A Principal’s Role and Special Education in Massachusetts
Goal of This Presentation

To provide information regarding general and special education laws and regulations to assist you in integrating the various components of your role as principal.
How Did We Get Here?

- June 1993 Education Reform Act
- June 1997 IDEA Reauthorization
- March 1999 IDEA ‘97 Regulations
- Summer 2000 Changes to the Massachusetts state special education law through outside budget sections in the FY2000 Budget
- January 2001 Massachusetts final Special Education Regulations
- January 2002 - No Child Left Behind Act
- December 2004 IDEA 2004 Reauthorization
- October 2006 IDEA 2004 Regulations
The Principal and Massachusetts Special Education Regulations (603 CMR 28.00)

- 28.01 Authority, Scope and Purpose
- 28.02 Definitions
- 28.03 School District Administration and Personnel
- 28.04 Referral & Evaluation
- 28.05 The Team Process & Development of the IEP
- 28.06 Placement Types & Service Options
- 28.07 Parent Involvement
Selected Components of the Principal’s Role

- Be Involved in the IEP Process
- Coordinate with Special Education Administrator
- Develop Instructional Support Services
- Implement Professional Development Requirements
- Administer Home or Hospital Educational Services
District Professional Development Plan
(Updated August, 2000)

School districts are required annually to adopt and implement a professional development plan for all principals, teachers, other professional staff employed by the district, and school council members.

The plan must identify specific content to be addressed, including training in the teaching of the curriculum frameworks and other skills required for the implementation of the Education Reform Law, including participatory decision making and parent and community involvement (Massachusetts General Laws, Chapter 71, Section 38Q).
District Curriculum Accommodation Plan (DCAP)

Section 38Q½. A school district shall adopt and implement a curriculum accommodation plan to assist principals in ensuring that all efforts have been made to meet students' needs in regular education. The plan shall be designed to assist the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the regular education program.
**District Curriculum Accommodation Plan**

- DCAP, an educational activity for the general education program
- A systemic plan rather than an individualized student plan
- To assist Principals in ensuring that all efforts have been made to meet students’ needs in general education
DCAP

- Assistance to general education classroom teachers, such as professional development
- Support services that are available to students through the general education program, including services to address the needs of students with disruptive behavior
- Direct and systematic instruction in reading for all students
- Encourages teacher mentoring and collaboration
- Encourages parental involvement in their children’s education
Building Based Support Team

could be a DCAP component!
28.03(3) The principal shall implement the plan developed and adopted by the district to ensure that efforts have been made or will be made to meet the needs of diverse learners in the general education program. As part of his/her responsibilities, the principal shall promote instructional practices responsive to student needs and shall ensure that adequate instructional support is available for students and teachers. Instructional support shall include remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of M.G.L. c. 71B, § 2.
The principal may consult with the Administrator of Special Education regarding accommodations and interventions for students. Such efforts and their results shall be documented and placed in the student record. Additionally, if an individual student is referred for an evaluation to determine eligibility for special education, the principal shall ensure that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility.
Instructional Support For the Individual Student

Jill is a general education student who has not mastered the concept of long division. The School Based Support Team recommends the teacher give Jill individual help in long division for a couple of weeks. It is documented in Jill’s cumulative folder that she received the help and has now mastered long division.
Coordinate with the Special Education Administrator
603 CMR 28.03 (3)(b)

The Principal with the assistance of the Administrator of Special Education shall coordinate the delivery and supervision of special education services within each school building.
Educational Services in Home or Hospital

28.03(3)(c)

- Any student enrolled in a public school
- Students enrolled in a private school who are eligible for Special Education
- Physician's order
- Out of school not less than 14 days in any school year
- Arrange educational services
- Not Special Education unless student is eligible and services are IEP Services
Why the Principal?

- The Principal will be the first to hear about students with prolonged absences.

- Educational tutoring services are not considered special education unless the student has been determined eligible for special education and the services are according to the IEP.
George is a fourth grader enrolled in a public school who is scheduled to have corrective back surgery and is expected to be out of school for at least a month.

The Principal decided, after consultation with George’s classroom teacher, that George will require tutoring for four hours a week in order for him to not fall behind his classmates.
Tianna

Tianna is an eighth grade student who receives special education services. She is out of school three days each month for dialysis treatment.

The Principal decided, after consultation with Tianna’s key teachers and the Special Education Administrator, that Tianna does not require additional educational services due to her absences. The teachers will provide her with work prior to her absences in order to prevent her from falling behind her classmates.
Julio

Julio is an eleventh grade student who receives special education services in reading. Julio will be absent from school for four weeks while he convalesces from an operation on his shoulder. The Principal decided, after consultation with Julio’s key general and special education teachers and the Special Education Administrator, that Julio will receive one hour per day of special education services and three hours per week of general education services.
The Principal and the Special Education Process

- Are you the Team Chairperson?
- Do you participate in supervising the special education staff?
- Do you interact with students who have disabilities and their parents?
- Do you coordinate with the Special Education Administrator?
Federal & State Special Education Laws

- Parent and Student Participation
- Free and Appropriate Public Education (FAPE)
- Appropriate Evaluation
- Individualized Education Program (IEP)
- Least Restrictive Environment (LRE)
- Procedural Safeguards
Parent and Student Participation

- Involvement in decision making
- Involvement in planning educational goals and services
- Consideration of the concerns of the parent and/or the student
FAPE

‘free and appropriate public education’
Appropriate Evaluation

- Assessment in all areas related to suspected disability (required on initial & 3 year evaluation)
- Individualized assessments
- Non-discriminatory assessments
- Evaluation in the native language or mode of communication
- A variety of tools and strategies, including information provided by the parent
- Participation in State and District-Wide Assessments
The law provides that the Team develops an Individualized Education Program (IEP) in written form. The IEP shall include specially designed instruction to meet the needs of the individual student and related services that are necessary to allow the student to benefit from the specially designed instruction, or may consist solely of related services that are necessary to allow the student to access the general curriculum, consistent with federal and state requirements.

[603 CMR 28.05 (4)(a)]
Least Restrictive Environment (LRE)

603 CMR Section 28.06 (2)(c)
The school district shall ensure that, to the maximum extent appropriate, children with disabilities are educated with children who do not have disabilities, and that special classes, separate schooling, or other removal of children with special needs from the general education program occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.
Procedural Safeguards

- Right to written notice
- Right to consent
- Right to dispute or disagree with school and district actions; and
- Right to due process including mediation, appeals or court actions

- Districts cannot request a hearing to dispute a parent’s refusal to consent to an initial evaluation or initial program placement.
FYI
When a student is referred for Special Education
603 CMR 28.03(3)(a)

…the principal shall ensure that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility.
Determining Eligibility for Special Education

▷ Does the student have one or more of the disabilities identified in regulation?

▷ Is the student making effective progress in school? Is the lack of progress a result of the student’s disability?

▷ Does the student require specially designed instruction and/or related services necessary to access the general curriculum?
Disability Types

• Autism
• Developmental Delay
• Intellectual
• Sensory
  - Hearing
  - Vision
  - Deaf-Blind
• Neurological
• Emotional
• Communication
• Physical
• Specific Learning
• Health
It is not the disability alone. It is the disability as a causal factor to the lack of effective educational progress.
Special Education is a Service, Not a Placement

**Special Education is:**

- Specially designed instruction which is a modification of:
  - content
  - methodology/
  - delivery of instruction
  - performance criteria
- and/or a related service necessary to access the general curriculum
Placement

Team identifies the type of placement

Placement is based on the needs of the student as reflected in the IEP

Placement is decided after the IEP is developed
Progress reports are required at least as often as general education students receive academic progress reports.
At age 18 students are adults under Massachusetts law. All the rights that parents had are now the student’s rights.

The school must obtain student consent to continue. Do not wait for the IEP annual review date.
In Conclusion
Thank you

Even more information is just a click away: www.doe.mass.edu/sped