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| ESE LogoStarLogo08_A |  | **Greenfield Public Schools****COORDINATED PROGRAM REVIEW****REPORT OF FINDINGS****Dates of Onsite Visit:** **March 13-17, 2017****Date of Draft Report:** **July 6, 2017****Date of Final Report: September 20, 2017****Action Plan Due: October 19, 2017****Department of Elementary and Secondary Education Onsite Team Members:****Tom Hidalgo, Office of Public School Monitoring (PSM) Chair****Sandra Hanig, PSM****Amy Krukonis, PSM****Marc Oldenburg, PSM** **David Valade, Office of English Language Acquisition and Academic Achievement (OELAAA) Chair****Paul Aguiar, OELAAA** |
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Greenfield Public Schools**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Greenfield 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 2016 - 2017 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

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 as amended by Chapter 199 of the Acts of 2011 and M.G.L. c. 269 §§ 17 through 19.
* 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.
* The 2016 - 2017 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

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 2016 - 2017 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 (OELAAA), including a request for information regarding ELE programs and staff qualifications.

Some reviews also cover selected requirements in:

College, Career and Technical Education (OCCTE)

* college, career and 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 one to eight Department staff members conducts onsite activities over two to five 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; approximately 66 school districts and charter schools are scheduled for Coordinated Program Reviews in 2016 - 2017, of which all districts participated in the Web-based Monitoring System (WBMS). The Department’s

2016 - 2017 schedule of Coordinated Program Reviews is posted on the Department’s web site at <<<http://www.doe.mass.edu/pqa/review/cpr/schedule.html>>>.  The statewide six-year Program Review cycle, including the Department’s Mid-cycle follow-up monitoring schedule, is posted at <<<http://www.doe.mass.edu/pqa/review/cpr/6yrcycle.html>>>.

**Criteria:** The Program Review criteria for each WBMS review begins with the district/school conducting a self-assessment across all 56 current special education criteria and 26 civil rights criteria. The Office of Public School Monitoring through its Desk Review procedures examines the district/school’s self-assessment submission and determines which criteria will be followed–up on through onsite verification activities. For more details, please see the section on **The Web-based Approach to** **Special Education and Civil Rights Monitoring** at the beginning of the School District Information Package for Special Education and Civil Rights.

The requirements selected for review in all of the regulated programs are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993 to promote student achievement and high standards for all students.

**WBMS Methods:** Methods used in reviewing special education and civil rights programs include:

Self-Assessment Phase:

* District/school review of special education and civil rights documentation for required elements including document uploads. Upon completion of this portion of the district/school’s self-assessment, it is submitted to the Department for review.
* District/school review of a sample of special education student records selected across grade levels, disability categories and level of need. Additional requirements for the appropriate selection of the student record sample can be found in **Appendix II: Student Record Review Procedures** of the School District Information Package for Special Education.

Upon completion of these two portions of the district/school’s self-assessment, it is submitted to the Department for review.

On-site Verification Phase: Includes activities selected from the following;

* Interviews of administrative, instructional, and support staff consistent with those criteria selected for onsite verification.
* 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: The Department may select a sample of student records from those the district reviewed as part of its self-assessment, as well as records chosen by the Department from the special education student roster. The onsite team will conduct this review, using standard Department procedures, to determine whether procedural and programmatic requirements have been implemented.
* Surveys of parents of students with disabilities: 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.
* 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.
* Review of additional documents for special education or civil rights.

**Methods for all other programs in the Coordinated Program Review:**

* 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.
* Telephone interviews as requested by other parents or members of the general public.
* Review of student records for English learner education and college, career and 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 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.

**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. The Draft Report comments for special education and civil rights are provided to the district/school on-line through the Web-based Monitoring System (WBMS). 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 or updated 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,” “Not Implemented,” or “Implementation in Progress,” explaining the basis for the rating. It may also include findings for other related 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.**

# **INTRODUCTION TO THE FINAL REPORT**

#

A six-member Massachusetts Department of Elementary and Secondary Education team conducted a Coordinated Program Review in Greenfield Public Schools during the week of March 13, 2017, to evaluate the implementation of selected criteria in the program areas of special education, civil rights and other related general education requirements, and English learner 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 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 10 administrative staff.
* Interviews of 61 teaching and support services staff across all levels.
* Interview of one parent advisory council (PAC) representative.
* Interview of one parent of an English learner.
* Interviews as requested by persons from the general public.
* Student record review: A sample of 41 special education student records and 17 English learner education student records.
* 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. Four of these parent surveys were returned to the Department of Elementary and Secondary Education for review.
* Surveys of parents of ELE students: 13 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. Four of these parent surveys were returned to the Department of Elementary and Secondary Education for review.
* Observation of classrooms and other facilities. A sample of 25 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, including eight SEI classrooms.

The report includes findings in the program areas reviewed organized under nine components. These components are:

**Component I: Assessment of Students**

**Component II: Student Identification and Program Placement**

**Component III: Parent and Community Involvement**

**Component IV: Curriculum and Instruction**

**Component V: Student Support Services**

**Component VI: Faculty, Staff and Administration**

**Component VII: Facilities**

**Component VIII: Program Evaluation**

**Component IX: Recordkeeping and Fund Use**

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| The district conducted a self-assessment and the Department reviewed all of the criteria in the specific program areas. The Coordinated Program Review Report includes those criteria that were found by the team to be implemented in a “Commendable” manner, as well as criteria receiving a rating of "Partially Implemented," "Not Implemented," or “Implementation in Progress.” (Refer to the “Definition of Compliance Ratings” section of the report.) **Program Review Reports no longer include criteria receiving a rating of “Implemented” or “Not Applicable.”** This change will allow the district and the Department to focus their efforts on those areas requiring corrective action. For those criteria receiving a rating of “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. For any criteria receiving a rating of “Implementation in Progress,” the district must indicate the steps the district will continue to take in order to fulfill the regulatory requirements. Districts are expected to incorporate the corrective actions into their district and school improvement plans, including their professional development plans. |

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| **DEFINITION OF COMPLIANCE RATINGS** |
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| **Commendable** | Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation. |
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| **Implemented** | The requirement is substantially met in all important aspects. |
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| **Implementation in Progress** | This rating is used for criteria containing new or updated legal requirements and 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. |
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| **Partially Implemented** | The requirement, in one or several important aspects, is not entirely met. |
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| **Not Implemented** | The requirement is totally or substantially not met. |
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| **Not Applicable**  | The requirement does not apply to the school district or charter school. |

Greenfield Public Schools

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Special Education** | **Civil Rights and Other General Education Requirements** | **English Learner Education** |
| **IMPLEMENTED** | SE 1, SE 2, SE 3, SE 3A, SE 4, SE 5, SE 6, SE 7, SE 8, SE 9, SE 9A, SE 10, SE 11, SE 12, SE 13, SE 14, SE 15, SE 16, SE 17, SE 18A, SE 19, SE 20, SE 21, SE 22, SE 24, SE 25, SE 25A, SE 25B, SE 26, SE 27, SE 29, SE 32, SE 33, SE 34, SE 35, SE 36, SE 38, SE 39A, SE 39B, SE 40, SE 41, SE 42, SE 43, SE 44, SE 45, SE 46, SE 47, SE 48, SE 49, SE 50, SE 52, SE 52A, SE 53, SE 54, SE 56, SE 59 | CR 3, CR 6, CR 7A, CR 7B, CR 7C, CR 9, CR 10, CR 10A, CR 10B, CR 10C, CR 11A, CR 12A, CR 13, CR 15, CR 18, CR 18A, CR 20, CR 21, CR 22, CR 25, CR 26A | ELE 1, ELE 2, ELE 7, ELE 9, ELE 14, ELE 15 |
| **PARTIALLY****IMPLEMENTED** | SE 18B, SE 37, SE 51, SE 55 | CR 7, CR 8, CR 14, CR 17A, CR 23, CR 24 | ELE 3, ELE 4, ELE 5, ELE 6, ELE 10, ELE 11, ELE 12, ELE 16, ELE 18 |
| **NOT IMPLEMENTED** |  | CR 16  | ELE 8, ELE 13, ELE 17 |

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| **SPECIAL EDUCATION** **LEGAL STANDARDS,** **COMPLIANCE RATINGS AND** **FINDINGS** |

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| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| SE 18B | Determination of placement; provision of IEP to parent1. At the Team meeting, after the IEP has been fully developed, the Team determines the appropriate placement to deliver the services on the student’s IEP.
2. Unless the student’s IEP requires some other arrangement, the student is educated in the school that he or she would attend if the student did not require special education.
3. The decision regarding placement is based on the IEP, including the types of related services that are to be provided to the student, the type of settings in which those services are to be provided, the types of service providers, and the location at which the services are to be provided.
4. Reserved
5. Immediately following the development of the IEP, the district provides the parent with two (2) copies of the proposed IEP and proposed placement along with the required notice, except that the proposal of placement may be delayed according to the provisions of 603 CMR 28.06(2)(e) in a limited number of cases.
 |
|  | State Requirements | Federal Requirements |
|  | 603 CMR 28.05(6) and (7); 28.06(2) | 34 CFR 300.116; 300.325 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Record review and interviews indicated that the district does not consistently provide the parent(s) with two copies of the proposed IEP and proposed placement along with the required notice immediately following the Team meeting.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 37** | Procedures for approved and unapproved out-of-district placements1. Individual student program oversight: 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 program.
2. Student right to full procedural protections: 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 program.
3. Preference to approved programs: 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. Written contracts: 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), and specifically include a statement that the district shall not contract with any out-of-district placement that discriminates on the grounds of race, color, religion, sexual orientation, gender identity or national origin, or that discriminates against qualified persons with disabilities.
5. Use of unapproved programs: 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. Placement documentation: The following documentation is maintained by the school district pursuant to its placement of students in unapproved out-of-district programs:
	1. Search: 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.
	2. Evaluation of facility: 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 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.
	3. School district approval to operate a private school in Massachusetts: 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 school committee where the private school is located under M.G.L. c.76, §1 and a copy of such approval is retained in the student record.
	4. Pricing: 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.
	5. Notification of the Department of Elementary and Secondary Education: 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 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, including any site visits made and other monitoring activities undertaken by the school district.
	6. Out of state programs: 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.
 |
|  | State Requirements | Federal Requirements |
|  | M.G.L. c. 76, s. 1603 CMR 18.00; 28.02(14);28.06(2)(f) and (3); 28.09 808 CMR 1.00 | 34 CFR 300.2(c) |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the written contracts for out-of-district placements do not include a statement of nondiscrimination to include race, color, religion, sexual orientation, gender identity, national origin, or disabilities.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 51** | Appropriate special education teacher licensureExcept at Commonwealth charter schools, individuals who design and/or provide direct special education services described in IEPs are appropriately licensed.**Commonwealth Charter Schools – Special Education Teacher Qualifications**To come into compliance with IDEA, Commonwealth charter schools must use “qualified” teachers to provide specialized instruction or have a “qualified” teacher consult with or provide direct supervision for someone who is not qualified but is delivering specialized instruction.  This is an IDEA requirement. “Qualified” teachers must hold a valid license in special education or have successfully completed an undergraduate or graduate degree in an approved special education program.Please see additional guidance at:[http://www.doe.mass.edu/charter/tech\_advisory/07\_1.html#](http://www.doe.mass.edu/charter/tech_advisory/07_1.html)  (update 2/2011)<http://www.doe.mass.edu/charter/sped/staffqualifications.html> (update 3/23/2012). |
|  | State Requirements | Federal Requirements |
|  | M.G.L. c. 71, s. 38G; s. 89(qq);603 CMR 1.07; 7.00; 28.02(3) | 34 CFR 300.18; 300.156 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that one special education teacher in the district who designs and provides direct special education services described in IEPs is not appropriately licensed.* |

| **CRITERION****NUMBER** | SPECIAL EDUCATION**VII. SCHOOL FACILITIES** |
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|  | **Legal Standard** |
| **SE 55** | Special education facilities and classroomsThe school district provides facilities and classrooms for eligible students that1. maximize the inclusion of such students into the life of the school;
2. provide accessibility in order to implement fully each student’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 | Federal Requirements |
|  | 603 CMR 28.03(1)(b) | Section 504 of the Rehabilitation Act of 1973 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Observations and interviews revealed the following facilities issues:* *Greenfield High School: The Transitions Program occupies an entire wing of the building, comprising nine rooms clustered together, completely separate from the other classrooms in the school. The location of the program does not maximize the inclusion of the students with disabilities into the life of the school.* *Greenfield Middle School: Two special education classrooms are isolated. The Transitions Program is located in Room 102, with Room 103 serving as a "cool down" room for the program. There are no other classrooms in that wing of the building. The ACES program is located on the ground floor of the building, at the end of a ramp, with an adjacent "cool down" room. There are no other classrooms nearby. The locations of these two programs do not maximize the inclusion of the students into the life of the school.* *Discovery School at Four Corners: Two special education classrooms, the ACES program and a resource room, are located in the new addition of the school, with no general education classrooms. As a result, the location of these classes does not maximize the inclusion of the students into the life of the school. In addition, one of the rooms in this location has been divided into smaller spaces for the resource room, ELE classroom, and Title 1 classrooms, using bookcases, file cabinets and a wall divider. When the classes are meeting at the same time, noise is an issue. Lastly, a sign identifies one classroom as ACES.* |

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| **CIVIL RIGHTS** **METHODS OF ADMINISTRATION (CR)** **AND** **OTHER RELATED GENERAL EDUCATION REQUIREMENTS****LEGAL STANDARDS,** **COMPLIANCE RATINGS AND** **FINDINGS** |

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| **CRITERION****NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)**AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS****III. PARENTAL INVOLVEMENT** |
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|  | **Legal Standard** |
| **CR 7** | Information to be translated into languages other than English1. 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.
 |
|  | Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2) |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews indicated that the district does not consistently translate all notices and communications that are being provided to English-speaking parents for parents with limited English skills.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| CR 8 | Accessibility of extracurricular activitiesExtracurricular activities sponsored by the district are nondiscriminatory in that: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, gender identity, color, religion, national origin, sexual orientation, disability, or homelessness.
 |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.41; Section 504: 29 U.S.C. 794; 34 CFR 104.4,104.37(a), (c); Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title X, Part C, Sec. 721; Mass. Const. amend. art 114; M.G.L. c. 76, § 5; 603 CMR 26.06 (1) as amended by Chapter 199 of the Acts of 2011 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the district's Co-Curricular and Extracurricular Activities Policy does not include the protected categories of gender identity and homelessness.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **CR 14** | Counseling and counseling materials free from bias and stereotypesTo ensure that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, and homelessness, all counselors: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.
 |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37; Title II: 42 U.S.C. 12132; 28 CFR 35.130, 35.160; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 721; Mass. Const. amend. art. 114; M.G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.04, 26.07(8) as amended by Chapter 199 of the Acts of 2011 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the district procedure to ensure that counseling and counseling materials are free from bias and stereotypes omits the protected categories of color, gender identity, national origin, disability and homelessness. Interviews indicated that the procedure also does not ensure effective communications with English learners, or support educational and occupational pursuits considered nontraditional for the student's gender.* |

| **CRITERION****NUMBER** |       |
| --- | --- |
|  | **Legal Standard** |
| CR 16 | Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion1. No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school where the student last attended has sent notice within 5 days from the student’s tenth consecutive absence to the student and the parent/guardian of the student in English and the primary language of the parent or guardian (to the extent practicable). The notice shall offer at least two dates and times for an exit interview between the superintendent (or designee) and the student and the parent/guardian to occur prior to the student permanently leaving school. The notice shall include contact information for scheduling the exit interview and indicate that the parties shall agree to a date and time for the exit interview and that the interview shall occur within 10 days of the notice. The time and the date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days. The superintendent or designee may proceed with an exit interview without a parent/guardian if the superintendent or designee makes a good faith effort to include the parent/guardian.
2. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education programs and services available to the student. The superintendent (or designee) shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent/guardian. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and a list of alternative education program and services available to the student.
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
	1. to inform them of the availability of publicly funded post-high school academic support programs and
	2. to encourage them to participate in those programs.

At a minimum, the district sends annual written notice by first class mail to the last known address of each such student who attended a high school in the district within the past two years.1. The Superintendent shall annually report to the Department the number of students sixteen years of age or older who have permanently left school, the reasons for such leaving and any alternative educational or other placement the student has taken.
 |
|  | M.G.L. c. 76, §§ 5, 18; St. 1965, c. 741 |
|  | **Rating:** |  **Not Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews indicated that the district has not developed a notice to be sent within five days from a student's tenth consecutive absence to include: two dates and times for an exit interview between the superintendent (or designee) and the student and the parent/guardian; contact information for scheduling the exit interview; and information to indicate that the date and time for the exit interview may be extended at the request of the parent/guardian, but for no longer than 14 days.**Additionally, the district has not developed a notice sent annually to former students who have not yet earned their competency determination to inform them of the availability of publicly funded post-high school academic support programs and encourage them to participate in those programs. The district does not send annual written notice to the last known address of each such student who attended a high school in the district within the past two years.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| CR 17A | Use of physical restraint on any student enrolled in a publicly-funded education program1. Public education programs must develop and implement written restraint prevention and behavior support policy and procedures consistent with new regulations 603CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention.
	1. restraint prevention and behavior support policy and procedures shall be annually reviewed and provided to program staff and made available to parents of enrolled students.
	2. restraint prevention and behavior support policy and procedures shall include, but not be limited to: methods for preventing student violence, self-injurious behavior and suicide; methods for engaging parents and youth in discussions about restraint prevention and use; a description and explanation of the program’s alternatives to physical restraint and method of physical restraint in emergency situations; a statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of restraint inconsistent with 603 CMR 46.03; a description of the program’s training requirements, reporting requirements, and follow-up procedures; a procedure for receiving and investigating complaints; a procedure for conducting periodic review of data and documentation on the program’s use of restraint; a procedure for implementing the reporting requirements; a procedure for making both oral and written notification to the parent; and a procedure for the use of time-out.
2. Each principal or director shall determine a time and method to provide all program staff with training regarding the program’s restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment.
3. At the beginning of each school year, the principal of each public education program or his/her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall have in-depth training on the use of physical restraint.
4. The program administers physical restraint on students only in emergency situations of last resort when needed to protect a student and/or member of the school community from assault or imminent, serious, physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint.
 |
|  | M.G.L. c. 71, § 37G; 603 CMR 46.00 effective January 1, 2016 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the district's restraint prevention and behavior support policies and procedures have not been updated to be consistent with the requirements for the implementation of 603 CMR 46.00, effective January 1, 2016.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| CR 23 | Comparability of facilitiesWhere the district provides separate facilities for members of a specific group, those facilities are comparable to those offered other students in the district, including:1. separate facilities for disabled, limited-English-proficient or pregnant students that are comparable to the facilities for other students in the district;
2. Reserved.
 |
|  | 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) |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Observation indicated that at the Discovery School at Four Corners, the ELE classroom is located in the new addition of the school, in a room that has been divided into smaller spaces for the resource room, Title 1 classroom, and ELE classroom, using bookcases, file cabinets and a wall divider. When the classes are meeting at the same time, noise is an issue. The location and services provided for English learners are not comparable to those provided to the overall student population.* |

| **CRITERION****NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)**AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS****VIII. PROGRAM PLAN AND EVALUATION** |
| --- | --- |
|  | **Legal Standard** |
| **CR 24** | Curriculum reviewThe 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, gender identity, 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. |
|  | M.G.L. c. 76, § 5; 603 CMR 26.05(2) as amended by Chapter 199 of the Acts of 2011 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the district has practices in place to ensure that individual teachers review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation, and use appropriate activities, discussions and/or supplementary materials to provide balance and context for any stereotypes depicted in the materials; however, interviews indicated that the practice is not consistently implemented by teachers throughout the district.* |

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| **ENGLISH LEARNER EDUCATION****LEGAL STANDARDS,** **COMPLIANCE RATINGS AND** **FINDINGS** |

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| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** |
| --- | --- |
|  | **Legal Standard** |
| ELE 3 | **Initial Identification**1. The district uses qualified staff, appropriate procedures, and state-required assessments to identify students who are ELs and to assess their level of English proficiency in reading, writing, speaking, and listening.
2. Each school district shall establish procedures, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may be English learners and assess their level of English proficiency upon their enrollment in the school district.

**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** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district has an initial identification process in which not all students receive the Home Language Survey. Thus, English learners (ELs) are not consistently and accurately identified. Furthermore, the district does not have a process to identify or assess pre-school students to determine if they are ELs. The district's current initial identification practices are not consistent with the Department guidelines consistent with Title VI, EEOA, G.L. 71A & 76, and 603 CMR 14.02(1). Please see the "Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners,” as found at* [*http://www.doe.mass.edu/ell/guidance/Guidance.pdf*](http://www.doe.mass.edu/ell/guidance/Guidance.pdf)*.*  |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** |
| --- | --- |
|  | **Legal Standard** |
| ELE 4 | **Waiver Procedures**1. Waivers of the requirement to be taught through sheltered English immersion instruction 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 *in a language they can understand.*
2. Students who are under age 10 may only be granted waivers if (a) the student has been placed in an EL 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 ELE program other than a sheltered English immersion or two-way bilingual program. See 603 CMR 14.04 and ELE 5.

**Authority: G.L. c. 71A, § 5; 603 CMR 14.04(3)**. |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district uses the waiver process to provide an "alternate service" when G.L. c. 71A states that a parent may request a program waiver to allow the student in a different English learner education (ELE) program than the state-mandated SEI program model. The current waiver policy in the district is not consistent with the waiver requirements stated in G.L. c. 71A.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** |
| --- | --- |
|  | **Legal Standard** |
| ELE 5 | **Program Placement and Structure**1. The district uses assessment data to plan and implement educational programs for students at different instructional levels.
2. G.L. c. 71A, **§** 5 requires that students classified as ELs be educated either in a Sheltered English immersion (SEI) program or Two-Way Immersion program (TWI), unless a program waiver is sought for another ELE program model, such as Transitional Bilingual Education (TBE). The requirement to provide English language development services to ELs applies to all districts that enroll one or more EL students.
3. Core academic teachers in ALL of these programs are expected to hold the SEI Teacher Endorsement and to shelter the content for ELs to make the content of their lessons more comprehensible and to promote the development of academic language needed to successfully master content standards by providing English language development (ELD) to ELs.
4. Districts are required to include ESL instruction in the implementation of their ELE program to advance English language development and promote academic achievement of ELs.

**Authority: Title VI; EEOA; G.L. c. 71A, §§ 2, 4, 7; 603 CMR 7.15; 603 CMR 14.07** |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district does not have an ESL curriculum or a plan to develop one. ESL teachers use reading and literacy programs to provide ESL instruction to ELs at the elementary level, and middle school ESL teachers do not have any specific curriculum/material to provide ESL instruction. Reading and literacy programs help students improve their reading skills and can be used as resources; however, they cannot replace an ESL curriculum that targets growth in reading, listening, writing and speaking. Furthermore, a review of English Learner Student Learning Targets revealed that the district has not met Academic Achievement target for three consecutive years. The Department concludes that there is no evidence showing whether the time dedicated to ESL instruction is used for English language development and the district's ELE program requires appropriate program adjustments to improve the outcomes of the service delivery. Please see the district's English Learner Student Learning Targets in the Security Portal at* [*https://gateway.edu.state.ma.us*](https://gateway.edu.state.ma.us)*.*  |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** |
| --- | --- |
|  | **Legal Standard** |
| ELE 6 | **Program Exit and Readiness**1. Each school district shall establish criteria, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may no longer be English learners.
2. The district does not reclassify an English Learner (EL) as Former English Learner (FEL) 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.
3. Districts do not limit or cap the amount of time in which an EL can remain in a language support program. An EL only exits from such a program after he or she is determined to be proficient in English.

**Authority: Title VI; EEOA; G.L. c. 71A, § 4; 603 CMR 14.02** |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the district does not have written reclassification procedures. Furthermore, interviews indicated inconsistent familiarity with reclassification procedures and awareness of any students who have been reclassified. The district's current reclassification procedures are not in compliance with 603 CMR 14.02 that requires districts to establish exit criteria in accordance with the Department's guidelines. Please see the “Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners” as found at* [*http://www.doe.mass.edu/ell/guidance/Guidance.pdf*](http://www.doe.mass.edu/ell/guidance/Guidance.pdf)*.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**III. PARENT AND COMMUNITY INVOLVEMENT** |
| --- | --- |
|  | **Legal Standard** |
| ELE 8 | **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 immersion, or other ELE program.**Authority: Title VI; EEOA; G.L. c. 71, §38Q1/2** |
|  | **Rating:** |  **Not Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review, student record review and interviews indicated that the district does not have established policies and procedures to provide ELs who have been opted out of ELE programming meaningful access to the educational program. There is no indication of monitoring or parent notification on a regular basis. The district's current procedures for students who have been opted out are not in compliance with Title VI, EEOA, and Chapter 71A for providing opted-out ELs meaningful access to the district's educational program. Please see the “Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners” as found at* [*http://www.doe.mass.edu/ell/guidance/Guidance.pdf*](http://www.doe.mass.edu/ell/guidance/Guidance.pdf)*.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**IV. CURRICULUM AND INSTRUCTION** |
| --- | --- |
|  | **Legal Standard** |
| ELE 10 | **Parental Notification**1. Upon identification of a student as EL, 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:
	1. the reasons for identification of the student as EL;
	2. the child's level of English proficiency;
	3. program placement and/or the method of instruction used in the program;
	4. how the program will meet the educational strengths and needs of the student;
	5. how the program will specifically help the child learn English;
	6. the specific exit requirements;
	7. the parents' right to apply for a waiver (see ELE 4), or to decline to enroll their child in the program (see ELE 8)
2. The district shall send report cards and progress reports including, but not limited to, progress in becoming proficient in using English language and other school communications to the parents or legal guardians of students in the English learners programs in the same manner and the frequency as report cards and progress reports to the other students enrolled in the district. The reports are, to the maximum extent practicable, written in a language understandable to the parent/guardian.

Authority: NCLB, Title III, Part C, Sec. 3302(a), (c); G.L. c. 71A, § 7; 603 CMR 14.02 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review and interviews indicated that the district does not always send to the parents of students in the ELE program report cards and progress reports in a language they understand.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**V. STUDENT SUPPORT SERVICES** |
| --- | --- |
|  | **Legal Standard** |
| ELE 11 | **Equal Access to Academic Programs and Services**1. The district does not segregate ELs from their English-speaking peers, except where programmatically necessary, to implement an ELE program.
2. The district ensures that ELs participate fully with their English-speaking peers and are provided support in non-core academic courses.
3. The district ensures that ELs have the opportunity to receive support services, such as guidance and counseling, in a language that the student understands.
4. The district ensures that ELs 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 ELs 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-ELs, 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 ELs in a language and mode of communication that they understand.

**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); 34 CFR 300.304(c) (2)** |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews indicated that the district does not consistently provide notices to ELs about activities, responsibilities, and academic standards in a language they understand.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**V. STUDENT SUPPORT SERVICES** |
| --- | --- |
|  | **Legal Standard** |
| ELE 12 | **Equal Access to Nonacademic and Extracurricular Programs**1. The district provides appropriate support, where necessary, to ELs 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 ELs in a language they understand.

**Authority: Title VI; EEOA; G.L. c. 76, § 5; 603 CMR 26.06(2)** |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews indicated that the district does not consistently provide information to ELs about extracurricular activities and school events in a language they understand.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**V. STUDENT SUPPORT SERVICES** |
| --- | --- |
|  | **Legal Standard** |
| ELE 13 | **Follow-Up Support**1. The district actively monitors students who have exited an ELE education program for four years and provides language support to those students, if needed.
2. The district provides language support, if needed, to remedy any academic deficits the student incurred as a result of participation in the ELE program.

**Authority: Title VI; EEOA; NCLB; Title III** |
|  | **Rating:** |  **Not Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews indicated that the district does not have established procedures to provide follow up support for reclassified students (FELs). The district's current monitoring procedures are not in compliance with Title VI, EEOA, and ESSA that require districts to actively monitor FELs and provide language support to remedy any academic deficits in accordance with the Department's guidelines. Please see the “Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners” as found at* [*http://www.doe.mass.edu/ell/guidance/Guidance.pdf*](http://www.doe.mass.edu/ell/guidance/Guidance.pdf)*.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**VII. SCHOOL FACILITIES** |
| --- | --- |
|  | **Legal Standard** |
| ELE 16 | **Equitable Facilities**The district ensures that ELs are provided facilities, materials and services comparable to those provided to the overall student population.**Authority: Title VI; EEOA; G.L. c. 76, § 5; 603 CMR 26.07** |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *See CR 23.* |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**VIII. PROGRAM PLAN AND EVALUATION** |
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|  | **Legal Standard** |
| ELE 17 | **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.**Authority: Title VI; EEOA. Title III § 3121**  |
|  | **Rating:** |  **Not Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district does not have a comprehensive system in place to evaluate the effectiveness of its ELE program in developing students' English language skills and increasing their ability to participate meaningfully in the educational program. Please see* [*http://www.doe.mass.edu/ell/ProgramEvaluation.pdf*](http://www.doe.mass.edu/ell/ProgramEvaluation.pdf). |

| **CRITERION****NUMBER** | ENGLISH LEARNER EDUCATION**IX. RECORD KEEPING** |
| --- | --- |
|  | **Legal Standard** |
| ELE 18 | **Records of ELL Students**ELL student records include:1. home language survey;
2. results of identification and proficiency tests and evaluations;
3. ACCESS for ELLs report;
4. MCAS/PARCC report;
5. information about students' previous school experiences if available;
6. copies of parent notification letters;
7. progress reports, in the native language, if necessary;
8. report cards, in the native language, if necessary;
9. evidence of follow-up monitoring, if applicable;
10. documentation of a parent’s consent to “opt-out” of ESL instruction, if applicable;
11. waiver documentation, if applicable;
12. individualized learning plan (optional).

**Authority: Title VI; EEOA; G.L. c. 69, § 1I; c. 71A, §§ 5, 7; 603 CMR 14.02, 14.04** |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review indicated that records for ELs do not consistently contain all required documents, including: home language surveys, initial and annual parent notification letters, report cards and progress reports.* |

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| This Coordinated Program Review Final Report is also available at:<http://www.doe.mass.edu/pqa/review/cpr/reports/>.Profile information supplied by each charter school and school district, including information for individual schools within districts, is available at <http://profiles.doe.mass.edu/>. |

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