



Massachusetts Department of
**ELEMENTARY & SECONDARY
EDUCATION**

WAREHAM PUBLIC SCHOOLS

COORDINATED PROGRAM REVIEW REPORT OF FINDINGS

Dates of Onsite Visit: December 1-5, 2008

Date of Draft Report: May 13, 2009

Date of Final Report: September 1, 2009

Action Plan Due: October 2, 2009

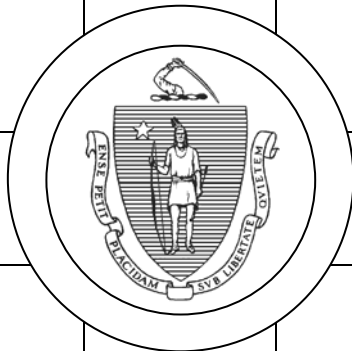
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
COORDINATED PROGRAM REVIEW REPORT**

WAREHAM PUBLIC SCHOOLS

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

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:

Special Education (SE)

- selected requirements from the federal Individuals with Disabilities Education Act (IDEA-2004), the federal regulations promulgated under that Act at 34 CFR Part 300, M.G.L. c. 71B, and the Massachusetts Board of Education's Special Education regulations (603 CMR 28.00), as amended effective March 1, 2007. The 2008-2009 reviews will focus primarily on criteria containing requirements that are highlighted in the Massachusetts State Performance Plan and reported on every year to the Office of Special Education Programs of the U.S. Department of Education.

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

- selected federal civil rights requirements, including 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.
- 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).
- various requirements under other federal and state laws.

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 2008-2009 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 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 sixty school districts and charter schools are scheduled for Coordinated Program Reviews in 2008-2009. The Department's 2008-2009 schedule of Coordinated Program Reviews is posted on the Department's web site at <http://www.doe.mass.edu/pqa/review/cpr/cprschedule09.doc>. 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 selected for possible review. Within special education, reviews focus primarily on the 19 criteria marked by a triple asterisk (***) in the School District Information Package for Special Education. These 19 criteria mostly contain requirements that are highlighted in the Massachusetts State Performance Plan. In any review, however, if circumstances warrant it, the Department may monitor additional special education criteria. For more details, please see the section on **Special Education Program Review Criteria** at the beginning of the School District Information Package for Special Education.

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 telephone 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 comments 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 comments from the Program Review. These comments will, once the district has had a chance to respond, form the basis for any findings by the Department. The district (and collaborative) will then have 10 business days to review the report for accuracy before the publication of a Final Report with ratings and findings (see below). 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 of Final Report:

Ratings. In the Final Report, the onsite team gives a rating for each compliance criterion it has reviewed; those ratings are "Commendable," "Implemented," "Implementation in Progress," "Partially Implemented," "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 in the Final Report 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 (CAP) will be due to the Department within 20 business days after the issuance of the Final Report and is subject to the Department's review and approval. Department staff will offer districts and charter schools technical assistance on the content and requirements for developing an approvable CAP.

Department staff will also provide ongoing technical assistance as the school or district is implementing the approved corrective action plan. **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.

INTRODUCTION TO THE FINAL REPORT

A four-member Massachusetts Department of Elementary and Secondary Education team visited Wareham Public Schools during the week of December 1, 2008 to evaluate the implementation of selected criteria in the program areas of special education, 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 Wareham Public Schools. These areas are as follows:

Interviews indicate that the district employs a liaison for students in foster care who are placed in the district. This liaison assists the district in conducting outreach for students in need of special education.

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 16 administrative staff.
- Interviews of 57 teaching and support services staff across all levels.
- Interviews of one parent advisory council (PAC) representative, one parent of an English learner education student, and one parent of a student in the career/vocational technical education program.
- Interviews as requested by persons from the general public.
- Interviews of ten students in the career/vocational technical education program.
- Student record reviews: Samples of 25 special education student records, ten English learner education student records, and ten career/vocational technical education student records were selected by the Department. These student records were first examined by local staff, whose comments were then verified by the onsite team using standard Department record review procedures.
- Surveys of parents of students with disabilities: 50 parents of students with disabilities were sent surveys that solicited information about their experiences with the district's implementation of special education programs, related services and procedural requirements. Twelve of these parent surveys were returned to the Department of Elementary and Secondary Education for review.
- Surveys of parents of ELE students: Ten 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. One of these parent surveys was returned to the Department of Elementary and Secondary Education for review.
- Observation of classrooms and other facilities. A sample of 15 instructional classrooms and other school facilities used in the delivery of programs and services was visited to examine 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: School 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.

WAREHAM PUBLIC SCHOOLS

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

PROGRAM AREA	PARTIALLY IMPLEMENTED	NOT IMPLEMENTED	OTHER CRITERIA REQUIRING RESPONSE
Special Education	SE 15, SE 20, SE 22, SE 24, SE 25, SE 26, SE 29, SE 32, SE 33, SE 34, SE 45, SE 46, SE 52A, SE 55		
Civil Rights and Other General Education Requirements	CR 7, CR 7A, CR 7B, CR 9, CR 10A, CR 12A, CR 13, CR 14, CR 16, CR 17A, CR 18, CR 21, CR 23, CR 24, CR 25		
English Learner Education	ELE 3, ELE 4, ELE 5, ELE 7, ELE 11, ELE 12, ELE 14, ELE 15, ELE 18	ELE 6, ELE 9, ELE 10, ELE 13	
Career/Vocational Technical Education	CVTE 2, CVTE 3, CVTE 4, CVTE 5, CVTE 9, CVTE 11, CVTE 12, CVTE 13, CVTE 14, CVTE 15, CVTE 17, CVTE 18, CVTE 19, CVTE 22, CVTE 23, CVTE 28, CVTE 29, CVTE 30, CVTE 31, CVTE 32, CVTE 35	CVTE 34	

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

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

SPECIAL EDUCATION

**LEGAL STANDARDS AND
FINDINGS**

CRITERION NUMBER			
	Legal Standard		
SE 5	<p>Participation in general State and district-wide assessment programs</p> <ol style="list-style-type: none"> 1. All students with disabilities whose placements are funded by the district are included in the Massachusetts Comprehensive Assessment System (MCAS) and other district-wide assessment programs. 2. The district's IEP Teams designate how each student will participate and, if necessary, provide an alternate assessment. 3. The superintendent of a school district--or, for a public school program that is not part of a school district, the equivalent administrator— <ol style="list-style-type: none"> a. files an MCAS performance appeal for a student with a disability when the student's parent or guardian or the student, if 18 or over, requests it, provided that the student meets the eligibility requirements for such an appeal; b. obtains the consent of the parent or guardian or the student, if 18 or over, for any MCAS performance appeal filed on behalf of a student with a disability; c. includes in the MCAS performance appeal, to the extent possible, the required evidence of the student's knowledge and skills in the subject at issue. <p>State Requirements St. 2003, c. 140, s. 119; 603 CMR 30.05(2),(3),(5)</p> <p style="text-align: right;">Federal Requirements 20 U.S.C. 1412(a)(16)</p>		
	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 50%;">District Response Required: No</td> </tr> </table>	Rating: Implemented	District Response Required: No
Rating: Implemented	District Response Required: No		

CRITERION NUMBER	SPECIAL EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
SE 15	<p>Outreach by the School District (Child Find)</p> <p>The district has annual or more frequent outreach and continuous liaison with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education:</p> <ol style="list-style-type: none"> 1. professionals in community 2. private nursery schools 3. day care facilities 4. group homes 5. parent organizations 6. clinical /health care agencies 7. early intervention programs

CRITERION NUMBER	SPECIAL EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT		
	Legal Standard		
	8. private/parochial schools 9. other agencies/organizations 10. the school or schools that are part of the district, including charter schools 11. agencies serving migrant and/or homeless persons pursuant to the McKinney-Vento Education Act for Homeless Children	State Requirements	Federal Requirements 34 CFR 300.111; 300.131; 300.209
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicate that district staff members have strong ties to various community agencies and organizations through which outreach is conducted, such as the Community Partnership for Children meetings. However, the district does not conduct outreach to agencies serving migrant and/or homeless persons pursuant to the McKinney-Vento Education Act for Homeless Children.

Interviews indicate that the district employs a liaison for students in foster care who are placed in the district. This is a commendable practice.

CRITERION NUMBER	Legal Standard
SE 20	Least restrictive program selected 1. The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs. 2. If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily. 3. The district does not remove an eligible child from the general education classroom solely because of needed modification in the curriculum. 4. If a student's IEP necessitates special education services in a day or residential facility or an out-of-district educational collaborative program, the IEP Team considers whether the student requires special education services and support to promote the student's transition to placement in a less restrictive program.

CRITERION NUMBER			
	Legal Standard		
	State Requirements G.L. c. 71B, § 3; 603 CMR 28.06(2)	Federal Requirements 34 CFR 300.114 – 120	
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Record review indicates that non-participation justification statements are not always individualized.

CRITERION NUMBER			
	Legal Standard		
SE 22	IEP implementation and availability <ol style="list-style-type: none"> 1. Where the IEP of the student in need of special education has been accepted in whole or in part by that student's parent, the school district provides the mutually agreed upon services without delay. 2. At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction. 3. Each teacher and provider described in the IEP is informed of his or her specific responsibilities related to the implementation of the student's IEP and the specific accommodations, modifications, and supports that must be provided for the student under it. 4. The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved. 		
	State Requirements 603 CMR 28.05(7)(b); 28.06(2)(d)(2)	Federal Requirements 34 CFR 300.323	
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Record review and interviews indicate that IEPs at the Cooperative Junior-Senior High School are not always implemented as written, due to delays in changes to IEPs of students who were transferred there, and due to the lack of a special education teacher in the program for an extended period of time. Record review also indicates that at times at the middle school, the district does not have an IEP in effect for each eligible student.

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT		
	Legal Standard		
SE 24	<p>Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE</p> <ol style="list-style-type: none"> 1. A student may be referred for an evaluation by a parent or any person in a caregiving or professional position concerned with the student's development. 2. When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the child's parent(s) within 5 school days of receipt of the referral, along with the district's notice of procedural safeguards. The written notice meets all of the content requirements set forth in M.G.L. c.71B, §3, and in federal law, seeks the consent of the parent for the evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student's skills or abilities and to consult regarding the evaluators to be used. 3. For all other actions, the district gives notice complying with federal requirements within a reasonable time. 4. The school district provides the student's parent(s) with an opportunity to consult with the special education administrator or his/her designee to discuss the reasons for the referral and the nature of the proposed evaluation 5. The district provides parents with an opportunity to consult with the administrator of special education or his/her designee regarding the evaluators to be used and the proposed content of all required and optional assessments 6. The school district does not limit a parent's right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education that may be described in the district's curriculum accommodation plan, including any pre-referral program. 7. The school district refuses to conduct an initial evaluation only when the circumstances of a student make clear that there is no suspicion of a disability and that there is no concern about the student's development. <p>State Requirements G.L. c. 71B, § 3; 603 CMR 28.04(1)</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.503; 300.504(a)(1)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Record review indicates that the district’s notices do not always contain the content required by federal law and regulation. In addition, at times, notices were not found where IEPs, amendments and placements were proposed. Interviews indicate that this is because IEPs and placements are proposed at the conclusion of Team meetings, without provision of the required notice. See also SE 26.

CRITERION NUMBER					
	Legal Standard				
SE 25	<p>Parental consent In accordance with state and federal law, the school district obtains informed parental consent as follows:</p> <ol style="list-style-type: none"> 1. The school district obtains written parental consent before conducting an initial evaluation and before making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a reevaluation and before placing a student in a special education placement subsequent to the initial placement in special education. 2. The school district obtains consent before initiating extended evaluation services. 3. The school district obtains consent to the services proposed on a student’s IEP before providing such services. 4. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child. 5. When the participation or consent of the parent is required and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation. 6. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the initial placement, or the parent revokes consent to such reevaluation or placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the child. If, after consideration, the school district determines that the parent’s failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through Special Education Appeals. <p style="text-align: center;"> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Requirements</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>603 CMR 28.07(1)</td> <td>34 CFR 300.300</td> </tr> </table> </p>	State Requirements	Federal Requirements	603 CMR 28.07(1)	34 CFR 300.300
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603 CMR 28.07(1)	34 CFR 300.300				

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Department of Elementary and Secondary Education Findings:

Record review and interviews indicate that when the participation or consent of the parent is required and the parent fails or refuses to participate or provide consent, the district does not document attempts to secure the participation or consent of the parent. In some cases, placement changes and re-evaluations occurred without consent, however, in other cases, the district did not complete assessments that were consented to.

CRITERION NUMBER				
	Legal Standard			
SE 26	<p>Parent participation in meetings</p> <ol style="list-style-type: none"> 1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child. 2. The administrator of special education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend. 3. The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts. 4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing. 5. In cases where the district, after reasonable efforts, is unable to obtain the parents' participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents' participation. <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%;">State Requirements 603 CMR 28.02(21)</td> <td style="width: 50%;">Federal Requirements 34 CFR 300.322; 300.501</td> </tr> </table>	State Requirements 603 CMR 28.02(21)	Federal Requirements 34 CFR 300.322; 300.501	
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Department of Elementary and Secondary Education Findings:

Record review and interviews indicate that at times, the district does not ensure that one or both parents of a child are members of any group that makes decisions on the educational placement of their child. Specifically, the IEPs and placements of middle school students were changed over this past summer in order to accommodate a new middle school schedule, and the district unilaterally removed special education services from IEPs by proposing IEP amendments, which in some cases resulted in significant decreases in services. No input from parents was obtained in developing the amendments, and amendments were issued without the required written notices. See also SE 24.

CRITERION NUMBER			
	Legal Standard		
SE 27	<p>Content of Team meeting notice to parents The parent notice of any Team meeting states the purpose, time and location of the meeting as well as who will be in attendance.</p> <p>State Requirements Federal Requirements 34 CFR 300.322(b)(1)(i)</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
SE 29	<p>Communications are in English and primary language of home</p> <ol style="list-style-type: none"> 1. Communications with parents are in simple and commonly understood words and are in both English and the primary language of the home if such primary language is other than English. Any interpreter used in fulfilling these requirements is fluent in the primary language of the home and familiar with special education procedures, programs and services. If the parents or the student are unable to read in any language or are blind or deaf, communications required by these regulations are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and all such communications are documented. 2. If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (1) that it has provided such notice in an alternate manner, (2) of the content of the notice and (3) of the steps taken to ensure that the parent understands the content of the notice. <p>State Requirements Federal Requirements 603 CMR 28.07(8) 34 CFR 300.322(e); 300.503(c)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Record review and interviews indicate that the district does not always ensure that communications with parents are in the primary language of the home if such language is other than English. Though IEPs and notices are at times translated, assessments, evaluation consent forms, and progress reports are not. Interviews indicate that at times, the district secures interpreters to review information and documentation with parents verbally in their native language, however, this is not well-documented.

CRITERION NUMBER			
	Legal Standard		
SE 32	<p>Parent advisory council for special education</p> <ol style="list-style-type: none"> 1. The school district has established a district-wide parent advisory council on special education. 2. Membership on the council is offered to all parents of children with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the district on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school district’s special education programs. 4. The parent advisory council has established by-laws regarding officers and operational procedures. 5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. 6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws. <p>State Requirements G.L. c. 71B, § 3; 603 CMR 28.03(1)(a)(4); 28.07(4)</p> <p style="text-align: right;">Federal Requirements</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews indicate that the Parent Advisory Council does not currently participate in the evaluation of the school district’s special education programs.

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
SE 33	<p>Involvement in the general curriculum</p> <ol style="list-style-type: none"> 1. Reserved. 2. Reserved. 3. At least one member of all IEP Teams is familiar with the general curriculum and is able to discuss an eligible student’s appropriate access to the general curriculum. 4. In the IEP the district documents the student’s participation in the general curriculum. <p>State Requirements</p> <p style="text-align: right;">Federal Requirements</p>		

CRITERION NUMBER	SPECIAL EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
	603 CMR 28.05(4)(a) and (b)	34 CFR 300.320(a)(1)(i) and a(2)(i)(A); 300.321(a)(4)(ii)	
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Record review indicates that the district does not always document students' participation in the general curriculum in the Present Levels of Educational Performance (PLEP B) section of the IEP where students have social-emotional and behavioral needs. In addition, record review indicates that the district does not always document age-specific considerations in PLEP B where appropriate.

CRITERION NUMBER			
	Legal Standard		
SE 34	<p>Continuum of alternative services and placements The district provides or arranges for the provision of each of the elements of the IEPs of students in need of special education from the ages of three through twenty-one, ensuring that a continuum of services and alternative placements is available to meet the needs of all students with disabilities, and takes all steps necessary to ensure compliance with all elements of the IEPs, including vocational education.</p>		
	<p>State Requirements 603 CMR 28.05(7)(b)</p>	<p>Federal Requirements 34 CFR 300.109; 300.110; 300.115</p>	
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews, documentation and record review indicate that the district's continuum of services contains the following gaps:

- *Though district administration states that the district has the capacity to provide resource room services at the middle school, key staff in the district are under the impression that currently, due to a move toward full inclusion at that school, the district no longer has a resource room at that level.*
- *Though district administration states that resource room services are provided at the elementary level, staff at the Decas and Minot Forest schools are also under the impression that, in order to prepare fifth grade students for the middle school full inclusion model, there is no longer a fifth grade resource room.*
- *Vocational services are lacking in the district for all but the most severely disabled students. Parent surveys indicate that IEP Teams do not always discuss a student's need for vocational education.*

- *The district lacks sufficient services for students who have behaviors that interfere with their learning and that of other students at all levels. Record review and interviews indicate that the lack of adequate supports for behavioral needs of students at times results in students being sent home for behaviors at the elementary level. See SE 45.*

CRITERION NUMBER	
	Legal Standard
SE 37	<p>Procedures for approved and unapproved out-of-district placements</p> <ol style="list-style-type: none"> 1. <u>Individual student program oversight</u>: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students' files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Elementary and Secondary Education, or to the out-of-district placement. 2. <u>Student right to full procedural protections</u>: The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district placement. 3. <u>Preference to approved programs</u>: The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. Preference is also given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with LRE requirements. When an approved program is available to provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department. 4. <u>Written contracts</u>: The school district enters into written contracts with all public and private out-of-district placements. At a minimum, such contracts meet the content requirements of 28.06(3)(f)(1-5). 5. <u>Use of unapproved programs</u>: A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student's IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation. 6. <u>Placement documentation</u>: The following documentation is maintained by the school district pursuant to its placement of children in unapproved out-of-district programs:

CRITERION NUMBER	
	Legal Standard
	<p>a. <u>Search</u>: The administrator of special education documents the search for and unavailability of a program approved by the Department. The administrator places such documentation in the student record.</p> <p>b. <u>Evaluation of facility</u>: The administrator of special education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation additionally determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.</p> <p>c. <u>School district approval to operate a private school in Massachusetts</u>: If services in an unapproved program are provided in a school setting, the administrator of special education ensures that such school has received approval from the local school committee under M.G.L. c.76, §1 and a copy of such approval is retained in the student record.</p> <p>d. <u>Pricing</u>: Pursuant to the requirements for Compliance, Reporting and Auditing for Human and Social Services at 808 CMR 1.00, the administrator obtains pricing forms required to set program prices for programs receiving publicly funded students. Such pricing forms are completed by the proposed placement and document that the price proposed for the student’s tuition is the lowest price charged for similar services to any student in that program.</p> <p>e. <u>Notification of the Department of Elementary and Secondary Education</u>: Prior to placement, if the Team determines that placement in such facility is appropriate, the administrator notifies the Department of the intent to place the student and the name and location of the proposed placement before placing the student into the program by sending ESE a completed mandated 28M3 form titled “Notice of Intent to Seek Approval for Individual Student Program” and all the required supporting documentation (i.e., completed pricing forms, signed written contract that will govern such placement, and monitoring plan pursuant to 603 CMR 28.06(3)(b)). The district maintains copies of this documentation, as well as any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly funded students as set by the state agency responsible for setting program prices. The district maintains documentation of actual monitoring of the unapproved placement,</p>

CRITERION NUMBER				
	Legal Standard			
	<p>including any site visits made and other monitoring activities undertaken by the school district.</p> <p>f. <u>Out of state programs</u>: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the administrator of special education ensures that such school has received approval from the host state.</p> <p>State Requirements G.L. c. 76, s. 1; 603 CMR 18.00; 28.02(14); 28.06(2)(f) and (3); 28.09 808 CMR 1.00</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.2(c)</p>			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Rating: Implemented</td> <td style="width: 25%;">District Response Required:</td> <td style="width: 25%;">No</td> </tr> </table>	Rating: Implemented	District Response Required:	No
Rating: Implemented	District Response Required:	No		

CRITERION NUMBER				
	Legal Standard			
SE 45	<p>Procedures for suspension up to 10 days and after 10 days: General requirements</p> <ol style="list-style-type: none"> 1. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below. 2. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education. 3. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year. <p>State Requirements G.L. c. 76, §§ 16-17</p> <p style="text-align: right;">Federal Requirements 34 CFR 300.530-300.537</p>			
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Rating: Partially Implemented	District Response Required:	Yes		

Department of Elementary and Secondary Education Findings:

Interviews indicate that the district does not accurately keep track of suspensions at the elementary level, since students are at times sent home for in-class behaviors, but this is not considered a suspension.

CRITERION NUMBER	
	Legal Standard
SE 46	<p>Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district</p> <ol style="list-style-type: none"> 1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement. 2. When a suspension constitutes a change in placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student’s file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district’s failure to implement the IEP—“a manifestation determination.” 3. If district personnel, the parent, and other relevant members of the Team determine that the behavior is <u>NOT</u> a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer: <ol style="list-style-type: none"> a. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and b. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur. 4. <u>Interim alternative educational setting.</u> Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days <ol style="list-style-type: none"> a. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is “substantially likely” to injure him/herself or others. <p><u>Characteristics.</u> In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.</p> 5. If district personnel, the parent, and other relevant members of the Team determine that the behavior <u>IS</u> a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews it and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational

CRITERION NUMBER			
	Legal Standard		
	<p>setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.</p> <p>6. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student's current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.</p> <p style="margin-left: 20px;">State Requirements</p> <p style="margin-left: 400px;">Federal Requirements 34 CFR 300.530-537</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Record review indicates that the notice of procedural safeguards is not always provided on or before the date of the decision to take disciplinary action where disabled students were excluded. In addition, in some cases, functional behavioral assessments and behavior intervention plans were not found when necessary.

Parent and staff interviews and record review indicate that service delivery is inconsistent for disabled students suspended more than ten days.

CRITERION NUMBER			
	Legal Standard		
SE 48	<p>Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education</p> <p>All students receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.</p> <p>Programs, services and activities include, but are not limited to:</p> <ol style="list-style-type: none"> 1. art and music 2. vocational education, industrial arts, and consumer and homemaking education 3. work study and employment opportunities 4. counseling services available at all levels in the district 		

CRITERION NUMBER	
	Legal Standard
	5. health services 6. transportation 7. recess and physical education, including adapted physical education 8. athletics and recreational activities 9. school-sponsored groups or clubs 10. meals State Requirements 603 CMR 28.06(5)
	Federal Requirements 34 CFR 300.101 – 300.113
	Rating: Implemented
	District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 52A	Registration of educational interpreters Providers of interpreting services for students who are deaf or hard of hearing must be registered with the Massachusetts Commission for the Deaf and Hard of Hearing. State Requirements 603 CMR 28.02(3),(18)
	Federal Requirements 34 CFR 300.34; 300.156(b)
	Rating: Partially Implemented
	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicate that the educational interpreters currently used in the district are not registered with the Massachusetts Commission for the Deaf and Hard of Hearing.

CRITERION NUMBER	
	Legal Standard
SE 53	Use of paraprofessionals 1. Reserved. 2. Persons employed as paraprofessionals and assistants do not design instruction for students with disabilities but are expected to implement instruction under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision.

CRITERION NUMBER			
	Legal Standard		
	State Requirements	Federal Requirements 34 CFR 300.156	
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER	SPECIAL EDUCATION VII. SCHOOL FACILITIES		
	Legal Standard		
SE 55	<p>Special education facilities and classrooms The school district provides facilities and classrooms for eligible students that</p> <ol style="list-style-type: none"> 1. maximize the inclusion of such students into the life of the school; 2. provide accessibility in order to implement fully each child's IEP; 3. are at least equal in all physical respects to the average standards of general education facilities and classrooms; 4. are given the same priority as general education programs in the allocation of instructional and other space in public schools in order to minimize the separation or stigmatization of eligible students; and 5. are not identified by signs or other means that stigmatize such students. 		
	State Requirements 603 CMR 28.03(1)(b)	Federal Requirements Section 504 of the Rehabilitation Act of 1973	
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Observations indicate the following concerns about facilities:

- *At the Minot Forest School, the classroom for services for students with autism is labeled with an autism awareness ribbon.*
- *The behavior class at the Minot Forest School is not in a location which maximizes the inclusion of students into the life of the school. The classroom is located at the end of a hallway with no other classes nearby.*

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

**LEGAL STANDARDS AND
FINDINGS**

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS II. STUDENT IDENTIFICATION AND PLACEMENT		
	Legal Standard		
CR 3	<p>Access to a full range of education programs 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; G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CR 4	<p>Placement of female students, male students, homeless students, students with disabilities, and students from linguistic and racial/ethnic groups 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; G.L. c. 71A, s. 7; c. 71B, s. 6; c. 76, s. 5; 603 CMR 26.03</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER				
	Legal Standard			
CR 6	<p>Availability of in-school programs for pregnant students</p> <ol style="list-style-type: none"> 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. 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. <p>Title IX: 20 U.S.C. 1681; 34 CFR 106.40(b)</p>			
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CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS III. PARENTAL INVOLVEMENT		
	Legal Standard		
CR 7	<p>Information to be translated into languages other than English</p> <ol style="list-style-type: none"> 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. 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 skills. <p>Title VI; EEOA: 20 U.S.C. 1703(f); G.L. c. 76, s. 5; 603 CMR 26.02(2)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews and documentation indicate that the district does not have a system in place to ensure that information is routinely translated when necessary, and accordingly does not consistently translate important information and documentation.

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

Department of Elementary and Secondary Education Findings:

Documentation indicates that the PM2 program at the Cooperative Junior-Senior High School operates only 150 days annually.

CRITERION NUMBER			
	Legal Standard		
CR 7B	<p>Structured learning time</p> <ol style="list-style-type: none"> 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 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 		

CRITERION NUMBER			
	Legal Standard		
	<p>credit), technology-assisted learning, presentations by persons other than teachers, school-to-work programs, and statewide student performance assessments.</p> <ol style="list-style-type: none"> 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. 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. <p>G.L. c. 69, § 1G; 603 CMR 27.02, 27.04</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicate that tenth, eleventh and twelfth grade students at the Cooperative Junior-Senior High School do not currently receive physical education. A review of the high school program of studies indicates that students must take physical education in either their junior or senior year, but not both. Physical education is a required subject for all grades.

CRITERION NUMBER			
	Legal Standard		
CR 7C	<p>Early release of high school seniors 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>G.L. c. 69, § 1G; 603 CMR 27.05</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER				
	Legal Standard			
CR 8	<p>Accessibility of extracurricular activities Extracurricular activities sponsored by the district are nondiscriminatory in that:</p> <ol style="list-style-type: none"> 1. the school provides equal opportunity for all students to participate in intramural and interscholastic sports; 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. <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; G.L. c. 76, § 5; 603 CMR 26.06</p>			
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CRITERION NUMBER				
	Legal Standard			
CR 9	<p>Hiring and employment practices of prospective employers of students</p> <ol style="list-style-type: none"> 1. The district requires employers recruiting at the school to sign a statement that the employer complies with applicable federal and state laws prohibiting discrimination in hiring or employment practices. 2. Prospective employers to whom this criterion applies include those participating in career days and work-study and apprenticeship training programs, as well as those offering cooperative work experience. <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(1),(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.38; Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(1)(v), 104.37(a); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(1)(v); G.L. c. 76, § 5; 603 CMR 26.07(5)</p>			
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Rating: Partially Implemented	District Response Required:	Yes		

Department of Elementary and Secondary Education Findings:

Interviews indicate that the Cooperative Junior-Senior High School does not currently require employers who participate in the school's work-study program to sign a statement that they comply with applicable federal and state laws prohibiting discrimination in hiring or employment practices.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS V. STUDENT SUPPORT SERVICES		
	Legal Standard		
CR 10A	<p>Student handbooks and codes of conduct</p> <ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> a) The district has a code of conduct for students and one for teachers. 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. c) The principal of every school containing other grades distributes the district's student code of conduct to students, parents, and personnel annually. 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. 2. Student codes of conduct contain: <ol style="list-style-type: none"> a) procedures assuring due process in disciplinary proceedings and b) appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans. 3. Student handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain: <ol style="list-style-type: none"> a) a nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5, 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; b) the school's procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and c) the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred. <p>Section 504; G.L. c. 71, § 37H; 603 CMR 26.08</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

The district has a district handbook as well as individual handbooks for the high school, middle school and elementary/preschool levels. The district provides the district handbook to all students, and requires students at the high school and parents and students at the elementary and middle schools to sign off that they have received the district handbook..

Neither the district nor the individual school level handbooks contain the following required content:

- *The disciplinary measures that the school may impose if it determines that discrimination has occurred. (The district handbook does include harassment as a "Group C" offense, and includes consequences for these offenses.)*
- *Appropriate procedures for the discipline of students with special needs, including students not yet determined eligible for special education, that are consistent with IDEA 2004. While some handbooks contain some parts of the updated law, none are completely accurate in this regard.*
- *Appropriate procedures for the discipline of students with Section 504 Accommodation Plans.*

Though the middle school and district handbooks contain the school's procedure for accepting, investigating and resolving complaints alleging discrimination or harassment, they identify a civil rights coordinator who is no longer in the district.

Interviews indicate that there is no procedure in place to ensure that translated handbooks are available, when requested. See also CR 7.

Review of documentation indicates that there is no handbook for the Wareham Cooperative Junior-Senior High School.

CRITERION NUMBER			
	Legal Standard		
CR 11A	<p>Designation of coordinator(s); grievance procedures</p> <ol style="list-style-type: none"> 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. <p>Title IX: 20 U.S.C. 1681; 34 CFR 106.8; Section 504: 29 U.S.C. 794; 34 CFR 104.7; Title II: 42 U.S.C. 12132; 28 CFR 35.107</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CR 12A	<p>Annual and continuous notification concerning nondiscrimination and coordinators</p> <ol style="list-style-type: none"> 1. If the district offers vocational education programs, it advises students, parents, employees and the general public before the beginning of each school year that all vocational opportunities will be offered regardless of race, color, national origin, sex or disability. The notice includes a brief summary of program offerings and admission criteria and the name(s), office address(es), and phone number(s) of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504. 2. In all cases, the district takes continuing steps to notify applicants, students, parents, and employees (including those with impaired vision or hearing), as well as unions or professional organizations holding collective bargaining or professional agreements with the district, that it does not discriminate on the 		

CRITERION NUMBER			
	Legal Standard		
	<p>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.</p> <p>3. Written materials and other media used to publicize a school include a notice that the school does not discriminate on the basis of race, color, national origin, sex, disability, religion, or sexual orientation.</p> <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; G.L. c. 76, § 5; 603 CMR 26.02(2)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

See CR 10A, concerning the name of the person designated as the civil rights coordinator.

CRITERION NUMBER			
	Legal Standard		
CR 13	<p>Availability of information and academic counseling on general curricular and occupational/vocational opportunities</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> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37(b); Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 721; Mass. Const. amend. art. 114; G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.03</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews and documentation indicate that linguistic minority students do not receive information and academic counseling in a language that they understand.

CRITERION NUMBER			
	Legal Standard		
<p>CR 14</p>	<p>Counseling and counseling materials free from bias and stereotypes To ensure that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation, disability, and homelessness, all counselors:</p> <ol style="list-style-type: none"> 1. encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills; 2. examine testing materials for bias and counteract any found bias when administering tests and interpreting test results; 3. communicate effectively with limited-English-proficient and disabled students and facilitate their access to all programs and services offered by the district; 4. provide limited-English-proficient students with the opportunity to receive guidance and counseling in a language they understand; 5. support students in educational and occupational pursuits that are nontraditional for their gender. <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37; Title II: 42 U.S.C. 12132; 28 CFR 35.130, 35.160; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 721; Mass. Const. amend. art. 114; G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.04, 26.07(8)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews indicate that there is no translation or interpretation to enable counselors to communicate with limited English proficient students in order to facilitate their access to all programs and services offered by the district.

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

CRITERION NUMBER			
	Legal Standard		
	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; G.L. c. 76, § 5; 603 CMR 26.07(7)		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CR 16	<p>Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion</p> <p>1. Within ten days from a student’s fifteenth consecutive unexcused absence, the school provides written notice to students age 16 or over and their parents or guardians. The notice is in English and the family’s native language and states that the student and the parent or guardian may meet with a representative of the district within ten days from the date the notice was sent. At the request of the parent or guardian, the district may consent to an extension of the time for the meeting of not longer than fourteen days.</p> <p>2. At the meeting the participants discuss the reasons that the student is leaving school and alternative educational or other placements. The student and parent or guardian are told that attendance is voluntary after the student turns 16 but are also informed of the student’s right to return to school.</p> <p>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</p> <p>a) to inform them of the availability of publicly funded post-high school academic support programs and</p> <p>b) to encourage them to participate in those programs.</p> <p>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>G.L. c. 76, §§ 5, 18; St. 1965, c. 741</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews and documentation indicate that the Cooperative Junior-Senior High School does not currently implement the requirements of this criterion. Documentation also indicates that although Wareham High School has a written notice that contains the required content, the notice is not addressed to the student.

CRITERION NUMBER			
	Legal Standard		
<p>CR 17A</p>	<p>Use of physical restraint on any student enrolled in a publicly-funded education program</p> <ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> a) The district has developed and implemented staff training at least annually on the use of physical restraint consistent with regulatory requirements. Such training occurs within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. b) At the beginning of each school year, each school identifies staff authorized to serve as schoolwide resources to help ensure the proper administration of physical restraint. Staff so identified have completed in-depth training in the use of physical restraint consistent with 603 CMR 46.03(3) and (4). 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. 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. 4. The district has developed and implemented reporting requirements and procedures for administrators, parents and the Department consistent with the regulations. 5. The district has developed and implemented any applicable individual waiver procedures consistent with the regulations. <p>G.L. c. 71, s. 37G; 603 CMR 46.00</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews and documentation indicate that not all staff district-wide have received the mandated annual physical restraint training. Accordingly, procedures were not provided to all school staff.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
CR 18	<p>Responsibilities of the school principal</p> <ol style="list-style-type: none"> 1. Instructional support. The principal in each of the district’s schools promotes instructional practices responsive to student needs and ensures that adequate instructional support is available for students and teachers. Instructional support includes remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of M.G.L. c. 71B, §2. The principal consults with the administrator of special education regarding accommodations and interventions for students. Such efforts and their results are documented and placed in the student record. Additionally, when an individual student is referred for an evaluation to determine eligibility for special education, the principal ensures that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility. 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> 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. 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.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	G.L. c. 71, § 38Q ½; 603 CMR 28.03(3)		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, interviews and record review indicate that the district lacks appropriate services for linguistic minority students. See the ELE section of the report.

While interviews indicate that documentation on the use of instructional support services for students is provided as part of the evaluation information reviewed by the Team when determining special education eligibility, this information was not found in student records.

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

CRITERION NUMBER			
	Legal Standard		
CR 20	<p>Staff training on confidentiality of student records 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; G.L. c. 71, § 34H; 603 CMR 23.00, esp. 23.05(3)</p>		

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

CRITERION NUMBER				
	Legal Standard			
CR 21	<p>Staff training regarding civil rights responsibilities The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of students' race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting.</p> <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31-106.42; G.L. c. 76, § 5; 603 CMR 26.00, esp. 26.07(2), (3)</p>			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Rating: Partially Implemented</td> <td style="width: 33%;">District Response Required:</td> <td style="width: 33%;">Yes</td> </tr> </table>	Rating: Partially Implemented	District Response Required:	Yes
Rating: Partially Implemented	District Response Required:	Yes		

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicate that staff at the high school received training on harassment, but did not receive the training on other civil rights responsibilities as required by this criterion.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VII. SCHOOL FACILITIES			
	Legal Standard			
CR 22	<p>Accessibility of district programs and services for students with disabilities 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>			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Rating: Implemented</td> <td style="width: 33%;">District Response Required:</td> <td style="width: 33%;">No</td> </tr> </table>	Rating: Implemented	District Response Required:	No
Rating: Implemented	District Response Required:	No		

CRITERION NUMBER			
	Legal Standard		
CR 23	<p>Comparability of facilities Where the district provides separate facilities for members of a specific group, those facilities are comparable to those offered other students in the district, including:</p> <ol style="list-style-type: none"> 1. separate facilities for disabled, limited-English-proficient or pregnant students that are comparable to the facilities for other students in the district; 2. separate toilet, locker room, and shower facilities for students of one gender that are comparable in size, condition, number and location to those provided students of the other gender. <p>Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.33, 106.40(b)(3); Section 504: 29 U.S.C. 794; 34 CFR 104.34(c); Mass. Const. amend. art. 114; 603 CMR 28.03(1)(b)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

See SE 55.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VIII. PROGRAM PLAN AND EVALUATION		
	Legal Standard		
CR 24	<p>Curriculum review 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>G.L. c. 76, § 5; 603 CMR 26.05(2)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

While documentation and interviews indicate that there is a specific curriculum review team, the district does not ensure that individual teachers in the district review all educational materials as required by this criterion, and that appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.

CRITERION NUMBER			
	Legal Standard		
CR 25	<p>Institutional self-evaluation The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation.</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; G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.07(1),(4)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

The district has completed some of the evaluation activities required by this criterion. Specifically, the district completes school policy manual and district handbook reviews at the end of each school year, through school councils. The district also recently completed a self-assessment of Section 504 requirements. However, the district does not evaluate all aspects of its K-12 program annually and does not keep documentation of each year's evaluation activities.

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

ENGLISH LEARNER EDUCATION

**LEGAL STANDARDS AND
FINDINGS**

CRITERION NUMBER	ENGLISH LEARNER EDUCATION I. ASSESSMENT OF STUDENT PROGRESS		
	Legal Standard		
ELE 1	<p>Annual Assessment</p> <p>1. The district annually assesses the English proficiency of all limited English proficient (LEP) students.</p> <p>2. The following tests selected by the Massachusetts Board of Education are administered annually by qualified staff to students who are English learners:</p> <ul style="list-style-type: none"> (a) the Massachusetts Comprehensive Assessment System (MCAS) in grades 3-12; and (b) the Massachusetts English Proficiency Assessment (MEPA) in grades 3-12, and the Massachusetts English Language Assessment – Oral (MELA-O) in grades K-12. <p>Authority: NCLB, Title I and Title III; G.L. c. 71A, § 7; 603 CMR 14.02</p>		
	Rating: Implemented	District Response Required:	No

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

CRITERION NUMBER	ENGLISH LEARNER EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT		
	Legal Standard		
ELE 3	<p>Initial Identification</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>		

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

Department of Elementary and Secondary Education Findings:

Record review, interviews and documentation indicate that the district does not currently have appropriate procedures in place for identifying students who are limited English proficient. While a home language survey is used by the district, this survey is not translated into multiple languages. In addition, no initial identification assessments are used to assess students' English proficiency in reading, writing, speaking and listening. Interviews indicate that different reading assessments are at times used to identify students' English proficiency; this is not appropriate.

CRITERION NUMBER	
	Legal Standard
ELE 4	<p>Waiver Procedures</p> <ol style="list-style-type: none"> 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>. 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. <p style="text-align: center;">Authority: G.L. c. 71A, § 5; 603 CMR 14.04(3)</p>

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

Department of Elementary and Secondary Education Findings:

Documentation, record review and interviews indicate that the district does not currently have waiver procedures in place. Although the district has copied the waiver forms available on the Department’s website onto district letterhead, it has not begun using the forms, and parents are not currently informed of their right to apply for a waiver and provided with program descriptions in a language they can understand.

CRITERION NUMBER	
	Legal Standard
ELE 5	<p>Program Placement and Structure</p> <ol style="list-style-type: none"> 1. The district places LEP students in <ol style="list-style-type: none"> 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 G.L. c. 71A, §§ 2 and 4); or 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 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 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. 2. Regardless of the program model, districts provide LEP students with content instruction that is based on the Massachusetts Curriculum Frameworks. 3. Regardless of the program model, districts provide ESL/ELD instruction that is based on the English Language Proficiency Benchmarks and Outcomes. 4. The district uses assessment data to plan and implement educational programs for students at different instructional levels. <p style="text-align: center;">Authority: Title VI; EEOA; G.L. c. 71A, §§ 2, 4, 7</p>
	Rating: Partially Implemented District Response Required: Yes

CRITERION NUMBER	
	Legal Standard

Department of Elementary and Secondary Education Findings:

It is clear from the documentation submitted by the school district that LEP students are not receiving ESL instruction in amounts that are in accordance with the Commissioner’s memorandum of June 2005. The district submitted documentation indicating the number of hours of ESL instruction per week as “small group” taught by Title I and reading specialists instead of the required licensed ESL teachers.

According to district documents, several Wareham teachers have completed Category 3 training; however, documents submitted by the school district indicate that the district is not progressing towards continued implementation of training staff in any of the other four Categories of professional development.

Additionally, the district does not have a curriculum based on the English Language Proficiency Benchmarks and Outcomes (ELPBO) and therefore does not provide appropriate instruction to its English language learners.

CRITERION NUMBER				
	Legal Standard			
ELE 6	<p>Program Exit and Readiness</p> <p>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.</p> <p>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.</p> <p>Authority: Title VI; EEOA; G.L. c. 71A, § 4</p>			
	<table border="1"> <tr> <td>Rating: Not Implemented</td> <td>District Response Required:</td> <td>Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required:	Yes
Rating: Not Implemented	District Response Required:	Yes		

Department of Elementary and Secondary Education Findings:

The district currently has no written policy for re-designating limited English proficient students.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION III. PARENTAL INVOLVEMENT		
	Legal Standard		
ELE 7	<p>Parent Involvement 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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, interviews, and record review indicate that the district does not consistently interpret or translate information for parents who are limited English proficient. While interviews indicate that some of the parents of LEP students are connected to their children’s schools, the district has not developed a formal means of ensuring this for all parents of LEP students.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION IV. CURRICULUM AND INSTRUCTION		
	Legal Standard		
ELE 8	<p>Declining Entry to a Program The district provides English language support to students whose parents have declined entry to a sheltered English immersion, two-way bilingual, or other ELE program.</p> <p style="text-align: center;">Authority: Title VI; EEOA; G.L. c. 71, §38Q1/2</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
ELE 9	<p>Instructional Grouping</p> <ol style="list-style-type: none"> 1. The district only groups LEP students of different ages together in instructional settings if their levels of English proficiency are similar. 2. The district’s grouping of students ensures that LEP students receive effective content instruction at appropriate academic levels and that ESL/ELD instruction is at the appropriate proficiency level and based on the English Language Proficiency Benchmarks and Outcomes. 		

CRITERION NUMBER			
	Legal Standard		
	Authority: Title VI; EEOA; G.L. c. 71A, § 4		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Rating: Not Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes
Rating: Not Implemented	District Response Required: Yes		

Department of Elementary and Secondary Education Findings:

It is clear from the documentation submitted that ESL/ELD instruction is not at the appropriate proficiency level or based on the English Language Proficiency Benchmarks and Outcomes and that content instruction is not at the appropriate academic level.

CRITERION NUMBER			
	Legal Standard		
ELE 10	<p>1. Upon identification of a student as LEP, and annually thereafter, a notice is mailed to the parents or guardians written where practicable in the primary/home language as well as in English, that informs parents of:</p> <ul style="list-style-type: none"> (a) the reasons for identification of the student as LEP; (b) the child’s level of English proficiency; (c) program placement and/or the method of instruction used in the program; (d) how the program will meet the educational strengths and needs of the student; (e) how the program will specifically help the child learn English; (f) the specific exit requirements; and (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). <p>(All districts need to comply with a-c and g. Title III districts must comply with a-g. Title III districts must send parental notification no later than 30 days after the beginning of the school year.)</p> <p>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.</p> <p>Authority: NCLB, Title III, Part C, Sec. 3302(a), (c); G.L. c. 71A, § 7; 603 CMR 14.02</p>		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Rating: Not Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes
Rating: Not Implemented	District Response Required: Yes		

Department of Elementary and Secondary Education Findings:

Documentation, interviews and record review indicate that the district does not currently have a written parental notification letter.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION V. STUDENT SUPPORT SERVICES		
	Legal Standard		
ELE 11	<p>Equal Access to Academic Programs and Services</p> <ol style="list-style-type: none"> 1. The district does not segregate LEP students from their English-speaking peers, except where programmatically necessary, to implement an English learner education program. 2. The district ensures that LEP students participate fully with their English-speaking peers and are provided support in non-core academic courses. 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. 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. 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. 6. Reserved 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. 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. <p>Authority: Title VI; EEOA; 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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, interviews and record review indicate that the district does not currently translate notices about academic programs, services, activities or academic standards into languages other than English. There is no native language guidance or counseling available for LEP students. As identified with respect to ELE 5 and ELE 15, the district does not currently ensure that LEP students

are taught to the same academic standards and curriculum as all students, and therefore does not provide 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. See ELE 5 and ELE 15.

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

Department of Elementary and Secondary Education Findings:

Documentation, interviews and record review indicate that the district does not currently translate or interpret information about extracurricular activities and school events into languages other than English.

CRITERION NUMBER			
	Legal Standard		
ELE 13	<p>Follow-up Support</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>		
	Rating: Not Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, record review and interviews indicate that the district does not actively monitor students who have exited an ELE program.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
ELE 14	<p>Licensure Requirements</p> <ol style="list-style-type: none"> 1. Reserved. 2. (a) Every district, including every Commonwealth charter school, has at least one teacher who has an English as a Second Language, Transitional Bilingual Education, or English Language Learners license under G.L. c.71, § 38G and 603 CMR 7.04(3). (This requirement does not apply separately to Horace Mann charter schools.) (b) Except at Commonwealth charter schools, <i>every</i> teacher or other educational staff member who teaches limited English proficient students holds an appropriate license or current waiver issued by the Department of Elementary and Secondary Education. (c) All teachers and other educational staff who teach LEP students, including those at Commonwealth charter schools, have received or are engaged in the professional development described in Attachment 1 to the commissioner’s memorandum of June 15, 2004. (See p. 8 at http://www.doe.mass.edu/ell/sei/qualifications.pdf.) 3. Except at Commonwealth charter schools, any director of English language learner programs who is employed in that role for one-half time or more has a Supervisor/Director license and an English as a Second Language, Transitional Bilingual Education, or English Language Learners license. 4. If a district with 200 or more LEP students—including any Commonwealth charter school 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. (This requirement does not apply separately to Horace Mann charter schools.) <p style="text-align: center;">Authority: Title VI; EEOA; G.L. c. 71, § 38G, §89(qq); St. 2002, c. 218, §§ 24, 25, 30; 603 CMR 7.04(3), 7.09(3)</p>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation submitted by the district indicates that there are no licensed ESL teachers within the district as required. However, interviews indicate that there is one licensed ESL teacher at the high school.

According to district documents, several Wareham teachers have completed Category 3 training; however, documents submitted by the school district indicate that the district is not progressing towards continued implementation of training staff in any of the other four Categories of professional development.

The district has no written policy for assuring English language fluency and literacy of teachers in classrooms where English is the language of instruction.

CRITERION NUMBER			
	Legal Standard		
ELE 15	<p>Professional Development Requirements 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 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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

According to district documents, several Wareham teachers have completed Category 3 training; however, documents submitted by the school district indicate that the district is not progressing towards continued implementation of training staff in any of the other four Categories of professional development.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VII. SCHOOL FACILITIES		
	Legal Standard		
ELE 16	<p>Equitable Facilities 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; G.L. c. 76, § 5; 603 CMR 26.07</p>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VIII. PROGRAM PLAN AND EVALUATION		
	Legal Standard		
ELE 17	<p>Program Evaluation 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>		
	Rating: Implemented	District Response Required:	No

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

Department of Elementary and Secondary Education Findings:

Record review indicates that student records did not consistently contain the following information:

- *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;*
- *Copies of parent notification letters and report cards in the native language; and*
- *Information about students' previous school experiences.*

**CAREER/VOCATIONAL TECHNICAL
EDUCATION**

**LEGAL STANDARDS
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>		
	Rating: Implemented	District Response Required:	No

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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Academic and career assessments are administered to students; however, no documentation exists that showed the results are used to improve programs or tailor instruction. In addition, there are no provisions made to assist students and their families whose primary language is other than English with understanding the assessment results.

CRITERION NUMBER			
	Legal Standard		
CVTE 3	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicate that the marketing program uses a grade system to measure student progress that is not inclusive of all safety & health, academic (including embedded academic), employability, management & entrepreneurship and technological knowledge and skills, nor are students or parents/guardians routinely provided with documentation of their child's acquisition of knowledge and skills.

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT		
	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Information regarding the marketing program, further education, and employment are available in English only.

CRITERION NUMBER			
	Legal Standard		
CVTE 5	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 & 135, Vocational Technical Education Regulations 603 CMR 4.03(4) (6 (7), M.G.L.c.76, Section 5.</i>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:
See CR 10A.

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>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CVTE 7	The programs in which students are enrolled meet the Perkins IV definition of career and technical education. <i>Perkins Sections 3 & 135</i>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CVTE 8	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>		
	Rating: Implemented	District Response Required:	No

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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicate that the Program Advisory Committee for the Chapter 74-approved vocational technical education program in marketing does not have postsecondary (college) representation. The Program Advisory Committee does not include person(s) with disabilities, and there is no plan (formal recruitment process) to make it inclusive. Interviews suggested that no formal recruitment process for the entire Program Advisory Committee exists. Not all parents/guardians are made aware of the opportunity to serve on the Program Advisory Committee. Program Advisory Committee members have not reviewed the marketing program's instructional facilities or equipment. While the Program Advisory Committee serves as the General Advisory Committee, it does not meet with the School Committee at least once per year.

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 & 118, Vocational Technical Education Regulations 603 CMR 4.03(4)</i>		
	Rating: Implemented	District Response Required:	No

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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, interviews, and observations revealed that the marketing program is in the process of aligning the curriculum with the Vocational Technical Education Framework for marketing.

CRITERION NUMBER			
	Legal Standard		
CVTE 12	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, interviews, and observations revealed that the marketing program is in the process of aligning the curriculum with the applicable Vocational Technical Education Framework for marketing

CRITERION NUMBER			
	Legal Standard		
CVTE 13	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicate that while some embedded academics were evidenced through lesson plans, there is no formal system to support academic and technical integration. However, the marketing program collaborates with the English Department and requires students to complete a 30-page marketing research project.

CRITERION NUMBER			
	Legal Standard		
CVTE 14	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, interviews, and observations revealed that the marketing program is in the process of aligning the curriculum with the applicable Vocational Technical Education Framework in marketing.

CRITERION NUMBER			
	Legal Standard		
CVTE 15	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation, interviews, and observations revealed that the marketing program is in the process of aligning the curriculum with the applicable Vocational Technical Education Framework in marketing.

CRITERION NUMBER			
	Legal Standard		
CVTE 16	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>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CVTE 17	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& 24B, Vocational Technical Education Regulations 603 CMR 4.03 (4)</i>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

While interviews indicated that services such as academic counseling and career guidance are implemented to facilitate transition from high school to employment or further education, no documentation exists to support this. Although the marketing program has articulation agreements with the local community college, agreements have not been reviewed during the last two years.

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) & 570.51-570.68, M.G.L. c. 74 Sections 1 & 2A, M.G.L. c.149, Sections 1, 62 & 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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Based on documentation and interviews, cooperative education lacks sufficient planning and supervision time between the school, student, and employer and is not regularly visited by staff to ensure appropriate supervision. Review of records revealed no site safety visits prior to students' placement with employers, safety orientations, and support services for students with disabilities. Some cooperative education records documented students placed at sites prior to receiving notification of the completed Criminal Offender Record Information (CORI) check. However, the district recognizes the immediate need to create a formal CORI process for students participating in cooperative education.

Information pertaining to the cooperative education program is not currently available in languages other than English and is not publicized in the 2008-2009 Student Handbook.

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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

The district does not conduct Criminal Offender Record Information (CORI) checks for students placed on non-cooperative education (unpaid) work-based learning.

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>		
	Rating: Not Applicable	District Response Required:	No

Department of Elementary and Secondary Education Findings:

The district does not offer an unpaid off-campus construction and maintenance project.

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		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION		
	V. STUDENT SUPPORT SERVICES		
	Legal Standard		
CVTE 22	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>		

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION		
	V. STUDENT SUPPORT SERVICES		
	Legal Standard		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Although interviews indicated that services such as academic counseling and career guidance are implemented to facilitate transition from high school to employment or further education, no documentation exist to support this.

CRITERION NUMBER			
	Legal Standard		
CVTE 23	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Interviews indicated that services such as career guidance and academic counseling are provided to assist each student from an economically disadvantaged family (including foster children) in the successful completion of the marketing program, and the transition to employment and/or further education, however, no documentation exists to support this.

CRITERION NUMBER			
	Legal Standard		
CVTE 24	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>		
	Rating: Not Applicable	District Response Required:	No

Department of Elementary and Secondary Education Findings:

There are no students with limited English proficiency enrolled in the marketing program, therefore it cannot be determined if the district provides services to support students with placement in employment and/or further education.

CRITERION NUMBER			
	Legal Standard		
CVTE 25	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>		
	Rating: Not Applicable	District Response Required:	No

Department of Elementary and Secondary Education Findings:

This criterion is not applicable. Marketing is not categorized as a nontraditional occupation or field of work for which individuals from one gender comprise less than 25% of the individuals in the field.

CRITERION NUMBER			
	Legal Standard		
CVTE 26	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>		
	Rating: Not Applicable	District Response Required:	No

Department of Elementary and Secondary Education Findings:

This criterion is not applicable. There are no students who are single parents (including a single pregnant student) enrolled in the marketing program, therefore it cannot be determined if the district provides services to support students in the successful completion of the program and transition to employment and/or further education.

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
CVTE 27	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>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CVTE 28	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>		

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

Department of Elementary and Secondary Education Findings:

Although professional development is available and district-wide goals exist, not all staff in the marketing program participate in professional development specific to the program.

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION VII. SCHOOL & WORK-BASED FACILITIES AND EQUIPMENT		
	Legal Standard		
CVTE 29	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicated that not all cooperative education and unpaid off-campus sites have been reviewed to ensure compliance with current occupational standards. Additionally, the Program Advisory Committee has not reviewed the marketing program’s instructional facilities.

CRITERION NUMBER			
	Legal Standard		
CVTE 30	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>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicated that not all cooperative education and unpaid off-campus sites have been reviewed to ensure instructional equipment meets current occupational standards. Additionally, the Program Advisory Committee has not reviewed the marketing program’s instructional equipment.

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

Department of Elementary and Secondary Education Findings:

The marketing program does not have a comprehensive safety and health plan.

Documentation and interviews indicated that not all cooperative education and unpaid off-campus sites have been reviewed to ensure compliance with current occupational standards. The Program Advisory Committee has not reviewed the marketing program's instructional facilities.

CRITERION NUMBER			
	Legal Standard		
CVTE 32	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 safety and health standards. <i>Perkins Section 135, Vocational Technical Education Regulations 603 CMR 4.03 (3)(4)(7)(8)</i>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Documentation and interviews indicated that not all cooperative education and unpaid off-campus sites have been reviewed to ensure compliance with current occupational standards. The Program Advisory Committee has not reviewed the marketing program's instructional facilities.

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION VIII. PROGRAM EVALUATION		
	Legal Standard		
CVTE 33	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>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CVTE 34	The district uses the Perkins Act Core Indicator of Performance outcomes and Chapter 74 outcomes to improve programs and outcomes for students. <i>Perkins Section 113, Vocational Technical Education Regulations 603 CMR 4.05</i>		
	Rating: Not Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

No evidence exists that the district uses Perkins Act Core Indicator of Performance outcomes and Chapter 74 outcomes to improve the marketing program and outcomes for students.

CRITERION NUMBER	CAREER/VOCATIONAL TECHNICAL EDUCATION IX. RECORDKEEPING AND FUND USE		
	Legal Standard		
CVTE 35	Student records contain the items listed in the Student Record Review Checklist. <i>Perkins Sections 5 & 113, Vocational Technical Education Regulations 603 CMR 4.03 (4) (c) (d), MA Student Records Regulations 603 CMR 23.00.</i>		
	Rating: Partially Implemented	District Response Required:	Yes

Department of Elementary and Secondary Education Findings:

Most student records lacked evidence of guidance activities used in planning the student's program of study. Beyond Individual Education Programs, there was little documented evidence of support services for members of special populations.

CRITERION NUMBER			
	Legal Standard		
CVTE 36	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>		
	Rating: Implemented	District Response Required:	No

CRITERION NUMBER			
	Legal Standard		
CVTE 37	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>		
	Rating: Implemented	District Response Required:	No

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

CRITERION NUMBER			
	Legal Standard		
CVTE 39	The district has adequate financial resources to enable the programs to meet current industry and Occupational Safety and Health Administration (OSHA) standards with		

CRITERION NUMBER			
	Legal Standard		
	respect to facilities, safety, equipment and supplies. <i>Vocational Technical Education Regulations 603 CMR 4.03 (8)</i>		
	Rating: Implemented	District Response Required:	No

Coordinated Program Review Final Reports are 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/>.

Final Report FALL-WINTER SE CR ELE CVT – 2009

File Name: Wareham Public Schools CPR Final Report 2008-2009

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