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| ESE LogoStarLogo08_A |  | **Monson Public Schools**  **COORDINATED PROGRAM REVIEW**  **REPORT OF FINDINGS**  **Dates of Onsite Visit:** **January 9, January 12 -13, 2017**  **Date of Draft Report:** **May 19, 2017**  **Date of Final Report: August 21, 2017**  **Action Plan Due: September 20, 2017**  **Department of Elementary and Secondary Education Onsite Team Members:**  **Marc Oldenburg, Office of Public School Monitoring (PSM) Chair**  **Amy Krukonis, PSM**  **Audrey Mangone, 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**

**Monson Public Schools**

[SCOPE OF COORDINATED PROGRAM REVIEWS 3](#_Toc256000000)

[COORDINATED PROGRAM REVIEW ELEMENTS 4](#_Toc256000001)

[REPORT INTRODUCTION 7](#_Toc256000002)

[DEFINITION OF COMPLIANCE RATINGS 9](#_Toc256000003)

[LEGAL STANDARDS, COMPLIANCE RATINGS AND FINDINGS: 11](#_Toc256000004)

[SPECIAL EDUCATION 12](#_Toc256000005)

[CIVIL RIGHTS AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS 20](#_Toc256000006)

[ENGLISH LEARNER EDUCATION 26](#_Toc256000007)

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

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**SCOPE OF COORDINATED PROGRAM REVIEWS**

As one part of its accountability system, the Department of Elementary and Secondary Education oversees local compliance with education requirements through the Coordinated Program Review (CPR). All reviews cover selected requirements in the following areas:

Special Education (SE)

* selected requirements from the federal Individuals with Disabilities Education Act (IDEA-2004); the federal regulations promulgated under that Act at 34 CFR Part 300; M.G.L. c. 71B, and the Massachusetts Board of Education’s Special Education regulations (603 CMR 28.00), as amended effective March 1, 2007. The 2016 - 2017 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

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

* selected federal civil rights requirements, including requirements under Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, together with selected state requirements under M.G.L. c. 76, Section 5 as amended by Chapter 199 of the Acts of 2011 and M.G.L. c. 269 §§ 17 through 19.
* selected requirements from the Massachusetts Board of Education’s Physical Restraint regulations (603 CMR 46.00).
* selected requirements from the Massachusetts Board of Education’s Student Learning Time regulations (603 CMR 27.00).
* various requirements under other federal and state laws.
* The 2016 - 2017 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

English Learner Education (ELE) in Public Schools

* selected requirements from M.G.L. c. 71A, the state law that governs the provision of education to limited English proficient students, and 603 CMR 14.00, as well as the No Child Left Behind Act of 2001 and Title VI of the Civil Rights Act of 1964. During the 2016 - 2017 school year, all districts that enroll limited English proficient students will be reviewed using a combination of updated standards and a self-assessment instrument overseen by the Department’s Office of Language Acquisition and Academic Achievement (OELAAA), including a request for information regarding ELE programs and staff qualifications.

Some reviews also cover selected requirements in:

Office for College, Career and Technical Education(OCCTE)

* college, career and technical education programs under the federal Carl D. Perkins Vocational and Technical Education Act of 1998 and M.G.L. c. 74.

Districts providing Title I services participate in Title I program monitoring during the same year they are scheduled for a Coordinated Program Review. Details regarding the Title I program monitoring process are available at: <http://www.doe.mass.edu/titlei/monitoring>.

**COORDINATED PROGRAM REVIEW ELEMENTS**

**Team:** Depending upon the size of a school district and the number of programs to be reviewed, a team of one to eight Department staff members conducts onsite activities over two to five days in a school district or charter school.

**Timing:** Each school district and charter school in the Commonwealth is scheduled to receive a Coordinated Program Review every six years and a mid-cycle special education follow-up visit three years after the Coordinated Program Review; approximately 66 school districts and charter schools are scheduled for Coordinated Program Reviews in 2016 - 2017, of which all districts participated in the Web-based Monitoring System (WBMS). The Department’s

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

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

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

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

Self-Assessment Phase:

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

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

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

* Interviews of administrative, instructional, and support staff consistent with those criteria selected for onsite verification.
* Interviews of parent advisory council (PAC) representatives and other telephone interviews, as requested, by other parents or members of the general public.
* Review of student records for special education: The Department may select a sample of student records from those the district reviewed as part of its self-assessment, as well as records chosen by the Department from the special education student roster. The onsite team will conduct this review, using standard Department procedures, to determine whether procedural and programmatic requirements have been implemented.
* Surveys of parents of students with disabilities: Parents of students with disabilities whose files are selected for the record review, as well as the parents of an equal number of other students with disabilities, are sent a survey that solicits information regarding their experiences with the district’s implementation of special education programs, related services, and procedural requirements.
* Observation of classrooms and other facilities: The onsite team visits a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.
* Review of additional documents for special education or civil rights.

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

* Review of documentation about the operation of the charter school or district's programs.
* Interviews of administrative, instructional, and support staff across all grade levels.
* Telephone interviews as requested by other parents or members of the general public.
* Review of student records for English learner education and college, career and technical education:  The Department selects a representative sample of student records for the onsite team to review, using standard Department procedures, to determine whether procedural and programmatic requirements have been implemented.
* Surveys of parents of English learners whose files are selected for the record review are sent a survey of their experiences with the district's implementation of the English learner education program and related procedural requirements.
* Observation of classrooms and other facilities: The onsite team visits a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

**Report:** **Preparation:**

At the end of the onsite visit, the onsite team will hold an informal exit meeting to summarize its comments for the superintendent or charter school leader and anyone else he or she chooses. Within approximately 45 business days of the onsite visit, the onsite chairperson will forward to the superintendent or charter school leader (and collaborative director where applicable) a Draft Report containing comments from the Program Review. The Draft Report comments for special education and civil rights are provided to the district/school on-line through the Web-based Monitoring System (WBMS). These comments will, once the district has had a chance to respond, form the basis for any findings by the Department. The district (and collaborative) will then have 10 business days to review the report for accuracy before the publication of a Final Report with ratings and findings (see below). The Final Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department’s website at <<http://www.doe.mass.edu/pqa/review/cpr/reports/>>.

**Content of Final Report:**

*Ratings.* In the Final Report, the onsite team gives a rating for each compliance criterion it has reviewed; those ratings are “Commendable,” “Implemented,” “Implementation in Progress,” “Partially Implemented,” “Not Implemented,” and “Not Applicable.” “Implementation in Progress,” used for criteria containing new or updated legal requirements, means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year.

*Findings.* The onsite team includes a finding in the Final Report for each criterion that it rates “Commendable,” “Partially Implemented,” “Not Implemented,” or “Implementation in Progress,” explaining the basis for the rating. It may also include findings for other related criteria.

**Response:** Where criteria are found “Partially Implemented” or “Not Implemented,” the district or charter school must propose corrective action to bring those areas into compliance with the relevant statutes and regulations.  This corrective action plan (CAP) will be due to the Department within 20 business days after the issuance of the Final Report and is subject to the Department’s review and approval. Department staff will offer districts and charter schools technical assistance on the content and requirements for developing an approvable CAP.

Department staff will also provide ongoing technical assistance as the school or district is implementing the approved corrective action plan. **School districts and charter schools must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department’s Final Program Review Report.**

# **INTRODUCTION TO THE FINAL REPORT**

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A three-member Massachusetts Department of Elementary and Secondary Education team visited Monson Public Schools during the week of January 9, 2017, to evaluate the implementation of selected criteria in the program areas of special education, civil rights and other related general education requirements, and English learner education. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district.

The Department is submitting the following Coordinated Program Review Report containing findings made pursuant to this onsite visit. In preparing this report, the team reviewed extensive written documentation regarding the operation of the district's programs, together with information gathered by means of the following Department program review methods:

* Interviews of five administrative staff.
* Interviews of 24 teaching and support services staff across all levels.
* Interview of one parent advisory council (PAC) representative.
* Interviews as requested by persons from the general public.
* Student record reviews: Samples of 36 special education student records and ten English learner education student records.
* Surveys of parents of students with disabilities: 50 parents of students with disabilities were sent surveys that solicited information about their experiences with the district’s implementation of special education programs, related services and procedural requirements. Four of these parent surveys were returned to the Department of Elementary and Secondary Education for review.
* Surveys of parents of ELE students: Six parents of ELE students were sent surveys that solicited information about their experiences with the district’s implementation of English learner education programs, services, and procedural requirements. No parent surveys were returned to the Department of Elementary and Secondary Education for review.
* Observation of classrooms and other facilities. A sample of 13 instructional classrooms and other school facilities used in the delivery of programs and services was visited to examine general levels of compliance with program requirements.

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

**Component I: Assessment of Students**

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

**Component III: Parent and Community Involvement**

**Component IV: Curriculum and Instruction**

**Component V: Student Support Services**

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

**Component VII: 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. |

Monson Public Schools

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

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

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| SE 9 | Timeline for determination of eligibility and provision of documentation to parent  Within forty‑five (45) school working days after receipt of the parent's written consent to an initial evaluation or a re‑evaluation, the school district determines whether the student is eligible for special education and provides to the parent either a proposed IEP and (except in cases covered by 603 CMR 28.06(2)(e)) proposed placement or a written explanation of the finding of no eligibility. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.05(1); 28.06(2)(e) | |  | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review and interviews indicated that the district does not consistently convene an IEP Team to determine whether the student is eligible for special education, and provide to the parent either a proposed IEP and proposed placement or a written explanation of the finding of no eligibility, within forty-five school working days after receipt of the parent's written consent to an initial evaluation or a re-evaluation.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 11** | School district response to parental request for independent educational evaluation  If a parent disagrees with an initial evaluation or re-evaluation completed by the school district, and the parent requests an independent educational evaluation, the district implements the following requirements:   1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the student are to be justified when an individual assessment rate is higher than that normally allowed. 2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. 3. The district extends the right to a publicly funded independent educational evaluation (only if cost shared or funded for state wards or for students receiving free or reduced cost lunch) for sixteen (16) months from the date of the evaluation with which the parent disagrees. 4. If the parent is requesting an independent education evaluation in an area not assessed by the school district, the student does not meet income eligibility standards or the family chooses not to provide financial documentation to the school district establishing family income level, the school district shall respond in accordance with the requirements of federal law. Within five school days, the district shall either agree to pay for the independent education evaluation or, proceed to the Bureau of Special Education Appeals (BSEA) to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district’s evaluation was comprehensive and appropriate, then the school district shall not be obligated to pay for the independent educational evaluation requested by the parent. 5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator’s report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools. 6. Within ten (10) school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.04(5) | | 34 CFR 300.502 | |
|  | **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 procedures for responding to a parental request for an independent educational evaluation (IEE) do not include: 1) considerations for the unique circumstances of the student to be justified when an individual assessment rate is higher than normally allowed; 2) the extension of the right to a publicly-funded IEE for 16 months from the date of the evaluation with which the parent disagrees for students if cost-shared or funded for state wards or for students receiving free or reduced cost lunch; 3) that, whenever possible, the IEE is completed and a written report sent no later than 30 days after the date the parent requests the IEE; and 4) the requirement that the independent evaluator's report must summarize and recommend, in writing, procedures, assessments, results, diagnostic impressions, and appropriate types of placements as well as educationally relevant recommendations for meeting identified needs of the student, without recommending specific classrooms or schools.*  *Also, the district procedures require that a parent request an IEE in writing, which is not consistent with 603 CMR 28.04(5).* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 18A** | IEP development and content   1. Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP at the Team meeting. 2. The IEP is completed addressing all elements of the most current IEP format provided by the Department of Elementary and Secondary Education. 3. The school district ensures that the IEP will not be changed outside of the Team meeting. 4. Whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. 5. For students identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.05(3); G.L.c. 71 B, section 3, as amended by Chapter 92 of the Acts of 2010 | | IDEA-97: 34 CFR Part 300, Appendix A, Question #22 | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review indicated that the IEP service delivery grid is not always written to accurately reflect the services to be provided. Specifically, the goals outlined for a student in the IEP are not consistently represented on the service delivery grid.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 37** | Procedures for approved and unapproved out-of-district placements   1. Individual student program oversight: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students’ files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Elementary and Secondary Education, or to the out-of-district program. 2. Student right to full procedural protections: The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district program. 3. Preference to approved programs: The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. Preference is also given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with LRE requirements. When an approved program is available to provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department. 4. Written contracts: The school district enters into written contracts with all public and private out-of-district placements. At a minimum, such contracts meet the content requirements of 28.06(3)(f)(1-5), and specifically include a statement that the district shall not contract with any out-of-district placement that discriminates on the grounds of race, color, religion, sexual orientation, gender identity or national origin, or that discriminates against qualified persons with disabilities. 5. Use of unapproved programs: A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student’s IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation. 6. Placement documentation: The following documentation is maintained by the school district pursuant to its placement of students in unapproved out-of-district programs:    1. Search: The Administrator of Special Education documents the search for and unavailability of a program approved by the Department. The Administrator places such documentation in the student record.    2. Evaluation of facility: The Administrator of Special Education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.    3. School district approval to operate a private school in Massachusetts: If services in an unapproved program are provided in a school setting, the Administrator of Special Education ensures that such school has received approval from the school committee where the private school is located under M.G.L. c.76, §1 and a copy of such approval is retained in the student record.    4. Pricing: Pursuant to the requirements for Compliance, Reporting and Auditing for Human and Social Services at 808 CMR 1.00, the Administrator obtains pricing forms required to set program prices for programs receiving publicly funded students. Such pricing forms are completed by the proposed placement and document that the price proposed for the student’s tuition is the lowest price charged for similar services to any student in that program.    5. Notification of the Department of Elementary and Secondary Education: Prior to placement, if the Team determines that placement in such facility is appropriate, the Administrator notifies the Department of the intent to place the student and the name and location of the proposed placement before placing the student into the program by sending a completed mandated 28M3 form titled “Notice of Intent to Seek Approval for Individual Student Program” and all the required supporting documentation (i.e., completed pricing forms, signed written contract that will govern such placement, and monitoring plan pursuant to 603 CMR 28.06(3)(b)). The district maintains copies of this documentation, as well as any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly-funded students as set by the state agency responsible for setting program prices. The district maintains documentation of actual monitoring of the unapproved placement, including any site visits made and other monitoring activities undertaken by the school district.    6. Out of state programs: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the Administrator of Special Education ensures that such school has received approval from the host state. | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L. c. 76, s. 1  603 CMR 18.00; 28.02(14);  28.06(2)(f) and (3); 28.09  808 CMR 1.00 | | 34 CFR 300.2(c) | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review and document review indicated that written contracts with out-of-district placements include a statement of nondiscrimination that is missing the protected category of gender identity.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 46** | Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district   1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement. 2. When a suspension constitutes a change in placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student’s file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district’s failure to implement the IEP-“a manifestation determination.” 3. If district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer:    1. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and    2. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur. 4. Interim alternative educational setting. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days    1. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or    2. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is “substantially likely” to injure him/herself or others.   Characteristics. In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.   1. If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews it and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement. 2. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student’s current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise. | | | |
|  | State Requirements | | Federal Requirements | |
|  |  | | 34 CFR 300.530-537 | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews indicated that when a suspension constitutes a change in placement for a student with disabilities, the district's procedures do not address if the student's behavior was the direct result of the district's failure to implement the student's IEP, or that parents are provided the written notice of procedural safeguards on the date the school district decides to take disciplinary action.* |

| **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 300.18; 300.156 | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that at Monson High School, a special education teacher who designs and provides direct special education services described in students' IEPs, does not hold a current license in special education.* |

| **CRITERION**  **NUMBER** | SPECIAL EDUCATION **VIII. PROGRAM PLAN AND EVALUATION** | | | |
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|  | **Legal Standard** | | | |
| **SE 56** | Special education programs and services are evaluated  Special education programs and services are regularly evaluated. | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L. c. 71B, section 2 | |  | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and interviews indicated that the district does not regularly evaluate its special education programs and services.* |

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

| **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 indicated that the district's student discipline policies and procedures do not contain the following: 1) procedures for principal hearings for long-term suspension do not offer the parent an opportunity to discuss the student's conduct and offer information and mitigating circumstances for the principal's consideration; 2) procedures for the emergency removal of a student do not address that the student may not be removed from school until adequate provisions have been made for the student's safety and transportation; and 3) procedures for in-house suspension do not address the principal's use of in-school suspension as an alternative to short-term suspension.*  *Additionally, the district does not have a system in place for principals to collect and periodically review discipline data by selected populations.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 16 | Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion   1. No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school where the student last attended has sent notice within 5 days from the student’s tenth consecutive absence to the student and the parent/guardian of the student in English and the primary language of the parent or guardian (to the extent practicable). The notice shall offer at least two dates and times for an exit interview between the superintendent (or designee) and the student and the parent/guardian to occur prior to the student permanently leaving school. The notice shall include contact information for scheduling the exit interview and indicate that the parties shall agree to a date and time for the exit interview and that the interview shall occur within 10 days of the notice. The time and the date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days. The superintendent or designee may proceed with an exit interview without a parent/guardian if the superintendent or designee makes a good faith effort to include the parent/guardian. 2. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education programs and services available to the student. The superintendent (or designee) shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent/guardian. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and a list of alternative education program and services available to the student. 3. Any district serving students in high school grades sends annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school    1. to inform them of the availability of publicly funded post-high school academic support programs and    2. to encourage them to participate in those programs.   At a minimum, the district sends annual written notice by first class mail to the last known address of each such student who attended a high school in the district within the past two years.   1. The Superintendent shall annually report to the Department the number of students sixteen years of age or older who have permanently left school, the reasons for such leaving and any alternative educational or other placement the student has taken. | | | |
|  | M.G.L. c. 76, §§ 5, 18; St. 1965, c. 741 | | | |
|  | **Rating:** | **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 send a notice to the student and parent/guardian within 5 days from the student's tenth consecutive absence that includes: 1) at least two dates and times for an exit interview between the superintendent (or designee) and the student and the parent/guardian to occur prior to the student permanently leaving school; 2) contact information for scheduling the exit interview; and 3) an extension for the time and date of the exit interview of no longer than 14 days.* |

| **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 and staff interviews indicated that the district has developed restraint prevention and behavior support policy and procedures consistent with 603 CMR 46.00, but the annual training provided to staff is not completed within the first 30 days of the school year.* |

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS **VI. FACULTY, STAFF AND ADMINISTRATION** | | | |
| --- | --- | --- | --- | --- |
|  | **Legal Standard** | | | |
| **CR 18** | Responsibilities of the school principal   1. Instructional support. The principal in each of the district’s schools promotes instructional practices responsive to student needs and ensures that adequate instructional support is available for students and teachers. Instructional support includes remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of M.G.L. c. 71B, §2. The principal consults with the Administrator of Special Education regarding accommodations and interventions for students. Such efforts and their results are documented and placed in the student record. Additionally, when an individual student is referred for an evaluation to determine eligibility for special education, the principal ensures that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility. 2. Curriculum Accommodation Plan. The principal implements a curriculum accommodation plan developed by the district’s general education program to ensure that all efforts have been made to meet the needs of diverse learners in the general education program. The plan assists the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the general education program including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning. The plan includes provisions encouraging teacher mentoring and collaboration and parental involvement. (*The plan may be part of a multi-year strategic plan.)* 3. Coordination with special education. The principal with the assistance of the Administrator of Special Education coordinates the delivery and supervision of special education services within each school building. 4. Educational services in home or hospital. Upon receipt of a physician’s written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal coordinates such services with the Administrator for Special Education for eligible students. Such educational services are not considered special education unless the student has been determined eligible for such services, and the services include services on the student’s IEP. | | | |
|  | M.G.L. c. 71, § 38Q ½; 603 CMR 28.03(3) | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district's procedures for home and hospital services do not include that the services provided for students who must remain at home or in a hospital for 14 days or more are not considered special education services unless the student has been determined eligible for such services, and the services are included on the student's IEP.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **CR 21** | Staff training regarding civil rights responsibilities  The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of students’ race, color, sex, gender identity, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting. | | | |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31-106.42; M.G.L. c. 76, § 5; 603 CMR 26.00, esp. 26.07(2), (3) 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 staff interviews indicated that the district does not provide annual in-service training for all school personnel regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of students' race, color, sex, gender identity, religion, national origin and sexual orientation.* |

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| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **I. ASSESSMENT OF STUDENTS** | | | |
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|  | **Legal Standard** | | | |
| ELE 1 | **Annual English Language Proficiency Assessment**   1. The district annually assesses the English proficiency of all ELs. 2. The ACCESS for ELLs is administered to ELs annually in grades K-12 by qualified staff.   **Authority: NCLB, Title I and Title III; G.L. c. 71A, § 7; 603 CMR 14.02** | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of ACCESS participation rates as shown in the state database revealed that the district assessed the English proficiency of only 67% of the English learner (EL) students in the district.* |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
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|  | **Legal Standard** | | | |
| ELE 3 | **Initial Identification**   1. The district uses qualified staff, appropriate procedures, and state-required assessments to identify students who are ELs and to assess their level of English proficiency in reading, writing, speaking, and listening. 2. Each school district shall establish procedures, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may be English learners and assess their level of English proficiency upon their enrollment in the school district.   **Authority: Title VI; EEOA; G.L. c. 71A, §§ 4, 5; 603 CMR 14.02; G.L c. 76, § 5; 603 CMR 26.03** | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district does not administer a Home Language Survey (HLS) that includes the questions required by the Department. A review of the district's "ELL Policy and Procedure Manual" also includes conflicting information regarding the screening test used for the purpose of initial identification of ELs. The district's current initial identification practices are not in compliance with 603 CMR 14.02(1) that requires districts to establish procedures in accordance with the Department's guidelines. Please see the Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners August 2016 as found at http://www.doe.mass.edu/ell/guidance/default.html.* |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
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|  | **Legal Standard** | | | |
| ELE 4 | **Waiver Procedures**   1. Waivers of the requirement to be taught through sheltered English immersion instruction may be considered based on parent request, providing the parent annually visits the school and provides written informed consent. Parents must be informed of their right to apply for a waiver and provided with program descriptions *in a language they can understand.* 2. Students who are under age 10 may only be granted waivers if (a) the student has been placed in an EL classroom for at least 30 calendar days, (b) the school certifies in no less than 250 words that the student "has special and individual physical or psychological needs, separate from lack of English proficiency" that requires an alternative program, and (c) the waiver is authorized by both the school superintendent and principal. All waiver requests and school district responses (approved or disapproved waivers) must be placed in the student's permanent school record. For students under age 10, both the superintendent and the principal must authorize the waiver, and it must be made under guidelines established by and subject to the review of the local school committee. These guidelines may, but are not required to, contain an appeals process. Students who are over age 10 may be granted waivers when it is the informed belief of the school principal and educational staff that an alternative program would be better for the student's overall educational progress. Students receiving waivers may be transferred to an educationally recognized and legally permitted ELE program other than a sheltered English immersion or two-way bilingual program. See 603 CMR 14.04 and ELE 5.   **Authority: G.L. c. 71A, § 5; 603 CMR 14.04(3)**. | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *The district did not provide any information regarding its waiver procedures. Therefore, it is not clear whether its current waiver policy and practice is consistent with the waiver requirements stated in G.L. c. 71A.* |

| **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, **§** 5 requires that students classified as ELs be educated either in a Sheltered English immersion (SEI) program or Two-Way Immersion program (TWI), unless a program waiver is sought for another ELE program model, such as Transitional Bilingual Education (TBE). The requirement to provide English language development services to ELs applies to all districts that enroll one or more EL students. 3. Core academic teachers in ALL of these programs are expected to hold the SEI Teacher Endorsement and to shelter the content for ELs to make the content of their lessons more comprehensible and to promote the development of academic language needed to successfully master content standards by providing English language development (ELD) to ELs. 4. Districts are required to include ESL instruction in the implementation of their ELE program to advance English language development and promote academic achievement of ELs.   **Authority: Title VI; EEOA; G.L. c. 71A, §§ 2, 4, 7; 603 CMR 7.15; 603 CMR 14.07** | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *When determining whether a school district’s ELE program complies with federal and state laws and regulations, the Department applies the three-pronged test established by the United States Court of Appeals for the Fifth Circuit in Castañeda v. Pickard. “OELAAA Form 2: Integration of Castañeda’s Three-Pronged Test into ELE Program Review Process” is a tool developed by the Department and is used to evaluate the adequacy of a district's program for ELs. Since the district did not complete the form and submit it with the documentation, there is no indication that ELE services provided by the district reflect a sound educational approach recognized as a legitimate educational strategy to teach ELs English language skills in the four language domains: speaking, listening, reading and writing. Please see* [*http://www.doe.mass.edu/ell/guidance/Guidance.pdf*](http://www.doe.mass.edu/ell/guidance/Guidance.pdf)*.* |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
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|  | **Legal Standard** | | | |
| ELE 6 | **Program Exit and Readiness**   1. Each school district shall establish criteria, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may no longer be English learners. 2. The district does not reclassify an English Learner (EL) as Former English Learner (FEL) until he or she is deemed English proficient and can participate meaningfully in all aspects of the district’s general education program without the use of adapted or simplified English materials. 3. Districts do not limit or cap the amount of time in which an EL can remain in a language support program. An EL only exits from such a program after he or she is determined to be proficient in English.   **Authority: Title VI; EEOA; G.L. c. 71A, § 4; 603 CMR 14.02** | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *The documents submitted by the district do not include a description of the district's reclassification process and exit criteria. Therefore, it is not clear whether the district's current reclassification procedures are in compliance with 603 CMR 14.02 that requires districts to establish exit criteria in accordance with the Department's guidelines. Please see the Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners August 2016 as found at* [*http://www.doe.mass.edu/ell/guidance/Guidance.pdf*](http://www.doe.mass.edu/ell/guidance/Guidance.pdf)*.* |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **III. PARENT AND COMMUNITY INVOLVEMENT** | | | |
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|  | **Legal Standard** | | | |
| ELE 7 | **Parent Involvement**  The district develops ways to include parents or guardians of ELs in matters pertaining to their children's education and ELE programs.  **Authority: Title VI; EEOA; Title III; G.L. c. 71A, § 7** | | | |
|  | **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, at times, uses an online translator for written documents. Online translators do not accurately convey the meaning of the source document and should be reviewed and edited by an individual qualified to do so. The district does not meet the obligation to communicate effectively with parents whose preferred language of communication is not English and fails to include these parents of ELs in matters pertaining to their children's education.* |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **IV. CURRICULUM AND INSTRUCTION** | | | |
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|  | **Legal Standard** | | | |
| ELE 10 | **Parental Notification**   1. Upon identification of a student as EL, and annually thereafter, a notice is mailed to the parents or guardians written where practicable in the primary/home language as well as in English, that informs parents of:    1. the reasons for identification of the student as EL;    2. the child's level of English proficiency;    3. program placement and/or the method of instruction used in the program;    4. how the program will meet the educational strengths and needs of the student;    5. how the program will specifically help the child learn English;    6. the specific exit requirements;    7. the parents' right to apply for a waiver (see ELE 4), or to decline to enroll their child in the program (see ELE 8) 2. The district shall send report cards and progress reports including, but not limited to, progress in becoming proficient in using English language and other school communications to the parents or legal guardians of students in the English learners programs in the same manner and the frequency as report cards and progress reports to the other students enrolled in the district. The reports are, to the maximum extent practicable, written in a language understandable to the parent/guardian.  Authority: NCLB, Title III, Part C, Sec. 3302(a), (c); G.L. c. 71A, § 7; 603 CMR 14.02 | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the parent notification form used by the district does not include all the required information that needs to be communicated to EL parents and is not translated in the parents' preferred language. Furthermore, the district does not send progress reports to parents of students in the ELE program that include information regarding their child's progress in becoming proficient in using the English language.* |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **VIII. PROGRAM PLAN AND EVALUATION** | | | |
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|  | **Legal Standard** | | | |
| ELE 17 | **Program Evaluation**  The district conducts periodic evaluations of the effectiveness of its ELE program in developing students' English language skills and increasing their ability to participate meaningfully in the educational program. Where the district documents that the program is not effective, it takes steps to make appropriate program adjustments or changes that are responsive to the outcomes of the program evaluation.  **Authority: Title VI; EEOA. Title III § 3121** | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *The district did not submit its most recent program evaluation which was a required document for the review of this criterion. Therefore, the Department concludes that the district does not have a comprehensive process to evaluate the effectiveness of its ELE programming in developing students' English language skills and increasing their ability to participate meaningfully in the district's educational program. Please see* [*http://www.doe.mass.edu/ell/resources/ProgramEvaluation.pdf*](http://www.doe.mass.edu/ell/resources/ProgramEvaluation.pdf)*.* |

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **IX. RECORD KEEPING** | | | |
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|  | **Legal Standard** | | | |
| ELE 18 | **Records of ELL Students**  ELL student records include:   1. home language survey; 2. results of identification and proficiency tests and evaluations; 3. ACCESS for ELLs report; 4. MCAS/PARCC report; 5. information about students' previous school experiences if available; 6. copies of parent notification letters; 7. progress reports, in the native language, if necessary; 8. report cards, in the native language, if necessary; 9. evidence of follow-up monitoring, if applicable; 10. documentation of a parent’s consent to “opt-out” of ESL instruction, if applicable; 11. waiver documentation, if applicable; 12. individualized learning plan (optional).   **Authority: Title VI; EEOA; G.L. c. 69, § 1I; c. 71A, §§ 5, 7; 603 CMR 14.02, 14.04** | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review indicated that EL student records do not consistently include copies of report cards and progress reports.* |

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

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| WBMS CPR Final Report 2017 | |
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| Prepared by: | MO/MP/AM/SH |