



Massachusetts Department of  
**ELEMENTARY & SECONDARY  
EDUCATION**

## **BOSTON PUBLIC SCHOOLS**

### **COORDINATED PROGRAM REVIEW REPORT OF FINDINGS**

**Dates of Onsite Visit: May 5-May 13, 2008**

**Date of Draft Report: September 16, 2008**

**Date of Final Report: October 21, 2008**

**Action Plan Due: December 10, 2008**

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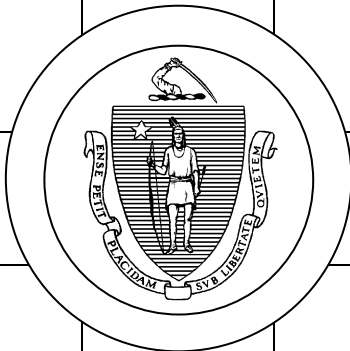
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION  
COORDINATED PROGRAM REVIEW REPORT  
BOSTON PUBLIC SCHOOLS**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  
**COORDINATED PROGRAM REVIEW REPORT**  
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**SCOPE OF COORDINATED PROGRAM REVIEWS**

As one part of its accountability system, the Department of Elementary and Secondary Education oversees local compliance with education requirements through the Coordinated Program Review (CPR). All reviews cover selected requirements in the following areas:

Civil Rights Methods of Administration and Other General Education Requirements (CR)

- selected 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 selected state requirements under M.G.L. c. 76, Section 5 (Chapter 622 of the Acts of 1971) and other Massachusetts General Laws.
- selected requirements from the Massachusetts Board of Education's Physical Restraint regulations (603 CMR 46.00).
- selected requirements from the Massachusetts Board of Education's Student Learning Time regulations (603 CMR 27.00).

English Learner Education (ELE) in Public Schools

- selected requirements from M.G.L. c. 71A, the state law that governs the provision of education to limited English proficient students, and 603 CMR 14.00, as well as the No Child Left Behind Act of 2001 and Title VI of the Civil Rights Act of 1964. During the 2007-2008 school year, all districts that enroll limited English proficient students will be reviewed using a combination of updated standards and a self-assessment instrument overseen by the Department's Office of Language Acquisition and Academic Achievement (OLAAA), including a request for information regarding ELE programs and staff qualifications.

Some reviews also cover selected requirements in:

Career/Vocational Technical Education (CVTE)

- career/vocational technical education programs under the federal Carl D. Perkins Vocational and Technical Education Act of 1998 and M.G.L. c. 74.

Districts providing Title I services participate in Title I program monitoring during the same year they are scheduled for a Coordinated Program Review. Details regarding the Title I program monitoring process are available at: <http://www.doe.mass.edu/titlei/monitoring>.

**COORDINATED PROGRAM REVIEW ELEMENTS**

**Team:** Depending upon the size of a school district and the number of programs 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.

**Timing:** Each school district and charter school in the Commonwealth is scheduled to receive a Coordinated Program Review every six years and a mid-cycle special education follow-up

visit three years after the Coordinated Program Review; about seventy-five school districts and charter schools are scheduled for Coordinated Program Reviews in 2007-2008. The Department's 2007-2008 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, including the Department's Mid-cycle follow-up monitoring schedule, is posted at <<<http://www.doe.mass.edu/pqa/review/cpr/6yrcycle.html>>>.

**Criteria:** The Program Review criteria for each program encompass the requirements that have been selected for review. The requirements selected for review in all of the regulated programs are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993 to promote student achievement and high standards for all students.

**Methods:** Methods used in reviewing programs include:

- Review of documentation about the operation of the charter school or district's programs.
- Interviews of administrative, instructional, and support staff across all grade levels.
- Interviews of parent advisory council (PAC) representatives and other interviews as requested by other parents or members of the general public.
- Review of student records for special education (and for student accommodation plans under Section 504), English learner education, and career/vocational technical education. The Department selects a representative sample of student records for the onsite team to review, using standard Department procedures, to determine whether procedural and programmatic requirements have been implemented.
- Surveys of parents of students with disabilities and parents of English learners. Parents of students with disabilities whose files are selected for the record review, as well as the parents of an equal number of other students with disabilities, are sent a survey that solicits information regarding their experiences with the district's implementation of special education programs, related services, and procedural requirements; parents of English learners whose files are selected for the record review are sent a survey of their experiences with the district's implementation of the English learner education program and related procedural requirements.
- Observation of classrooms and other facilities. The onsite team visits a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

*Note on collaborative programs and services.* Where the district is a member of a collaborative approved by the Department of Elementary and Secondary Education and is a site for programs or services operated by the collaborative, interviews, student record review, and observation of classrooms are conducted for the collaborative.

## **Report: Preparation:**

At the end of the onsite visit, the onsite team will hold an informal exit meeting to summarize its preliminary findings for the Superintendent or Charter School Leader and anyone else he or she chooses. Within approximately 45 business days of the onsite visit, the Onsite Chairperson will forward to the Superintendent or Charter School Leader (and Collaborative Director where applicable) a Draft Report containing specific findings from the Program Review. The district (and collaborative) will then have 10 business days to review the report for factual accuracy before the publication of a Final Report. The Final Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department's website at <<http://www.doe.mass.edu/pqa/review/cpr/reports/>>.

### **Content:**

*Ratings.* The onsite team gives a rating for each compliance criterion it reviews; those ratings are "Commendable," "Implemented" (meaning at least substantially implemented), "Implementation in Progress," "Partially Implemented," "Not Implemented" (meaning at least substantially not implemented), and "Not Applicable." "Implementation in Progress," used for criteria containing new legal requirements, means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year.

*Findings.* The onsite team includes a finding for each criterion that it rates "Commendable," "Partially Implemented," or "Not Implemented," explaining the basis for the rating. It may also include findings for other criteria.

**Response:** Where criteria are found "Partially Implemented" or "Not Implemented", the district or charter school must propose corrective action to bring those areas into compliance with the relevant statutes and regulations. This corrective action plan will be due to the Department within 30 business days after the issuance of the Final Report and is subject to the Department's review and approval.

As the school or district is implementing the approved corrective action, Department staff will provide ongoing technical assistance. To assist in the implementation of corrective action related to the area of special education, schools and districts may apply for limited special education technical assistance funds. **School districts and charter schools must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department's Final Program Review Report.**

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

## REPORT INTRODUCTION

A 12-member Massachusetts Department of Elementary and Secondary Education team visited the Boston Public Schools during the week of May 5, 2008 to evaluate the implementation of selected criteria in the program areas of civil rights and other related general education requirements, English learner education, and career/vocational technical education. 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 Boston Public Schools. These areas are as follows:

*The district makes high quality professional development available to all staff members.*

*Some of the commendations noted above are repeated within the body of the Department's report under the appropriate compliance criteria.*

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 the following Department program review methods:

- Interviews of 34 administrative staff.
- Interviews of 147 teaching and support services staff across all levels.
- Interviews of one parent advisory council (PAC) representatives.
- Student record reviews: the Department selected a sample of 60 student records. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Elementary and Secondary Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Surveys of parents of ELE students: Seventy-three parents of ELE students were sent surveys that solicited information about their experiences with the district's implementation of English learner education programs, services, and procedural requirements. Seven of these parent surveys were returned to the Department of Elementary and Secondary Education for review.
- Observation of classrooms and other facilities. A sample of 32 school facilities and their instructional classrooms used in the delivery of programs and services were 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:

- Component I: Assessment of Students**
- Component II: Student Identification and Program Placement**
- Component III: Parent and Community Involvement**
- Component IV: Curriculum and Instruction**
- Component V: Student Support Services**
- Component VI: Faculty, Staff and Administration**
- Component VII: Facilities**
- Component VIII: Program Evaluation**

## **Component IX: Recordkeeping and Fund Use**

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 Compliance Ratings” 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” or “Implementation in Progress” but made a specific comment on the district’s implementation methods that also requires 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.

**BOSTON PUBLIC SCHOOLS**

**SUMMARY OF COMPLIANCE CRITERIA INCLUDED IN THIS REPORT  
REQUIRING CORRECTIVE ACTION**

<b>PROGRAM AREA</b>	<b>PARTIALLY IMPLEMENTED</b>	<b>NOT IMPLEMENTED</b>	<b>OTHER CRITERIA REQUIRING RESPONSE</b>
<b>Civil Rights and Other General Education Requirements</b>	CR 3, CR 7A, CR 7B, CR 10A, CR 12A, CR 16, CR 17A, CR 20, CR 21 & CR 25		
<b>English Learner Education</b>	ELE 3, ELE 4, ELE 5, ELE 6, ELE 8, ELE 9, ELE 10, ELE 11, ELE 12, ELE 13, ELE 14, ELE 17 & ELE 18		
<b>Career/Vocational Technical Education</b>	CVTE 1, CVTE 2, CVTE 3, CVTE 4, CVTE 5, CVTE 6, CVTE 7, CVTE 8, CVTE 9, CVTE 10, CVTE 12, CVTE 13, CVTE 14, CVTE 15, CVTE 16, CVTE 17, CVTE 18, CVTE 19, CVTE 22, CVTE 23, CVTE 24, CVTE 25, CVTE 27, CVTE 28, CVTE 31, CVTE 32, CVTE 33 & CVTE 35		

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



## DEFINITION OF COMPLIANCE RATINGS

<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 in all important aspects.
<b>Implementation in Progress</b>	The requirement includes one or more new federal special education requirements that became effective with the federal regulations on October 13, 2006. The district or charter school has implemented any previous requirements included in the criterion and is currently engaged in staff training and/or is beginning implementation practices for new requirements which the Department's onsite team anticipates will result in substantial compliance by the end of the 2007-2008 school year.
<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.

**CIVIL RIGHTS  
METHODS OF ADMINISTRATION (CR)  
AND  
OTHER RELATED GENERAL EDUCATION  
REQUIREMENTS**

**LEGAL STANDARDS,  
COMPLIANCE RATINGS AND  
FINDINGS**

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS II. STUDENT IDENTIFICATION AND PLACEMENT
	<b>Legal Standard</b>
<b>CR 3</b>	<p><b>Access to a full range of education programs</b> All students, regardless of race, color, sex, religion, national origin, sexual orientation, disability, or homelessness, have equal access 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 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews, the document review, and student record review, not all students identified as limited English proficient receive English Language Education services. The onsite Team identified that not all schools are ELE program schools, thus, a parent who prefers to send their child to a school that does not have an English language learner program, must elect to “opt-out” of providing an ELL program to their child in order to attend the school of choice.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>CR 4</b>	<p><b>Placement of female students, male students, homeless students, students with disabilities, and students from linguistic and racial/ethnic groups</b> Patterns of placement in district programs and services for female students, male students, homeless students, students with disabilities, and students from various linguistic and racial/ethnic groups are consistent with patterns of placement for other students. 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: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

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

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS III. PARENTAL INVOLVEMENT</b>
	<b>Legal Standard</b>
<b>CR 7</b>	<p><b>Information to be translated into languages other than English</b></p> <ol style="list-style-type: none"> <li>1. Important information and documents, e.g. handbooks and codes of conduct, being distributed to parents are translated into the major languages spoken by parents or guardians with limited English skills; the district has established a system of oral interpretation to assist parents/guardians with limited English skills, including those who speak low-incidence languages.</li> <li>2. School or program recruitment and promotional materials being disseminated to residents in the area served by the school or program are translated into the major languages spoken by residents with limited English</li> </ol>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS III. PARENTAL INVOLVEMENT</b>	
	<b>Legal Standard</b>	
	skills. Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)	
	<b>Rating: Implemented</b>	<b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS IV. CURRICULUM AND INSTRUCTION</b>	
	<b>Legal Standard</b>	
<b>CR 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, § 1G; 603 CMR 27.03, 27.04</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to interviews and document review, eight elementary schools do not provide the minimum of 900 hours per school year of structured learning time, and four secondary schools do not provide the minimum of 990 hours per school year of structured learning time. Please see Appendix “A” attached to his report.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>CR 7B</b></p>	<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, § 1G; 603 CMR 27.02, 27.04</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Elementary and Secondary Education Findings:**

*According to interviews and document review, eight elementary schools do not provide the minimum of 900 hours per school year of structured learning time, and four secondary schools do not provide the minimum of 990 hours per school year of structured learning time. Additionally, according to the document review, 29 schools across all levels do not offer physical education to students attending their programs. Please see Appendix “A” attached to his report.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>CR 7C</b>	<p><b>Early release of high school seniors</b>  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 a way 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, § 1G; 603 CMR 27.05</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>CR 8</b>	<p><b>Accessibility of extracurricular activities</b>  Extracurricular activities sponsored by the district are nondiscriminatory in that:</p> <ol style="list-style-type: none"> <li>1. the school provides equal opportunity for all students to participate in intramural and interscholastic sports;</li> <li>2. extracurricular activities or clubs sponsored by the school do not exclude students on the basis of race, sex, color, religion, national origin, sexual orientation, disability, or homelessness.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.41; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37(a), (c); Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title X, Part C, Sec. 721; Mass. Const. amend. art 114; M.G.L. c. 76, § 5; 603 CMR 26.06</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>CR 9</b>	<p><b>Hiring and employment practices of prospective employers of students</b></p> <ol style="list-style-type: none"> <li>1. The district requires employers recruiting at the school to sign a statement that the employer complies with applicable federal and state laws prohibiting discrimination in hiring or employment practices.</li> <li>2. Prospective employers to whom this criterion applies include those participating in career days and work-study and apprenticeship training programs, as well as those offering cooperative work experience.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(1),(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.38; Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(1)(v), 104.37(a); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(1)(v); M.G.L. c. 76, § 5; 603 CMR 26.07(5)</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
<b>CR 10A</b>	<p><b>Student handbooks and codes of conduct</b></p> <ol style="list-style-type: none"> <li>1. <ol style="list-style-type: none"> <li>a) The district has a code of conduct for students and one for teachers.</li> <li>b) 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.</li> <li>c) The principal of every school containing other grades distributes the district's student code of conduct to students, parents, and personnel annually.</li> <li>d) At the request of a parent or student whose primary language is not English, a student handbook or student code of conduct is translated into that language.</li> </ol> </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. Student 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, and affirms the school's non-tolerance for harassment based on race, color, national origin, sex, religion, or sexual orientation, or discrimination on those same bases;</li> </ol> </li> </ol>



CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS V. STUDENT SUPPORT SERVICES</b>
	<b>Legal Standard</b>
	b) the school’s procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and c) the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred.  Section 504; M.G.L. c. 71, § 37H; 603 CMR 26.08
	<b>Rating: Partially Implemented                      District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to the document review, the district’s parent and student handbook does not contain a description of appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans. The handbook entry on discipline for students with disabilities and 504 plans refers the reader to the district’s website and Superintendent Circular USS-15. Alternatively, the handbook refers the parent to the Notice of Parental Rights and/or the student’s school. Therefore, parents without internet access are unable to access the disciplinary procedures for students with disabilities.*

CRITERION NUMBER	<b>Legal Standard</b>
<b>CR 11A</b>	<b>Designation of coordinator(s); grievance procedures</b> 1. The district has designated one or more staff persons to serve as coordinator(s) for compliance with its responsibilities under Title IX, Section 504, and (if it employs 50 or more persons) Title II. 2. The district has adopted and published grievance procedures for students and for employees providing for prompt and equitable resolution of complaints alleging discrimination based on sex or disability.  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
	<b>Rating: Implemented                                      District Response Required: No</b>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>CR 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 CR 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 CR 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, § 5; 603 CMR 26.02(2)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Elementary and Secondary Education Findings:**

*The document review demonstrated that the district's parent and student handbook does not include the names of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504.*

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

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>CR 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 guidance and counseling in a language they understand;</li> <li>5. support students in educational and occupational pursuits that are nontraditional for their gender.</li> </ol> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37; Title II: 42 U.S.C. 12132; 28 CFR 35.130, 35.160; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 721; Mass. Const. amend. art. 114; M.G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.04, 26.07(8)</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	
	Legal Standard
CR 15	<p><b>Non-discriminatory administration of scholarships, prizes and awards</b>  Scholarships, prizes and awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability.  Schools may post or print information regarding private restricted scholarships as long as no preferential treatment is given to any particular scholarship offered and as long as the school does not endorse or recommend any such scholarship nor advise or suggest to a particular student that he or she apply for such a scholarship.</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, § 5; 603 CMR 26.07(7)</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	
	Legal Standard
CR 16	<p><b>Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion</b></p> <ol style="list-style-type: none"> <li>1. Within ten days from a student’s fifteenth consecutive unexcused absence, the school provides written notice to students age 16 or over and their parents or guardians. The notice is in English and the family’s native language and states that the student and the parent or guardian may meet with a representative of the district within ten days from the date the notice was sent. At the request of the parent or guardian, the district may consent to an extension of the time for the meeting of not longer than fourteen days.</li> <li>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.</li> <li>3. Any district serving students in high school grades sends annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school <ol style="list-style-type: none"> <li>a) to inform them of the availability of publicly funded post-high school</li> </ol> </li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>academic support programs and  b) to encourage them to participate in those programs.  At a minimum, the district sends annual written notice by first class mail to the last known address of each such student who attended a high school in the district within the past two years.</p> <p>M.G.L. c. 76, §§ 5, 18; St. 1965, c. 741</p>
	<b>Rating: Partially Implemented      District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*The document review indicated that while the district has a project to reconnect students who have left the district without a diploma, there is no indication that students are sent this information annually. Additionally, the district provided a copy of their written notice to students and parents or guardians in English, Spanish, and Chinese, but it is not clear that students are contacted within ten days from the student's fifteenth consecutive unexcused absence.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>CR 17</b>	<p><b>Screening for vision, hearing and posture</b>  Provision is made for ongoing and periodic screening of all students as required by the Department of Public Health (vision, hearing, and posture).</p> <p>M.G.L. c. 71, s. 57</p>
	<b>Rating: Implemented      District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>CR 17A</b>	<p><b>Use of physical restraint on any student enrolled in a publicly-funded education program</b>  1. The district has developed and implemented staff training at least annually on the use of restraint consistent with regulatory requirements. Such training</p>

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>occurs within the first month of each school year and, for employees hired after the school year begins, within a month of their employment.</p> <p>2. The district administers physical restraint on students only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm. The district implements restraint procedures consistent with Department of Elementary and Secondary Education regulations in order to prevent or minimize any harm to the student as a result of the use of physical restraint.</p> <p>3. The district has developed written procedures regarding appropriate responses to student behavior that may require immediate intervention. Such procedures are annually reviewed and provided to school staff and made available to parents of enrolled students.</p> <p>4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department of Elementary and Secondary Education consistent with the regulations.</p> <p>5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations.</p> <p>M.G.L. c. 71, § 37G; 603 CMR 46.00</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Elementary and Secondary Education Findings:**

*Interviews indicated that long-term substitute teachers do not receive the required training on the district's written policies and procedures as part of their preparation as long-term substitutes.*

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>CR 18</b>	<p><b>Responsibilities of the school principal</b></p> <p>1. Instructional support. The principal in each of the district's schools promotes instructional practices responsive to student needs and ensures that adequate instructional support is available for students and teachers. Instructional support includes remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of M.G.L. c. 71B, §2. The principal consults with the Administrator of Special Education regarding accommodations and interventions for students. Such efforts and their results are documented and placed in the student record. Additionally, when an individual student is referred for an evaluation to determine eligibility for special education, the principal ensures that</p>

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
	<p>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.</p> <p>2. Curriculum Accommodation Plan. The principal implements a curriculum accommodation plan developed by the district's general education program to ensure that all efforts have been made to meet the needs of diverse learners in the general education program. The plan assists the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the general education program including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning. The plan includes provisions encouraging teacher mentoring and collaboration and parental involvement. <i>(The plan may be part of a multi-year strategic plan.)</i></p> <p>3. Coordination with special education. The principal with the assistance of the Administrator of Special Education coordinates the delivery and supervision of special education services within each school building.</p> <p>4. Educational services in home or hospital. Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal coordinates such services with the Administrator for Special Education for eligible students. Such educational services are not 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>M.G.L. c. 71, § 38Q ½; 603 CMR 28.03(3)</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION</b>
	<b>Legal Standard</b>
<b>CR 18A</b>	<b>School district employment practices</b> District employment practices in general are free from discrimination on the basis of

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION</b>		
	<b>Legal Standard</b>		
	<p>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:</b>	<b>No</b>

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>CR 20</b>	<p><b>Staff training on confidentiality of student records</b> The district trains school personnel on the provisions of the Family Educational Rights and Privacy Act, M.G.L. c. 71, s. 34H, and 603 CMR 23.00 and on the importance of information privacy and confidentiality.</p> <p>FERPA: 20 U.S.C. § 1232g; 34 CFR Part 99; M.G.L. c. 71, § 34H; 603 CMR 23.00, esp. 23.05(3)</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews, long-term substitute teachers do not receive staff training on confidentiality of student records before they are assigned to positions within schools.*

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



<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	U.S.C. 1681; 34 CFR 106.31-106.42; M.G.L. c. 76, § 5; 603 CMR 26.00, esp. 26.07(2), (3)		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>No</b>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews, long-term substitute teachers do not receive staff training on civil rights responsibilities before they are assigned to positions within schools.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VII. SCHOOL FACILITIES</b>		
	<b>Legal Standard</b>		
<b>CR 22</b>	<p><b>Accessibility of district programs and services for students with disabilities</b> 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; 603 CMR 28.03(1)(b)(1)</p>		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

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

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VIII. PROGRAM PLAN AND EVALUATION</b>
	<b>Legal Standard</b>
<b>CR 24</b>	<p><b>Curriculum review</b> The district ensures that individual 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, § 5; 603 CMR 26.05(2)</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>CR 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, § 7; c. 76, § 5; 603 CMR 26.07(1),(4)</p>
	<p><b>Rating: Partially Implemented</b> <span style="float: right;"><b>District Response Required: Yes</b></span></p>

**Department of Elementary and Secondary Education Findings:**

*The documentation review indicated that although the district submitted an analysis of its SIMS data, there is no indication that the district annually evaluates all aspects of its K-12 program to ensure that students within protected classes have equal access to all programs, including athletics and other extracurricular activities. Please see ELE 11 for additional information.*

<b>CRITERION NUMBER</b>	<b>CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS IX. RECORD KEEPING</b>
	<b>Legal Standard</b>
<b>CR 26A</b>	<p><b>Confidentiality and student records</b></p> <ol style="list-style-type: none"> <li>1. In accordance with federal and state requirements, the district protects the confidentiality of any personally identifiable information that it collects, uses or maintains.</li> <li>2. The district maintains and provides access to student records in accordance with federal and state requirements.</li> </ol> <p>FERPA: 20 U.S.C. § 1232g; 34 CFR Part 99; M.G.L. c. 71, § 34H; 603 CMR 23.05, 23.07</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span></p>

**ENGLISH LEARNER EDUCATION**

**LEGAL STANDARDS,  
COMPLIANCE RATINGS AND  
FINDINGS**

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: right;">Authority: NCLB, Title I and Title III; M.G.L. c. 71A, § 7; 603 CMR 14.02</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>ELE 2</b>	<p><b>MCAS</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: right;">Authority: NCLB, Title I, Title VI; M.G.L. c. 69, § 1I; c. 71A, § 7</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>District Response Required: No</b></span>

CRITERION NUMBER	ENGLISH LEARNER EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT
	<b>Legal Standard</b>
<b>ELE 3</b>	<p><b>Initial Identification</b></p> <p>The district uses qualified staff and appropriate procedures and assessments to identify students who are limited-English-proficient and to assess their level of English proficiency in reading, writing, speaking, and listening.</p>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT</b>	
	<b>Legal Standard</b>	
	Authority: Title VI; EEOA; M.G.L. c. 71A, §§ 4, 5; 603 CMR 14.02; M.G.L. c. 76, § 5; 603 CMR 26.03	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to interviews, document review, and student records, concerns with the district’s initial identification process are as follows: 1) pre-K-6<sup>th</sup> grade students are not assessed in all four modalities (listening and speaking only); 2) not all staff members working at the Assessment Centers were appropriately qualified to perform assessments; 3) depending on the language, placement of students into programs could vary from a couple of days to two or more weeks; and 4) parents were told to opt out of ELE services at the assessment centers if they chose a non-program school.*

<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 considered based on parent request, providing the parent annually visits the school and provides written informed consent. Parents must be informed of their right to apply for a waiver and 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 an educationally recognized and legally permitted English language learner program other than a sheltered English immersion or two-way bilingual program. See 603 CMR 14.04 and ELE 5.</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	Authority: M.G.L. c. 71A, § 5; 603 CMR 14.04(3)
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews, the waiver process happens centrally at the Parent Resource Center/Assessment Center/Newcomer Center and not at the school level, and thus does not involve the principal of the school.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>ELE 5</b>	<p><b>Program Placement and Structure</b></p> <p><i>1. The district places LEP students in</i></p> <ul style="list-style-type: none"> <li>a. “sheltered English immersion” (SEI) classrooms (SEI has two components, English as a Second Language (ESL)/English Language Development (ELD) instruction and sheltered content instruction as described in M.G.L. c. 71A, §§ 2 and 4); or</li> <li>b. “two-way bilingual” classrooms, in which students develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of an equal number of proficient English speakers and proficient speakers of the other language; or</li> <li>c. (for kindergarten students) either a sheltered English immersion, two-way bilingual, or an English-only language general education classroom with assistance in English language acquisition, including, but not limited to, ESL; or</li> <li>d. (as a result of an approved waiver) bilingual education or another educationally recognized and legally permitted English language learner program, in which the students are taught all courses required by law and by the school district.</li> </ul> <p>2. Regardless of the program model, districts provide LEP students with content instruction that is based on the Massachusetts Curriculum Frameworks.</p> <p>3. Regardless of the program model, districts provide ESL/ELD instruction that is based on the English Language Proficiency Benchmarks and Outcomes.</p> <p>4. The district uses assessment data to plan and implement educational programs for students at different instructional levels.</p> <p style="text-align: center;">Authority: Title VI; EEOA; M.G.L. c. 71A, §§ 2, 4, 7</p>

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

**Department of Elementary and Secondary Education Findings:**

1. *For the past four years, the district reported approximately 4,000 students as “opt out” and receiving no ESL/ELD instruction. Interviews and observations conducted during the onsite review confirmed that ELL students in many of the schools visited were not receiving ESL/ELD instruction.*
2. *The district did submit an ESL/ELD Curriculum that is aligned with the English Language Proficiency Benchmarks and Outcomes. However, interviews and observations showed that many of the teachers providing ESL instruction were not familiar with the curriculum or were not using it to guide their instruction.*
3. *In what the district refers to as “program schools,” ELLs typically receive sheltered instruction delivered by teachers who have received SEI professional development. English language learners who are not in SEI programs in “program schools” typically do not receive sheltered content instruction*

<b>CRITERION NUMBER</b>	
	<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 he or she is deemed English proficient and can participate meaningfully in all aspects of the district’s general education program without the use of adapted or simplified English materials.</li> <li>2. Districts do not limit or cap the amount of time in which an LEP student can remain in a language support program. An LEP student only exits from such a program after he or she is determined to be proficient in English.</li> </ol> <p style="text-align: center;">Authority: Title VI; EEOA; M.G.L. c. 71A, § 4</p>



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

**Department of Elementary and Secondary Education Findings:**

*The district has a written policy and procedures describing the reclassification process. These procedures are not uniformly understood and implemented even in the “program schools.” Principals and teachers in “non-program” schools have little knowledge of the reclassification process, and therefore rarely apply it to ELL students in their buildings. The district does not cap the amount of time in which an ELL student can remain in a language support program.*

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION III. PARENTAL INVOLVEMENT</b>
	<b>Legal Standard</b>
<b>ELE 7</b>	<p><b>Parent Involvement</b> The district develops ways to include parents or guardians of LEP students in matters pertaining to their children’s education.</p> <p style="text-align: center;">Authority: Title VI; EEOA</p>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION IV. CURRICULUM AND INSTRUCTION</b>
	<b>Legal Standard</b>
<b>ELE 8</b>	<p><b>Declining Entry to a Program</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.</p> <p style="text-align: center;">Authority: Title VI; EEOA; M.G.L. c. 71, §38Q1/2</p>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION IV. CURRICULUM AND INSTRUCTION</b>	
	<b>Legal Standard</b>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews and student records, parents were asked to opt out if they chose a non-program school or if the SEI program of choice was oversubscribed. According to interviews, school staff members were not aware of which students had opted out, as no documentation for these students was available. If students were not in SEI, they received no instructional supports of any kind. Few general education teachers in non-program schools had participated in SEI training.*

<b>CRITERION NUMBER</b>		
	<b>Legal Standard</b>	
<b>ELE 9</b>	<p><b>Instructional Grouping</b></p> <ol style="list-style-type: none"> <li>1. The district only groups LEP 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 and that ESL/ELD instruction is at the appropriate proficiency level and based on the English Language Proficiency Benchmarks and Outcomes.</li> </ol> <p>Authority: Title VI; EEOA; M.G.L. c. 71A, § 4</p>	
	<b>Rating: Partially Implemented</b>	<b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*In most cases, ELL students who receive ESL instruction receive this instruction in classrooms organized around the English proficiency of the students. As noted in ELE 5, however, many ELLs in the district do not receive any ESL instruction. ELL students receive content instruction appropriate for their grade level.*

<b>CRITERION NUMBER</b>	
	<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 any ELE program, and annually thereafter, 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 8).</li> </ol>               (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.)             </li> <li>2. The district provides 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 are, to the maximum extent possible, written in a language understandable to the parent/guardian.</li> </ol> <p style="text-align: center;">Authority: NCLB, Title III; M.G.L. c. 71A, § 7; 603 CMR 14.02</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Elementary and Secondary Education Findings:**

*According to document review and staff interviews, the district used Language Assessment Team (LAT) meetings in lieu of the annual parent notification letter. Although this meeting generated a similar document, parents did not always attend these meetings. Additionally, the document generated by the annual LAT meeting does not contain all of the required notification elements. Staff members at some schools reported that report cards were not consistently translated. Additionally, parents did not receive progress reporting on students’ language acquisition development.*

<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 where programmatically 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 academic courses.</li> <li>3. The district ensures that LEP students have the opportunity to receive support services, such as guidance and counseling, in a language that the student understands.</li> <li>4. The district ensures that LEP students are taught to the same academic standards and curriculum as all students, and provides the same opportunities to master such standards 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 uses grade appropriate content objectives for LEP students that are based on the district curricula in English language arts, history and social science, mathematics, and science and technology/engineering, taught by qualified staff members.</li> <li>6. Reserved</li> <li>7. The district provides access to the full range of academic opportunities and supports afforded non-LEP students, such as special education services, Section 504 Accommodation Plans, Title I services, career and technical education, and the supports outlined in the district’s curriculum accommodation plan.</li> <li>8. Information in notices such as activities, responsibilities, and academic standards provided to all students is provided to LEP students in a language and mode of communication that they understand.</li> </ol> <p>Authority: Title VI; EEOA; M.G.L. c. 71, § 38Q1/2; 603 CMR 28.03(3)(a); c. 71A, § 7; c. 76, § 5; 603 CMR 26.03; 603 CMR 26.07(8)</p>
	<p><b>Rating: Partially Implemented</b>                      <b>District Response Required: Yes</b></p>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews and the student record review, students opted out of SEI were not taught to the same academic standards and curriculum as other students. These students were not provided the opportunity to enter academically advanced classes, receive credit for work completed, and could not have access to the full range of programs. Staff members at some program and non-program schools reported difficulty with providing students with counseling services in their native languages. According to staff, the Students with Interrupted Formal Education literacy program (SIFE) for newcomers to the United States does not have benchmarks, and students do not receive credits for this program.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>ELE 12</b>	<p><b>Equal Access to Nonacademic and Extracurricular Programs</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Information provided to students about extracurricular activities and school events is provided to LEP students in a language they understand.</li> </ol> <p>Authority: Title VI; EEOA; M.G.L. c. 76, § 5; 603 CMR 26.06(2)</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Please see findings under CVTE 17 and 24.*

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
<b>ELE 13</b>	<p><b>Follow-up Support</b></p> <p>The district actively monitors students who have exited an English learner education program for two years and provides language support services to those students, if needed.</p> <p>Authority: Title VI; EEOA; NCLB, Title III</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews and student records, students designated as formerly limited English proficient (FLEP) are not monitored for continued academic progress once they exit from a program.*

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
<b>ELE 14</b>	<p><b>Licensure Requirements</b></p> <ol style="list-style-type: none"> <li>1. Reserved.</li> <li>2. Teachers and educational staff who teach limited English proficient students hold the appropriate licenses or current waivers issued by the Department of Elementary and Secondary Education. Districts have certified and qualified staff in their ELE program.</li> <li>3. If any district has a director of English language learner programs who is employed in that position for one-half time or more, that director has a Supervisor/Director license and an English as a Second Language, Transitional Bilingual Education, or English Language Learners license.</li> <li>4. If a district with 200 or more LEP students has a director of English language learner programs, that director has an English as a Second Language, Transitional Bilingual Education, or English Language Learners license even if he or she is employed in that position for less than one-half time.</li> </ol> <p>Authority: Title VI; EEOA; M.G.L. c. 71, § 38G; St. 2002, c. 218, § 25</p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Approximately two-thirds of teachers providing ESL instruction are licensed in ESL, and approximately one-third of teachers providing ESL instruction are not licensed in ESL. The district has provided substantial SEI PD in “program” schools, and many teachers in those schools have completed all or most of the required SEI PD. Most teachers in “non-program” schools have not participated in SEI PD, and are not qualified to shelter content instruction. The district submitted a survey distributed to principals asking them to determine the literacy and fluency of teachers in their buildings. The district submitted the results of that survey. There is no indication, however, that principals/headmasters were given or applied consistent criteria to make the determination of literacy and fluency. The materials submitted by the district do not constitute a policy for determining literacy and fluency.*

CRITERION NUMBER	Legal Standard		
<b>ELE 15</b>	<p><b>Professional Development Requirements</b></p> <p>District schools with LEP students implement a professional development plan that provides teachers and administrators with high quality training, as prescribed by the Department, in (1) second language learning and teaching; (2) sheltering content instruction; (3) assessment of speaking and listening; and (4) teaching reading and writing to limited English proficient students. The school provides</p>		

<b>CRITERION NUMBER</b>			
	<b>Legal Standard</b>		
	<p>training opportunities to teachers of LEP students that ensure the progress of LEP students in developing oral comprehension, speaking, reading, and writing of English, and in meeting academic standards.</p> <p style="text-align: center;">Authority: NCLB, Title III</p>		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION VII. SCHOOL FACILITIES</b>		
	<b>Legal Standard</b>		
<b>ELE 16</b>	<p><b>Equitable Facilities</b> The district ensures that LEP students are provided facilities, materials and services comparable to those provided to the overall student population.</p> <p style="text-align: center;">Authority: Title VI; EEOA; M.G.L. c. 76, § 5; 603 CMR 26.07</p>		
	<b>Rating: Implemented</b>	<b>District Response Required:</b>	<b>No</b>

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION VIII. PROGRAM PLAN AND EVALUATION</b>		
	<b>Legal Standard</b>		
<b>ELE 17</b>	<p><b>Program Evaluation</b> The district conducts periodic evaluations of the effectiveness of its ELE program in developing students' English language skills and increasing their 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.</p> <p style="text-align: center;">Authority: Title VI; EEOA</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: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to staff interviews, document review, and student records, the district has not conducted a systematic evaluation of the effectiveness of its ELE program in developing students' English language skills and increasing their ability to participate meaningfully in the educational program.*

<b>CRITERION NUMBER</b>	<b>ENGLISH LEARNER EDUCATION IX. RECORD KEEPING</b>
	<b>Legal Standard</b>
<b>ELE 18</b>	<p><b>Records of LEP Students</b> LEP student records include:</p> <ul style="list-style-type: none"> <li>(a) home language survey;</li> <li>(b) results of identification and proficiency tests and evaluations, including MELA-O, MEPA, MCAS, or other tests chosen by the Board of Education and the district;</li> <li>(c) information about students' previous school experiences;</li> <li>(d) copies of parent notification letters, progress reports and report cards (in the native language, if necessary);</li> <li>(e) evidence of follow-up monitoring (if applicable);</li> <li>(f) documentation of a parent's consent to "opt-out" of English learner education, if applicable;</li> <li>(g) waiver documentation, if applicable; and</li> <li>(h) Individual Student Success Plans for students who have failed MCAS, if the district is required to complete plans for non-LEP students.</li> </ul> <p>Authority: Title VI; EEOA; M.G.L. c. 69, § 1I; c. 71A, §§ 5, 7; 603 CMR 14.02, 14.04</p>
	<b>Rating: Partially Implemented                      District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*According to student record review and staff interviews, school principals and other school-level personnel have access to on-line student records; therefore, the actual paper student files were often incomplete. Student records rarely included home language surveys; year-to-year results from the MEPA or MELA-O assessments; information about students' previous schooling; copies of parent notification letters and progress reports in English or the native language; documentation of the parent's consent to opt-out; or waiver documentation when applicable. In addition, school-level staff rarely had access to initial placement scores or documents such as the home language survey, signed opt-out forms, and/or ELD results for LEP students.*



**CAREER/VOCATIONAL TECHNICAL  
EDUCATION**

**LEGAL STANDARDS,  
COMPLIANCE RATINGS AND  
FINDINGS**

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION I. ASSESSMENT OF STUDENTS
	Legal Standard
CVTE 1	Appropriate career assessments are administered to students who are admitted to career/vocational technical education programs during the early part of their first year in the program. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03(4)</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and review of documentation reveal that only some ninth through tenth grade students at Madison Park Technical Vocational High School did Career Cruising in school year 2008. It was administered to some ninth grade students following their exploratory rotations. See also CVTE 2.*

CRITERION NUMBER	
	Legal Standard
CVTE 2	MCAS and/or other appropriate academic assessment results, as well as career assessment results are used to tailor instructional and support services and improve programs. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03(4)</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and review of documentation reveal that neither career assessments nor Career Plans are currently in place for all students. See also CVTE 1, CVTE 10, and CVTE 35.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 3</b>	Methods of measuring the acquisition by students of safety & health, technical, academic (including embedded academic), employability, management & entrepreneurship, and technological knowledge and skills are appropriate. <i>Perkins Section 135, M.G.L. c.74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4)</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and review of documentation indicates that while some staff training in competency tracking occurred, current methods vary from program to program. Further, while competency attainment checklists are completed for students as part of their senior project, review of student records showed some incomplete task/competency lists and checklists where NA (Not Applicable) was written across both “employability skills” and “technological skills.” Also see findings under CVTE 18.*

<b>CRITERION NUMBER</b>	<b>CAREER/VOCATIONAL TECHNICAL EDUCATION II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT</b>
	Legal Standard
CVTE 4	Information concerning career/vocational technical education programs is provided to students and to their parents/guardians. Such information shall include admission requirements for career/vocational technical programs; specific programs/courses that are available; employment and/or further education and registered apprenticeship opportunities. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03 (4) (6).</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Review of documentation indicates that both the Madison Park Technical Vocational High School (MPVTHS) Parent/Student Handbook and the MPVTHS Program of Studies contain inaccurate information regarding the district’s career/vocational technical education programs and services including:*

- *Several programs and services at MPVTHS are not described, or only partially described in the MPVTHS Program of Studies This includes the cooperative education program and policy, Supportive Training to Reach Independence through Vocational Training (STRIVE) and other paid and unpaid work-based experiences, Youth Educational Services (YES), articulation credits, and registered apprenticeships.*
- *Information on cooperative education found in the MPTVHS Parent/Student Handbook is not consistent. For example, some programs require a minimum B grade average while others*

require a minimum C grade average. A form in the parent/student handbook must be signed by both student and parent/guardian, and appears to be advance consent to Criminal Offender Record Information (CORI) of students.

- The Parent/Student Handbook states that to enroll in Cosmetology a student must be sixteen years of age, that programs are filled on a first-come first-serve basis, and indicates individual requirements for program placement.
- The MPTVHS Parent/Student Handbook includes the statement, “Students who do not pass the exploratory program may not be able to continue at Madison Park Technical Vocational High School.” School districts shall not "terminate", "involuntarily transfer", or "send back" students from the school except as provided in M.G.L.c.71 section 37H, 37H 1/2 or M.G.L. c. 76, § 17 that deals with student behavior.

See also CVTE 17 and CVTE 18.

CRITERION NUMBER			
CVTE 5	<p style="text-align: center;">Legal Standard</p> <p>All individuals including those who are members of special populations are provided with equal access to career/vocational technical education programs, services and activities and are not discriminated against on the basis of their status as members of special populations or race, color, gender, religion, national origin, English language proficiency, disability, or sexual orientation. <i>Perkins Sections 122 &amp; 135, Vocational Technical Education Regulations 603 CMR 4.03(4) (6 (7), M.G.L.c.76, Section 5.</i></p>		
	<b>Rating: Partially Implemented</b>	<b>District Response Required:</b>	<b>Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews, student records and review of documentation indicates that some students enrolled in the district’s Supportive Network Achievement Program (SNAP) do not have the same level of access to the district’s full range of career/vocational technical education courses, programs, services and activities. Specifically, reviewers noted the following:*

- *The process for student participation in Chapter 74-approved exploratory and subsequent placement in Chapter 74-approved vocational technical education programs differs for some students with disabilities. For example, students in the Supportive Network Achievement Program (SNAP) are given a general overview of each technical program area and only tour the facilities of the district’s vocational technical programs, rather than participate in the Chapter 74-approved exploratory as all other students.*
- *A student’s disability type and level of special education needs as described in the Individual Education Program (IEP) are often used to determine initial placement of some students with disabilities into specific high schools in the district. Consequently, some students with certain disabilities are not afforded equal opportunity to participate in the district’s career/vocational technical education courses.*

Based on review of documentation provided by the district, the Madison Park Technical Vocational High School Parent/Student Handbook contains a policy on Hazing and Sexual/Racial Harassment, and the Guide to the Boston Public Schools for Parents and Students states that there is a procedure for student grievances of discrimination and sexual harassment. However, neither document provides a contact person by name with contact information.

See also CVTE 4, CVTE 6, CVTE 17, CVTE 18, and CVTE 19, CVTE 22.

CRITERION NUMBER	
	Legal Standard
CVTE 6	Individuals are appropriately admitted to the /district/school (if applicable) and/or to career/vocational technical education programs within the district/school. <i>Perkins Section 122, Vocational Technical Education Regulations 603 CMR 4.03(4). M.G.L. c. 76 Section 5.</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and review of documentation indicate that although the Boston Public School’s Vocational Technical Education Admissions Policy approved in 2003 requires updating, not all students are admitted to Madison Park Technical Vocational High School (MPTVHS) in accordance with the approved policy. For example, some programs have entry requirements that are not contained in the approved Admissions Policy, such as the writing of a report.*

*Reviewers found that the requirements described in the Madison Park Technical Vocational High School (MPTVHS) Program of Studies and the MPTVHS Parent/Student Handbook for admission into programs are inconsistent. Further, the MPTVHS Parent/Student Handbook includes the statement, “Students who do not pass the Exploratory Program may not be able to continue at Madison Park Technical Vocational High School, which is in conflict with the Vocational Technical Education regulations and must be removed.*

*Documentation and interviews indicate that the district consults with middle school staff, as well as reviews and considers a student’s disability, Individual Education Program, and level of special education support services during the application process for potential candidates for the district’s Supportive Network Achievement Program (SNAP) program. Successful candidates are then placed at Madison Park Technical Vocational High School (MPTVHS).*

*The process for exploring and enrolling in career/vocational technical education programs differs for some students with disabilities. For example, students in Supportive Network Achievement Program (SNAP) do not participate in the same exploratory program as all other students. Further, interviews indicate that placement for a student in SNAP in a Chapter 74 career/vocational technical education program only occurs if there is available space after general education students have been placed.*

*Reviewers found that assessment and evaluation of students during their vocational technical exploratory program varies by individual program and is not done with consistency. See also CVTE 5.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 7</b>	The programs in which students are enrolled meet the Perkins IV definition of career and technical education. <i>Perkins Sections 3 &amp; 135</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*The Supportive Network Achievement Program (SNAP) at Madison Park Technical Vocational High School (MPTVHS), as it is currently designed, does not meet the Perkins definition of a career and technical education program. The Health Occupations Program at East Boston High School does not include a component for technical skill acquisition during school hours, and consequently does not meet the Perkins definition of a career and technical education program. See also CVTE 8.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 8</b>	The district accurately reports students enrolled in career/vocational technical education programs in the Department of Elementary and Secondary Education’s Student Information Management System (SIMS). <i>Perkins Section 113, Vocational Technical Education Regulations 603 CMR 4.05</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that students in Supportive Network Achievement Program (SNAP) at Madison Park Technical Vocational High School (MPTVHS) are being reported in SIMS as enrolled in a non-Chapter 74 exploratory program; however, this program does not meet the Perkins definition of a career and technical program. As a result, during the next and subsequent reporting periods, students in the Supportive Network Achievement Program (SNAP) program will have to be reported using SIMS Code “00.” Three programs at Brighton High School meet the Perkins definition of career and technical education, but students enrolled in these programs have not been accurately reported in the Student Information Management System (SIMS). Students in Health Assisting at East Boston are reported in SIMS as enrolled in a non-Chapter 74 exploratory program; however, this program does not meet the Perkins definition of career and technical education. See also CVTE 7.*

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION III. PARENT AND COMMUNITY INVOLVEMENT
	Legal Standard
CVTE 9	Representatives of local business/industry, organized labor, registered apprenticeship programs, postsecondary institutions (including registered apprenticeship programs), special populations, parents/guardians, students, teachers and other appropriate individuals are involved in the development, implementation, and review of career/vocational technical programs. <i>Perkins Section 135, M.G.L. c.74 Section 6, Vocational Technical Education Regulations 603 CMR 4.03 (1)</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that not all Program Advisory Committees for Chapter 74-approved vocational technical education programs have the required representation.*

CRITERION NUMBER	
	Legal Standard
CVTE 10	A Career Plan for each student enrolled in a career/vocational technical education programs is developed with the involvement of parents/guardians. <i>Perkins Sections 3 &amp; 118, Vocational Technical Education Regulations 603 CMR 4.03(4)</i>
	<b>Rating: Not Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*At the time of the review, no Career Plans were in place for students. See also CVTE 1, CVTE 2, and CVTE 17.*

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
CVTE 11	Programs are structured so that students acquire occupational safety & health knowledge and skills. <i>Perkins Section 135, M.G.L. c. 74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4) 4.06</i>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 12</b>	Programs are structured so that students acquire technical knowledge and skills. <i>Perkins Section 135, M.G.L. c. 74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4) 4.06</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that the district is in the process of aligning with the Vocational Technical Education Frameworks. Reviewers found that programs varied in rigor and expectations. For example, in some programs homework is regularly assigned and weighted into students' grades, while in others it is given infrequently. Not all students in Building and Property Maintenance (Facilities Management) cover the same course content.*

*Review of student records shows that some seniors have an alternative schedule, where they are only scheduled for four periods a day during their vocational weeks. This alternate schedule is intended for senior students whose records show that they have passed the Massachusetts Comprehensive Assessment System (MCAS) and who are on track to graduate; however, not all students with this privilege have passed MCAS, and some are juniors. The approval for this early dismissal or late arrival option is made in September, and there is no system in place to revisit the alternative schedule if grades begin to fall.*

*Absence code CP indicates Constructively Present. This code was originally used for students not in class, but participating in school-sponsored activities such as field trips, but that this absence code is sometimes used when students are not engaged in school sponsored activities or meetings. Some student records showed this code used over the course of several weeks with no documentation of why students were absent and with no evidence that course work was provided or that instruction was arranged for the periods during which these students were not in school for extended periods of time.*

*See also CVTE 18 and CVTE 22.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 13</b>	Programs are structured so that students acquire academic (including embedded academic) knowledge and skills. <i>Perkins Section 135, M.G.L. c. 74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4) 4.06</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>



**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that the district is in the process of aligning with the Vocational Technical Education Frameworks.*

*Review of student records revealed that Individual Student Success Plans (ISSPs) at Madison Park Technical Vocational High School (MPTVHS) are not tailored to individual student needs. For example, ISSPs reviewed were all incomplete, included duplicate language and duplicate signatures (the same two staff members only), were all completed on the same date in March, and none reflected actual documentation of student progress.*

*Further, in at least two of the Individual Student Success Plans reviewed, the student was failing MCAS math, yet the plan stated that support services are “not available.” One of the plans reviewed was sent home in March 2007 but not reviewed or completed until January of 2008.*

*See also CVTE 12.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>CVTE 14</b>	Programs are structured so that students acquire employability knowledge and skills. <i>Perkins Section 135, M.G.L. c. 74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4) 4.06</i>
	<b>Rating: Partially Implemented      District Response Required:      Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that the district is in the process of aligning with the Vocational Technical Education Frameworks. See also CVTE 12.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>CVTE 15</b>	Programs are structured so that students acquire management & entrepreneurship knowledge and skills. <i>Perkins Section 135, M.G.L. c. 74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4) 4.06</i>
	<b>Rating: Partially Implemented      District Response Required:      Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that the district is in the process of aligning with the Vocational Technical Education Frameworks. See also CVTE 12.*

CRITERION NUMBER	
	Legal Standard
<b>CVTE 16</b>	Programs are structured so that students acquire technological (computer, etc.) knowledge and skills. <i>Perkins Section 135, M.G.L. c. 74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4) 4.06</i>
	<b>Rating: Partially Implemented      District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that the district is in the process of aligning with the Vocational Technical Education Frameworks. See also CVTE 12.*

CRITERION NUMBER	
	Legal Standard
<b>CVTE 17</b>	Linkages between secondary and postsecondary education including registered apprenticeship programs exist and are accessed by students. <i>Perkins Title II, M.G.L.c.74 Sections 1 &amp; 24B, Vocational Technical Education Regulations 603 CMR 4.03 (4)</i>
	<b>Rating: Partially Implemented      District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and documentation reveal that not all articulation agreements with postsecondary institutions were updated at the time of the review. Information on registered apprenticeships and articulation credits is not fully included in the Madison Park Technical Vocational High School (MPTVHS) Program of Studies or the MPTVHS Parent/Student Handbook, limiting access to only those students who are informed through their technical teachers or who make independent inquiries.*

*The opportunity for several competitive scholarships is advertised informally. It is unclear how students and their families with language barriers are made aware of the postsecondary education opportunities, including scholarships; available in the district in a language they can understand.*

*Although the district provides transition planning and post-secondary options exploration for students participating in the Supportive Network Achievement Program (SNAP) program, interviews reveal that because the district identifies some of these students as “non college bound”, not all students have the same level of access to postsecondary education information and opportunities.*

*See also CVTE 4, CVTE 5, and CVTE 10.*

CRITERION NUMBER	
	Legal Standard
CVTE 18	Cooperative Education is implemented in accordance with applicable laws, regulations, and policies. <i>Child Labor Bulletin 101 – Child Labor Requirements in Nonagricultural Occupations under the Fair Labor Standards Act WH – Revised March 2001, Code of Federal Regulations Title 29 (CFR 29) Parts 570.50 (c) (1) &amp; 570.51-570.68, M.G.L. c. 74 Sections 1 &amp; 2A, M.G.L. c.149, Sections 1, 62 &amp; 62A, M.G.L. c. 152, Vocational Technical Education Regulations 603 CMR 4.03(7) 4.10(3), (Chapter 385 of the Acts of 2002)</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Reviewers found that there is no published policy for participation in cooperative education at Madison Park Technical High School (MPTVHS), and it is unclear if all students have access to cooperative education placements. References to cooperative education in the MPTVHS Parent/Student Handbook are unclear. For example, a Criminal Offender Record Information (CORI) appears to be a requirement for participation in cooperative education, though interviews indicated that CORI is only requested by and done by some cooperative education employers. Interviews reveal that the minimum grade average for participation in cooperative education is not consistent for all programs.*

*General inconsistencies were found among cooperative education records. For example, not all cooperative education agreements list specific technical competencies to be gained, not all track competencies, and not all sites evidenced inspection before student placement.*

*CORI of cooperative education employers is not always done in accordance with regulations, and worker’s compensation was not in place for all students. Student records reveal that some students begin work-study programs before documentation of safety skill acquisition.*

*See also CVTE 4, CVTE 5, CVTE 19, and CVTE 29.*

CRITERION NUMBER	
	Legal Standard
CVTE 19	Non-cooperative education (unpaid) work-based learning such as internships and job-shadowing is implemented in accordance with applicable laws, regulations, and policies. <i>Perkins Section 135, M.G.L. c. 74 Section 2A, M.G.L. c. 152, Vocational Technical Education Regulations 603 CMR 4.03(4), Chapter 385 of the Acts of 2002</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and review of documentation reveal that, in contrast to cooperative education placements, students in unpaid work-based learning experiences do not always receive adequate monitoring and supervision. For example, there is no system currently in place utilizing formal, written agreements*

ensuring protections for students such as CORI checks, worker's compensation, etc.

In addition to cooperative education, several work-based learning opportunities exist at Madison Park Technical High School, such as Supported Training to Reach Independence through Vocational Experiences (STRIVE) and School-to-Career through the Boston Private Industry Council. However, interviews reveal that there is no coordination between these services or common oversight to ensure that all work-based learning experiences are implemented in accordance with applicable laws, regulations, and policies. Documentation provided by the district includes an Employee Information System form from one of the participating work placement sites, which requires the applicant to disclose information on marital status, ethnic self-identification, visa status, gender, country of citizenship, and disability.

See also CVTE 4, CVTE 5, CVTE 18, and CVTE 29.

CRITERION NUMBER	
	Legal Standard
CVTE 20	Unpaid off-campus construction and maintenance projects are appropriately implemented. <i>Vocational Technical Education Regulations 603 CMR 4.06; M.G.L.c.142, Section 3A.</i>
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>District Response Required: No</b></span>

**Department of Elementary and Secondary Education Findings:**

*The district does not have unpaid off-campus construction and maintenance projects.*

CRITERION NUMBER	
	Legal Standard
CVTE 21	The needs of students in alternative education are adequately addressed (if applicable). Alternative Education is an instructional approach under the control of a school committee that is offered to "at-risk" students in a nontraditional setting. "At-risk" students may include those who are pregnant/parenting teens, truant students, and suspended or expelled students, returned dropouts, delinquent youth, or other students who are not meeting local promotional requirements. Alternative Education may operate as a program or as a separate self-contained school. Alternative Education does not include private schools, home schooling, school choice, General Educational Development (GED), or gifted and talented programs. Alternative Education also does not include programs exclusively serving students receiving special education services or career/vocational technical education. Perkins Section 122

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

<b>CRITERION NUMBER</b>	CAREER/VOCATIONAL TECHNICAL EDUCATION V. STUDENT SUPPORT SERVICES
	Legal Standard
<b>CVTE 22</b>	Services including career guidance are provided to assist each student with a disability in the successful completion of a career/vocational technical education program, and the transition to employment and/or further education including registered apprenticeship programs. <i>Perkins Section 135; Vocational Technical Education Regulations 603 CMR 4.03(4).</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Based on documentation, interviews, and review of student records, students with disabilities do not always have the same opportunities as their peers to participate in the district’s career/vocational technical education programs, services and activities. Specifically, in addition to findings in the above criteria, the interview team noted:*

- *For students placed in the district’s Supportive Network Achievement Program (SNAP), a functional vocational assessment is neither considered as part of the IEP team recommendations nor conducted as part of the student’s special education placement, despite being placed in a substantially separate occupational program at Madison Park Technical High School (MPTVHS).*
- *The Individualized Education Program (IEPS) are not always provided to technical teachers in a timely manner.*
- *The accommodations and modifications outlined in a student’s Individualized Education Program (IEP) are not always provided in the students’ technical programs.*
- *Neither students in Essential Life Skills nor students in the Supportive Network Achievement Program (SNAP) participate in the ninth grade Chapter 74 exploratory, as do all other students. Further, students in the Supportive Network Achievement Program (SNAP) are assigned to work daily in The Hut, a small breakfast café at Madison Park Technical High School (MPTVHS) that is similar to the Chapter 74-approved Culinary Arts, but which does not have comparable facilities.*
- *Review of student records reveals that some students have an alternate schedule during their vocational week, but it is unclear why. For example, an eleventh grade student with an Individual Education Program (IEP) and who is failing most of his/her classes, has nothing on his/her school schedule beyond the 4<sup>th</sup> period of his/her vocational week, although his/her Individual Education Program does not indicate a need for a shorter day or modified schedule.*

- *Career guidance and planning for students participating in the Supportive Network Achievement Program (SNAP) program at Madison Park Technical High School (MPTVHS) differs from career guidance and planning for all other students. Specifically, career guidance for students in SNAP is conducted by special education staff and does not include meetings and services provided by the guidance department.*

*See also CVTE 4, CVTE 5, CVTE 6, CVTE 17, CVTE 18, and CVTE 19.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 23</b>	Services including career guidance are provided to assist each student from an economically disadvantaged family (including foster children) in the successful completion of a career/vocational technical education program, and the transition to employment and/or further education including registered apprenticeship programs. <i>Perkins Section 135; Vocational Technical Education Regulations 603 CMR 4.03(4).</i>
	<b>Rating: Partially Implemented                      District Response Required:      Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Based on documentation and interviews, not all programs and opportunities are published (e.g., paid work-based experience opportunities, competitive scholarships, articulation credit opportunities, and registered apprenticeships). See also CVTE 4 and CVTE 5.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 24</b>	Services including career guidance are provided to assist each student with limited English proficiency in the successful completion of a career/vocational technical education program, and the transition to employment and/or further education including registered apprenticeship programs. <i>Perkins Section 135 Vocational Technical Education Regulations 603 CMR 4.03(4).</i>
	<b>Rating: Partially Implemented                      District Response Required:      Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and review of documentation reveal that while translators are available, paraprofessional services are provided only at the request of classroom teachers. A system is in place for translation of documents; however, review of student records did not evidence consistent translation of parent/guardian correspondence. It is unclear how English language learners are made aware of postsecondary education opportunities, including scholarships, in their first language. See also CVTE 4, CVTE 5, CVTE 6, and CVTE 17.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 25</b>	Services including career guidance are provided to assist each student that is preparing for a career that would be nontraditional for their gender in the successful completion of a career/vocational technical education program, and the transition to employment and/or further education including registered apprenticeship programs. <i>Perkins Section 135; Vocational Technical Education Regulations 603 CMR 4.03(4).</i>
	<b>Rating: Partially Implemented                      District Response Required:    Yes</b>

**Department of Elementary and Secondary Education Findings:**

*Interviews and review of documentation reveal that there are no services for students preparing for a career that would be nontraditional for their gender. There is no evidence that professional development has been provided to teachers or guidance staff on support of students in programs nontraditional by gender.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 26</b>	Services including career guidance are provided to assist each student that is a single parent (including a single pregnant student) in the successful completion of a career/vocational technical education program, and the transition to employment and/or further education including registered apprenticeship programs. <i>Perkins Section 135; Vocational Technical Education Regulations 603 CMR 4.03(4)</i>
	<b>Rating: Implemented                                      District Response Required:    No</b>

<b>CRITERION NUMBER</b>	<b>CAREER/VOCATIONAL TECHNICAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION</b>
	Legal Standard
<b>CVTE 27</b>	All staff in career/vocational technical education programs are appropriately licensed. <i>Perkins Section 135, M.G.L. c. 74 Section 18, Vocational Technical Education Regulations 603 CMR 4.03 (5) 4.07 and M.G.L. c. 71 Section 38G, Regulations for Educator Licensure and Preparation Program Approval 603 CMR 7.00</i>
	<b>Rating: Partially Implemented                      District Response Required:    Yes</b>

**Department of Elementary and Secondary Education Findings:**

Several teachers are teaching without a required waiver or are teaching despite denial of a requested waiver, due to non-submission of required documentation. One teacher has not yet applied for vocational technical educator licensure in his/her technical area. One teacher could not be located in the Educator Licensing and Recruitment (ELAR) System.

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 28</b>	All staff in career/vocational technical education programs acquire appropriate professional development. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03 (5) 4.07 and M.G.L. c. 71 Section 38G, Regulations for Educator Licensure and Preparation Program Approval 603 CMR 7.00.</i>
	<b>Rating: Partially Implemented                      District Response Required:    Yes</b>

**Department of Elementary and Secondary Education Findings:**

An Instructional Leadership Team plans professional development for staff, and a computerized system exists for staff to update and maintain their professional development plans, yet it is unclear how supervisory staff consistently oversees professional development plans. Interviews and documentation reveal that all staff members are provided with a binder indicating civil rights training; however, they sign off on the reading of materials in lieu of training.

<b>CRITERION NUMBER</b>	<b>CAREER/VOCATIONAL TECHNICAL EDUCATION VII. SCHOOL &amp; WORK-BASED FACILITIES AND EQUIPMENT</b>
	Legal Standard
<b>CVTE 29</b>	Career/vocational technical education instructional facilities on-campus, and off -campus (cooperative education, internship, and unpaid off-campus construction & maintenance sites) meet current occupational standards. <i>Perkins Section 135; Vocational Technical Education Regulations 603 CMR 4.03 (3) (4) (7)(8)</i>
	<b>Rating: Implemented                                      District Response Required:    No</b>



<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 30</b>	Career/vocational technical education instructional equipment on-campus, and off-campus (at cooperative education, internship and unpaid off-campus construction & maintenance sites) meet current occupational standards. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03 (3)(4)(7)(8)</i>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 31</b>	Career/vocational technical education instructional facilities on-campus and off-campus (cooperative education, internship, and unpaid off-campus construction & maintenance sites) meet current occupational <b>safety and health</b> standards. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03 (3)(4)(7)(8)</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*A policy exists requiring students to have passes when circulating in the school building during class time. However, it was observed that students are often in the halls during class time without passes. Interviews reveal a lack of communication and understanding of what parties are responsible for knowing when students are in class as well as their location and purpose when not in class.*

*At two of the high schools visited, adults were observed smoking on school grounds.*

*There was no evidence that STRIVE (Supported Training to Reach Independence through Vocational Experiences) and other work-based learning experiences conduct safety inspections of worksites. See also CVTE 18, CVTE 19 and CVTE 32.*

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 32</b>	Career/vocational technical education instructional equipment on-campus, and off-campus (at cooperative education, internship and unpaid off-campus construction & maintenance sites) meet current occupational <b>safety and health</b> standards. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03 (3)(4)(7)(8)</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*A safety expert from the Massachusetts Department of Labor - Division of Occupational Safety (DOS) inspected the school facilities and shop equipment at Madison Park Technical Vocational High School. Jeffrey Wheeler, State Director of Career/Vocational Technical Education, sent the safety report on the inspections to Superintendent Johnson on May 14, 2008. There were seventy-three (73) safety hazards identified in the report. Thirty-six (36) of the seventy-three (73) safety hazards are deemed **critical**, and thus need to be addressed immediately. The thirty-six (36) are items 01, 02, 03, 04, 05, 06, 07, 08, 14, 16, 17, 18, 19, 20, 21, 24, 29, 30, 31, 32, 33, 34, 35, 37, 38, 44, 46, 47, 48, 52, 59, 60, 64, 65, 66, & 73. See also CVTE 18, CVTE 19 and CVTE 31.*

<b>CRITERION NUMBER</b>	<b>CAREER/VOCATIONAL TECHNICAL EDUCATION VIII. PROGRAM EVALUATION</b>
	Legal Standard
<b>CVTE 33</b>	The district meets the Final Agreed-Upon Performance Level (FAUPL) for each Perkins IV Core Indicator of Performance, and the required Chapter 74 outcomes for each Chapter 74-approved vocational technical education programs. <i>Perkins Section 113, Vocational Technical Education Regulations 603 CMR 4.05</i>
	<b>Rating: Partially Implemented</b> <b>District Response Required: Yes</b>

**Department of Elementary and Secondary Education Findings:**

*The new Perkins IV Final Agreed-Upon Performance Levels for the Perkins IV core indicators have not yet been negotiated with the district because the development of the new system under Perkins IV is still underway. However, under Perkins III, the district performed as follows in terms of the Perkins III core indicators:*

*Perkins III Core Indicator I: MCAS results for the class of 2008 First Time 10<sup>th</sup> Grade Test Takers*

*For fiscal year 2007-2008, the district **did not meet** the state goal of 51.44% for Core Indicator I for each population as follows:*

- 1. Students with disabilities enrolled in career/vocational technical education programs at 39.13%.*
- 2. Students with limited English proficiency enrolled in career/vocational technical education programs at 40.00%.*

*Perkins III Core Indicator II: Attainment of a Secondary School Diploma, specifically Graduates as a % of seniors enrolled in a CVTE program for at least two years*



**Department of Elementary and Secondary Education Findings:**

Review of student records shows a lack of consistency in record keeping. For example, support services for students with Individual Education Plans are not always documented. In addition, student records reveal gaps in services such as translation and incomplete Individual Student Success Plans. Student schedules and grades reveal that some students, who are failing classes or have not scored proficient on MCAS, are allowed to attend half days during their vocational shop weeks. See also CVTE 2, CVTE 12, and CVTE 24.

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 36</b>	The district submits accurate Career/Vocational Technical Education Graduate One-Year Follow-up Reports and has appropriate back-up documentation. <i>Perkins Section 113, Vocational Technical Education Regulations 603 CMR 4.05</i>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 37</b>	Perkins Local Plans/Updates/Standard Contract Forms and Application for Program Grants are appropriately designed, amended, and locally monitored. <i>Perkins Sections 13 and 201</i>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 38</b>	The district uses Perkins funds in accordance with statutory fund-use rules, including supplement not supplant provisions. <i>Perkins Sections 135</i>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

<b>CRITERION NUMBER</b>	
	Legal Standard
<b>CVTE 39</b>	The district has adequate financial resources to enable the programs to meet current industry and Occupational Safety and Health Administration (OSHA) standards with respect to facilities, safety, equipment, and supplies. <i>Vocational Technical Education Regulations 603 CMR 4.03 (8)</i>
	<b>Rating: Implemented</b> <b>District Response Required: No</b>

## Appendix I: List of Boston Public Schools with CR 7A & 7B Violations

### Physical Education Violation

1. Dante Alighieri Elementary School (K-5) – No gym offered
2. Community Academy (Secondary) – No gym offered
3. Ralph Waldo Emerson Elementary School (K-5) – No gym offered
4. Excel High School – 9<sup>th</sup> and 10<sup>th</sup> grades only
5. Monument High School – 11 and 12<sup>th</sup> grades only
6. Odyssey High School – No gym offered
7. Michael J. Perkins Elementary School (k-5) – No gym offered
8. Boston Day and Evening Academy (secondary) – No gym offered
9. Brighton High School – 9<sup>th</sup> grade only
10. James J. Chittick Elementary School (K1-5) -- No gym offered
11. Haynes Early Education Center (K-1) – No gym offered
12. Health Careers Academy (secondary) – 11<sup>th</sup> grade only
13. Madison Park Technical Vocational High School – 9<sup>th</sup> grade only
14. F. Lyman Winship Elementary School (K-5) – No gym offered
15. Academy of Public Service (secondary) – No gym listed
16. Phineas Bates Elementary School (K-5) – No gym listed
17. Boston International High School – No second page
18. Brook Farm Academy – 9<sup>th</sup> grade only
19. Noonan Business Academy – 9<sup>th</sup> grade only
20. Charles H. Taylor School (K-5) – “None - students have 20 minutes of physical activity before lunch.”
21. Boston Community Leadership Academy (secondary) – No gym offered
22. Everett Elementary School (K-5) – No gym listed
23. Joyce Kilmer Elementary School (K-6) – No gym offered
24. Tech Boston Academy (secondary) – 9<sup>th</sup> grade only
25. James W. Hennigan Elementary School (K-5) – No gym offered
26. Emily A. Fifield Elementary School (K-5) – No gym offered
27. Social Justice Academy (secondary) – 9<sup>th</sup> grade only
28. Another Course to College (secondary) -- 9<sup>th</sup> and/or 10<sup>th</sup> grade only
29. Pauline A. Shaw Elementary School (K-5) – No gym offered

### Student Learning Time Violation

1. Community Academy (secondary) – 935 hours structured annually – school noted that from 2:12-2:30 tutoring is offered to all students in need of academic support. If the tutorial time is factored in, the school ends up with 990 hours.
2. Boston Day and Evening Academy – 819 hours structured annually
3. Community Academy of Science and Health – 938 hours structured annually
4. Elihu Greenwood Elementary School (K-5) -- 795 hours structured annually
5. Ellison-Parks Early Education School (K-1) – 894 hours structured annually
6. Mission Hill School (K-8) – 864 hours structured annually
7. Nathan Hale Elementary School (K2-5) – 891 hours structured annually
8. Charles H. Taylor School (K-5) – 894 hours structured annually
9. Everett Elementary School (K-5) – 881 hours structured annually
10. Joseph P. Manning Elementary School (K2-5) – 894 hours structured annually
11. Community Transition School (secondary) – 893 hours structured annually
12. O’Hearn Elementary School (K-5) – 894 hours structured annually

This Coordinated Program Review Final Report is also available at:

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

Profile information supplied by each charter school and school district, including information for individual schools within districts, is available at

<http://profiles.doe.mass.edu/>.

SE, MOA, ELE, CVTE – 2008.doc

File Name: Boston PS CR, ELE and CVTE CPR Final Report

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Prepared by: JE/DLP