



MASSACHUSETTS DEPARTMENT OF
ELEMENTARY AND SECONDARY
EDUCATION

Weston Public Schools

**COORDINATED PROGRAM REVIEW
REPORT OF FINDINGS**

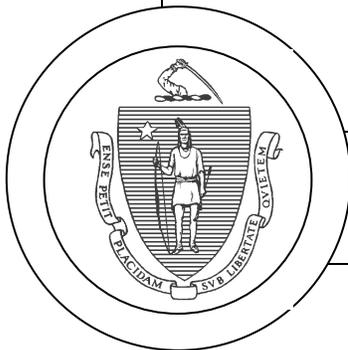
Dates of Onsite Visit: December 4-7, 2017

Date of Draft Report: January 16, 2018

Date of Final Report: January 24, 2018

Action Plan Due: February 28, 2018

**Department of Elementary and Secondary Education Onsite Team Members:
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
COORDINATED PROGRAM REVIEW REPORT**

Weston Public Schools

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

Weston Public Schools

SCOPE OF COORDINATED PROGRAM REVIEWS

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

Special Education (SE)

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

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

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

English Learner Education (ELE) in Public Schools

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

Some reviews also cover selected requirements in:

College, Career and Technical Education (CCTE)

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

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

COORDINATED PROGRAM REVIEW ELEMENTS

- Team:** Depending upon the size of a school district and the number of programs to be reviewed, a team of one to eight Department staff members conducts onsite activities over two to five days in a school district or charter school.
- Timing:** Each school district and charter school in the Commonwealth is scheduled to receive a Coordinated Program Review every six years and a mid-cycle special education follow-up visit three years after the Coordinated Program Review; approximately 68 school districts and charter schools are scheduled for Coordinated Program Reviews in 2017 - 2018, of which all districts participated in the Web-based Monitoring System (WBMS). The Department's 2017 - 2018 schedule of Coordinated Program Reviews is posted on the Department's web site at <<<http://www.doe.mass.edu/pqa/review/cpr/schedule.html>>>. The statewide six-year Program Review cycle, including the Department's Mid-cycle follow-up monitoring schedule, is posted at <<<http://www.doe.mass.edu/pqa/review/cpr/6yrcycle.html>>>.
- Criteria:** The Program Review criteria for each WBMS review begins with the district/school conducting a self-assessment across all 56 current special education criteria and 26 civil rights criteria. The Office of Public School Monitoring through its Desk Review procedures examines the district/school's self-assessment submission and determines which criteria will be followed-up on through onsite verification activities. For more details, please see the section on **The Web-based Approach to Special Education and Civil Rights Monitoring** at the beginning of the School District Information Package for Special Education and Civil Rights.

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

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

Self-Assessment Phase:

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

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

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

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

Methods for all other programs in the Coordinated Program Review:

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

Report: Preparation:

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

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

Content of Final Report:

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

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

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

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

INTRODUCTION TO THE FINAL REPORT

A two-member Massachusetts Department of Elementary and Secondary Education team conducted a Coordinated Program Review in Weston Public Schools during the week of December 4, 2017, to evaluate the implementation of selected criteria in the program areas of special education, civil rights and other related general education requirements, 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:

- Administrative staff
- Teaching and support services staff
- A special education parent advisory council representative
- Persons from the general public

Student record reviews:

- Special education student records
- English learner student records

Surveys:

- Parents of students with disabilities
- Parents of English learners

Observations of classrooms and other facilities

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

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

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.

Weston Public Schools

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

SPECIAL EDUCATION

**LEGAL STANDARDS,
COMPLIANCE RATINGS AND
FINDINGS**

CRITERION NUMBER	
	Legal Standard

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. At least one year prior to the student reaching age 18, the district informs the student and the parent/guardian of the rights that will transfer from the parent/guardian to the student upon the student's 18th birthday. The notification provided to both the student and the parent/guardian must explicitly state that all rights accorded to parents under special education law will transfer to the 18 year old. 2. Upon reaching the age of 18, the school district implements procedures to obtain consent from the student with decision-making authority to continue the student's special education program. 3. The district continues to send the parent written notices and the parent will have the right to inspect the student's records, but the parent will no longer have decision-making authority, except as provided below: <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. 	
	State Requirements	Federal Requirements
	603 CMR 28.07(5)	34 CFR 300. 320(c), 300.520
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of student records and staff interviews indicated that the district documents a student's choice to share or delegate their rights, and implements procedures to obtain consent to a new or revised IEP from the student with decision-making authority. However, records and interviews indicate that the district does not affirmatively obtain consent from the student with decision-making rights once he or she turns age 18 to continue the student's special education program.

CRITERION NUMBER	Legal Standard	
SE 13	Progress Reports and content 1. Parents receive reports on the student's progress towards reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled students. 2. Progress report information sent to parents includes written information on the student's progress towards the annual goals in the IEP. 3. Where a student's eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility, the school district provides the student with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals.	
	State Requirements	Federal Requirements
	603 CMR 28.07(3)	34 CFR 300.305(e)(3); 300.320(a)(3)
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of student records and staff interviews indicated that when a student's eligibility terminates because the student has graduated or exceeded the age of eligibility, the district does not consistently provide a summary of achievement and functional performance or recommendations on how to assist the student in meeting his or her postsecondary goals.

CRITERION NUMBER	Legal Standard	
SE 18B	Determination of placement; provision of IEP to parent 1. At the Team meeting, after the IEP has been fully developed, the Team determines the appropriate placement to deliver the services on the student's IEP. 2. Unless the student's IEP requires some other arrangement, the student is educated in the school that he or she would attend if the student did not require special education. 3. The decision regarding placement is based on the IEP, including the types of related services that are to be provided to the student, the type of settings in which those services are to be provided, the types of service providers, and the location at which the services are to be provided. 4. Reserved 5. Immediately following the development of the IEP, the district provides the parent with two (2) copies of the proposed IEP and proposed placement along with the required notice, except that the proposal of placement may be delayed according to the provisions of 603 CMR 28.06(2)(e) in a limited number of cases.	
	State Requirements	Federal Requirements
	603 CMR 28.05(6) and (7); 28.06(2)	34 CFR 300.116; 300.325
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of student records indicated that parents consistently leave with summary notes at the conclusion of the IEP Team meeting, which include a completed IEP service delivery grid describing the types and amounts of special education and related services proposed by the district and a

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statement of the major goal areas associated with these services. However, the district provides the parent with two (2) copies of the proposed IEP and proposed placement along with the required notice beyond two calendar weeks of the Team meeting.

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. 2. If the student is removed from the general education classroom at any time, the Team states why the removal is considered critical to the student’s program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily. 3. The district does not remove an eligible student from the general education classroom solely because of needed modification in the curriculum. 4. If a student’s IEP necessitates special education services in a day or residential facility or an out-of-district educational collaborative program, the IEP Team considers whether the student requires special education services and support to promote the student’s transition to placement in a less restrictive program. 	
	State Requirements	Federal Requirements
	M.G.L. c. 71B, § 3 603 CMR 28.06(2)	34 CFR 300.114-120 34 CFR 300.42
	<p>Rating: Partially Implemented District Response Required: Yes</p>	

Department of Elementary and Secondary Education Findings:

A review of student records indicated that IEP Teams do not consistently state why removal from the general education classroom is considered critical to the student's program and the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.

**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
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	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 ³ / ₄ ; 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:

A review of documents and interviews indicated that, although the district has established student discipline policies and procedures to meet the requirements of 603 CMR 53.00, as created under M.G.L. c. 71, § 37H³/₄, and efforts have been made to update school handbooks, the code of conduct provided to elementary and middle school students and their parents in their respective school handbooks has not been updated to include all requirements of the regulations. Specifically, the code of conduct does not include all procedural safeguards for the discipline of students with disabilities and students not yet determined to be eligible for special education, the responsibility for the district to provide the student with an opportunity to make academic progress during the period of suspension or expulsion, and the principal notice to the superintendent of the written determination and explaining the reasons for imposing an out-of-school suspension before the short-term suspension of a student in grades K to 3 takes effect. Furthermore, the elementary and middle school handbooks state

that if a student moves to another district during a period of suspension or expulsion, the new district of residence is not under any obligation to admit the student to its schools or provide educational services to the student, which is in violation of M.G.L. c. 71, § 37H and M.G.L. c. 71, § 37H ½.

CRITERION NUMBER		
	Legal Standard	
CR 10B	<p>Bullying Intervention and Prevention</p> <ol style="list-style-type: none"> 1. Public schools (including charter schools and collaboratives) must update school handbooks to conform to their updated amended Bullying Prevention and Intervention Plan (Plan). The school handbook (and local updated Plan) must be consistent with the amendments to the Massachusetts anti-bullying law, which became effective July 1, 2013. The amendments extend protections to students who are bullied by a member of the school staff. As defined in G.L. c. 71, 37O, as amended, a member of the school staff includes, but is not limited to, an “educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.” The school handbook must make clear that a member of the school staff may be named the “aggressor” or “perpetrator” in a bullying report. 2. School and district employee handbooks must also contain relevant sections of the amended Plan relating to the duties of faculty and staff and relevant provisions addressing the bullying of students by a school staff member. 3. Each year all school districts and schools must give parents and guardians annual written notice of the student-related sections of the local Plan. 4. Each year all school districts and schools must provide all staff with annual written notice of the Plan. 5. All schools and school districts must implement, for all school staff, professional development that includes developmentally appropriate strategies to prevent bullying incidents; developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying; research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; information on the incidence and nature of cyber-bullying; and internet safety issues as they relate to cyber-bullying. 	
	M.G.L. c. 71, s. 37H, as amended by Chapter 92 of the Acts of 2010. M.G.L. c. 71, s. 37O(e)(1) & (2). M.G.L. c. 71, s. 370(d), as amended.	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of documents and staff interviews indicated that although the district's Bullying Prevention and Intervention Plan has been updated in accordance with the regulations, staff training materials do not include staff in the definition of "aggressor" or include provisions addressing the bullying of students by a school staff member.

CRITERION NUMBER		
	Legal Standard	
CR 10C	<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. 	
	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.	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of documents and staff interviews indicated that the district has not developed a School-wide Education Service Plan.

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. 	

CRITERION NUMBER		
	Legal Standard	
	<p>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.</p> <p>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</p> <p>a. to inform them of the availability of publicly funded post-high school academic support programs and</p> <p>b. to encourage them to participate in those programs.</p> <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> <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.</p>	
	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:

A review of documents indicated the district's written notice to students 16 or over leaving school without a high school diploma, certificate of attainment, or certificate of completion, and to their parents/guardians, does not offer the parent/guardian the option to request an extension of up to 14 days for the exit interview. In addition, the district's annual notice to former students who have not yet earned their competency determination is sent only to the student's parents, pertains only to students who have not received a passing score on all MCAS tests, and does not provide information about publicly funded post-high school academic support programs available to the student.

CRITERION NUMBER		
	Legal Standard	
CR 17A	<p>Use of physical restraint on any student enrolled in a publicly-funded education program</p> <p>1. Public education programs must develop and implement written restraint prevention and behavior support policy and procedures consistent with new regulations 603CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention.</p> <p>a. restraint prevention and behavior support policy and procedures shall be</p>	

CRITERION NUMBER		
	Legal Standard	
	<p>annually reviewed and provided to program staff and made available to parents of enrolled students.</p> <p>b. restraint prevention and behavior support policy and procedures shall include, but not be limited to: methods for preventing student violence, self-injurious behavior and suicide; methods for engaging parents and youth in discussions about restraint prevention and use; a description and explanation of the program’s alternatives to physical restraint and method of physical restraint in emergency situations; a statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of restraint inconsistent with 603 CMR 46.03; a description of the program’s training requirements, reporting requirements, and follow-up procedures; a procedure for receiving and investigating complaints; a procedure for conducting periodic review of data and documentation on the program’s use of restraint; a procedure for implementing the reporting requirements; a procedure for making both oral and written notification to the parent; and a procedure for the use of time-out.</p> <p>2. Each principal or director shall determine a time and method to provide all program staff with training regarding the program’s restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment.</p> <p>3. At the beginning of each school year, the principal of each public education program or his/her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall have in-depth training on the use of physical restraint.</p> <p>4. The program administers physical restraint on students only in emergency situations of last resort when needed to protect a student and/or member of the school community from assault or imminent, serious, physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint..</p>	
	M.G.L. c. 71, § 37G; 603 CMR 46.00 effective January 1, 2016	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of documents and staff interviews indicated that although the district updated its restraint policy in 2017 in accordance with 603 CMR 46.00, which took effect January 1, 2016, the revised policy does not include the requirement to obtain the principal’s approval to extend a restraint to more than twenty (20) minutes. In addition, materials for school-wide staff training do not incorporate the changes resulting from the amended regulations including the district’s prevention and behavior support policy, methods of prevention and alternatives to restraint. The materials also include the option for a parent to waive restraint and reporting requirements when written into the IEP, which is not permitted under the amended regulations.

CRITERION NUMBER	CIVIL RIGHTS METHODS OF ADMINISTRATION (CR) AND OTHER RELATED GENERAL EDUCATION REQUIREMENTS VIII. PROGRAM PLAN AND EVALUATION	
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	Legal Standard	
CR 24	Curriculum review The district ensures that individual teachers in the district review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.	
	M.G.L. c. 76, § 5; 603 CMR 26.05(2) as amended by Chapter 199 of the Acts of 2011	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of documents and staff interviews indicated that although culturally competent pedagogy is a district-wide priority, evidenced in part by the requirement that all teachers successfully complete an anti-bias course in order to obtain professional status, the development of a partnership with the Anti-Defamation League and other anti-bias organizations, and the use of an implicit and explicit bias lens in its review of new language arts and social studies curricula, the district has not developed procedures for individual teachers to review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation.

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

Department of Elementary and Secondary Education Findings:

A review of documents and staff interviews indicated that the district annually assesses METCO student enrollment in honors and advanced placement (AP) courses, college acceptance rates, MCAS scores, and participation in extracurricular activities, and the high school reports AP participation rates disaggregated by sex. However, a review of documents indicated that the district does not review AP data by subgroups other than sex, enrollment in non-AP courses, or evaluate its K-8 program to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities.

ENGLISH LEARNER EDUCATION

**LEGAL STANDARDS,
COMPLIANCE RATINGS AND
FINDINGS**

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VI. FACULTY, STAFF AND ADMINISTRATION	
	Legal Standard	
ELE 14	<p>Licensure Requirements</p> <p>Licensure requirements for districts where ELs are enrolled:</p> <ol style="list-style-type: none"> 1. Every district, including every Commonwealth charter school, has at least one teacher who has an English as a Second Language or Transitional Bilingual Education, or ELL license under G.L. c.71, § 38G and 603 CMR 7.04(3). (This requirement does not apply separately to Horace Mann charter schools.) 2. Except at Commonwealth charter schools, <i>every</i> teacher or other educational staff member who teaches ELs holds an appropriate license or current waiver issued by the Massachusetts Department of Elementary and Secondary Education. 3. Core academic teachers who provide sheltered English instruction to English learners in school districts, including charter schools and education collaboratives, must earn an SEI Teacher Endorsement as set forth in 603 CMR 7.00 and 603 CMR 14.00. Principals, assistant principals, and supervisors/directors who supervise or evaluate such teachers must earn an SEI Teacher Endorsement or SEI Administrator Endorsement as set forth in 603 CMR 7.00 and 603 CMR 14.00. 4. Any core academic teacher who is assigned to provide sheltered English instruction to an EL shall either hold an SEI Teacher Endorsement, or is required to earn such an endorsement within one year from the date of the assignment. Any school district that assigns an EL to a core academic teacher who has a year to obtain an SEI endorsement, shall take all reasonable steps to ensure that such EL is assigned to core academic teachers with an SEI endorsement in subsequent school years. 5. No principal, assistant principal, or supervisor/director shall supervise or evaluate a core academic teacher who provides sheltered English instruction to an EL unless such principal, assistant principal, or supervisor/director holds an SEI Teacher Endorsement or SEI Administrator Endorsement, or will earn either endorsement within one year of the commencement of such supervision or evaluation. 6. Except at Commonwealth charter schools, any director of ELE program(s) who is employed in that role for one-half time or more has a Supervisor/Director license and an English as a Second Language (ESL), Transitional Bilingual Education (TBE) or an ELL license. 7. If a district with 200 or more ELs—including all charter schools with 200 or more ELs—has a director of EL programs, that director must have an English as a Second Language, Transitional Bilingual Education, or an EL license even if he or she is employed in that position for less than one-half time. (This requirement does not apply separately to Horace Mann charter schools.) <p>Authority: Title VI; EEOA; G.L. c. 71, § 38G, §89(ii); St. 2002, c. 218, §§ 24, 25, 30; 603 CMR 7.04(3), 7.09(3); 603 CMR 7.14 (1) and (2); 603 CMR 7.15(9)(b); 603 CMR 14.07.</p>	
	Rating: Partially Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

Staff interviews and the relevant SEI endorsement data indicated that not all core academic teachers assigned to provide sheltered English instruction to English learners hold the SEI Teacher Endorsement. Similarly, not all principals, assistant principals, and supervisors/directors assigned to supervise or evaluate core academic teachers who provide sheltered English instruction to English learners hold the SEI Teacher Endorsement or the SEI Administrator Endorsement.

CRITERION NUMBER	ENGLISH LEARNER EDUCATION VIII. PROGRAM PLAN AND EVALUATION	
	Legal Standard	
ELE 17	<p>Program Evaluation 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. ESEA</p>	
	Rating: Not Implemented	District Response Required: Yes

Department of Elementary and Secondary Education Findings:

A review of documents 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 educational program.

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 Final Report 2017

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