the chosen program will meet the student’s needs, achieve English proficiency and the waive and “opt out” process should the parent be so inclined. The progress reports and report cards are not translated.*

## 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)



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p><b>requirements</b></p> <ol style="list-style-type: none"> <li>1. All students, including eligible students with disabilities, receive prior written notice regarding the school’s Code of Conduct.</li> <li>2. The school’s Code of Conduct includes required procedural safeguards such as opportunity for a hearing (per Goss v. Lopez).</li> <li>3. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below.</li> <li>4. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education.</li> <li>5. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.</li> </ol> <p><b>State Requirements</b> M.G.L. Ch. 76, Sections 16-18 and Ch. 71, Section 37 H</p> <p style="text-align: right;"><b>Federal Requirements</b> 34 CFR 300.519-300.529</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**  
Please see the comment in SE 46 below.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 46</b>	<p><b>Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district</b></p> <ol style="list-style-type: none"> <li>1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.</li> <li>2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes <ol style="list-style-type: none"> <li>a. to develop or review a functional behavioral assessment of the student’s behavior to modify a behavior intervention plan or develop an assessment plan;</li> <li>b. to identify appropriate alternative educational setting(s); and</li> <li>c. to determine the relationship between the disability and the behavior - “a manifestation decision” (Is IEP appropriate? Is placement appropriate? If there was a behavior plan, was it implemented? Does</li> </ol> </li> </ol>





CRITERION NUMBER		
	Legal Standard	
	<p>6. transportation 7. recess and physical education, including adapted physical education 8. athletics and recreational activities 9. school-sponsored groups or clubs 10. meals</p> <p><b>State Regulations</b> 28.06(5)</p> <p><b>Federal Requirements</b> 34 CFR 300.121; 300.300-313</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Staff interviews and documentation indicate that the district has limited vocational opportunities for students with disabilities. The district’s vocational opportunities are limited to enrollment in a vocational school or the STEP program that provides “job skills” for cognitively low-functioning students.*

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

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

**Department of Education Findings:**

*Student records indicate that the district has gaps in the provision of occupational therapy, physical therapy and speech services to students.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 49A</b>	<p><b>Special Transportation</b></p> <p>If the IEP specifies that the student’s disability requires transportation or specialized transportation arrangements in order to benefit from special education, the district implements these provisions of the student’s IEP.</p> <ol style="list-style-type: none"> <li>1. The Team determines necessary modifications, special equipment, assistance, need for qualified attendants on vehicles, and any particular precautions required by the student and documents such determinations in the student's IEP. If specialized arrangements can be provided on regular transportation vehicles, the school district makes such arrangements.</li> <li>2. The district arranges to have eligible students who use wheelchairs transported in vehicles that do not require such children to be removed from their wheelchairs in order to enter or leave the vehicles; provided, however, that this requirement is not applicable where a Team or the student’s physician recommends that the student regularly transfer in and out of conventional vehicles to or from a wheelchair for therapeutic or for independence training reasons.</li> <li>3. The Team specifies whether the student requires assistance in or out of the home, on or off of the vehicle, and in or out of the school. If such assistance is specified, the district ensures that it is provided.</li> <li>4. The Team specifies if the student has a particular need or problem that may cause difficulties during transportation, such as seizures, a tendency for motion sickness, behavioral concerns, or communication disabilities.</li> <li>5. The school district does not allow transportation considerations to influence, modify, or determine the educational program, including the length of the school day, required by any student.</li> </ol> <p><b>State Regulations</b> 28.05(5)(b)</p> <p><b>Federal Requirements</b> 34 CFR 300.24(b)(15)</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
<b>MOA 10A</b>	<p><b>Handbooks and codes of conduct</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Student codes of conduct contain: <ol style="list-style-type: none"> <li>a) procedures assuring due process in disciplinary proceedings and</li> <li>b) appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans.</li> </ol> </li> <li>3. Handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain: <ol style="list-style-type: none"> <li>a) a nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5,</li> <li>b) the school's procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and</li> <li>c) the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred.</li> </ol> </li> </ol> <p>Section 504; M.G.L. c. 71, s. 37H; 603 CMR 26.08</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 11A</b>	<p><b>Designation of liaison/coordinator(s); grievance procedures</b></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, Section 504, and (if it employs 50 or more persons) Title II.</p> <p>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.</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	722(g)(1)(J)(ii)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Based on document review, the district's parent/student high school handbook does not contain the district's grievance procedure for discrimination on the basis of disability.*

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

**Department of Education Findings:**

*Please see MOA 7 for comments regarding the district's lack of translated notices.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 13</b>	<p><b>Availability of information and counseling on general curricular and occupational/vocational opportunities</b>  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>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Education Findings:**

*Please see MOA 7 for comments regarding the district's lack of translated notices.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>MOA 14</b>	<p><b>Counseling and counseling materials free from bias and stereotypes</b>  To ensure that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation, disability, and homelessness, all counselors:</p> <ol style="list-style-type: none"> <li>1. encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills;</li> <li>2. examine testing materials for bias and counteract any found bias when administering tests and interpreting test results;</li> <li>3. communicate effectively with limited-English-proficient and disabled students and facilitate their access to all programs and services offered by the district;</li> <li>4. provide limited-English-proficient students with the opportunity to receive counseling in their primary language;</li> <li>5. support students in educational and occupational pursuits that are nontraditional for their gender.</li> </ol>

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

**Department of Education Findings:**

*Documentation and interviews indicate that the district does not have the capacity to provide counseling to students in their primary language.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 14A</b>	<b>Policies and practices to prevent stigmatization and segregation of homeless students</b> 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.  NCLB: Title X, Part C, Sec. 722(g)(1)(J) (i)
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 14B</b>	<b>Comparability of services for homeless students</b> 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.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	NCLB: Title X, Part C, Sec. 722 (g)(4)
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 15</b>	<p><b>Non-discriminatory administration of scholarships, prizes and awards</b>  Scholarships, prizes and awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability.  Schools may post or print information regarding private restricted scholarships as long as no preferential treatment is given to any particular scholarship offered and as long as the school does not endorse or recommend any such scholarship nor advise or suggest to a particular student that he or she apply for such a scholarship.</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>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 16</b>	<p><b>Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion</b></p> <p>1. Within ten days from a student’s fifteenth consecutive unexcused absence, the school provides written notice to students age 16 or over and their parents or guardians. The notice is in English and the family’s native language and states that the student and the parent or guardian may meet with a representative of the district within ten days from the date the notice was sent. At the request of the parent or guardian, the district may consent to an extension of the time for the</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>meeting of not longer than fourteen days.</p> <p>2. At the meeting the participants discuss the reasons that the student is leaving school and alternative educational or other placements. The student and parent or guardian are told that attendance is voluntary after the student turns 16 but are also informed of the student's right to return to school.</p> <p>M.G.L. c. 76, ss. 5, 18; St. 1965, c. 741</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 17A</b>	<p><b>Use of physical restraint on any student enrolled in a publicly-funded education program</b></p> <ol style="list-style-type: none"> <li>1. The district has developed and implemented staff training at least annually on the use of restraint consistent with regulatory requirements. Such training occurs within the first month of each school year and, for employees hired after the school year begins, within a month of their employment.</li> <li>2. The district administers physical restraint on students only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm. The district implements restraint procedures consistent with Department of Education regulations in order to prevent or minimize any harm to the student as a result of the use of physical restraint.</li> <li>3. The district has developed written procedures regarding appropriate responses to student behavior that may require immediate intervention. Such procedures are annually reviewed and provided to school staff and made available to parents of enrolled students.</li> <li>4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Education consistent with the regulations.</li> <li>5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations.</li> </ol> <p>M.G.L. c. 71, s. 37G; 603 CMR 46.00</p>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*Staff interviews indicate that in some instances, staff turnover at the Roosevelt School has led to a number of staff members who have not received the district’s annual training regarding the physical restraint of students.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
<b>TI 29A</b>	<ol style="list-style-type: none"> <li>1. Appropriate officials from private schools are informed and consulted about the availability of Title I services. Evidence of appropriate communication is maintained on file.</li> <li>2. Written affirmation is obtained and signed by officials of each participating private school, confirming that required consultation has occurred.</li> </ol> <p>1120 NCLB; 1421-1426 NCLB</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 29B</b>	<ol style="list-style-type: none"> <li>1. Appropriate officials from Neglected or Delinquent (N or D) facilities are informed and consulted about the availability of Title I services. A contract exists between the district and the N or D facility, if applicable.</li> <li>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.</li> </ol> <p>1120 NCLB; 1421-1426 NCLB</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The district does not have Neglected or Delinquent facilities.*

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
<b>ELE 11</b>	<p><b>Equal Access to Academic Programs and Services</b></p> <ol style="list-style-type: none"> <li>1. The districts does not segregate LEP students from their English-speaking peers, except when necessary, to implement an English learner education program.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>6. The district uses content objectives that are based on the Massachusetts curriculum frameworks in English language arts, history and social science, 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.</li> </ol> <p style="text-align: center;"><b>Authority: Title VI; c. 71A, §7; 603 CMR 26.07 (8)</b></p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation and staff interviews indicate that students, who are limited English proficient, do not receive counseling information in their primary language.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>ELE 12</b>	<p><b>Equal Access to Nonacademic and Extracurricular Programs</b></p> <p>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>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<b>Authority: Title VI; 603 CMR 26.06 (2)</b>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	Yes

**Department of Education Findings:**

*Documentation and staff interviews indicate that while students, who are limited English proficient participate in nonacademic and extracurricular programs, the district does not always provide translated announcements of nonacademic and extracurricular activities to parents.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>ELE 13</b>	<p><b>Follow-up Support</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>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.</li> </ol> <p><b>Authority: Title VI; Chapter 218 of the Acts of 2002</b></p>		
	<b>Rating: Not Implemented</b>	<b>District Response Required:</b>	Yes

**Department of Education Findings:**

*Documentation and staff interviews indicate that the district does not have procedures established to monitor students, who may exit the ELE 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
	<b>Legal Standard</b>
SE 50	<p data-bbox="407 411 1401 478"><b>Responsibilities of the School Principal and Administrator of Special Education Principal:</b></p> <ol data-bbox="407 478 1401 1879" style="list-style-type: none"> <li data-bbox="407 478 1401 976">1. <b>Instructional support.</b> 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> <li data-bbox="407 976 1401 1549">2. <b>Curriculum Accommodation Plan.</b> 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> <li data-bbox="407 1549 1401 1654">3. <b>Coordination with special education.</b> The principal with the assistance of the Administrator of Special Education coordinates the delivery and supervision of special education services within each school building.</li> <li data-bbox="407 1654 1401 1879">4. <b>Educational services in home or hospital.</b> Upon receipt of a physician’s written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the</li> </ol>

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	<b>Legal Standard</b>		
	<p>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><u>Administrator of Special Education:</u></p> <p>5. The school district has an appointed person to be its Administrator of Special Education. The Administrator supervises all special education for the school district and ensures compliance with all federal and state special education laws. As appropriate, and in accordance with the requirements of 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><b>State Regulations</b> 28.03(3) Chapter 71, Section 38Q and 38Q ½</p> <p><b>Federal Requirements</b></p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	Yes

**Department of Education Findings:**

*Documentation indicates that the district has an Instructional Support Team (IST) as an element of its curriculum accommodation plan; however, documentation of IST activities was not always contained in the student record. Staff interviews indicate that staff members are unaware of the components of the district's curriculum accommodation plan and some staff indicate they have not received training regarding accommodations for students in the general education setting.*

CRITERION NUMBER			
	<b>Legal Standard</b>		
<b>SE 51</b>	<p><b>Appropriate special education teacher certification/licensure</b> Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p> <p><b>State Regulations</b> 28.02(3) 603 CMR 7.00</p> <p><b>Federal Requirements</b> 34 CFR 300.23; 300.136</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	Yes

**Department of Education Findings:**

*Documentation and examination through the Department’s ELAR system indicates that one teacher does not have a current, approved waiver or hold state licensure. In two instances, the district could not demonstrate that two staff members providing special education services hold current state licensure. The two staff members could not be located in the Department’s ELAR system.*

CRITERION NUMBER			
	Legal Standard		
<p><b>SE 52</b></p>	<p><b>Appropriate certifications/licenses or other credentials -- <u>related service providers</u></b>            Any person, including non-educational personnel, who provides related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the regular or special classroom teacher is appropriately certified, licensed, board-registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession.</p> <p><b>State Regulations</b> 28.02(3)</p> <p><b>Federal Requirements</b> 34 CFR 300.23; 300.24; 300.136</p>		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

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

**Department of Education Findings:**

*Staff interviews indicate that paraprofessionals are not always informed or trained regarding their specific responsibilities within the classroom or in working with an individual student. District personnel do not always inform paraprofessionals of the specific accommodations necessary to implement the student’s IEP.*

CRITERION NUMBER	Legal Standard		
SE 54	<p><b>Professional development regarding special education</b>                      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"> <li>1. state and federal special education requirements and related local special education policies and procedures;</li> <li>2. confidentiality of student records;</li> <li>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;</li> <li>4. methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning needs of all students in the regular classroom;</li> <li>5. training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement;</li> <li>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</li> <li>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.</li> </ol> <p><b>State Regulations</b>                      Chapter 71, Section 38g                      CMR 28.03(1)(a) and 28.06(8)(c)                      Chapter 71, Section 38Q and 38Q ½</p> <p><b>Federal Requirements</b>                      34 CFR 300.382</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*Staff interviews indicate they did not receive training in state and federal special education requirements and were unaware of training regarding the accommodation of diverse learning styles in the general education setting.*

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

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

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 21</b>	<p><b>Staff training regarding civil rights responsibilities</b>  The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and</p>

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

**Department of Education Findings:**

*Staff interviews at the elementary level indicate that staff are not aware of the district's policies and procedures for addressing issues of harassment of protected classes.*

<b>CRITERION NUMBER</b>	<b>TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION</b>		
	<b>Legal Standard</b>		
<b>TI 30</b>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Where applicable, the district's Title IIA grant application describes how it will use these funds to meet the requirements of section 1119.</li> <li>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.</li> </ol> <p>MGL Chapter 71, 38G 1119(a), (c), (d), and (f) NCLB 2122(b) 10 NCLB</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Education Findings:**

*The Principals' attestation letter regarding highly qualified status was not developed.*

<b>CRITERION NUMBER</b>				
	<b>Legal Standard</b>			
<b>TI 31</b>	<p>Professional Development</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Title I teachers are involved in the Title IIA professional development needs assessment.</li> </ol> <p>1119(k)(1) NCLB 2122(c)(1)(2) NCLB</p>			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"><b>Rating: Implemented</b></td> <td style="width: 25%;"><b>District Response Required:</b></td> <td style="width: 25%;">No</td> </tr> </table>	<b>Rating: Implemented</b>	<b>District Response Required:</b>	No
<b>Rating: Implemented</b>	<b>District Response Required:</b>	No		

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>ELE 14</b>	<p><b>Licensure and Fluency Requirements</b></p> <ol style="list-style-type: none"> <li>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: <ol style="list-style-type: none"> <li>(a) possesses a teaching license issued pursuant to G.L. c.71, section 38G; or</li> <li>(b) possesses a vocational teacher approval or a vocational technical educator license; or</li> <li>(c) earns a passing score on the Communication and Literacy Skills portion of the Massachusetts Tests for Educator Licensure (MTEL); or</li> <li>(d) possesses a Bachelor's degree from a college or university where the language of instruction was English.</li> </ol> <p>English fluency may be determined through one or more of the following methods:</p> <ol style="list-style-type: none"> <li>(a) classroom observation and assessment by the teacher's supervisor, principal, and/or superintendent or charter school leader; or</li> <li>(b) an interview and assessment by the teacher's supervisor, principal, and/or superintendent or charter school leader; or</li> <li>(c) the teacher's demonstration of fluency in English, through a test accepted by the Commissioner of Education; or</li> <li>(d) another method determined by the superintendent or charter school leader, and accepted by the Commissioner of Education.</li> </ol> </li> <li>2. Teachers and educational staff who are qualified and who teach in ELE</li> </ol>

CRITERION NUMBER	<b>ENGLISH LEARNER EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION</b>		
	<b>Legal Standard</b>		
	<p>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><b>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</b></p>		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	No

CRITERION NUMBER			
	<b>Legal Standard</b>		
<b>ELE 15</b>	<p><b>Professional Development Requirements</b>  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><b>Authority: M.G.L. c71, § 59C; NCLB, Title III</b></p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	Yes

**Department of Education Findings:**

*Documentation indicates that some in-service training occurred regarding English Language Learner requirements, however, the district has not provided the minimum ten hours of professional development necessary for teachers to implement a Sheltered English Immersion (SEI) program.*

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

**Department of Education Findings:**

*Observations indicate that at the high school level, not all “Learning Strategies” classrooms have functioning computers. The STEP program at the high school is located near the central administration offices and not integrated into the life of the school. Staff interviews also voiced concern at the middle school that “clustering” of special education classrooms has occurred. The Department is aware that the middle school is scheduled for demolition; however, the district should examine the future middle school’s placement of special education classrooms to avoid a potential noncompliance issue.*

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

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

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

## 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)
- Safe and Drug Free Schools (Report Issue # SDF 5-8)
- English Learner Education (Report Issue #17)

<b>CRITERION NUMBER</b>	<b>SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>SE 56</b>	<p><b>Special education programs and services are evaluated</b></p> <ol style="list-style-type: none"> <li>1. Special education programs, services and administrative areas are regularly evaluated.</li> <li>2. The district develops methods for determining the effectiveness of programs in assisting students with disabilities to achieve the goals set forth in their IEPs in the least restrictive environment.</li> <li>3. The district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed.</li> <li>4. As part of these evaluation procedures, the district measures the success of programs based on students' local and statewide assessment results, drop out rates and graduation rates for special education students.</li> </ol> <p><b>State Regulations</b> Chapter 71B, Section 2 Chapter 71, Section 59C</p> <p><b>Federal Requirements</b> 34 CFR 300.137</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Education Findings:**

*Documentation and staff interviews indicate that the district evaluates its special education programs and services; however, staff interviews also indicate that service providers are not involved in any formal evaluation of the programs they operate. Furthermore, there was no documentation to demonstrate that the data gathered from IEPs or MCAS assessment results was used in the evaluation activities conducted by the district.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>MOA 23A</b>	<p><b>Review and revision of policies to remove barriers to the enrollment and retention of homeless children and youth</b></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><b>Rating: Implemented</b>                                      <b>District Response Required: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 24</b>	<p><b>Curriculum review</b>  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.</p> <p>M.G.L. c. 76, s. 5; 603 CMR 26.05(2)</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>MOA 26</b>	<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>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	<b>TITLE 1 VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>TI 32</b>	<p>A needs assessment and a data analysis are conducted annually in each Title I school (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>
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span>

**Department of Education Findings:**

*The district has not conducted a needs assessment to determine which programmatic services should be provided with Title I funds.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 33</b>	The adequate yearly progress (AYP) of each Title I school is evaluated in the aggregate and by subgroup, as available, on an annual basis. Title I program changes are implemented that reflect the results of this evaluation.  1114 (b)(2)(B)(iii); 1115 (c)(2)(B); 1116(A)(1)(A) and (B) NCLB
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**  
*The district's Title I program is a pre-school program.*

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

**Department of Education Findings:**  
*There are no Title I schools identified as a school “in need of improvement”.*

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

**Department of Education Findings:**

*The district does not have any schools designated as “ a school in need of improvement.”*

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

**Department of Education Findings:**

*The district does not have any schools designated as “ a school in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 37</b>	For schools that have been identified as “in need of improvement,” the district provides students enrolled in those schools the choice to transfer to another of the district’s schools not identified as in need of improvement and informs parents of this opportunity. Priority is given to the lowest achieving students from low-income families.  1116(b)(1)(E)(i) and (ii) NCLB 2763A-32 of P.L. 106-554 (Education Appropriations Act, 2001)
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Education Findings:**

*The district does not have any schools designated as “ a school in need of improvement.”*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 38</b>	<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"> <li>1. Continues to make the choice to transfer option available to students;</li> <li>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;</li> <li>3. The district addresses requirements for schools in Corrective Action (if applicable), and;</li> <li>4. The district provides technical assistance to schools in improvement and/or corrective action status.</li> </ol> <p>1116(b)(5) and 1116 (e) NCLB; 200.46 (4) and (5)</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The district does not have any schools designated as “ a school in need of improvement.”*

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

**Department of Education Findings:**

*Based on documentation and interviews, Melrose has an exemplary process in place to determine the current level of substance abuse and violence among the student population in the community. In addition to the Youth Risk Behavior Surveys and the Community Care Surveys, the process includes parents’ surveys and focus groups, staff surveys, community focus groups, and meetings with parents, community leaders, teachers, advisory councils, students and task force members. Furthermore,*

*schools' disciplinary records at all levels and nurse's logs are reviewed and analyzed. Interviews, meetings and data collection are also conducted regarding incidents/usage by youth from local law enforcement agencies, hospitals, health agencies and community agencies. There is appropriate documentation to support the statistics and incident information reported in the objective analysis of the district's 2005 SDFSCA grant application. Further, there is evidence that the objective analysis was based upon ongoing local assessment of activities and programs.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 6</b>	Each recipient establishes a set of performance measures and designs its programs to meet those measures.  [Title IV Sections 4114, (d) (B) (i) (I) (II) (ii) (C)]
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

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

**Department of Education Findings:**

*Based on documentation, interviews and classroom observation, selected programs and activities respond to the identified needs. These programs and activities are crafted on scientifically based research and evaluation that demonstrate evidence of program effectiveness in reducing and preventing drug use, violence and disruptive behavior among youth. Components being implemented include: Project Northland, Owleaus Bullying Program, Peer Mediation, Teen Health Teaching Modules, Smoking Cessation/Slick Tracy, Gay Straight Alliance, Second Step, Great Body Shop, SADD and Teen Dating Violence/Yellow Dress/Safe Dates. All students participate in all activities and programs and are adjusted when needed for students with special needs. The district has very clear expectations against violence and illegal use of drugs with appropriate, consistent and well-enforced consequences in place for violation of the policies. Melrose has been designated as a "No Place For Hate Community".*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SDF 8</b>	<p>Each recipient shall conduct a periodic evaluation to assess its progress toward reducing violence and illegal drug use in schools to be served based on performance measures.</p> <p>[NCLB, Title IV Secs. 4115 (2) (A),(B)]</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>ELE 17</b>	<p><b>DOE Data Submission Requirements and Program Evaluation</b></p> <ol style="list-style-type: none"> <li>1. The district reports annually to the Department, the following student information: <ol style="list-style-type: none"> <li>i.the schools in which LEP students are enrolled;</li> <li>ii.the grade levels of the students;</li> <li>iii.the primary languages of each LEP student; and</li> <li>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.</li> </ol> </li> <li>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.</li> </ol> <p><b><u>For Title III districts:</u></b></p> <ol style="list-style-type: none"> <li>3. The district provides information to the Department that describes: <ol style="list-style-type: none"> <li>(a) ELE programs and activities;</li> <li>(b) a description of the progress made by students in learning English and academic content;</li> <li>(c) the number and percentage of students in the programs attaining English proficiency by the end of the school year; and</li> <li>(d) the description of academic progress made by the students.</li> </ol> </li> </ol> <p><b>Authority: M.G.L. c 71A; NCLB, Title III, Title VI; 603 CMR 14.03</b></p>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented                      District Response Required: No</b>

**Department of Education Findings:**

*The district is in the process of fully implementing an SEI program and has not developed a process for evaluating its SEI program.*

## COMPONENT IX: RECORD KEEPING

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

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

CRITERION NUMBER	SPECIAL EDUCATION IX. RECORD KEEPING	
	Legal Standard	
SE 57	<p><b>Special education child count</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The child count also includes students with disabilities determined eligible for special education who are attending private schools at private expense and are receiving publicly funded services according to IEPs developed by the district.</li> <li>3. The district does not include as part of its special education child count (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.</li> </ol> <p><b>State Regulations</b> 603 CMR 23.00</p> <p><b>Federal Requirements</b> 34 CFR 300.750-754; 300.145; 300.560-300.577 Family Educational Rights and Privacy Act (FERPA); 34 CFR 300.133</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Documentation review indicates some student IEPs are unsigned or have lapsed, which jeopardizes the accuracy of the district's child count.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>SE 58</b>	<p><b>Federal Special Education Entitlement Grant</b></p> <ol style="list-style-type: none"> <li>1. The district’s Special Education entitlement grant is designed by appropriate local administrators who are responsible for the implementation of the local special education programs and services.</li> <li>2. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education.</li> <li>3. Appropriate local administrators monitor the entitlement grant in an ongoing manner to ensure its full implementation as the Department of Education has approved it.</li> <li>4. The district has secured the approval of the Department of Education for all amendments prior to their implementation.</li> </ol> <p><b>State Regulations</b> 28.03(1)(e)</p> <p style="text-align: right;"><b>Federal Requirements</b> 34 CFR 300.230; 300.340-300.500</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	<b>TITLE 1 IX. RECORD KEEPING – General Requirements</b>
	<b>Legal Standard</b>
<b>TI 39</b>	<ol style="list-style-type: none"> <li>1. The district has submitted all required reports to the Department including the district Title I Plan/Application and Performance and Achievement Report.</li> <li>2. The district maintains appropriate Title I records in a central location or at each Title I school and keeps correspondence on file, including documentation for identifying schools eligible for Title I services (Target Area Selection) determining school allocations.</li> <li>3. Current information is made available to the Department regarding the allocation of Title I funds to schools and the rank order list and student selection criteria determined by the district.</li> </ol> <p>1113; 1116 (c)(1)(B) NCLB</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 40</b>	<p><b>Federal Title I Grant:</b></p> <ol style="list-style-type: none"> <li>1. The district’s Title I grant is developed by appropriate local administrators who are responsible for the implementation of the local Title I programs and services.</li> <li>2. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department, including those for grant amendments,</li> <li>3. Appropriate local administrators monitor the grant in an ongoing manner to ensure its full implementation as the Department has approved it.</li> </ol>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	<b>TITLE 1 IX. RECORD KEEPING – FISCAL REQUIREMENTS</b>
	<b>I. Maintenance of Effort</b>
	<b>Legal Standard</b>
<b>TI 1</b>	<p>The maintenance of effort fiscal test is of local and state expenditures, <i>not</i> of Title I or other federal expenditures.</p> <p>1120A(a); 9521 NCLB</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 2</b>	<p>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.</p> <p>1120A(a); 9521(a) NCLB</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	
	<b>II. Comparability</b>
	<b>Legal Standard</b>
<b>TI 3</b>	<p>1. Documentation of the district’s Comparability Report demonstrates annual compliance with the comparability requirement and is documented at least biennially.</p> <p>1120A(c)(3)(B) NCLB</p> <p>2. The district’s comparability fiscal test is a comparison of local and state funds in Title I schools and non-Title I schools, <i>not</i> a comparison of federal funds.</p> <p>1120A(c) NCLB</p> <p>3. The school district uses state and local funds in Title I schools that provide services that, taken as a whole, are at least comparable to services in non-Title I schools.</p> <p>1120A(c)(1)(A) NCLB</p> <p>4. If all of the district’s schools are Title I schools, the school district uses state and local funds to provide services that, taken as a whole, are substantially comparable in each school.</p> <p>1120A(c)(1)(B) NCLB</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>TI 4</b>	<p>1. The district has established and implemented the following requirements:</p> <ul style="list-style-type: none"> <li>a. a district-wide salary schedule;</li> <li>b. a policy to ensure equivalence among schools in teachers, administrators, and other staff; and</li> <li>c. a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.</li> </ul>

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>1120A(c)(2)(A) NCLB</p> <p>2. If the school district groups schools by grade-span for demonstrating comparability, the school district does so in a way that reflects the actual grade-spans of the school district.</p> <p>1120A(c)(1)(C) NCLB; Title I Policy Guidance IASA</p> <p>3. In applicable situations, the school district divides a grade-span with significant school enrollment differences into a large-group/small-group model.</p> <p>Title I Policy Guidance IASA</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>TI 5</b></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"> <li>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.</li> <li>b. Student/staff salary ratios: The Title I school averages are at least 90% of the average of non-Title I schools.</li> <li>c. Staff salary differentials for years of employment are not used in implementing requirements under criterion TI 5 (b) above.</li> </ul> <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><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 6</b>	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
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

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

**Department of Education Findings:**

*There are no private school allocations made.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 8 [Applicable to TAS]</b>	The district/school is able to demonstrate that the Title I funds have been used for the express purpose of serving those students who were identified as being in greatest need of Title I assistance based on the district's and school's Title I student selection criteria. 1115(a) NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>TI 9</b>  <b>[Applicable to Schoolwide Programs (SWP)]</b></p>	<p>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.</p> <p>1114(a)(1) NCLB</p> <p>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.</p> <p>1114(a)(2)(B) NCLB</p>
	<p><b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**Department of Education Findings:**

*The district does not have a schoolwide program.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>TI 10</b>  <b>(Exclusion)</b></p>	<p><i>If</i> 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.</p> <p>1120A 1120A(d)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>TI 11</b></p>	<p>In implementing federal Title I supplement, not supplant requirements, the district has developed and implemented a Supplement Not Supplant policy and procedures.</p>

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

<b>CRITERION NUMBER</b>	
	<b>IV. Other Fiscal Requirements</b>
	<b>Legal Standard</b>
<b>TI 12</b>	<p>The district maintains time and effort records for all Title I staff to document the time actually spent by staff on Title I activities.</p> <p>a. Full-time staff – Staff funded solely from the Title I grant sign semi-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>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 13</b>	The district has selected eligible schools in accordance with Title I requirements under this criterion.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	1113(a); 1113(b); 1113(c); NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 15</b>	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
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 16</b>	The final allocations to schools have been calculated in accordance with Title I

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	requirements, and the final allocation totals appropriately relate to the budget total. 1113(a); 1113(c)(2)(A) NCLB
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

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

**Department of Education Findings:**

*The private school has chosen not to participate in Title I.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>TI 18</b>	<p>Budgeting – The district budget process demonstrates appropriate Title I program planning and implementation consistent with identified student needs at each school.</p> <p>Note the following Department procedures in determining compliance under this criterion:</p> <p 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"> <li>1. Does the current year budget total correspond with the district’s entitlement together with any carryover? If not, obtain explanation.</li> <li>2. Does the current year budget total correspond with the total funds allocated on Form 1? If not, obtain explanation.</li> <li>3. Review the allocation for each school. Do the allocated dollars for each school approximate budget of personnel assigned to the</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>school as shown on the personnel list? During the school visit, determine whether the personnel are assigned and teaching the grades and subjects noted.</p> <p>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> <p>MADOE Title I Grant Application Instructions and Guidance</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	<b>SAFE AND DRUG FREE SCHOOLS IX. RECORD KEEPING</b>
	<b>Legal Standard</b>
<b>SDF 9</b>	<p>Appropriate accounting and budget procedures are being implemented to insure that program expenditures are related to the purpose and intent of the Safe and Drug Free Schools and Communities Act.</p> <p>[(EDGAR 76.730 to 734)]</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

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

CRITERION NUMBER	ENGLISH LEARNER EDUCATION IX. RECORD KEEPING	
	Legal Standard	
<b>ELE 18</b>	<p><b>Records of LEP Students</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. LEP student records include:               <ol style="list-style-type: none"> <li>(a) home language survey;</li> <li>(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;</li> <li>(c) information about students’ previous school experiences;</li> <li>(d) copies of progress reports and report cards;</li> <li>(e) evidence of follow-up monitoring (if applicable);</li> <li>(f) documentation of a parent’s notice to “opt-out” of English learner education; and</li> <li>(g) Individual Student Success Plans for students who have failed MCAS, if the district is required to complete plans for non-LEP students.</li> </ol> </li> </ol> <p><b>Authority: 603 CMR 23.05, 23.07; c 69, § 1I; Title VI</b></p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Education Findings:**

*Student record reviews indicate not all records contained the home language survey, and in some cases; progress reports and report cards were not contained in the record. A log of access was not attached or contained in the student folder. Lastly, there was no evidence of monitoring plans (where potentially necessary) or documentation of parental notices.*

## APPENDIX: SCHOOL DISTRICT PROFILE INFORMATION

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

# School 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>

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#### Organization Types

<b>Approved Special Education Schools</b>	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.
<b>Charter School</b>	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.
<b>Collaborative</b>	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.
<b>Collaborative Programs</b>	Regardless of the size of the individual collaborative, each school provides programs that its member districts demand.
<b>Private School</b>	A non-publicly funded school that provides educational services directly to attending students.
<b>Public School</b>	Public schools are administered by a Public School District, and provide educational services directly to attending students. Expenses are paid by state appropriation.

<b>Public School Districts</b>	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.

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

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