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| ESE LogoStarLogo08_A |  | **Pittsfield Public Schools**  **COORDINATED PROGRAM REVIEW**  **REPORT OF FINDINGS**  **Dates of Onsite Visit:** **April 24-26, 2018**  **Date of Draft Report:** **August 17, 2018**  **Date of Final Report: October 12, 2018**  **Action Plan Due: November 9, 2018**  **Department of Elementary and Secondary Education Onsite Team Members:**  **Sandra Hanig, Office of Public School Monitoring (PSM) Chair**  **Marc Oldenburg, PSM**  **Michelle Poulin, PSM**  **David Valade, Office of Language Acquisition (OLA) Chair**  **Larry DeSalvatore, Office for College, Career and**  **Technical Education (CCTE) Chair**  **David Edmonds, CCTE** |
|  |  | Jeffrey C. RileyCommissioner of Elementary and Secondary Education |
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Pittsfield Public Schools**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Pittsfield 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 2017 - 2018 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 2017 - 2018 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 2017 - 2018 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 English 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 (CCTE)

* 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 68 school districts and charter schools are scheduled for Coordinated Program Reviews in 2017 - 2018, of which all districts participated in the Web-based Monitoring System (WBMS). The Department’s

2017 - 2018 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 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**

The Massachusetts Department of Elementary and Secondary Education team conducted a Coordinated Program Review in Pittsfield Public Schools during the week of April 23, 2018 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 college, career and 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 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:

* Administrative staff
* Teaching and support services staff
* Special education parent advisory council representative
* Parent of an English learner
* College, career and technical education students
* College, career and technical education Program Advisory Committee members
* Persons from the general public

Student record reviews:

* Special education student records
* English learner student records
* College, career and technical education student records

Surveys:

* Parents of students with disabilities
* Parents of English learners

Observations of classrooms and other facilities

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. |

Pittsfield Public Schools

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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| --- | --- | --- | --- | --- |
|  | **Special Education** | **Civil Rights and Other General Education Requirements** | **English Learner Education** | **College, Career, and Technical 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 18B, SE 19, SE 20, SE 21, SE 24,  SE 25, SE 25A, SE 25B, SE 26, SE 27, SE 29,  SE 32, SE 33, SE 35,  SE 36, SE 37, SE 38,  SE 39, SE 40, SE 41,  SE 43, SE 44, SE 45,  SE 46, SE 47, SE 48,  SE 49, SE 50, SE 51,  SE 52, SE 52A, SE 53, SE 54, SE 56, SE 59 | CR 3, CR 6, CR 7,  CR 7C, CR 8,  CR 9, CR 10B,  CR 11A, CR 12A,  CR 13, CR 14,  CR 15, CR 16,  CR 18, CR 20,  CR 21, CR 22,  CR 23, CR 26A | ELE 1, ELE 2, ELE 3, ELE 4, ELE 5, ELE 6, ELE 7, ELE 8, ELE 9,  ELE 10,  ELE 13,  ELE 14,  ELE 15,  ELE 17,  ELE 18 | CCTE 2, CCTE 4, CCTE 6, CCTE 7, CCTE 8, CCTE 9A, CCTE 9B, CCTE 13, CCTE 14, CCTE 15, CCTE 16, CCTE 18, CCTE 19, CCTE 22, CCTE 23, CCTE 24, CCTE 25 |
| **PARTIALLY**  **IMPLEMENTED** | SE 22, SE 34, SE 42,  SE 55 | CR 7A, CR 7B,  CR 10, CR 10A,  CR 10C, CR 17A,  CR 18A, CR 24,  CR 25 |  | CCTE 1, CCTE 3, CCTE 5, CCTE 10, CCTE 11, CCTE 12, CCTE 20, CCTE 21 |

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

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 22** | IEP implementation and availability   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 | | Federal Requirements | |
|  | 603 CMR 28.05(7)(b); 28.06(2)(d)(2) | | 34 CFR 300.323 | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review and staff interviews indicated that students with disabilities that attend the Learning Lab at Reid Middle School are not provided the services agreed to on the students’ IEPs. These students have IEPs that call for full inclusion services for a full school day. Middle school students attend the Learning Lab from 8am -11am, and while some access afternoon classes at Reid Middle School, some do not. High school students attend the Learning Lab at Reid Middle School from 11am – 2pm; however, these students are not receiving educational services in the morning. As a result, students with disabilities attending the Learning Lab at Reid Middle School are not being provided with the mutually agreed upon services of the IEP.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 34** | 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. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.05(7)(b) | | 34 CFR 300.109; 300.110; 300.115 | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review, staff interviews and observation indicated that the Education Opportunities for Students (EOS) on Eagle Street, a high school program serving primarily students with disabilities, is located in a building in downtown Pittsfield that is separate from all other high school students participating in general education classes. The district has not applied for approval as a public day program in order to operate the EOS on Eagle Street as a separate program.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 42** | Programs for young children three and four years of age  General requirements:   1. The school district ensures programs are available for eligible students three and four years of age. Such programs shall be developmentally appropriate and specially designed for students ages three and four years. 2. Reserved. 3. Where appropriate, the school district elects, consistent with federal requirements, to use the format and services of the Individualized Family Service Plan (IFSP), if appropriate, for an additional year as a means of transitioning eligible students to public school services. 4. Where appropriate the Team allows a student to remain in a program designed for three and four year old students for the duration of the school year in which the student turns five years old (including the summer following the date of the student's fifth birthday).   Types of Settings:   1. Inclusionary programs for young students are located in a setting that includes students with and without disabilities and meet the following standards:    1. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting.    2. For public school programs that integrate students with and without disabilities, the class size does not exceed 20 with 1 teacher and 1 aide and no more than 5 students with disabilities. If the number of students with disabilities is 6 or 7 then the class size does not exceed 15 students with 1 teacher and 1 aide. 2. Substantially separate programs for young students are located in a public school classroom or facility that serves primarily or solely students with disabilities. Substantially separate programs adhere to the following standards:    1. Substantially separate programs are programs in which more than 50% of the students have disabilities.    2. Substantially separate programs operated by the district limit class sizes to 9 students with 1 teacher and 1 aide. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.06(7) | | 34 CFR 300.101(b);  300.124(b); 300.323(b) | |
|  | **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 in two sections of the preschool program, in which more than 50% of the students assigned to the classroom have disabilities, the class size exceeds the limit of 9 students with 1 teacher and 1 aide. The district has not provided written notification to the Department and the parents of all preschool students assigned to these classes of the decision to increase the instructional group size and the reasons for such decision.* |

| **CRITERION**  **NUMBER** | SPECIAL EDUCATION **VII. SCHOOL FACILITIES** | | | |
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|  | **Legal Standard** | | | |
| **SE 55** | Special education facilities and classrooms  The school district provides facilities and classrooms for eligible students that   1. 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:** |
| *Observation and staff interviews indicated that three Therapeutic Program classrooms at Crosby Elementary School are clustered together and isolated in a wing of the building that is completely separate from the general education classrooms in the school. The location of these classrooms does not maximize the inclusion of the students with disabilities into the life of the school.* |

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

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS **IV. CURRICULUM AND INSTRUCTION** | | | |
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|  | **Legal Standard** | | | |
| CR 7A | School year schedules   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. | | | |
|  | M.G.L. c. 69, § 1G; 603 CMR 27.03, 27.04 | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the 2017-2018 school year included only 177 school days for students at Reid Middle School, and students at Taconic High School are scheduled for only 928 hours of structured learning time a year within the required school year schedule. In addition, interviews indicated that the Learning Lab at Reid Middle School, which serves middle and high school students, provides a half-day program for students with school anxiety or in need of credit recovery that does not meet the minimum 990 hours required to be scheduled to meet learning time requirements.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **CR 7B** | Structured learning time   1. The school district ensures that its structured learning time is time during which students are engaged in regularly scheduled instruction, learning, or assessments within the curriculum of core subjects and other subjects as defined in 603 CMR 27.02 (including physical education, required by M.G.L. c. 71, s. 3). The district’s structured learning time may include directed study (activities directly related to a program of studies, with a teacher available to assist students), independent study (a rigorous, individually designed program under the direction of a teacher, assigned a grade and credit), technology-assisted learning, presentations by persons other than teachers, school-to-work programs, and statewide student performance assessments. 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. | | | |
|  | M.G.L. c. 69, § 1G; 603 CMR 27.02, 27.04 | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Interviews indicated that the middle and high school students attending the Learning Lab at Reid Middle School are not scheduled to participate in physical education, which is required by M.G.L. c. 71, s. 3.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 10 | Anti-Hazing Reports   1. The principal of each secondary school in the district issues a copy of M.G.L. c. 269 §§ 17 through 19, to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and a copy of the school's anti-hazing disciplinary policy approved by the school committee. 2. Each secondary school files, at least annually, a report with the Department certifying    1. Its compliance with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of M.G.L. c. 269 §§ 17 through 19;    2. Its adoption of a disciplinary policy with regard to the organizers and participants of hazing; and    3. That the hazing policy has been included in the student handbook or other means of communicating school policies to students. | | | |
|  | Authority: M.G.L. c. 269, ss. 17-19 | | | |
|  | **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 secure an acknowledgment of receipt of a copy of the anti-hazing law and the receipt of a copy of the district's anti-hazing disciplinary policy for students participating in student groups, teams, and organizations at Reid Middle School.* |

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS **V. STUDENT SUPPORT SERVICES** | | | |
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|  | **Legal Standard** | | | |
| **CR 10A** | Student handbooks and codes of conduct   1. 1. The district has a code of conduct for students and one for teachers.    2. 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.    3. The principal of every school containing other grades distributes the district’s student code of conduct to students, parents, and personnel annually.    4. 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:    1. procedures assuring due process in disciplinary proceedings and    2. the district’s responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion.    3. appropriate procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans.    4. if a charter school or a virtual school, the designation by the board of trustees as to who shall serve as the principal and who shall serve as superintendent for the purpose of 603 CMR 53.00. 3. Student handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain:    1. 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, gender identity, religion, or sexual orientation, or discrimination on those same bases;    2. the school’s procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and    3. the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred. | | | |
|  | Section 504; M.G.L. c. 71, § 37H; M.G.L. c. 71, § 37H ¾; 603 CMR 53.00; 603 CMR 26.08 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-wide "Policy Handbook for Parents and Students," the Taconic High School Student Handbook and the Pittsfield High School Student Handbook do not include procedures for the discipline of students with Section 504 Accommodation Plans. Although the district has comprehensive discipline procedures for students with disabilities, these are incomplete as found in these handbooks.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 10C | Student Discipline  Each school committee and board of trustees shall ensure that policies and procedures are in place in public preschool, elementary, and secondary schools and programs under its jurisdiction that meet, at a minimum, the requirements of M.G.L.c. 71, section 37H ¾, M.G.L.c. 76, section 21, and 603 CMR 53.00. These policies and procedures must address or establish, but are not limited to:   1. The notice of suspension and hearing; 2. Procedures for emergency removal; 3. Procedures for principal hearings for both short and long-term suspension; 4. Procedures for in-school suspension; 5. Procedures for superintendent hearing; 6. Procedures for education services and academic progress (School-wide Education Service Plan); 7. A system for periodic review of discipline data by special populations; 8. Alternatives to suspension. | | | |
|  | M.G.L.c. 71, section 37H ¾, M.G.L.c. 76, section 21, and 603 CMR 53.00, M.G.L.c. 71 section 38R and Chapter 77 of the Acts of 2013. | | | |
|  | **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's student discipline policies and procedures do not include the following required content:*   * *the procedures for emergency removal do not address that the principal may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation;* * *the procedures for in-school suspension do not address the principal's use of in-school suspension as an alternative to a short-term suspension; and* * *the procedures for a superintendent hearing do not state that the superintendent may choose to deny or allow a request for an appeal at his/her discretion if the request for appeal is not timely or that an audio recording of the superintendent’s hearing can be provided to the student and parent upon request.*   *In addition, the district has not developed a School-wide Education Service Plan.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 17A | Use of physical restraint on any student enrolled in a publicly-funded education program   1. 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 written restraint prevention and behavior support policy and procedures do not include methods for preventing student violence, self-injurious behavior and* |
| *suicide or procedures for receiving and investigating complaints.*  *In addition, the version of the restraint prevention and behavior support policy submitted by the district for review included track changes and had not been approved by the school committee.* |

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS **VI. FACULTY, STAFF AND ADMINISTRATION** | | | |
| --- | --- | --- | --- | --- |
|  | **Legal Standard** | | | |
| **CR 18A** | School district employment practices  District employment practices in general are free from discrimination on the basis of race, color, gender identity, national origin, sex, or disability. 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. | | | |
|  | 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 | | | |
|  | **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 Equal Opportunity Employment policy does not include the protected category of disability.* |

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) **AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS**  **VIII. PROGRAM PLAN AND EVALUATION** | | | |
| --- | --- | --- | --- | --- |
|  | **Legal Standard** | | | |
| **CR 24** | 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, 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 and interviews indicated that the district has had an initiative to integrate cross-cultural competence throughout the curriculum. However, not all individual teachers in the district review all their 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 then use appropriate activities, discussions and/or supplementary materials to provide balance and context for any stereotypes depicted in materials presented to students.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 25 | Institutional self-evaluation  The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, 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. | | | |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.07(1),(4) 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 and interviews indicated that the district does not evaluate all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities.* |

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| **OFFICE FOR COLLEGE, CAREER, AND TECHNICAL EDUCATION**  **LEGAL STANDARDS,**  **COMPLIANCE RATINGS AND**  **FINDINGS** |

| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  **I. ASSESSMENT OF STUDENTS** | | | |
| --- | --- | --- | --- | --- |
|  | Legal Standard | | | |
| **CCTE 1** | Career guidance and placement services, including career assessments and assistance with the development of a four-year career plan, are provided in order to assist each student enrolled in a career/vocational technical education program in making the transition to the workforce, postsecondary education, and/or apprenticeship programs.  *Vocational Technical Education Regulations 603 CMR 4.03(4)(d), Perkins Section 134*  Definition: A career assessment is a formal assessment instrument that helps the student evaluate his/her career interests. | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at  <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Review of student records and interviews with staff at both Pittsfield High School and Taconic High School indicated that career planning does not consistently occur for students across the four years of high school, and career plans are not maintained for the entirety of students’ high school careers*. |

| **CRITERION NUMBER** |  | | | |
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|  | Legal Standard | | | |
| CCTE 3 | The district assesses students for the acquisition of safety & health, technical that includes embedded academic, employability, management & entrepreneurship, and technological knowledge and skills. *Vocational Technical Education Regulations 603 CMR 4.03 (4); Perkins Section 3, 134, M.G.L. c.74 Section 2* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at  <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Education Programs at  <http://www.doe.mass.edu/cte/programs/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Review of student records and interviews with staff at both Pittsfield High School and Taconic High School indicated that although teachers assess students for the acquisition of safety & health and technical skills, they are much less likely to assess their employability, management & entrepreneurship, and technological knowledge and skills.* |

| **CRITERION NUMBER** |  | | | |
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|  | Legal Standard | | | |
| CCTE 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, gender-identity, religion, national origin, English language proficiency, disability, or sexual orientation. *Perkins Sections 122 & 134, Vocational Technical Education Regulations 603 CMR 4.03(4) (6) (7), M.G.L.c.76, Section 5.* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/>  Massachusetts Perkins IV Manual at <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Education Admission Policies at <http://www.doe.mass.edu/cte/admissions/>  Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs (34 CFR, Part 100, Appendix B) at <http://www.doe.mass.edu/cte/admissions/>  Massachusetts Special Education Regulations 603 CMR 28.10 (6) (c) at <http://www.doe.mass.edu/lawsregs/603cmr28.html?section=all#start>  Massachusetts General Law Chapter 76, Section 5 at <http://www.mass.gov/legis/laws/mgl/gl-pt1-toc.htm>  Massachusetts Access to Equal Educational Opportunity Regulations 603 CMR 26.00 at <http://www.doe.mass.edu/lawsregs/603cmr26.html> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *There is no evidence that individuals are denied equal access to Career/Vocational Technical Education programs, services and activities or are discriminated against on the basis of their status as members of special populations or race, color, gender, gender identity, religion, national origin, English language proficiency, disability, or sexual orientation. However, interviews and review of documentation indicated that the district does not routinely disaggregate and examine school and program enrollment data and program completion data for patterns of disproportionality.* |

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| **CRITERION NUMBER** |  | | | |
|  | Legal Standard | | | |
| CCTE 10 | Representatives of business/industry; organized labor (union); colleges(s); parent(s)/guardian(s); student(s); representative(s) from registered apprenticeship program(s) (only required if the occupational field of the program has a registered apprenticeship program) are involved in the development, implementation, and review of career/vocational technical programs. Representation is race, linguistic, disability, and nontraditional by gender inclusive, and if not, there is a plan (formal recruitment process)to make it inclusive. *Perkins Section 134, M.G.L. c.74 Section 6, Vocational Technical Education Regulations 603 CMR 4.03 (1)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Career/Vocational Technical Education Advisory Committee Guide at <http://www.doe.mass.edu/cte/resources/>  Massachusetts Perkins IV Manual at <http://www.doe.mass.edu/cte/perkins/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
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| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  **IV. CURRICULUM AND INSTRUCTION** | | | |
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|  | Legal Standard | | | |
| **CCTE 11** | Programs are structured so that students acquire safety & health, technical that includes embedded academic, employability, management & entrepreneurship, and technological knowledge and skills. *Perkins Section 3, 134, M.G.L. c. 74 Section 2, Vocational Technical Education Regulations 603 CMR 4.03 (4) 4.06* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at  <http://www.doe.mass.edu/cte/perkins/>  Massachusetts Perkins IV Manual at <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Massachusetts Vocational Technical Education Frameworks at  <http://www.doe.mass.edu/cte/frameworks/>  Chapter 74 Manual for Vocational Technical Cooperative Education at  <http://www.doe.mass.edu/cte/programs/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| |  | | --- | | *Review of student records and interviews with students and staff at both Pittsfield High School and Taconic High School indicated that although teachers provide instruction to permit students to acquire safety & health and technical skills, they are much less likely to provide instruction to develop and improve their employability, management & entrepreneurship, and technological knowledge and skills.* | |

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| **CRITERION NUMBER** |  | | | |
|  | Legal Standard | | | |
| **CCTE 12** | Linkages between secondary and postsecondary education including registered apprenticeship programs exist through, at a minimum, articulation agreements that are annually reviewed and approved. *Perkins Section 134, Vocational Technical Education Regulations 603 CMR 4.03 (4)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at  <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews with staff at both Pittsfield High School and Taconic High School indicated that not all programs have developed linkages between secondary and postsecondary education, including registered apprenticeship programs. Specifically, linkages appear not to exist for the following programs: PHS-Horticulture, Cosmetology, Building and Property Maintenance, Auto Collision, and Metal Fabrication.*  *In addition, no mechanism appears to exist to ensure that articulation agreements are annually reviewed and approved.* |

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| **CRITERION NUMBER** |  | | | |
|  | **Legal Standard** | | | |
| **CCTE 20** | Career/vocational technical education instructional facilities meet current occupational standards. *Perkins Section 134: Vocational Technical Education Regulations 603 CMR 4.03 (3)(4)(7)(8).* Each vocational technical education program shall be conducted in facilities that meet current occupational standards. *603 CMR 4.03 (3)(a)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at  <http://www.doe.mass.edu/cte/perkins/>  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Career/Vocational Technical Education Safety Guide at  <http://www.doe.mass.edu/cte/safety/guide.doc>  NIOSH Safety Checklist Program for Schools at  <http://www.doe.mass.edu/cte/safety_health.html>  Chapter 74 Manual for Vocational Technical Cooperative Education at  <http://www.doe.mass.edu/cte/programs/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| |  | | --- | | *A review of documents and instructional facilities by the ESE CCTE safety specialist indicated that not all Career/Vocational Technical Education instructional facilities meet current occupational standards. The Office for College, Career, and Technical Education sent the official Safety Survey Report, which included details specific to each program, to Superintendent McCandless under separate cover.* | |

| **CRITERION NUMBER** |  | | | |
| --- | --- | --- | --- | --- |
|  | Legal Standard | | | |
| **CCTE 21** | Career/vocational technical education instructional equipment meets current occupational standards. *Perkins Section 134; Vocational Technical Education Regulations 603 CMR 4.03 (3) (4) (7) (8)* | | | |
|  | **References:**  Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/> Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Career/Vocational Technical Education Safety Guide at  <http://www.doe.mass.edu/cte/safety/guide.doc>  NIOSH Safety Checklist Program for Schools at  <http://www.doe.mass.edu/cte/safety_health.html>  Chapter 74 Manual for Vocational Technical Cooperative Education at  <http://www.doe.mass.edu/cte/programs/> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents and instructional facilities by the ESE CCTE safety specialist indicated that not all Career/Vocational Technical Education instructional equipment meets current occupational standards. The Office for College, Career, and Technical Education sent the official Safety Survey Report, which included details specific to each program, to Superintendent McCandless under separate cover.* |

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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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| WBMS CPR Final Report 2018 | |
| File Name: | Pittsfield Public Schools CPR Final Report 2018 |
| Last Revised on: | October 12, 2018 |
| Prepared by: | SKH/MLP/LD/MJ |

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