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| ESE LogoStarLogo08_A |  | **Lowell Public Schools**  **COORDINATED PROGRAM REVIEW**  **REPORT OF FINDINGS**  **Dates of Onsite Visit:** **March 26-29, 2018**  **Date of Draft Report:** **May 14, 2018**  **Date of Final Report: September 4, 2018**  **Action Plan Due: October 2, 2018**  **Department of Elementary and Secondary Education Onsite Team Members:**  **Matthew Nixon, Office of Public School Monitoring (PSM) Chair**  **Michelle Hennessy-Kowalchek, PSM**  **Corey Steinman, PSM**  **Jayme Szymczak, PSM**  **Maura Russell, Office for College, Career and Technical Education (CCTE) Chair**  **David Edmonds, CCTE**  **Lisa Weinstein, CCTE**  **Sibel Hughes, Office of Language Acquisition (OLA) Chair**  **Paul Aguiar, OLA** |
|  |  | Jeffrey C. RileyCommissioner of Elementary and Secondary Education |
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Lowell Public Schools**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

**COORDINATED PROGRAM REVIEW REPORT**

**Lowell Public Schools**

**SCOPE OF COORDINATED PROGRAM REVIEWS**

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

Special Education (SE)

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

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

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

English Learner Education (ELE) in Public Schools

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

Some reviews also cover selected requirements in:

College, Career and Technical Education (CCTE)

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

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

**COORDINATED PROGRAM REVIEW ELEMENTS**

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

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

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

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

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

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

Self-Assessment Phase:

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

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

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

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

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

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

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

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

**Content of Final Report:**

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

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

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

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

# **INTRODUCTION TO THE FINAL REPORT**

The Massachusetts Department of Elementary and Secondary Education conducted a Coordinated Program Review in Lowell Public Schools during the week of March 26, 2018 to evaluate the implementation of selected criteria in the program areas of special education, civil rights and other related general education requirements, English learner education, and college, career and technical education. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district.

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

Interviews of:

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

Student record reviews:

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

Lowell Public Schools

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Special Education** | **Civil Rights and Other General Education Requirements** | **English Learner Education** | **College, Career and Technical**  **Education** |
|  | SE 1, SE 2,  SE 3, SE 3A, SE 4, SE 5,  SE 6, SE 7,  SE 8, SE 9,  SE 9A, SE 10, SE 11, SE 12, SE 13, SE 14, SE 15, SE 16, SE 17, SE 18A, SE 18B, SE 19, SE 20, SE 21, SE 22, SE 24, SE 25, SE 25A, SE 25B, SE 26, SE 27, SE 32, SE 33, SE 34, SE 35, SE 36, SE 37, SE 38, SE 39, SE 40, SE 41, SE 42, SE 43, SE 44, SE 45, SE 46, SE 47, SE 48, SE 49, SE 50, SE 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 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 26A | ELE 1, ELE 2,  ELE 3, ELE 4,  ELE 7, ELE 8,  ELE 9, ELE 10, ELE 13, ELE 15, ELE 17, ELE 18 | CCTE 1, CCTE 2, CCTE 4, CCTE 5, CCTE 9A,  CCTE 9B,  CCTE 12,  CCTE 16,  CCTE 18,  CCTE 19,  CCTE 23,  CCTE 24,  CCTE 25 |
| **PARTIALLY**  **IMPLEMENTED** | SE 29, SE 51, SE 52 | CR 10B | ELE 5, ELE 6,  ELE 14 | CCTE 3, CCTE 8, CCTE 10,  CCTE 11,  CCTE 20,  CCTE 21,  CCTE 22 |
| **NOT IMPLEMENTED** |  | CR 24, CR 25 |  | CCTE 6 |
| **NOT APPLICABLE** |  |  |  | CCTE 7, CCTE 13, CCTE 14, CCTE 15 |

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

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 29** | Communications are in English and primary language of home   1. Communications with parents are in simple and commonly understood words and are in both English and the primary language of the home if such primary language is other than English. Any interpreter used in fulfilling these requirements is fluent in the primary language of the home and familiar with special education procedures, programs, and services. If the parents or the student are unable to read in any language or are blind or deaf, communications required by these regulations are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and all such communications are documented. 2. If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (a) that it has provided such notice in an alternate manner, (b) of the content of the notice and (c) of the steps taken to ensure that the parent understands the content of the notice. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.07(8) | | 34 CFR 300.322(e); 300.503(c) | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Student record review and staff interviews indicated that not all important special education documents, such as IEPs, notices, and assessment summaries, are translated into the primary language of the home if such primary language is other than English.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 51** | Appropriate special education teacher licensure  Except at Commonwealth charter schools, individuals who design and/or provide direct special education services described in IEPs are appropriately licensed.  **Commonwealth Charter Schools – Special Education Teacher Qualifications**  To come into compliance with IDEA, Commonwealth charter schools must use “qualified” teachers to provide specialized instruction or have a “qualified” teacher consult with or provide direct supervision for someone who is not qualified but is delivering specialized instruction.  This is an IDEA requirement.  “Qualified” teachers must hold a valid license in special education or have successfully completed an undergraduate or graduate degree in an approved special education program.  Please see additional guidance at:  [http://www.doe.mass.edu/charter/tech\_advisory/07\_1.html#](http://www.doe.mass.edu/charter/tech_advisory/07_1.html)  (update 2/2011)  <http://www.doe.mass.edu/charter/sped/staffqualifications.html> (update 3/23/2012). | | | |
|  | State Requirements | | Federal Requirements | |
|  | M.G.L. c. 71, s. 38G; s. 89(qq);  603 CMR 1.07; 7.00; 28.02(3) | | 34 CFR 300.156  IDEA § 34 CFR 300.156(a) | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the district employs one special education teacher who does not have current licensure or an approved waiver.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| **SE 52** | Appropriate certifications/licenses or other credentials -- related service providers  Any person, including non‑educational personnel, who provides related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the general or special classroom teacher is appropriately certified, licensed, board‑registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession. | | | |
|  | State Requirements | | Federal Requirements | |
|  | 603 CMR 28.02(3),(18) | | 34 CFR 300.34; 300.156(b) | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review indicated that the district employs three social workers who do not have current licensure or approved waivers.* |

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

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the Bullying Prevention and Intervention professional development provided annually to all school staff does not include the following:*  *1) developmentally appropriate strategies to prevent bullying incidents; 2) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; and*  *3) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying.* |

| **CRITERION**  **NUMBER** | CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) **AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS**  **VIII. PROGRAM PLAN AND EVALUATION** | | | |
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|  | **Legal Standard** | | | |
| **CR 24** | Curriculum review  The district ensures that individual teachers in the district review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials. | | | |
|  | M.G.L. c. 76, § 5; 603 CMR 26.05(2) as amended by Chapter 199 of the Acts of 2011 | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district does not ensure that individual teachers review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation; and that appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.* |

| **CRITERION**  **NUMBER** |  | | | |
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|  | **Legal Standard** | | | |
| CR 25 | Institutional self-evaluation  The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation. | | | |
|  | Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.07(1),(4) as amended by Chapter 199 of the Acts of 2011 | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Document review and staff interviews indicated that the district has not evaluated all aspects of its*  *K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities.* |

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

| **CRITERION**  **NUMBER** | ENGLISH LEARNER EDUCATION **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
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|  | **Legal Standard** | | | |
| ELE 5 | **Program Placement and Structure**   1. The district uses assessment data to plan and implement educational programs for students at different instructional levels. 2. G.L. c. 71A, sections 4 and 5 require that students classified as ELs be educated either in a Sheltered English Immersion (SEI) program or Two-Way Immersion program (TWI), unless a program waiver is sought for another ELE program model, such as Transitional Bilingual Education (TBE). The requirement to provide English language development services to ELs applies to all districts that enroll one or more EL students. 3. Districts are required to include ESL instruction in the implementation of their ELE program to advance English language development and promote academic achievement of ELs.   **Authority: Title VI; EEOA; G.L. c. 71A, §§ 2, 4, 7; 603 CMR 7.15(9)b.; 603 CMR 14.07** | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *A review of the Castañeda Three-Pronged Test completed by the district indicated that all English learners (ELs) at proficiency levels 1-2 should receive two periods of ESL instruction and ELs at proficiency levels 3-4 need at least one period of ESL instruction to make adequate progress in English language acquisition. However, interviews and a review of the district documentation indicated that there are students in the district who do not receive ESL instruction regardless of their proficiency levels. The Department determines that ELE services in the district are not always consistent with students' linguistic needs and the district is not consistently implementing its ELE program as described in the Castañeda Three-Pronged Test.* |

| **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; ESEA; EEOA; G.L. c. 71A, § 4; 603 CMR 14.02** | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:** |
| *Staff interviews and a review of the reclassification guidelines document submitted by the district indicated that ELs with disabilities are reclassified on a case-by-case basis and they may be exempt from meeting exit criteria even if they are not English proficient based on ACCESS for ELLs results.* |

| **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 a review of data from the Educator Licensure and Renewal (ELAR) system indicated that most teachers/tutors who provide ESL instruction hold an ESL license or a current waiver issued by the Department, but some do not. Similarly, not all ESL teachers who provide content instruction to students in the Students with Limited or Interrupted Formal Education (SLIFE) classes at the middle school level hold an appropriate license for the subject matter they teach or a current waiver issued by the Department.* |

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

**Department of Elementary and Secondary Education Findings:**

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| *A review of documents, student records, and interviews indicated that students receive standard grades, tests, and quizzes in all programs. However, most programs do not consistently document the competencies earned by students for all aspects of industry. In many of the district’s Career Technical Education programs, there is no assessment and documentation of the acquisition of employability, management & entrepreneurship and technological knowledge and skills (VTE Frameworks Strands 4, 5 & 6).* |

| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
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|  | Legal Standard | | | |
| **CCTE 6** | *(Note: This criterion applies only to Chapter 74-approved vocational technical education*.)  The district uses its Department-approved admission policy and an appropriate application for admission. *Vocational Technical Education Regulations 603 CMR 4.03(6). M.G.L. c. 76 Section 5.* | | | |
|  | **References:**  Chapter 74 Selected Sections & 603 CMR 4.00 Vocational Technical Education Regulations and Guidelines at <http://www.doe.mass.edu/cte/laws.html>  Chapter 74 Manual for Vocational Technical Education Admission Policies at <http://www.doe.mass.edu/cte/admissions/>  Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs (34 CFR, Part 100, Appendix B at <http://www.doe.mass.edu/cte/admissions/>  Massachusetts Special Education Regulations 603 CMR 28.10 6) (c) at <http://www.doe.mass.edu/lawsregs/603cmr28.html?section=all#start>  Massachusetts General Law Chapter 76, Section 5 at <http://www.mass.gov/legis/laws/mgl/gl-pt1-toc.htm>  Massachusetts Access to Equal Educational Opportunity Regulations 603 CMR 26.00 at <http://www.doe.mass.edu/lawsregs/603cmr26.html> | | | |
|  | **Rating:** | **Not Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:**  *The district does not have a Department-approved admission policy which is required under Chapter 74.* |

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| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  **II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT** | | | |
|  | 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:**  *Interviews and review of documents indicated that the programs offered by the district do not meet the Perkins IV definition of career and technical education. The career technical education programs do not meet all twelve standards and accompanying measures in the Massachusetts Perkins IV Career and Technical Education Program Checklist. Some programs’ curricula do not include: employability knowledge and skills; management and entrepreneurship knowledge and skills; and technological knowledge and skills. All programs lack advisory committees. See CCTE 10.* |

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

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| **Department of Elementary and Secondary Education Findings:**  *Interviews and review of documents indicated that, while the district has had a Perkins advisory committee in the past, it had not met for two years at the time of the review. Consequently, the Chapter 74 approved Marketing Program does not have a Program Advisory Committee, and none of the programs reported as Non-Chapter 74 (Perkins) programs have an advisory. All Perkins programs must verify the labor market for the program with an advisory committee that includes representatives from business/industry and postsecondary education including registered apprenticeship programs (if applicable), and/or the local Workforce Investment Board (WIB).* |

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

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| **Department of Elementary and Secondary Education Findings:**  *Interviews and review of documents indicated that not all programs are structured to include employability, management and entrepreneurship, and technological knowledge and skills.* |

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

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

| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  **VII. SCHOOL & WORK-BASED FACILITIES AND EQUIPMENT** | | | |
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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 equipment by the ESE CCTE safety specialist indicated that not all Career/Vocational Technical Education instructional equipment meets current occupational standards. The Office for College, Career, and Technical Education sent the official Safety Survey Report, which included details specific to each program, to Acting Superintendent Durkin under separate cover.* |
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| **CRITERION NUMBER** | **COLLEGE, CAREER AND TECHNICAL EDUCATION**  V. STUDENT SUPPORT SERVICES | | | |
|  | Legal Standard | | | |
| **CCTE 22** | The district uses thePerkins Act Core Indicator of Performance outcomes to improve programs and the outcomes for students. *Perkins Section 113, Perkins 134 (b) (5), (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> Massachusetts Perkins Accountability Workbook – Secondary at <http://www.doe.mass.edu/cte/perkins/acctworkbook_sec.pdf> | | | |
|  | **Rating:** | **Partially Implemented** | **District Response Required:** | **Yes** |

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| **Department of Elementary and Secondary Education Findings:**  *Interviews and review of documents indicated that not all technical teachers are aware of the Perkins Act Core Indicator of Performance outcomes, nor do they use Perkins Act Core Indicator data to improve programs and outcomes for students.* |

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

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| WBMS CPR Final Report 2018 | |
| File Name: | Lowell Public Schools CPR Final Report 2018 |
| Last Revised on: | September 4, 2018 |
| Prepared by: | MN/AP/SH/MR |

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