



CONCORD PUBLIC SCHOOLS

**COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

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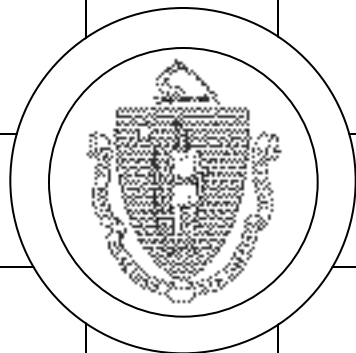
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MASSACHUSETTS DEPARTMENT OF EDUCATION
COORDINATED PROGRAM REVIEW

Concord Public Schools

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MASSACHUSETTS DEPARTMENT OF EDUCATION

COORDINATED PROGRAM REVIEW REPORT

Concord Public Schools

OVERVIEW OF REVIEW PROCEDURES

As one part of its School and School District Accountability System, the Department of Education oversees local compliance with education requirements through the Coordinated Program Review System. All reviews will include selected requirements in special education under the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.* (IDEA-97) and M.G.L. Chapter 71B (Chapter 766 of the Acts of 1972) and certain federal civil rights requirements under Titles I and II of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, together with related state requirements under M.G.L. Chapter 76, Section 5 (Chapter 622 of the Acts of 1971). Other monitoring activities in the areas of the state's Transitional Bilingual Education law (M.G.L. Chapter 71A), Title I, Safe and Drug-Free Schools and Communities Act, the Perkins Vocational and Technical Education Act, and Nutrition Programs and Services are conducted in some districts during these Coordinated Program Review procedures. The selected school districts for 2000-2001 were notified by the Commissioner of Education in April 2000 of scheduled visits and were encouraged to implement self-assessment activities prior to the arrival of the Department's visiting team.

Coordinated Program Review Elements

Team: Depending upon the size of a school district and the number of program areas to be reviewed, a team of approximately two to eight Department staff members conducts a Coordinated Program Review over two to seven days in a school district or charter school.

Scope: Approximately seventy school districts and charter schools are scheduled to receive visits in school year 2000-2001. All school districts and charter schools in the Commonwealth are monitored through the Department's Coordinated Program Review system on a six-year cycle with an additional mid-cycle special education follow-up visit.

Content: The Program Review criteria encompass the required elements for the specific program areas. In the case of special education, the elements selected for the FY 2001 reviews contain, at a minimum, those required by the federal Office for Special Education Programs (OSEP) and revised requirements included under IDEA-97 as described in the Department's Special Education Advisories. Additionally, the 2000-2001 reviews incorporate updated state special education requirements as adopted by the Board of Education and effective on September 1, 2000 and further amended by the state legislature in the FY '01 budget and subsequent Emergency Regulations of the Board. The Program Review compliance criteria selected in all of the regulated program areas are those that are most closely aligned with the goals of the Massachusetts Education Reform Act of 1993, and intended to promote high standards and achievement for all students.

Report: The Department's report is based on a review of written documentation and data regarding the operation of the district's programs, together with information gathered through the following Department program review methods:

- Interviews of administrative, instructional and support staff across all grade levels.

- Interviews of parent advisory council (PAC) representatives and other interviews as requested by persons from the general public.
- Student record reviews in the program areas of special education, Transitional Bilingual Education, and Perkins vocational programs. A sample of student records is selected by the Department. Student records are first examined by local staff, whose findings are then verified by the onsite team using standard Department student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements. Parents of students with disabilities whose files were selected for the record review were sent a survey that solicited information regarding their experiences with the district's implementation of special education programs, related services and procedural requirements.
- Classroom and facilities observation. A sample of instructional classrooms and other school facilities used in the delivery of programs and services are visited to determine general levels of compliance with program requirements.
- Interviews, student record reviews, and observations in the case of collaborative programs and services. Where the district is a member of a collaborative approved by the Department of Education and the district serves as a site for any programs or services operated by the collaborative, interviews, student record reviews and classroom and facility observations are conducted.

Response: An Executive Summary and detailed findings for each program area describe determinations about the implementation status of each requirement (criterion) reviewed. The findings note those criteria the implementation of which the team found to be commendable. Where criteria are found not to be fully implemented, the local district or charter school must propose corrective actions to bring those areas into compliance with the respective statutes or regulations. Districts are encouraged to incorporate the corrective action into their district and school improvement plans, including the district professional development plan.

The Department of Education believes that the Coordinated Program Review process is a positive experience and that the Final Report should be seen as a helpful planning document for the continuing development of programs and services in the school district or charter school.

REPORT INTRODUCTION

A seven-member Massachusetts Department of Education team visited Concord Public Schools during the week of May 7 to evaluate the implementation of selected criteria in the program areas of special education, civil rights requirements, Title I, the Safe and Drug-Free Schools and Communities Act, and Nutrition Programs and Services. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the program efforts underway in the district.

The Department is submitting the following Coordinated Program Review Report containing findings pursuant to this onsite visit. This report was prepared as a result of the review of extensive written documentation and data regarding the operation of the District's programs, together with information gathered from the following Department program review methods:

- Interviews of 12 administrative staff.
- Interviews of 56 teaching and support services staff across all levels.
- Interviews of four parent advisory council (PAC) representatives, and other interviews as requested by persons from the general public.
- Student record reviews: A sample of 30 student records was selected by the Department. Student records were first examined by local staff, whose findings were then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Parent surveys: 22 parents of students with disabilities were sent surveys that solicited information regarding their experiences with the district's implementation of special education programs, related services and procedural requirements. 21 of these parent surveys were returned to the Department of Education for review by the onsite team.
- Classroom and facilities observation: A sample of 10 instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

The report includes findings in the program areas reviewed organized under nine components directly related to teaching and learning. These components are listed in the Executive Summary on the following pages. The findings in each program area describe determinations by the team about the implementation status or "Rating" of each criterion reviewed. The findings note those criteria which were found by the team to be substantially "Implemented" or implemented in a "Commendable" manner. (Refer to the "Definition of Terms" section of the report.) Where criteria were found to be either "Partially Implemented" or "Not Implemented," the district or charter school must propose to the Department corrective actions to bring those areas into compliance with the related statute or regulation. In some instances the team may have rated a requirement as "Implementation in Progress" or "Implemented" and has made specific comment on the district's implementation methods which also may require response from the district or charter school.

Districts are expected to incorporate the corrective action into their district and school improvement plans, including the district professional development plan.

COORDINATED PROGRAM REVIEW REPORT

EXECUTIVE SUMMARY

Concord Public Schools

The following information synthesizes the findings for specific program criteria included in the Coordinated Program Review as they respond to essential questions which the Department has formulated for each of the major component areas of the report. Note that a more detailed discussion of the Onsite Team's findings which are represented in this Executive Summary, together with the specific legal standards for each program area included in this review, follows this summary.

Component I: Assessment of Student Progress

Has the District implemented an assessment system that uses appropriate instruments, conducted according to the specified timelines and covering the appropriate content areas to determine instructional needs of students?

The district uses assessment instruments that are valid and examined for bias. Appropriately credentialed and certified personnel conduct the evaluations.

Concerns were noted regarding the use of a standard approach to the selection of assessments for determining eligibility and for re-evaluations and the lack of the resource of a wide range of assessments for the evaluators to use to test a student in the area of suspected disability. The district has been implementing the mandated procedures to identify the existence of specific learning disabilities through the Team process. In addition, the new IEP process and procedures have been implemented system-wide. There is regular and special education staff participation at Team meetings. However, there is not always a member of the Team designated as a representative of the district who has the authority to commit the district's resources. The timelines for determining eligibility in initial and re-evaluations and for providing the IEP to the parent have not always been implemented. All students participate in MCAS or the appropriate alternate assessment as determined by the IEP Team.

Component II: Student Identification and Program Placement

Has the District followed procedures for student identification and placement into the program according to the criteria specified in regulations?

The district is committed to its philosophy of educating students in the least restrictive environment and affording equal access to extracurricular activities. The middle school house system has promoted a high level of inclusion for students and close collaboration and communication between the regular and special education staff. Concerns exist at the elementary level, where there is inconsistent implementation of accommodations and modifications for students with diverse learning and behavioral needs in the regular education classrooms. This inconsistent implementation of accommodations and modifications has resulted in an increase of students being referred for special education evaluations. In addition, there is not a continuum of services available for three- and four-year-old children who are eligible for special education due to the lack of in-district program options. The district currently meets the structured learning time requirements. The Title I requirements regarding appropriate identification and placement of eligible students are being implemented. In the

area of civil rights, the district does not have standardized procedures and assessments for the identification and evaluation of students who are limited English proficient.

Component III: Parental Involvement

Has the District ensured that parents are notified, in the appropriate language, and are involved in decisions regarding their children's programs and services?

Parents are active participants within the entire IEP process and are committed to working with the district to increase the range of educational services and programs offered to meet the diverse learning and behavioral needs of all students. The parent advisory council has established an excellent working relationship with the district and provides resources and programming for parents throughout the school year. The district sends notices to parents regarding evaluations and Team meetings, but there was inconsistent documentation of parent consent and Team meeting notices to verify compliance with the mandated timelines and with the requirement of obtaining parental consent before a student receives an evaluation or special education services. There was no documentation of a written policy and procedures for the provision of communications to parents in languages other than English. The Title I program has provided parents with training and materials to help support and increase their child's achievement, but the Willard School needs to increase the involvement of parents in the evaluation of the Title I program. The district coordinates its Safe and Drug-Free Schools and Communities Act program with the efforts of community agencies and with other local, state, and federal programs. The program's advisory council has wide representation.

Component IV: Curriculum and Instruction

Does the District hold all students to high expectations and standards and ensure that programs are designed to maximize student performance within regular education and are implemented according to the specific regulatory requirements with respect to learning time, class size, staffing ratio, and age spans? Has the District provided for coordination across program areas?

The district has aligned its curriculum with the Massachusetts Curriculum Frameworks. It continues to promote discussion by regular and special education staff of curriculum and instruction and to support efforts to improve them. All students have access to extracurricular activities. There are concerns regarding the gaps in the continuum of services within regular and special education that limit the services and programs offered students. The district is aware of the need to increase its capacity to provide and support differentiated instruction and differentiated approaches within the general curriculum in reading, math and writing to allow access to that curriculum for all students. The district continues to maintain and foster a close working relationship with the CASE Collaborative, which offers necessary programs and services within the district's existing continuum of services. The Title I program affords students full opportunity to receive curriculum support and instruction in the regular education classroom. In addition, there is evidence of collaboration and coordination of activities between the Title I, Title II (professional development) and Safe and Drug-Free Schools programs.

Component V: Student Support Services

Has the District ensured that all students have equal opportunity and access to programs or services?

Students have equal opportunity and full access to the educational, nonacademic and extracurricular programs offered by the district. Related services are provided to students in the elementary and middle schools as recommended by the student's special education Team. In the area of discipline, the appropriate procedures and safeguards are implemented to ensure

that due process is provided, including the provision of written notice to parents. However, there are no system-wide procedures to track suspensions of students with disabilities. In the area of civil rights, counseling materials and activities are free from bias and stereotypes. Most district publications with the exception of one of the school handbooks, contain the full nondiscrimination policy. The student handbooks do not contain specific guidelines regarding grievance procedures and procedures for filing complaints under Section 504. The Title I program provides services that supplement the regular, special, transitional bilingual and ESL education programs.

Component VI: Faculty, Staff and Administration

Does the District maintain certified staff in the specific program areas, provide supervision of aides and tutors, and provide ongoing professional development? Does the district implement an effective system of program leadership and oversight which fosters high standards and performance expectations for all students and staff consistent with the goals of applicable federal and state requirements and Education Reform Act of 1993?

With the possible exception of the district's nurses, the district's staff are appropriately certified and licensed to provide direct special education services, related services, and Title I services. The paraprofessionals are not provided with regularly scheduled supervision by special education instructors system-wide. The district has implemented an instructional support intervention process—student review teams—at the elementary and middle school levels. However, there are concerns about whether the process is begun early enough to afford students and regular education teachers the support and the direction needed to make the necessary accommodations and modifications. The district has worked to develop and encourage multicultural diversity within the curriculum and has involved the teaching staff in Empowering MultiCultural Initiatives trainings. Interviews showed that the district is committed to providing staff with a range of professional development opportunities and that the staff, in turn, demonstrates an active interest in pursuing the offerings presented. However, regular and special education staff indicated the need for professional development trainings on students with diverse learning and behavioral needs and on special education processes and procedures. In the area of civil rights, personnel policies and procedures on staff recruitment, employment applications and hiring practices are nondiscriminatory. The district has not held the required in-service training regarding civil rights responsibilities annually for all school personnel.

Component VII: School Facilities

Does the District maintain facilities that are conducive to learning, facilitate integration, and provide equal access and opportunity for students to achieve?

The district is confronted with major concerns regarding accessibility, comparability and adequacy of spaces used to deliver regular and special education services within each of its school buildings. Because the individual schools' capability of adhering to IEP services and accommodations, as well as their capability of protecting student confidentiality, is compromised, service delivery to both regular and special education students is affected.

Component VIII: Program Plan and Evaluation

Does the District have written program plans that are evaluated according to specific regulatory requirements? Do parents have opportunities for input on needs, program implementation, evaluation, and improvement?

The district's administrative council meets weekly, but there is no mechanism in place to

ensure that special education programs and services are evaluated regularly or that all of the district's policies and programs are examined regularly for any discriminatory effect. The curriculum regularly undergoes review to ensure that existing materials and new purchases are free of bias and stereotypes. A needs assessment and data analysis are conducted for the Title I program every year, as well as an evaluation of the program. In the area of Safe and Drug-Free Schools, the district has a comprehensive process in place to design programs that are based on measurable goals and objectives and are responsive to the identified needs of the students, and periodically to evaluate and strengthen them.

Component IX: Record keeping

Does the District maintain required records and documentation for each specific program area?

The district has appropriate procedures to maintain records and documentation for special education, Title I, and Safe and Drug-Free Schools. The district provided evidence that it maintains an ever-current student register, which is used for the mandated special education child count.

DEFINITION OF TERMS
FOR THE RATING OF EACH COMPLIANCE CRITERION

Commendable	Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation.
Implemented	The requirement is substantially met.
Implementation in Progress	The criterion includes one or more new state special education requirements which became effective on September 1, 2000. The district has substantially implemented any pre-September 1, 2000 requirements also included under the criterion and is currently engaged in staff training and/or is beginning implementation practices for new requirements which the Department's onsite team anticipates will result in substantial compliance by the end of the current school year.
Partially Implemented	The requirement, in one or several important aspects, is not entirely met.
Not Implemented	The requirement is totally or substantially not met.
Not Applicable	The requirement does not apply to the school district or charter school.

COMPONENT I: ASSESSMENT OF STUDENT PROGRESS

The criteria in this component examine whether the District has implemented an assessment system that uses appropriate instruments, conducted according to the specified timelines and covering the appropriate content areas to determine instructional needs of students for the program areas listed below:

- Special Education (Report Issues # SE 1- SE 14)
 - Title I (Report Issues # TI 1-4)

CRITERION NUMBER	SPECIAL EDUCATION I. ASSESSMENT OF STUDENT PROGRESS	
	Legal Standard	
SE 1	<p>Assessments are appropriately selected and interpreted for students referred for evaluation</p> <ol style="list-style-type: none"> 1. Tests and other evaluation materials are: <ol style="list-style-type: none"> a. validated b. administered and interpreted by trained individuals c. tailored to assess specific areas of educational need d. selected and administered to reflect aptitude and achievement levels e. as free as possible from cultural and linguistic bias f. provided in the student's native language or other mode of communication where feasible g. not the sole criterion for determining an appropriate educational program h. not only those designed to provide a single general intelligence quotient i. 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 j. 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: <ol style="list-style-type: none"> a. uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent b. ensures that information obtained from these sources is considered c. ensures that the placement decision conforms with placement in the least restrictive environment d. includes information related to enabling the student to be involved in and progress in the general curriculum <p>State Regulations 28.04</p> <p>Federal Requirements 300.532, 300.535</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Interviews and the review of student records showed that the district tends to use a standard battery of assessments, some of which are outdated, for initial evaluations and re-evaluations rather than assessments related to the suspected area(s) of disability and individualized to the student. There is not a wide range of assessments available as a resource for evaluators to ensure that initial evaluations and re-evaluations address specific areas of educational need. In addition, there was no documentation regarding the provision of assessments for initial evaluations and re-evaluations in a

student's native language.

CRITERION NUMBER	
	Legal Standard
SE 2	<p>Required and optional assessments</p> <ol style="list-style-type: none"> 1. <u>Required assessments</u>: The following assessments are completed by appropriately credentialed and trained specialists for each referred student: <ol style="list-style-type: none"> a. 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. b. Educational assessment by a representative of the school district, including a history of the student's educational progress in the general curriculum. c. Assessment by a teacher(s) with current knowledge regarding the student's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district 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. d. For a child being assessed to determine eligibility for services at age three (3), an observation of the child's interactions in the child'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. <u>Optional assessments</u>: The Administrator of Special Education may recommend or the parent may request one or more of the following: <ol style="list-style-type: none"> a. 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. b. A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination. c. 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 <u>the Team decides</u> that 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:

CRITERION NUMBER	
	Legal Standard
	<p>a. that no further assessments are needed and the reasons for this; and</p> <p>b. the right of such parents to request an assessment.</p> <p>4. The district consults with the child’s parents regarding the evaluators to be used for all required and optional assessments.</p> <p>State Regulations 28.04(2)</p> <p>Federal Requirements 300.532; 300.346.(a)(2)(v)</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

A review of student records revealed inconsistent documentation of teacher assessments. The assessments that were reviewed were lacking in specificity in addressing a student’s classroom performance. In addition, there was no evidence of recommendations made to parents regarding the waiving of assessments for re-evaluations. The district has a practice of using the preschool screening in place of an initial evaluation to identify services and make program recommendations for a child rather than implementing the mandated procedures for a referral for a special education evaluation. There was no documentation of observations for children being assessed to determine eligibility for services at age three.

CRITERION NUMBER	
	Legal Standard
SE 3	<p>Special requirements for determination of specific learning disabilities When the district proposes to evaluate a child suspected of having a specific learning disability, the following requirements are implemented: <u>Team membership:</u> The district ensures the Team includes at a minimum the parent, the child’s regular classroom teacher appropriate to the age of the child and at least one person qualified to conduct individual diagnostic examinations of children. <u>Criteria for determining the existence of a specific learning disability:</u></p> <ol style="list-style-type: none"> 1. the achievement is determined not to be commensurate with the age and ability of the child; 2. a severe discrepancy exists in one or more areas between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill and reading comprehension, mathematics calculation and reasoning; 3. the severe discrepancy between ability and achievement is not resulting from visual, hearing or motor impairment, mental retardation, emotional disturbance or environmental, cultural or economic disadvantage. <p><u>Required observation of the child:</u></p> <ol style="list-style-type: none"> 1. at least one Team member <u>other than</u> the child’s regular teacher observes the child’s academic performance in the regular classroom setting;

CRITERION NUMBER	
	Legal Standard
SE 5	<p>Participation in general State and district-wide assessment programs</p> <ol style="list-style-type: none"> 1. All students with disabilities 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, devise an alternate assessment. <p>State Regulations Federal Requirements 300.138; 300.139</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 6	<p>Determination of transition services</p> <ol style="list-style-type: none"> 1. For a student who is 14 years of age, the Team considers the student's course of study in relation to the student's future goals and document this in the IEP. 2. For a student who is 16 years of age, or younger if appropriate, the Team includes in the IEP services that promote movement of the student from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. 3. The transition services are based upon the student's needs, taking into account the student's preferences and interests and includes specially designed instruction, community experiences, the development of employment or other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation. 4. For any student approaching graduation or the age of twenty-two, 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.71, §12A-§12C (known as Chapter 688). 5. 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. 6. The district ensures that students age 14, or younger if appropriate, are invited to and attend Team meetings at which transition services are discussed or proposed

CRITERION NUMBER			
	Legal Standard		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations Ch.71B, Sections 12A-C</td> <td style="width: 50%; border: none;">Federal Requirements 300.344(b), 300.347</td> </tr> </table>	State Regulations Ch.71B, Sections 12A-C	Federal Requirements 300.344(b), 300.347
State Regulations Ch.71B, Sections 12A-C	Federal Requirements 300.344(b), 300.347		
	Rating: Implemented District Response Required: No		

CRITERION NUMBER			
	Legal Standard		
SE 7	<p>Transfer of parental rights at age of majority and student participation and consent at the age of majority</p> <ol style="list-style-type: none"> 1. One year prior to the student reaching age eighteen, the district informs the student of his or her right at age 18 to make all decisions in relation to special education programs and services. 2. Upon reaching the age of eighteen, the school district implements procedures to obtain consent from the student to continue the student’s special education program. 3. The district continues to send the parent written notices and information but will no longer have decision-making authority, except as provided below. <ol style="list-style-type: none"> (a) 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 (b) 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 (c) 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. <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%; border: none;">State Regulations 28.08(7), Ch. 231, Sec. 3A</td> <td style="width: 50%; border: none;">Federal Requirements 300.347(c), 300.517</td> </tr> </table>	State Regulations 28.08(7), Ch. 231, Sec. 3A	Federal Requirements 300.347(c), 300.517
State Regulations 28.08(7), Ch. 231, Sec. 3A	Federal Requirements 300.347(c), 300.517		

CRITERION NUMBER	
	Legal Standard
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

The district serves students K-8.

CRITERION NUMBER	
	Legal Standard
SE 8	<p>Evaluation Team composition The following persons are members of the evaluation Team:</p> <ol style="list-style-type: none"> 1. The child'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. 3. A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson) 4. A teacher who has recently had or currently has the student in a classroom or other teaching situation. If the student is involved or may be involved in a regular education program, a regular education teacher must be included as a Team member. 5. The student, age fourteen and older, if he/she chooses 6. Other individuals at the request of the student's parents 7. At least one teacher or specialist trained in the area of the student's suspected special needs 8. Individuals who are qualified to interpret the instructional implications of evaluation results 9. Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education 10. When one purpose of the Team meeting is to discuss transition services, the student age sixteen, or younger, is a part of Team process. If the student does not attend the Team meeting, the school district ensures that the Team is informed of the student's interests and preferences. 11. When one purpose of the Team meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the Team meeting. If the representative(s) does not attend the meeting, the school district takes other steps to obtain the participation of these agencies. <p style="text-align: center;">State Regulations Federal Requirements 28.02(21) 300.344; 300.552</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Interviews indicated that a person who is a representative of the district and has the authority to commit the resources of the district is not always present at Team meetings. In addition, the chairperson is not always knowledgeable regarding the IEP process and the availability of the district's resources, which results in an inconsistent implementation of regulations and in misinformation being communicated to parents.

CRITERION NUMBER	
	Legal Standard
SE 9	<p>Eligibility determination: Timelines for evaluation, provision of IEP and/or identification of other needed instructional programs</p> <ol style="list-style-type: none"> 1. Within forty-five school working days after receipt of the parent's written consent to an initial evaluation, unscheduled evaluation, or re-evaluation, the school district: <ol style="list-style-type: none"> a. provides an evaluation b. convenes a Team meeting c. determines whether the student has one or more disabilities d. determines if the student is making effective progress in school e. determines if any lack of progress is a result of the student's disability f. determines if the student requires special education and/or related services and/or accommodations in order to make effective progress or that the student requires related services in order to access the general curriculum g. develops an IEP where the student is found to need special education h. provides the parent with the proposed IEP, or a written explanation of the finding of no eligibility i. determines that a student is ineligible to receive special education and/or the student's lack of progress is due to a lack of instruction in reading or math or limited English proficiency or social maladjustment, the student is referred to a more appropriate instructional program or support service j. determines at the time of re-evaluation if the student would continue to make progress in school without the provision of special education services. 2. If a Team determines that a student is not eligible for special education but may be eligible for accommodation(s) for disability(ies) under Section 504, the student is referred for consideration by the district for eligibility under that regular education program. 3. Where a Team finds students eligible for special education only in need of "monitoring services", such students are found no longer eligible for special education and are provided with appropriate supports through the district's regular education program.

CRITERION NUMBER			
	Legal Standard		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations OSS 420, FY '01 Budget</td> <td style="width: 50%;">Federal Requirements 300.534</td> </tr> </table>	State Regulations OSS 420, FY '01 Budget	Federal Requirements 300.534
State Regulations OSS 420, FY '01 Budget	Federal Requirements 300.534		
	Rating: Partially Implemented District Response Required: Yes		

Department of Education Findings:

Based upon review of student records, the onsite team found that the district is inconsistent in its adherence to the timelines for evaluations and re-evaluations and subsequent Team meetings and consistently exceeds the timeline for the provision of the IEP to parents. Interviews indicated that the district does not have operational computer capability to allow special education personnel and the special education administration access to the IEP documentation needed to provide the IEPs to the parents within the mandated timeline. There was inconsistent documentation of the parent's written consent to evaluate. Interviews indicated that all staff do not have sufficient working knowledge of Section 504 to make a referral for a student with a disability who is eligible for accommodations.

CRITERION NUMBER			
	Legal Standard		
SE 10	<p>End of school year evaluations If consent is received at least 30 days before the end of the school year, the Team is scheduled no later than 14 days after the end of the school year to allow for the provision of a proposed IEP or finding of no special needs prior to the beginning of the next school year.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.05(1)</td> <td style="width: 50%;">Federal Requirements 300.342</td> </tr> </table>	State Regulations 28.05(1)	Federal Requirements 300.342
State Regulations 28.05(1)	Federal Requirements 300.342		
	Rating: Implemented District Response Required: No		

CRITERION NUMBER	
	Legal Standard
SE 11	<p>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:</p> <ol style="list-style-type: none"> 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 child are justified when an

CRITERION NUMBER	
	Legal Standard
	<p>individual assessment rate is higher than that normally allowed.</p> <ol style="list-style-type: none"> 2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. 3. The district extends the right to a publicly funded independent educational evaluation for sixteen (16) months from the date of the evaluation with which the parent disagrees. 4. If the parent is requesting an evaluation in an area not assessed by the school district, or if the student does not meet the income eligibility standards for free or reduced cost independent educational evaluation, then the school district responds in accordance with the requirements of federal law. The district either agrees to pay for the independent educational evaluation or, without undue delay, proceeds to Special Education Appeals to show that its evaluation was comprehensive and appropriate. Where the Department's Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, the school district does not pay for the independent educational evaluation requested by the parent. 5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator's report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools. 6. Within ten (10) school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate. <p>State Regulations 28.04(5)</p> <p>Federal Requirements 300.503(a)(3)(i)</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 12	<p>Frequency of re-evaluation Every three years, or sooner if necessary, the school district, with parental consent,</p>

CRITERION NUMBER			
	Legal Standard		
	conducts a full three-year re-evaluation consistent with the requirements of federal law.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.04(3)</td> <td style="width: 50%;">Federal Requirements 300.536</td> </tr> </table>	State Regulations 28.04(3)	Federal Requirements 300.536
State Regulations 28.04(3)	Federal Requirements 300.536		
	Rating: Partially Implemented District Response Required: Yes		

Department of Education Findings:

The district does not always provide the re-evaluation within three years and within 45 days after receipt of the parent’s consent.

CRITERION NUMBER			
	Legal Standard		
SE 13	<p>Progress Reports and content</p> <ol style="list-style-type: none"> 1. Parents receive reports on the student's progress toward 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 toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.07(3)</td> <td style="width: 50%;">Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347</td> </tr> </table>	State Regulations 28.07(3)	Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347
State Regulations 28.07(3)	Federal Requirements 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)(viii) 300.347		
	Rating: Partially Implemented District Response Required: Yes		

Department of Education Findings:

There was inconsistent documentation of progress reports in the student records. Review of progress reports showed that they do not adequately address the student’s progress toward individual goals and objectives and that they are not always given to parents according to the report card cycle.

CRITERION NUMBER	
	Legal Standard
SE 14	Annual review Team meeting At least annually, on or before the anniversary date of the implementation of the IEP, a Team meeting (including the major service providers and the parent) 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. State Regulations 28.04(3) Federal Requirements 300.343(c)
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TITLE 1 I. ASSESSMENT OF STUDENT PROGRESS
	Legal Standard
TI 1	MCAS testing has been used to measure the proficiency of students in the academic subjects which Massachusetts has adopted which includes challenging content and student performance standards. 1111(b)(3)(D)
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 2	In a Schoolwide Program all students are assessed in the selected grades during grade spans 3-5, 6-9, 10-12. 1114 (c)(1)(B)(I) ESEA,IASA
	Rating: Not Applicable District Response Required: No

Department of Education Findings:
Concord Public Schools does not have a school-wide program.

CRITERION NUMBER	
	Legal Standard
TI 3	In Targeted Assistance Schools (schools with less than 50% poverty) either: 1. all Title I identified students who are being served, or 2. all students

CRITERION NUMBER	
	Legal Standard
	are assessed in at least one grade of each of the spans (3-5, 6-9, and 10-12.) 1115 (c)(1)(A) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 4	MCAS and other local assessment results are analyzed in FY'99 in at least mathematics and reading/language arts and are used to determine program needs of students most at risk. 1111 (b)(3) ESEA,IASA
	Rating: Implemented District Response Required: No

COMPONENT II: STUDENT IDENTIFICATION AND PLACEMENT

The criteria in this component examine whether the district has followed procedures for student identification and placement into the program according to the criteria in regulations for the program areas listed below:

- Special Education (Report Issues # SE 15-23)
- Civil Rights Methods of Administration (MOA)
(Report Issues # MOA 4, 5, 10-13)
 - Title I (Report Issues # TI 5-9)

CRITERION NUMBER	SPECIAL EDUCATION II. STUDENT IDENTIFICATION AND PLACEMENT	
	Legal Standard	
SE 15	<p>Outreach by the School District (Child 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:</p> <ol style="list-style-type: none"> 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. other public/private/parochial schools 9. other agencies/organizations 10. the school itself (particularly within charter schools) 11. agencies serving migrant and/or homeless persons 	
	State Regulations	Federal Requirements 300.125; 300.312
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings: *Interviews indicated that the district needs to implement a more systematic outreach to the community to identify children in need of special education.*

CRITERION NUMBER	Legal Standard	
SE 16	<p>Screening</p> <ol style="list-style-type: none"> 1. The school district conducts screening for three and four year olds and for all children who are of age to enter kindergarten. Such screening is designed to review a child’s development and to assist in identification of those children who should be referred for an evaluation to determine eligibility for special education services. 2. Participation in the screening program for three and four year olds is optional on the part of the parents. 3. Provision is made for ongoing and periodic screening of all students as required by the Department of Public Health (vision, hearing, posture). 	
	State Regulations 28.03(1)(d) Chapter 71, section 57	Federal Requirements

CRITERION NUMBER	
	Legal Standard
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district conducts preschool and kindergarten screenings. However, there is not a formalized process in place to: (1) assess children adequately to ensure the early identification of those in need of special education; (2) provide the results of the screening to the parent; (3) follow up when concerns regarding a child’s development or performance are noted. In addition, the district has a practice of determining special education services and making program recommendations based upon the results of the preschool screening rather than initiating a referral for a special education evaluation. Interviews indicated that three- and four-year-old children who are in need of special education services have not been referred due to the lack of programs available within the district at the preschool level.

CRITERION NUMBER	
	Legal Standard
SE 17	<p>Initiation of services at age three and Early Intervention transition procedures</p> <ol style="list-style-type: none"> 1. The school district encourages referrals from the Department of Public Health, other agencies, and individuals for young children when or before the child 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 child'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. <p>State Regulations 28.06(7)(b)</p> <p style="text-align: right;">Federal Requirements 300.24(b)(3); 300.121(c); 300.132; 300.342(c)</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Refer to the finding under SE 16 above.

CRITERION NUMBER				
	Legal Standard			
SE 18	<p>IEP development and content; determination of placement; provision of IEP to parent</p> <ol style="list-style-type: none"> 1. Upon determining that the student is eligible for special education, the Team, including the parent(s), develops an IEP using the evaluation data to guide development of measurable, annual goals and objectives/benchmarks for the student. If the district chooses to draft any element(s) of the IEP for discussion, the Team Chairperson ensures that those elements are genuinely considered prior to adoption at the Team meeting. All ideas and needs of the child as expressed by all Team members, especially the parents, are genuinely considered by the district prior to proposing the IEP. 2. The IEP includes specially designed instruction to meet the needs of the individual student and related services as necessary to allow the student to benefit from the specially designed instruction or to access the general curriculum, consistent with federal and state requirements. 3. In developing the IEP, the Team proposes specially designed instruction and related services according to the needs of the child and not according the availability of such instruction or related services. 4. The IEP is completed addressing all elements of the standard IEP format provided by the Department of Education. 5. If the Team members are unable to agree on the IEP, the Team chairperson states the elements of the IEP proposed by the school district. 6. The school district ensures that each IEP Team has at least one person with authority to commit the resources of the district and that whatever services are set out in the IEP will actually be provided and that the IEP will not be changed at a higher administrative level within the district. 7. After the IEP has been fully developed, <u>the Team, including the parent, determines the appropriate type of placement</u> to deliver the services on the student's IEP. 8. The <u>school district determines the specific classroom or school, giving careful consideration to the Team's recommendation(s), if any,</u> at which services will be provided to implement the placement decision of the Team. 9. The IEP is written in generally understandable language. 10. Immediately following the development of the IEP, the district provides the parent with a copy of the proposed IEP along with the required notice without undue delay. <table border="0" data-bbox="391 1570 1412 1703"> <tr> <td data-bbox="391 1570 909 1703"> <p>State Regulations 28.05(3), (4), (6) and (7)</p> </td> <td data-bbox="909 1570 1412 1703"> <p>Federal Requirements 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p> </td> </tr> </table>		<p>State Regulations 28.05(3), (4), (6) and (7)</p>	<p>Federal Requirements 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>
<p>State Regulations 28.05(3), (4), (6) and (7)</p>	<p>Federal Requirements 300.340-300.350; 300.343(a) 34 CFR Part 300, Appendix A, Question #22.</p>			
	Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Interviews indicated that the district has a practice of determining the placement before developing the IEP services. The district then designs the service profile to fit into the program and the placement

rather than following the mandated procedure: first to develop the services, goals, and objectives, and then to determine a placement that will fit the student’s service needs. In addition, as stated under SE 8 and SE 9, a representative of the district who has the authority to commit its resources is not always present at Team meetings, and parents are not being provided with the proposed IEP within the mandated timeline.

CRITERION NUMBER	
	Legal Standard
SE 19	<p>Extended evaluation If the Team finds a student eligible for special education and finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents’ consent, agrees to an extended evaluation period.</p> <ol style="list-style-type: none"> 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 eligibility and 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 be used to allow additional time to complete the required assessments and does not deny programs and services to the student. 3. If the parent consents to an extended evaluation, the Team documents their findings and determines what evaluation time period is necessary and the types of information needed to determine eligibility and/or develop an IEP, if appropriate. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to make their eligibility determination and/or develop an IEP when the evaluation is complete. 4. The extended evaluation may extend longer than one week, but does not exceed eight school weeks. 5. The extended evaluation is not considered a placement. <p>State Regulations 28.05(2)(b)</p> <p style="text-align: right;">Federal Requirements</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 20	<p>Least restrictive program selected</p> <ol style="list-style-type: none"> 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.

CRITERION NUMBER		
	Legal Standard	
	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 child from the general education classroom solely because of needed modification in the curriculum.	
	State Regulations 28.06(2)(a)	Federal Requirements 300.130; 300.550-300.556
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

The documentation addresses the district's commitment to educating students within the least restrictive environment. The middle school personnel reported that the house system promotes a high level of inclusion and daily communication regarding student progress and needs. However, interviews indicated that accommodations and modifications on students' IEPs are not always implemented when needed in the general education classroom. There is an accepted practice, especially at the elementary level, of referring a student for a special education evaluation rather than searching for alternative strategies to accommodate the student's needs and modify the curriculum within the general education classroom.

CRITERION NUMBER		
	Legal Standard	
SE 21	School day and school year requirements 1. The school district ensures that every eligible elementary level student is scheduled to receive a minimum of 900 hours per school year of structured learning time and every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time unless otherwise provided for below. 2. 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, or year, and/or residential services and indicates on the IEP why the shorter or longer program is necessary. 3. The daily duration of the child'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 child. 4. Specialized transportation schedules do not impede a student's access to a full school day and program of instruction. 5. 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	

CRITERION NUMBER					
	Legal Standard				
	<p>substantial difficulty in relearning such skills if an extended program is not provided.</p> <p>6. 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 reflects the comprehensive nature of the educational program required.</p> <p>7. 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.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.05(4) Chapter 69, section 1G</td> <td>300.309(b)</td> </tr> </table>	State Regulations	Federal Requirements	28.05(4) Chapter 69, section 1G	300.309(b)
State Regulations	Federal Requirements				
28.05(4) Chapter 69, section 1G	300.309(b)				
	Rating: Implemented District Response Required: No				

CRITERION NUMBER					
	Legal Standard				
SE 22	<p>IEP implementation and availability</p> <ol style="list-style-type: none"> 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. 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. 				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.05(7)(b); 28.06(2)(b)(2)</td> <td>300.342</td> </tr> </table>	State Regulations	Federal Requirements	28.05(7)(b); 28.06(2)(b)(2)	300.342
State Regulations	Federal Requirements				
28.05(7)(b); 28.06(2)(b)(2)	300.342				
	Rating: Partially Implemented District Response Required: Yes				

Department of Education Findings:

Interviews and parent surveys indicated that parents are not always notified when there has been a delay in the provision of IEP services.

CRITERION NUMBER	
	Legal Standard
SE 23	<p>Confidentiality of personally identifiable information The district protects the confidentiality of any personally identifiable information that is collected, used or maintained in accordance with federal and state law.</p> <p>State Regulations 603 CMR 23.00 (Student Records Regulations)</p> <p>Federal Requirements 300.560-576; Family Educational Rights and Privacy Act (FERPA)</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

Interviews indicated that staff have not been fully apprised of federal and state requirements regarding the protection of student confidentiality. In addition, as referred to under SE 55 in Component VII below, space constraints within the school buildings have compromised the ability of the service providers in areas such as psychological services and counseling to protect student confidentiality fully.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
MOA 4	<p>Identification of limited English proficient students The district uses qualified staff and appropriate procedures and assessments to annually classify and evaluate students who are limited English proficient and who need special language assistance. Title VI; MGL, Ch.76, Section 5</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The district did not provide documentation to demonstrate standardized procedures and assessments implemented system-wide to identify and evaluate limited English proficient students upon entry into the system. Interviews, also, did not indicate that a formal process is in place to fulfill the requirements of this criteria.

CRITERION NUMBER	
	Legal Standard
MOA 5	Placement and program modification for limited English proficient students For students requiring special language assistance, the district makes necessary program modifications to effectively serve limited English proficient students. Title VI; MGL, Ch.76, Section 5
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district does use ESL tutors, but it does not have a standardized process to ensure that students are appropriately evaluated upon entry into the system so that the necessary services and program modifications can be determined. Also, the district has no procedures to provide appropriate standardized assessments to track a student's progress over time.

CRITERION NUMBER	
	Legal Standard
MOA 10	Access to a full range of education programs All students in grades 7-12, including linguistic and/or racial and ethnic minorities, males/females and students with disabilities, have access to the general education program and the full range of any occupational/vocational education programs offered by the district. Title II, Title VI, Title IX, S. 504, MGL, Ch.76, Section 5
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 11	Placement of linguistic, racial minority and female/male students Placement patterns for disabled students, linguistic and/or racial minority students and for females/males are consistent with placement patterns for majority students in district ability groupings and tracking; enrollment in honors courses such as math and science are inclusive of females and representatives from diverse ethnic and cultural groups. Title VI; Title IX; S. 504; MGL, Ch.76, Section 5
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

A disproportionate number of METCO students are receiving special education services at the middle school level, and are being referred for special education evaluations at the elementary level.

CRITERION NUMBER	
	Legal Standard
MOA 12	<p>Placement of disabled students in occupational/vocational education programs When occupational/ vocational placement needs of disabled students are being considered:</p> <p>a. persons knowledgeable about a student’s disabilities are present at 504 or special education TEAM meetings and participate in ongoing communication regarding a student’s progress</p> <p>b. an array of occupational/vocational education programs and services are available to facilitate necessary program modifications and to meet the identified needs of students</p> <p>Title II, S. 504</p>
	Rating: Not Applicable District Response Required: No

Department of Education Findings:

The district serves students K-8.

CRITERION NUMBER	
	Legal Standard
MOA 13	<p>Availability of in-school programs for pregnant students Pregnant students are permitted to remain in regular education classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave. Title IX</p>
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

The district does not have written policy or procedures to address this criterion.

CRITERION NUMBER	TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
TI 5	<p>Targeted Assistance Schools: a description is available of the multiple criteria used to identify eligible students in grade 3 and above who are failing or most at-risk of failing to meet the high quality student performance and assessment standards required of all students. 200.63 (c)(3)(I) (Federal Register) CFR.</p>

CRITERION NUMBER	TITLE 1 II. STUDENT IDENTIFICATION AND PLACEMENT
	Legal Standard
	200.28 (Federal Register) CFR; 1115 (b)(1)(B) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 6	Targeted Assistance Schools: identification of students is conducted in consultation with parents, administrators, and pupil services personnel. 1115 ESEA,IASA; 1112 (b)(6) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 7	There is evidence that equal opportunity is being provided for participation of limited-English proficient and/or special populations. 200.63 (c)(3)(ii) (Federal Register) CFR
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 8	Targeted Assistance Schools: preschool through grade 2 students are selected based on teacher judgment, parental interviews and developmentally appropriate measures. 1115 (b)(B) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 9	<p>There is evidence that equal opportunity is being provided for participation of students with special education needs.</p> <p>200.63 (c)(3)(ii) (Federal Register) CFR</p>
	<p>Rating: Implemented District Response Required: No</p>

COMPONENT III: PARENTAL INVOLVEMENT

The criteria in this component examine whether the district has ensured that parents are notified, in the appropriate language, and are involved in decisions regarding their children's programs and services for the program areas listed below:

- Special Education (Report Issues # SE 24-32)
- Civil Rights Methods of Administration (MOA) (Report Issue # MOA 3)
 - Title I (Report Issues # TI 10-11B)
- Safe and Drug Free Schools (Report Issues # SDF 1-3)

CRITERION NUMBER	SPECIAL EDUCATION III. PARENTAL INVOLVEMENT
	Legal Standard
SE 24	<p>Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE</p> <ol style="list-style-type: none"> 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 child's parent(s) within 5 school days of receipt of the referral. 3. Notice is given by the district within a reasonable time for all other actions. 4. School districts shall provide 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. <p>State Regulations 28.04(1)</p> <p style="text-align: right;">Federal Requirements 300.503(a)</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	Legal Standard
SE 25	<p>Parental consent</p> <p>In accordance with state and federal law, the school district obtains informed parental consent as follows:</p> <ol style="list-style-type: none"> 1. The school district obtains consent before conducting an evaluation to determine eligibility for special education or before conducting a re-evaluation as required every three years or earlier if necessary. 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. 4. The school district obtains consent prior to placing a student in an initial special education placement and for any subsequent placement. 5. A parent is informed that consent may be revoked at any time. 6. If the school district is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the child's initial placement in special education, or the parent revokes consent to such reevaluation or placement, the district considers with the parent whether such action will result in the denial of a free appropriate public education to the child, and if so, the school district seeks resolution through the Bureau of Special Education Appeals. 7. The attempts of the district to secure the consent of the parent are documented through letters, written notices sent by certified mail, telephone calls and home

CRITERION NUMBER			
	Legal Standard		
	visits at such time as the parent is likely to be home.		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.07(1)</td> <td style="width: 50%;">Federal Requirements 300.500(b)(1)</td> </tr> </table>	State Regulations 28.07(1)	Federal Requirements 300.500(b)(1)
State Regulations 28.07(1)	Federal Requirements 300.500(b)(1)		
	Rating: Partially Implemented District Response Required: Yes		

Department of Education Findings:

The district has a practice at the elementary level of initiating special education services, placing a student in a special education program or changing IEP services before obtaining written parental consent. There was inconsistent documentation in the student records of written parental consent for the provision of services and placement and for initial evaluations and re-evaluations.

CRITERION NUMBER			
	Legal Standard		
SE 26	<p>Parent participation in meetings</p> <ol style="list-style-type: none"> 1. The district ensures that one or both parents of a child are members of any group that makes decisions on the educational placement of their child. 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. 4. If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing. 5. 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. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.02(21)</td> <td style="width: 50%;">Federal Requirements 300.345(d), 300.501</td> </tr> </table>	State Regulations 28.02(21)	Federal Requirements 300.345(d), 300.501
State Regulations 28.02(21)	Federal Requirements 300.345(d), 300.501		
	Rating: Partially Implemented District Response Required: Yes		

Department of Education Findings:

Based upon interviews and the review of student records, it appears that the district is committed to ensuring that parents and students are full participants in the Team process: this was evident in the high level of parent participation in Team meetings. There was, however, inconsistent documentation of Team meeting notices in the student records.

CRITERION NUMBER	
	Legal Standard
SE 27	<p>Content of Team meeting notice to parents</p> <ol style="list-style-type: none"> The parent notice of an evaluation required by 603 CMR 28.04(1)(a) meets all of the content requirements set forth in MGL c.71B, §3, and in federal law and seeks the consent of the parent for any 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. The parent notice of any Team meeting states the purpose, time and location of the meeting as well as who will be in attendance. <p>State Regulations 28.04(b)</p> <p style="text-align: right;">Federal Requirements 300.503-504</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 28	<p>Parent provided the IEP or notice of no eligibility together with notification of procedural safeguards and parents' rights</p> <p>Immediately following the development of the IEP and without undue delay, the district provides the parents with a copy of the proposed IEP or a written explanation of the finding of no eligibility for special education together with the required notice of procedural safeguards and parents’ rights.</p> <p>State Regulations 28.05(7)</p> <p style="text-align: right;">Federal Requirements 300.345(f)</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 29	<p>Communications are in English and primary language of home</p> <ol style="list-style-type: none"> Communications with parents 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

CRITERION NUMBER					
	Legal Standard				
	<p>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 that all such communications are documented.</p> <p>2. If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (1) that it has provided such notice in an alternate manner, (2) that the content of the notice and (3) the steps taken to ensure that the parent understands the content of the notice.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td></td> <td>300.345(e)</td> </tr> </table>	State Regulations	Federal Requirements		300.345(e)
State Regulations	Federal Requirements				
	300.345(e)				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Rating: Not Implemented</td> <td style="width: 50%;">District Response Required: Yes</td> </tr> </table>	Rating: Not Implemented	District Response Required: Yes		
Rating: Not Implemented	District Response Required: Yes				

Department of Education Findings:

No documentation was presented of written policy and procedures or of efforts the district has made to provide communications to parents in the native language of the home or in an appropriate alternative mode.

CRITERION NUMBER					
	Legal Standard				
SE 30	<p>Elements of notice of parents' rights The district's notice of parental rights contains all required elements included in the Massachusetts Parent's Rights Brochure, September 2000.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>MGL c. 71B, Sec. 3</td> <td>300.503-504</td> </tr> </table>	State Regulations	Federal Requirements	MGL c. 71B, Sec. 3	300.503-504
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Rating: Implemented	District Response Required: No				

CRITERION NUMBER	
	Legal Standard
SE 31	<p>State and district responsibility for educational surrogate parents When a student is without parental representation and requires an educational surrogate parent to be appointed in accordance with federal law and regulations, upon request of the Department, the district responsible for services to the student assists in identifying a person willing to serve as an educational surrogate parent.</p>

CRITERION NUMBER			
	Legal Standard		
	<ol style="list-style-type: none"> 1. Upon assignment by the Department, such educational surrogate parent has all the rights and responsibilities of a parent in making decisions regarding eligibility and services for special education for the assigned student. The Department provides notice of appointment to the school district and any state agency with custody of the student. 2. A person identified by the district and willing to serve as an educational surrogate parent has no conflict of interest and is not in the employ of the school district or any state or local agencies involved with the care of the student . 3. A person identified by the district, appointed by the Department, and serving as an educational surrogate parent does not receive financial remuneration from the district except that the school district reimburses the person for reasonable expenses related to the exercise of his or her responsibilities as an educational surrogate parent for a student enrolled in the district. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.07(7)</td> <td style="width: 50%;">Federal Requirements 300.515</td> </tr> </table>	State Regulations 28.07(7)	Federal Requirements 300.515
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Rating: Implemented	District Response Required: No		

CRITERION NUMBER			
	Legal Standard		
SE 32	<p>Parent advisory council for special education</p> <ol style="list-style-type: none"> 1. The school committee has established a parent advisory council on special education. 2. Membership on the council is offered to all parents of children with disabilities and other interested parties. 3. The parent advisory council duties include but are not limited to: advising the school committee on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school committee’s special education programs. 4. The parent advisory council has established by-laws regarding officers and operational procedures. 5. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. 6. 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 and makes written materials explaining such rights available upon request. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> </table>	State Regulations	Federal Requirements
State Regulations	Federal Requirements		

CRITERION NUMBER	
	Legal Standard
	Chapter 71B, sec. 1C; FY '01 State Budget, Outside Section 168 28.07(4)
	Rating: Commendable District Response Required: No

Department of Education Findings:

The parent advisory committee(PAC) has established an effective working relationship with the school administration and the school committee and has been represented on two screening committees. The PAC has provided a resource for parents in the community for information, workshops and guidance regarding special education. The PAC is very involved in providing input to the district regarding the planning, development and evaluation of special education services and programs and meets regularly with the superintendent.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION III. PARENTAL INVOLVEMENT
	Legal Standard
MOA 3	General information and materials in languages other than English When persons with limited English language skills reside in the community, the following are published in language(s) other than English and disseminated to all relevant recipients: general announcements, counseling materials, notices of extracurricular activities, and information regarding school recruitment and promotional activities. Title VI; MGL, Ch.76, Section 5
	Rating: Not Implemented District Response Required: Yes

Department of Education Findings:

No written policy or other documentation addressing this criterion was presented.

CRITERION NUMBER	TITLE 1 III. PARENTAL INVOLVEMENT
	Legal Standard
TI 10	The program demonstrates evidence of having met the following Title I requirements: <ul style="list-style-type: none"> • plans/policies are developed to ensure parents are involved in program planning, implementation and review; • goals, objectives and time lines have been established for parent training sessions which reflect the need of parents to be trained in methods of program

CRITERION NUMBER	TITLE 1 III. PARENTAL INVOLVEMENT	
	Legal Standard	
	planning and building capacity for the effective involvement of parents; • parents are involved in School-Parent Compacts and annual assessment of the effectiveness of parent involvement; and • holding an annual Title I informational meeting for parents. 1118 (a)(2) ESEA, IASA	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

The Willard School needs to provide for increased parent participation in Title I program evaluation.

CRITERION NUMBER		
	Legal Standard	
TI 11	All policies and procedures regarding parental involvement are in writing and available and/or distributed to Title I parents in a language and form that is understandable. 1118 (a)(2) ESEA, IASA	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
TI 11A	The district provides materials and training to Title I parents to enable them to improve their children's achievement. 1113(e)(2)(A)(B) ESEA, IASA	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
TI 11B	Parents of Title I students have equal opportunity to be represented on local School Councils. Education Reform Act of 1993	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	
	Legal Standard
CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS III. PARENTAL INVOLVEMENT
	Legal Standard
SDF 1	The local education agency coordinates such agency's programs and projects with community-wide efforts to achieve such agency's goals for drug and violence prevention. [Title IV Sec. 4115 (b) (2) (D)]
	Rating: Implemented District Response Required: No

Department of Education Findings:

1. *Several community agency representatives do participate in meetings regarding the prevalence of drug and violence problems among youth in the community.*
2. *Community agency representatives are aware of the goals of the local Safe and Drug-Free Schools and Communities Act program.*
3. *There is evidence of effective collaboration with community agencies.*

CRITERION NUMBER	
	Legal Standard
SDF 2	The local education agency coordinates such agency's programs and projects with other federal, state, and local programs for drug-abuse and violence prevention, including health programs. [Title IV Sec. 4115 (b) (2) (E)]
	Rating: Implemented District Response Required: No

Department of Education Findings:

The local programs and projects are coordinated with appropriate programs, including the Health Protection Fund program.

CRITERION NUMBER	
	Legal Standard
SDF 2A	The Safe and Drug Free Schools Advisory Council is representative of community agencies. The Council includes parents, students and representatives from the schools and prevention community.

CRITERION NUMBER	
	Legal Standard
	Advisory Council activities are directed toward developing appropriate drug abuse and violence awareness and prevention programs. [Title IV Sec. 4115 (b) (2) (E)]
	Rating: Commendable District Response Required: No

Department of Education Findings:

The advisory council has representatives from the each of the following segments of the community:

- *local government,*
- *business,*
- *parents,*
- *students,*
- *school staff,*
- *appropriate state agencies,*
- *private schools,*
- *law enforcement,*
- *the medical profession, and*
- *other groups with interest or expertise in drug and violence prevention.*

CRITERION NUMBER	
	Legal Standard
SDF 2B	There is evidence of an ongoing role for the Advisory Council in program planning and implementation through a comprehensive set of activities.
	Rating: Implemented District Response Required: No

Department of Education Findings:

Some advisory council activities include the following:

- *Establishing measurable goals and objectives for local programs;*
- *Designing program strategies and activities to meet established goals and objectives;*
- *Gathering or analyzing data to identify drug and violence problems among local youth;*
- *Reviewing evaluation data to advise the district on program improvement or modification.*

CRITERION NUMBER	
	Legal Standard
SDF 3	There are program activities implemented to promote the involvement of parents. [Title IV Sec. 4116 (a)(1)]
	Rating: Commendable District Response Required: No

Department of Education Findings:

- *There is substantial evidence that the district promotes parent involvement through publications, parent meetings, and parent representation on the advisory council.*
- *Parents participate in meetings regarding the prevalence of drug use and violence problems among youth in the community.*
- *Parents are aware of the goals of the local Safe and Drug-Free Schools and Communities Act program.*
- *Parents are provided with regular progress reports regarding program outcomes and accomplishments.*

COMPONENT IV: CURRICULUM AND INSTRUCTION

The criteria in this component examine whether the district holds all students to high expectations and standards and ensures that the program areas reviewed are designed to maximize student performance within regular education and are implemented according to specific regulatory requirements with respect to learning time, class size, staffing ratio, and age spans. The criteria also examine if the district has provided for coordination across the following program areas:

- Special Education (Report Issues # SE 33-42)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 15-16)
 - Title I (Report Issues # TI 12-14A)
- Safe and Drug Free Schools (Report Issue # SDF 4)

CRITERION NUMBER		
	Legal Standard	
SE 33	<p>Involvement in the general curriculum</p> <ol style="list-style-type: none"> 1. The district has aligned its general curriculum with the Massachusetts Curriculum Frameworks and at least one member of all IEP Teams is familiar with the Curriculum Frameworks such that the Team is able to discuss an eligible student's appropriate access to the general curriculum. 2. The district ensures that all students with disabilities have access to the general curriculum that is available to all other students and receive instruction in the content areas of this curriculum. 3. In the IEP the district documents the student's participation in the general curriculum. <p>State Regulations 28.01(17)</p> <p>Federal Requirements 300.347(a)(1)(i); 300.137</p>	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
SE 34	<p>Continuum of alternative services and placements</p> <p>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.</p> <p>State Regulations</p> <p>Federal Requirements 300.551;300.305; 300.123</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

The district has made some proactive efforts to reduce the gaps in the continuum of services; these efforts include the formation of the language-based program at the Alcott School and the initiation of the co-teaching model to foster increased collaboration between the regular and special education staff. Interviews indicated that the C.A.S.E. Collaborative programs are a valued asset to the district's continuum of services and that the district has established a close working relationship with the staff and administration of the C.A.S.E. Collaborative to promote ongoing communication and collaboration.

However, there are major concerns about the lack of options within regular and special education to meet the needs of all students with disabilities. Interviews indicated that the areas of need are: (1) differentiated instruction, approaches and programs within the general curriculum in reading, math

and writing to ensure access for all students; (2) in-district preschool programs; (3) services for students with learning disabilities who are currently not being fully served within the general curriculum; (4) services and programs to address students' behavioral needs; (5) additional services and programs for students within the autistic spectrum; (6) early identification of K-2 students who are not effectively progressing within the general curriculum and may be in need of special education services..

CRITERION NUMBER	
	Legal Standard
SE 35	<p>Specialized materials and assistive technology</p> <ol style="list-style-type: none"> 1. Specialized materials and equipment specified in IEPs are provided, are of good quality and are suitable for the role they play in the IEP. 2. The school district provides evidence that assistive technology is considered for each eligible student and, if necessary, described in the IEP and provided by the district. <p>State Regulations Federal Requirements 34 CFR 300.308, 34 CFR 300.346</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 36	<p>IEP implementation, accountability and financial responsibility</p> <ol style="list-style-type: none"> 1. The district ensures that IEPs are implemented without delay upon parent consent. 2. The district oversees in an ongoing manner the full implementation of each in-district and each out-of-district IEP it proposes which has been consented to by a child's parents. 3. The district makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP. 4. The district provides all programs and services without expense to the child's parents. 5. Each time the school district proposes to access the parent's private insurance proceeds to support the costs of IEP implementation, the school district obtains the parent's consent and informs the parents that their refusal to permit the school district to access their private insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents. <p>State Regulations Federal Requirements 28.06(3) 300.142; 300.350</p>

CRITERION NUMBER	
	Legal Standard
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:
Refer to the finding under SE 22 in Component II above.

CRITERION NUMBER	
	Legal Standard
SE 37	<p>Procedures for approved and unapproved out-of-district placements</p> <ol style="list-style-type: none"> 1. <u>Individual student program oversight</u>: The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students' files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Education, or to the out-of-district placement. 2. <u>Student right to full procedural protections</u>: 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 placement. 3. <u>Preference to approved programs</u>: 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. When an approved program is available to provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department. 4. <u>Written contracts</u>: The school district enters into written contracts with all public and private out-of-district placements. Such contracts meet the content requirements of 28.06(3)(f)(1-5). 5. <u>Use of unapproved programs</u>: A school district that places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student's IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation. 6. <u>Placement documentation</u>: The following documentation is maintained by the school district pursuant to its placement of children in unapproved out-of-district programs:

CRITERION NUMBER	
	Legal Standard
	<p>a. <u>Search</u>: 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.</p> <p>b. <u>Evaluation of facility</u>: 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 additionally 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.</p> <p>c. <u>School district approval to operate a private school in Massachusetts</u>: 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 local school committee under MGL c.76, §1 and a copy of such approval is retained in the student record.</p> <p>d. <u>Pricing</u>: 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.</p> <p>e. <u>Notification of the Department of Education</u>: Prior to placement, if the Administrator 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. In addition, the Administrator forwards the notice of proposed placement and completed pricing forms to the Department along with the information on the proposed terms of the contract that will govern such placement. The district maintains 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.</p> <p>f. <u>Out of state programs</u>: If out-of-district programs are provided in a</p>

CRITERION NUMBER			
	Legal Standard		
	<p>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.</p>		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations 28.02(13), 28.06(3)</td> <td style="width: 50%; border: none;">Federal Requirements 300.2(c)</td> </tr> </table>	State Regulations 28.02(13), 28.06(3)	Federal Requirements 300.2(c)
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Rating: Implemented	District Response Required: No		

CRITERION NUMBER			
	Legal Standard		
SE 38	<p>Educational services in institutional settings (ESIS) <u>Department of Education responsibility:</u> 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. <u>School district responsibility:</u></p> <ol style="list-style-type: none"> 1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, and providing special education 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. 		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations 28.06(9)</td> <td style="width: 50%; border: none;">Federal Requirements</td> </tr> </table>	State Regulations 28.06(9)	Federal Requirements
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Rating: Implemented	District Response Required: No		

CRITERION NUMBER		
	Legal Standard	
SE 39	<p>Procedures used to provide services to eligible students enrolled in private schools at private expense</p> <ol style="list-style-type: none"> 1. On or before December 1, the district determines the number of eligible private school students in consultation with private school representatives. 2. To the extent that the school district provides and pays for special education services for eligible students enrolled in private schools at private expense, the following requirements and procedures are implemented: <ol style="list-style-type: none"> a. The district provides special education and/or related services designed to meet the needs of eligible children who are attending private schools at private expense and whose parents reside in the jurisdiction of the school district. The school district provides to such children genuine opportunities to participate in the public school special education program consistent with state constitutional limitations. b. The district provides or arranges for the provision of evaluation services and an IEP for any eligible private school child whose parent resides in the jurisdiction of the school district. The evaluation may take place in the public school, the private school, or an appropriate contracted facility, and the school district ensures that a representative of the child's private school is invited to participate as a member of the Team pursuant to §28.05. c. The district provides or arranges for the provision of the special education and/or related services described by the child's IEP and the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds. d. The district does not withdraw or withhold services from a child solely because the school district has met the spending requirements of federal law. 3. Special education services and/or related services provided by the district to a private school child are comparable in quality, scope, and opportunity for participation to that provided to public school children with needs of equal importance. 4. The district ensures that programs in which both public and private school children participate do not include classes that are separated on the basis of school enrollment or the religious affiliation of the children. <p>State Regulations 28.03(e)</p> <p>Federal Requirements 300.450-300.462</p>	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	
	Legal Standard
SE 40	<p>Instructional grouping requirements for students aged five and older</p> <ol style="list-style-type: none"> 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. 3. 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 eight (8) students with a certified special educator, twelve (12) students if the certified special educator is assisted by one aide, and sixteen (16) students if the certified special educator is assisted by two aides. 4. 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 eight (8) students to one certified special educator or twelve (12) students to a certified special educator and an aide. 5. After the school year has begun, if instructional groups have reached maximum size as delineated in paragraphs 3 and 4 of this criterion, the Administrator of Special Education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than two additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school. 6. 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. 7. The district takes all steps necessary to reduce the instructional groups to the sizes outlined in paragraph 3 or 4 of this criterion for subsequent years. <p>State Regulations 28.06(6)</p> <p style="text-align: right;">Federal Requirements</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER					
	Legal Standard				
	<p>seven (7) then the class size does not exceed fifteen (15) students with one teacher and one aide.</p> <p>6. <u>Substantially separate programs</u> for young children are located in a public school classroom or facility that serves primarily or solely children with disabilities. Substantially separate programs adhere to the following standards:</p> <p>a. Substantially separate programs are programs in which more than 50% of the children have disabilities.</p> <p>b. Substantially separate programs operated by the district limit class sizes to nine (9) students with one teacher and one aide.</p>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.06(7)</td> <td>300.342(c)</td> </tr> </table>	State Regulations	Federal Requirements	28.06(7)	300.342(c)
State Regulations	Federal Requirements				
28.06(7)	300.342(c)				
	Rating: Partially Implemented District Response Required: Yes				

Department of Education Findings:

The district provides two options for three- and four-year-old children in need of special education services. The C.A.S.E. Collaborative offers a substantially separate program; the district provides related services only. Refer to the finding under SE 16 in Component II above.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION IV. CURRICULUM AND INSTRUCTION
	Legal Standard
MOA 15	<p>Accessibility of extra curricular activities Extra curricular activities sponsored by the district are non-discriminatory in that:</p> <ul style="list-style-type: none"> ☞ the school provides equal opportunity for male and female students to participate in intramural and interscholastic sports ☞ extracurricular activities or clubs sponsored by the school do not exclude students on the basis of race, sex, color, religion, national origin, sexual orientation and disability. <p>Title II; Title IX ; S. 504; MGL, Ch.76, Section 5</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 16	<p>Promotional, recruitment, and employment practices of prospective employers of students The district ensures that promotional efforts and recruitment and employment</p>

CRITERION NUMBER	
	Legal Standard
	<p>practices and materials aimed at students, including career days, work study, cooperative work experience and apprenticeship training programs, are free of bias and discrimination by:</p> <ul style="list-style-type: none"> ☞ depicting students from both sexes and under represented groups in all pictorial representations ☞ making clear in written materials that all options are open to students regardless of race, color, sex, religion, national origin, sexual orientation or disability ☞ requiring employers recruiting at the school to sign a statement that they do not discriminate in hiring or employment practices <p>Title I, Title VI, Title IX, S. 504, MGL, Ch.76, Section 5</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	TITLE 1 IV. CURRICULUM AND INSTRUCTION
	Legal Standard
TI 12	<p>Title I services provided to students are designed to assist the students to meet the expectations and standards of the regular education curriculum and of the state curriculum frameworks.</p> <p>1115 (c)(1)(D) (ii) ESEA,IASA; 1001 (a)(1); 1001 (d)(1) ESEA,IASA</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 13	<p>There is an established process for coordination and collaboration of Title I services with the instructional and assessment programs provided in regular education, special education, TBE/ESL, vocational education, early childhood (including Even Start and Head Start), and for the Homeless.</p> <p>1112 (b)(4)(A-B); 1115 (c)(1)(E);1120(b)(a)ESEA,IASA</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 14	Efforts are being made to minimize removing students from the regular classroom during school hours. Title I inclusion services are provided in a manner to accelerate learning and do not result in in-class pull-out models. 1115(c)(1)(D)(iii) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 14A	The school district provides opportunities for Title I students to participate in extended day/week/year programs and activities which may be funded through the integration of district resources. 1115(c)(1)(D)(i) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS IV. CURRICULUM AND INSTRUCTION	
	Legal Standard	
SDF 4	Local SDFSCA activities (where applicable) are integrated with the following federal programs under IASA and Goals 2000: the Educate America Act: [Title IV Sec. 4115 (c) (2) (B) (iii)]	
	Rating: Implemented	District Response Required: No

Department of Education Findings:

There evidence that SDFSCA activities are integrated with Title I (helping disadvantaged children meet high standards) and Title II (professional development).

COMPONENT V: STUDENT SUPPORT SERVICES

The criteria in this component examine whether the district has ensured that all students have equal opportunity and access to programs or services in the program areas listed below:

- Special Education (Report Issues # SE 43-49)
- Civil Rights Methods of Administration (MOA)
(Report Issues MOA 1, 2, 6, 8, 9, 17, 24, 25)
 - Title I (Report Issues # TI 15-18)

CRITERION NUMBER	
	Legal Standard
	<p>3. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below.</p> <p>4. 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.</p> <p>5. 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.</p> <p>State Regulation MGL c. 76, sec. 16-18 Chapter 71, section 37 H</p> <p>Federal Requirements 300.519-300.529</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 46	<p>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</p> <p>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.</p> <p>2. Prior to a suspension that constitutes a change in placement of a student with disabilities, the Team convenes</p> <ol style="list-style-type: none"> a. to develop or review a functional behavioral assessment of the student’s behavior to modify a behavior intervention plan or develop an assessment plan; b. to identify appropriate alternative educational setting(s); and c. to determine the relationship between the disability and the behavior - “a manifestation decision” (Is IEP appropriate? Is placement appropriate? If there was a behavior plan, was it implemented? Does student understand impact and consequences of his/her behavior? Can student control behavior?). <p>3. If the Team determines that the behavior is <u>NOT</u> a manifestation of the disability, then the district may suspend or expel the student consistent with policies applied to any student without disabilities, except that the district must still offer an appropriate education program to the student with disabilities which may be in some other setting.</p> <p>4. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up</p>

CRITERION NUMBER					
	Legal Standard				
	3. The school district has developed procedures consistent with federal requirements to expedite evaluations.				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td></td> <td>20 U.S.C. Chapter 33, Section 1415(k)</td> </tr> </table>	State Regulations	Federal Requirements		20 U.S.C. Chapter 33, Section 1415(k)
State Regulations	Federal Requirements				
	20 U.S.C. Chapter 33, Section 1415(k)				
	Rating: Implemented District Response Required: No				

CRITERION NUMBER					
	Legal Standard				
SE 48	<p>FAPE (Free, appropriate, public education): Equal opportunity to participate in educational, nonacademic, extracurricular and ancillary programs, as well as participation in regular education</p> <p>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.</p> <p>Programs, services and activities include, but are not limited to:</p> <ol style="list-style-type: none"> 1. art and music 2. vocational education, industrial arts, and consumer and homemaking education 3. work study and employment opportunities 4. counseling services 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 10. meals 				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations</td> <td style="width: 50%;">Federal Requirements</td> </tr> <tr> <td>28.06(5)</td> <td>300.121; 300.300-313</td> </tr> </table>	State Regulations	Federal Requirements	28.06(5)	300.121; 300.300-313
State Regulations	Federal Requirements				
28.06(5)	300.121; 300.300-313				
	Rating: Implemented District Response Required: No				

CRITERION NUMBER		
	Legal Standard	
<p>SE 49</p>	<p>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:</p> <ol style="list-style-type: none"> 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 11. social work services in schools, and 12. parent counseling and training. <p>State Regulations 28.02(18)</p> <p>Federal Requirements 300.24</p>	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION V. STUDENT SUPPORT SERVICES	
	Legal Standard	
<p>MOA 1</p>	<p>Notification of school district staff and the general public At the beginning of each school year, students, parents, employees, and the general public are:</p> <ul style="list-style-type: none"> ☞ notified that all programs, activities and employment opportunities are offered without regard to race, color, sex, religion, national origin, sexual orientation and disability ☞ given the name(s), address(es) and telephone number(s) of Title VI, Title IX and Section 504 coordinator(s) <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Documentation review showed that the Section 504 Coordinator is not identified in the district's

employee and student handbooks. The Concord Middle School Handbook has omitted “disability” and “sexual orientation” from its statement of the district’s nondiscrimination policy.

CRITERION NUMBER	
	Legal Standard
MOA 2	<p>Publication of notices of non-discrimination All publications for students, parents and employees, including written materials and other media used to publicize a school, specifically affirm that the school does not discriminate on the basis of race, sex, religion, national origin, sexual orientation or disability. Title VI; Title IX; Section 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

See finding under MOA 1 above.

CRITERION NUMBER	
	Legal Standard
MOA 6	<p>Grievance procedures Written grievance procedures for students and for employees covering Title VI (race, national origin), Title IX (sex equity), and Section 504 (disability) have been adopted and published, and a grievance process is in place that provides prompt and equitable resolution. Title II, Title VI, Title IX, S. 504</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The district needs to update and make more specific its grievance procedures and Section 504 procedures, which have been published in the student handbooks.

CRITERION NUMBER	
	Legal Standard
MOA 8	<p>Availability of information to prospective occupational/vocational students All students in grades 7-9, including those in special education and English as a second language programs, receive counseling and information on the full range of</p>

CRITERION NUMBER	
	Legal Standard
	general curricular and any occupational/vocational opportunities available to them. Title VI, Title IX, S. 504
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 9	<p>Counseling materials and activities free from bias and stereotypes To ensure that materials and activities are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation or disability, all counselors:</p> <ul style="list-style-type: none"> ☞ encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills ☞ examine testing materials for bias and counteract any found bias when administering and interpreting test results ☞ communicate effectively with limited English-proficient and disabled students and facilitate their access to all programs and services offered by the district ☞ support students in non-traditional educational and occupational pursuits for their gender <p>Title II, Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 17	<p>Non-discriminatory administration of scholarships, prizes and athletic awards Scholarships, prizes and athletic awards sponsored or administered by the district are free of restrictions based upon race, color, sex, religion, national origin, sexual orientation or disability with the following exceptions:</p> <ul style="list-style-type: none"> ☞ when making athletic awards to members of single sex teams, awards are in proportion to the number of students of each gender participating in interscholastic competition ☞ when accepting outside assistance (i.e. wills, trusts) for awards that would discriminate, the district provides an alternative source of funding to erase the discriminatory effect <p>Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 24	<p>Notice to students who have left or are about to leave school without a high school diploma</p> <p>The district provides timely notice in writing (in English and the student’s native language with a copy to parents) to students age 16-21 who have left or are about to leave school without obtaining a high school diploma or its equivalent and which includes the following information:</p> <ul style="list-style-type: none"> a. their attendance is voluntary; b. their right to meet with a school representative to discuss the reasons for withdrawal; c. their rights to return to school; and d. all program options available to them. <p>MGL, Ch. 76, S.18</p>
	<p>Rating: Not Applicable District Response Required: No</p>

Department of Education Findings:

The district serves students K-8

CRITERION NUMBER	
	Legal Standard
MOA 25	<p>Codes of conduct and student handbooks</p> <ol style="list-style-type: none"> 1. All school and district codes of conduct and student handbooks contain a nondiscrimination policy based on race, sex, religion, national origin, sexual orientation and disability. 2. The district has complaint resolution procedures that include the disciplinary measures that may be imposed upon students who harass or discriminate. 3. The principal of each school ensures that the district and school codes of conduct are distributed annually to students, parents and school personnel. <p>Title VI, Title IX, Section 504, MGL, Ch.76, Section 5</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

Refer to the finding under MOA 1 above.

CRITERION NUMBER	TITLE 1 V. STUDENT SUPPORT SERVICES
	Legal Standard
TI 15	The program design serves to supplement, not supplant: <ul style="list-style-type: none"> • regular education • special education • transitional bilingual education • services for low incidence limited-English proficient students. 200.63 (Federal Register) CFR; 1115 (b)(2)(ii) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 16	Representatives from non-public school and/or Neglected or Delinquent (N or D) homes are consulted and informed about the availability of Title I services and the priority needs of their schools. 200.10 (a) (Federal Register) CFR
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 17	The Title I services provided in non-public schools and/or N or D homes are equitable to those provided in public schools and minimize the use of pull-out program models. 1120(a), 200.10 (a) (Federal Register) CFR; 200.11(b) (Federal Register) CFR
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The district must contact the Concord Family Services to ascertain whether the Title I services at the Walden Street School are equivalent to those provided within the district and whether the use of pull-out services is minimized.

CRITERION NUMBER	
	Legal Standard
TI 18	Additional student assistance is provided through teacher-parent conferences for any students not meeting the standards to discuss (a) what the school will do to help the student meet the standards; (b) what the family can do to help the student improve performance; and (c) additional assistance for the student at the school or elsewhere in the community. 1114(b)(1)(H)(iii)
	Rating: Implemented District Response Required: No

COMPONENT VI: FACULTY, STAFF AND ADMINISTRATION

The criteria in this component examine whether the district has certified staff, provides supervision of aides and tutors, and provides ongoing professional development in the program areas listed below. Additionally, the component examines whether the district implements an effective system of program leadership and oversight which fosters high standards and performance expectations for all students and staff consistent with the goals of applicable federal and state requirements and Education Reform Act of 1993.
:

- Special Education (Report Issues # SE 50-54)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 18-21)
 - Title I (Report Issues # TI 19-22)

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
SE 50	<p>Responsibilities of the School Principal and Administrator of Special Education Principal:</p> <ol style="list-style-type: none"> <li data-bbox="407 478 1409 976">1. <u>Instructional support.</u> 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 MGL 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. <li data-bbox="407 982 1409 1480">2. <u>Curriculum Accommodation Plan.</u> The principal implements a curriculum accommodation plan adopted by the district to ensure that all efforts have been made to meet students’ needs in regular education. 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 regular education program including, but not limited to, direct and systemic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning. The Plan includes teacher training in (1) analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the regular classroom of students with diverse learning styles; (2) methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate such styles; and (3) training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement. <li data-bbox="407 1486 1409 1585">3. <u>Coordination with special education.</u> The principal with the assistance of the Administrator of Special Education coordinates the delivery and supervision of special education services within each school building. <li data-bbox="407 1591 1409 1879">4. <u>Educational services in home or hospital.</u> 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

CRITERION NUMBER	SPECIAL EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION		
	Legal Standard		
	<p>coordinates such services with the Administrator for Special Education for eligible students. Such educational services are not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.</p> <p><u>Administrator of Special Education:</u></p> <p>5. 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. As appropriate, and in accordance with the requirements of MGL c.71B, §3A, the Administrator may designate other school district personnel to carry out some of the duties of the Administrator.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 28.03(3) Chapter 71, sec. 38Q and 38Q _ as amended by FY '01 State Budget Out Side Sections 146 and 147</td> <td style="width: 50%; vertical-align: top;">Federal Requirements</td> </tr> </table>	State Regulations 28.03(3) Chapter 71, sec. 38Q and 38Q _ as amended by FY '01 State Budget Out Side Sections 146 and 147	Federal Requirements
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

The district's curriculum accommodation plan does not include a policy and procedures for the provision of educational services at home or in a hospital. Based upon interviews, it appears that the expertise of regular education teachers is not being used on the student review teams in planning instructional support. In addition, students at risk are not being provided instructional interventions in a timely fashion. The instructional support intervention process has not proven effective in providing the regular education teachers with the support and strategies needed to make accommodations and modifications.

CRITERION NUMBER	Legal Standard		
SE 51	<p>Appropriate special education teacher certification Individuals who design and/or provide direct special education services described in IEPs, or who supervise the provision of special education services by other teachers or paraprofessionals, are appropriately certified.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">State Regulations 28.02(3) 603 CMR 7.00</td> <td style="width: 50%; vertical-align: top;">Federal Requirements 300.23; 300.36</td> </tr> </table>	State Regulations 28.02(3) 603 CMR 7.00	Federal Requirements 300.23; 300.36
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Rating: Implemented	District Response Required: No		

CRITERION NUMBER			
	Legal Standard		
SE 52	<p>Appropriate certifications or other credentials -- related services Any person, including non-educational personnel, who provides related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the regular or special classroom teacher is appropriately certified, licensed, board-registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations 28.02(3)</td> <td style="width: 50%; border: none;">Federal Requirements 300.23; 300.24; 300.136</td> </tr> </table>	State Regulations 28.02(3)	Federal Requirements 300.23; 300.24; 300.136
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

No documentation of appropriate licenses for the nurses employed by the district was provided.

CRITERION NUMBER			
	Legal Standard		
SE 53	<p>Use of paraprofessionals</p> <ol style="list-style-type: none"> 1. Paraprofessionals and assistants (e.g., teacher aides, tutors and student teachers) are appropriately trained to assist in providing special education or related services. 2. Persons employed as paraprofessionals and assistants are under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">State Regulations</td> <td style="width: 50%; border: none;">Federal Requirements 300.136(f)</td> </tr> </table>	State Regulations	Federal Requirements 300.136(f)
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Rating: Partially Implemented	District Response Required: Yes		

Department of Education Findings:

Interviews indicated that paraprofessionals at the middle school are appropriately supervised and appropriately trained regarding their roles and responsibilities. However, it was indicated that paraprofessionals at the elementary level are not always appropriately supervised and fulfill responsibilities assigned to the special education teachers in the district's job descriptions. The district practice has been to hire paraprofessionals to provide special education services instead of special educators who have the expertise to design as well as provide the required IEP services.

CRITERION NUMBER	
	Legal Standard
SE 54	<p>Professional development regarding special education The district considers the needs of all staff in developing training opportunities for professional and paraprofessional staff and provides a variety of offerings which at a minimum include the following training topics offered on an annual basis:</p> <ol style="list-style-type: none"> 1. state and federal special education requirements and related local special education policies and procedures; 2. confidentiality of student records; 3. training in analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the regular classroom of students with diverse learning styles; 4. methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning styles; 5. training in the provision of pre-referral services within regular education, teacher mentoring and collaboration and parental involvement; 6. training for all locally hired and contracted transportation providers on the unique needs of all students being transported in regular and special transportation vehicles; and 7. in cooperation with the special education 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 and makes written materials explaining such rights available upon request. <p>State Regulations Chapter 71, sec. 38g 28.03(1)(a) Chapter 71, sec. 38Q and 38Q_ as amended by FY '01 State Budget Out Side Sections 146 and 147</p> <p style="text-align: right;">Federal Requirements 300.382</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

In interviews regular and special education staff indicated that certain topics need to be addressed in the district trainings: analyzing and accommodating diverse learning styles; behavioral issues and classroom management; identification of students with learning disabilities; and an overview of special education procedures. In addition, the district has not always documented trainings with agendas and attendance sheets and has no formal plan to ensure that required trainings are conducted annually.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
MOA 18	School district employee recruitment activities The district's employee recruitment activities are aimed at reaching all groups, including bilingual/bicultural persons, females/males in nontraditional roles and persons with disabilities. When certain categories of employment show a disproportionate number of females/males, racial and ethnic group members or disabled persons, the district makes efforts to recruit for such positions members of the under represented groups. Title I, Title VI, Title IX, S. 504
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 19	Employment application and interview procedures Job application forms and interview questions conform to requirements regarding pre-employment inquiries of a candidate's race, ethnicity, age, marital and parental status, national origin, physical attributes, religious background, health, health history and physical or mental condition. Title I, Title VI, Title IX, S. 504
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 20	Non-discriminatory personnel policies and procedures District personnel policies and procedures are free of discrimination and bias in the following areas: <ul style="list-style-type: none"> ☞ employee hiring, upgrading, award of tenure, demotion, return from layoff and retirement are the same for both sexes ☞ employee pay schedules and rates of other compensation for all job categories provide equal pay for equal work ☞ fringe benefits for all job categories such as medical, dental, insurance, leave (sick, personal, professional, parental, dependent care, bereavement) etc. are the same for all employees Title I, Title VI, Title IX, S. 504
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
MOA 21	<p>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 disability, race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting. Title VI, Title IX, S. 504, MGL, Ch. 76, Section 5</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The required in-service training regarding civil rights responsibilities is not conducted for all school personnel annually.

CRITERION NUMBER	TITLE 1 VI. FACULTY, STAFF AND ADMINISTRATION
	Legal Standard
TI 19	<p>All professional staff providing Title I services are appropriately certified or hold current waivers for their job title and function. Chapter 71, 38G</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 20	<p>Teacher aides work under the direct supervision and in close proximity of certified teachers who are employed in that capacity. 1119 (D)(1)(c) ESEA,IASA</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 21	Professional development activities: ☞ support instructional practices that are conducive to the high achievement and challenging content expectations of the state's education reform efforts (e.g., Curriculum Frameworks); and ☞ are provided to all of the district's instructional staff who serve Title I eligible students. 1119 (b)(1)(A) ESEA,IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 22	Title I professional development activities are designed by principals, teachers, and other school staff to ensure that Title I students' needs are addressed. The district devotes sufficient resources to effectively carry out its responsibilities for professional development. 1119 (a)(2) ESEA,IASA; 1114(b)(1)(H)(i).
	Rating: Implemented District Response Required: No

COMPONENT VII: SCHOOL FACILITIES

The criteria in this component examine whether the district maintains facilities that are conducive to learning, facilitate integration, and provide equal access and opportunity for students to achieve in the program areas listed below:

- Special Education (Report Issues # SE 55)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 7 and 14)

CRITERION NUMBER	SPECIAL EDUCATION VII. SCHOOL FACILITIES	
	Legal Standard	
SE 55	<p>Special education facilities and classrooms</p> <ol style="list-style-type: none"> 1. The school district provides facilities and classrooms for eligible students which maximize the inclusion of such students into the life of the school; 2. provide accessibility in order to implement fully each child’s IEP; 3. are at least equal in all physical respects to the average standards of general education facilities and classrooms; and 4. are given the same priority as general education programs for access to and use of instructional and other space in public schools in order to minimize the separation or stigmatization of eligible students. 	
	<p>State Regulations 28.03(b)</p>	<p>Federal Requirements Section 504 of the Rehabilitation Act of 1973</p>
	Rating: Partially Implemented	District Response Required: Yes

Department of Education Findings:

Based upon interviews, assessments by the district of individual school buildings, and observations of classrooms and facilities, the onsite team has concerns regarding: accessibility, the comparability of designated special education spaces to spaces used for general education, the integration of special education students into the life of the school and the district’s ability, given its use of space, to preserve student confidentiality and follow through on IEP services and accommodations. At the elementary level, hallways are being used for special education testing and tutoring. In addition, several service providers are using large open spaces simultaneously to provide IEP services, tutoring and testing. Some rooms and other spaces that are used to deliver special education services are not handicapped-accessible, and doors within the elementary school buildings do not always allow a physically handicapped student to enter and exit independently. At the middle school, the substantially separate classroom is at the end of a corridor and not centrally located. Also, the office and teaching spaces designated for service providers do not have adequate room for the provision of special education services.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES	
	Legal Standard	
MOA 7	<p>Accessibility of district programs and services for students with limited physical mobility</p> <p>In at least one facility within the district, the district makes available and entirely accessible to students with disabilities all educational programs and services offered at each level (preschool, elementary and secondary).</p>	

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VII. SCHOOL FACILITIES
	Legal Standard
	Title II of the Americans with Disabilities Act; S. 504; MGL, Ch. 71B; Individuals with Disability Act-Revisions of 1997, (IDEA-97)
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:
Refer to the finding under SE 55 above.

CRITERION NUMBER	
	Legal Standard
MOA 14	<p>Comparability of facilities and programs Where the district provides separate facilities or programs for members of a specific group, facilities and programs are comparable to those offered other students in the district, including:</p> <ul style="list-style-type: none"> ☛ separate classes and facilities for disabled, limited English-proficient or pregnant students that are comparable to the facilities, programs, equipment and services offered other students in the district; ☛ changing rooms, showers and other facilities for students of one gender that are comparable in size, number and location to those provided students of the other gender. <p>Title II, Title VI, Title IX, S. 504, MGL, Ch. 76, Section 5</p>
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:
Refer to the finding under SE 55 above.

COMPONENT VIII: PROGRAM PLAN AND EVALUATION

The criteria in this component examine whether the district has written programs plans that are evaluated according to specific regulatory requirements and whether parents have opportunities for input on needs, program implementation, evaluation, and improvement in the program areas listed below:

- Special Education (Report Issue # SE 56)
- Civil Rights Methods of Administration (MOA) (Report Issues MOA 22-23)
 - Title I (Report Issues # TI 23-23A)
- Safe and Drug Free Schools (Report Issue # SDF 5-8)

CRITERION NUMBER	SPECIAL EDUCATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SE 56	<p>Special education programs and services are evaluated</p> <ol style="list-style-type: none"> 1. Special education programs, services and administrative areas are regularly evaluated. 2. The district develops methods for determining the effectiveness of programs in assisting students with disabilities to achieve the goals set forth in their IEPs in the least restrictive environment. 3. The district uses information it gathers from annual IEP reviews to measure the effectiveness of special education programs, and identifies programs, services and administrative areas that need improvement or must be developed. 4. As part of these evaluation procedures, the district measures the success of programs based on students' local and statewide assessment results, drop out rates and graduation rates for special education students. <p>State Regulations Chapter 71B Chapter 71, sec. 59C</p> <p style="text-align: right;">Federal Requirements 300.137</p>
	<p>Rating: Partially Implemented District Response Required: Yes</p>

Department of Education Findings:

The district conducts administrative meetings weekly that include the special education administrator. In 1999, the elementary special education program was evaluated by outside consultants; the district wants to have its middle school program similarly evaluated. Overall, special education programs are not evaluated annually.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
MOA 22	<p>Curriculum review process</p> <p>The district has a process to ensure that teachers in the district regularly review all instructional and educational materials for simplistic and demeaning generalizations, lacking intellectual merit on the basis of disability, race, color, sex, religion, national origin and sexual orientation.</p> <p>MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
MOA 23	<p>Institutional self-evaluation The district has in place a comprehensive evaluation process to examine and remedy policies and programs that discriminate or limit educational access due to race, color, sex, religion, national origin, sexual orientation, or disability. Title VI; Title IX; S. 504; MGL, Ch.76, Section 5</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	TITLE 1 VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
TI 23	<p>A needs assessment and data analysis is conducted annually to determine the types of programs and services to be provided to Title I students. Such assessment is conducted in consultation with school staff and parents. IASA 1115 (c)(2)(B); IASA 1114 (b)(1)(A)</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
TI 23A	<p>a. The Title I program is evaluated on at least an annual basis, and Title I program changes are implemented which reflect the recommendations of such program evaluation. b. The Title I School wide Plan is integrated into the school's Improvement Plan. IASA 1115 (c)(2)(B)</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SDF 5	Each recipient bases its programs on a thorough assessment of objective data about the drug and violence problems in the schools and communities served. Each SDFSCA grant recipient conducts a thorough assessment of the nature and extent of youth drug use and violence problems. [Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116]
	Rating: Commendable District Response Required: No

Department of Education Findings:

- *The school district has a comprehensive process in place to determine the current level of substance abuse and violence among the students who attend the public and private schools participating in its drug and violence prevention programs.*
- *The process includes surveys of students, teachers, other school staff, parents, and advisory council members.*
- *A review of school disciplinary (expulsion, suspension, etc.) records as well as the collection, review and analysis of community data is included in the process.*
- *Also included in the process are surveys and/or interviews of local law enforcement officials, health and hospital personnel, and community agencies' representatives.*
- *There is appropriate documentation to support the statistics and/or other incidence or prevalence information reported in the objective analysis section of the district's most recent SDFSCA application.*
- *There is evidence that the objective analysis was based on ongoing local evaluation activities.*

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS VIII. PROGRAM PLAN AND EVALUATION
	Legal Standard
SDF 6	Each recipient, with the assistance of a local or regional advisory council, establishes a set of measurable goals and objectives and designs its programs to meet those goals and objectives. [Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116]
	Rating: Implemented District Response Required: No

Department of Education Findings:

- *The design of the substance abuse and violence prevention programs and strategies is based on a thorough assessment of objective data about the drug and violence problems among youth.*
- *The district has established measurable goals and objectives and activities for its prevention programs.*
- *The goals and measurable objectives and activities address the needs identified by an objective analysis.*

CRITERION NUMBER	
	Legal Standard
SDF 7	Each recipient designs and implements its programs for youth based on research or evaluation that provides evidence that programs used actually prevent or reduce drug use, violence or disruptive behavior among youth. [Title IV Sections 4111 – 4116, 20 U.S.C. 7111 – 7116]
	Rating: Implemented District Response Required: No

Department of Education Findings:

- *The programs and activities do respond to the identified needs.*
- *The programs and activities are based on research or evaluation that provides evidence of program effectiveness in reducing or preventing drug use, violence or disruptive behavior among youth.*
- *There are processes in place to determine the effectiveness of locally developed programs and strategies.*

CRITERION NUMBER	
	Legal Standard
SDF 8	Each recipient evaluates its programs periodically to assess its progress toward achieving its goals and objectives, and uses its evaluation results to refine, improve and strengthen its programs, and to refine its goals and objectives as appropriate.
	Rating: Implemented District Response Required: No

Department of Education Findings:

- *The evaluation design includes process, outcome and impact assessment.*
- *The evaluation process is used to assess the district’s progress toward achieving its goals and objectives.*
- *There is evidence that evaluation results are used to refine, improve and strengthen local programs and strategies during advisory council meetings.*
- *The evaluation results are reported publicly annually and sometimes more frequently.*

COMPONENT IX: RECORD KEEPING

The criteria in this component examine whether the district maintains required records and documentation for the program areas listed below:

- Special Education (Report Issues # SE 57-58)
 - Title I (Report Issues # TI 24-26A)
- Safe and Drug Free Schools (Report Issue # SDF 9)

CRITERION NUMBER	SPECIAL EDUCATION IX. RECORD KEEPING
	Legal Standard
SE 57	<p>Special education child count</p> <ol style="list-style-type: none"> 1. A child count is maintained representing students with current, accepted IEPs who are provided, at a minimum, direct special education and/or related services to each student. The count is filed as part of annual school report by December 1 of each school year and provides an unduplicated listing of the number of students with IEPs in each program and does not reveal the identity of individual students or their parents. 2. The child count also includes students with disabilities determined eligible for special education who are attending private schools at private expense and are receiving publicly funded services according to IEPs developed by the district. 3. The district does not include as part of its special education child count students who are determined by the Department to be erroneously classified as eligible to be counted under federal or state special education requirements or who are no longer receiving special education and/or related services. <p>State Regulations 603 CMR 23.00</p> <p style="text-align: right;">Federal Requirements 300.750-754; 300.145; 300.560-300.577; Family Educational Rights and Privacy Act (FERPA); 300.133</p>
	<p>Rating: Implemented District Response Required: No</p>

CRITERION NUMBER	
	Legal Standard
SE 58	<p>Federal Special Education Entitlement Grant</p> <ol style="list-style-type: none"> 1. The district's Special Education entitlement grant is designed by appropriate local administrators who are responsible for the implementation of the local special education programs and services. 2. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education. 3. Appropriate local administrators monitor the entitlement grant in an ongoing manner to ensure its full implementation as the Department of Education has approved it. 4. The district has secured the approval of the Department of Education for all amendments prior to their implementation. 5. The district spends at least a proportionate share of its federal special education funds on services for children enrolled in private schools at private expense.

CRITERION NUMBER			
	Legal Standard		
	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Regulations 28.03(1)(e)</td> <td style="width: 50%;">Federal Requirements 300.230; 300.340-300.500</td> </tr> </table>	State Regulations 28.03(1)(e)	Federal Requirements 300.230; 300.340-300.500
State Regulations 28.03(1)(e)	Federal Requirements 300.230; 300.340-300.500		
	Rating: Implemented District Response Required: No		

CRITERION NUMBER	TITLE 1 IX. RECORD KEEPING
	Legal Standard
TI 24	Each split-funded staff member maintains an appropriate log (time and efforts record) verifying the time spent on Title I activities. 200.63 (Federal Register) CFR
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 25	Documentation is on file at the local Title I office verifying comparability and the LEA is in compliance with comparability. 1120 (A)(c) ESEA, IASA
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 26	<p>a. The district has submitted the required reports: Local Title I Plan/Application and Performance and Achievement Report.</p> <p>b. LEA maintains appropriate Title I records in a central location or at each Title I school and keeps correspondence on file, including:</p> <ul style="list-style-type: none"> ☞ documentation for identifying schools eligible for Title I services (Target Area Selection), and ☞ the form for determining school allocations ☞ allocating funds to schools forms are available ☞ rank order list and student selection criteria are available. <p>ESEA 1116 (d)(1)(A), 1111(b)(2)(A)(ii), 11120A(c)(2)</p>

CRITERION NUMBER	
	Legal Standard
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
TI 26A	<p>Federal Title I Entitlement Grant:</p> <p>a. The district’s Title I entitlement grant is designed by appropriate local administrators who are responsible for the implementation of the local Title I programs and services.</p> <p>b. Where necessary, appropriate local administrators amend the programmatic and budgetary sections of the grant according to procedures and timelines required by the Department of Education.</p> <p>c. Appropriate local administrators monitor the entitlement grant in an ongoing manner to ensure its full implementation as it has been approved by the Department of Education.</p> <p>d. The district has secured the approval of the Department of Education for all amendments prior to their implementation.</p>
	Rating: Implemented District Response Required: No

CRITERION NUMBER	SAFE AND DRUG FREE SCHOOLS IX. RECORD KEEPING
	Legal Standard
SDF 9	<p>Appropriate accounting and budget procedures are being implemented to insure that program expenditures are related to the purpose and intent of the Safe and Drug Free Schools and Communities Act.</p> <p>[(EDGAR 76.730 TO 734)]</p>
	Rating: Implemented District Response Required: No

Department of Education Findings:

- *Approved and current budget pages are on file in the Department of Education.*
- *Copies of submitted and approved amendment (AMI) forms are on file.*
- *Copies of submitted request for funds (RFI) forms are on file.*
- *Time distribution logs are being maintained for individuals employed with SDFSCA funds.*

APPENDIX I:
NUTRITION PROGRAMS AND SERVICES

Code of Federal Regulations:

7 CFR Parts: 210 National School Lunch Program

215 Special Milk Program for Children

220 School Breakfast Program

227 Nutrition Education and Training Program

245 Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools

The criteria in this component of the Coordinated Program Review examine whether the School Food Authority ensures that the requirements for participation in the National School Lunch, School Breakfast, Special Milk and Commodity School Programs are being implemented. These requirements specify program responsibilities of local officials in the areas of program administration, preparation and service of nutritious meals, use of program funds, program monitoring, reporting and record keeping. The findings included in this section of the report have been made through on-site activities completed by the Department's Nutrition Programs and Services team member.

CRITERION NUMBER	NUTRITION PROGRAMS AND SERVICES	
	Legal Standard	
NS 1	All free and reduced price and paid lunches claimed for reimbursement are served to students eligible for free, reduced price and paid lunches respectively; and are counted, recorded, consolidated and reported through a system which consistently yields correct claims. 7 CFR 210.18 (g) (1).	
	Rating: Commendable	District Response Required: No

Department of Education Findings:

The district has a point of sale care system that accurately identifies free/reduced students without overt identification. Collected data from the lunch participation each day is accurately recorded on a daily income potential sheet for each site. Review month was error free in consolidating the claim.

CRITERION NUMBER		
	Legal Standard	
NS 2	Records indicate that lunches claimed for reimbursement within the school food authority contain food items/components as required by program regulations. 7 CFR 210.18 (g) (2)	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER		
	Legal Standard	
NS 3	School Food Authorities account for all revenues and expenditures of their nonprofit school food service. In order to participate in the NSLP, the School Food Authority maintains records to demonstrate compliance with program requirements. Retention of these documents is for three years after the close of the fiscal year to which they pertain except in cases where audit findings are unresolved. 7CFR210.9 (a) (17); 210.14, 210.15	
	Rating: Implemented	District Response Required: No

CRITERION NUMBER	
	Legal Standard
NS 4	The School Food Authority works to strengthen the following school nutrition program participation and management practices: a. school nutrition participation b. nutrition education activities c. productivity evaluation 7CFR 210.19; 7CFR 220.8; 7CFR 210.9
	Rating: Partially Implemented District Response Required: Yes

Department of Education Findings:

The point of sale system also allows parents to participate in prepayment system that has increased lunch participation. The review school, the Sanborn School has 62% lunch participation of which only 6% qualify for free and reduced and 94% are paid students. The Food Service Director needs to initiate through interdisciplinary measures, more integrated nutrition education activities.

CRITERION NUMBER	
	Legal Standard
NS 5	All eligible students have access to the school food services program. 7 CFR 15b; 7 CFR 210.23(c).
	Rating: Implemented District Response Required: No

CRITERION NUMBER	
	Legal Standard
NS 6	The School Food Authority ensures that established sanitation and health standards are implemented. Facilities are properly safeguarded against theft, spoilage and other loss. 7 CFR 210.13
	Rating: Implemented District Response Required: No

APPENDIX II:
SCHOOL DISTRICT PROFILE INFORMATION

The information which is provided in this Appendix was drawn from data supplied by the school district. The Department's visiting team carefully reviewed this data as part of its planning for the onsite visit and in preparing this Coordinated Program Review Report. The information is periodically updated by the school district and is available in an evercurrent form on the Department's Internet web site at <www.doe.mass.edu>.

School and District Profiles

Definitions of Terms

School and District Profiles make important information about the Commonwealth's public schools available to all interested citizens. The array of information presented in the Profiles provides one snapshot of the educational picture in communities across the state. This information can be used in conjunction with firsthand observations and discussions by parents, educators, policy-makers, and any other interested parties to inform decision-making and ultimately improve the education of all Massachusetts students. While only the school district profile information is included with this Coordinated Program Review Report, information regarding individual school profile information is available on the Department's Web site at <http://profiles.doe.mass.edu/>. The following is an explanation of information presented in both the district and individual school Profiles. All data are submitted by schools and districts to the Department of Education. Data that are collected at the district level only are not included in the School Profiles, and are indicated below with an asterisk.

GENERAL INFORMATION

Grades/Schools*: indicates the number and grade range of elementary, middle/junior high and high schools in the district, as well as the total number of schools in the district and the grade range of the school system. An elementary range beginning with "N" indicates the district has pre-kindergarten. A high school range ending in "13" or "14" indicates the district has a post-graduate program.

Programs*:

- **Inter-district Choice:** indicates whether students from other districts may enroll in the district through the state school choice program, which is voluntary and on a space-available basis.
- **Intra-district Choice:** indicates whether the district has a school choice program within the school district for students who live in the district.
- **Early Childhood Education:** indicates whether the district provides no-cost early childhood (preschool) education to three and/or four year-old children.
- **Kindergarten Starting Age:** indicates the age as of a particular date at which children are eligible to begin kindergarten.
- **Vocational Education:** indicates whether the district operates a Chapter 74 approved vocational education program.
- **Transitional Bilingual Education (TBE):** indicates whether the district operates a TBE program. Under Massachusetts law, a district must provide a TBE program in a particular language if there are 20 or more limited English proficient students in that particular language group enrolled in the district. Limited English proficient students are students whose first language is not English and who cannot perform ordinary classwork in English.
- **METCO:** indicates whether the district participates in the state METCO program, which promotes voluntary desegregation by enrolling minority students from Boston and Springfield in suburban schools.

Member(s) of Regional District(s)*: for local school districts, indicates the name(s) of any academic and/or vocational regional district(s) of which the local school district is a member. For regional school districts, indicates the names of member local school districts. A regional school district provides educational services to more than one town.

Technology: indicates the number of students for every one computer and the percent of classrooms with Internet access. Data are 1998-99 data; "DNR" appears for schools and districts which did not yet report data.

Student Test Results

Massachusetts Comprehensive Assessment System (MCAS): The Massachusetts Comprehensive Assessment System is the Commonwealth's statewide assessment program for public schools. MCAS measures the performance of students, schools and districts on the academic learning standards contained in the Massachusetts Curriculum Frameworks, fulfilling requirements of the Massachusetts Education Reform Law of 1993. In May 1999, students in grades four, eight and ten took the MCAS tests in English Language Arts, Mathematics, and Science & Technology.

Additionally, an MCAS test in History and Social Science was administered for the first time in 1999 to students in grade 8.

Results from the first two administrations of the MCAS tests provide a clear picture of statewide performance. Based on these results, we can identify areas of strength and weakness statewide. The focus at the state and local levels should be on identifying programs that will maintain the progress in areas where performance is strong and eliminate weak performance in the other areas. With results from two MCAS administrations, the temptation is to focus on changes from 1998 to 1999. However, it takes more than two years of results to identify trends in performance. Over time, results from the MCAS tests will allow students, schools, and districts to measure their progress in achieving the challenging state standards. Single-year improvements or declines in performance should not be over-interpreted.

Results on the MCAS tests are reported as the percentage of students attaining each performance level for each subject area and grade tested. Results are shown for all students and are also disaggregated by student group. The performance levels describe student performance in relation to the state standards. There are four performance levels: Advanced, Proficient, Needs Improvement, and Failing. Students' performance level classification is based on their total scaled score for each test completed. The scaled score range is 200-280. Students who were absent during the testing period received a minimum score of 200 for each content area test not attempted; this score is counted in computing average scores for schools and districts. Students included in scores for 1999 include tested students and students absent without a medical excuse. Students not included in scores for 1999 were reported as either medically documented absent or other not tested. Further information can be found in The Massachusetts Comprehensive Assessment System: Guide to Interpreting the 1999 MCAS Reports for Schools and Districts, which is available on the Internet at the Department of Education's web site at www.doe.mass.edu/mcas. Percentages may not add to 100 due to rounding.

To ensure the confidentiality of individual student results, performance data (performance level percentages and scaled score) are not reported for a particular student population/grade/subject if the number of students tested plus the number of students absent is fewer than 10. Results for schools and districts that do not have one or more of the grades tested are shown as "NA" for those grades.

For additional information, please refer to reports of statewide results and guides to interpreting the reports, which are available on the Internet at the Department of Education's web site at www.doe.mass.edu/mcas.

Iowa Grade 3 Reading Test: indicates the percent of third-graders at each performance level on the reading comprehension section of the test, from Spring 1999. Results are not included for schools or districts for which fewer than six students participated.

SAT: indicates the average scores on the math and verbal sections of the SAT I, administered by the College Board, and the percentage of students taking the test, for the classes of 1995 and 1999. All data are for public school students only. Results are not included for schools or districts for which fewer than 10 students participated. For students who took the SAT I more than once, their latest score is used by the College Board in determining school and district average scores. Beginning with 1996 scores, the College Board recentered the score scale of the SAT I to reestablish the original mean score of 500. The 1995 scores shown in the Profiles have been recentered to be comparable to the 1999 scores. All data were obtained from the College Board.

Advanced Placement: indicates the number of exams taken, the number and percent of exams that scored 3 or higher (possible score range is from 1 to 5), and the number and percentage of students in the class of 1997 who participated (students may take more than one exam). Data are included for all AP exams taken by any students in the class of 1997 who took an AP exam in their senior year. District and statewide data are for public school students, and national data are for public and non-public school students. Results are not included for schools or districts for which fewer than 10 students participated.

Enrollment and Staff

Enrollment by Grade: indicates the enrollment for grades kindergarten through 12 for the 1994-95 and 1998-99 school years.

Race/Ethnicity: indicates the percent of enrollment by race/ethnicity for the 1998-99 school year. The reporting categories are those used by the U.S. Bureau of the Census.

Selected Populations: indicates the percent of enrollment represented by students in special education programs*, students who are limited English proficient, and students eligible to receive free or reduced price lunch*. Data are for the 1998-99 school year.

Children Attending Public Schools*: indicates the percent of school-age children in a city or town attending public schools, for the 1994-95 and 1997-98 school years.

Staff (FTE)*: indicates the number of students per teacher for the 1998-99 school year. This figure is calculated by dividing the regular education instructional staff by the total student enrollment. The staff figure is in full-time equivalents (FTE), and the student figure is a headcount. The number of students per teacher reported here does not represent average class size and is usually lower than that found in most typical classes.

Finance

Per Pupil Expenditures*: are calculated by dividing a district's operating costs by its average pupil membership. Operating costs include expenditures for administration, instruction, pupil services, transportation, plant maintenance, and fixed charges. These costs do not include capital outlay and long-term interest on school debt. Average pupil membership includes students who receive services in the district's schools, as well as students receiving home or hospital instruction. Data for regular education, special education, bilingual education and vocational education students are provided in addition to the total for all day programs, for the 1993-94 and 1997-98 school years.

Teacher Salary*: indicates the minimum and maximum teacher salaries available, for the 1994-95 and 1998-99 school years.

Foundation Budget Spending Comparison*: The education reform act established a foundation budget for each school district. This budget represents the minimum level of spending needed to provide an adequate education for the district's students. The foundation budget is made up of 19 separate categories. The chart shows the district's actual spending in each category for the 1997-98 school year as a percentage of the district's foundation budget. If the percentage exceeds 100%, the district spent more in the category than suggested by the foundation budget. If the percentage is less than 100%, the district spent less. Significant variations between local spending and the foundation budget, or between local spending and the statewide averages, should be reviewed closely. In some cases, the differences may be due to unique circumstances and needs within the district. In other cases, the differences may suggest potential areas for review and improvement.

Other Data

Annual Dropout Rate: indicates the percentage of students in grades 9-12 who dropped out of school between July 1, 1997, and June 30, 1998, and who did not return to school by October 1, 1998. The rate for 1994-95 is also provided. Dropouts are defined as students who leave school prior to graduation for reasons other than transfer to another school.

Attendance Rate: indicates the average percentage of enrolled students present in school for the 1997-98 school year.

Student Exclusions: indicates the number of student exclusions that occurred during the 1997-98 school year. An exclusion is defined as the removal of a student for disciplinary purposes permanently, indefinitely or for more than ten consecutive school days.

Plans of High School Graduates: indicates the post-graduate intentions of students in the Class of 1998.

* District level data only.

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