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| ESE LogoStarLogo08_A |  | **Barnstable Public Schools****COORDINATED PROGRAM REVIEW****REPORT OF FINDINGS****Dates of Onsite Visit:** **October 23-27, 2017****Date of Draft Report:** **December 28, 2017****Date of Final Report: February 13, 2018****Action Plan Due: March 20, 2018****Department of Elementary and Secondary Education Onsite Team Members:****Doryce Smith, Office of Public School Monitoring (PSM) Chair****Michael Barrett, PSM****Deborah Conover, PSM****Jessie Kihiko, PSM****Sibel Hughes, Office of English Language Acquisition and Academic Achievement (OELAAA) Chair****Gary Gomes,** **Office for College, Career and Technical Education (CCTE) Chair**  |
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Barnstable 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: 10](#_Toc256000004)

[SPECIAL EDUCATION 11](#_Toc256000005)

[CIVIL RIGHTS AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS 19](#_Toc256000006)

[ENGLISH LEARNER EDUCATION 21](#_Toc256000007)

COLLEGE, [CAREER/TECHNICAL EDUCATION 23](#_Toc256000008)

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Barnstable Public Schools**

**SCOPE OF COORDINATED PROGRAM REVIEWS**

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

Special Education (SE)

* selected requirements from the federal Individuals with Disabilities Education Act (IDEA-2004); the federal regulations promulgated under that Act at 34 CFR Part 300; M.G.L. c. 71B, and the Massachusetts Board of Education’s Special Education regulations (603 CMR 28.00), as amended effective March 1, 2007. The 2017 - 2018 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

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

* selected federal civil rights requirements, including requirements under Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, together with selected state requirements under M.G.L. c. 76, Section 5 as amended by Chapter 199 of the Acts of 2011 and M.G.L. c. 269 §§ 17 through 19.
* selected requirements from the Massachusetts Board of Education’s Physical Restraint regulations (603 CMR 46.00).
* selected requirements from the Massachusetts Board of Education’s Student Learning Time regulations (603 CMR 27.00).
* various requirements under other federal and state laws.
* The 2017 - 2018 Web-based Monitoring System (WBMS) districts conducted self-assessments across all criteria.

English Learner Education (ELE) in Public Schools

* selected requirements from M.G.L. c. 71A, the state law that governs the provision of education to limited English proficient students, and 603 CMR 14.00, as well as the No Child Left Behind Act of 2001 and Title VI of the Civil Rights Act of 1964. During the 2017 - 2018 school year, all districts that enroll limited English proficient students will be reviewed using a combination of updated standards and a self-assessment instrument overseen by the Department’s Office of English Language Acquisition and Academic Achievement (OELAAA), including a request for information regarding ELE programs and staff qualifications.

Some reviews also cover selected requirements in:

College, Career and Technical Education (CCTE)

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

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

**COORDINATED PROGRAM REVIEW ELEMENTS**

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

**Timing:** Each school district and charter school in the Commonwealth is scheduled to receive a Coordinated Program Review every six years and a mid-cycle special education follow-up visit three years after the Coordinated Program Review; approximately 68 school districts and charter schools are scheduled for Coordinated Program Reviews in 2017 - 2018, of which all districts participated in the Web-based Monitoring System (WBMS). The Department’s

2017 - 2018 schedule of Coordinated Program Reviews is posted on the Department’s web site at <<<http://www.doe.mass.edu/pqa/review/cpr/schedule.html>>>. The statewide six-year Program Review cycle, including the Department’s Mid-cycle follow-up monitoring schedule, is posted at <<<http://www.doe.mass.edu/pqa/review/cpr/6yrcycle.html>>>.

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

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

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

Self-Assessment Phase:

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

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

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

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

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

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

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

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

**Content of Final Report:**

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

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

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

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

# **INTRODUCTION TO THE FINAL REPORT**

#

A six-member Massachusetts Department of Elementary and Secondary Education team conducted a Coordinated Program Review in Barnstable Public Schools during the week of October 23, 2017, to evaluate the implementation of selected criteria in the program areas of special education, civil rights and other related general education requirements, English learner education and college, career and technical education. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district.

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

Interviews of:

* Administrative staff
* Teaching and support services staff
* Special education parent advisory council representative(s)
* Parent of an English learner
* Students

Student record reviews:

* Special education student records
* English learner student records
* College, Career and Technical Education student records

Surveys:

* Parents of students with disabilities
* Parents of English learners

Observations of classrooms and other facilities

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

**Component I: Assessment of Students**

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

**Component III: Parent and Community Involvement**

**Component IV: Curriculum and Instruction**

**Component V: Student Support Services**

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

**Component VII: Facilities**

**Component VIII: Program Evaluation**

**Component IX: Recordkeeping and Fund Use**

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

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| **DEFINITION OF COMPLIANCE RATINGS** |
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| **Commendable** | Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation. |
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| **Implemented** | The requirement is substantially met in all important aspects. |
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| **Implementation in Progress** | This rating is used for criteria containing new or updated legal requirements and means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year. |
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| **Partially Implemented** | The requirement, in one or several important aspects, is not entirely met. |
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| **Not Implemented** | The requirement is totally or substantially not met. |
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| **Not Applicable**  | The requirement does not apply to the school district or charter school. |

Barnstable Public Schools

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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

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

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| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 2** | Required and optional assessments1. Required assessments: The following assessments are completed by appropriately credentialed and trained specialists for each referred student:
	1. Assessment(s) in all areas related to the suspected disability(y) (ies) including consideration of any needed assistive technology devices and services and/or instruction in Braille.
	2. Educational assessment by a representative of the school district, including a history of the student’s educational progress in the general curriculum.
	3. Assessment by a teacher(s) with current knowledge regarding the student’s specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district’s general education curriculum, as well as an assessment of the student’s attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults.
	4. For a student being assessed to determine eligibility for services at age three (3), an observation of the student’s interactions in the student’s natural environment or early intervention program is strongly encouraged together with the use of current assessments from Early Intervention Teams to avoid duplicate testing.
2. Optional assessments: The Administrator of Special Education may recommend or the parent may request one or more of the following:
	1. A comprehensive health assessment by a physician that identifies medical problems or constraints that may affect the student's education. The school nurse may add additional relevant health information from the student’s school health records.
	2. A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.
	3. A home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of the parent.
3. At the re-evaluation of a student, if no additional assessments are needed to determine whether the student continues to be eligible for special education, the school district recommends to the student’s parents the following:
	1. that no further assessments are needed and the reasons for this; and
	2. the right of such parents to request an assessment.
 |
|  | **State Requirements** | **Federal Requirements** |
|  | 603 CMR 28.04 (1) and (2) | 34 CFR 300.304; 300.305;300.324(a)(2)(v) |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of student records indicated that the district does not consistently complete educational assessments, including a history of the student’s progress in the general curriculum and teacher assessments that address attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 3** | Special requirements for determination of specific learning disabilityWhen a student suspected of having a specific learning disability is evaluated, the Team creates a written determination as to whether or not he or she has a specific learning disability, which is signed by all members of the Team, or if there is disagreement as to the determination, one or more Team members document their disagreement. |
|  | State Requirements | Federal Requirements |
|  |  | 34 CFR 300.8(c)(10); 300.311 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of student records indicated that when a student suspected of having a specific learning disability is evaluated, the Team does not consistently create a written determination as to whether or not he or she has a specific learning disability, which is signed by all members of the Team. If one or more members are in disagreement as to the determination, the Team does not consistently document their disagreement.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 18A** | IEP development and content1. 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. For students identified with a disability on the autism spectrum, or 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.
 |
|  | 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:** |
| *A review of student records indicated that when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP does not consistently address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 20** | Least restrictive program selected1. The program selected is the least restrictive environment for students, with consideration given to any potential harmful effect on the student or on the quality of services that he or she needs.
2. If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student’s program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.
3. The district does not remove an eligible student from the general education classroom solely because of needed modification in the curriculum.
4. If a student’s IEP necessitates special education services in a day or residential facility or an out-of-district educational collaborative program, the IEP Team considers whether the student requires special education services and support to promote the student’s transition to placement in a less restrictive program.
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|  | State Requirements | Federal Requirements |
|  | M.G.L. c. 71B, § 3603 CMR 28.06(2) | 34 CFR 300.114-12034 CFR 300.42 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of student records indicated that the district does not consistently state why removal from the general education classroom is considered critical to the student’s program and the basis for its conclusion that education in the least restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 39** | Procedures used to provide services to eligible students enrolled in private schools at private expenseFor all students with disabilities attending private school(s) located in the district's geographic boundary whose parents reside in Massachusetts or out of state, the school districts:1. Conducts child find activities comparable to those for public school students, for all students enrolled at private expense in private schools located in the geographic boundary of the district.
2. Provides or arranges for the provision of an evaluation for any private school student who is referred for evaluation. The evaluation may take place in the public school, the private school, or an appropriate contracted facility.
3. Provides for ongoing timely and meaningful consultation with private school representatives and representatives of parents of parentally-placed private school children with disabilities prior about:
	1. the child find process for students suspected of having a disability, and how parents, teachers, and private school officials will be informed about the child find process;
	2. what the determination of proportionate share funds is and the calculation of which that determination is based, including the underlying data;
	3. how the consultation process will occur during the school year between the district, private school representatives, and parents;
	4. how, where, and by whom special education and related services will be provided to eligible private school students with disabilities using proportionate share funds, including types of services, how funds will be apportioned if federal funds are insufficient to serve all eligible students, and how and when decisions about proportionate share services will be made; and
	5. how the district will notify private school officials, in writing, if the district does not agree with the view of the private school offices about the provision of services or specific types of services.
4. Obtains signed, written affirmation from participating private school officials that consultation has occurred, and if there is no written affirmation, the district sends ESE documentation about the consultation process.
5. Calculates the proportionate share of federal special education entitlement funds (Fund Code 240) required to be spent, based on the child count taken between October 1 and December 1 of the *prior* fiscal year that includes the number of all eligible private school students attending school in the district's geographic catchment area including residents, non-residents, and home school students, using the ESE form. (N.B.: A student remains eligible for 3 years following identification. Child count includes all students found eligible attending school in the district, regardless of whether they receive(d) special education services.)
6. Determines equitable services and how they will be provided to one or more students with disabilities attending private schools in the district through
	1. a discussion of student needs and possible types of special education and related services that can be provided either directly or through alternative service delivery mechanisms;
	2. consideration that federal grant funds can be used to provide services on the grounds of private schools, although services provided with state and local funds must be provided at a "public school facility or other public or neutral site";
	3. if the amount of proportionate share grant funds are insufficient to serve every eligible student, a discussion of how the district will apportion the services among eligible students, or may choose to supplement the proportionate share of the grant funds with additional grant funds or with state or local funds; and
	4. if the school district disagrees with the views of the private school officials on the provision or type of services, the district must provide private school officials with a written explanation of the reasons the district chose not to provide services directly or through a contract. The school district has the final decision-making authority.
7. Creates a services plan for each eligible private school student who will receive special education or related services from the district using proportionate share funds.
	1. Initiates and conducts meetings to develop, review, and revise services plans for eligible students.
	2. Ensures a representative of each student's private school attends each meeting or is able to participate through individual or conference calls.
8. If using federal funds only, provides special education services and/or related services to private school children at the private school, and if using state funds, provides services to private school students on the grounds of the public school or another public or neutral site.
9. Collects the following data and information, and reports to ESE as necessary in the Fund Code 240 application:
	1. the number of private school and home school children evaluated in a school year;
	2. the number of private school and home school children determined to be eligible in a school year (may include evaluations conducted, or, for non-residents, evaluations provided by the district of residence and accepted as evidence of eligibility); and
	3. the number of private school and home school children served in a school year regardless of where they attend school.
 |
|  | State Requirements | Federal Requirements |
|  | M.G.L. c. 71B, section 2603 CMR 28.03(1)(e) | 34 CFR 300.130-144; 300.300(d)(4) |
|  | **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 does not create a services plan for each eligible private school student who receives special education or related services from the district using proportionate share funds.* |

| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| **SE 41** | Age span requirementsThe ages of the youngest and oldest student in any instructional grouping do not differ by more than 48 months. A written request for approval of a wider age range is submitted to the Commissioner of Elementary and Secondary Education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Elementary and Secondary Education. |
|  | State Requirements | Federal Requirements |
|  | 603 CMR 28.06(6)(f) |  |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents and interviews indicated that, at Barnstable High School’s Functional Academics and Inclusion Program, there is an identified classroom where the age span of the youngest and oldest student exceeds 48 months. A written request for approval of a wider age range has not been submitted to the Department of Elementary and Secondary Education.* |

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

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| **CRITERION****NUMBER** |       |
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|  | **Legal Standard** |
| CR 25 | Institutional self-evaluationThe district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation. |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.07(1),(4) as amended by Chapter 199 of the Acts of 2011 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents indicated that the district does not fully evaluate all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. Specifically, the district’s evaluation tool consists of one survey question which asks if the district’s K-12 program ensures that all students have equal access to all programs, regardless of the specified protected categories. Furthermore, there is no indication that the district makes changes based on information gathered by the survey.* |

| **CRITERION****NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR)**AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS****IX. RECORD KEEPING** |
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|  | **Legal Standard** |
| CR 26A | Confidentiality and student records1. In accordance with federal and state requirements, the district protects the confidentiality of any personally identifiable information that it collects, uses or maintains.
2. The district maintains and provides access to student records in accordance with federal and state requirements.
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|  | FERPA: 20 U.S.C. § 1232g; 34 CFR Part 99; M.G.L. c. 71, § 34H; 603 CMR 23.05, 23.07 |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of student records indicated that Barnstable Public School's records do not always include a log of access in accordance with federal and state requirements.* |

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

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| **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; ESEA; G.L. c. 71A, § 7** |
|  | **Rating:** |  **Partially Implemented**  | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of student records indicated that the district does not always provide language assistance to parents whose preferred language is not English and, therefore, does not always meet the obligation to communicate effectively with parents to include them in matters pertaining to their children’s education.* |

| **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. Similarly, most principals, assistant principals, and supervisors/directors assigned to supervise or evaluate core academic teachers who provide sheltered English instruction to English learners hold the SEI Teacher Endorsement or the SEI Administrator Endorsement, but some do not.* |

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

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

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents and student records indicated that the district has started to provide students with career guidance activities, but has not yet implemented a four year career plan for its students.* |

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| **CRITERION NUMBER** |  |
|  | Legal Standard |
| **CCTE 8** | The programs in which students are enrolled meet the Perkins IV definition of career and technical education as contained in Appendix A (*Massachusetts Perkins IV Career and Technical Education Program Checklist)* of the Massachusetts Perkins IV Manual. *Perkins Sections 3 & 134* |
|  | **References:**Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/>Massachusetts Perkins IV Manual at <http://www.doe.mass.edu/cte/perkins/> |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents indicated that students are not provided four year career plans (see CCTE 1) and there is no formalized labor input from the private sector regarding labor market demand (see CCTE 10).* |

| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION****III. PARENT AND COMMUNITY INVOLVEMENT** |
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|  | Legal Standard |
| **CCTE 9B** | The district accurately reports student data in Career/Vocational Technical Education Graduate Follow-up Report. *Perkins Section 113, Vocational Technical Education Regulations 603 CMR 4.05* |
|  | **References:**Carl D. Perkins Career & Technical Education Improvement Act of 2006 at <http://www.doe.mass.edu/cte/perkins/>Massachusetts Perkins IV Manual at <http://www.doe.mass.edu/cte/perkins/>SIMS Version 2.0 Data Handbook at <http://www.doe.mass.edu/infoservices/data/sims/>Instructions for School Districts in Reporting Students Enrolled in Career/Vocational Technical Education Programs at <http://www.doe.mass.edu/cte/data/> |
|  | **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’s contact rate for student follow up was 50.8% which is below the required federal return rate of 65%.* |

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

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents indicated that the district currently has no advisory committees to provide private sector feedback on labor market demand or industry requirements as required by the Perkins Act (Carl D. Perkins Career and Technical Education Improvement Act of 2006).* |

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

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| **Department of Elementary and Secondary Education Findings:**  |
| *A review of documents indicated that the district does not have a system in place to annually review and approve postsecondary articulation or apprenticeship agreements.* |

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

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents and instructional facilities by the Office for College, Career and Technical Education safety specialist indicated that not all facilities used for college, career and technical education meet current occupational standards. The Office for College, Career and Technical Education will send a Safety Survey Report, which will include details specific to each program, to Superintendent Mayo-Brown under separate cover.* |

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

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of documents and instructional facilities by the Office for College, Career and Technical Education safety specialist revealed that not all equipment used for college, career and technical education meets current occupational standards. The Office for College, Career and Technical Education will send a Safety Survey Report, which will include details specific to each program, to Superintendent Mayo-Brown under separate cover.* |

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

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