

**TIERED FOCUSED MONITORING TOOLKIT**

The Massachusetts Department of Elementary and Secondary

Education’s (DESE) Office of Public School Monitoring

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# INTRODUCTION TO TIERED FOCUSED MONITORING

## The Office of Public School Monitoring (PSM) works with school districts and charter schools to promote positive student outcomes by engaging in Tiered Focused Monitoring (TFM). PSM monitors the implementation of special education and civil rights requirements to support improved and sustained outcomes for students in the Commonwealth.

All school districts and charter schools participate in the public school monitoring process every three years. The toolkit refers to these entities as a Local Education Agency (LEA).

# THIS TOOLKIT ANSWERS THE FOLLOWING QUESTIONS:

**1**

**HOW TO USE THIS TOOLKIT**

This toolkit is interactive by design. While the toolkit may be read and printed in its complete format,

LEAs may also elect to review a specific tier in the monitoring cycle.

WHAT IS TIERED FOCUSED MONITORING?

**1**

WHAT IS A MONITORING CYCLE? WHICH ACTIVITIES ARE COMPLETED EACH YEAR?

**2**

WHAT ARE THE MONITORING TIERS AND HOW ARE THEY DETERMINED?

**3**

**4**

HOW ARE IMPROVEMENT GOALS SET AND MONITORED?

# TIERED FOCUSED MONITORING

Through the Tiered Focused Monitoring (TFM) process, PSM assigns each LEA to a specific tier based on level of need. PSM aligns support and resources to the LEA’s level of need, focusing more intensely on those requiring the greatest support.

Reports and corresponding technical assistance are designed to support LEAs in directing time and resources to activities that will improve student outcomes. Every LEA, in every monitoring tier, receives PSM support. This assistance includes general guidance, regional meetings, and district-specific support.

# Pie Flow Chart of TFM Cycle TIERED FOCUSED MONITORING APPROACH

All LEAs undergo onsite monitoring every three years. Regularly monitored standards are divided into two groups, known as **Group A Universal Standards and Group B Universal Standards**; LEAs are monitored on an alternate set of Universal Standards every three years.

**The three-step review process includes the following:**

***Self-Assessment*** *(Year 1 & Year 4)*

**1**

***Onsite Monitoring/Reporting***

**2**

*(Year 2 & Year 5)*

***Continuous Monitoring***

**3**

*(Year 3 & Year 6)*

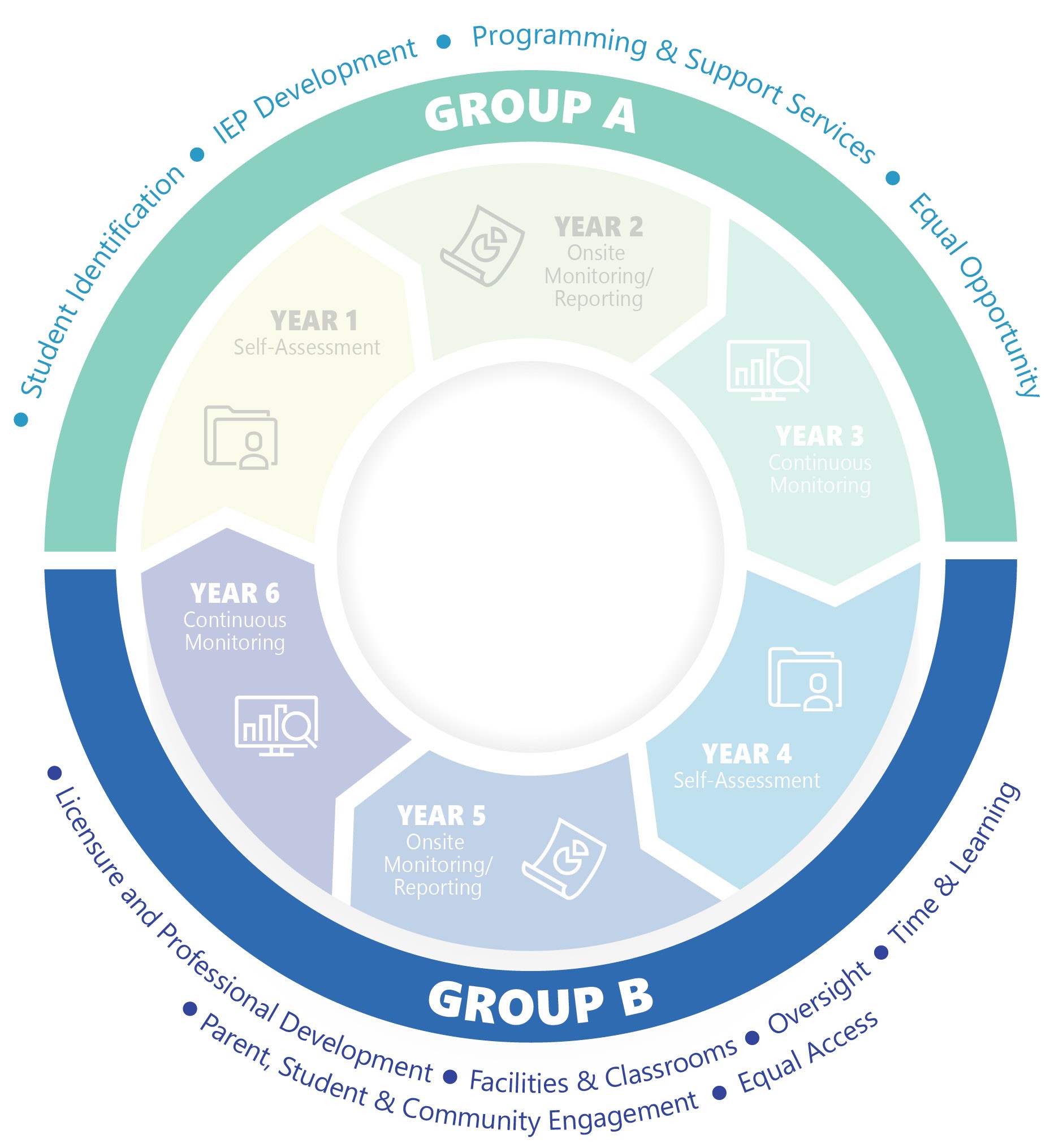
LEAs complete a self-assessment the year prior

to their onsite review. Both the self-assessment and PSM onsite monitoring will inform an LEA’s **Continuous**

**Improvement and Monitoring Plan (CIMP) or Corrective Action Plan (CAP),** depending on the LEA’s monitoring tier. LEAs develop and implement their CIMP or CAP at

the completion of onsite monitoring. LEAs have 1 year to remedy any non-compliance.

**LEAs WILL UNDERGO IN THE FOLLOWING ACTIONS OVER SIX YEARS:**



# MONITORING GROUPS

Group A Universal Standards and Group B Universal Standards are comprised of special education and civil rights criteria. Each group emphasizes the review of a different subset of monitoring standards. In addition, each monitoring group has a specific set of data collection activities.

* **Group A Universal Standards:** Monitor criteria related to *Student Identification; IEP Development; Programming & Support Services; and Equal Opportunity.*
* **Group B Universal Standards**:

Monitor criteria related to *Licensure and Professional Development; Parent, Student & Community Engagement; Facilities & Classrooms; Oversight; Time & Learning; and Equal Access.*

**Targeted Standards**

DESE has reserved a specific set of criteria, collectively known as Targeted Standards, employed only on an as-needed basis. If LEA or school level risk

**LEAs WILL UNDERGO IN THE FOLLOWING ACTIONS OVER SIX YEARS:**

assessment data indicate there is a potential issue, the related criteria to that standard will be added to the review. Data sources include, but are not limited to, Problem Resolution System (PRS) complaints and School Safety and Discipline Reports (SSDR).

# TIER ASSIGNMENT

The LEA monitoring process and subsequent technical assistance vary by monitoring tier. LEAs are assigned to a monitoring tier based on a risk assessment. The risk assessment is based on the LEA’s designated DESE Accountability Level and special education determination along with risk factors, such as:

1. Problem Resolution System complaint data
2. Public School Monitoring report data

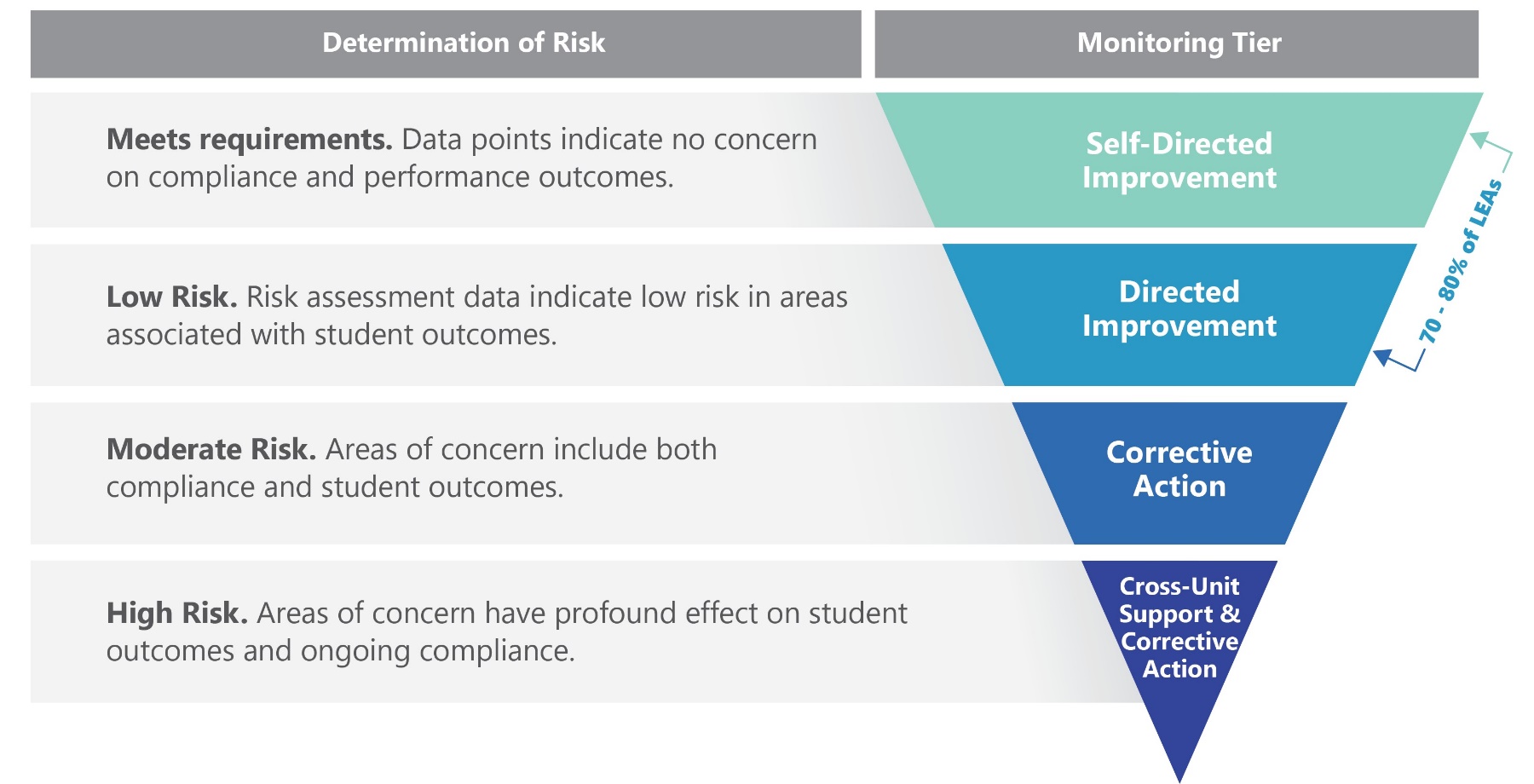
# MONITORING TIERS

**There are four monitoring tiers. These are:** *1) Self-Directed Improvement; 2) Directed Improvement;*

* 1. *Corrective Action; and 4) Cross-Unit Support & Corrective Action*

LEAs in tiers one and two have been determined to have no or low risk. LEAs in tiers three and four have demonstrated greater risk.

Agency intervention, onsite monitoring, and provision of technical assistance vary based on tier, allowing DESE to direct resources to those who need the most support. This process is designed to ensure that LEAs with a greater level of need receive sufficient monitoring to understand the root cause(s) and are provided with an appropriate level of technical assistance to make sustained improvement.



**Monitoring Tiers - Key Understandings**

* + - Risk assessment leads to tier assignment for each LEA
    - LEA review process and technical assistance vary by tier TFM Toolkit

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# WEB-BASED MONITORING SYSTEM (WBMS)

The Web-Based Monitoring System (WBMS) is a collaborative online portal used throughout the cycle that allows LEAs and PSM to review self-assessment data, reporting documentation and progress reporting activities.

# MONITORING ACTIVITIES

Onsite activities vary by Monitoring Group and by Monitoring Tier.

Flow Chart of Monitoring Tiers





**Year 1: Self-Assessment**

All LEAs complete this phase the year prior to the onsite review. LEAs review relevant special education and civil rights documentation, and submit this information to PSM through WBMS. LEAs may also review a sample of special education student records selected from across grade levels, disability categories, and levels of need.



**Year 2: Onsite Monitoring/Reporting**

Onsite activities vary by Monitoring Group and by Monitoring Tier.

**LEAs in Group A participate in one or more of the following onsite activities as directed by PSM:**

* + - 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.
    - Surveys of parents of students with disabilities: All parents of students with disabilities receive an electronic survey that solicits information regarding their experiences with the LEA’s implementation of programmatic objectives and requirements. This survey is

tied to [Indicator 8](https://profiles.doe.mass.edu/help/data.aspx?section=students)



**LEAs in Group B participate in one or more of the following onsite activities:**

* + - 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.
    - Observations 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 compliance with program requirements.
    - Review of student records for special education if Targeted Standards are included in the self-assessment.
    - Surveys of parents of students with disabilities: All parents of students with disabilities receive an electronic survey that solicits information regarding their experiences with the LEA’s implementation of programmatic objectives and requirements. This survey is tied to [Indicator 8](https://profiles.doe.mass.edu/help/data.aspx?section=students)



**Year 3: Continuous Monitoring**

PSM will provide the LEA with the findings from the onsite monitoring. LEAs in Self-Directed Improvement and Directed Improvement tiers develop a Continuous Improvement and Monitoring Plan (CIMP). LEAs in Corrective Action and Cross-Unit Support & Corrective Action tiers develop a Corrective Action Plan (CAP) for any noncompliance found.

Funnel Chart of Monitoring Tiers



**Continuous Improvement and Monitoring Plan (CIMP)**

LEAs in the Self-Directed Improvement and the Directed Improvement tiers have 20 working days to develop a CIMP.

**What is included in the CIMP?**

|  |  |
| --- | --- |
| CIMP Component | Description |
| **Criterion** | Monitoring standard addressed by the CIMP (PSM) |
| **Rating** | Each criterion receives a rating of Commendable, Implemented, Partially Implemented, or Not Implemented. A CIMP is developed for any criterion receiving a rating of Partially Implemented or Not Implemented. |
| **Description of Current Issue** | Explains the reason PSM is targeting the criterion for improvement (PSM) |
| **LEA Outcome** | Describes the goal of the CIMP |
| **Action Plan** | Details the steps the LEA will take to meet their desired outcome |
| **Success Metrics** | Explains how the LEA will know they have met their desired outcome |
| **Measurement Mechanism** | Details how the Success Metric will be measured |
| **Completion Timeframe** | States when the Success Metric will be met |

**Corrective Action Plan (CAP)**

LEAs in the Corrective Action and Cross-Unit Support & Corrective Action tiers develop a CAP based on the TFM Final Report issued by PSM. Once the report is issued, PSM works with LEAs to develop an appropriate CAP, providing targeted, ongoing technical assistance to support CAP implementation. Both tiers are required to provide written progress reports.

# MONITORING REQUIREMENTS BY GROUP

**GROUP A**

Group A Universal Standards: Monitor criteria related to Student Identification; IEP Development; Programming & Support Services; and Equal Opportunity.

Monitoring activities of Group A Universal Standards, include the following:

* Data collection and submission for State Performance Plan (SPP) Indicators 1 , 12, and 13
* Student Record Review
* Document Review in primarily Special Education with some Civil Rights criteria
* Parent Survey
* PAC Interview
* Staff Interviews
* When publicly reported data indicates that a Targeted Standard may be a concern, additional records will be selected for review

On the next page we explain more about the Indicator data and student record review processes.

**See pages 1 and 2 of Appendix B for the complete list of criteria related to Group A Universal Standards.**

**Data collection and submission for SPP Indicators 11, 12, and 13**

The Individuals with Disabilities Act (IDEA) of 2004 requires all states to have in place a SPP that evaluates the State’s efforts to implement the requirements and purposes of IDEA and describes how the State will improve student performance. As part of the SPP, there are data collection requirements. Group A is responsible for reporting on Indicators 11, 12, and 13. The remaining SPP Indicator requirements are collected in other settings.

|  |  |
| --- | --- |
| SPP Indicator | What does it measure? |
| **Indicator 11** | Timelines for determining initial special education eligibility |
| **Indicator 12** | Transition from Part C (Early Intervention) to Part B (Special Education) under IDEA |
| **Indicator 13** | Percent of youth with IEPs ages 14 and above, with an IEP that includes appropriate measurable postsecondary goals that are updated annually and based upon an age appropriate transition assessment, transition services (including courses of study that will reasonably enable the student to meet those postsecondary goals) and annual IEP goals related to the student’s transition services needs. |

**Student Record Review**

LEAs both self-assess a selection of records and have an additional record review during the on-site activity phase.

LEAs typically select fifteen records to self-assess. However, this number may vary based on LEA size. The records selected include a cross-section of all age groups, grade levels, types of disability, placement, and level of need. They also include a representative sample of the following:

* *initial reviews, annual reviews, and re-evaluations*
* *extended evaluations and independent evaluations*

**GROUP B**

Group B Universal Standards: Monitor criteria related to Licensure and Professional Development; Parent, Student & Community Engagement; Facilities & Classrooms; Oversight; Time & Learning; and Equal Access.

Monitoring activities of Group B Universal Standards, include the following:

* Document Review in primarily Civil Rights with some Special Education criteria
* Facility observations
* PAC Interview
* Parent Survey
* Staff Interviews
* When publicly reported data indicates that a Targeted Standard may be a concern, records will be selected for review

**See pages 2 and 3 of Appendix B for the complete list of criteria related to Group B Universal Standards.**

**Facility Observations**

Classrooms and other school facilities are visited to determine compliance with program requirements. The onsite team observes instructional programs at each level in the district.

**MONITORING BY TIER**

While all LEAs will follow the general tiered focused monitoring sequence of self-assessment, on-site monitoring/reporting and continuous monitoring, the intensity of these steps vary by tier.

The following is the specific path for each monitoring tier:

# SELF-DIRECTED IMPROVEMENT

LEAs in this monitoring tier meet requirements. Risk assessment data indicate no demonstrated risk on either compliance or performance outcomes. Because there is no demonstrated risk, these LEAs will receive less intensive onsite monitoring from PSM, and also require less follow-up after implementation of the CIMP. Depending on where LEAs are in the monitoring cycle, they will either be assessed on Group A or Group B Universal Standards.

Self-Directed Improvement LEAs follow this approach:

**Self-Assessment Phase:**

**1**

LEA completes self-assessment and submits to PSM

**Onsite Monitoring/Reporting Phase:**

**2**

PSM reviews self-assessment and conducts data collection through:

1. Parent surveys
2. Record review
3. Observations
4. Interviews

**Continuous Monitoring Phase:**

**3**

If areas of concern are identified:

1. PSM provides feedback to LEA prior to development of the **Continuous Improvement & Monitoring Plan (CIMP).**
2. LEA develops and implements **CIMP** within the prescribed timelines.
3. LEA updates WBMS demonstrating progress or completion.
4. PSM monitors **CIMP** implementation.

# DIRECTED IMPROVEMENT

LEAs in this monitoring tier are considered low risk for compliance concerns. Risk assessment data indicate low risk in areas associated with student outcomes. Depending on where LEAs are in the monitoring cycle, they will either be assessed on Group A or Group B Universal Standards.

Directed Improvement LEAs follow this approach:

**Self-Assessment Phase:**

**1**

LEA completes self-assessment and submits to PSM

**Onsite Monitoring/Reporting Phase:**

**2**

PSM reviews self-assessment and conducts data collection through:

1. Parent surveys
2. Record review
3. Observations
4. Interviews

**Continuous Monitoring Phase:**

**3**

If areas of concern are identified:

1. PSM provides feedback to LEA prior to development of the **Continuous Improvement & Monitoring Plan (CIMP).**
2. LEA develops and implements **CIMP** within the prescribed timelines.
3. LEA submits written progress reports through WBMS.
4. PSM reviews written progress reports and monitors **CIMP** implementation.

# CORRECTIVE ACTION

LEAs in this monitoring tier are considered moderate risk for compliance concerns. Risk assessment data indicate areas of concern in both compliance and student outcomes. These LEAs will receive a high level of monitoring and assistance from PSM. Depending on where LEAs are in the 6-year monitoring cycle, they will either be assessed on Group A or Group B Universal Standards.

Corrective Action LEAs follow this approach:

**Self-Assessment Phase:**

**1**

LEA completes self-assessment and submits to PSM

**Onsite Monitoring/Reporting Phase:**

**2**

PSM reviews self-assessment and develops onsite data collection activities that may include the following:

1. Parent surveys
2. Record review
3. Observations
4. Interviews

**Continuous Monitoring Phase:**

1. PSM develops program review report for LEA.
2. PSM provides technical assistance to LEA.

LEA develops **Corrective Action Plan (CAP)** in WBMS; reviewed by PSM. LEA completes Progress Reporting in WBMS; reviewed by PSM.

**5**

**6**

# CROSS-UNIT SUPPORT AND CORRECTIVE ACTION

LEAs in this monitoring tier are considered high risk. They have demonstrated ongoing non-compliance, and areas of concern have profound effect on student outcomes. These LEAs will receive assistance from PSM and other Department assistance teams. Depending on where LEAs are in the 6-year monitoring cycle, they will either be assessed on Group A or Group B Universal Standards.

Cross-Unit Support and Corrective Action LEAs follow this approach:

**Self-Assessment Phase:**

**1**

LEA completes self-assessment and submits to PSM

**Onsite Monitoring/Reporting Phase:**

**2**

PSM reviews self-assessment and develops onsite data collection activities that may include the following

1. Parent surveys
2. Record review
3. Observations
4. Interviews

**Continuous Monitoring Phase:**

PSM develops program review report.

**3**

Cross-unit support team conducts analysis of root cause. PSM leads technical assistance for LEA.

**4**

**5**

LEA develops **Corrective Action Plan (CAP)** in WBMS; reviewed by PSM.

**6**

Cross-unit support team works with LEA in building systems, developing in-district capacity and Progress Reporting activities.

**7**

LEA submits Progress Reports in WBMS; reviewed by PSM.

**8**

# APPENDIX A

**Group A Universal Standards**

LEAs in Group A will complete a self-assessment in areas focusing on the following:

**Identification Process**

* Assessment of special education students
* Implementation of specific learning disability requirements
* Special requirements for students on the autism spectrum; IEP documentation
* Timeline for determination of eligibility
* Elements of eligibility determination
* End of school year evaluations
* Independent educational evaluations; Team meeting timelines
* Frequency of re-evaluations
* Extended evaluation procedures

**IEP Development**

* Transition procedures for students 14+
* Transfer of parental rights at the age of majority
* IEP Team composition and attendance
* Issuance and content of Progress Reports
* Annual review and revision of IEPs
* IEP content, including bullying, harassment, and teasing
* Least restrictive program selected; Non-participation Justification Statement
* Parental consent for evaluation and placement in a special education program; revocation of consent
* Parental participation in Team meetings
* Communications with parents in English and primary language of the home

**Programming & Support Services**

* Initiation of services at age three and EI transition procedures
* IEP implementation
* Continuum of special education services and placements
* Oversight of students in out-of-district placements
* Special education students in institutional settings; responsibility of school district
* Proportionate Share
* Special education instructional groupings and staff to student ratio
* Age span requirements in special education instructional groupings
* Behavioral interventions for students whose behavior impedes learning
* Equal opportunity to participate in educational, nonacademic, extracurricular, and ancillary programs, as well as participation in general education
* Related services for students with special education needs
* Availability of information/academic counseling on general curricular and occupational/ vocational opportunities
* Implementation of district curriculum accommodation plan

**Group B Universal Standards**

LEAs in Group B will complete a self-assessment in areas focusing on the following:

**Licensure/Professional Development**

* Licensure/qualifications: Administrator of special education
* Special education teacher licensure
* Related service provider licensure and qualifications
* Registration of educational interpreters
* Professional development

**Parent/Student/Community Engagement**

* Outreach/Child find
* Special education parent advisory council
* Special education program evaluation
* Provision of information in primary language of the home
* Student discipline; handbooks and codes of conduct
* Bullying Intervention and Prevention
* Annual & continuous notification regarding nondiscrimination
* Notice to students leaving school without a high school diploma, certificate of attainment, or certificate of completion
* Physical restraint policies and procedures

**Facilities and Classrooms**

* Special education facilities and classrooms
* Comparability and accessibility of facilities

**Oversight**

* Procedures for oversight: IEP implementation, accountability, and financial responsibility

**Time and Learning**

* Structured learning time and school year schedules

**Equal Access**

* Curriculum review
* Institutional self-evaluation

**Targeted Standards**

Prior to commencement of the Group A or Group B cycle, the LEA’s data is reviewed to determine which

of these criteria should be added to the upcoming review. Data considered includes patterns of complaints and statewide reports.

* Summaries of assessments
* State and district-wide assessments
* Screening for three and four year old students
* Decision regarding placement; provision of IEP; assistive technology; extended school year services
* Content of Notice
* Bureau of Special Education Appeals and resolution of disputes
* Familiarity and participation in the general curriculum
* Discipline, including procedures for recording suspensions; procedures for students not yet determined eligible
* Paraprofessionals: Implementation of instruction and supervision
* Transfer of student records
* Participation of pregnant students in regular classes and extracurricular activities
* Accessibility of extracurricular activities
* Hiring and employment procedures of prospective employers of students
* Provision of anti-hazing disciplinary policy
* Provision of scholarships and awards
* District employment practices
* Logs of access in student records

**TIERED FOCUSED MONITORING REVIEW CRITERIA APPENDIX B**

2018-2019

**Group A – Universal Standards**

LEAs in Group A will complete a self-assessment in areas focusing on the following:

[**Identification Process**](#_bookmark0)

SE 1: Assessments are appropriately selected and interpreted for students referred for evaluation SE 2: Required and optional assessments

SE 3: Special requirements for determination of specific learning disability SE 3A: Special requirements for students on autism spectrum

SE 9: Timeline for determination of eligibility and provision of documentation to parent

SE 9A: Elements of the eligibility determination; general education accommodations and services for ineligible students

SE 10: End of school year evaluation

SE 11: School district response to parental request for independent educational evaluation SE 12: Frequency of re-evaluation

SE 19: Extended evaluation

[**IEP Development**](#_bookmark1)

SE 6: Determination of transition services

SE 7: Transfer of parental rights at age of majority and student participation and consent at the age of majority SE 8: IEP Team composition and attendance

SE 13: Progress Reports and content SE 14: Review and revision of IEPs SE 18A: IEP development & content

SE 20: Least restrictive program selected SE 25: Parent consent

SE 26: Parent participation in meetings

SE 29: Communications are in English and primary language of home

[**Programming & Support Services**](#_bookmark2)

SE 17: Initiation of services at age three and Early Intervention transition procedures SE 22: IEP implementation and availability

SE 34: Continuum of alternative services and placements

SE 37: Procedures for approved and unapproved out-of-district placements SE 38: Special education in institutional settings (SEIS)

SE 39: Procedures used to provide services to eligible students enrolled in private schools at private expense SE 40: Instructional grouping requirements for students aged five and older

SE 41: Age span requirements

SE 42: Programs for young children three and four years of age SE 43: Behavioral interventions

SE 48: Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education

SE 49: Related services

CR 13: Availability of information and academic counseling on general curricular and occupational/vocational opportunities

CR 14: Counseling and counseling materials free from bias and stereotypes CR 18: Responsibilities of the school principal

**Group B – Universal Standards**

LEAs in Group B will complete a self-assessment in areas focusing on the following:

[**Licensure/Professional Development**](#_bookmark3)

SE 50: Administrator of Special Education

SE 51: Appropriate special education teacher licensure

SE 52: Appropriate certifications/licenses or other credentials -- related service providers SE 52A: Registration of educational interpreters

SE 54: Professional development

CR 20: Staff training on confidentiality of student records CR 21: Staff training regarding civil rights responsibilities

[**Parent/Student/Community Engagement**](#_bookmark4)

SE 15: Outreach by the School District (Student Find) SE 32: Parent advisory council for special education

SE 56: Special education programs and services are evaluated

CR 7: Information to be translated into languages other than English CR 10: Anti-Hazing Reports

CR 10A: Student handbooks and codes of conduct CR 10B: Bullying Intervention and Prevention

CR 10C: Student discipline

CR 12A: Annual and continuous notification concerning nondiscrimination and coordinators

CR 16: Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion

CR 17A: Use of physical restraint on any student enrolled in a publicly-funded education program

[**Facilities and Classrooms**](#_bookmark5)

SE 55: Special education facilities and classrooms

CR 22: Accessibility of district programs and services for students with disabilities CR 23: Comparability of facilities

[**Oversight**](#_bookmark6)

SE 36: IEP implementation, accountability & financial responsibility

[**Time and Learning**](#_bookmark7)

CR 7A: School year schedules CR 7B: Structured learning time

CR 7C: Early release of high school seniors

[**Equal Access**](#_bookmark8)

CR 3: Access to a full range of education programs CR 24: Curriculum review

CR 25: Institutional self-evaluation

**Targeted Standards**

Prior to commencement of the Group A or Group B cycle, the LEA’s data is reviewed to determine which of these criteria should be added to the upcoming review. Data considered includes patterns of complaints and statewide reports.

[**Special Education**](#_bookmark9)

SE 4: Reports of assessment results

SE 5: Participation in general State and district-wide assessment programs SE 16: Screening

SE 18B: Determination placement; provision of IEP to parent SE 21: School day and school year requirements

SE 24: Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE

SE 25A: Sending of copy of notice to Special Education Appeals SE 25B: Resolution of Disputes

SE 27: Content of Team meeting notice to parents SE 33: Involvement in the general curriculum

SE 35: Assistive technology: specialized materials and equipment SE 44: Procedure for recording suspensions

SE 45: Procedures for suspension up to 10 days and after 10 days:

SE 46: Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district

SE 47: Procedural requirements applied to students not yet determined to be eligible for special education SE 53: Use of paraprofessionals

SE 59: Transfer of student records

[**Civil Rights**](#_bookmark10)

CR 6: Availability of in-school programs for pregnant students CR 8: Accessibility of extracurricular activities

CR 9: Hiring and employment practices of prospective employers of students CR 10: Anti-Hazing Reports

CR 11A: Designation of coordinator(s); grievance procedures

CR 15: Non-discriminatory administration of scholarships, prizes and awards CR18A: School district employment practices

CR 26A: Confidentiality and student records

**Group A – Universal Standards**

**Identification Process**

|  |  |  |
| --- | --- | --- |
| Criterion Number | Criterion | Source of Information |
| **SE 1** | **Assessments are appropriately selected and interpreted for students referred for evaluation**   1. Tests and other evaluation materials are:    1. validated;    2. administered and interpreted by trained individuals;    3. tailored to assess specific areas of educational need and related developmental needs;    4. selected and administered to reflect aptitude and achievement levels and related developmental needs;    5. as free as possible from cultural and linguistic bias;    6. provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally;    7. not the sole criterion for determining an appropriate educational program;    8. not only those designed to provide a single general intelligence quotient;    9. are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or the other factors the test purports to measure;    10. technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. 2. In interpreting evaluation data and making decisions, the district:    1. uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent;    2. ensures that information obtained from these sources is considered;    3. ensures that the placement decision conforms with placement in the least restrictive environment;    4. includes information related to enabling the student to be involved in and progress in the general curriculum.   **State Requirements Federal Requirements**  603 CMR 28.04; 28.05 34 CFR 300.304; 300.305; 300.306(c) | Student Records Documents Interviews |

|  |  |  |
| --- | --- | --- |
| **SE 2** | **Required and optional assessments**   1. **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(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 of 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 licensed school psychologist, certified psychologist, or certified 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)  See also Administrative Advisory 2004-3: College Testing Information at [http://www.doe.mass.edu/sped/advisories/04\_3.html.](http://www.doe.mass.edu/sped/advisories/04_3.html) | Student Records Documents Interviews |
| **SE 3** | **Special requirements for determination of specific learning disability**  When 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 | Student Records Interviews |

|  |  |  |
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|  | See also Memorandum on Specific Learning Disability-Eligibility Process/Forms at [http://www.doe.mass.edu/sped/iep/sld/default.html.](http://www.doe.mass.edu/sped/iep/sld/default.html) |  |
| **SE 3A** | **Special requirements for students on the autism spectrum**  Whenever an evaluation indicates that a student has a disability on the autism spectrum, which includes autistic disorder [autism], Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rhett's Syndrome as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000), the IEP Team shall consider and specifically address the following:   1. the verbal and nonverbal communication needs of the student; 2. the need to develop social interaction skills and proficiencies; 3. the needs resulting from the student's unusual responses to sensory experiences; 4. the needs resulting from resistance to environmental change or change in daily routines; 5. the needs resulting from engagement in repetitive activities and stereotyped movements; 6. the need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder; 7. and other needs resulting from the student's disability that impact progress in the general curriculum, including social and emotional development.   See also Technical Assistance Advisory SPED 2007-1**: Autism Spectrum Disorder**  at http:[www.doe.mass.edu/sped/advisories/07\_1ta.html.](http://www.doe.mass.edu/sped/advisories/07_1ta.html)  **State Requirements Federal Requirements**  Chapter 57 of the Acts of 2006, amends 34 CFR 300.8(c)(1)(i)  M.G.L. c. 71B, section 3 | Student Records Documents Interviews |
| **SE 9** | **Timeline for determination of eligibility and provision of documentation to parent**  Within 45 school working days after receipt of the parent's written consent to an initial evaluation or a reevaluation, the school district determines whether the student is eligible for special education and provides to the parent either a proposed IEP and (except in cases covered by 603 CMR 28.06(2)(e)) proposed placement or a written explanation of the finding of no eligibility.  **State Requirements Federal Requirements**  603 CMR 28.05(1); 28.06(2)(e)  SE 9 is related to State Performance Plan Indicator 11. (See <https://www.doe.mass.edu/sped/spp/maspp.html>) | Student Records Interviews |
| **SE 9A** | **Elements of the eligibility determination; general education accommodations and services for ineligible students**   1. To determine whether a student is eligible for special education, the school district:    1. provides an evaluation or re-evaluation    2. convenes a Team meeting    3. determines whether the student has one or more disabilities    4. determines if the student is making effective progress in school    5. determines if any lack of progress is a result of the student’s disability    6. determines if the student requires special education and/or related services in order to make effective progress or if the student requires related services in order to access the general curriculum 2. If a Team determines that a student is not eligible for special education but may be eligible for accommodation(s) for a disability(ies) under Section 504, the student is | Student Records Interviews |

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|  | referred for consideration by the district for eligibility under that general education program.   1. When the student does not need any direct services, the Team makes a finding of no eligibility and appropriate services are provided through the district’s general education program. 2. When the student’s lack of progress is due to a lack of instruction in reading or mathematics, limited English proficiency, social maladjustment, or is due to an inability to meet the school discipline code but is not due to a disability, the district makes a finding of no eligibility for special education and may refer the student to a more appropriate instructional program or support service.   **State Requirements Federal Requirements**  603 CMR 28.05(1) and (2) 34 CFR 300.8; 300.306  See also Administrative Advisory SPED 2001-4: Finding of No Eligibility for Special Education at [http://www.doe.mass.edu/sped/advisories/01\_4.html.](http://www.doe.mass.edu/sped/advisories/01_4.html) |  |
| **SE 10** | **End of school year evaluations**  If consent is received between 30 and 45 school working days before the end of the school year, the school district ensures that a Team meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible no later than 14 days after the end of the school year.  **State Requirements Federal Requirements**  603 CMR 28.05(1) 34 CFR 300.323  SE 10 is related to State Performance Plan Indicator 11. (See <https://www.doe.mass.edu/sped/spp/maspp.html>) | Student Records Interviews |
| **SE 11** | **School district response to parental request for independent educational evaluation**  If a parent disagrees with an initial evaluation or re-evaluation completed by the school district, and the parent requests an independent educational evaluation, the district implements the following requirements:   1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed, or otherwise approved and who abide by the rates set by the state agency responsible for setting such   rates. Unique circumstances of the student are to be justified when an individual assessment rate is higher than that normally allowed.   1. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. 2. The district extends the right to a publicly-funded independent educational evaluation (only if cost shared or funded for state wards or for students receiving free or reduced cost lunch) for 16 months from the date of the evaluation with which the parent disagrees. 3. If the parent is requesting an independent educational evaluation in an area not assessed by the school district, the student does not meet income eligibility standards, or the family chooses not to provide the financial documentation to the district establishing family income level, the school district shall respond in accordance with the requirements of federal law. Within five school days, the district shall either agree to pay for the independent educational evaluation or proceed to the Bureau of Special Education Appeals to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district’s evaluation was comprehensive and appropriate, then the | Student Records Documents Interviews |

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|  | school district shall not be obligated to pay for the independent educational evaluation requested by the parent.   1. Whenever possible, the independent educational evaluation is completed, and a written report sent no later than 30 days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator’s report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of   the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools.   1. Within 10 school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate.   **State Requirements Federal Requirements**  603 CMR 28.04(5) 34 CFR 300.502  *See also* Administrative Advisories SPED 2001-3: Guidance on Using a Sliding Fee Scale for Public Payment of Independent Educational Evaluations (IEEs) and SPED 2004-1:  Independent Educational Evaluations  at [http://www.doe.mass.edu/sped/advisories/01\_3.html.](http://www.doe.mass.edu/sped/advisories/01_3.html) |  |
| **SE 12** | **Frequency of re-evaluation**   1. When the student’s needs warrant it or a parent or teacher requests it, the school district, with parental consent, conducts a full re-evaluation consistent with the requirements of federal law, provided that:    1. a re-evaluation is conducted every 3 years unless the parent and district agree that it is unnecessary and    2. a re-evaluation is conducted no more frequently than once a year unless the parent and district agree otherwise. 2. The district implements re-evaluation procedures in all cases where it is suspected that a student is no longer eligible for special education, except that no re- evaluation is required before the termination of eligibility because a student has graduated with a general high school diploma or exceeded the age of eligibility.   **State Requirements Federal Requirements**  603 CMR 28.04(3) 34 CFR 300.303; 300.305(e) | Student Records Interviews |
| **SE 19** | **Extended evaluation**  If the Team finds the evaluation information insufficient to develop an IEP, the Team, with parental consent, may agree to an extended evaluation period.   1. The extended evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to determine, in part, necessary annual goals and services, the Team writes a partial IEP that, if accepted by the parent, is immediately implemented by the district while the extended evaluation is occurring. 2. The extended evaluation period is not used to allow additional time to complete the required assessments. 3. If the parent consents to an extended evaluation, the Team documents its findings and determines what evaluation time period is necessary and the types of information needed to develop an IEP. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to develop an IEP when the evaluation is complete. | Student Records Interviews |

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|  | 1. The extended evaluation may extend longer than one week, but does not exceed eight school weeks. 2. The extended evaluation is not considered a placement.   **State Requirements Federal Requirements**  603 CMR 28.05(2)(b) |  |

**IEP Development**

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| Criterion Number | Criterion | Source of Information |
| **SE 6** | **Determination of transition services**   1. The Team discusses the student’s transition needs annually, beginning no later than when the student is 14 years old, and documents its discussion on the Transition Planning Form. 2. The Team reviews the Transition Planning Form annually and updates information on the form and the IEP, as appropriate. 3. Reserved 4. For any student approaching graduation or the age of 22, the Team determines whether the student is likely to require continuing services from adult human service agencies. In such circumstances, the administrator of special education makes a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c. 71B,   §§12A-12C (known as Chapter 688).   1. In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the Team reconvenes to identify alternative strategies to meet the transition objectives. 2. The district ensures that students are invited to and encouraged to attend part or all of Team meetings at which transition services are discussed or proposed.   **State Requirements Federal Requirements**  M.G.L.c.71B, Sections 12A-C 34 CFR 300.320(b);300.322(b)(2);  603 CMR 28.05(4)(c) 300.324(c) 300.321(b);  SE 6 is related to State Performance Plan Indicators 1, 13, and 14. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  For the Transition Planning Form, see <https://www.doe.mass.edu/sped/28MR/28m9.docx>  See also Technical Assistance Advisory SPED 2013-1: Postsecondary Goals and Annual  IEP Goals in the Transition Planning Process  at [http://www.doe.mass.edu/sped/advisories/13\_1ta.html;](http://www.doe.mass.edu/sped/advisories/13_1ta.html)  Technical Assistance Advisory SPED 2014-4: Transition Assessment in the Secondary Transition Planning Process at [http://www.doe.mass.edu/sped/advisories/2014-4ta.html;](http://www.doe.mass.edu/sped/advisories/2014-4ta.html) and Technical Assistance Advisory SPED 2016-2: Promoting Student Self-Determination to Improve Student Outcomes at <https://www.doe.mass.edu/sped/advisories/2016-2ta.docx> | Student Records Interviews |
| **SE 7** | **Transfer of parental rights at age of majority and student participation and consent at the age of majority**  1. At least one year prior to the student reaching age 18, the district informs the student and the parent/guardian of the rights that will transfer from the parent/guardian to the student upon the student’s 18th birthday. The notification | Student Records Documents Interviews |

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|  | provided to both the student and the parent/guardian must explicitly state that all rights accorded to parents under special education law will transfer to the 18 year old.   1. Upon reaching the age of 18, the school district implements procedures to obtain consent from the student with decision-making authority to continue the student’s special education program. 2. The district continues to send the parent written notices and the parent will have the right to inspect the student’s records, but the parent will no longer have decision-making authority, except as provided below.    1. If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority. The parent does not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction.    2. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including allowing the parent to co- sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student’s choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making.    3. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision- making to his or her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.   **State Requirements Federal Requirements**  603 CMR 28.07(5) 34 CFR 300. 320(c), 300.520  See also Administrative Advisory SPED 2011-1 Age of Majority at [http://www.doe.mass.edu/sped/advisories/11\_1.html.](http://www.doe.mass.edu/sped/advisories/11_1.html) |  |
| **SE 8** | **IEP Team composition and attendance**  The following persons are members of the IEP Team and may serve in multiple roles:   1. The student’s parents. 2. A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and 3. Is knowledgeable about the availability of resources of the district. 4. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson). If the student may be involved in a regular education program, a regular education teacher. If the student is involved in a regular education program, a regular education teacher of the student. If the student is participating in a special education program, a special education teacher of the student or, if appropriate, a special education provider for the student. 5. The student, if one purpose of the meeting is to discuss transition services or if otherwise appropriate and if he/she chooses. 6. Other individuals at the request of the student's parents. 7. Reserved 8. An individual who is qualified to interpret the instructional implications of evaluation results, who may be any one of the persons identified in parts 2 - 4 above. | Student Records Interviews |

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|  | 1. Other individuals who may be necessary to write an IEP for the student, as determined by the Administrator of Special Education. 2. When one purpose of the Team meeting is to discuss transition services, with the consent of the parent(s) or student who has reached the age of majority, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services. 3. RESERVED 4. When one purpose of the Team meeting is to discuss placement, a person knowledgeable about placement options is present at the meeting. 5. Members of the Team attend Team meetings unless:    1. the parent and district agree to use alternative means, such as a video conference or a conference call, for any Team meeting OR    2. the district and the parent agree, in writing, that the attendance of the Team member is not necessary because the member’s area of the curriculum or related services is not being modified or discussed OR    3. the district and the parent agree, in writing, to excuse a required Team member’s participation and the excused member provides written input into the development of the IEP to the parent and the IEP Team prior to the meeting.   **State Requirements Federal Requirements**  603 CMR 28.02(21) 34 CFR 300.116(a); 300.321; 300.328  See also, in the IDEA 97 regulations, 34 CFR Part 300, Appendix A, Question #22  Part 1 of SE 8 is related to State Performance Plan Indicator 8.  Parts 5 and 10 are related to State Performance Plan Indicators 13 and 14. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) |  |
| **SE 13** | **Progress Reports and content**   1. Parents receive reports on the student's progress towards reaching the goals set in the IEP at least as often as parents are informed of the progress of non- disabled students. 2. Progress report information sent to parents includes written information on the   student’s progress towards the annual goals in the IEP.   1. Where a student’s eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility, the school district provides the student with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals.   **State Requirements Federal Requirements**  603 CMR 28.07(3) 34 CFR 300.305(e)(3);  300.320(a)(3)  See optional summary of academic achievement form at <https://www.doe.mass.edu/sped/secondary-transition/student-performance-sum.pdf> | Student Records Documents Interviews |
| **SE 14** | **Review and revision of IEPs**   1. At least annually, on or before the anniversary date of the IEP, a Team meeting is held to consider the student’s progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate. 2. The IEP Team reviews and revises the IEP to address any lack of expected progress towards the annual goals and in the general curriculum. 3. Amendments to the IEP. Between annual IEP meetings, the district and parent   may agree to make changes to a student’s IEP, documented in writing, without | Student Records Interviews |

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|  | convening a meeting of the Team. Upon request, a parent is provided with a revised copy of the IEP with the amendments incorporated.  **State Requirements Federal Requirements**  603 CMR 28.04(3) 34 CFR 300.324(a)(4),(6) and (b) |  |
| **SE 18A** | **IEP development and content**   1. Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP at the Team meeting. 2. The IEP is completed addressing all elements of the most current IEP format provided by the Department of Elementary and Secondary Education. 3. The school district ensures that the IEP will not be changed outside of the Team meeting. 4. 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) IDEA-97: 34 CFR Part 300, Appendix A,  Question #22  In connection with parts 4 and 5, see the Technical Assistance Advisory SPED 2011-2: Bullying Prevention and Intervention at [http://www.doe.mass.edu/sped/advisories/11\_2ta.html.](http://www.doe.mass.edu/sped/advisories/11_2ta.html) | Student Records Documents Interviews |
| **SE 20** | **Least restrictive program selected**   1. 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.   **State Requirements Federal Requirements**  M.G.L. c. 71B, s. 3 34 CFR 300.114 – 120  603 CMR 28.06(2) 34 CFR 300.42  SE 20 is related to State Performance Plan Indicator 5.  See <https://www.doe.mass.edu/sped/spp/maspp.html>  See also Administrative Advisory SPED 2003-1: Changes to Massachusetts Special Education Law, regarding required considerations for students placed in day or residential facilities or out-of-district educational collaborative programs at [http://www.doe.mass.edu/sped/advisories/03\_1.html.](http://www.doe.mass.edu/sped/advisories/03_1.html) | Student Records Documents Interviews |

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| **SE 25** | **Parental consent**   1. The school district obtains written parental consent before conducting an initial evaluation and before making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a reevaluation and before placing a student in a special education placement subsequent to the initial placement in special education. 2. The school district obtains consent before initiating extended evaluation services. 3. The school district obtains consent to the services proposed on a student’s IEP   before providing such services.   1. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the student. 2. When the participation or consent of the parent is required, and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation. 3. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a re-evaluation or to placement in a special education program subsequent to the initial placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the student. If, after consideration, the school district determines that the parent’s failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through the Bureau of Special Education Appeals (BSEA). 4. If the parent has given consent for special education services and then, at any time following, revokes his/her consent to the student’s special education services in writing, the district is obligated to discontinue all special education services and may not use mediation or request a due process hearing to obtain agreement or a ruling requiring the continuation of services, consistent with federal regulation. If a parent revokes consent in writing, the district must act promptly to provide written notice to the parent/guardian of the district’s proposal to discontinue services based on the revocation of consent, as well as information on how the parent can obtain a copy of his/her right to procedural safeguards. The district must provide the notice a reasonable time before the district intends to discontinue the services.   **State Requirements Federal Requirements**  603 CMR 28.07(1) 34 CFR 300.300  (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  SE 25 is related to State Performance Plan Indicator 8. | Student Records Interviews |
| **SE 26** | **Parent participation in meetings**   1. The district ensures that one or both parents of a student are members of any group that makes decisions on the educational placement of their student. 2. The administrator of special education notifies parent(s) in writing of any Team meeting early enough to ensure that they have an opportunity to attend. 3. The district schedules the meeting at a mutually agreed upon time and place and documents such efforts. | Student Records Interviews |

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|  | 1. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing. 2. In cases where the district, after reasonable efforts, is unable to obtain the parents’ participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents’ participation.   **State Requirements Federal Requirements**  603 CMR 28.02(21) 34 CFR 300.322; 300.501  (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  SE 26 is related to State Performance Plan Indicator 8. |  |
| **SE 29** | **Communications are in English and primary language of home**   1. Communications with parents are in clear 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)  (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  SE 29 is related to State Performance Plan Indicator 8. | Student Records Interviews |

**Programming & Support Services**

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| Criterion Number | Criterion | Source of Information |
| **SE 17** | **Initiation of services at age three and Early Intervention transition procedures**   1. Where at all possible the school district accepts referrals from the Department of Public Health, other agencies, and individuals for young children when or before the student turns two-and-one-half years old in order to ensure continuity of services and to ensure the development and implementation of an IEP for eligible children by the date of the student's third birthday in accordance with federal requirements. 2. The district implements procedures to ensure the effective transition of young children with disabilities from Early Intervention Programs through participation in transition planning conferences arranged by such programs. | Student Records Interviews |

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|  | **State Requirements Federal Requirements**  603 CMR 28.06(7)(b) 34 CFR 1(b); 300.124; 300.323(b)  Part 1 of SE 17 is related to State Performance Plan Indicator 12. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) |  |
| **SE 22** | **IEP implementation and availability**   1. Where the IEP of the student in need of special education has been accepted in whole or in part by that student's parent, the school district provides the mutually agreed upon services without delay. 2. At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction. 3. Each teacher and provider described in the IEP is informed of his or her specific responsibilities related to the implementation of the student’s IEP and the specific accommodations, modifications, and supports that must be provided for the student under it. 4. The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved.   **State Requirements Federal Requirements**  603 CMR 28.05(7)(b); 28.06(2)(d)(2) 34 CFR 300.323  SE 22 is related to State Performance Plan Indicator 3.  (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) | Student Records Documents Interviews |
| **SE 34** | **Continuum of alternative services and placements**  The district provides or arranges for the provision of each of the elements of the IEPs of students in need of special education from the ages of three through twenty-one, ensuring that a continuum of services and alternative placements is available to meet the needs of all students with disabilities, and takes all steps necessary to ensure compliance with all elements of the IEPs, including vocational education.  **State Requirements Federal Requirements**  603 CMR 28.05(7)(b) 34 CFR 300.109; 300.110; 300.115  SE 34 is related to State Performance Plan Indicator 5.  (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  S*ee also* Administrative Advisory SPED 2002-3: Vocational Educational Services for Students with Disabilities at [http://www.doe.mass.edu/sped/advisories/02\_3.html.](http://www.doe.mass.edu/sped/advisories/02_3.html) | Student Records Documents Interviews |
| **SE 37** | **Procedures for approved and unapproved out-of-district placements**  1. **Individual student program oversight:** The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such | Student Records Documents Interviews |

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|  | site visits are documented and placed in the students’ files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Elementary and Secondary Education, or to the out-of- district program.   1. **Student right to full procedural protections:** The school district retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district program. 2. **Preference to approved programs:** The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. Preference is given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with LRE requirements. When an approved program is available to provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department. 3. **Written contracts:** The school district enters into written contracts with all public and private out-of-district placements. At a minimum, such contracts meet the content requirements of 603 CMR 28.06(3)(f)(1-5), and specifically include a statement that the district shall not contract with any out-of-district placement that discriminates on the grounds of race, color, religion, sexual orientation, gender identity or national origin, or that discriminates against qualified persons with disabilities. 4. **Use of unapproved programs:** A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student’s IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation. 5. **Placement documentation:** The following documentation is maintained by the school district pursuant to its placement of students in unapproved out-of-district programs:    1. **Search:** The administrator of special education documents the search for and unavailability of a program approved by the Department. The administrator places such documentation in the student record.    2. **Evaluation of facility:** The administrator of special education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.    3. **School district approval to operate a private school in Massachusetts:** If services in an unapproved program are provided in a school setting, the administrator of special education ensures that such school has received approval from the school committee where the private school is located under M.G.L. c.76, §1 and a copy of such approval is retained in the student record. |  |

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|  | 1. **Pricing:** Pursuant to the requirements for Compliance, Reporting, and Auditing for Human and Social Services at 808 CMR 1.00, the administrator obtains pricing forms required to set program prices for programs receiving publicly-funded students. Such pricing forms are completed by the proposed placement and document that the price proposed for the student’s tuition is the lowest price charged for similar services to any student in that program. 2. **Notification of the Department of Elementary and Secondary Education: Prior** to placement, if the Team determines that placement in such facility is appropriate, the administrator notifies the Department of the intent to place the student and the name and location of the proposed placement before placing the student into the program by sending a completed mandated 28M3 form titled “Notice of Intent to Seek Approval for Individual Student Program” and all the required supporting documentation (i.e., completed pricing forms, signed written contract that will govern such placement, and monitoring plan pursuant to 603 CMR 28.06(3)(b)). The district maintains copies of this documentation, as well as any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly-funded students as set by the state agency responsible for setting program prices. The district maintains documentation of actual monitoring of the unapproved placement, including any site visits made and other monitoring activities undertaken by the school district. 3. **Out of state programs:** If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the administrator of special education ensures that such school has received approval from the host state. |  |
| **State Requirements Federal Requirements**  M.G.L. c. 76, s. 1; 34 CFR 300.2(c) 603 CMR 18.00; 28.02(14);  28.06(2)(f) and (3); 28.09  808 CMR 1.00  *See also* Administrative Advisories SPED 2002-5: Special Education Contracts Between School Districts and Out-of-District Programs at [http://www.doe.mass.edu/sped/advisories/02\_5.html;](http://www.doe.mass.edu/sped/advisories/02_5.html) SPED 2004-4: School District Responsibility for Children in Special Education Day Schools Who Are Transferred to a Residential School by the Department of Social Services at [http://www.doe.mass.edu/sped/advisories/04\_4.html;](http://www.doe.mass.edu/sped/advisories/04_4.html) 2008 ESE Memorandum regarding Revised Procedures to Use When Seeking ESE Approval for Individual Student Program at <https://massgov.service-now.com/pqa/?id=eoe_item_form&sys_id=f782707e1b1d34504cf83112cd4bcbeb> and revised 28M3 Form at <https://www.doe.mass.edu/finance/circuitbreaker/28M3.docx> |
| **SE 38** | **Special education in institutional settings (SEIS)**  **Department of Elementary and Secondary Education responsibility:** In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities.  **School district responsibility:** | Student Records Interviews |

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|  | 1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law. 2. Where a student's IEP requires a type or amount of service that the facility does not provide, it remains the responsibility of the parent’s school district to implement the student's IEP by arranging and paying for the provision of such service(s). 3. The parent’s school district coordinates with the state agency to ensure that the student receives an evaluation, an annual review, and special education services as identified at a Team meeting convened by the parent’s school district.   **State Requirements**  603 CMR 28.06(9) |  |
| **SE 39** | **Procedures used to provide services to eligible students enrolled in private schools at private expense**  For 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 district:   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 on 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 [IDEA Section 611 Funds] and Fund Code 262 [IDEA Section 619 Funds]) 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.) | Student Records Documents Interviews |

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|  | 1. 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 is 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. 2. 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. 3. 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. 4. 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**  603 CMR 28.03(1)(e); 28.04; 28.05(2) 34 CFR 300.130-144; 300.300(d)(4);  300.301-311  *See also* Administrative Advisory SPED 2018-1: Guidance and Workbook for Calculating and Providing Proportionate Share Services for Students with Disabilities Enrolled by Their Parents in Private Schools (Updated July 2017) at <http://www.doe.mass.edu/sped/advisories/2018-1.html> |  |
| **SE 40** | **Instructional grouping requirements for students aged five and older**   1. The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. 2. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs. | Documents Observations Interviews |

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|  | 1. When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students’ school schedule, group size does not exceed    1. 8 students with a licensed special educator,    2. 12 students if the licensed special educator is assisted by 1 aide, and    3. 16 students if the licensed special educator is assisted by 2 aides. 2. For eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students’ school schedule, the district provides instructional groupings that do not exceed    1. 8 students to 1 licensed special educator, or    2. 12 students to 1 licensed special educator and 1 aide. 3. After the school year has begun, if instructional groups have reached maximum size as delineated in parts 3 and 4 of this criterion, the administrator of special education and the licensed special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than 2 additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school. 4. In such cases, the administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated. 5. The district takes all steps necessary to reduce the instructional groups to the sizes outlined in parts 3 or 4 of this criterion for subsequent years. Such steps are documented by the district.   **State Requirements Federal Requirements**  603 CMR 28.06(6) |  |
| **SE 41** | **Age span requirements**  The 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) | Documents Interviews |
| **SE 42** | **Programs for young children three and four years of age General requirements:**   1. The school district ensures programs are available for eligible students three and four years of age. Such programs shall be developmentally appropriate and specially designed for students ages three and four years. 2. Reserved 3. Where appropriate, the school district elects, consistent with federal requirements, to use the format and services of the Individualized Family Service Plan (IFSP), if appropriate, for an additional year as a means of transitioning eligible students to public school services. 4. Where appropriate the Team allows a student to remain in a program designed for three and four year old students for the duration of the school year in which the student turns five years old (including the summer following the date of the student's fifth birthday).   **Types of Settings:** | Documents Interviews |

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|  | 1. **Inclusionary programs** for young students are located in a setting that includes students with and without disabilities and meet the following standards:    1. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting.    2. For public school programs that integrate students with and without disabilities, the class size does not exceed 20 with 1 teacher and 1 aide and no more than 5 students with disabilities. If the number of students with disabilities is 6 or 7 then the class size does not exceed 15 students with 1 teacher and 1 aide. 2. **Substantially separate programs** for young students are located in a public school classroom or facility that serves primarily or solely students with disabilities. Substantially separate programs adhere to the following standards:    1. Substantially separate programs are programs in which more than 50% of the students have disabilities.    2. Substantially separate programs operated by the district limit class sizes to 9 students with 1 teacher and 1 aide.   **State Requirements Federal Requirements**  603 CMR 28.06(7) 34 CFR 300.101(b); 300.124(b);  300.323(b) |  |
| **SE 43** | **Behavioral interventions**  For a student whose behavior impedes their learning or the learning of others, the Team considers the use of positive behavioral interventions and supports, and other strategies, to address that behavior.  **State Requirements Federal Requirements**  34 CFR 300.324(a)(2)(i)  SE 43 is related to State Performance Plan Indicator 4.  (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) | Student Records Interviews |
| **SE 48** | **Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education**  All students receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.  Programs, services, and activities include, but are not limited to:   1. art and music; 2. vocational education, industrial arts, and consumer and homemaking education; 3. work study and employment opportunities; 4. counseling services available at all levels in the district; 5. health services; 6. transportation; 7. recess and physical education, including adapted physical education; 8. athletics and recreational activities; 9. school sponsored groups or clubs; and 10. meals.   **State Requirements Federal Requirements**  603 CMR 28.06(5) 34 CFR 300.101 – 113  SE 48 is related to State Performance Plan Indicator 5. | Student Records Documents Interviews |

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|  | (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  *See also* Administrative Advisory SPED 2002-3: Vocational Educational Services for Students with Disabilities at [http://www.doe.mass.edu/sped/advisories/02\_3.html.](http://www.doe.mass.edu/sped/advisories/02_3.html) |  |
| **SE 49** | **Related services**  For each student with special education needs found to require related services, the school district provides or arranges for the provision of transportation and such developmental, corrective, and other supportive services as are required to assist a student to benefit from special education or to access the general curriculum, and includes:   1. speech-language pathology and audiology services 2. psychological services 3. physical therapy 4. occupational therapy 5. recreation, including therapeutic recreation 6. early identification and assessment of disabilities in children 7. counseling services, including rehabilitation counseling 8. orientation and mobility services (peripatology) 9. medical services for diagnostic or evaluation purposes 10. school health services, including school nurse services 11. social work services in schools 12. parent counseling and training 13. interpreting services   **State Requirements Federal Requirements**  603 CMR 28.02(18) 34 CFR 300.34; 300.323(c) | Student Records Documents Interviews |
| **CR 13** | **Availability of information and academic counseling on general curricular and occupational/vocational opportunities**  Students, in grades 7-12, from linguistic, racial, and ethnic minorities; males; females; homeless students; and students with disabilities all receive the same information and academic counseling as other students on the full range of general curricular and any occupational/vocational opportunities available to them.  The district ensures that ELs are taught to the same academic standards and curriculum as all students, and provides the same opportunities to master such standards as other students, including the opportunity to enter academically advanced classes, receive credit for work done, and have access to the full range of programs.  The district uses grade appropriate content objectives for ELs that are based on the district curricula in English language arts, history and social science, mathematics, and science and technology/engineering, taught by qualified staff members.  Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31,  106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37(b); Title II: 42 U.S.C. 12132; 28 CFR 35.130; ESSA: Title III, Secs. 3115 (d) (3)(A), (d)(8), (e)(1)(C); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03. | Documents Interviews |
| **CR 14** | **Counseling and counseling materials free from bias and stereotypes**  To ensure that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, and homelessness, all counselors: | Documents Interviews |

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|  | 1. encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills; 2. examine testing materials for bias and counteract any found bias when administering tests and interpreting test results; 3. communicate effectively with ELs and disabled students and facilitate their access to all programs and services offered by the district; 4. ensure that ELs have the opportunity to receive support services, such as guidance and counseling, in a language that the student understands; 5. support students in educational and occupational pursuits that are nontraditional for their gender.   Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37; Title II:  42 U.S.C. 12132; 28 CFR 35.130, 35.160; ESSA: Title III, Secs. 3115((d)(3)(A),(d)(8), (e)(1)(C); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03, 603 CMR 26.04, 26.07(8). |  |
| **CR 18** | **Responsibilities of the school principal**   1. **Instructional support.** The principal in each of the district’s schools promotes instructional practices responsive to student needs and ensures that adequate instructional support is available for students and teachers. Instructional support includes remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of M.G.L. c. 71B, §2. The principal consults with the administrator of special education regarding accommodations and interventions for students. Such efforts and their results are documented and placed in the student record. Additionally, when an individual student is referred for an evaluation to determine eligibility for special education, the principal ensures that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility. 2. **Curriculum Accommodation Plan.** The principal implements a curriculum accommodation plan developed by the district’s general education program to ensure that all efforts have been made to meet the needs of diverse learners in the general education program. The plan assists the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the general education program including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning. The plan includes provisions encouraging teacher mentoring and collaboration and parental involvement. (The plan may be part of a multi-year strategic plan.) 3. **Coordination with special education.** The principal with the assistance of the administrator of special education coordinates the delivery and supervision of special education services within each school building. 4. **Educational services in home or hospital.** Upon receipt of a physician’s written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal coordinates such services with the administrator of special education for eligible students. Such educational services are not considered special education unless the student has been determined | Documents Interviews  Student Record Review |

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|  | eligible for such services, and the services include services on the student’s IEP.  M.G.L. c. 71, s. 38Q ½; 603 CMR 28.03(3)  Parts 1 and 2 of CR 18 are related to State Performance Plan Indicator 5. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) |  |

**Group B – Universal Standards**

**Licensure/Professional Development**

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| Criterion Number | Criterion | Source of Information |
| **SE 50** | **Administrator of Special Education**  The school district has an appointed person to be its administrator of special education. The administrator supervises all special education for the school district and ensures compliance with all federal and state special education laws. The administrator of special education is appropriately licensed or holds a current waiver for an appropriate license or otherwise demonstrates that he or she has the qualifications to perform all of the duties of the administrator. As appropriate, and in accordance with the requirements of  M.G.L. c.71B, §3A, the administrator may designate other school district personnel to carry out some of the duties of the administrator.  **State Requirements Federal Requirements**  M.G.L. c. 71B, section 3A; 603 CMR 28.03(2) | Documents Interviews |
| **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.  *See also* Charter School Technical Advisory 20- Educator Qualifications in Commonwealth and Horace Mann Charter Schools at <https://www.doe.mass.edu/charter/guidance/2020-1.html> and Commonwealth Charter School Staff Qualification Requirements for IEP Services Delivery (Updated April 27, 2012) at [http://www.doe.mass.edu/charter/sped/staffqualifications.html.](http://www.doe.mass.edu/charter/sped/staffqualifications.html)  **State Requirements Federal Requirements**  M.G.L. c. 71, s. 38G; s. 89(qq) 34 CFR 300.156  603 CMR 1.07; 7.00; 28.02(3) IDEA § 34 CFR 300.156(a) | Documents Interviews |

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| **SE 52** | **Appropriate certifications/licenses or other credentials -- related service providers**  Any person, including noneducational 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 education 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) | Documents Interviews |
| **SE 52A** | **Registration of educational interpreters**  Providers of interpreting services for students who are deaf or hard of hearing must be registered with the Massachusetts Commission for the Deaf and Hard of Hearing.  **State Requirements Federal Requirements**  603 CMR 28.02(3),(18) 34 CFR 300.34; 300.156(b)  See also Memorandum on New Requirements for Registration of Sign Language Interpreters Who Work in Educational Settings at [http://www.doe.mass.edu/news/news.aspx?id=3416.](http://www.doe.mass.edu/news/news.aspx?id=3416) | Documents Interviews |
| **SE 54** | **Professional development**   1. The district considers the needs of all staff in developing training opportunities for professional and paraprofessional staff and provides a variety of offerings. 2. The district ensures that all staff, including both special education and general education staff, are trained on:    1. state and federal special education requirements and related local special education policies and procedures;    2. analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the general education classroom of students with diverse learning styles;    3. methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning styles of all students in the general education classroom; 3. The district provides in-service training for all locally hired and contracted transportation providers, before they begin transporting any special education student, receiving special transportation, on his or her needs and appropriate methods of meeting those needs. For any such student, the district also provides written information on the nature of any needs or problems that may cause difficulties, along with information on appropriate emergency measures. Transportation providers include drivers of general and special education vehicles and any attendants or aides identified by a Team for either type of vehicle.   **State Requirements Federal Requirements**  M.G.L. c. 71, section 38G , 38Q and 38Q ½; 603 CMR 28.03(1)(a); 28.06(8)(b) and (c)  Parts 1 and 2 of SE 54 are related to State Performance Plan Indicator 5. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) | Documents Interviews |
| **CR 20** | **Staff training on confidentiality of student records** | Documents |

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|  | The district trains school personnel on the provisions of the Family Educational Rights and Privacy Act, M.G.L. c. 71, s. 34H, and 603 CMR 23.00 and on the importance of information privacy and confidentiality.  FERPA: 20 U.S.C. § 1232g; 34 CFR Part 99; M.G.L. c. 71, s. 34H; 603 CMR 23.00, esp.  23.05(3) | Interviews |
| **CR 21** | **Staff training regarding civil rights responsibilities**  The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of students’ race, color, sex, gender identity, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting.  Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681;  34 CFR 106.31-106.42; M.G.L. c. 76, s. 5; 603 CMR 26.00, esp. 26.07(2), (3) as amended  by Chapter 199 of the Acts of 2011. | Documents Interviews |

**Parent/Student/Community Engagement**

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| Criterion Number | Criterion | Source of Information |
| **SE 15** | **Outreach by the School District (Student Find)**  The district has annual or more frequent outreach and continuous liaison with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education:   1. professionals in community 2. private nursery schools 3. day care facilities 4. group homes 5. parent organizations 6. clinical /health care agencies 7. early intervention programs 8. private/parochial schools 9. other agencies/organizations 10. the school or schools that are part of the district, including Horace Mann charter schools 11. agencies serving migrant and/or homeless persons pursuant to the McKinney- Vento Education Act for Homeless Students   **State Requirements Federal Requirements**  34 CFR 300.111; 300.131; 300.209 | Documents Interviews |
| **SE 32** | **Parent advisory council for special education**   1. The school district has established a district-wide parent advisory council on special education. 2. Membership on the council is offered to all parents of students with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the district on matters that pertain to the education and safety of students with disabilities; and meeting regularly with school officials to participate in the | Documents Interviews |

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|  | planning, development, and evaluation of the school district’s special education  programs.   1. The parent advisory council has established by-laws regarding officers and operational procedures. 2. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. 3. The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws.   **State Requirements Federal Requirements**  M.G.L. c. 71B, section 3;  603 CMR 28.03(1)(a)(4); 28.07(4)  SE 32 is related to State Performance Plan Indicator 8.  (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  *See also* Administrative Advisory SPED 2015-2R: Special Education Parent Advisory Councils, Acceptable Alternatives, and Use of Social Media at [http://www.doe.mass.edu/sped/advisories/2015-2r.html.](http://www.doe.mass.edu/sped/advisories/2015-2r.html) |  |
| **SE 56** | **Special education programs and services are evaluated** Special education programs and services are regularly evaluated. **State Requirements Federal Requirements**  M.G.L. c. 69, section 1A  M.G.L. c. 69, section 1I  M.G.L. c. 71B, section 3 | Documents Interviews |
| **CR 7** | **Information to be translated into languages other than English**   1. Important information and documents, e.g. handbooks and codes of conduct, being distributed to parents are translated into the major languages spoken by parents or guardians with limited English skills; the district has established a system of oral interpretation to assist parents/guardians with limited English skills, including those who speak low-incidence languages. 2. School or program recruitment and promotional materials being disseminated to residents in the area served by the school or program are translated into the major languages spoken by residents with limited English skills. 3. Information in notices such as activities, responsibilities, and academic standards provided to all students is provided to ELs in a language and mode of communication that they understand. 4. Information provided to students about extracurricular activities and school events is provided to ELs and to their parents/guardians in a language they understand.   Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2); 603 CMR 26.03 | Documents Interviews |
| **CR 10** | **Anti-Hazing Reports**   1. The principal of each secondary school in the district issues a copy of M.G.L. c. 269 §§ 17 through 19, to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and a copy of the school’s anti- hazing disciplinary policy approved by the school committee. 2. Each secondary school files, at least annually, a report with the Department certifying | Documents Interviews |

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|  | 1. Its compliance with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of M.G.L. c. 269 §§ 17 through 19; 2. Its adoption of a disciplinary policy with regard to the organizers and participants of hazing; and 3. That the hazing policy has been included in the student handbook or other means of communicating school policies to students.   Authority: M.G.L. c. 269 §§ 17 through 19 |  |
| **CR 10A** | **Student handbooks and codes of conduct**   1. The district has a code of conduct for students and one for teachers. 2. The principal of every school containing grades 9-12 prepares, in consultation with the school council, a student handbook containing the student code of conduct and distributes it to each student annually, as well as to parents and school personnel; the school council reviews and revises the student code of conduct every year. 3. The principal of every school containing other grades distributes the district’s student code of conduct to students, parents, and personnel annually. 4. At the request of a parent or student whose primary language is not English, a student handbook or student code of conduct is translated into that language. 5. Student codes of conduct contain:    1. procedures assuring due process in disciplinary proceedings and    2. the district’s responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school or expulsion.    3. appropriate procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans.    4. If a charter school or a virtual school, the designation by the board of trustees as to who shall serve as the principal and who shall serve as superintendent for the purpose of 603 CMR 53.00. 6. Student handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain:    1. nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5, and affirms the school’s non-tolerance for harassment based on race, color, national origin, sex, gender identity, religion, or sexual orientation, or discrimination on those same bases;    2. the school’s procedure for accepting, investigating and resolving complaints   alleging discrimination or harassment; and   * 1. the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred.   Section 504; M.G.L. c. 71, s. 37H; M.G.L. c. 71, s. 37H3/4; 603 CMR 53.00; 603 CMR  26.08 as amended by Chapter 199 of the Acts of 2011 | Documents Interviews |
| **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 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, 370, 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 | Documents Interviews |

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|  | school handbook must make clear that a member of the staff may be named the  “aggressor” or “perpetrator” in a bullying report.   1. School and district employee handbooks must contain relevant sections of the amended Plan relating to the duties of faculty and staff and relevant sections addressing the bullying of students by a school staff member. 2. Each year all school districts and schools must give parents and guardians annual written notice of the student-related sections of the local Plan. 3. Each year all school districts and schools must provide all staff with annual written notice of the Plan. 4. 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.   **State Requirements**  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. |  |
| **CR 10C** | **Student Discipline**  Each school committee and board of trustees shall ensure that policies and procedures are in place in public preschool, elementary, and secondary schools and programs under its jurisdiction that meet, at a minimum, the requirements of M.G.L.c. 71, section 37H¾ , M.G.L.c. 76, section 21, and 603CMR 53.00. These policies and procedures must address or establish, but are not limited to:   1. The notice of suspension and hearing; 2. Procedures for emergency removal; 3. Procedures for principal hearings for both short and long term suspension; 4. Procedures for in-school suspension; 5. Procedures for superintendent hearing; 6. Procedures for education services and academic progress (School-wide Education Service Plan); 7. A system for periodic review of discipline data by special populations; 8. Alternatives to suspension.   M.G.L.c. 71,section 37H¾ , M.G.L.c. 76, section 21, and 603 CMR 53.00, M.G.L.c. 71, section 38R and Chapter 77 of the Acts of 2013. |  |
| **CR 12A** | **Annual and continuous notification concerning nondiscrimination and coordinators**   1. If the district offers vocational education programs, it advises students, parents, employees and the general public before the beginning of each school year that all vocational opportunities will be offered regardless of race, color, national origin, gender identity, sex, or disability. The notice includes a brief summary of program offerings and admission criteria and the name(s), office address(es), and phone number(s) of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504. 2. In all cases, the district takes continuing steps to notify applicants, students, parents, and employees (including those with impaired vision or hearing), as well as unions or professional organizations holding collective bargaining or | Documents Interviews |

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|  | professional agreements with the district, that it does not discriminate on the basis of race, color, national origin, gender identity, sex, or disability. This notice, also, includes the name(s), office address(es), and phone number(s) of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504.  3. Written materials and other media used to publicize a school include a notice that the school does not discriminate on the basis of race, color, national origin, sex, gender identity, disability, religion, or sexual orientation.  Title VI: 42 U.S.C. 2000d; 34 CFR 100.6(d); Title IX: 20 U.S.C. 1681; 34 CFR 106.8(a),  106.9; Section 504: 29 U.S.C. 794; 34 CFR 104.8; M.G.L. c. 76, s. 5; M.G.L. c. 71, s. 89;  M.G.L. c. 151B; 603 CMR 26.02(2) as amended by Chapter 199 of the Acts of 2011. |  |
| **CR 16** | **Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion**   1. No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school where the student last attended has sent notice within five days from the student’s tenth consecutive absence to the student and the parent /guardian of the student in English and the primary language of the parent or guardian (to the extent practicable). The notice shall offer at least two dates and times for an exit interview between the superintendent (or designee) and the student and the parent/guardian to occur prior to the student permanently leaving school. The notice shall include contact information for scheduling the exit interview and indicate that the parties shall agree to a date and time for the exit interview and that the interview shall occur within 10 days of the notice. The time and the date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days. The superintendent or designee may proceed with the exit interview without a parent/guardian if the superintendent or designee makes a good faith effort to include the parent/guardian. 2. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education programs and services available to the student. The superintendent (or designee) shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent/guardian. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and a list of alternative education programs and services available to the student. 3. Any district serving students in high school grades sends annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school    1. to inform them of the availability of publicly funded post-high school academic support programs and    2. to encourage them to participate in those programs.   At a minimum, the district sends annual written notice by first class mail to the last known address of each such student who attended a high school in the district within the past two years.   1. The Superintendent shall annually report to the Department the number of students sixteen years of age or older who have permanently left school, the reasons for such leaving and any alternative educational or other placement the student has taken.   M.G.L. c. 76, ss. 5, 18 as amended by 2012, 222, Sec. 8 effective July 1, 2014; St. 1965, c. 741 | Documents Interviews |

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| **CR 17A** | **Use of physical restraint on any student enrolled in a publicly-funded education program**   1. Public education programs must develop and implement written restraint prevention and behavior support policy and procedures consistent with new regulations under 603 CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention.    1. restraint prevention and behavior support policy and procedures shall be annually reviewed and provided to program staff and made available to parents of enrolled students.    2. restraint prevention and behavior support policy and procedures shall include, but not be limited to: methods for preventing student violence, self- injurious behavior and suicide; methods for engaging parents and youth in discussions about restraint prevention and use; a description and explanation of the program’s alternatives to physical restraint and method of physical restraint in emergency situations; a statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of restraint inconsistent with 603 CMR 46.00; a description of the program’s training requirements, reporting requirements, and follow-up procedures; a procedure for receiving and investigating complaints; a procedure for conducting periodic review of data and documentation on the program’s use of restraint; a procedure for implementing the reporting requirements; a procedure for making both oral and written notification to the parent; and a procedure for the use of time-out. 2. Each principal or director shall determine a time and method to provide all program staff with training regarding the program’s restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. 3. At the beginning of each school year, the principal of each public education program or his/her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall have in-depth training on the use of physical restraint. 4. The program administers physical restraint on students only in emergency situations of last resort when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint. | Documents Interviews |

**Facilities and Classrooms**

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| Criterion Number | Criterion | Source of Information |
| **SE 55** | **Special education facilities and classrooms**  The school district provides facilities and classrooms for eligible students that   1. maximize the inclusion of such students into the life of the school; 2. provide accessibility in order to implement fully each student’s IEP; 3. are at least equal in all physical respects to the average standards of general education facilities and classrooms; 4. are given the same priority as general education programs in the allocation of instructional and other space in public schools in order to minimize the separation or stigmatization of eligible students; and 5. are not identified by signs or other means that stigmatize such students. | Observations Interviews |

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|  | **State Requirements Federal Requirements**  603 CMR 28.03(1)(b) Section 504 of the Rehabilitation Act of 1973  SE 55 is related to State Performance Plan Indicator 5. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) |  |
| **CR 22** | **Accessibility of district programs and services for students with disabilities**  In at least one facility within the district, the district makes available and entirely accessible to students with disabilities all educational and vocational programs and services offered at each level (preschool, elementary and secondary).  Section 504: 29 U.S.C. 794; 34 CFR 104.21, 104.22; Title II: 42 U.S.C. 12132; 28 CFR  35.149, 35.150; Mass. Const. amend. art. 114; 603 CMR 28.03(1)(b)(1) | Documents Observations Interviews |
| **CR 23** | **Comparability of facilities**  Where the district provides separate facilities for members of a specific group, those facilities are comparable to those offered other students in the district, including:   1. separate facilities for disabled, English learners or pregnant students that are comparable to the facilities for other students in the district; 2. Reserved.   Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.33,  106.40(b)(3); Section 504: 29 U.S.C. 794; 34 CFR 104.34(c); Mass. Const. amend. art.  114; 603 CMR 28.03(1)(b) | Student Records Documents Interviews |

**Oversight**

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| Criterion Number | Criterion | Source of Information |
| **SE 36** | **IEP implementation, accountability and financial responsibility**   1. Reserved. 2. The school district oversees in an ongoing manner the full implementation of each proposed in-district and out-of-district IEP that has been consented-to by a student’s parents. 3. Reserved. 4. The district provides all programs and services without expense to the student’s   parents.   1. Reserved.   **State Requirements Federal Requirements**  603 CMR 28.06(3) 34 CFR 300.17(a); 300.101-104; 300.154 | Student Records Documents Interviews |

**Time and Learning**

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| Criterion Number | Criterion | Source of Information |
| **CR 7A** | **School year schedules**   1. Before the beginning of each school year, the school district sets a school year schedule for each school. The school year includes at least 185 school days for students in grades 1-12 at each elementary, middle, and secondary school in the district, and these schools are in operation for at least 180 days a year for these students. 2. The school district ensures that unless his or her IEP or Section 504 Accommodation Plan provides otherwise, each elementary school student is scheduled for at least 900 hours of structured learning time a year and each secondary school student is scheduled for at least 990 hours of structured learning time a year, within the required school year schedule. Where the school district operates separate middle schools, it designates each one as either elementary or secondary. 3. Where the school district sets a separate school year and school day schedule for kindergarten programs, it provides at least 425 hours of structured learning time a year. If the district schedules two sessions of kindergarten a day, it ensures equal instructional time for all kindergarten students.   M.G.L. c. 69, s. 1G; 603 CMR 27.03, 27.04 | Documents Interviews |
| **CR 7B** | **Structured learning time**  1. The school district ensures that its structured learning time is time during which students are engaged in regularly scheduled instruction, learning, or assessments within the curriculum of core subjects and other subjects as defined in 603 CMR  27.02 (including physical education, required by M.G.L. c. 71, s. 3). The district’s structured learning time may include directed study (activities directly related to a program of studies, with a teacher available to assist students), independent study (a rigorous, individually designed program under the direction of a teacher, assigned a grade and credit), technology-assisted learning, presentations by persons other than teachers, school-to-work programs, and statewide student performance assessments.   1. The district ensures that its structured learning time does not include time at breakfast or lunch, passing between classes, in homeroom, at recess, in non- directed study periods (study halls), participating in optional school programs, or receiving school services such as health screening, speech, or physical and occupational therapy, except where those services are prescribed by a student’s IEP or Section 504 Accommodation Plan. 2. The hours spent in any type of structured learning time are verified by the school district. Where the school district counts independent study or a school-to-work program as structured learning time, it has guidelines that explain clearly how hours spent by students are verified.   M.G.L. c. 69, s. 1G; 603 CMR 27.02, 27.04 | Documents Interviews |
| **CR 7C** | **Early release of high school seniors**  When the school district schedules the early release at the end of the year of the senior class of a high school, it does so in a way that conforms with Board of Elementary and Secondary Education requirements under 603 CMR 27.05, ensuring that neither the conclusion of the seniors’ school year nor graduation is more than 12 school days before the regular scheduled closing date of that school. | Interviews |

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|  | M.G.L. c. 69, s. 1G; 603 CMR 27.05  Note: Unless state or federal law provides otherwise,   1. the requirements of CR 7A, 7B, and 7C apply to all public school districts, including charter schools, career/vocational technical education schools, and collaboratives 2. school districts must fulfill the requirements for setting a school year schedule for each of their schools and programs 3. school districts must ensure the scheduling of the required structured learning time for each student in a publicly funded school or program, with structured learning time for students in grades 1-12 being distributed over a minimum of 180 school days per year |  |

**Equal Access**

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| Criterion Number | Criterion | Source of Information |
| **CR 3** | **Access to a full range of education programs**   1. All students, regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district. 2. The district does not segregate English learners (ELs) from their English-speaking peers, except where programmatically necessary, to implement an ELE program. The district also ensures that ELs participate fully with their English-speaking peers and are provided support in non-core academic courses. 3. The district provides access to the full range of academic opportunities and supports afforded non-ELs, such as special education services, Section 504 Accommodation Plans, Title I services, career and technical education, and the supports outlined in the district’s curriculum accommodation plan.   Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II:  42 U.S.C. 12132; 28 CFR 35.130; IDEA: 20 U.S.C. 1400; 34 CFR 300.110; ESSA: Title III, Sec. 3115(d)(3)(A), (8), (e)(1)(C); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03. | Documents Interviews |
| **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, s. 5; 603 CMR 26.05(2) as amended by Chapter 199 of the Acts of 2011. | Documents Interviews |
| **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 | Documents Interviews |

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|  | 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); ESSA: Title III, Secs. 3115 (d)(1), (d)(2), (d)(3), (d)(8), (e)(1)(C); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.07(1), (4) as amended by Chapter 199 of the Acts of 2011. |  |

**Target Standards**

**Special Education**

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| Criterion Number | Criterion | Source of Information |
| **SE 4** | **Reports of assessment results**   1. Each person conducting an assessment shall summarize in writing the procedures employed, the results, and the diagnostic impression, and shall define in detail and in educationally relevant and common terms, the student’s needs, offering explicit means of meeting them. Assessors may recommend appropriate types of placements, but shall not recommend specific classrooms or schools. 2. Summaries of assessments are completed prior to discussion by the Team and, upon request, are made available to the parent at least two days in advance of the Team discussion.   **State Requirements**  603 CMR 28.04(2)(c) | Documents Interviews |
| **SE 5** | **Participation in general State and district-wide assessment programs**   1. All students with disabilities, including those enrolled in out-of-district placements, are included in the Massachusetts Comprehensive Assessment System (MCAS) and other district-wide assessment programs. 2. The district’s IEP Teams designate how each student will participate and, if   necessary, provide an alternate assessment.   1. The superintendent of a school district or, for a public school program that is not part of a school district, the equivalent administrator:    1. files an MCAS performance appeal for a student with a disability when the student’s parent or guardian or the student, if 18 or over, requests it, provided that the student meets the eligibility requirements for such an appeal;    2. obtains the consent of the parent or guardian or the student, if 18 or over, for any MCAS performance appeal filed on behalf of a student with a disability;    3. includes in the MCAS performance appeal, to the extent possible, the required evidence of the student’s knowledge and skills in the subject at issue.   **State Requirements Federal Requirements**  St. 2003, c. 140, s. 119; 20 U.S.C. 1412(a)(16)  603 CMR 30.05(2),(3),(5) | Student Records Documents Interviews |

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|  | SE 5 is related to State Performance Plan Indicator 3. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  *See also* Administrative Advisories SPED 2002-4-REVISED: Special Education Students in Out-of-District Placements - Participation in MCAS Testing and High School Graduation Standards at <http://www.doe.mass.edu/sped/advisories/02_4.html> |  |
| **SE 16** | **Screening**   1. The school district conducts screening for three and four year olds and for all students who are of age to enter kindergarten. Such screening is designed to review a student’s development and to assist in identification of those students who should be referred for an evaluation to determine eligibility for special services. 2. Participation in the screening program for three and four year olds is optional on the part of the parents.   **State Requirements Federal Requirements**  603 CMR 28.03(1)(d) | Student Records Documents Interviews |
| **SE 18B** | **Determination of placement; provision of IEP to parent**   1. At the Team meeting, after the IEP has been fully developed, the Team   determines the appropriate placement to deliver the services on the student’s IEP.   1. Unless the student’s IEP requires some other arrangement, the student is educated in the school that he or she would attend if the student did not require special education. 2. The decision regarding placement is based on the IEP, including the types of related services that are to be provided to the student, the type of settings in which those services are to be provided, the types of service providers, and the location at which the services are to be provided. 3. Reserved. 4. Immediately following the development of the IEP, the district provides the parent with two (2) copies of the proposed IEP and proposed placement along with the required notice, except that the proposal of placement may be delayed according to the provisions of 603 CMR 28.06(2)(e) in a limited number of cases.   **State Requirements Federal Requirements**  603 CMR 28.05(6) and (7); 28.06(2) 34 CFR 300.116; 300.325  In connection with part 5, see Memorandum on the Implementation of 603 CMR 28.05(7): Parent response to proposed IEP and proposed placement at [http://www.doe.mass.edu/news/news.aspx?id=3182.](http://www.doe.mass.edu/news/news.aspx?id=3182) | Student Records Interviews |
| **SE 21** | **School day and school year requirements**   1. The Team routinely considers the need for an educational program that is less than or more than the regular school day or school year, including extended day, year, and/or residential services, and indicates on the IEP why the shorter or longer program is necessary. 2. The daily duration of the student’s program is equal to that of the regular school day unless the Team states that a different duration is necessary to provide a free appropriate public education to the student. In this case the Team specifies the daily duration of the program and states the reason for the different duration on the IEP. 3. Specialized transportation schedules do not impede a student’s access to a full   school day and program of instruction. | Student Records Interviews |

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|  | 1. An extended day or year program is identified if the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided. 2. If residential services are required, the IEP clearly specifies the reasons for such determination and how such services will be coordinated with the day education services provided to the student. Additionally, the annual goals and services on the student’s IEP reflect the comprehensive nature of the educational program required. 3. Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.   **State Requirements Federal Requirements**  M.G.L. c. 69, s. 1G 34 CFR 300.106 603 CMR 28.05(4)(d) and (5)(c) |  |
| **SE 24** | **Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE**   1. A student may be referred for an evaluation by a parent or any person in a caregiving or professional position concerned with the student's development. 2. When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the student's parent(s) within 5 school days of receipt of the referral, along with the district’s notice of procedural safeguards. The written notice meets all of the content requirements set forth in M.G.L. c.71B, §3, and in federal law, seeks the consent of the parent for the evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student’s skills or abilities and to consult regarding the evaluators to be used. 3. For all other actions, the district gives notice complying with federal requirements within a reasonable time. 4. The school district provides the student's parent(s) with an opportunity to consult with the special education administrator or his/her designee to discuss the reasons for the referral and the nature of the proposed evaluation. 5. The district provides parents with an opportunity to consult with the administrator of special education or his/her designee regarding the evaluators to be used and the proposed content of all required and optional assessments. 6. The school district does not limit a parent’s right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education that may be described in the district’s curriculum accommodation plan, including any pre-referral program. 7. The school district refuses to conduct an initial evaluation only when the circumstances of a student make clear that there is no suspicion of a disability and that there is no concern about the student’s development.   **State Requirements Federal Requirements**  M.G.L. c. 71B, Section 3; 34 CFR 300.503; 300.504(a)(1)  603 CMR 28.04(1)  Parts 2, 4, and 5 of SE 24 are related to State Performance Plan Indicator 8. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) | Student Records Interviews |
| **SE 25A** | **Sending of copy of notice to Special Education Appeals** | Student Records |

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|  | Within five days of receiving a notice that a parent is requesting a hearing or has rejected an IEP, proposed placement, or finding of no eligibility for special education, the school district sends a copy of the notice to the BSEA.  **State Requirements Federal Requirements**  603 CMR 28.08(3)(b) | Interviews |
| **SE 25B** | **Resolution of disputes**   1. Within 15 days of receiving notice that a parent has made an official hearing request to Special Education Appeals, the district convenes a meeting with the parent(s) and the relevant member(s) of the IEP Team, including a representative of the district with decision-making authority, to try to resolve the dispute. The resolution session may be waived if the district and the parents agree in writing to do so or if they agree to use mediation instead. 2. If the dispute is resolved at the resolution session, the parent(s) and a representative of the district with the authority to do so sign a legally binding agreement, enforceable in state or federal court. Any party may void this agreement within 3 business days of the signing.   **State Requirements Federal Requirements**  34 CFR 300.510 | Student Records Interviews |
| **SE 27** | **Content of Team meeting notice to parents**  The parent notice of any Team meeting states the purpose, time, and location of the meeting as well as who will be in attendance.  **State Requirements Federal Requirements**  34 CFR 300.322(b)(1)(i)  SE 27 is related to State Performance Plan Indicator 8. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) | Student Records Interviews |
| **SE 33** | **Involvement in the general curriculum**   1. Reserved. 2. Reserved. 3. At least one member of all IEP Teams is familiar with the general curriculum and is able to discuss an eligible student’s appropriate access to the general curriculum. 4. The district documents the student’s participation in the general curriculum in the   IEP.  **State Requirements Federal Requirements**  603 CMR 28.05(4)(a) and (b) 34 CFR 300.320(a)(1)(i) and a(2)(i)(A);  300.321(a)(4)(ii)  SE 33 is related to State Performance Plan Indicators 1, 3, and 5. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) | Student Records Interviews |
| **SE 35** | **Assistive technology: specialized materials and equipment**  *Assistive technology device* means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a student with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device. |  |

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|  | *Augmentative and alternative communication:* The IEP Team must consider the communication needs of the student. Augmentative and alternative communication (AAC) is a form of assistive technology that can help students with disabilities that impede their ability to communicate to meet their education goals and participate fully alongside their nondisabled peers in all aspects of their education. AAC should be considered for those students who cannot communicate effectively through oral speech, including students with autism, cerebral palsy, intellectual disabilities, congenital disabilities, selective mutism, muscle disease, sensory impairments, and traumatic brain injury.  *Assistive technology service* means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes—  The evaluation of the needs of a student with a disability, including a functional evaluation of the student in the student's customary environment;   1. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by students with disabilities; 2. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices; 3. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs; 4. Training or technical assistance for a student with a disability or, if appropriate, that student's family; and 5. Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that student.   In developing each student’s IEP, the IEP Team must consider whether the student needs assistive technology devices and services. Each public agency must ensure that assistive technology devices and services are made available to a student with a disability if required as a part of the student's special education, related services, and/or supplementary aids and services.   * If the Team recommends an assistive technology evaluation, a multidisciplinary team of professionals knowledgeable about assistive technology devices should conduct the assessment with the student and family being included in the evaluation process. * In instances when assistive technology devices and/or services are determined as required, the Team must further determine and document which settings (classroom, home or other) in which the student needs access to those devices and services in order to assure provision of FAPE.   The IEP Team must also consider the communication needs of the student. Augmentative and alternative communication (AAC) is a form of assistive technology that can help students with disabilities that impede their ability to communicate to meet their education goals and participate fully alongside their nondisabled peers in all aspects of their education. AAC should be considered for those students who cannot communicate effectively through oral speech, including students with autism, cerebral palsy, intellectual disabilities, congenital disabilities, selective mutism, muscle disease, sensory impairments, and traumatic brain injury.  **State Requirements Federal Requirements**  603 CMR 28.04(2); Technical 34 CFR 300.5; 300.6; 300.105;  Assistance Advisory SPED 2018-3: 300.324(a)(2)(v) Addressing the Communication Needs |  |

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|  | of Students with Disabilities through Augmentative and Alternative Communication (AAC) |  |
| **SE 44** | **Procedure for recording suspensions**  The district has a procedure to record the number and duration of suspensions from any part of the student’s program, including suspensions from special transportation prescribed by the IEP.  **State Requirements Federal Requirements**  34 CFR 300.530  IDEA 2004 Final Regulations,  Analysis of Comments and Changes, Federal Register 71 (14 August 2006): 46715  SE 44 is related to State Performance Plan Indicator 4. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  *See also* the required reporting of disciplinary data for special education students in the School Safety and Discipline Report (SSDR), as explained at [http://www.doe.mass.edu/infoservices/data/schedule.html.](http://www.doe.mass.edu/infoservices/data/schedule.html) | Documents Interviews |
| **SE 45** | **Procedures for suspension up to 10 days and after 10 days:**   1. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below. 2. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education. 3. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.   **State Requirements Federal Requirements**  M.G.L. c. 76, sections 16-1734 34 CFR 300.530-537  CFR 300.530-537  SE 45 is related to State Performance Plan Indicator 4. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) | Documents Interviews |
| **SE 46** | **Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district**   1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement. 2. When a suspension constitutes a change in placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student’s file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district’s failure to implement the IEP—“a manifestation determination.” | Student Records Documents Interviews |

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|  | 1. If district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer:    1. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and    2. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur. 2. **Interim alternative educational setting.** Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days    1. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or    2. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is “substantially likely” to injure him/herself or others. 3. **Characteristics.** In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior. 4. If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement. 5. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student’s current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.   **State Requirements Federal Requirements**  34 CFR 300.530-537  SE 46 is related to State Performance Plan Indicator 4. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.)  For a discipline flow chart, see <https://www.doe.mass.edu/sped/advisories/12_2ta.html>  chart.docx |  |
| **SE 47** | **Procedural requirements applied to students not yet determined to be eligible for special education**  1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if: | Student Records Documents Interviews |

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|  | 1. The parent had expressed concern in writing; or 2. The parent had requested an evaluation; or 3. District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student. |  |
| 1. The district may not be considered to have had prior knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility. 2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility. 3. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.   **State Requirements Federal Requirements**  34 CFR 300.534  SE 47 is related to State Performance Plan Indicator 4. (See <https://www.doe.mass.edu/sped/spp/maspp.html>.) |
| **SE 53** | **Use of paraprofessionals**   1. Reserved. 2. Persons employed as paraprofessionals and assistants do not design instruction for students with disabilities but are expected to implement instruction under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision.   **State Requirements Federal Requirements**  34 CFR 300.156 | Documents Interviews |
| **SE 59** | **Transfer of student records**  When a student with an IEP transfers from school district to school district, whether both of those districts are within the Commonwealth of Massachusetts or not,   1. any Massachusetts school to which the student is transferring takes reasonable steps to promptly obtain the student’s records, including the IEP, from the former school, and 2. any Massachusetts school from which the student is transferring takes reasonable   steps to promptly respond to the new school’s request for records.  **State Requirements Federal Requirements**  34 CFR 300.323(g) | Student Records Interviews |

**Civil Rights**

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| Criterion Number | Criterion | Source of Information |
| **CR 6** | **Availability of in-school programs for pregnant students**  1. Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, | Interviews |

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|  | and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.  2. The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school unless it requires such certification for all students for other physical or emotional conditions requiring the attention of a physician.  Title IX: 20 U.S.C. 1681; 34 CFR 106.40(b) |  |
| **CR 8** | **Accessibility of extracurricular activities**  Extracurricular activities sponsored by the district are nondiscriminatory in that:   1. the school provides equal opportunity for all students to participate in intramural and interscholastic sports; 2. extracurricular activities or clubs sponsored by the school do not exclude students on the basis of race, sex, gender identity, color, religion, national origin, sexual orientation, disability or homelessness.   Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31,  106.41; Section 504: 29 U.S.C. 794; 34 CFR 104.4,104.37(a), (c); Title II: 42 U.S.C. 12132;  28 CFR 35.130; ESSA: Title IX, Part A, Sec. 9101 (5)(g)(1)(F)(ii), (5)(g)(1)(F)(iii); Mass. Const. amend. art 114; M.G.L. c. 76, s. 5; 603 CMR 26.06(1) as amended by Chapter 199 of the Acts of 2011. | Documents Interviews |
| **CR 9** | **Hiring and employment practices of prospective employers of students**   1. The district requires employers recruiting at the school to sign a statement that the employer complies with applicable federal and state laws prohibiting discrimination in hiring or employment practices and the statement specifically includes the following protected categories: race, color, national origin, sex, gender identity, handicap, religion, and sexual orientation. 2. Prospective employers to whom this criterion applies include those participating in career days and work-study and apprenticeship training programs, as well as those offering cooperative work experiences.   M.G.L. c. 76, s. 5; 603 CMR 26.07(5) as amended by Chapter 199 of the Acts of 2011.  **Implementation Guidance:** The statements signed by employers should state that the employer complies with all applicable federal and state laws prohibiting discrimination in hiring or employment practices on the bases of race, color, national origin, sex, gender identity, handicap, religion, and sexual orientation. | Documents Interviews |
| **CR 10** | **Anti-Hazing Reports**   1. The principal of each secondary school in the district issues a copy of M.G.L. c. 269 §§ 17 through 19, to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and a copy of the school’s anti- hazing disciplinary policy approved by the school committee. 2. Each secondary school files, at least annually, a report with the Department certifying 3. Its compliance with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of M.G.L. c. 269 §§ 17 through 19; 4. Its adoption of a disciplinary policy with regard to the organizers and participants of hazing; and 5. That the hazing policy has been included in the student handbook or other means of communicating school policies to students. | Documents Interviews |

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|  | Authority: M.G.L. c. 269 §§ 17 through 19 |  |
| **CR 11A** | **Designation of coordinator(s); grievance procedures**   1. The district has designated one or more staff persons to serve as coordinator(s) for compliance with its responsibilities under Title IX, Section 504, and (if it employs 50 or more persons) Title II. 2. The district has adopted and published grievance procedures for students and for employees providing for prompt and equitable resolution of complaints alleging discrimination based on sex or disability.   Title IX: 20 U.S.C. 1681; 34 CFR 106.8; Section 504: 29 U.S.C. 794; 34 CFR 104.7; Title II:  42 U.S.C. 12132; 28 CFR 35.107 | Documents Interviews |
| **CR 15** | **Non-discriminatory administration of scholarships, prizes and awards**  Scholarships, prizes and awards sponsored or administered by the district are free of restrictions based upon race, color, sex, gender identity, religion, national origin, sexual orientation, or disability.  Schools may post or print information regarding private restricted scholarships as long as no preferential treatment is given to any particular scholarship offered and as long as the school does not endorse or recommend any such scholarship nor advise or suggest to a particular student that he or she apply for such a scholarship.  Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.37;  Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(1)(v); Title II: 42 U.S.C. 12132; 28 CFR  35.130(b)(1)(v); Mass. Const. amend. art. 114; M.G.L. c. 76, s. 5; 603 CMR 26.07(7) as  amended by Chapter 199 of the Acts of 2011. | Documents Interviews |
| **CR 18A** | **School district employment practices**  District employment practices in general are free from discrimination on the basis of race, color, gender identity, national origin, sex, or disability. The district’s employee recruitment is aimed at reaching all groups, including members of linguistic, ethnic, and racial minorities, females and males, and persons with disabilities.  Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(c); EEOA: 20 U.S.C. 1703(d); Title IX: 20 U.S.C. 1681; 34 CFR 106.51-106.61; Section 504: 29 U.S.C. 794; 34 CFR 104.11-104.14; Title II:  42 U.S.C. 12132; 28 CFR 35.140; Mass. Const. amend. art 114; M.G.L. c. 151B | Documents Interviews |
| **CR 26A** | **Confidentiality and student records**  In accordance with federal and state requirements, the district protects the confidentiality of any personally identifiable information that it collects, uses or maintains.  The district maintains and provides access to student records in accordance with federal and state requirements.  FERPA: 20 U.S.C. § 1232g; 34 CFR Part 99; M.G.L. c. 71, s. 34H; 603 CMR 23.05, 23.07 | Student Records Interviews |