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| ESE LogoStarLogo08_A |  | **Blackstone-Millville Regional School District**  **COORDINATED PROGRAM REVIEW**  **REPORT OF FINDINGS**  **Dates of Onsite Visit:** **February 12-14, 2018**  **Date of Draft Report:** **March 20, 2018**  **Date of Final Report: April 23, 2018**  **Action Plan Due: May 21, 2018**  **Department of Elementary and Secondary Education Onsite Team Members:**  **Matthew Nixon, Office of Public School Monitoring (PSM) Chair**  **Michelle Hennessy-Kowalchek, PSM**  **Jayme Szymczak, PSM**  **Sibel Hughes, Office of English Language Acquisition and Academic Achievement (OELAAA) Chair** |
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Blackstone-Millville Regional School District**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Blackstone-Millville Regional School District**

**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**

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The Massachusetts Department of Elementary and Secondary Education conducted a Coordinated Program Review of Blackstone-Millville Regional School District during the week of February 12, 2018 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:

* Administrative staff
* Teaching and support services staff
* Special education parent advisory council representative
* Parent of an English learner
* Persons from the general public

Student record reviews:

* Special education student records
* English learner 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. |

Blackstone-Millville Regional School District

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **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 18B, SE 19,  SE 20, SE 21,  SE 22, SE 24,  SE 25, SE 25A,  SE 25B, SE 26,  SE 27, SE 29,  SE 33, SE 34,  SE 35, SE 36,  SE 37, SE 38,  SE 39, 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 55, SE 56, SE 59 | CR 6, CR 7, CR 7A, CR 7B, CR 7C, CR 10, CR 10A, CR 10C,  CR 11A, CR 13,  CR 14, CR 15, CR 16, CR 18, CR 20, CR 21, CR 22, CR 23, CR 24, CR 26A | ELE 1, ELE 2, ELE 3, ELE 4, ELE 6, ELE 7, ELE 8, ELE 9, ELE 10, ELE 13, ELE 15,  ELE 17, ELE 18 |
| **PARTIALLY**  **IMPLEMENTED** | SE 32, SE 51 | CR 3, CR 8, CR 9,  CR 10B, CR 12A,  CR 17A, CR 18A | ELE 5, ELE 14 |
| **NOT IMPLEMENTED** |  | CR 25 |  |

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

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 32** | Parent advisory council for special education   1. The school district has established a district-wide parent advisory council on special education. 2. Membership on the council is offered to all parents of students with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the district on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school district’s special education programs. 4. The parent advisory council has established by-laws regarding officers and operational procedures. 5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. 6. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws. | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L. c. 71B, § 3;  603 CMR 28.03(1)(a)(4); 28.07(4) | |  | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Interviews indicated that parent advisory council duties do not include meeting regularly with school officials to participate in the evaluation of the school district's special education programs.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 51** | Appropriate special education teacher licensure  Except 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 300.156  IDEA § 34 CFR 300.156(a) | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documentation and a staff interview indicated that two special education teachers are not appropriately licensed.* |

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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 REQUIREMENTSII. STUDENT IDENTIFICATION AND PLACEMENT | | | |
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|  | **Legal Standard** | | | |
| CR 3 | Access to a full range of education programs  All students, regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.  The district does not segregate English learners (ELs) from their English-speaking peers, except where programmatically necessary, to implement an ELE program. The district also ensures that ELs participate fully with their English-speaking peers and are provided support in non-core academic courses.  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. | | | |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03 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 notice of equal opportunity included in student handbooks at the elementary, middle, and high school levels does not include the protected categories of gender identity and homelessness.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 8 | Accessibility of extracurricular activities  Extracurricular 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 school committee policy regarding co-curricular and extracurricular activities does not indicate that 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.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 9 | Hiring and employment practices of prospective employers of students   1. The district requires employers recruiting at the school to sign a statement that the employer complies with applicable federal and state laws prohibiting discrimination in hiring or employment practices and the statement specifically includes the following protected categories: race, color, national origin, sex, gender identity, handicap, religion and sexual orientation. 2. Prospective employers to whom this criterion applies include those participating in career days and work-study and apprenticeship training programs, as well as those offering cooperative work experiences. | | | |
|  | Authority: M.G.L. c. 76, § 5; 603 CMR 26.07(5) 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 student internship form does not include a statement that the employer complies with applicable federal and state laws prohibiting discrimination in hiring or employment practices and does not specifically include the following protected categories: race, color, national origin, sex, gender identity, handicap, religion, and sexual orientation.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 10B | Bullying Intervention and Prevention   1. Public schools (including charter schools and collaboratives) must update school handbooks to conform to their updated amended Bullying Prevention and Intervention Plan (Plan). The school handbook (and local updated Plan) must be consistent with the amendments to the Massachusetts anti-bullying law, which became effective July 1, 2013. The amendments extend protections to students who are bullied by a member of the school staff. As defined in G.L. c. 71, 37O, as amended, a member of the school staff includes, but is not limited to, an “educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.” The school handbook must make clear that a member of the school staff may be named the “aggressor” or “perpetrator” in a bullying report. 2. School and district employee handbooks must also contain relevant sections of the amended Plan relating to the duties of faculty and staff and relevant provisions addressing the bullying of students by a school staff member. 3. Each year all school districts and schools must give parents and guardians annual written notice of the student-related sections of the local Plan. 4. Each year all school districts and schools must provide all staff with annual written notice of the Plan. 5. All schools and school districts must implement, for all school staff, professional development that includes developmentally appropriate strategies to prevent bullying incidents; developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying; research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; information on the incidence and nature of cyber-bullying; and internet safety issues as they relate to cyber-bullying. | | | |
|  | M.G.L. c. 71, s. 37H, as amended by Chapter 92 of the Acts of 2010. M.G.L. c. 71, s. 37O(e)(1) & (2). M.G.L. c. 71, s. 370(d), as amended. | | | |
|  | **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 annually implement, for all school staff, professional development that includes:1) developmentally appropriate strategies to prevent bullying incidents; 2) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; 3) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying; 4) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; and*  *5) information on the incidence and nature of cyber-bullying and internet safety issues as they relate to cyber-bullying.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 12A | Annual and continuous notification concerning nondiscrimination and coordinators   1. If the district offers vocational education programs, it advises students, parents, employees and the general public before the beginning of each school year that all vocational opportunities will be offered regardless of race, color, national origin, gender identity, sex or disability. The notice includes a brief summary of program offerings and admission criteria and the name(s), office address(es), and phone number(s) of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504. 2. In all cases, the district takes continuing steps to notify applicants, students, parents, and employees (including those with impaired vision or hearing), as well as unions or professional organizations holding collective bargaining or professional agreements with the district, that it does not discriminate on the basis of race, color, national origin, gender identity, sex, or disability. This notice, also, includes the name(s), office address(es), and phone number(s) of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504. 3. Written materials and other media used to publicize a school include a notice that the school does not discriminate on the basis of race, color, national origin, sex, gender identity, disability, religion, or sexual orientation. | | | |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.6(d); Title IX: 20 U.S.C. 1681; 34 CFR 106.8(a), 106.9; Section 504: 29 U.S.C. 794; 34 CFR 104.8; M.G.L. c. 76, § 5; 603 CMR 26.02(2) 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 school committee policy regarding non-discrimination does not address the protected categories of gender identity, national origin, and disability.* |

| **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:** |
| *A review of documents indicated that the district has not developed and implemented written restraint prevention and behavior support policy and procedures consistent with 603 CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention.* |

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS **VI. FACULTY, STAFF AND ADMINISTRATION** | | | |
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|  | **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 school committee policy regarding equal opportunity employment does not address the protected categories of gender identity and disability.* |

| **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:** | **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 has not evaluated 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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| |  | | --- | | **ENGLISH LEARNER EDUCATION**  **LEGAL STANDARDS,**  **COMPLIANCE RATINGS AND**  **FINDINGS** | |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
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|  | **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, sections 4 and 5 require 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. 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(9)b.; 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 not all of the English learners (ELs) in the district, including ELs with disabilities who are entitled to receive both language and disability related services under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504), are provided direct ESL instruction.*  *Document review and staff interviews also indicated that the district does not have an ESL curriculum that districts are expected to develop in order to implement with fidelity the educational approach the district adopted for their ELE program and described in the Castañeda’s Three-Pronged Test. The district should note that an ESL curriculum is integral to an effective ELE program in which ELs become English proficient at a rapid pace.* | |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **VI. FACULTY, STAFF AND ADMINISTRATION** | | | |
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|  | **Legal Standard** | | | |
| ELE 14 | **Licensure Requirements**  Licensure requirements for districts where ELs are enrolled:  Every district, including every Commonwealth charter school, has at least one teacher who has an English as a Second Language or Transitional Bilingual Education, or ELL license under G.L. c.71**,** § 38G and 603 CMR 7.04(3). (This requirement does not apply separately to Horace Mann charter schools.)  Except at Commonwealth charter schools, *every* teacher or other educational staff member who teaches ELs holds an appropriate license or current waiver issued by the Massachusetts Department of Elementary and Secondary Education.  Core academic teachers who provide sheltered English instruction to English learners in school districts, including charter schools and education collaboratives, must earn an SEI Teacher Endorsement as set forth in 603 CMR 7.00 and 603 CMR 14.00. Principals, assistant principals, and supervisors/directors who supervise or evaluate such teachers must earn an SEI Teacher Endorsement or SEI Administrator Endorsement as set forth in 603 CMR 7.00 and 603 CMR 14.00.  Any core academic teacher who is assigned to provide sheltered English instruction to an EL shall either hold an SEI Teacher Endorsement, or is required to earn such an endorsement within one year from the date of the assignment. Any school district that assigns an EL to a core academic teacher who has a year to obtain an SEI endorsement, shall take all reasonable steps to ensure that such EL is assigned to core academic teachers with an SEI endorsement in subsequent school years.  No principal, assistant principal, or supervisor/director shall supervise or evaluate a core academic teacher who provides sheltered English instruction to an EL unless such principal, assistant principal, or supervisor/director holds an SEI Teacher Endorsement or SEI Administrator Endorsement, or will earn either endorsement within one year of the commencement of such supervision or evaluation.  Except at Commonwealth charter schools, any director of ELE program(s) who is employed in that role for one-half time or more has a Supervisor/Director license and an English as a Second Language (ESL), Transitional Bilingual Education (TBE) or an ELL license.  If a district with 200 or more ELs—including all charter schools with 200 or more ELs—has a director of EL programs, that director must have an English as a Second Language, Transitional Bilingual Education, or an EL license even if he or she is employed in that position for less than one-half time. (This requirement does not apply separately to Horace Mann charter schools.)  **Authority: Title VI; EEOA; G.L. c. 71, § 38G, §89(ii); St. 2002, c. 218, §§ 24, 25, 30; 603 CMR 7.04(3), 7.09(3); 603 CMR 7.14 (1) and (2); 603 CMR 7.15(9)(b); 603 CMR 14.07.** | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Staff interviews and the relevant SEI endorsement data indicated that most core academic teachers assigned to provide sheltered English instruction to English learners hold the SEI Teacher Endorsement, but some do not.* |

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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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