



Acton-Boxborough Special Education
Parent Advisory Council
(AB SpEd PAC)
Business Meeting

Wednesday, October 4, 2017, at 7:30 p.m. in the RJ Grey Junior High library

Agenda

I. Call to Order

II. Approval of Minutes

Review and approval of September 13, 2017, meeting minutes

III. Organization/Business Issues

- A. Updates from Monthly Meeting with Special Education Director
- B. Coordinated Program Review Findings
- C. Review Key Spring 2017 Parent/Guardian Survey Findings
 - 1. Extended School Year Issues
 - 2. Communication
- D. Accessibility & Inclusion in the Schools & Community
 - 1. Acton-Boxborough Family Network Update
 - 2. District Equity Audit
- E. Outreach – Back to School Nights, Joint Parent Teacher Organization Meeting
Coffee & Tea – Monday, October 16, 9:30-10:30 a.m., location by RSVP
Parenting Support Hour – first Sunday of the month 2:30-4:30 p.m. in the Acton Memorial Library upstairs conference room

IV. New Business – Other topics on people's minds

V. Open Issues

- A. MCAS – 3rd & 4th grade ELA performance vulnerable for students with disabilities
- B. Concerns about the process for combining outside specialists' recommendations with district evaluations/recommendations and appropriately incorporating those recommendations into the IEP
- C. Mandatory special education training/professional development for regular and special education staff – hiring dual-certified staff
- D. Enhanced Extended School Year, before-, and after-school programming
- E. Increased use of technology in IEP development, revision, & communication
- F. Out of District findings from 2015 parent/guardian survey counter overall positive trend
- G. Need for consistent K-12 executive functioning curriculum

VI. Adjournment

All AB SpEd PAC meetings are open to the public. We encourage parents of children with special needs and others interested in special education to attend. Please check our website (www.abspedpac.org) for information regarding upcoming events.

VII. Next Business Meeting

Wednesday, November 1, 2017, 7:30 p.m. RJ Grey Junior High library



Acton-Boxborough Special Education Parent Advisory Council

Business Meeting
September 13, 2017

I. Call to Order

Amanda Bailey called the meeting to order at 7:35 p.m. PAC Board Chair Amanda Bailey, Past PAC Chair Bill Guthlein, Standing Committee Chair Blossom Davies, Special Education Director Pam Smith, Acton-Boxborough Regional School Committee liaisons to the PAC Diane Baum and Maya Minkin, and ten other community members were present.

II. Approval of Minutes

Meeting minutes from May 10, 2017, were reviewed. A motion was made and seconded to approve the meeting minutes as written. The motion passed unanimously.

III. Organizational/Business Issues

A. Monthly Meeting with Special Education Director

Recent staff changes, including the appointment of Interim Superintendent William McAlduff and Acton-Boxborough Regional High School Acting Principal Larry Dorey, were discussed. The district hired Dr. Molly Norton (formerly from Melrose) as an Educational Team Leader for McCarthy-Towne, Merriam, and Douglas. Lynne Laramie will oversee Gates, Conant, Blanchard, and some Out of District placements. Several new Speech Language Pathologists (CCC-SLPs) have been hired to replace outgoing Speech-Language Pathology Assistants. The district also hired a dually-certified Board Certified Behavior Analyst (BCBA) CCC-SLP to serve both roles part time. Additional hires were made to complete the Pathways program expansion.

Another topic of discussion was the homework policy, as there appears to be some lack of clarity among staff about implications for students with IEPs. Accommodations and modifications in IEPs, such as providing preview opportunities, supersede the homework policy. This was reiterated by the Special Education Director who stated that she would follow up internally.

Another issue discussed was the right to observe placements. Some parents have reported that requests to observe placements have been denied in the past. Parents have the right to observe placements with timely and sufficient access and should complete the form available from Student Services should they wish to do so.

Finally, the PAC will continue to follow up on parent concerns and questions regarding Extended School Year programming with plans to release the Spring 2017 mini survey report.

B. Student Safeguards

Over the summer, the PAC notified families of a recently reported alleged incident eight years ago between a staff member and a student. As the PAC is charged with advising the school district on issues pertaining to the safety of children with special education needs, several steps were taken, including consulting with MassPAC and the Federation for Children with Special Needs. Additionally, PAC leadership met with then Acting

Superintendent Marie Altieri and the Special Education Director regarding district actions. A full investigation was conducted by the district. Current safeguards include CORI checks, fingerprinting, and mandatory reporter training. The PAC was invited to participate in a further review of policies to review student safety. Additional questions should be directed to the Deputy Superintendent.

C. Nominations and Electing Additional Officers

The Chair asked for nominations for additional officers and reviewed roles and responsibilities of Chair and Secretary. Melissa Brown nominated herself for the role of Secretary; her nomination was seconded and unanimously approved.

D. Accessibility and Inclusion in the School and Community

Some of our buildings were built prior to the passage of the Americans with Disabilities Act and are therefore not fully accessible (e.g., classroom sinks, bathrooms). Sometimes classrooms are not fully navigable by students with mobility issues at the start of the school year despite accommodations in the IEPs. A parent asked if the district contracts with specialists regarding ADA compliance for impacted students. The Special Education Director shared that the district contracts with Orientation Mobility to do some of this work, and that some issues are not resolved until students are in the actual spaces.

The Chair highlighted the importance of accessibility ('getting in the door') and inclusion ('being asked to participate') in the school and community and noted the importance of adults modeling for and teaching all children to be inclusive of their peers across settings. Consideration of inclusion opportunities in relation to implementation of the Massachusetts Tiered System of Supports was mentioned. The Chair noted that the building project is an important opportunity where the PAC can make recommendations regarding accessibility and inclusivity. The PAC wonders if playground space at an eventual new building would be fully accessible. There is no playground in either Acton or Boxborough that is accessible for students with limited physical mobility. There are also accessibility issues with Community Education. Other opportunities to improve accessibility and inclusion in the community include Acton Recreation and the Acton-Boxborough Family Network, which has recently sought input regarding sensory-friendly activities.

The Chair sought volunteers to form a sub-committee to pursue these opportunities and be a voice for accessibility and inclusion issues; two community members volunteered to join a sub-committee with the Chair.

E. Outreach

Upcoming outreach opportunities were noted, including Back to School nights, the district joint PTO/PTF/PTSO meetings, and the Parenting Support Hour (first Sunday of the month from 2:30-4:30 p.m. in the Acton Memorial Library upstairs conference room). Ideally, we would have one PAC representative serve as a liaison to each of the school PTOs as well as someone to attend the Acton Commission on Disabilities meetings (typically the third Tuesday of the month at 9:30 a.m. in the Acton Town Hall). The Commission on Disabilities is particularly important as parents seek to increase town-level opportunities and access. Interested parties should contact the PAC for more information.

The Standing Committee Chair discussed upcoming speakers, including ABRHS transition coordinator Kate Sullivan, who will be presenting at the January PAC meeting. Efforts are

being made to book Brenda Dater from AANE to speak in the spring. The jointly hosted Basic Rights workshop will be held in Sudbury, date to be determined.

The PAC has added an informal coffee/tea hour typically to fall on the Monday after official business meetings from 9:30-11 at a private residence. Interested parties should RSVP to abspedpac@gmail.com.

IV. NEW BUSINESS

A parent raised two issues, the “right to recess” and coteaching. A number of those present expressed that their children had recess withheld as punishment or were kept indoors to finish academic work. The PAC underscored the need for students with certain learning profiles to move in order to be able to self-regulate. The American Academy of Pediatrics has recommended that recess should not be removed as punishment or for academic reasons. Parents should review the district wellness policy to see what language is included around recess. Individualized Education Programs can contain language around not removing recess as punishment.

Coteaching was mentioned as a way to build capacity among regular education staff as well as promote inclusion in the classroom. The Special Education Director shared that coteaching is occurring on a limited basis at the high school this year.

A parent expressed the need for more support regarding accessibility and inclusion for her student. The student reports not being fully included in recess and basic classroom opportunities. The parent expressed great concern that her student was told things cannot be made accessible. A discussion ensued regarding lack of education and knowledge district wide regarding inclusive practices and accessibility accommodations, with concerns regarding the implications of this for all students in the district.

Another parent asked about support regarding an assistive communication device. The Special Education Director noted that the district contracts with the Cotting School and CASE for these purposes, and that the parent should follow up with her IEP team.

V. ADJOURNMENT

The meeting adjourned at 8:53 p.m.

VI. NEXT MEETING

Wednesday, October 4, 2017, at 7:30 p.m. in the RJ Grey Junior High Library

All AB SpEd PAC meetings are open to the public. We encourage parents of children with special needs and others interested in special education to attend. Please check our website (www.abspedpac.org) for information regarding upcoming events.

Respectfully submitted by Melissa Brown, Secretary



Acton-Boxborough Regional School District

**COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

Dates of Onsite Visit: February 13-15, 2017

Date of Draft Report: May 1, 2017

Date of Final Report: September 5, 2017

Action Plan Due: October 3, 2017

Department of Elementary and Secondary Education Onsite Team Members:

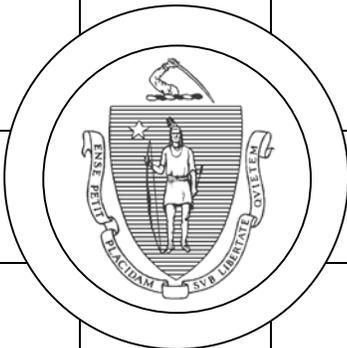
Marc Oldenburg, Office of Public School Monitoring (PSM) Chair

Corey Steinman, PSM

Brian Cavanaugh, PSM

**Sibel Hughes, Office of English Language Acquisition and Academic Achievement
(OELAAA) Chair**

Paul Aguiar, OELAAA



**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
COORDINATED PROGRAM REVIEW REPORT**

Acton-Boxborough Regional School District

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
COORDINATED PROGRAM REVIEW REPORT
Acton-Boxborough Regional School District**

SCOPE OF COORDINATED PROGRAM REVIEWS

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

Special Education (SE)

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

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

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

English Learner Education (ELE) in Public Schools

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

Some reviews also cover selected requirements in:

College, Career and Technical Education (OCCTE)

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

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

COORDINATED PROGRAM REVIEW ELEMENTS

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

Timing: Each school district and charter school in the Commonwealth is scheduled to receive a Coordinated Program Review every six years and a mid-cycle special education follow-up visit three years after the Coordinated Program Review; approximately 66 school districts and charter schools are scheduled for Coordinated Program Reviews in 2016 - 2017, of which all districts participated in the Web-based Monitoring System (WBMS). The Department's 2016 - 2017 schedule of Coordinated Program Reviews is posted on the Department's web site at <<<http://www.doe.mass.edu/pqa/review/cpr/schedule.html>>>. The statewide six-year Program Review cycle, including the Department's Mid-cycle follow-up monitoring schedule, is posted at <<<http://www.doe.mass.edu/pqa/review/cpr/6yrcycle.html>>>.

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

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

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

Self-Assessment Phase:

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

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

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

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

Methods for all other programs in the Coordinated Program Review:

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

Report: Preparation:

At the end of the onsite visit, the onsite team will hold an informal exit meeting to summarize its comments for the superintendent or charter school leader and anyone else he or she chooses. Within approximately 45 business days of the onsite visit, the onsite chairperson will forward to the superintendent or charter school leader (and collaborative director where applicable) a Draft Report containing comments from the Program Review. The Draft Report

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comments for special education and civil rights are provided to the district/school on-line through the Web-based Monitoring System (WBMS). These comments will, once the district has had a chance to respond, form the basis for any findings by the Department. The district (and collaborative) will then have 10 business days to review the report for accuracy before the publication of a Final Report with ratings and findings (see below). The Final Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department's website at <<http://www.doe.mass.edu/pqa/review/cpr/reports/>>.

Content of Final Report:

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

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

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

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

INTRODUCTION TO THE FINAL REPORT

A five-member Massachusetts Department of Elementary and Secondary Education team visited Acton-Boxborough Regional School District during the week of February 13, 2017, to evaluate the implementation of selected criteria in the program areas of special education, civil rights and English learner education. The team appreciated the opportunity to interview staff and parents, to observe classroom facilities and to review the programs underway in the district.

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

- Interviews of nine administrative staff.
- Interviews of 42 teaching and support services staff across all levels.
- Interview of one parent advisory council (PAC) representative.
- Interviews as requested by persons from the general public.
- Student record review: A sample of 42 special education student records and 36 English learner education student records.
- Surveys of parents of students with disabilities: 50 parents of students with disabilities were sent surveys that solicited information about their experiences with the district's implementation of special education programs, related services and procedural requirements. Thirteen of these parent surveys were returned to the Department of Elementary and Secondary Education for review.
- Surveys of parents of ELE students: 50 parents of ELE students were sent surveys that solicited information about their experiences with the district's implementation of English learner education programs, services, and procedural requirements. No ELE parent surveys were returned to the Department of Elementary and Secondary Education for review.
- Observation of classrooms and other facilities. A sample of 24 instructional classrooms and other school facilities used in the delivery of programs and services was visited to examine general levels of compliance with program requirements.

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

- Component I: Assessment of Students**
- Component II: Student Identification and Program Placement**
- Component III: Parent and Community Involvement**
- Component IV: Curriculum and Instruction**
- Component V: Student Support Services**
- Component VI: Faculty, Staff and Administration**
- Component VII: Facilities**
- Component VIII: Program Evaluation**
- Component IX: Recordkeeping and Fund Use**

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

DEFINITION OF COMPLIANCE RATINGS

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 in all important aspects.
Implementation in Progress	This rating is used for criteria containing new or updated legal requirements and means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year.
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.

Acton-Boxborough Regional School District

SUMMARY OF COMPLIANCE CRITERIA RATINGS

	Special Education	Civil Rights and Other General Education Requirements	English Learner Education
IMPLEMENTED	SE 1, SE 2, SE 3, SE 3A, SE 4, SE 5, SE 6, SE 7, SE 8, SE 9, SE 9A, SE 10, SE 12, SE 13, SE 14, SE 15, SE 16, SE 17, SE 18A, SE 18B, SE 19, SE 20, SE 21, SE 22, SE 24, SE 25, SE 25A, SE 25B, SE 26, SE 27, SE 29, SE 32, SE 33, SE 34, SE 35, SE 36, SE 37, SE 38, SE 39A, SE 39B, SE 40, SE 41, SE 42, SE 43, SE 44, SE 45, SE 47, SE 48, SE 49, SE 50, SE 51, SE 52, SE 52A, SE 53, SE 54, SE 55, SE 56, SE 59	CR 3, CR 6, CR 7, CR 7A, CR 7B, CR 7C, CR 8, CR 9, CR 10, CR 10B, CR 11A, CR 12A, CR 13, CR 14, CR 15, CR 17A, CR 18, CR 18A, CR 20, CR 21, CR 22, CR 23, CR 24, CR 25, CR 26A	ELE 1, ELE 2, ELE 3, ELE 4, ELE 5, ELE 7, ELE 8, ELE 9, ELE 10, ELE 11, ELE 12, ELE 13, ELE 14, ELE 15, ELE 16
PARTIALLY IMPLEMENTED	SE 11, SE 46	CR 10A, CR 10C, CR 16	ELE 6, ELE 18
NOT IMPLEMENTED			ELE 17

SPECIAL EDUCATION

**LEGAL STANDARDS,
COMPLIANCE RATINGS AND
FINDINGS**

CRITERION NUMBER		
	Legal Standard	
SE 11	<p>School district response to parental request for independent educational evaluation</p> <p>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 student are to be justified when an individual assessment rate is higher than that normally allowed. 2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. 3. The district extends the right to a publicly funded independent educational evaluation (only if cost shared or funded for state wards or for students receiving free or reduced cost lunch) for sixteen (16) months from the date of the evaluation with which the parent disagrees. 4. If the parent is requesting an independent education evaluation in an area not assessed by the school district, the student does not meet income eligibility standards or the family chooses not to provide financial documentation to the school district establishing family income level, the school district shall respond in accordance with the requirements of federal law. Within five school days, the district shall either agree to pay for the independent education evaluation or, proceed to the Bureau of Special Education Appeals (BSEA) to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, then the school district shall not be obligated to pay for the independent educational evaluation requested by the parent. 5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator's report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools. 6. Within ten (10) school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate. 	
	State Requirements	Federal Requirements
	603 CMR 28.04(5)	34 CFR 300.502
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Document review and interviews indicated that the district's procedures for responding to a parental request for an independent educational evaluation (IEE) when the parent disagrees with an evaluation do not include the right to a publicly-funded IEE for 16 months from the date of the evaluation for students cost-shared or funded for state wards, or for students receiving free or reduced cost lunch.

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> <ol style="list-style-type: none"> 1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement. 2. When a suspension constitutes a change in placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student’s file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district’s failure to implement the IEP-“a manifestation determination.” 3. If district personnel, the parent, and other relevant members of the Team determine that the behavior is <u>NOT</u> a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer: <ol style="list-style-type: none"> a. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and b. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur. 4. <u>Interim alternative educational setting.</u> Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days <ol style="list-style-type: none"> a. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is “substantially likely” to injure him/herself or others. <p><u>Characteristics.</u> In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving</p>

CRITERION NUMBER		
	Legal Standard	
	<p>services identified on the IEP, and provides services to address the problem behavior.</p> <p>5. If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews it and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.</p> <p>6. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student’s current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.</p>	
	State Requirements	Federal Requirements
		34 CFR 300.530-537
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Document review and interviews indicated that the district's procedures for the suspension of students with disabilities do not define a change in placement as a series of suspensions that are shorter than 10 consecutive days that constitute a pattern. Also, the procedures do not include the requirement that the school district must notify the parents of the decision of a manifestation determination and provide them with written notice and procedural safeguards.

**CIVIL RIGHTS
METHODS OF ADMINISTRATION (CR)
AND
OTHER RELATED GENERAL EDUCATION
REQUIREMENTS**

**LEGAL STANDARDS,
COMPLIANCE RATINGS AND
FINDINGS**

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS V. STUDENT SUPPORT SERVICES	
	Legal Standard	
CR 10A	<p>Student handbooks and codes of conduct</p> <ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> a. The district has a code of conduct for students and one for teachers. b. The principal of every school containing grades 9-12 prepares, in consultation with the school council, a student handbook containing the student code of conduct and distributes it to each student annually, as well as to parents and school personnel; the school council reviews and revises the student code of conduct every year. c. The principal of every school containing other grades distributes the district’s student code of conduct to students, parents, and personnel annually. d. At the request of a parent or student whose primary language is not English, a student handbook or student code of conduct is translated into that language. 2. Student codes of conduct contain: <ol style="list-style-type: none"> a. procedures assuring due process in disciplinary proceedings and b. the district’s responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion. c. appropriate procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans. d. if a charter school or a virtual school, the designation by the board of trustees as to who shall serve as the principal and who shall serve as superintendent for the purpose of 603 CMR 53.00. 3. Student handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain: <ol style="list-style-type: none"> a. a nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5, and affirms the school’s non-tolerance for harassment based on race, color, national origin, sex, gender identity, religion, or sexual orientation, or discrimination on those same bases; b. the school’s procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and c. the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred. 	
	Section 504; M.G.L. c. 71, § 37H; M.G.L. c. 71, § 37H ¾; 603 CMR 53.00; 603 CMR 26.08 as amended by Chapter 199 of the Acts of 2011	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Document review indicated that the elementary school handbooks do not contain procedures for accepting, investigating and resolving complaints alleging discrimination or harassment and the

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disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred.

Furthermore, the following elementary school handbooks are missing these required elements:

- *Blanchard Elementary School: policies and procedures for student discipline and procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans.*
- *Conant Elementary School: information on bullying prevention and intervention.*
- *Gates Elementary School: policies and procedures for student discipline; procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans; and information on bullying prevention and intervention updated to include staff as a potential "aggressor" or "perpetrator" in a bullying report.*
- *Merriam Elementary School: policies and procedures for student discipline and procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans; and the nondiscrimination policy does not contain the protected categories of gender identity and sex.*

CRITERION NUMBER		
	Legal Standard	
<p>CR 10C</p>	<p>Student Discipline Each school committee and board of trustees shall ensure that policies and procedures are in place in public preschool, elementary, and secondary schools and programs under its jurisdiction that meet, at a minimum, the requirements of M.G.L.c. 71, section 37H ¾, M.G.L.c. 76, section 21, and 603 CMR 53.00. These policies and procedures must address or establish, but are not limited to:</p> <ol style="list-style-type: none"> 1. The notice of suspension and hearing; 2. Procedures for emergency removal; 3. Procedures for principal hearings for both short and long-term suspension; 4. Procedures for in-school suspension; 5. Procedures for superintendent hearing; 6. Procedures for education services and academic progress (School-wide Education Service Plan); 7. A system for periodic review of discipline data by special populations; 8. Alternatives to suspension . 	
	<p>M.G.L.c. 71, section 37H ¾, M.G.L.c. 76, section 21, and 603 CMR 53.00, M.G.L.c. 71 section 38R and Chapter 77 of the Acts of 2013.</p>	
	<p>Rating: Partially Implemented</p>	<p>District Response Required: Yes</p>

Department of Elementary and Secondary Education Findings:

Document review indicated that the district's student discipline policy does not include the principal's responsibility to send written determination to the superintendent, explaining reasons for an out-of-school suspension for a student in pre-school through grade 3, before the suspension takes effect. Additionally, there is no School-wide Education Service Plan in place at each school for students who are expelled or suspended for more than 10 consecutive days.

CRITERION NUMBER		
	Legal Standard	
CR 16	<p>Notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion</p> <ol style="list-style-type: none"> 1. No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school where the student last attended has sent notice within 5 days from the student's tenth consecutive absence to the student and the parent/guardian of the student in English and the primary language of the parent or guardian (to the extent practicable). The notice shall offer at least two dates and times for an exit interview between the superintendent (or designee) and the student and the parent/guardian to occur prior to the student permanently leaving school. The notice shall include contact information for scheduling the exit interview and indicate that the parties shall agree to a date and time for the exit interview and that the interview shall occur within 10 days of the notice. The time and the date for the exit interview may be extended at the request of the parent/guardian but for no longer than 14 days. The superintendent or designee may proceed with an exit interview without a parent/guardian if the superintendent or designee makes a good faith effort to include the parent/guardian. 2. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education programs and services available to the student. The superintendent (or designee) shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent/guardian. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and a list of alternative education program and services available to the student. 3. Any district serving students in high school grades sends annual written notice to former students who have not yet earned their competency determination and who have not transferred to another school <ol style="list-style-type: none"> a. to inform them of the availability of publicly funded post-high school academic support programs and b. to encourage them to participate in those programs. <p>At a minimum, the district sends annual written notice by first class mail to the last known address of each such student who attended a high school in the district within the past two years.</p> 4. The Superintendent shall annually report to the Department the number of students sixteen years of age or older who have permanently left school, the reasons for such leaving and any alternative educational or other placement the student has taken. 	
	M.G.L. c. 76, §§ 5, 18; St. 1965, c. 741	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Document review and interviews indicated that the district does not send notice to high school students within 5 days from the student's tenth consecutive absence, in English and the primary language of the home if the primary language of the home is other than English, offering at least two dates and times for an exit interview prior to the student permanently leaving school.

ENGLISH LEARNER EDUCATION

**LEGAL STANDARDS,
COMPLIANCE RATINGS AND
FINDINGS**

CRITERION NUMBER	ENGLISH LEARNER EDUCATION II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	
	Legal Standard	
ELE 6	<p>Program Exit and Readiness</p> <ol style="list-style-type: none"> 1. Each school district shall establish criteria, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may no longer be English learners. 2. The district does not reclassify an English Learner (EL) as Former English Learner (FEL) until he or she is deemed English proficient and can participate meaningfully in all aspects of the district's general education program without the use of adapted or simplified English materials. 3. Districts do not limit or cap the amount of time in which an EL can remain in a language support program. An EL only exits from such a program after he or she is determined to be proficient in English. <p>Authority: Title VI; EEOA; G.L. c. 71A, § 4; 603 CMR 14.02</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Document review and staff interviews indicated that some students have been reclassified as Former English Learners (FELs) at a WIDA English proficiency level as low as 2.8. English learners at this proficiency level require significant support to participate meaningfully in all aspects of the district's general education program, and therefore should not be considered for reclassification. The district's current reclassification procedures are not in compliance with 603 CMR 14.02 that requires districts to establish exit criteria in accordance with the Department's guidelines. Please see <http://www.doe.mass.edu/ell/guidance/default.html>.

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

Department of Elementary and Secondary Education Findings:

Document review and staff interviews indicated that the district does not have a comprehensive process to evaluate the effectiveness of its ELE programming in developing students' English

language skills and increasing their ability to participate meaningfully in the district's educational program. Please see <http://www.doe.mass.edu/ell/resources/ProgramEvaluation.pdf>.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION IX. RECORD KEEPING	
	Legal Standard	
ELE 18	<p>Records of ELL Students ELL student records include:</p> <ul style="list-style-type: none"> a) home language survey; b) results of identification and proficiency tests and evaluations; c) ACCESS for ELLs report; d) MCAS/PARCC report; e) information about students' previous school experiences if available; f) copies of parent notification letters; g) progress reports, in the native language, if necessary; h) report cards, in the native language, if necessary; i) evidence of follow-up monitoring, if applicable; j) documentation of a parent’s consent to “opt-out” of ESL instruction, if applicable; k) waiver documentation, if applicable; l) individualized learning plan (optional). <p>Authority: Title VI; EEOA; G.L. c. 69, § 1I; c. 71A, §§ 5, 7; 603 CMR 14.02, 14.04</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Student record review indicated that English learner student records do not consistently include the results of state mandated assessments and information regarding students' previous school experiences.

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

WBMS CPR Final Report 2017

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